

§ 126.29 Supervision and control of dangerous cargo.

(a) *Authority.* The Captain of the Port is authorized to require that any trans-action of handling, storing, stowing, loading, discharging, or transporting the dangerous cargo covered by this subchapter shall be undertaken and continued only under the immediate supervision and control of the Captain of the Port or his duly authorized representative. In case the Captain of the Port exercises such authority, all di-rections, instructions, and orders of the Captain of the Port or his rep-resentative, not inconsistent with this part, with respect to such handling, storing, stowing, loading, discharging, and transporting; with respect to the operation of the waterfront facility; with respect to vessels handling, stow-ing, loading, or discharging of dan-gerous cargo at anchorages when the operations are under the immediate control and supervision of the Captain of the Port or his duly authorized rep-resentative; with respect to the ingress and egress of persons, articles, and things and to their presence on the wa-terfront facility or vessel; and with re-spect to vessels approaching, moored at, and departing from the waterfront facility, shall be promptly obeyed.

(b) *Reporting discharge of dangerous liquid commodities into the waters of the United States.* To enhance the safety of the port and to protect vessels, their cargo, and waterfront facilities there-in, the discharge into the navigable waters of the United States of petro-leum products, petroleum byproducts or other dangerous liquid commodities which may create a hazard or toxic condition in the port area will be im-mediately reported to the Captain of the Port or District Commander by the owner or master of the vessel from which the discharge occurred, or the owner or operator of a waterfront facil-ity from which the discharge occurred.

[CGFR 69-89, 34 FR 17478, Oct. 29, 1969]

§ 126.30 What are the conditions for conducting welding and hotwork?

(a) The facility operator must ensure that all welding or hotwork conducted at the facility meets the requirements of this section. Each operator of a ves-

sel moored to the facility must ensure that all welding or hotwork conducted on the vessel meets the requirements of this section.

(b) The COTP may require an oper-ator of a facility or of a vessel moored at the facility to notify the COTP be-fore conducting welding or hotwork. Regardless of whether or not the COTP required notice, the facility operator must notify the COTP before con-ducting welding or hotwork on a vessel when containerized dangerous cargo is located within the distances listed in paragraph (f) of this section.

(c) Before conducting welding or hotwork, flammable vapors, liquids, or solids must be completely removed from any container, pipe, or transfer line being worked on.

(d) Before conducting welding or hotwork on tanks, tanks used for stor-age of flammable or combustible sub-stances must be tested and certified gas free.

(e) All welding and hotwork must be conducted according to NFPA 51B. (In-corporated by reference, see § 126.5.)

(f) Welding or hotwork is prohibited during gas freeing operations within 30.5 meters (100 feet) of bulk cargo operations involving flammable or com-bustible materials, within 30.5 meters (100 feet) of fueling operations, within 30.5 meters (100 feet) of explosives, or within 15.25 meters (50 feet) of other hazardous materials.

(g) If the welding or hotwork is on the boundary of a compartment (*i.e.*, bulkhead, wall, or deck), a fire watch, in addition to that called for in NFPA 51B, must be stationed in the adjoining compartment.

(h) Personnel on fire watch must have no other duties except to watch for the presence of fire and to prevent the development of hazardous condi-tions.

(i) All safety precautions in relation to purging, inerting, or venting for all hotwork on containers must be fol-lowed.

(j) All local laws and ordinances must be followed.

(k) If a fire or other hazard occurs, all cutting, welding, or other hotwork equipment must be shut down.

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