

(ii) Horizontally from side to side; and

(iii) Horizontally from end to end.

(2) The vibrating frequency must be 80 Hz, except that the vibrating frequency of equipment that has a resonant frequency between 2 Hz and 80 Hz must be the resonant frequency. If the vibrating frequency is between 2 Hz and 13.2 Hz, the displacement amplitude must be  $\pm 1$  mm. If the vibrating frequency is between 13.2 Hz and 80 Hz, the acceleration amplitude must be  $\pm[(.7)(\text{gravity})]$ .

(c) After completion of the tests specified in paragraph (b) of this section, a search must again be made for resonance and any significant change in the vibration pattern must be noted in the test report.

[CGD 76-088a, 44 FR 53359, Sept. 13, 1979, as amended by USCG-2004-18939, 74 FR 3392, Jan. 16, 2009]

#### § 162.050-39 Measurement of oil content.

The collection and testing of all samples of oil in water from the required test will be accomplished in accordance with ISO 9377-2 (2000), Water Quality—Determination of hydrocarbon oil index-Part 2: Method Using solvent extraction and Gas Chromatography (incorporated by reference, see § 162.050-4).

[USCG-2004-18939, 74 FR 3393, Jan. 16, 2009]

### Subpart 162.060—Ballast Water Management Systems

AUTHORITY: 16 U.S.C. 4711; Department of Homeland Security Delegation No. 0170.1.

SOURCE: USCG-2001-10486, 77 FR 17311, Mar. 23, 2012, unless otherwise noted.

#### § 162.060-1 Purpose and scope.

This subpart contains procedures and requirements for approval of complete ballast water management systems to be installed onboard vessels for the purpose of complying with the ballast water discharge standard of 33 CFR part 151, subparts C and D.

#### § 162.060-3 Definitions.

As used in this subpart—

*Active substance* means a chemical or an organism, including a virus or a fungus, that has a general or specific ac-

tion on or against nonindigenous species.

*Administration* means the government of the nation/State under whose authority a vessel is operating.

*Ballast water* means any water and suspended matter taken onboard a vessel to control or maintain trim, draught, stability, or stresses of the vessel, regardless of how it is carried.

*Ballast water management system (BWMS)* means any system which processes ballast water to kill, render harmless, or remove organisms. The BWMS includes all ballast water treatment equipment and all associated control and monitoring equipment.

*Ballast water system* means the tanks, piping, valves, pumps, sea chests, and any other associated equipment that the vessel uses for the purposes of ballasting.

*Ballast water treatment equipment* means that part of the BWMS that mechanically, physically, chemically, or biologically processes ballast water, either singularly or in combination, to kill, render harmless, or remove organisms within ballast water and sediments.

*Challenge water* means water just prior to treatment. In land-based tests, source water may be augmented to achieve required challenge water conditions.

*Control and monitoring equipment* means that part of the BWMS required to operate, control, and assess the effective operation of the ballast water treatment equipment.

*Hazardous location* means areas where fire or explosion hazards may exist due to the presence of flammable gases/vapors, flammable liquids, combustible dust, or ignitable fibers, as determined in accordance with the standards of construction applicable to the vessel on which the BWMS is to be installed.

*Hazardous materials* means hazardous materials as defined in 49 CFR 171.8; hazardous substances designated under 40 CFR part 116.4; reportable quantities as defined under 40 CFR 117.1; materials that meet the criteria for hazard classes and divisions in 49 CFR part 173; materials under 46 CFR 153.40 determined by the Coast Guard to be hazardous when transported in bulk; flammable liquids defined in 46 CFR 30.10-

22; combustible liquids as defined in 46 CFR 30.10-15; materials listed in Table 46 CFR 151.05, Table 1 of 46 CFR 153, or Table 4 of 46 CFR part 154; or any liquid, liquefied gas, or compressed gas listed in 49 CFR 172.101.

*Independent laboratory* means an organization that meets the requirements in 46 CFR 159.010-3. In addition to commercial testing laboratories, which may include not-for-profit organizations, the Commandant may also accept classification societies and agencies of governments (including State and Federal agencies of the United States) that are involved in the evaluation, inspection, and testing of BWMS.

*In-line treatment* means a treatment system or technology used to treat ballast water during normal flow of ballast uptake, discharge, or both.

*In-tank treatment* means a treatment system or technology used to treat ballast water during the time that it resides in the ballast tanks.

*Pesticide* means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest as defined under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) and 40 CFR 152.3.

*Preparation* means any commercial formulation containing one or more active substances, including any additives. This definition also includes any active substances generated onboard a vessel for the purpose of ballast water management to comply with the ballast water discharge standard codified in 33 CFR part 151 subpart C or D.

*Quality Assurance Project Plan (QAPP)* means a project-specific technical document reflecting the implementation of Quality Assurance and Quality Control activities, including specifics of the BWMS to be tested, the independent laboratory, and other conditions affecting the actual design and implementation of the required tests and evaluations.

*Relevant chemical* means any transformation or reaction product that is produced during the treatment process or in the receiving environment and which may be of concern to the aquatic environment and human health when discharged.

*Representative sample* means a random sample, in which every item of interest (organisms, molecules, etc.) in the larger population has an unbiased chance of appearing.

*Sampling port* means the equipment installed in the ballast water piping through which representative samples of the ballast water being discharged are extracted. This is equivalent to the term “sampling facility” under the International Maritime Organization (IMO) Guidelines for Ballast Water Sampling (G2), published as IMO Resolution MEPC.173(58) on October 10, 2008.

*Source water* means the body of water from which water is drawn for either land-based or shipboard testing.

*Test facility* means the location where the independent laboratory conducts land-based, component, active substance, and relevant chemical testing and evaluations, as required by this subpart.

**§ 162.060-5 Incorporation by reference.**

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). Also, it is available for inspection from the Director of Commercial Regulations and Standards (CG-5PS), U.S. Coast Guard, 2100 2nd St. SW., Stop 7126, Washington, DC 20593-7126, and is available from the sources listed below.

(b) International Electrotechnical Commission (IEC), 3 rue Varembe, P.O. Box 131, 1211 Geneva 20, Switzerland.

(1) IEC 60529, Classification of Degrees of Protection by Enclosures (IP Code), Edition 2.1 consolidated with amendment 1:1999 (dated February, 2001), IBR approved for § 162.060-30.

(2) [Reserved]