

§ 88.15

CALUMET SAG CHANNEL

(61) Mile 316.5

LITTLE CALUMET RIVER

(71) Mile 321.2

(73) Mile 322.3

CALUMET RIVER

(81) Mile 328.5 to 328.7

(83) Mile 329.2 to 329.4

(85) Mile 330 west bank to 330.2

(87) Mile 331.4 to 331.6

(89) Mile 332.2 to 332.4

(91) Mile 332.6 to 332.8

CUMBERLAND RIVER

(101) Mile 126.8

(103) Mile 191

[CGD 80-158, 47 FR 16175, Apr. 15, 1982, as amended by CGD 94-011, 63 FR 5732, Feb. 4, 1998]

§ 88.15 Lights on dredge pipelines.

Dredge pipelines that are floating or supported on trestles shall display the following lights at night and in periods of restricted visibility.

(a) One row of yellow lights. The lights must be:

(1) Flashing 50 to 70 times per minute,

(2) Visible all around the horizon,

(3) Visible for at least 2 miles on a clear dark night,

(4) Not less than 1 and not more than 3.5 meters above the water,

(5) Approximately equally spaced, and

(6) Not more than 10 meters apart where the pipeline crosses a navigable channel. Where the pipeline does not cross a navigable channel the lights must be sufficient in number to clearly show the pipeline's length and course.

(b) Two red lights at each end of the pipeline, including the ends in a channel where the pipeline is separated to allow vessels to pass (whether open or closed). The lights must be:

(1) Visible all around the horizon, and

(2) Visible for at least 2 miles on a clear dark night, and

(3) One meter apart in a vertical line with the lower light at the same height above the water as the flashing yellow light.

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PART 89—INLAND NAVIGATION RULES: IMPLEMENTING RULES

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SOURCE: CGD 80-157, 47 FR 13801, Apr. 1, 1982, unless otherwise noted.

Subpart A—Certificate of Alternative Compliance

§ 89.1 Definitions.

As used in this subpart:

Inland Rules refers to the Inland Navigation Rules contained in the Inland Navigational Rules Act of 1980 (Pub. L. 96-591) and the technical annexes established under that act.

A vessel of special construction or purpose means a vessel designed or modified to perform a special function and whose arrangement is thereby made relatively inflexible.

Interference with the special function of the vessel occurs when installation or use of lights, shapes, or sound-signaling appliances under the Inland Rules prevents or significantly hinders the operation in which the vessel is usually engaged.

[CGD 80-157, 47 FR 13801, Apr. 1, 1982, as amended by CGD 83-028, 49 FR 33876, Aug. 27, 1984]

§ 89.3 General.

Vessels of special construction or purpose which cannot fully comply

with the light, shape, and sound signal provisions of the Inland Rules without interfering with their special function may instead meet alternative requirements. The Chief of the Marine Safety Division in each Coast Guard District Office makes this determination and requires that alternative compliance be as close as possible with the Inland Rules. These regulations set out the procedure by which a vessel may be certified for alternative compliance. The information collection and record-keeping requirements in §§ 89.5 and 89.18 have been approved by the Office of Management and Budget under OMB control number 2115-0074.

§ 89.5 Application for a Certificate of Alternative Compliance.

(a) The owner, builder, operator, or agent of a vessel of special construction or purpose who believes the vessel cannot fully comply with the Inland Rules light, shape, or sound signal provisions without interference with its special function may apply for a determination that alternative compliance is justified. The application must be in writing, submitted to the Chief of the Marine Safety Division of the Coast Guard District in which the vessel is being built or operated, and include the following information:

- (1) The name, address, and telephone number of the applicant.
- (2) The identification of the vessel by its:
 - (i) Official number;
 - (ii) Shipyard hull number;
 - (iii) Hull identification number; or
 - (iv) State number, if the vessel does not have an official number or hull identification number.
- (3) Vessel name and home port, if known.
- (4) A description of the vessel's area of operation.
- (5) A description of the provision for which the Certificate of Alternative Compliance is sought, including:
 - (i) The Inland Rules Rule or Annex section number for which the Certificate of Alternative Compliance is sought;
 - (ii) A description of the special function of the vessel that would be interfered with by full compliance with the

provision of that Rule or Annex section; and

(iii) A statement of how full compliance would interfere with the special function of the vessel.

(6) A description of the alternative installation that is in closest possible compliance with the applicable Inland Navigation Rules Rule or Annex section.

(7) A copy of the vessel's plans or an accurate scale drawing that clearly shows:

- (i) The required installation of the equipment under the Inland Rules,
- (ii) The proposed installation of the equipment for which certification is being sought, and
- (iii) Any obstructions that may interfere with the equipment when installed in:
 - (A) The required location; and
 - (B) The proposed location.
- (b) The Coast Guard may request from the applicant additional information concerning the application.

[CGD 80-157, 47 FR 13801, Apr. 1, 1982; 47 FR 18332, Apr. 29, 1982]

§ 89.9 Certificate of Alternative Compliance: Contents.

The Chief of the Marine Safety Division issues the Certificate of Alternative Compliance to the vessel based on a determination that it cannot comply fully with Inland Rules light, shape, and sound signal provisions without interference with its special function. This Certificate includes:

- (a) Identification of the vessel as supplied in the application under § 89.5(a)(2);
- (b) The provision of the Inland Rules for which the Certificate authorizes alternative compliance;
- (c) A certification that the vessel is unable to comply fully with the Inland Rules light, shape, and sound signal requirements without interference with its special function;
- (d) A statement of why full compliance would interfere with the special function of the vessel;
- (e) The required alternative installation;
- (f) A statement that the required alternative installation is in the closest possible compliance with the Inland