

UNITED STATES COAST PILOT CORRECTIONS

COAST PILOT 1 33 Ed 2003 Change No. 1 LAST NM 27/03

Page 5—Paragraph 50, line 2; read:
America including the Hawai‘ian Islands;
(CL 2084/02) 28/03

Page 20—Paragraph 383, line 6; read:
Kekaha, Kauai, Hawai‘i (21°59'26"N., 159°46'00"W.) on ...
(CL 2084/02) 28/03

Page 21—Paragraph 397, line 6; read:
Old Hawai‘ian Datum, and others. Through the use of satel-
lites ...
(CL 2084/02) 28/03

Page 21—Paragraph 398, line 5; read:
charts of Hawai‘i, and other Pacific Ocean Islands, ...
(CL 2084/02) 28/03

Page 33—Paragraph 549, line 3; read:
in Colorado, Hawai‘i, Kwajalein, Diego Garcia, and Ascen-
sion ...
(CL 2084/02) 28/03

Page 34—Paragraph 553, line 4; read:
Rico, most of Alaska, and Hawai‘i. The system provides ...
(CL 2084/02) 28/03

Page 36—Paragraph 594, line 6; read:
Hawai‘ian Islands 2,000 miles away. The wave of May ...
(CL 2084/02) 28/03

Page 36—Paragraph 597, line 5; read:
The Pacific Tsunami Warning Center, Oahu, Hawai‘i, of ...
(CL 2084/02) 28/03

Page 397—Paragraph 21, line 2; read:
Oregon, Washington, and Hawai‘i.
(CL 2084/02) 28/03

Page 400—Paragraph 112, line 1; read:
Region IX (California, Hawai‘i, Guam): 215 ...
(CL 2084/02) 28/03

Page 401—Paragraph 149, line 3; read:
Rico; Southwest Alaska; Hawai‘i; and 300-400 NM off ...
(CL 2084/02) 28/03

Page 403—Paragraph 229, line 1; read:
Pacific Region (California, Hawai‘i, Alaska, Washington,
...
(CL 2084/02) 28/03

Page 403—Paragraph 238; read:
Honolulu, Hawai‘i: 300 Ala Moana Boulevard, 96850.
(CL 2084/02; CP7/02) 28/03

COAST PILOT 1 33 Ed 2003 Change No. 2

Page 199—Paragraph 146, lines 1 to 3; read:

Anchorage.—Two general anchorages are on the eastern
side of Mount Desert Island, 0.5 and 1.5 mile south of Bald
Rock Ledge respectively. (See **110.1** and **110.130** chapter 2,
for limits and regulations.)

Bar Harbor is formed by the east shore of ...
(CL 2111/02; 51/02 CG1) 28/03

Page 232—Paragraph 201; strike out.
(53/02 CG1; LL/02) 28/03

Page 355—Paragraph 162, lines 3 to 6; read:
leading along the west side of Derby Wharf. In October
2002, the controlling depth was 5.2 feet (7.1 feet at midchan-
nel) in the channel to the westward turn into South River,
thence 4.8 feet (5.6 feet at midchannel) from the turn con-
tinuing west to a point ...
(CL 1907/02; 12/03 CG1; BP 179154) 28/03

Page 398—Paragraph 46, line 5 to Paragraph 49; read:
2288, AL 36602, Attn: Map Sales, LM-SR; telephone, 251-
441-5631.

Flood Control and Navigation Maps of the Mississippi
River, Cairo, IL to the Gulf of Mexico: Published by Missis-
sippi River Commission and for sale by U.S. Army Engineer
District Vicksburg, 4155 Clay Street, Vicksburg, MS 39183-
3435, Attn: Map Sales; telephone: 601-631-5042.

Upper Mississippi River Navigation Charts (Mississippi
River, Cairo, IL to Minneapolis, MN): Published and for sale
by U.S. Army Engineer District Rock Island, Clock Tower
Bldg., P.O. Box 2004, Rock Island, IL 61204-2004; tele-
phone, 309-794-5338.

