

7. Appendix A definitions:

The following definitions apply to this permit. Terms not defined in this Appendix have the meaning given by 40 CFR Part 122.2. When a defined term appears in a definition, the defined term is placed in quotation marks as an aid to readers.

“Appropriate Regional Office” means the regional office listed in Part 8 of the permit responsible for the waters where the vessel spends the most time or is based in a home port.

“Aqueous Film-Forming Foam” means the firefighting foam and seawater mixture discharged during training, testing, or maintenance operations. *[source: 40 C.F.R 1700.4]*

“Atlantic or Gulf Coastwise Trade” means vessels engaged in coastwise trade along the Atlantic coast or Gulf of Mexico coast of the United States, or in between those coasts, operating in and between ports on these coasts.

“Atlantic or Gulf Nearshore Voyages” means voyages by any vessels engaged in the Atlantic or Gulf Coastwise trade and vessels transiting between Atlantic ports (including those in the Caribbean Sea) or Gulf of Mexico ports that travel between more than one Captain of the Port Zone, and all other vessels that sail from foreign, Atlantic, or Gulf of Mexico ports, which do not sail further than 200 nm from any shore, and that discharge or will discharge ballast water into ports on the Atlantic or Gulf coasts.

“Ballast Tank” means any tank or hold on a vessel used for carrying “ballast water”, whether or not the tank or hold was designed for that purpose. *[source: 33 C.F.R. 151.2025]*

“Ballast Water Exchange” see “Exchange”.

“Ballast Water” means any water and suspended matter taken on board a vessel to control or maintain, trim, draught, stability, or stresses of the vessel, regardless of how it is carried. *[source: 33 C.F.R 151.1504]*

“Ballast Water Capacity” means the total volumetric capacity of any tanks, spaces, or compartments for carrying, loading, or discharging “ballast water”, including any multi-use tanks, space or compartment designed to allow carriage of “ballast water”.

“Bilgewater means the wastewater from a variety of sources that accumulates in the lowest part of the vessel (the bilge).

“Biocide” means a substance or organism, including a virus or a fungus, that is introduced into, or produced by, ballast water treatment systems to kill or eliminate organisms as part of the ballast water treatment process.

“Boat Engine Wet Exhaust” means the seawater that is mixed and discharged with small boat propulsion engine exhaust to cool the exhaust and quiet the engine. *[source: 40 C.F.R 1700.4]*

“Captain of the Port” (COTP) means the Coast Guard officer designated as the COTP, or a person designated by that officer, for the COTP zone covering the U.S. port of destination. These COTP zones are listed in 33 C.F.R. part 3. *[source: 33 C.F.R. 151.2025]*

“Chain Locker Effluent” means the accumulated precipitation and seawater that is emptied from the compartment used to store the vessel's anchor chain. *[source: 40 C.F.R 1700.4]*

“Coastal Exchange Zone” means an area greater than 50 nm from shore and greater than 200 meters in depth.

“Commercial fishing vessel” means any vessel which is documented under the laws of the United States or, if under five net tons, registered under the laws of any State, and used for commercial fishing or activities directly related to commercial fishing. *(source: modified from 50 CFR 296.2)*

“Commercial vessel” means any “vessel” other than a “recreational vessel” or a vessel of the U.S. armed forces.

“Constructed” means a state of construction of a vessel at which—

“(A) the keel is laid;

“(B) construction identifiable with the specific vessel begins;

“(C) assembly of the vessel has begun comprising at least 50 tons or 1 percent of the estimated mass of all structural material of the vessel, whichever is less; or

“(D) the vessel undergoes a major conversion;” *[patterned after the February 2004 Ballast Water Treaty, regulation A1(4)]*

"Control measure" means any BMP or other method (including effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States.

“Controllable Pitch Propeller Hydraulic Fluid” means the hydraulic fluid that discharges into the surrounding seawater from propeller seals as part of normal operation, and the hydraulic fluid released during routine maintenance of the propellers. *[source: 40 C.F.R 1700.4]*

“Cruise ship” means a passenger ship used commercially for pleasure cruises that provides overnight accommodations to passengers.

“Darkness” means sunset to sunrise.

“Deck” means a horizontal surface or part thereof serving as a floor or structural support over the upper section of the hull and which is exposed to weather and sea such as freeboard and superstructure decks from which runoff may originate.

“Deck Runoff” means the precipitation, washdowns, and seawater falling on the weather deck of a vessel and discharged overboard through deck openings. *[source: 40 C.F.R 1700.4]*

“Delivered” means the date of the owner/operator’s formal acceptance of the ship from the builder or another seller or the point in time when custody or ownership of the vessel officially transfers from the shipbuilder or other seller to the owner/operator.

