

Captain of the Port (COTP) means the Coast Guard officer designated as COTP of either the Buffalo, NY, Marine Inspection Zone and Captain of the Port Zone or the New York, NY, Captain of the Port Zone described in part 3 of this chapter or an official designated by the COTP.

Commandant means the Commandant of the Coast Guard or an authorized representative.

Exclusive Economic Zone (EEZ) means the area established by Presidential Proclamation Number 5030, dated March 10, 1983, (48 FR 10605, 3 CFR, 1983 Comp., p. 22), which extends from the base line of the territorial sea of the United States seaward 200 miles, and the equivalent zone of Canada.

Environmentally sound method means methods, efforts, actions, or programs, either to prevent introductions or to control infestations of aquatic nuisance species, that minimize adverse impacts to the structure and function of an ecosystem, minimize adverse effects on non-target organisms and ecosystems, and that emphasize integrated pest management techniques and non-chemical measures.

Great Lakes means Lake Ontario, Lake Erie, Lake Huron (including Lake Saint Clair), Lake Michigan, Lake Superior, and the connecting channels (Saint Mary's River, Saint Clair River, Detroit River, Niagara River, and Saint Lawrence River to the Canadian border), and includes all other bodies of water within the drainage basin of such lakes and connecting channels.

Port means a terminal or group of terminals or any place or facility that has been designated as a port by the COTP.

Sediments means any matter settled out of ballast water within a vessel.

Voyage means any transit by a vessel destined for the Great Lakes or the Hudson River, north of the George Washington Bridge, from a port or place outside of the EEZ, including intermediate stops at a port or place within the EEZ.

[CGD 91-066, 58 FR 18334, Apr. 8, 1993, as amended by CGD 94-003, 59 FR 67634, Dec. 30, 1994; USCG-1998-3423, 64 FR 26682, May 17, 1999]

§ 151.1506 Restriction of operation.

No vessel subject to the requirements of this subpart may be operated in the Great Lakes or the Hudson River, north of the George Washington Bridge, unless the master of the vessel has certified, in accordance with § 151.1516, that the requirements of this subpart have been met.

[CGD 94-003, 59 FR 67634, Dec. 30, 1994]

§ 151.1508 Revocation of clearance.

A COTP may request the District Director of Customs to withhold or revoke the clearance required by 46 U.S.C. app. 91 for a vessel subject to this subpart, the owner or operator of which is not in compliance with the requirements of this subpart.

§ 151.1510 Ballast water management.

(a) The master of each vessel subject to this subpart shall employ one of the following ballast water management practices:

(1) Carry out an exchange of ballast water on the waters beyond the EEZ, in a depth exceeding 2000 meters, prior to entry into the Snell Lock, at Massena, New York, or prior to navigating on the Hudson River, north of the George Washington Bridge, such that, at the conclusion of the exchange, any tank from which ballast water will be discharged contains water with a minimum salinity level of 30 parts per thousand.

(2) Retain the vessel's ballast water on board the vessel. If this method of ballast water management is employed, the COTP may seal any tank or hold containing ballast water on board the vessel for the duration of the voyage within the waters of the Great Lakes or the Hudson River, north of the George Washington Bridge.

(3) Use an alternative environmentally sound method of ballast water management that has been submitted to, and approved by, the Commandant prior to the vessel's voyage. Requests for approval of alternative ballast water management methods must be submitted to the Commandant (G-M), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001.