Charts of the Illinois Waterway, from Mississippi River at
Grafton, IL to Lake Michigan at Chicago and Calumet Har-
bors: Published and for sale by U.S. Army Engineer District
Rock Island, Clock Tower Bldg., P.O. Box 2004, Rock
Island, IL 61204-2004; telephone, 309-794-5338.

(CE/03) 28/03

COAST PILOT 1 33 Ed 2003 Change No. 3

Page 39—Paragraph 665, line 4 to Paragraph 666, line 1;
read:
in the Coast Pilot and Sailing Directions.

MARINE POLLUTION

Compliance with the Federal Water Pollution Control Act or Clean Water Act

The Federal Water Pollution Control Act (FWPCA) or
Clean Water Act (CWA) was passed to restore and maintain
the chemical, physical and biological integrity of our
nation’s waters.

No Discharge Zones

Section 312 of the FWPCA, entitled “Marine Sanitation Devices” (see **40 CFR 140** in Chapter 2), gives the Environmental Protection Agency (EPA) and States the authority to designate certain areas as No-Discharge Zones (NDZ) for vessel sewage. Freshwater lakes, freshwater reservoirs, or other freshwater impoundments whose entrances and exits prohibit traffic by regulated vessels (vessels with installed toilets) are, by regulation, NDZs. Rivers that do not support interstate navigation vessel traffic are also NDZs by regulation. Water bodies that can be designated as NDZs by States and EPA include: the Great Lakes and their connecting waterways, freshwater lakes and impoundments accessible through locks, and other flowing waters that support interstate navigation by vessels subject to regulation.

Inside No-Discharge Zone waters, discharge of any sewage, whether treated or untreated, is completely prohibited.

Discharge of sewage in waters not designated under **40 CFR 140** as No-Discharge Zones is regulated by the Marine Sanitation Device Standard (see **40 CFR 140** in Chapter 2.)

Oil Pollution

The FWPCA also ...
(CL 139/02; 40 CFR 140) 28/03

Page 40—Paragraph 674, line 8 to Paragraph 675, line 1; read:
against organizations which violate MARPOL.

Packaged Marine Pollutants

On October 1, 1993, new regulations under the ...
(CL 139/02; 40 CFR 140) 28/03

Page 41—Paragraph 677, line 10 to Paragraph 678, line 1; read:
substance, solid or liquid, N.O.S. (class 9).

Ocean Dumping

The Marine Protection Research and Sanctuaries ...
(CL 139/02; 40 CFR 140) 28/03

Page 47—Paragraph 1; read:

This chapter contains extracts from Code of Federal Regulations (CFR) that are of importance to mariners in the area covered by this Coast Pilot. Sections of little value to the mariner are sometimes omitted. Omitted sections are signified by the following [...]

Extracts from the following titles are contained in this chapter.
(NOS/03) 28/03

Page 47—Paragraph CFR Box; insert after Part 334:

Title 40 (40 CFR): Protection of Environment
Part 140 Marine Sanitation Device Standard
(40 CFR 140) 28/03

Page 130—Paragraph 1839, line 3; read:
designate.

TITLE 40—PROTECTION OF ENVIRONMENT

Part 140—Marine Sanitation Device Standard

§140.1 Definitions.

For the purpose of these standards the following definitions shall apply:

(a) *Sewage* means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

(b) *Discharge* includes, but is not limited to, any spilling, leaking, pumping, pouring, emitting, emptying, or dumping;

(c) *Marine sanitation device* includes any equipment for installation onboard a vessel and which is designed to receive, retain, treat, or discharge sewage and any process to treat such sewage;

(d) *Vessel* includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on waters of the United States;

(e) *New vessel* refers to any vessel on which construction was initiated on or after January 30, 1975;

(f) *Existing vessel* refers to any vessel on which construction was initiated before January 30, 1975;

(g) *Fecal coliform bacteria* are those organisms associated with the intestines of warm-blooded animals that are commonly used to indicate the presence of fecal material and the potential presence of organisms capable of causing human disease.

§140.2 Scope of standard.

The standard adopted herein applies only to vessels on which a marine sanitation device has been installed. The standard does not require the installation of a marine sanitation device on any vessel that is not so equipped. The standard applies to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security.

