

interfacing with the OCS facility, the cognizant District Commander, and national and local authorities with security responsibilities.

(c) Facility communications systems must have a backup means for both internal and external communications.

[USCG-2003-14759, 68 FR 39345, July 1, 2003; 68 FR 41917, July 16, 2003]

**§ 106.245 Procedures for interfacing with vessels.**

The OCS facility owner or operator must ensure that there are measures for interfacing with vessels at all MARSEC Levels.

**§ 106.250 Declaration of Security (DoS).**

(a) Each OCS facility owner or operator must ensure procedures are established for requesting a DoS and for handling DoS requests from vessels.

(b) At MARSEC Level 1, owners or operators of OCS facilities interfacing with a manned vessel carrying Certain Dangerous Cargoes, in bulk, must:

(1) Prior to the arrival of a vessel to the OCS facility, ensure the Facility Security Officer (FSO) and Master, Vessel Security Officer (VSO), or their designated representatives coordinate security needs and procedures, and agree upon the contents of a DoS for the period of time the vessel is at the OCS facility; and

(2) Upon the arrival of the vessel at the OCS facility, the FSO and Master, VSO, or their designated representatives, must sign the written DoS.

(c) Neither the OCS facility nor the vessel may embark or disembark personnel, or transfer stores or industrial supplies until the DoS has been signed.

(d) At MARSEC Levels 2 and 3, the FSOs of OCS facilities interfacing with manned vessels subject to part 104 of this chapter, or their designated representatives, must sign and implement DoSs as required in paragraphs (b)(1) and (b)(2) of this section.

(e) At MARSEC Levels 1 and 2, FSOs of OCS facilities that frequently interface with the same vessel may implement a continuing DoS for multiple visits, provided that:

(1) The DoS is valid for a specific MARSEC Level;

(2) The effective period at MARSEC Level 1 does not exceed 90 days; and

(3) The effective period at MARSEC Level 2 does not exceed 30 days.

(f) When the MARSEC Level increases beyond that contained in the DoS, the continuing DoS is void and a new DoS must be executed in accordance with this section.

[USCG-2003-14759, 68 FR 39345, July 1, 2003; 68 FR 41917, July 16, 2003, as amended at 68 FR 60558, Oct. 22, 2003]

**§ 106.255 Security systems and equipment maintenance.**

(a) Security systems and equipment must be in good working order and inspected, tested, calibrated, and maintained according to manufacturers' recommendations.

(b) Security systems must be regularly tested in accordance with the manufacturers' recommendations; noted deficiencies corrected promptly; and the results recorded as required in § 106.230(b)(5) of this part.

(c) The Facility Security Plan (FSP) must include procedures for identifying and responding to security system and equipment failures or malfunctions.

**§ 106.260 Security measures for access control.**

(a) *General.* The OCS facility owner or operator must ensure the implementation of security measures to:

(1) Deter the unauthorized introduction of dangerous substances and devices, including any device intended to damage or destroy persons, vessels, or the OCS facility;

(2) Secure dangerous substances and devices that are authorized by the OCS facility owner or operator to be on board; and

(3) Control access to the OCS facility.

(b) The OCS facility owner or operator must ensure that the following are specified:

(1) All locations providing means of access to the OCS facility where access restrictions or prohibitions are applied for each security level to prevent unauthorized access;

(2) The identification of the types of restriction or prohibition to be applied and the means of enforcing them; and

(3) The means of identification required to allow individuals to access

the OCS facility and remain on the OCS facility without challenge.

(c) The OCS facility owner or operator must ensure that an identification system is established for checking the identification of OCS facility personnel or other persons seeking access to the OCS facility that:

(1) Provides for identification of authorized and unauthorized persons at any MARSEC Level;

(2) Is coordinated, when practicable, with identification systems used by vessels or other transportation conveyances conducting operations with the OCS facility;

(3) Is updated regularly; and

(4) Allows temporary or continuing access for OCS facility personnel and visitors through the use of a badge or other system to verify their identity.

(d) The OCS facility owner or operator must establish in the approved Facility Security Plan (FSP) the frequency of application of any access controls, particularly if they are to be applied on a random or occasional basis.

