

U.S. Department of Transportation **Pipeline and Hazardous Materials Safety** Administration

1200 New Jersey Avenue, SE Washington, DC 20590

December 3, 2024

Doug Peterson Chief Mate - Swift Responder **Eclipse Maritime LLC** 1997 Annapolis Exchange Pkwy, Suite 300 Annapolis, MD 21401

Reference No. 24-0078

Dear Mr. Peterson:

This letter is in response to your August 24, 2024, email requesting clarification of the hazardous materials registration requirements and certificate. You describe a scenario in which an oil spill response vessel has been converted into a research vessel. You state that the research vessel carries hazardous materials (hazmat)-including diesel fuel, lubricating oils, and hydraulic fluids—but that these materials are used solely in machinery and operations that support the functions of the research vessel. You ask whether the transport of the hazmat aboard the research vessel in the above scenario makes the person operating the research vessel subject to the hazmat transportation registration requirements in 49 CFR Part 107, Subpart G.

The answer is no. Completing hazmat transportation registration to obtain a certificate is required of persons who offer and persons who transport (in commerce) certain quantities and types of hazmat, including hazardous wastes. Based on your description of the operations on board the research vessel, in which the hazmat carried aboard are for the purposes of operating and providing motive power to the research vessel, neither the research vessel (Oregon Responder) nor the operating company (Eclipse Maritime, LLC) would be required to hold a registration certificate because the hazmat aboard the research vessel is not offered or transported in commerce. However, please note that vessel conversions such as the one you describe are subject to oversight by the United State Coast Guard (USCG) and, specifically, approval by the local USCG Officer in Charge, Marine Inspection.

I hope this information is helpful. Please contact us if we can be of further assistance.

Sincerely,

pepter

Dirk Der Kinderen Chief, Standards Development Branch Standards and Rulemaking Division

24-0078

Casey

Jones, Jessie Jane CTR (PHMSA)

From:	INFOCNTR (PHMSA)
Sent:	Wednesday, September 4, 2024 4:20 PM
То:	Dodd, Alice (PHMSA)
Cc:	Hazmat Interps
Subject:	FW: Letter of Interpretation
Attachments:	A-2 Rev 6 General Arrangement.pdf
Follow Up Flag:	Follow up
Flag Status:	Flagged

Hi Alice,

Please see the below and attached interpretation request.

Let me know if you need anything,

-Breanna

From: Deck Office <deckoffice@eclipseswift.com> Sent: Saturday, August 24, 2024 1:13 PM To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov> Subject: Letter of Interpretation

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good day Breanna, Thanks for calling to discuss our requirements.

Our company purchased the Oregon Responder in March 2023.

The certificate we have on file is Reg. No.: 060421550109DF

We have converted the vessel from Oil Spill Response, removing all of her oil spill response equipment from service, and into a research vessel.

I have just spoken with one of your Registration Analyst and he advised that I should send this email along with a tank drawing to assist with a firm decision. The General Arrangement plan attached will show at the bottom of the drawing the Hold Plan, which shows where our fuel oil is located.

The vessel only carries standard diesel fuel, lubricating oils, and hydraulics for onboard machinery operations. She does not transfer to other vessels or containers.

Are we required to have a Haz Mat Certificate?

If not, could you please provide me with a Letter of Interpretation in case we are inspected by port state control?