§140.3 Standard.

(a) (1) In freshwater lakes, freshwater reservoirs or other freshwater impoundments whose inlets or outlets are such as to prevent the ingress or egress by vessel traffic subject to this regulation, or in rivers not capable of navigation by interstate vessel traffic subject to this regulation, marine sanitation devices certified by the U.S. Coast Guard (see 33 CFR part 159, published in 40 FR 4622, January 30, 1975), installed on all vessels shall be designed and operated to prevent the overboard discharge of sewage, treated or untreated, or of any waste derived from sewage. This shall not be construed to prohibit the carriage of Coast Guard-certified flow-through treatment devices which have been secured so as to prevent such discharges.

(2) In all other waters, Coast Guard-certified marine sanitation devices installed on all vessels shall be designed and operated to either retain, dispose of, or discharge sewage. If the device has a discharge, subject to paragraph (d) of this section, the effluent shall not have a fecal coliform bacterial count of greater than 1,000 per 100 milliliters nor visible floating solids. Waters where a Coast Guard-certified marine sanitation device permitting discharge is allowed include coastal waters and estuaries, the Great

Lakes and inter-connected waterways, fresh-water lakes and impoundments accessible through locks, and other flowing waters that are navigable interstate by vessels subject to this regulation.

(b) This standard shall become effective on January 30, 1977 for new vessels and on January 30, 1980 for existing vessels (or, in the case of vessels owned and operated by the Department of Defense, two years and five years, for new and existing vessels, respectively, after promulgation of implementing regulations by the Secretary of Defense under section 312(d) of the Act).

(c) Any vessel which is equipped as of the date of promulgation of this regulation with a Coast Guard-certified flow-through marine sanitation device meeting the requirements of paragraph (a)(2) of this section, shall not be required to comply with the provisions designed to prevent the overboard discharge of sewage, treated or untreated, in paragraph (a)(1) of this section, for the operable life of that device.

(d) After January 30, 1980, subject to paragraphs (e) and (f) of this section, marine sanitation devices on all vessels on waters that are not subject to a prohibition of the overboard discharge of sewage, treated or untreated, as specified in paragraph (a)(1) of this section, shall be designed and operated to either retain, dispose of, or discharge sewage, and shall be certified by the U.S. Coast Guard. If the device has a discharge, the effluent shall not have a fecal coliform bacterial count of greater than 200 per 100 milliliters, nor suspended solids greater than 150 mg/l.

(e) Any existing vessel on waters not subject to a prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and which is equipped with a certified device on or before January 30, 1978, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(f) Any new vessel on waters not subject to the prohibition of the overboard discharge of sewage in paragraph (a)(1) of this section, and on which construction is initiated before January 31, 1980, which is equipped with a marine sanitation device before January 31, 1980, certified under paragraph (a)(2) of this section, shall not be required to comply with paragraph (d) of this section, for the operable life of that device.

(g) The degrees of treatment described in paragraphs (a) and (d) of this section are "appropriate standards" for purposes of Coast Guard and Department of Defense certification pursuant to section 312(g)(2) of the Act.

§140.4 Complete prohibition.

(a) Prohibition pursuant to CWA section 312(f)(3): a State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into some or all of the waters within such State by making a written application to the Administrator, Environmental Protection Agency, and by receiving the Administrator's affirmative determination pursuant to section 312(f)(3) of the Act. [...]

(b) Prohibition pursuant to CWA section 312(f)(4)(A): a State may make a written application to the Administrator, Environmental Protection Agency, under section

312(f)(4)(A) of the Act, for the issuance of a regulation completely prohibiting discharge from a vessel of any sewage, whether treated or not, into particular waters of the United States or specified portions thereof, which waters are located within the boundaries of such State. Such application shall specify with particularity the waters, or portions thereof, for which a complete prohibition is desired. The application shall include identification of water recreational areas, drinking water intakes, aquatic sanctuaries, identifiable fish-spawning and nursery areas, and areas of intensive boating activities. If, on the basis of the State's application and any other information available to him, the Administrator is unable to make a finding that the waters listed in the application require a complete prohibition of any discharge in the waters or portions thereof covered by the application, he shall state the reasons why he cannot make such a finding, and shall deny the application. If the Administrator makes a finding that the waters listed in the application require a complete prohibition of any discharge in all or any part of the waters or portions thereof covered by the State's application, he shall publish notice of such findings together with a notice of proposed rule making, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that applicable water quality standards require a complete prohibition covering a more restricted or more expanded area than that applied for by the State, he shall state the reasons why his finding differs in scope from that requested in the State's application. [...]

