

§ 150.810

§ 150.810 Reporting a problem with an aid to navigation.

(a) Any problem affecting the operation or characteristics of an aid to navigation at the deepwater port must be reported, by the fastest means available, to the District Commander. The report must identify:

- (1) The aid to navigation affected;
- (2) The location of that aid;
- (3) The nature of the problem; and
- (4) The estimated time of repair.

(b) When the problem is corrected, the District Commander must be notified.

§ 150.815 How must casualties be reported?

(a) Immediately after aiding the injured and stabilizing the situation, the owner, operator, or person in charge of a deepwater port must notify the nearest Marine Safety Office, Coast Guard Activity, or Coast Guard Group Office of each event on, or involving, the deepwater port that results in one or more of the following:

- (1) Loss of life;
- (2) An injury that requires professional medical treatment (treatment beyond first aid) and, if the person is engaged or employed on the deepwater port, that renders the individual unfit to perform his or her routine duties;
- (3) Impairment to the operation of any of the port's primary lifesaving or fire-fighting equipment; or
- (4) Property damage in excess of \$100,000, including damage resulting from a vessel or aircraft striking the port. This amount includes the cost of labor and material to restore all affected items, including, but not limited to, the port and the vessel or aircraft to their condition before the damage. This amount does not include the cost of salvage, cleaning, gas freeing, dry-docking, or demurrage of the port, vessel, or aircraft.

(b) The notice under paragraph (a) of this section must identify the following:

- (1) The deepwater port involved;
- (2) The owner, operator, or person in charge of the port;
- (3) The nature and circumstances of the event; and

33 CFR Ch. I (7-1-04 Edition)

(4) The nature and extent of the injury and damage resulting from the event.

§ 150.820 When must a written report of casualty be submitted and what must it contain?

(a) In addition to the notice of casualty under § 150.815, the owner, operator, or person in charge of a deepwater port must submit a written report of the event to the nearest OCMI within 5 days after the notice of casualty. The report may be on Form 2692 (Report of Marine Accident, Injury, or Death) or in narrative form if it contains all of the applicable information requested in Form 2692. Copies of Form 2692 are available from the OCMI.

(b) The written report must also include the information relating to alcohol and drug involvement specified by 46 CFR 4.05-12.

(c) If filed immediately after the event, the written report required by paragraph (a) of this section serves as the notice required under § 150.815.

§ 150.825 Reporting a diving-related casualty.

Diving-related deaths and injuries within the safety zone of a deepwater port must be reported according to 46 CFR 197.484 and 197.486, rather than to §§ 150.815 and 150.820.

§ 150.830 Reporting a pollution incident.

Oil pollution incidents involving a deepwater port are reported according to § 135.305 and 135.307 of this chapter.

§ 150.835 Reporting sabotage or a subversive activity.

The owner, operator, or person in charge of a deepwater port must immediately report to the COTP, by the fastest possible means, any evidence of sabotage or subversive activity against any vessel at the deepwater port or against the deepwater port itself.

RECORDS

§ 150.840 What records must be kept?

(a) The licensee must keep copies at the deepwater port of the reports, records, test results, and operating data required by this part. In the case

Coast Guard, DHS

§ 150.915

of unmanned deepwater ports, these copies must be kept at the operator's principal office rather than on the port.

(b) The copies must be readily available to Coast Guard inspectors.

(c) Except for personnel records under § 150.845, the copies must be kept for 3 years.

§ 150.845 Personnel records.

The licensee must keep documentation on the designation and qualification of the supervisory positions, outlined in the port operations manual, that are responsible for the management of the deepwater port. These records must be kept for the life of the deepwater port.

§ 150.850 How long must a declaration of inspection form be kept?

The licensee must keep signed copies of the declaration of inspection forms required by § 150.430 for one month from the date of signature.

Subpart J—Safety Zones, No Anchoring Areas, and Areas To Be Avoided

§ 150.900 What does this subpart do?

(a) This subpart provides requirements for the establishment, restrictions, and location of safety zones, no anchoring areas, and areas to be avoided around deepwater ports.

(b) Subpart D of this part, concerning vessel navigation and activities permitted and prohibited at deepwater ports, applies within safety zones, no anchoring areas, and areas to be avoided and their adjacent waters and supplements the International Regulations for Preventing Collisions at Sea.

(c) Recommended shipping safety fairways, associated with deepwater ports, are described in part 166 of this chapter.

§ 150.905 Why are safety zones, no anchoring areas, and areas to be avoided established?

Safety zones, no anchoring areas, and areas to be avoided under this subchapter are established to promote safety of life and property, marine environmental protection, and navigational safety at deepwater ports and

adjacent waters. Safety zones, no anchoring areas, and areas to be avoided accomplish these objectives by preventing or controlling specific activities, limiting access by vessels or persons, and by protecting the living resources of the sea from harmful agents.

§ 150.910 What installations, structures, or activities are prohibited in a safety zone and area to be avoided?

No installations, structures, or activities that are incompatible with port operations are allowed in the safety zone and area to be avoided of a deepwater port.

§ 150.915 How are safety zones, no anchoring areas, and areas to be avoided established and modified?

(a) Safety zones, no anchoring areas, and areas to be avoided are developed and designated during the application process for a deepwater port license and may be modified according to this section.

(b) Before a safety zone, no anchoring area, and area to be avoided is established, all factors detrimental to safety, including the congestion of vessels, the presence of unusually harmful or hazardous substances, and the presence of obstructions around the site of the deepwater port, are considered.

(c) Commandant (G-M) shall establish safety zones and develop no anchoring areas and areas to be avoided for presentation to the International Maritime Organization (IMO) for approval. Commandant (G-M) may consult with the District Commander prior to establishing safety zones. Once established, the District Commander may request that Commandant (G-M) modify an existing safety zone. The Commandant (G-M) may then publish a final rule modifying the zone and area in its regulations. Routing measures requiring approval by the International Maritime Organization in order to be effective will be effective only after such approval is granted and such approval is announced by subsequent notice in the FEDERAL REGISTER.

(d) When there is an imminent threat to the safety of life and property within the zone and area, the District Commander may modify the safety zone and its regulations in an interim rule