

**MTSA Regulations found at 33 CFR Subchapter H  
Parts 104 and 105.**

**#23-04 Chg-1 JUNE 30, 2004---POLICY ADVISORY COUNCIL FAQ**

**Q.** Should vessels and facilities handling Drilling Brine (Zinc Bromide) be exempted from the requirements in 33 CFR Parts 104 and 105?

**Ans.** The Coast Guard has conducted an assessment of drilling brine and has determined that it poses a lower risk of causing a transportation security incident. As a result, we are exempting **barges** that handle drilling brine as not being subject to 33 CFR Part 104 unless another applicability factor is involved. Likewise, the Coast Guard is exempting **facilities** that receive drilling brine from barges not otherwise subject to 33 CFR Part 104 unless another applicability factor is involved. These exempted barges and facilities remain subject to sections 101 and 103 of 33 CFR Subchapter H.

**Barge Examples:** A barge that alternates between carrying drilling brine and other regulated cargoes would be required to comply with 33 CFR Part 104. Also, a self-propelled vessel carrying drilling brine that is greater than 100 gross register tons and inspected pursuant to 46 CFR Subchapter I or Subchapter L must comply with 33 CFR Part 104. A barge that does not engage in international voyages that only carries drilling brine or other non-regulated cargoes is not required to comply with 33 CFR Part 104.

**Facility Examples:** A facility that receives any self-propelled vessels carrying drilling brine must comply with 33 CFR Part 105. A facility that receives a barge that does not engage in international voyages that carries drilling brine is not required to comply with 33 CFR Part 105, unless other applicability factors exist.

The deadline for vessels and facilities handling drilling brine and affected by this change in policy is extended to September 1, 2004 for the submissions of Vessel and Facility Security Plans.

**NOTE** For further guidance, a facility owner/operator should contact their local Captain of the Port (COTP/FMSC).