(i) Waters of the State of Florida within the boundaries of the Florida Keys National Marine Sanctuary as delineated on a map of the Sanctuary at <http://www.fknms.nos.noaa.gov/>.

(c)(1) Prohibition pursuant to CWA section 312(f)(4)(B): A State may make written application to the Administrator of the Environmental Protection Agency under section 312(f)(4)(B) of the Act for the issuance of a regulation establishing a drinking water intake no discharge zone which completely prohibits discharge from a vessel of any sewage, whether treated or untreated, into that zone in particular waters, or portions thereof, within such State. Such application shall:

(i) Identify and describe exactly and in detail the location of the drinking water supply intake(s) and the community served by the intake(s), including average and maximum expected amounts of inflow;

(ii) Specify and describe exactly and in detail, the waters, or portions thereof, for which a complete prohibition is desired, and where appropriate, average, maximum and low flows in million gallons per day (MGD) or the metric equivalent;

(iii) Include a map, either a USGS topographic quadrant map or a NOAA nautical chart, as applicable, clearly marking by latitude and longitude the waters or portions thereof to be designated a drinking water intake zone; and

(iv) Include a statement of basis justifying the size of the requested drinking water intake zone, for example, identifying areas of intensive boating activities.

(2) If the Administrator finds that a complete prohibi-

tion is appropriate under this paragraph, he or she shall publish notice of such finding together with a notice of proposed rulemaking, and then shall proceed in accordance with 5 U.S.C. 553. If the Administrator's finding is that a complete prohibition covering a more restricted or more expanded area than that applied for by the State is appropriate, he or she shall also include a statement of the reasons why the finding differs in scope from that requested in the State's application.

(3) If the Administrator finds that a complete prohibition is inappropriate under this paragraph, he or she shall deny the application and state the reasons for such denial.

(4) For the following waters the discharge from a vessel of any sewage, whether treated or not, is completely prohibited pursuant to CWA section 312(f)(4)(B):

(i) Two portions of the Hudson River in New York State, the first is bounded by an east-west line through the most northern confluence of the Mohawk River which will be designated by the Troy-Waterford Bridge (126th Street Bridge) on the south and Lock 2 on the north, and the second of which is bounded on the north by the southern end of Houghtaling Island and on the south by a line between the Village of Roseton on the western shore and Low Point on the eastern shore in the vicinity of Chelsea, as described in Items 2 and 3 of 6 NYCRR Part 858.4.

(ii) [Reserved]

§140.5 Analytical procedures.

In determining the composition and quality of effluent discharge from marine sanitation devices, the procedures contained in 40 CFR part 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants," or subsequent revisions or amendments thereto, shall be employed.

(40 CFR 140)

28/03

COAST PILOT 1 33 Ed 2003 Change No. 4

Page 8—Paragraph 143, line 8; read:

seaports. Light Lists are also available to view on the USCG Navigation Center internet site at www.nacen.uscg.gov/pubs/lightlists/lights.html. Mariners should refer to these publications for ...

(08/03 CG7)

28/03

Page 47—Insert in box at Part 117:

Part 157 Rules for the Protection of the Marine Environment relating to Tank Vessels Carrying Oil in Bulk.

(33 CFR 157)

28/03

Page 86—Paragraph 803, line 6 to Page 90—Paragraph 966; read:

penalties under 33 U.S.C. 1232.

Subpart C—Notification of Arrival, Hazardous Conditions, and Certain Dangerous Cargos

§160.201 General.

This subpart contains requirements and procedures for submitting Notices of Arrival (NOA) and Notice of Hazardous Condition. The sections in this subpart describe:

(a) Applicability and exemptions from requirements in this subpart;

(b) Required information in an NOA;

(c) Required changes to an NOA;

(d) Methods and times for submission of an NOA and changes to an NOA;

(e) How to obtain a waiver; and

(f) Requirements for submission of the Notice of Hazardous Conditions.

§160.202 Applicability.

(a) This subpart applies to U.S. and foreign vessels bound for or departing from ports or places in the United States.

(b) This subpart does not apply to recreational vessels under 46 U.S.C. 4301 *et seq.*

(c) Unless otherwise specified in this subpart, the owner, agent, master, operator, or person in charge of a vessel regulated by this subpart is responsible for compliance with the requirements in this subpart.

(d) Towing vessels controlling a barge or barges required to submit an NOA under this subpart must submit only one NOA containing the information required for the towing vessel and each barge under its control.

§160.203 Exemptions.

(a) Except for reporting notice of hazardous conditions, the following vessels are exempt from requirements in this subpart:

(1) Passenger and supply vessels when they are employed in the exploration for or in the removal of oil, gas, or mineral resources on the continental shelf.

(2) Oil Spill Recovery Vessels (OSRVs) when engaged in actual spill response operations or during spill response exercises.

(3) Vessels operating upon the following waters:

(i) Mississippi River between its sources and mile 235, Above Head of Passes;

(ii) Tributaries emptying into the Mississippi River above mile 235;

(iii) Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway and the Red River; and

(iv) The Tennessee River from its confluence with the Ohio River to mile zero on the Mobile River and all other tributaries between those two points.

(b) If not carrying certain dangerous cargo or controlling another vessel carrying certain dangerous cargo, the following vessels are exempt from NOA requirements in this subpart:

(1) Vessels 300 gross tons or less, except for vessels entering any port or place in the Seventh Coast Guard District as described in 33 CFR 3.35–1(b).

(2) Vessels operating exclusively within a Captain of the Port Zone.

(3) Vessels arriving at a port or place under force majeure.

(4) Towing vessels and barges operating solely between ports or places in the continental United States.

(5) Public vessels.

(6) Except for tank vessels, U.S. vessels operating

solely between ports or places in the United States on the Great Lakes.

(c) Vessels less than 500 gross tons need not submit the International Safety Management (ISM) Code Notice (Entry (7) to Table 160.206).

(d) Vessels operating solely between ports or places in the continental United States need not submit the Cargo Declaration (Customs Form 1302), (Entry (8) to Table 160.206).

(e) This section does not exempt any vessel from compliance with the U.S. Customs Service (USCS) reporting or submission requirements.

§160.204 Definitions.

As used in this subpart:

Agent means any person, partnership, firm, company or corporation engaged by the owner or charterer of a vessel to act in their behalf in matters concerning the vessel.

Barge means a non-self propelled vessel engaged in commerce.

Carried in bulk means a commodity that is loaded or carried on board a vessel without containers or labels and received and handled without mark or count.

Certain dangerous cargo (CDC) includes any of the following:

(1) Division 1.1 or 1.2 explosives as defined in 49 CFR 173.50.

(2) Division 1.5D blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(3) Division 2.3 “poisonous gas”, as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation” as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per vessel.

(4) Division 5.1 oxidizing materials for which a permit is required under 49 CFR 176.415 or for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(5) A liquid material that has a primary or subsidiary classification of Division 6.1 “poisonous material” as listed 49 CFR 172.101 that is also a “material poisonous by inhalation,” as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per vessel when not in a bulk packaging.

(6) Class 7, “highway route controlled quantity” radioactive material or “fissile material, controlled shipment,” as defined in 49 CFR 173.403.

(7) Bulk liquefied chlorine gas and Bulk liquefied gas cargo that is flammable and/or toxic and carried under 46 CFR 154.7.

(8) The following bulk liquids:

- (i) Acetone cyanohydrin,
- (ii) Allyl alcohol,
- (iii) Chlorosulfonic acid,
- (iv) Crotonaldehyde,
- (v) Ethylene chlorohydrin,
- (vi) Ethylene dibromide,
- (vii) Methacrylonitrile, and
- (viii) Oleum (fuming sulfuric acid).

