United States, its territories, or its possessions; and

(2) The application for exemption meets §157.302.

(b) Except where the owner can show good cause, a vessel is not granted an exemption under this subpart if a previous exemption for the vessel has been revoked by the Coast Guard under §157.308(a)(1) or §157.308(a)(2).


No shore-based reception facility may be listed to meet §157.302(b)(3) unless that reception facility has:

(a) A valid NPDES permit which allows it to process the ballast water and oil cargo residues of the vessel for which the exemption is being requested; and

(b) The capacity to receive and store a volume of dirty ballast water equivalent to 30 percent of the deadweight, less the segregated ballast volume, of the vessel for which the exemption is being requested.

§157.306 Granting, denying, or modifying an exemption.

(a) The Assistant Commandant for Marine Safety, Security and Environmental Protection issues a written decision concerning the grant or denial of each exemption or modification requested under §157.302.

(b) If the exemption or request for modification is denied, the decision under paragraph (a) of this section includes the reasons for the denial.

(c) Any person directly affected by, and not satisfied with, a decision made under paragraph (a) of this section may appeal that decision, in writing, to the Commandant (CG–543), U.S. Coast Guard, 2100 2nd St. SW., Stop 7581, Washington, DC 20593–7581. The appeal may contain any supporting documentation or evidence that the appellant wishes to have considered.