“Discharge incidental to the normal operation of a vessel” means those discharges that were excluded from the NPDES permitting program by operation of 40 C.F.R. 122.3(a) as in effect on September 29, 2008.

“Distillation and Reverse Osmosis Brine” means the concentrated seawater (brine) produced as a byproduct of the processes used to generate freshwater from seawater. *[source: 40 C.F.R 1700.4]*

“Elevator Pit Effluent” means the liquid that accumulates in, and is discharged from, the sumps of elevator wells on vessels. *[source: 40 C.F.R 1700.4]*

“Exchange” means to replace the water in a ballast tank using one of the following methods:

“Ferry” means a vessel having provisions for deck passengers and/or vehicles operating between two points over the most direct water route, operating on a frequent schedule, and offering a public service of a type normally attributed to a bridge or tunnel. *[modified from: 46 C.F.R. §70.10-1]*

“Flow through exchange” means to flush out “ballast water” by pumping in water from the “mid-ocean” or “coastal exchange zone” (as applicable) into the bottom of the tank and continuously overflowing the tank from the top until three full volumes of water has been changed to minimize the number of original organisms remaining in the tank.

“Empty/refill exchange” means to pump out the “ballast water” taken on in ports, estuarine, or territorial waters until the tank is empty, then refilling it with water from the “mid-ocean” or “coastal exchange zone” (as applicable); masters/operators should pump out as close to 100 percent of the “ballast water” as is safe to do so. *[modified from: 33 C.F.R. 151.2025]*

“Exclusive Economic Zone” (EEZ) means the area established by Presidential Proclamation Number 5030, dated March 10, 1983 (*48 FR 10605*, 3 CFR, 1983 Comp., p. 22) which extends from the base line of the territorial sea of the United States seaward 200 miles, and the equivalent zone of Canada. *[source: 33 C.F.R. 151.2025]*

“Firemain Systems” means the seawater pumped through the firemain system for firemain testing, maintenance, and training, and to supply water for the operation of certain vessel systems. *[source: 40 C.F.R 1700.4]*

“Fouling organisms” means any aquatic flora and/or fauna which attach to, associate with, and/or grow on or in the vessel.

“Freshwater Layup” means the potable water or freshwater taken from surrounding waters that is discharged from the water cooling system while the vessel is in port, and the cooling system is in

lay-up mode (a standby mode where seawater in the system is replaced with potable water for corrosion protection). *[modified from: 40 C.F.R 1700.5(d)]*

“Gas Turbine Water Wash” means the water released from washing gas turbine components. *[source: 40 C.F.R 1700.4]*

“Graywater” means galley, bath, and shower water, as well as wastewater from lavatory sinks, laundry, and water fountains. *[modified from 40 C.F.R 1700.4 but removed shop sinks]*

“Gross Ton” means the size of the vessel as calculated using the formula set by the International Convention on Tonnage Measurement of Ships, 1969. $GT = K * V$ where V = total volume in m^3 and K = a figure from 0.22 up to 0.32, depending on the ship’s size (calculated by : $K = 0.2 + .02 * \log_{10}V$).

“Hull Coating Leachate” the constituents that leach, dissolve, ablate, or erode from the paint on the hull into the surrounding seawater. *[source: 40 C.F.R 1700.4]*

“IMO Guidelines” mean the Guidelines for the Control and Management of Ships’ Ballast Water to Minimize the Transfer of Harmful Aquatic Organisms and Pathogens (IMO Resolution A.868 (20), adopted November 1997). *[source: 33 C.F.R. 151.2025]*

“In Port” means, for the purposes of this permit, anchored, moored, or otherwise secured while located in waters subject to this permit which are inside the baseline of the US territorial sea.

“Large cruise ship” means a passenger ship, used commercially for pleasure cruises, that provides overnight accommodations to passengers, and is authorized by the Coast Guard to carry 500 or more passengers.

“Large Ferry” means a “ferry” that: a) has a capacity greater than or equal to 100 tons of cargo, e.g., for cars, trucks, trains, or other land-based transportation or b) is authorized by the Coast Guard to carry 250 or more people.

“Major conversion” means a conversion of a vessel, that—

- (A) substantially alters the dimensions or carrying capacity of the vessel;
 - (B) changes the type of the vessel; or
 - (C) the intent of which, in the opinion of the director, is substantially to prolong its life
- [modified from 33 CFR 151.05 with the exception language specific to MARPOL is removed].*

“MARPOL 73/78” means the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto. *[source: modified from 40 C.F.R 110.1]*

“MARPOL vessel” means a ship subject to Annex I of the International Convention for the Prevention of Pollution from Ships as implemented by the Act to Prevent Pollution from Ships and the oil pollution provisions of U.S. Coast Guard regulations in 33 CFR Part 151, Subpart A.

