

Dock Company to moor at and use its facilities.

(vii) Commercial shellfish harvesting vessels taking clams from the shellfish beds within the zone, if

(A) The owner of the vessel has previously provided the Captain of the Port, Hampton Roads, Virginia, information about the vessel, including:

(1) The name of the vessel;

(2) The vessel's official number, if documented, or state number, if numbered by a state issuing authority;

(3) A brief description of the vessel, including length, color, and type of vessel;

(4) The name, Social Security number, current address, and telephone number of the vessel's master, operator, or person in charge; and

(5) Upon request, information the vessel's crew.

(B) The vessel is operated in compliance with any specific orders issued to the vessel by the Captain of the Port or other regulations controlling the operation of vessels within the security zone that may be in effect.

(d) *Enforcement.* The U.S. Coast Guard may be assisted in the enforcement of this zone by the U.S. Navy.

[CGD5 86-03, 51 FR 18322, May 19, 1986, as amended by CGD5 87-038, 52 FR 41996, Nov. 2, 1987]

§ 165.505 Security Zone; Calvert Cliffs Nuclear Power Plant, Chesapeake Bay, Calvert County, Maryland.

(a) *Location.* The following area is a security zone: All waters of the Chesapeake Bay, from surface to bottom, encompassed by lines connecting the following points, beginning at 38°26'06" N, 076°26'18" W, thence to 38°26'10" N, 076°26'12" W, thence to 38°26'21" N, 076°26'28" W, thence to 38°26'14" N, 076°26'33" W, thence to beginning at 38°26'06" N, 076°26'18" W. These coordinates are based upon North American Datum (NAD) 1983.

(b) *Regulations.* (1) Entry into or remaining in this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Baltimore, Maryland.

(2) Persons desiring to transit the area of the security zone may contact the Captain of the Port at telephone number 410-576-2693 or on VHF channel

16 (156.8 MHz) to seek permission to transit the area. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or his or her designated representative.

(c) *Authority:* In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

[CGD05-02-080, 68 FR 15053, Mar. 28, 2003]

§ 165.510 Delaware Bay and River, Salem River, Christina River and Schuylkill River-Regulated Navigation Area.

(a) *Regulated Navigation Area.* The following is a Regulated Navigation Area: The navigable waters of Delaware Bay and River, Salem River, Christina River, and Schuylkill River, in an area bounded on the south by a line drawn across the entrance to the Delaware Bay between Cape May Light and Harbor of Refuge Light and then continuing to the northernmost extremity of Cape Henlopen, and bounded on the north by a line drawn across the Delaware River between Trenton, NJ and Morrisville, PA along the southern side of the U.S. Route 1 Bridge.

(b) *Definitions.* As used in this section:

COTP means the Captain of the Port, Philadelphia, PA and any Coast Guard commissioned, warrant or petty officer who has been authorized by the COTP to act on his or her behalf.

Dangerous Cargo means those cargoes listed in § 160.203 of this chapter when carried in bulk, but does not include cargoes listed in Table 1 of 46 CFR part 153.

Underway means that a vessel is not at anchor, made fast to the shore, or aground.

(c) *Applicability.* This section applies to any vessel operating within the Regulated Navigation Area, including a naval or public vessel, except a vessel engaged in:

(1) Law enforcement;

(2) Servicing aids to navigation; or

(3) Surveying, maintaining, or improving waters within the Regulated Navigation Area.

(d) *Draft limitation.* Unless otherwise authorized by the COTP, no vessel with a draft greater than 55 feet may enter this regulated navigation area.

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NOTE: The project depth in many areas of the Regulated Navigation Area is less than 55 feet.

(e) *Oil transfer operations.* Unless otherwise authorized by the COTP, no vessel to vessel oil transfer operations, excluding bunkering, may be conducted within the area between the southern boundary of this regulated navigation area and the southern span of the Delaware Memorial Bridge except within the anchorage ground designated in 110.157(a)(1) of this chapter.

(f) *Requirements for vessels carrying dangerous cargoes.* The master, owner, or operator of a vessel carrying a dangerous cargo shall:

(1) Notify the COTP at least 72 hours before the vessel enters or departs the regulated navigation area and at least 12 hours before the vessel moves within the regulated navigation area. The notice must include a report of the vessel's propulsion and machinery status and, for foreign flag vessels, the notice must include any outstanding deficiencies identified by the vessel's flag state or classification society;

(2) Not enter, get or remain underway within the regulated navigation area if visibility is or is expected to be less than two (2) miles. If during the transit visibility becomes less than two (2) miles, the vessel must seek safe anchorage and notify the COTP immediately;

(3) Not anchor in any area within the regulated navigation area unless in times of emergency or with COTP permission;

(4) Not transfer dangerous cargo while the vessel is at anchor or bunkering;

(5) Maintain a manned watch in the steering compartment whenever the vessel is underway within the regulated navigation area unless the vessel has two separate and independent steering control systems with duplicate pilothouse steering gear control systems which meet the requirements of 46 CFR 58.25-70;

(6) When anchored within the regulated navigation area and:

(i) Sustained winds are greater than 25 knots but less than 40 knots, ensure the main engines are ready to provide full power in five minutes or less; and

(ii) Sustained winds are 40 knots or over, ensure that the main engines are on line to immediately provide propulsion;

(7) While moored within the regulated navigation area, ensure that at least two wire cable mooring lines (firewarps) are rigged and ready for use as emergency towing hookups fore and aft on the outboard side of the vessel;

(8) While underway or anchored within the regulated navigation area, ensure that at least two wire cable mooring lines (firewarps) are rigged and ready for use as emergency towing hookups fore and aft on the vessel; and,

(9) Proceed as directed by the COTP.