Charterer means the person or organization that contracts

for the majority of the carrying capacity of a ship for the transportation of cargo to a stated 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 INFOR-

MATION ITEMS

Required information	Vessels not carrying CDC	Vessels carrying CDC	
			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
(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
<i>(3) 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
<i>(4) 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
<i>(5) 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)			
(6) Operational condition of equipment required by §164.35 of this chapter	x	x	x
(7) International Safety Management (ISM) Code Notice:			
(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) Cargo Declaration (Customs Form (1302) as described in 19 CFR 4.7	x	x	x

(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 charges to an NOA.

§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 submit NOA information in §160.206 (entries 1-7 to Table 160.206) to the NVMC, United States Coast Guard, 408 Coast Guard Drive, Kear-

neysville, 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.

§160.212 When to submit an NOA.

(a) *Submission of NOA.* (1) Except as set out in paragraph (a)(2) of this section, all vessels must submit NOAs within the times required in paragraph (a)(3) of this section.

(2) Towing vessels, when in control of a vessel carrying CDC and operating solely between ports or places in the continental United States, must submit an NOA before departure but at least 12 hours before entering the port or place of destination.

(3) Times for submitting NOAs areas follows:

If your voyage time is–	You must submit an NOA–
(i) 96 hours or more; or	Before departure but at least 96 hours before entering the port or place of destination; or
(ii) Less than 96 hours	Before departure but at least 24 hours before entering the port or place of destination.

(b) *Submission of changes to NOA.* (1) Except as set out in paragraph (b)(2) of this section, vessels must submit changes in NOA information within the times required in paragraph (b)(3) of this section.

(2) Towing vessels, when in control of a vessel carrying CDC and operating solely between ports or places in the continental United States, must submit changes to an NOA as soon as practicable but at least 6 hours before entering the port or place of destination.

(3) Times for submitting changes to NOAs are as follows:

If your remaining voyage time is–	Then you must submit changes to an NOA–
(i) 96 hours or more;	As soon as practicable but at least 24 hours before entering the port or place of destination;
(ii) Less than 96 hours but not less than 24 hours; or	As soon as practicable but at least 24 hours before entering the port or place of destination;
(iii) Less than 24 hours	As soon as practicable but at least 12 hours before entering the port or place of destination.

(c) *Submission of the Cargo Declaration (Customs Forms 1302).* (1) Except as set out in paragraph (c)(2) of this section, all vessels must submit to USCS the Cargo Declaration (Customs Form 1302) in entry (8) to Table 160.206, within the times required in paragraph (a)(3) of this section.

(2)(i) Except for vessels carrying containerized cargo or break bulk cargo, vessels carrying bulk cargo may submit the Cargo Declaration (Customs Form 1302). Entry (8) to Table 160.206) before departure but at least 24 hours before entering the U.S. port or place of destination.

(ii) Vessels carrying break bulk cargo operating under a USCS exemption granted under 19 CFR 4.7(b)(4)(ii) may, during the effective period of the USCS exemption submit the Cargo Declaration (Customs Form 1302), (Entry (8) to Table 160.206) before

departure but at least 24 hours before entering the U.S. port or place of destination.

§160.214 Waivers.

The Captain of the Port may waive, within that Captain of the Port’s designated zone, any of the requirements of this subpart for any vessel or class of vessels upon finding that the vessel, route area of operations, conditions of the voyage, or other circumstances are such that application of this subpart is unnecessary or impractical for purposes of safety, environmental protection, or national security.

§160.215 Notice of hazardous conditions.

Whenever there is a hazardous condition either aboard a vessel or caused by a vessel or its operation, the owner, agent, master, operator, or person in charge shall immediately notify the nearest Coast Guard Marine Safety Office or Group Office. (Compliance with this section does not relieve responsibility for the written report required by 46 CFR 4.05–10.)

(FR 2/28/03; FR 5/22/03)

28/03

Page 397—Paragraph 24; read:

Distances Between United States Ports (available on the internet only at <http://chartmaker.ncd.noaa.gov/nsd/ports.html>.)

(01/03 CG7)

28/03