remove discharged oil or hazardous material, within one hour of its release, from the containment required by §154.530 without discharging the oil or hazardous material into the water.

12. In §154.545, paragraph (e) is added to read as follows:

§154.545 Discharge containment equipment.

(e) Equipment and procedures maintained to satisfy the provisions of this chapter may be utilized in the planning requirements of subpart F of this part.

13. In §154.560, paragraph (e) is revised to read as follows:

*

§154.560 Communications. *

*

(e) Portable radio devices used to comply with paragraph (a) of this section during the transfer of flammable or combustible liquids must be marked as intrinsically safe by the manufacturer of the device and certified as intrinsically safe by a national testing laboratory or other certification organization approved by the Commandant.

Subpart D—Facility Operations

14. In §154.710, paragraphs (c) and (d), introductory text, (d)(7) and (d)(8)are revised and paragraph (d)(9) is added to read as follows:

§154.710 Persons in charge: Designation and qualification.

(c) That person has completed a training program, established by the facility operator and approved by the Captain of the Port in accordance with §§ 154.720(a)(23) and 154.325, that provides the person with the knowledge and training necessary to properly operate the transfer equipment at that facility, perform the duties described in paragraph (d) of this section, follow the procedures required by this part, and fulfill the duties required of a person in charge during an emergency, except that for new facilities, the Captain of the Port may authorize alternative experience and training requirements and;

(d) The facility operator must certify that the person in charge has the knowledge and skills necessary to-

(7) Follow local discharge reporting procedures:

*

(8) Carry out the facility's response plan for discharge reporting and containment; and

(9) Visually observe transfers continuously throughout the transfer operations to ensure compliance with

the procedures required by this part and be immediately available to the transfer personnel.

15. In §154.735, the introductory text, paragraphs (l), and (s) through (t) are revised and paragraphs (u) through (w) are added to read as follows:

§154.735 Safety requirements.

Each operator of a facility to which this part applies shall ensure that the following safety requirements are met at the facility:

(l) All welding or hot work conducted at the facility, or on any vessel moored to the facility, is the responsibility of the facility owner and operator.

(s) Tank cleaning or gas freeing operations conducted by the facility on vessels carrying oil residues or mixtures shall be conducted in accordance with sections 8.1, 8.2, 8.3, and 8.5 of the International Safety Guide for Oil Tankers and Terminals (ISGOTT). Except that-

(1) Prohibitions in ISGOTT against the use of recirculated wash water do not apply if the wash water is first processed to remove product residues;

(2) The provision in ISGOTT section 8.2.10 concerning flushing the bottom of tanks after every discharge of leaded gasoline does not apply;

(3) The provision in ISGOTT section 8.2.11 concerning the removal of sludge, scale, and sediment does not apply if personnel use breathing apparatus which protect them from the tank atmosphere; and

(4) Upon the request of the facility owner or operator in accordance with §154.107, the COTP may allow the use of alternative standards to ISGOTT if the COTP determines that the alternative standards provide an equal level of protection to the ISGOTT standards.

(t) Guards shall be stationed, or equivalent controls acceptable to the COTP shall be used, to detect fires, report emergency conditions, and ensure that access to the marine transfer area from the shoreside and waterside is limited to-

(1) Personnel who work at the facility including persons assigned for transfer operations, vessel personnel, and delivery and service personnel in the course of their business;

(2) Coast Guard personnel;

(3) Other Federal, State, or local governmental personnel; and

(4) Other persons authorized by the operator.

(u) Except for those specified in paragraphs (t)(1) and (2) of this section, no person is to be allowed into the

marine transfer area unless that person is identified by a facility-issued identification card or other identification card displaying his or her photograph, or is an escorted visitor displaying an identifying badge.

(v) Smoking shall be prohibited at the facility except that facility owners or operators may authorize smoking in designated areas if-

(1) The designated smoking areas are in accordance with local ordinances and regulations;

(2) Signs are conspicuously posted marking such authorized smoking areas; and

(3) "No Smoking" signs are conspicuously posted elsewhere on the facility

(w) Warning signs shall be displayed on the facility at the point of transfer, without obstruction, at all times for fixed facilities and for mobile facilities during the coupling, transfer operation, and uncoupling. The warning signs shall conform to 46 CFR 151.45-2(e)(1)or 46 CFR 153.955.

16. In §154.740, the introductory text and paragraph (b) are revised to read as follows:

§154.740 Records.

Each facility operator shall maintain in the same location as the operations manual and make available for examination by the COTP:

(b) The name of each person designated as a person in charge of transfer operations at the facility and certification that the person in charge has completed the training requirements of §154.710;

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PART 156—OIL AND HAZARDOUS **RING OIL OR HAZARDOUS** MATERIALS IN BULK

17. The authority citation for part 156 continues to read as follows:

Authority: 33 U.S.C. 1231, 1321(j)(1) (C) and (D); sec. 2, E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp., p. 793; 49 CFR 1.46. Subpart B also issued under 46 U.S.C. 3715(b).

Subpart A—Oil and Hazardous Material **Transfer Operations**

18. In §156.120, the introductory paragraph is revised to read as follows:

§156.120 Requirements for transfer.

A transfer is considered to begin when a physical connection of any transfer hose or loading arm is made and no person shall conduct an oil transfer operation unless-

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