

discharged instantaneously but at a moderate rate and, where practicable, while the ship is en route at a speed of no less than 4 knots. For purposes of this section, “sewage” means:

(1) Drainage and other wastes from any form of toilets, urinals, and WC scuppers;

(2) Drainage from medical premises (dispensary, sick bay, etc.) via wash basins, wash tubs, and scuppers located in such premises;

(3) Drainage from spaces containing living animals; or

(4) Other waste waters when mixed with the drainages defined above.

(b) Paragraph (a) of this section does not apply to a warship, naval auxiliary, or other ship owned or operated by the United States and used only in government non-commercial service.

(c) Paragraph (a) of this section does not apply in cases of an emergency relating to the safety of a ship and those on board or saving life at sea. Notice of an activity, otherwise prohibited under paragraph (a) of this section, undertaken in case of an emergency shall be reported immediately to the National Response Center (NRC) *toll free telephone number: 800-424-8802, direct telephone: 202-267-2675, or Fax: 202-267-1322.*

[CGD 97-015, 62 FR 18045, Apr. 14, 1997, as amended by USCG-2008-0179, 73 FR 35014, June 19, 2008]

Subpart B—Transportation of Municipal and Commercial Waste

AUTHORITY: 33 U.S.C. 2602; 49 CFR 1.46.

SOURCE: CGD 89-014, 54 FR 22548, May 24, 1989, unless otherwise noted.

§ 151.1000 Purpose.

The purpose of this subpart is to implement the permit provisions of the Shore Protection Act of 1988, (33 U.S.C. 2601 *et seq.*).

[CGD 89-014, 54 FR 22548, May 24, 1989, as amended by USCG-2001-9286, 66 FR 33641, June 25, 2001]

§ 151.1003 Applicability.

(a) Except as provided by paragraph (b) of this section, this subpart applies to each vessel whose purpose is the transportation of municipal or commercial waste in coastal waters.

(b) This subpart does not apply to public vessels.

§ 151.1006 Definitions.

As used in this subpart—

Coastal waters means—

(1) The territorial sea of the United States;

(2) The Great Lakes and their connecting waters;

(3) The marine and estuarine waters of the United States up to the head of tidal influence; and

(4) The Exclusive Economic Zone as established by Presidential Proclamation Number 5030, dated March 10, 1983.

NOTE: The Exclusive Economic Zone extends from the baseline of the territorial sea of the United States seaward 200 miles.

Municipal and commercial waste means solid waste as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903) except—

(1) Solid waste identified and listed under section 3001 of the Solid Waste Disposal Act (42 U.S.C. 6921);

(2) Waste generated by a vessel during normal operations;

(3) Debris solely from construction activities;

(4) Sewage sludge subject to regulation under title I of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1401 *et seq.*); and

(5) Dredge or fill material subject to regulation under title I of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1401 *et seq.*), the Federal Water Pollution Control Act (33 U.S.C. 1251 *et seq.*), or the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. 401 *et seq.*).

Public vessel means a vessel that—

(1) Is owned, or demise chartered, and operated by the United States Government or a government of a foreign country; and

(2) Is not engaged in commercial service.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

[CGD 89-014, 54 FR 22548, May 24, 1989, as amended by USCG-2001-9286, 66 FR 33641, June 25, 2001]