§ 4.05–2 Incidents involving foreign tank vessels.

(a) Within the navigable waters of the United States, its territories, or possessions. The marine casualty reporting and investigation criteria of this part apply to foreign tank vessels operating on the navigable waters of the United States, its territories, or possessions. A written marine casualty report must be submitted under §4.05–10 of this chapter.

(b) Outside the U.S. navigable waters and within the Exclusive Economic Zone (EEZ). The owner, agent, master, operator, or person in charge of a foreign tank vessel involved in a marine casualty must report under procedures detailed in 33 CFR 151.15, immediately after addressing resultant safety concerns, whenever the marine casualty involves, or results in—

1. Material damage affecting the seaworthiness or efficiency of the vessel;
2. An occurrence involving significant harm to the environment as a result of a discharge, or probable discharge, resulting from damage to the vessel or its equipment. The factors you must consider to determine whether a discharge is probable include, but are not limited to—
   i. Ship location and proximity to land or other navigational hazards;
   ii. Weather;
   iii. Tide current;
   iv. Sea state;
   v. Traffic density;
   vi. The nature of damage to the vessel; and
   vii. Failure or breakdown aboard the vessel, its machinery, or equipment.

§ 4.05–5 Substance of marine casualty notice.

The notice required in §4.05–1 must include the name and official number of the vessel involved, the name of the vessel’s owner or agent, the nature and circumstances of the casualty, the locality in which it occurred, the nature and extent of injury to persons, and the damage to property.

§ 4.05–10 Written report of marine casualty.

(a) The owner, agent, master, operator, or person in charge shall, within five days, file a written report of any