(e) *MARSEC Level 1.* The OCS facility owner or operator must ensure the following security measures are implemented at the facility:

(1) Screen persons and personal effects going aboard the OCS facility for dangerous substances and devices at the rate specified in the approved FSP;

(2) Conspicuously post signs that describe security measures currently in effect and clearly stating that:

(i) Boarding an OCS facility is deemed valid consent to screening or inspection; and

(ii) Failure to consent or submit to screening or inspection will result in denial or revocation of authorization to be on board;

(3) Check the identification of any person seeking to board the OCS facility, including OCS facility employees, passengers and crews of vessels interfacing with the OCS facility, vendors, and visitors;

(4) Deny or revoke a person's authorization to be on board if the person is unable or unwilling, upon the request of OCS facility personnel, to establish his or her identity or to account for his or her presence on board. Any such in-

cident must be reported in compliance with this part;

(5) Deter unauthorized access to the OCS facility;

(6) Identify access points that must be secured or attended to deter unauthorized access;

(7) Lock or otherwise prevent access to unattended spaces that adjoin areas to which OCS facility personnel and visitors have access;

(8) Ensure OCS facility personnel are not required to engage in or be subjected to screening, of the person or of personal effects, by other OCS facility personnel, unless security clearly requires it;

(9) Provide a designated secure area on board, or in liaison with a vessel interfacing with the OCS facility, for conducting inspections and screening of people and their personal effects; and

(10) Respond to the presence of unauthorized persons on board.

(f) *MARSEC Level 2.* In addition to the security measures required for MARSEC Level 1 in this section, at MARSEC Level 2, the OCS facility owner or operator must also ensure the implementation of additional security measures, as specified for MARSEC Level 2 in the approved FSP. These additional security measures may include:

(1) Increasing the frequency and detail of screening of people and personal effects embarking onto the OCS facility as specified for MARSEC Level 2 in the approved FSP;

(2) Assigning additional personnel to patrol deck areas during periods of reduced OCS facility operations to deter unauthorized access;

(3) Limiting the number of access points to the OCS facility by closing and securing some access points; or

(4) Deterring waterside access to the OCS facility, which may include, providing boat patrols.

(g) *MARSEC Level 3.* In addition to the security measures required for MARSEC Level 1 and MARSEC Level 2, the OCS facility owner or operator must ensure the implementation of additional security measures, as specified for MARSEC Level 3 in the approved FSP. The additional security measures may include:

- (1) Screening all persons and personal effects for dangerous substances and devices;
- (2) Being prepared to cooperate with responders;
- (3) Limiting access to the OCS facility to a single, controlled access point;
- (4) Granting access to only those responding to the security incident or threat thereof;
- (5) Suspending embarkation and/or disembarkation of personnel;
- (6) Suspending the onloading of stores or industrial supplies;
- (7) Evacuating the OCS facility; or
- (8) Preparing for a full or partial search of the OCS facility.

[USCG-2003-14759, 68 FR 39345, July 1, 2003; 68 FR 41917, July 16, 2003, as amended at 68 FR 60558, Oct. 22, 2003]

**§ 106.265 Security measures for restricted areas.**

(a) *General.* The OCS facility owner or operator must ensure the designation of restricted areas in order to:

- (1) Prevent or deter unauthorized access;
- (2) Protect persons authorized to be in the OCS facility;
- (3) Protect the OCS facility;
- (4) Protect vessels using and serving the OCS facility;
- (5) Protect sensitive security areas within the OCS facility;
- (6) Protect security and surveillance equipment and systems; and
- (7) Protect stores and industrial supplies from tampering.

(b) *Designation of restricted areas.* The OCS facility owner or operator must ensure restricted areas are designated within the OCS facility. They must also ensure that all restricted areas are clearly marked and indicate that access to the area is restricted and that unauthorized presence within the area constitutes a breach of security. The OCS facility owner or operator may designate the entire OCS facility as a restricted area. Restricted areas must include, as appropriate:

- (1) Areas containing sensitive security information;
- (2) Areas containing security and surveillance equipment and systems and their controls, and lighting system controls; and

(3) Areas containing critical OCS facility infrastructure equipment, including:

- (i) Water supplies;
- (ii) Telecommunications;
- (iii) Power distribution system;
- (iv) Access points for ventilation and air-conditioning systems;
- (v) Manufacturing areas and control rooms;
- (vi) Areas designated for loading, unloading or storage of stores and industrial supplies; and
- (vii) Areas containing hazardous materials.

(c) The OCS facility owner or operator must ensure that the Facility Security Plan (FSP) includes measures for restricted areas to:

- (1) Identify which OCS facility personnel are authorized to have access;
- (2) Determine which persons other than OCS facility personnel are authorized to have access;
- (3) Determine the conditions under which that access may take place;
- (4) Define the extent of any restricted area; and
- (5) Define the times when access restrictions apply.

(d) *MARSEC Level 1.* At MARSEC Level 1, the OCS facility owner or operator must ensure the implementation of security measures to prevent unauthorized access or activities within the area. These security measures may include:

- (1) Restricting access to only authorized personnel;
- (2) Securing all access points not actively used and providing physical barriers to impede movement through the remaining access points;
- (3) Verifying the identification and authorization of all persons seeking entry;
- (4) Using security personnel, automatic intrusion detection devices, surveillance equipment, or surveillance systems to detect unauthorized entry to or movement within restricted areas; or
- (5) Designating temporary restricted areas to accommodate OCS facility operations. If temporary restricted areas are designated, the FSP must include