(g) *Requirements for vessels operating in the vicinity of a vessel carrying dangerous cargoes.* (1) Except for a vessel that is attending a vessel carrying dangerous cargo with permission from the master of the vessel carrying dangerous cargo or a vessel that is anchored or moored at a marina, wharf, or pier, and which remains moored or at anchor, no vessel may, without the permission of the COTP:

(i) Come or remain within 500 yards of the port or starboard side or within 1,000 yards of the bow or stern of an underway vessel that is carrying dangerous cargo; or

(ii) Come or remain within 100 yards of a moored or anchored vessel carrying dangerous cargo.

(2) The master, owner, or operator of any vessel receiving permission under paragraph (g)(1) of this section shall:

(i) Maintain a continuous radio guard on VHF-FM channels 13 and 16;

(ii) Operate at "no wake" speed or the minimum speed needed to maintain steerage; and

(iii) Proceed as directed by the COTP.

(3) No vessel may overtake a vessel carrying dangerous cargoes unless the overtaking can be completed before reaching any bend in the channel. Before any overtaking, the pilots, masters or operators of both the overtaking vessel and the vessel being overtaken must clearly agree on the circumstances of the overtaking, including vessel speeds, time and location of overtaking.

(h) *Additional restrictions above the C&D Canal.* When operating on the Delaware River above the C&D Canal:

(1) A vessel carrying dangerous cargo must be escorted by at least one commercial tug; and

(2) Meeting situations shall be avoided on river bends to the maximum extent possible.

(i) The COTP will issue a Broadcast Notice to Mariners to inform the marine community of scheduled vessel movements during which the restrictions imposed by paragraphs (g) and (h) of this section will be in effect.

[CGD 05-96-010, 62 FR 40275, July 28, 1997, as amended by USCG-2000-7223, 65 FR 40058, June 29, 2000]

§ 165.514 Safety Zone: Atlantic Intra-coastal Waterway and connecting waters, vicinity of Marine Corps Base Camp Lejeune, North Carolina.

(a) *Location.* The following area is a safety zone: All waters of the Atlantic Intracoastal Waterway (AICW) and connecting waters, from Bogue Sound—New River Daybeacon 58 (LLNR 39210) at approximate position 34°37'57" North, 077°12'18" West, and continuing in the AICW southwest to Bogue Sound—New River Daybeacon 70 (LLNR 39290) at approximate position 34°33'07" North, 077°20'30" West. All coordinates reference Datum: NAD 1983.

(b) Notwithstanding the provisions of 33 CFR 334.440(e)(2)(i), no vessel may enter the safety zone described in paragraph (a) of this section while weapons firing exercises are in progress, except as provided in paragraph (c) of this section or unless permitted by the Captain of the Port (COTP) Wilmington.

(1) Red warning flags or red warning lights will be displayed on towers located at both ends of the safety zone (Bear Creek and Cedar Point) while firing exercises are in progress. The flags or lights will be displayed by 8 a.m. on days where firing exercises are scheduled, and will be removed at the end of the firing exercise.

(2) A Coast Guard or U.S. Navy vessel will patrol each end of the safety zone to ensure the public is aware that firing exercises are in progress and that the firing area is clear of vessel traffic before weapons are fired.

(c)(1) The COTP Wilmington will announce the specific times and locations of firing exercises by Broadcast Notice to Mariners and Local Notice to Mariners. Normally, weapons firing for each firing exercise is limited to a two nautical mile portion of the safety zone. The COTP may issue general permission to transit all or specified parts of the safety zone outside of the actual firing area or if firing is temporarily stopped. This general permission will be announced in a Local Notice to Mariners and Broadcast Notice to Mariners.

(2) Weapons firing will be suspended and vessels permitted to transit the specified two nautical mile firing area for a one-hour period beginning at the start of each odd-numbered hour local time (e.g., 9 a.m.; 1 p.m.). A vessel may not enter the specified firing area unless it will be able to complete its transit of the firing area before firing exercises are scheduled to re-start at the beginning of the next even-numbered hour.

(d) U.S. Navy safety vessels may be contacted on VHF marine band radio channels 13 (156.65 Mhz) and 16 (156.8 Mhz). The Captain of the Port may be contacted at the Marine Safety Office, Wilmington, NC by telephone at 1-(800) 325-4956.

[CGD 05-98-38, 63 FR 58636, Nov. 2, 1998, as amended by USCG-2000-7223, 65 FR 40058, June 29, 2000]

§ 165.515 Safety Zone: Cape Fear River, Wilmington, North Carolina.

(a) *Location.* The following area is a safety zone:

(1) The waters of the Cape Fear River bounded by a line connecting the following points:

Latitude	Longitude
34°14'12" N	77°57'10" W
34°14'12" N	77°57'06" W
34°13'54" N	77°57'00" W
34°13'54" N	77°57'06" W

(2) The safety zone boundary can be described as follows: starting at the stern of the Battleship USS NORTH CAROLINA, across the Cape Fear River to the north end of the Coast Guard moorings, down along the east bank of the Cape Fear River to the bow of the tug CAPTAIN JOHN TAXIS Memorial