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APPENDIX A TO PART 150—DEEPWATER PORT SAFETY ZONE BOUNDARIES

AUTHORITY: 33 U.S.C. 1231, 1321(j)(1)(C), (j)(5), (j)(6) and (m)(2), 1509; sec. 2, E.O. 12777, 56 FR 54757; 49 CFR 1.46.

SOURCE: CGD 75-002, 40 FR 52572, Nov. 10, 1975, unless otherwise noted.

Subpart A—General

§ 150.101 Applicability.

The rules in this part apply to the operation of each deepwater port.

§ 150.103 Licensee.

(a) No licensee of a deepwater port may cause or authorize operations contrary to the rules in this part.

(b) The licensee shall ensure that the port meets the equipment requirements in Part 149 of this chapter.

§ 150.105 Operations Manual: General.

(a) The licensee of a deepwater port may not operate the port unless the port has an Operations Manual that:

(1) Is prepared in accordance with the “Guidelines for Preparation of a Deepwater Port Operations Manual”; and

(2) Has been approved by the Commandant.

(b) For the purpose of this section, “approved” means only that the Operations Manual meets the requirements of the Act and the regulations in this subchapter.

NOTE: The “Guidelines for Preparation of a Deepwater Port Operations Manual” may be obtained from the Commandant (G-M).

[CGD 75-002, 40 FR 52572, Nov. 10, 1975, as amended by CGD 88-052, 53 FR 25121, July 1, 1988]

§ 150.106 Operations Manual: Copies.

The licensee shall furnish 25 copies of the approved Operations Manual and each subsequent amendment to Commandant (G-M).

NOTE: The Commandant will distribute copies of the approved Operations Manual and subsequent amendments within the Coast Guard and to the Governor of the adjacent coastal State connected directly by pipeline to the deepwater port.

[CGD 75-002, 40 FR 52572, Nov. 10, 1975, as amended by CGD 88-052, 53 FR 25121, July 1, 1988]

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§ 150.107 Operations Manual: Amendment.

(a) The Captain of the Port may require the licensee to amend the Operations Manual if he finds that the Operations Manual does not comply with § 150.105.

(b) When the Captain of the Port determines that an amendment to an operations manual is necessary, he notifies the licensee in writing of a date not less than 14 days from the date of the notice, on or before which the licensee may submit written information, views, and arguments on the amendment. After considering all relevant material presented, the Captain of the Port notifies the licensee of any amendment required or he rescinds the notice. The amendment becomes effective not less than 30 days after the licensee receives the notice unless the licensee petitions the Commandant to reconsider the amendment, in which case its effective date is stayed pending a decision by the Commandant. Petitions to the Commandant must be submitted in writing to the Captain of the Port.

(c) If the Captain of the Port finds a situation that requires immediate action to prevent the discharge or risk of discharge of oil or to protect the safety of life and property that makes the procedure in paragraphs (a) and (b) of this section impracticable or contrary to the public interest, he may issue an amendment effective, without stay, on the date the licensee receives notice of it. In such a case, the Captain of the Port includes a brief statement of the reasons for his finding in the notice, and the licensee may petition the District Commander, in any manner, to reconsider the amendment.

(d) Adjacent coastal States connected by pipeline to the deepwater port and licensees may petition the Captain of the Port to amend the Operations Manual. The Captain of the Port, when in receipt of a proposed amendment, will solicit comments on the proposed amendment. The petition and comment should include sufficient relevant information to enable the Captain of the Port to reach a decision to adopt or reject the proposed amendment. The Captain of the Port may approve amendments to the Operations Manual if he

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finds that the proposed alternative procedure, method, or equipment will ensure equivalent or improved protection, safety, or quality level and is in compliance with this subchapter.

§ 150.109 Compliance with Operations Manual.

Each licensee shall use and require his personnel to use the procedures in the Operations Manual.

§ 150.113 Deviations.

The Captain of the Port may authorize a deviation in writing upon request, if he finds that the proposed alternative procedure, method or equipment would ensure equivalent protection, safety, or quality level.

§ 150.115 Emergency deviations.

In an emergency, for the protection of life or property, or to avoid danger to the environment, any person may deviate from the Operations Manual or any requirement of deepwater port regulations. As soon as practicable, the person shall report the nature, extent, and duration of each deviation orally or in writing to the Captain of the Port.

§ 150.117 Notification to the District Commander.

(a) At least 30 days before construction of a pipeline, platform, or SPM at a deepwater port begins, the licensee shall give notice of construction in writing to the District Commander.

(b) On the date construction of a pipeline, platform or SPM at a deepwater port begins, the licensee shall give written notice to the District Commander within 24 hours of the lights and fog signals in use at the construction site.

(c) Whenever lights or fog signals are changed during construction of a pipeline, platform, or SPM at a deepwater port, the licensee shall give written notice of such change to the District Commander within 24 hours.

(d) When lights or fog signals used during construction of a platform, buoy, or SPM at a deepwater port are replaced with lights or fog signals required by Part 149 of this subchapter, the licensee shall give written notice of

replacement to the District Commander within 24 hours.

(e) At least 60 days before the first oil transfer operation begins at a deepwater port, the licensee shall give written notice of the operation to the District Commander.

[CDG 75-002, 40 FR 52572, Nov. 10, 1975; 40 FR 58143, Dec. 15, 1975]

§ 150.119 Notification to the Commandant.

The licensee shall give notice, in writing, to the Commandant upon receipt of the American Bureau of Shipping:

(a) "Interim Class Certificate"; and

(b) "Classification Certificate" for an SPM at a deepwater port.

§ 150.121 ABS classification.

(a) No licensee may operate an SPM unless he has an American Bureau of Shipping (ABS) "Interim Class Certificate" or a "Classification Certificate" for the SPM.

(b) A certificate must classify the SPM and attached hoses.

(c) The licensee shall maintain in class each SPM having a Classification Certificate.

§ 150.123 Weather monitoring.

The terminal supervisor shall continuously monitor the wind, wave, current, and visibility conditions at the port.

§ 150.125 Water depth measurements.

(a) The licensee shall measure water depth in the marine site if the Captain of the Port notifies the licensee that:

(1) A severe storm may have significantly altered water depths;

(2) Gradual natural or man-induced processes may have significantly altered water depths; or

(3) User experience indicates that charted water depths may no longer be accurate.

(b) The accuracy and adequacy of water depth measurements must be sufficient for nautical chart maintenance purposes.

§ 150.127 Environmental monitoring.

The licensee shall monitor the environment in accordance with the environmental monitoring program set