Kind Regards, Doug Peterson 954-471-0215

Chief Mate - Swift Responder

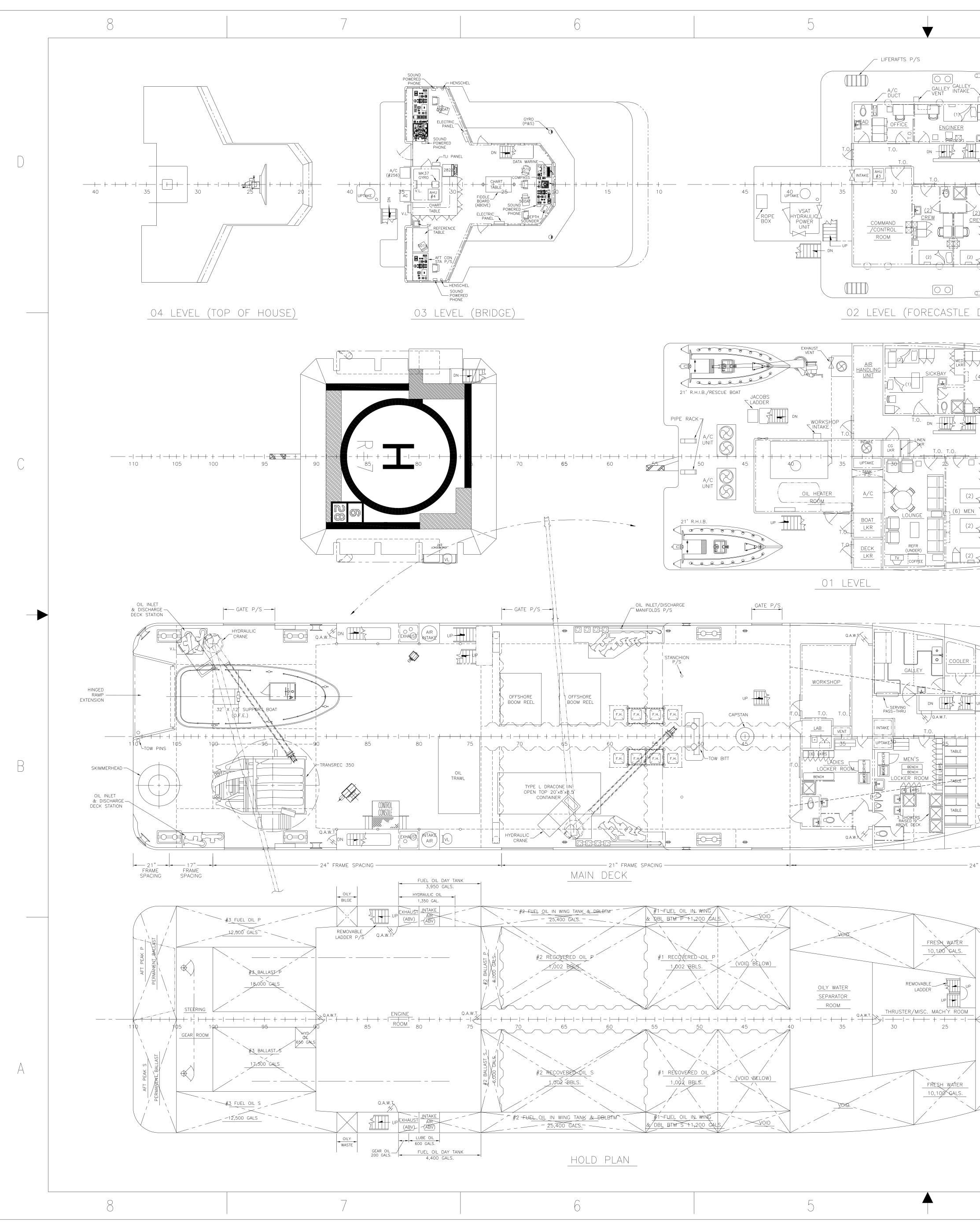
Physical Mailing Address:

