

(6) Remove fouling organisms from hull, piping, and tanks on a regular basis and dispose of any removed substances in accordance with local, State and Federal regulations.

(7) Maintain a ballast water management plan that was developed specifically for the vessel.

(8) Train the master, operator, person-in-charge, and crew, on the application of ballast water and sediment management and treatment procedures.

(b) In addition to the provisions of § 151.2035(a), you (the master, operator, or person-in-charge of a vessel) are requested to employ at least one of the following ballast water management practices, if you carry ballast water, that was taken on in areas less than 200 nautical miles from any shore or in waters less than 2000 meters deep, into the waters of the United States after operating beyond the EEZ:

(1) Exchange ballast water on the waters beyond the EEZ, from an area more than 200 nautical miles from any shore, and in waters more than 2,000 meters (6,560 feet, 1,093 fathoms) deep, before entering waters of the United States.

(2) Retain the ballast water on board the vessel.

(3) Use an alternative environmentally sound method of ballast water management that has been approved by the Coast Guard before the vessel begins the voyage. Submit the requests for approval of alternative ballast water management methods to the Commandant (G-MSO-4), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001. The phone number is 202-267-0500.

(4) Discharge ballast water to an approved reception facility.

(5) Under extraordinary conditions, conduct a ballast water exchange within an area agreed to by the COTP at the time of the request.

[USCG-1998-3423, 64 FR 26682, May 17, 1999, as amended at 66 FR 58391, Nov. 21, 2001]

**§ 151.2040 What are the mandatory requirements for vessels equipped with ballast tanks that enter the waters of the United States after operating beyond the Exclusive Economic Zone (EEZ)?**

(a) The master, owner, operator, person-in-charge of a vessel bound for the Great Lakes or Hudson River, which has operated beyond the EEZ during any part of its voyage, regardless of intermediate ports of calls within the waters of the United States or Canada, must comply with paragraphs (c) through (f) of this section, all of § 151.2045, and with the provisions of this part 151 subpart C.

(b) A vessel engaged in the foreign export of Alaskan North Slope Crude Oil must comply with paragraphs (c) through (f) of this section, all of § 151.2045, and with the provisions of 15 CFR 754.2(j)(1)(iii). That section (15 CFR 754.2(j)(iii)) requires a mandatory program of deep water ballast exchange (i.e., at least 2,000 meters water depth and recordkeeping), unless doing so would endanger the safety of the vessel or crew.

(c) The master, owner, operator, agent, or person-in-charge of a vessel entering the waters of the United States after operating beyond the EEZ, unless specifically exempted by §§ 151.2010 or 151.2015, must provide the information required by § 151.2045 in electronic or written form to the Commandant, U.S. Coast Guard or the appropriate COTP as follows:

(1) For a United States or Canadian Flag vessel bound for the Great Lakes. You must fax the required information to the COTP Buffalo, Massena Detachment (315-764-3283), at least 24 hours before the vessel arrives in Montreal, Quebec.

(2) For a foreign flagged vessel bound for the Great Lakes. You must—

(i) Fax the required information to the COTP Buffalo, Massena Detachment (315-764-3283), at least 24 hours before the vessel arrives in Montreal, Quebec; or

(ii) Complete the ballast water information section of the St. Lawrence Seaway required “Pre-entry Information from Foreign Flagged Vessels Form” and submit it in accordance with the applicable Seaway Notice.

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(3) For a vessel bound for the Hudson River north of the George Washington Bridge. You must telefax the information to the COTP New York at 718-354-4249 before the vessel enters the waters of the United States (12 miles from the baseline).

(4) For a vessel not addressed in paragraphs (c)(1), (c)(2), and (c)(3) of this section. Before the vessel arrives at the first port of call in the waters of the United States, you must—

(i) Mail the information to U.S. Coast Guard, c/o Smithsonian Environmental Research Center (SERC), P.O. Box 28, Edgewater, MD 21037-0028; or

(ii) Transmit the information electronically to the NBIC at <http://invasions.si.edu/ballast.htm> or e-mail it to [ballast@serc.si.edu](mailto:ballast@serc.si.edu); or

(iii) Fax the information to the Commandant, U.S. Coast Guard, c/o the NBIC at 301-261-4319.

(iv) A single report that includes the ballast discharge information for all U.S. ports that will be entered during this voyage will be accepted unless the vessel exits the EEZ during transits.

(d) If the information submitted in accordance with paragraph (c) of this section changes, you must submit an amended form before the vessel departs the waters of the United States.

(e) This subpart does not authorize the discharge of oil or noxious liquid substances (NLS) in a manner prohibited by United States or international laws or regulations. Ballast water carried in any tank containing a residue of oil, NLS, or any other pollutant must be discharged in accordance with the applicable regulations.

(f) This subpart does not affect or supersede any requirement or prohibition pertaining to the discharge of ballast water into the waters of the United States under the Federal Water Pollution Control Act (33 U.S.C. 1251 to 1376).

[USCG-1998-3423, 64 FR 26682, May 17, 1999, as amended at 66 FR 58391, Nov. 21, 2001]

EFFECTIVE DATE NOTE: By USCG-2002-13147, 69 FR 32869, June 14, 2004, § 151.2040 was revised, effective Aug. 13, 2004. For the convenience of the user, the revised text is set forth as follows:

**§ 151.2040 What are the mandatory ballast water management requirements for vessels equipped with ballast tanks that operate in the waters of the United States and are bound for ports or places in the United States?**

(a) A vessel bound for the Great Lakes or Hudson River, which has operated beyond the EEZ (which includes the equivalent zone of Canada) during any part of its voyage regardless of intermediate ports of call within the waters of the United States or Canada, must comply with §§ 151.2041 and 151.2045 of this subpart, as well as with the provisions of subpart C of this part.

(b) A vessel engaged in the foreign export of Alaskan North Slope Crude Oil must comply with §§ 151.2041 and 151.2045 of this subpart, as well as with the provisions of 15 CFR 754.2(j)(1)(iii). Section 15 CFR 754.2(j)(1)(iii) requires a mandatory program of deep water ballast exchange unless doing so would endanger the safety of the vessel or crew.

(c) A vessel not covered by paragraphs (a) or (b) of this section and is bound for ports or places in the United States must comply with §§ 151.2041 and 151.2045 of this subpart.

(d) This subpart does not authorize the discharge of oil or noxious liquid substances (NLS) in a manner prohibited by United States or international laws or regulations. Ballast water carried in any tank containing a residue of oil, NLS, or any other pollutant must be discharged in accordance with applicable regulations.

(e) This subpart does not affect or supersede any requirement or prohibition pertaining to the discharge of ballast water into the waters of the United States under the Federal Water Pollution Control Act (33 U.S.C. 1251 to 1376).

**§ 151.2041 What are the mandatory ballast water reporting requirements for all vessels equipped with ballast tanks bound for ports or places in the United States?**

(a) Ballast water reporting requirements exist for each vessel bound for ports or places in the United States regardless of whether a vessel operated outside of the EEZ (which includes the equivalent zone of Canada), unless exempted in §§ 151.2010 or 151.2015.

(b) The master, owner, operator, agent, or person-in-charge of a vessel to whom this section applies must provide the information required by § 151.2045 in electronic or written form (OMB form Control No. 1625-0069) to the Commandant, U.S. Coast Guard or the appropriate COTP as follows:

(1) For any vessel bound for the Great Lakes from outside the EEZ