

port for a specified period. This includes “time charterers” and “voyage charterers.”

*Crewmember* means all persons carried on board the vessel to provide navigation and maintenance of the vessel, its machinery, systems, and arrangements essential for propulsion and safe navigation or to provide services for other persons on board.

*Great Lakes* means Lakes Superior, Michigan, Huron, Erie, and Ontario, their connecting and tributary waters, the Saint Lawrence River as far as Saint Regis, and adjacent port areas.

*Gross tons* means the tonnage determined by the tonnage authorities of a vessel’s flag state in accordance with the national tonnage rules in force before the entry into force of the International Convention on Tonnage Measurement of Ships, 1969 (“Convention”). For a vessel measured only under Annex I of the Convention, gross tons means that tonnage. For a vessel measured under both systems, the higher gross tonnage is the tonnage used for the purposes of the 300-gross-ton threshold.

*Hazardous condition* means any condition that may adversely affect the safety of any vessel, bridge, structure, or shore area or the environmental quality of any port, harbor, or navigable waterway of the United States. It may, but need not, involve collision, allision, fire, explosion, grounding, leaking, damage, injury or illness of a person aboard, or manning-shortage.

*Nationality* means the state (nation) in which a person is a citizen or to

which a person owes permanent allegiance.

*Operator* means any person including, but not limited to, an owner, a charterer, or another contractor who conducts, or is responsible for, the operation of a vessel.

*Persons in addition to crewmembers* mean any person onboard the vessel, including passengers, who are not included on the list of crewmembers.

*Port or place of departure* means any port or place in which a vessel is anchored or moored.

*Port or place of destination* means any port or place in which a vessel is bound to anchor or moor.

*Public vessel* means a vessel that is owned or demise-(bareboat) chartered by the government of the United States, by a State or local government, or by the government of a foreign country and that is not engaged in commercial service.

*Time charterer* means the party who hires a vessel for a specific amount of time. The owner and his crew manage the vessel, but the charterer selects the ports of destination.

*Voyage charterer* means the party who hires a vessel for a single voyage. The owner and his crew manage the vessel, but the charterer selects the ports of destination.

**§ 160.206 Information required in an NOA.**

(a) Each NOA must contain all of the information items specified in Table 160.206.

TABLE 160.206—NOA INFORMATION ITEMS

Required information	Vessels not carrying CDC	Vessels carrying CDC	
		Vessels	Towing vessels controlling vessels carrying CDC
<i>(1) Vessel Information:</i>			
(i) Name; .....	X	X	X
(ii) Name of the registered owner; .....	X	X	X
(iii) Country of registry; .....	X	X	X
(iv) Call sign; .....	X	X	X
(v) International Maritime Organization (IMO) international number or, if vessel does not have an assigned IMO international number, substitute with official number; .....	X	X	X
(vi) Name of the operator; .....	X	X	X
(vii) Name of the charterer; and .....	X	X	X
(viii) Name of classification society .....	X	X	X
<i>(2) Voyage Information:</i>			
(i) Names of last five ports or places visited; .....	X	X	X
(ii) Dates of arrival and departure for last five ports or places visited; .....	X	X	X

TABLE 160.206—NOA INFORMATION ITEMS—Continued

Required information	Vessels not carrying CDC	Vessels carrying CDC	
		Vessels	Towing vessels controlling vessels carrying CDC
(iii) For each port or place in the United States to be visited list the names of the receiving facility, the port or place, the city, and the state; .....	X	X	X
(iv) For each port or place in the United States to be visited, the estimated date and time of arrival; .....	X	X	X
(v) For each port or place in the United States to be visited, the estimated date and time of departure; .....	X	X	X
(vi) The location (port or place and country) or position (latitude and longitude or waterway and mile marker) of the vessel at the time of reporting; and .....	X	X	X
(vii) The name and telephone number of a 24-hour point of contact .....	X	X	X
(3) <i>Cargo Information:</i>			
(i) A general description of cargo, other than CDC, onboard the vessel (e.g.: grain, container, oil, etc.); .....	X	X	X
(ii) Name of each certain dangerous cargo carried, including cargo UN number, if applicable; and .....		X	X
(iii) Amount of each certain dangerous cargo carried .....		X	X
(4) <i>Information for each Crewmember Onboard:</i>			
(i) Full name; .....	X	X	X
(ii) Date of birth; .....	X	X	X
(iii) Nationality; .....	X	X	X
(iv) Passport or mariners document number (type of identification and number); .....	X	X	X
(v) Position or duties on the vessel; and .....	X	X	X
(vi) Where the crewmember embarked (list port or place and country) ...	X	X	X
(5) <i>Information for each Person Onboard in Addition to Crew:</i>			
(i) Full name; .....	X	X	X
(ii) Date of birth; .....	X	X	X
(iii) Nationality; .....	X	X	X
(iv) Passport number; and .....	X	X	X
(v) Where the person embarked (list port or place and country) .....	X	X	X
(6) <i>Operational condition of equipment required by § 164.35 of this chapter ..</i>	X	X	X
(7) <i>International Safety Management (ISM) Code Notice:</i>			
(i) The date of issuance for the company's Document of Compliance certificate that covers the vessel; .....	X	X	X
(ii) The date of issuance for the vessel's Safety Management Certificate; and .....	X	X	X
(iii) The name of the Flag Administration, or the recognized organization(s) representing the vessel flag administration, that issued those certificates .....	X	X	X
(8) <i>Cargo Declaration (Customs Form 1302) as described in 19 CFR 4.7 .....</i>	X	X	X
(9) <i>International Ship and Port Facility Code (ISPS) Notice*:</i>			
(i) The date of issuance for the vessel's International Ship Security Certificate (ISSC), if any; .....	X	X	X
(ii) Whether the ISSC, if any, is an initial Interim ISSC, subsequent and consecutive Interim ISSC, or final ISSC; .....	X	X	X
(iii) Declaration that the approved ship security plan, if any, is being implemented; .....	X	X	X
(iv) If a subsequent and consecutive Interim ISSC, the reasons therefor; .....	X	X	X
(v) The name and 24-hour contact information for the Company Security Officer; and .....	X	X	X
(vi) The name of the Flag Administration, or the recognized security organization(s) representing the vessel flag Administration that issued the ISSC. ....	X	X	X

\* The information required by items 9(i)-(iii) need not be submitted before January 1, 2004. All other information required by item 9 need not be submitted before July 1, 2004.

(b) Vessels operating solely between ports or places in the continental United States need submit only the name of and date of arrival and departure for the last port or places visited to meet the requirements in entries

(2)(i) and (ii) to Table 160.206 of this section.

(c) You may submit a copy of INS Form I-418 to meet the requirements of entries (4) and (5) in Table 160.206.

(d) Any vessel planning to enter two or more consecutive ports or places in the United States during a single voyage may submit one consolidated Notification of Arrival at least 96 hours before entering the first port or place of destination. The consolidated notice must include the name of the port or place and estimated arrival date for each destination of the voyage. Any vessel submitting a consolidated notice under this section must still meet the requirements of §160.208 of this part concerning requirements for changes to an NOA.

[USCG-2002-11865, 68 FR 9543, Feb. 28, 2003, as amended by USCG-2003-14749, 68 FR 39313, July 1, 2003]

EFFECTIVE DATE NOTE 1: By USCG-2002-11865, 68 FR 27908, May 22, 2003, in §160.206, in paragraph (a), item (8) in table 160.206 was suspended, effective May 22, 2003.

EFFECTIVE DATE NOTE 2: By USCG-2003-14749, 68 FR 39313, July 1, 2003, §160.206 was amended in the table in paragraph (a), by adding paragraph (9), effective July 1, 2003 to Nov. 25, 2003.

#### § 160.208 Changes to a submitted NOA.

(a) Unless otherwise specified in this section, when submitted NOA information changes, vessels must submit a notice of change within the times required in §160.212.

(b) Changes in the following information need not be reported:

(1) Changes in arrival or departure times that are less than six (6) hours;

(2) Changes in vessel location or position of the vessel at the time of reporting (entry (2)(vi) to Table 160.206); and

(3) Changes to crewmembers' position or duties on the vessel (entry (5)(v) to Table 160.206).

(c) When reporting changes, submit only the name of the vessel, original NOA submission date, the port of arrival, the specific items to be corrected, and the new location or position of the vessel at the time of reporting. Only changes to NOA information need to be submitted.

#### § 160.210 Methods for submitting an NOA.

(a) *Submission to the National Vessel Movement Center (NVMC).* Except as provided in paragraphs (b) and (c) of this section, all vessels required to sub-

mit NOA information in §160.206 (entries 1-7 to Table 160.206) to the NVMC, United States Coast Guard, 408 Coast Guard Drive, Kearneysville, WV, 25430, shall do so by:

(1) Telephone at 1-800-708-9823 or 304-264-2502;

(2) Fax at 1-800-547-8724 or 304-264-2684; or

(3) E-mail at *SANS@NVMC.USCG.gov*.

NOTE TO PARAGRAPH (a): Information about the National Vessel Movement Center is available on its Web site at *http://www.nvmc.uscg.gov/*. You may submit the notice using any electronic format available on the NVMC website.

(b) *Saint Lawrence Seaway transits.* Those vessels transiting the Saint Lawrence Seaway inbound, bound for a port or place in the United States, may meet the submission requirements of paragraph (a) of this section by submitting the required information to the Saint Lawrence Seaway Development Corporation and the Saint Lawrence Seaway Management Corporation of Canada by fax at 315-764-3235 or at 315-764-3200. The Cargo Declaration (Customs Form 1302) in entry (8) in Table 160.206 must be submitted electronically to the USCS, as required by paragraph (d) of this section.

(c) *Seventh Coast Guard District.* Those vessels 300 or less gross tons operating in the Seventh Coast Guard District must submit an NOA to the cognizant Captain of the Port (COTP). The Cargo Declaration (Customs Form 1302) in entry (8) in Table 160.206 must be submitted electronically to the USCS, as required by paragraph (d) of this section.

(d) *Submission to the United States Customs Service's Sea Automated Manifest System (AMS).*

(1) Beginning July 1, 2003, the Cargo Declaration (Customs Form 1302) in entry (8) in Table 160.206 must be submitted electronically to the USCS Sea AMS by one of the following methods:

(i) By direct connection with USCS or by purchasing the proper software; or

(ii) Using a service provider or a Port Authority.

(2) To become a participant in Sea AMS, submitters must provide a letter of intent to USCS prior to first submission.