Eclipse Maritime LLC 1997 Annapolis Exchange Pkwy Suite 300 Annapolis, MD 21401

Chief Mate - Swift Responder



Email: <u>chmate@eclipseswift.com</u> Office Phone (503) 966-4027



4	3 DWG NO. A-2 SH 1 1
	REVISIONS
	REV ZONE DESCRIPTION DATE APPROVED 0 D-5 (1.) CHANGED NUMBER OF CHAIRS IN COMMAND/CONTROL TO 6 TO AGREE W/SPECS. SECTION 025 C 8/30/91 C.E.M. G. COX
	1REVISED PER DESIGN DEVELOPMENT (1.) ADDED FUEL OIL TANK AT FR.46-56 P/S (2.) RENUMBERED FUEL OIL TANKS (3.) REVISED RE- COVERED OIL CAPACITY (4.) WIDENED PASSAGEWAY FR.40-75 (5.) MOVED OILY WASTE & OILY BILGE TANKS (6.) MODIFIED #3 FUEL OIL TANK LOCATION (7.) MOVED RUDDERS TO FR.104 (8.) INCREASED SIZE OF A.P. BALLAST P/S (9.) REVISED WING TANK BHDS TO AGREE W/S-DWG (10.) DENOTED RE- MOVABLE LADDERS IN MCHRY SP (11.) CHANGED SWING OF AFT ENG RM BHD DOOR10/11/91C.E.M.MAIN DECK(1.) SHOW JOINER VS STEEL BHDS (2.) RELOCATED TOWING BITT (3.) RELOCATED BITTS (4.) RELOCAT- ED OIL INLET/DISCHARGE DECK STATIONS (5.) ADDED PASSAGEWAY VENTS (6.) RELOCATED ONE DRACONE10/11/91C.E.M.
T.O. T	01 LEVEL (1.) REVISED WIDTH OF STACKS (2.) DENOTED JOINER VS STEEL BHDS (3.) ADDED A/C SP STBD SIDE (4.) REARRANGED OIL HEATER ROOM (5.) SHIFTED EXTERIOR LADDERS 02 LEVEL (1.) ADDED A/C HANDLER IN COMMAND/CONTROL (2.) DENOTED JOINER VS STEEL BHDS (3.) MOVED FORWARD MAST 03 LEVEL (1.) ADDED A/C UNITS
	HOLD REVISED PER MSRC REQUEST AND CHANGE ORDER HOLD (1.) LABELED BOW THRUSTER TUBE & ENGINE ROOM PER MSRC LETTER DATED 2/25/91 (2.) DELETED DORS AT FR.40 & 72 PER C.O.#6 MAIN DECK (1.) REVISED WORKSHOP, LOCKER ROOMS, LAB & EXTERIOR HEAD PER C.O.#6 (2.) ADDED ONE WASH- ER & ONE DRYER PER C.O.#5 (3.) ADDED FRAME SPACING PER MSRC LETTER DATED 9/25/91 01 (1.) DENOTED CHAIN PIPE PER MSRC LETTER DATED 9/25/91 (2.) LOCATED OILY WATER SEPARATOR 01 (1.) DENOTED CHAIN PIPE PER MSRC LETTER DATED 9/25/91 (2.) LOCATED OILY WATER SEPARATOR
	03 LEVEL (1.) LABELED SPACE FR.31 TO FR.34 PER MSRC LETTER DATED 9/25/91 G. COX 2 REVISED PER DESIGN DEVELOPMENT 10/17/91
DECK)	MAIN DECK (1.) MOVED DOOR & T.O. TO FR.15 (2.) ADDED CONTROL CONSOLE FR.90 PORT TO AGREE W/SPEC 01 LEVEL (1.) RESIZED A/C UNITS (2.) ADDED DOOR IN A/C SPACE (3.) SHIFTED BUNKS TO FWD BHDS 02 LEVEL (1.) ADDED A/C VENT 03 (1.) ADDED A/C VENT 04 (1.) ADDED A/C VENT 05 (1.) ADDED A/C VENT 06 (2.) ADDED A/C VENT
(4) MEN	3REVISED PER DESIGN DEVELOPMENT02/03/92C.E.M.(1.) REVISED FOREPEAK BALLAST TANK CAPACITY A-4 (2.) REVISED AFTPEAK BALLAST CAPACITY A-8 (3.) DELETED DOOR AT FR.21 B-4 (4.) ADDED BOOT RACKS B-5 (5.) REVISED STANCHION LOCATIONS ON MAIN DECK B-6 (6.) ADDED FLUSH HATCHES ON MAIN DECK B-6 (7.) ADDED MANIFOLDS AND VENTS P/S B-6 AND B-8 (8.) REVISED CRANE TO AGREE WITH VENDOR DWGS B-6 AND B-8 (9.) INDICATED STANCHIONS 18'-O" OFF CENTERLINE P/S B-7 (10.) MOVED PASSAGEWAY VENTS INBOARD 24" B-6 (11.) ADDED VL AT FR.78 STBD B-7 (12.) REVISED CHAIN PIPES 01 AND 02 LEVELS D-4 (13.) REVISED OIL HEATER SIZE/LOCATION AND ADDED EXPANSION TANK C-5 (14.) DELETED DOOR AT FR.43 PORT C-5 (15.) INDICATED PORTLIGHTS D-4 (16.) REVISED PILOTHOUSE CONSOLE ARRANGEMENT02/03/92C.E.M.4C.E.M.C.E.M.C.E.M.C.E.M.C.E.M.