“Master” means captain, person-in-charge, or other party responsible for operation of the vessel.

“Medium Cruise Ship” means a passenger ship, used commercially for pleasure cruises, that provides overnight accommodations to passengers, and is authorized by the Coast Guard to carry 100 to 499 passengers.

“Mid-Ocean” means waters greater than 200 nm from any shore..

“Mile” means nautical mile as used in this permit, or 6076.1 feet or 1.852 kilometers.

“Motor Gasoline and Compensating Discharge” means the seawater taken into, and discharged from, motor gasoline tanks to eliminate free space where vapors could accumulate. *[source: 40 C.F.R 1700.4]*

“NANPCA” means the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990. *[source: 33 C.F.R. 151.2025]*

“NBIC” means the National Ballast Water Information Clearinghouse operated by the Coast Guard and the Smithsonian Environmental Research Center as mandated under NISA. *[source: 33 C.F.R. 151.2025]*

“NISA” means the National Invasive Species Act of 1996, which reauthorized and amended NANPCA. *[source: 33 C.F.R. 151.2025]*

“Non-Oily machinery wastewater” means the combined wastewater from the operation of distilling plants, water chillers, valve packings, water piping, low- and high-pressure air compressors, propulsion engine jacket coolers, fire pumps, and seawater and potable water pumps. *[modified from: 40 C.F.R 1700.4]*

“Non-toxic” soaps, cleaners, and detergents means these materials which do not exhibit potentially harmful characteristics as defined by the Consumer Product Safety Commission regulations found at 16 CFR Chapter II, Subchapter C, Part 1500.

“Noxious Liquid Substance” (“NLS”) has the same meaning given that term by 33 CFR Part 151, Subpart A.

“Oil” means oil of any kind or in any form, including but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil. *[source: 33 CFR 154.105]*

“Oil in quantities that may be harmful” means any discharge of oil having the effects identified in 40 CFR 110.3, provided that this term does not include those discharges specified in 40 CFR 110.5(a) – (c).

“Oily mixture” means a mixture, in any form, with any oil content, including, but not limited to: (1) slops from bilges; (2) slops from oil cargoes (such as cargo tank washings, oily waste, and oily refuse; (3) oil residue; and (4) oily Ballast Water from cargo or fuel oil tanks. *[source: 33 CFR 151.05]*

"Owner or operator" and "Owner/Operator" mean the owner or operator of any facility or activity subject to regulation under the NPDES program. For purposes of this permit, an "operator" means a party, including a charterer by demise, who:

- (1) has operational control over vessel activities, including the ability to modify those activities; or
- (2) has day-to-day operational control of those activities that are necessary to ensure compliance with the permit or to direct workers to carry out activities required to comply with the permit.

"Pacific Coastwise Trade" means vessels engaged in coastwise trade along the Pacific Coast of the United States, operating in and between ports in Alaska, California, Oregon, and Washington.

"Pacific Nearshore Voyages" means voyages by any vessels engaged in the Pacific Coastwise trade and vessels transiting between Pacific Ports that travel between more than one Captain of the Port Zone, and all other vessels that sail from foreign, non U.S. Pacific, Atlantic, or Gulf of Mexico ports, which do not sail further than 200 nm from any shore, and that discharge or will discharge ballast water into the territorial sea or inland waters of Alaska or of the west coast of the continental United States.

"Person" means an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof. *[source – 40 CFR Part 122.2]*

"Phosphate Free" soaps, cleaners, and detergents means these materials which contain, by weight, 0.5% or less of phosphates or derivatives of phosphates.

"Photographic Laboratory Drains" means the drains containing laboratory wastewater resulting from processing of photographic film. *[adapted from: 40 C.F.R 1700.4]*

"Port" see "In Port"

"Port or place of departure" means any port or place in which a vessel is anchored or moored. *[source: 33 C.F.R. 151.2025]*

"Port or place of destination" means any port or place to which a vessel is bound to anchor or moor. *[source: 33 C.F.R. 151.2025]*

"Recreational vessel" means a "vessel" being manufactured or operated primarily for pleasure or leased, rented, or chartered to another for the latter's pleasure. *[source: 46 USC 2101(25)]*

"Saltwater flushing" means the addition of "mid-ocean" (in the case of 2.2.3.7) or "coastal exchange zone" (in Part 2.2.3.8) water to empty ballast water tanks; the mixing of the added water with residual ballast water and sediment through the motion of the vessel; and the discharge of the mixed water until loss of suction, such that the resulting residual water remaining in the tank has either a salinity greater than or equal to 30 parts per thousand (ppt) or a salinity concentration equal to the ambient salinity of the location where the uptake of the added water took place.

