



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

APR 29 2002

400 Seventh St., S.W.
Washington, D.C. 20590

Mr. Sjur Gjerde
SEQ Manager
V. Ships Norway AS
Drammensveien 145 B
P.O. Box 394, Skoyen
0213 Oslo

Ref. No. 02-0063

Dear Mr. Gjerde:

This responds to your letter requesting clarification on the registration requirements regarding the shipment of equipment with residue of fuel in the tank as hazardous material under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if the equipment with a residue of fuel in the tank is subject to the HMR and registration requirements of Part 107, Subpart G of the HMR.

According to your letter, you have technical management on two reefer vessels which regularly trade between the United States and South America. These vessels occasionally carry various types of equipment such as generators with residue of fuel in the tank that are properly identified as a hazardous material.

Each vessel operator, that is, each "person" as defined by the federal hazardous materials transportation law that has operational control of a vessel, that transports hazardous materials from United States ports to South America may be subject to the registration requirement if the materials being transported fall into the categories of materials that require registration. In addition, each person domiciled in the United States that performs a function pertaining to the offering for transportation or accepting for transportation, a hazardous material that is loaded on a vessel at a United States port may be subject to the registration requirement. For your information, it is the opinion of this Office that equipment properly described as "engine, internal combustion" conforming to the requirements in § 173.220 does not meet any criteria in § 107.601 for which a shipper or carrier must register.

I hope this answers your inquiry.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



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173.220



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HAZMAT Registration Manager
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Boothe
§173.220
§107.601
Registration
02-0063

Hazardous Materials, Certificate of Registration

Reference is made to 49 CFR Part 107, Subpart G

V. Ships Norway AS has technical management on two reefer vessels (Tundra Trader/ Tundra Consumer) regularly calling US ports. They are trading between the US and South America, and they occasionally ship various equipment back to SA. This may be generators etc, with residues of fuel in their tanks, and as such, may be classified as a hazardous material. Will such equipment, or in other words, such a small amount of a hazmat require this certificate?

We will appreciate if you could supply us with information regarding the said certificate, with respect to;

- Which vessels are required to have such a certificate
- How do we proceed to obtain the certificate
- Is this certificate normally issued to the charter, operator or technical manager? The present certificate onboard the Tundra Trader is issued to a time charterer (Lauritzen Reefers A/S). Will this certificate still be valid, provided the vessels are chartered by Lauritzen?

We do appreciate your assistance in this matter

Best regards,
for V. Ships Norway AS


Sjur Gjerde
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