T.O. T.O. WEAT HAWSE PIPE P/S	4REVISED PER DESIGN DEVELOPMENT06/19/92C.E.M.(1.) RESIZED DOOR AT FR.34 P ON 03 LVL (2.) RESIZED SHOWERS ON MAIN DECK, 01 LVL & 02 LVL (3.) REARRANGED TO AGREE W/HOPEMAN DRAWINGS (4.) REVISED 03 LVL TO AGREE W/S-DWG (5.) RE- VISED PILOT HOUSE ARRANGEMENT TO AGREE W/E-DWG (6.) ADDED VSAT HYDRAULIC POWER UNIT, 02 LVL (7.) ADDED WORKSHOP INTAKE FR.37, 01 LVL (8.) MOVED DRINKING FOUNTAIN FR.30 MAIN DECK TO FR.12, 02 LVL (9.) SHOWED JOINER WORK ON INTAKE TRUNK FR.30, MAIN DECK (11.) MOVED TANK VENTS (FR.55 P/S TO FR. 62 P/S) TO AGREE W/P-DWGS (11.) RELOCATED A/C UNIT FR.36, 02 LVL TO FR. 35, 03 LVL (12.) MOVED CAPSTAN FR.46 TO FR.45 (13.) REDREW HANDRAILS AROUND HATCHES FR.53-FR.59 (14.) RESIZED VENTS FR.73 (15.) RESIZED CONTROL CONSOLE PLATFORM FR.84 (16.) ADDED CRADLES FOR STOWING CRANE BOOMS & ROTATED AFT CRANE TO NEW STOWED POSITION06/19/92C.E.M.
	5 REVISED PER DESIGN DEVELOPMENT 12/22/92 C.E.M. (1.) REMOVED ONE BOOM BOAT. (2.) ADDED OIL SPILL EQUIPMENT. (3.) REPOSITIONED TRANSREC 350 & SKIMMER HEAD. (4.) ADDED TUGGER WINCHES. (5.) REVISED HELCOPTER DECK MARKINGS. (6.) REVISED HELICOPTER DECK SAFETY SHELF. (7.) REMOVED CABINETS FROM STBD BRIDGE WING. (8.) ADDED BOW EYE. (9.) INDICATED HINGED STERN RAMP EXTENSION. (10.) INDICATED PERMANENT BALLAST IN AFT PEAK P/S. (11.) DELETED GENERAL NOTES. 6 REVISED PER DESIGN DEVELOPMENT 04/19/93 C.E.M.
$= N \qquad (6) \qquad MEN \qquad (6) \qquad MEN \qquad (2) $	(1.) ADDED PIPE RACK. (2.) ADDED HANDRAIL ON HELICOPTER DECK. (3.) REPOSITIONED TUGGER WINCH. (4.) ADDED JACOBS LADDER BOX. (5.) ADDED ROPE BOX.
FREEZER DRY STORES UP T.O. CHAIN CHA	L317 1302 L318 1299 L315 1296 L314 1293 K011 1303 K010 1300 K009 1297 K008 1295 C120 1301 C119 1298 C118 1294 C117 1292
24" FRAME SPACING	P649 1292-1303 JOB HULL DWG APPLICABILITY
P I BALŁAST P 19/300 GALS	31302928272625242322212019181716151413121110987654321 SHEET NUMBER REVISION STATUS OF SHEETS This drawing, design concept, and specifications are the property of TRINITY MARINE GROUP
FOREPEAK BALLAST FOREPEAK BALLAST 1 + + + + + + + + + + + + + + + + + + +	A Trinity Industries Co. Halter Marine, Inc. A Trinity Industries Co. Halter Marine, Inc. A Trinity Industries Co. Halter Marine, Inc.
	14055 Industrial Seaway Rd. P.O. Box 3029 - Gulfport, MS. 39505 A DRAWN BY: DATE GENERAL W.LEGGETT/C.E.MATTHEWS 7/30/91 DATE ARRANGEMENT PLAN CHECKED BY: DATE ARRANGEMENT PLAN APPVD DATE DATE
	APPVD Date APPVD 1 AB.S. 1 1 11/19/91 Size Dwg No. APPVD 1 12/11/91 D JOB NO. SEE HULL NO. P649 APPL 1292-1303 SCALE: 3/32=1'0"
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