“Seawater Cooling Overboard Discharge” means the discharge of seawater from a dedicated system that provides noncontact cooling water for other vessel systems. *[source: 40 C.F.R 1700.4]*

“Seawater Piping Biofouling Prevention” means the discharge of seawater containing additives used to prevent the growth and attachment of biofouling organisms in dedicated seawater cooling systems on selected vessels. *[source: 40 C.F.R 1700.4]*

“Sewage” means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes that are discharged from vessels, except that with respect to commercial vessels on the Great Lakes, this term includes galley, bath, and shower water.

“Sonar Dome Discharge” means the leaching of antifoulant materials into the surrounding seawater and the release of seawater or freshwater retained within the sonar dome. *[source: 40 C.F.R 1700.4]*

“Surface Vessel Bilgewater/Oily Water Separator Effluent” means the wastewater from a variety of sources that accumulates in the lowest part of the vessel (the bilge), and the effluent produced when the wastewater is processed by an oil water separator. *[source: 40 C.F.R 1700.4]*

“Technical Water” means water that is collected, generated or managed on board for uses other than potable water.

“Territorial sea” has the meaning assigned by section 502(8) of the Federal Water Pollution Control Act (33 U.S.C. 1362(8)).

“Treated Bilgewater” means bilgewater treated with an oily water separator and having oil concentrations less than 15 ppm and that does not result in a discharge of oil in quantities that may be harmful, pursuant to 40 CFR Part 110.

“Toxic and hazardous materials” means, for purposes of the VGP: any substance identified in 40 CFR 116.4; any toxic pollutant identified in 40 CFR 401.15; and any hazardous material as defined in 49 CFR 171.8”

“United States” means the States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands. *[source: 33 C.F.R. 151.2025]*

“Underwater Ship Husbandry Discharges” means the materials discharged during the inspection, maintenance, cleaning, and repair of hulls or hull appendages performed while the vessel is waterborne. *[modified from: 40 C.F.R 1700.4]*

“Untreated Bilgewater” means bilgewater that is not treated.

“Vessel” means every description of watercraft or other artificial contrivance being used as a means of transportation on “waters subject to this permit.” *[modified from CWA § 312(a)]*

“Vessels unable to voyage more than 1 mile from shore” means vessels operating in waters which do not physically allow them to voyage more than 1 nm from shore (e.g. underway on inland river systems) or vessels which do not possess required certifications from the Coast Guard to operate more than 1 nm from shore.

“Visible Sheen” means a “silvery” or “metallic” sheen, gloss, or increased reflectivity; visual color; iridescence, or oil slick on the surface. *[Source: 58 FR 12507].*

“Waters subject to this permit” means “waters of the US” as defined in as 40 CFR 122.2 and extends to the outer reach of the 3 mile territorial sea as defined in section 502(8) of the CWA, unless otherwise excluded from coverage by Part 6 of the permit.

“Welldeck Discharges” means the water that accumulates from seawater flooding of the docking well (welldeck) of a vessel used to transport, load, and unload amphibious vessels, and from maintenance and freshwater washings of the welldeck and equipment and vessels stored in the welldeck. *[source: 40 C.F.R 1700.4]*

“You” means the “owner” or “operator” of a permitted vessel

8. Appendix B – EPA Regional Contacts

Region 1 – CT, ME, MA, NH, RI, VT, and 10 Tribal Nations

1 Congress St, Suite 1100
Boston, MA 02114-2023
New England States: (888) 372-7341
Outside New England: (617) 918-1111

Region 2 – NJ, NY, PR, VI, and 7 Tribal Nations

290 Broadway, 24th Floor
New York, NY 10007-1866
Phone: (212) 637-3660

Region 3 – DE, DC, MD, PA, VA, WV

1650 Arch St
Philadelphia, PA 19103
Phone: 215-814-5000
Toll Free w/in Region 3: (800) 438-2474

Region 4 – AL, FL, GA, KY, MS, NC, SC, TN, and 2 Tribes

Atlanta Federal Center
61 Forsyth St SW
Atlanta, GA 30303-3104

Phone: (404) 562-9390
Phone: (404) 562-9900
Toll Free: 1-800-241-1754

Region 5 – IL, IN, MI, MN, OH, WI, and 35 Tribes

Ralph Metcalfe Federal Building
77 W Jackson Blvd
Chicago, IL 60604-3507
Phone: (312) 353-2000

Region 6 – LA, AR, OK, NM, TX, and 65 Tribes

1445 Ross Ave
Dallas, TX 75202-2733
Phone: (214) 665-6444

Region 7 – IA, KS, MO, NE, and 9 Tribes

901 N 5th St
Kansas City, KS 66101
Phone: (913) 551-7003
Toll-Free: 1-800-223-0425