

Coast Guard, DHS

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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

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without first requesting that Commandant (G-M) publish a notice of proposed rulemaking. The interim rule makes the safety zone, no anchoring area, and area to be avoided and the regulations thereto effective on publication in the FEDERAL REGISTER, provided those routing measures requiring approval at the International Maritime Organization have received that approval, and requests public comments. After considering the comments received, the Commandant (G-M), after consulting with the District Commander, shall publish a final rule, which may adopt the interim rule with or without changes or remove it.

(e) If required by circumstances, safety zones and areas to be avoided may be placed into effect immediately but must be followed promptly by the procedures in paragraph (d) of this section.

§ 150.920 How is notice given of new or proposed safety zones, no anchoring areas, and areas to be avoided?

In addition to documents published in the FEDERAL REGISTER under §150.915, the District Commander may provide public notice of new or pro-

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posed safety zones, no anchoring areas, and areas to be avoided by Broadcast Notices to Mariners, Notices to Mariners, Local Notices to Mariners, newspapers, broadcast stations, or other means.

§ 150.925 How long may a safety zone, no anchoring area, and area to be avoided last?

A safety zone, no anchoring area, and area to be avoided and applicable regulations may go into effect as early as when equipment and materials for construction of the deepwater port arrive at the site and may remain in effect until the deepwater port is removed.

§ 150.930 What datum is used for the geographic coordinates in this subpart?

The geographic coordinates used in this subpart are not intended for plotting on charts or maps using coordinates based on the North American Datum of 1983 (NAD 83). If you use the geographic coordinates in this subpart to plot on a chart or map referencing NAD 83, you must make corrections as shown on the chart or map.