

## § 150.101

### 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]

## 33 CFR Ch. I (7-1-03 Edition)

### § 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