§ 4.03–35 Nuclear vessel.

The term **nuclear vessel** means any vessel in which power for propulsion, or for any other purpose, is derived from nuclear energy; or any vessel handling or processing substantial amounts of radioactive material other than as cargo.

[CGD 84–099, 52 FR 47534, Dec. 14, 1987]

§ 4.03–40 Public vessels.

**Public vessel** means a vessel that—

(a) Is owned, or demise chartered, and operated by the U.S. Government or a government of a foreign country, except a vessel owned or operated by the Department of Transportation or any corporation organized or controlled by the Department (except a vessel operated by the Coast Guard or Saint Lawrence Seaway Development Corporation); and

(b) Is not engaged in commercial service.


§ 4.03–45 Marine employer.

**Marine employer** means the owner, managing operator, charterer, agent, master, or person in charge of a vessel other than a recreational vessel.

[CGD 84–099, 52 FR 47534, Dec. 14, 1987]

§ 4.03–50 Recreational vessel.

**Recreational vessel** means a vessel meeting the definition in 46 U.S.C. 2101(25) that is then being used only for pleasure.

[CGD 84–099, 52 FR 47534, Dec. 14, 1987]

§ 4.03–55 Law enforcement officer.

**Law enforcement officer** means a Coast Guard commissioned, warrant or petty officer; or any other law enforcement officer authorized to obtain a chemical test under Federal, State, or local law.

[CGD 84–099, 52 FR 47534, Dec. 14, 1987]

§ 4.03–60 Noxious liquid substance (NLS).

**Noxious liquid substance (NLS)** means—

(a) Each substance listed in 33 CFR 151.47 or 151.49;

(b) Each substance having an “A,” “B,” “C,” or “D” beside its name in the column headed “IMO Annex II pollution category” in table 1 of part 153 of this chapter; and

(c) Each substance that is identified as an NLS in a written permission issued under §153.900(d) of this chapter.


§ 4.03–65 Significant harm to the environment.

**Significant harm to the environment** means—

(a) In the navigable waters of the United States, a discharge of oil as set forth in 40 CFR 110.3 or a discharge of hazardous substances in quantities equal to or exceeding, in any 24-hour period, the reportable quantity determined in 40 CFR part 117;

(b) In other waters subject to the jurisdiction of the United States, including the EEZ—

(1) A discharge of oil in excess of the quantities or instantaneous rate permitted in 33 CFR 151.10 or 151.13 during operation of the ship; or

(2) A discharge of noxious liquid substances in bulk in violation of §§153.1126 or 153.1128 of this chapter during the operation of the ship; and

(c) In waters subject to the jurisdiction of the United States, including the EEZ, a probable discharge of oil, hazardous substances, marine pollutants, or noxious liquid substances. The factors you must consider to determine whether a discharge is probable include, but are not limited to—

(1) Ship location and proximity to land or other navigational hazards;

(2) Weather;

(3) Tide current;

(4) Sea state;

(5) Traffic density;

(6) The nature of damage to the vessel; and

(7) Failure or breakdown aboard the vessel, its machinery, or equipment.