

## § 151.61

ship. The following requirements should also be prominently stated:

(1) The discharge of all garbage is prohibited into the navigable waters of the United States and into all other waters except as specifically allowed;

(2) The discharge of all forms of plastic into all waters is prohibited;

(3) A person who violates the above requirements is liable for civil and/or criminal penalties; and

(4) Regional, state, and local restrictions on garbage discharges also may apply.

(d) For ships while operating on the Great Lakes or their connecting or tributary waters, the placard must—

(1) Notify the reader of the information in paragraph (c) of this section; or

(2) Notify the reader of the following:

(i) Except as allowed by § 151.66, the discharge of all garbage into the Great Lakes or their connecting or tributary waters is prohibited; and

(ii) A person who violates the above requirements is liable for a civil penalty for each violation, and the criminal penalties of a class D felony.

[USCG-2012-1049, 78 FR 13492, Feb. 28, 2013]

## § 151.61 Inspection for compliance and enforcement.

While within the navigable waters of the United States or the Exclusive Economic Zone, a ship is subject to inspection by the Coast Guard or other authorized federal agency to determine if—

(a) The ship has been operating in accordance with these regulations and has not discharged plastics or other garbage in violation of the provisions of the Act or Annex V of MARPOL;

(b) Grinders or comminuters used for the discharge of garbage between 3 and 12 nautical miles from nearest land are capable of reducing the size of garbage so that it will pass through a screen with openings no greater than 25 millimeters (one inch);

(c) Information for recordkeeping requirements, when required under § 151.55, is properly and accurately logged;

(d) A garbage management plan, when required under § 151.57, is on board and that the condition of the ship, equipment and operational procedures of the ship meet the plan; and

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(e) Placards, when required by § 151.59, are posted on board.

[CGD 88-002, 54 FR 18405, Apr. 28, 1989, as amended by CGD 88-002A, 55 FR 18583, May 2, 1990; USCG-2012-1049, 78 FR 13492, Feb. 28, 2013]

## § 151.63 Shipboard control of garbage.

(a) The master, operator, or person who is in charge of a ship shall ensure that all garbage is discharged ashore or in accordance with §§ 151.66-151.73.

(b) The following factors, among others, may be considered by enforcement personnel in evaluating compliance with §§ 151.51 through 151.77:

(1) Records, including receipts, of garbage discharges at port reception facilities.

(2) Records under § 151.55 or log entries of garbage discharges.

(3) The presence and operability of equipment to treat ship-generated garbage, including, but not limited to, incinerators, grinders, or comminuters.

(4) The presence of and adherence to a written shipboard garbage management plan.

(5) The absence of plastics in ship stores.

(6) Ongoing educational programs to train shipboard personnel of garbage handling procedures and the need for these.

(7) The presence of shipboard spaces used for collecting, processing, storing and discharging ship-generated garbage.

(c) The master, operator, or person who is in charge of a ship shall ensure that if garbage is transported from a ship by shipboard personnel, it is properly deposited into a port or terminal's reception facility.

[CGD 88-002, 54 FR 18405, Apr. 28, 1989, as amended by CGD 88-002A, 55 FR 18583, May 2, 1990; CGD 92-71, 59 FR 18703, Apr. 19, 1994; USCG-2012-1049, 78 FR 13492, Feb. 28, 2013]

## § 151.65 Reporting requirements.

The master or person who is in charge of each oceangoing ship shall notify the port or terminal, at least 24 hours before entering the port or terminal, of the name of the ship and the estimated volume of garbage requiring disposal, if any of the following types of garbage are to be discharged: