

must be discharged in accordance with applicable regulations.

(e) This subpart does not affect or supercede 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-2002-13147, 69 FR 32869, June 14, 2004]

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

(a) Ballast water reporting requirements exist for each vessel bound for ports or places of 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 (which includes the equivalent zone of Canada).

(i) You must fax the required information at least 24 hours before the vessel arrives in Montreal, Quebec to either the USCG COTP Buffalo, Massena Detachment (315-769-5032), or the St. Lawrence Seaway Development Corporation (315-764-3250); or

(ii) If you are not a U.S. or Canadian Flag vessel, you may 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 in lieu of this requirement.

(2) For any vessel bound for the Hudson River north of the George Washington Bridge entering from outside the EEZ (which includes the equivalent zone of Canada). You must fax the information to the COTP New York (718-354-4249) at least 24 hours before the vessel enters New York, New York.

(3) For any vessel not addressed in paragraphs (b)(1) and (b)(2) of this section, which is equipped with ballast water tanks and bound for ports or places in the United States. If your voyage is less than 24 hours, you must report before departing your port or place of departure. If your voyage exceeds 24 hours, you must report at least 24 hours before arrival at your port or place of destination. All required information is to be sent to the National Ballast Information Clearinghouse (NBIC) using only one of the following means:

(i) Internet at: <http://invasions.si.edu/NBIC/bwform.html>;

(ii) E-mail to NBIC@BALLASTREPORT.ORG;

(iii) Fax to 301-261-4319; or

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

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

[USCG-2002-13147, 69 FR 32870, June 14, 2004; 69 FR 40767, July 7, 2004]

§ 151.2043 Equivalent Reporting Methods for vessels other than those entering the Great Lakes or Hudson River after operating outside the EEZ or Canadian equivalent.

(a) For ships required to report under § 151.2041 the Chief, Environmental Standards Division (CG-5224), acting for the Assistant Commandant for Marine Safety, Security, and Stewardship (CG-5) may, upon receipt of a written request, consider and approve alternative methods of reporting if:

(1) Such methods are at least as effective as that required by § 151.2041; and

(2) Compliance with the requirement is economically or physically impractical.

(i) The Chief, Environmental Standards Division (CG-5224) will take approval or disapproval action on the request submitted in accordance with paragraph (a) of this section within 30 days of receipt of the request.

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(ii) [Reserved]

[USCG-1998-3423, 66 FR 58391, Nov. 21, 2001, as amended by USCG-2002-12471, 67 FR 41332, June 18, 2002. Redesignated and amended by USCG-2002-13147, 69 FR 32870, June 14, 2004; USCG-2008-0179, 73 FR 35014, June 19, 2008]

§ 151.2045 What are the mandatory recordkeeping requirements for vessels equipped with ballast tanks that are bound for a port or place in the United States?

(a) The master, owner, operator, or person in charge of a vessel bound for a port or place in the United States, unless specifically exempted by §§ 151.2010 or 151.2015 must keep written, records that include the following information (Note: Ballast tank is any tank or hold that carries ballast water regardless of design):

(1) *Vessel information.* Include the—

(i) Name;

(ii) International Maritime Organization (IMO) Number (official number if IMO number not issued);

(iii) Vessel type;

(iv) Owner or operator;

(v) Gross tonnage;

(vi) Call sign; and

(vii) Port of Registry (Flag).

(2) *Voyage information.* Include the date and port of arrival, vessel agent, last port and country of call, and next port and country of call.

(3) *Total ballast water information.* Include the total ballast water capacity, total volume of ballast water on board, total number of ballast water tanks, and total number of ballast water tanks in ballast. Use units of measurements such as metric tons (MT), cubic meters (m³), long tons (LT), and short tons (ST).

(4) *Ballast Water Management.* Include the total number of ballast tanks/holds that are to be discharged into the waters of the United States or to a reception facility. If an alternative ballast water management method is used, please note the number of tanks that were managed using an alternative method, as well as the type of method used. Indicate whether the vessel has a ballast water management plan and IMO guidelines on board, and whether the ballast water management plan is used.

(5) *Information on ballast water tanks that are to be discharged into the waters*

of the United States or to a reception facility. Include the following:

(i) The origin of ballast water. This includes date(s), location(s), volume(s) and temperature(s) (If a tank has been exchanged, list the loading port of the ballast water that was discharged during the exchange.).

(ii) The date(s), location(s), volume(s), method, thoroughness (percentage exchanged if exchange conducted), sea height at time of exchange if exchange conducted, of any ballast water exchanged or otherwise managed.

(iii) The expected date, location, volume, and salinity of any ballast water to be discharged into the waters of the United States or a reception facility.

(6) *Discharge of sediment.* If sediment is to be discharged within the jurisdiction of the United States include the location of the facility where the disposal will take place.

(7) *Certification of accurate information.* Include the master, owner, operator, person in charge, or responsible officer's printed name, title, and signature attesting to the accuracy of the information provided and certifying compliance with the requirements of this subpart.

(8) *Change to previously submitted information.* Indicate whether the information is a change to information previously submitted for this voyage.

(9) The master, owner, operator, or person in charge of a vessel subject to this section, must retain a signed copy of this information on board the vessel for 2 years.

(10) The information required of this subpart may be used to satisfy the ballast water recordkeeping requirements for vessels subject to § 151.2040(a) and (b).

(11) A sample form and the instructions for completing the form are in the appendix to this subpart. If you complete the "Ballast Water Reporting Form" contained in the IMO Guidelines or complete the ballast water information section of the St. Lawrence Seaway required "Pre-entry Information Flagged Vessels Form," then you have met the requirements of this section.

[USCG-1998-3423, 64 FR 26682, May 17, 1999, as amended at 66 FR 58391, Nov. 21, 2001; USCG-2002-13147, 69 FR 32870, June 14, 2004]