

Coast Guard, DOT

§ 151.45

II(Cargo/Ballast Operations), required by § 151.25.

§ 151.43 Control of discharge of NLS residues.

(a) Unless the ship is a fixed or floating drilling rig or other platform operating under an National Pollution Discharge Elimination System (NPDES) permit, the master or person in charge of an oceangoing ship that cannot discharge NLS residue into the sea in accordance with 46 CFR 153.1126 or 153.1128 shall ensure that the NLS residue is—

- (1) Retained on board; or
- (2) Discharged to a reception facility.

(b) If Category A, B, or C NLS cargo or NLS residue is to be transferred at a port or terminal in the United States, the master or person in charge of each oceangoing ship carrying NLS cargo or NLS residue shall notify the port or terminal at least 24 hours before entering the port or terminal of—

- (1) The name of the ship;
- (2) The name, category and volume of NLS cargo to be unloaded;

(3) If the cargo is a Category B or C high viscosity NLS cargo or solidifying NLS cargo listed in Table 1 of 46 CFR Part 153 with a reference to “§153.908(a)” or “§153.908(b)” in the “Special Requirements” column of that table, the time of day the ship is estimated to be ready to discharge NLS residue to a reception facility;

(4) If the cargo is any Category B or C NLS cargo not under paragraph (b)(3) of this section, whether or not the ship meets the stripping requirements under 46 CFR 153.480, 153.481, or 153.482;

(5) The name and the estimated volume of NLS in the NLS residue to be discharged;

(6) The total volume of NLS residue to be discharged; and

(7) The name and amount of any cleaning agents to be used during the prewash required by 46 CFR 153.1120.

(c) The master or person in charge of a U.S. ship in a special area shall operate the ship in accordance with 46 CFR 153.903.

NOTE: The master or person in charge of a ship carrying Category A NLS that is required to prewash tanks under the procedures in 46 CFR Part 153.1120 is required under 46 CFR 153.1101 to notify the COTP at

least 24 hours before a prewash surveyor is needed.

§ 151.45 Reporting spills of NLS: Category A, B, C, and D.

(a) The master or person in charge of an oceangoing ship involved in any incident described in paragraph (d) of this section, shall report the particulars of each incident without delay and to the fullest extent possible in accordance with the requirements of this section.

(b) If a ship involved in an incident is abandoned, or if a report from that ship is incomplete or unobtainable, the owner, charterer, manager, or operator of that ship or their agents shall, to the fullest extent possible, assume the obligations placed upon the master or person in charge under the requirements of this section.

(c) Each report must be made by radio or the fastest means available at the time the report is made to—

(1) The appropriate officer or agency of the government of a country in whose waters the incident occurs; and

(2) For incidents involving U.S. ships, the nearest Coast Guard Captain of the Port (COTP) or the National Response Center (NRC), toll free telephone number 800-424-8802, telex number 892427.

(d) The report must be made whenever an incident involves a discharge or the probability of a discharge—

(1) Other than as allowed by §§ 151.30 through 151.49; or

(2) Allowed by §§ 151.30 through 151.49 because it—

(i) Secures the safety of the ship or saves lives at sea; or

(ii) It results from damage to the ship or its equipment.

(e) Each report must contain—

(1) The identity of the ship;

(2) The name of the NLS discharged;

(3) The time and date of the occurrence of the incident;

(4) The geographic position of the ship when the incident occurred;

(5) The wind and sea condition prevailing at the time of the incident;

(6) Relevant details respecting the condition of the ship; and

(7) A statement or estimate of the quantity of the NLS cargo or NLS residue discharged or likely to be discharged into the sea.