

(2) The Ft. Calhoun and Cooper security zones include a portion of the navigable channel of the Missouri River. All vessels that may safely navigate outside of the channel are prohibited from entering the security zone without the express permission of the Captain of the Port St. Louis or designated representative. Vessels that are required to use the channel for safe navigation are authorized entry into the zone but must remain within the channel unless expressly authorized by the Captain of the Port St. Louis or designated representative.

(3) Persons or vessels requiring the Captain of the Port St. Louis' permission to enter the security zones must contact the Coast Guard Group Upper Mississippi River at telephone number 319 524-7511 or on VHF marine channel 16 or Marine Safety Detachment Quad Cities at telephone number 309 782-0627 or the Captain of the Port, St. Louis at telephone number 314 539-3091, ext. 3500 in order to seek permission to enter the security zones. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port, St. Louis or designated representative.

(4) Designated representatives are commissioned, warrant, and petty officers of the U.S. Coast Guard.

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

[COTP St. Louis-02-005, 67 FR 64043, Oct. 17, 2002]

§ 165.830 Regulated Navigation Area; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Inland Rivers, Eighth Coast Guard District.

(a) *Regulated Navigation Area.* The following waters are a regulated navigation area (RNA): the Mississippi River above mile 235.0, Above Head of Passes, including all its tributaries; the Atchafalaya River above mile 55.0, including the Red River; the Ohio River and all its tributaries; and the Tennessee River from its confluence with the Ohio River to mile zero on the Mobile River and all other tributaries between these two rivers.

(b) *Applicability.* This section applies to towing vessel operators and fleeting

area managers responsible for CDC barges in the RNA. This section does not apply to:

(1) Towing vessel operators responsible for barges not carrying CDCs barges, or

(2) Fleet tow boats moving one or more CDC barges within a fleeting area.

(c) *Definitions.* As used in this section—

Barge means a non-self propelled vessel engaged in commerce, as set out in 33 CFR 160.204.

Certain Dangerous Cargo or (CDC) includes any of the following:

(1) Division 1.1 or 1.2 explosives as defined in 49 CFR 173.50.

(2) Division 1.5D blasting agents for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(3) Division 2.3 “poisonous gas”, as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation” as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per barge.

(4) Division 5.1 oxidizing materials for which a permit is required under 49 CFR 176.415 or, for which a permit is required as a condition of a Research and Special Programs Administration exemption.

(5) A liquid material that has a primary or subsidiary classification of Division 6.1 “poisonous material” as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation”, as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per barge when not in a bulk packaging.

(6) Class 7, “highway route controlled quantity” radioactive material or “fissile material, controlled shipment”, as defined in 49 CFR 173.403.

(7) Bulk liquefied chlorine gas and bulk liquefied gas cargo that is flammable and/or toxic and carried under 46 CFR 154.7.

(8) The following bulk liquids—

- (i) Acetone cyanohydrin,
- (ii) Allyl alcohol,
- (iii) Chlorosulfonic acid,
- (iv) Crotonaldehyde,
- (v) Ethylene chlorohydrin,

§ 165.830

33 CFR Ch. I (7-1-05 Edition)

- (vi) Ethylene dibromide,
 - (vii) Methacrylonitrile,
 - (viii) Oleum (fuming sulfuric acid),
- and
- (ix) Propylene oxide.

CDC barge means a barge containing CDCs or CDC residue.

Downbound means the tow is traveling with the current.

Eighth Coast Guard District means the Coast Guard District as set out in 33 CFR 3.40-1.

Fleeting area means any fleet, including any facility, located within the area covered by one single port.

Fleet tow boat means any size vessel that is used to move, transport, or deliver a CDC barge within a fleeting area.

Inland River Vessel Movement Center or (*IRVMC*) means the Coast Guard office that is responsible for collecting the information required by this section.

Towing vessel means any size vessel that is used to move, transport, or deliver a CDC barge to a fleet or facility that is located in a different port than where the voyage originated.

Towing vessel operator means the Captain or pilot who is on watch on board a towing vessel.

Upbound means the tow is traveling against the current.

(d) *Regulations.* The following must report to the Inland River Vessel Movement Center (IRVMC):

(1) The towing vessel operator responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.830(f), in paragraph (f) of this section, to the IRVMC:

(i) Upon point of entry into the RNA with one or more CDC barges;

(ii) Four hours before originating a voyage within the RNA with one or more CDC barges, except if the evolution of making up a tow with a CDC barge will take less than four hours before originating a voyage, and the towing vessel operator did not receive the order to make up a tow with a CDC barge in advance of four hours before originating the voyage with one or more CDC barges, in which case the towing vessel operator shall submit the required report to the IRVMC as soon as possible after receiving orders to

make up a tow with one or more CDC barges;

(iii) Upon dropping off one or more CDC barges at a fleeting area or facility;

(iv) Upon picking up one or more additional CDC barges from a fleeting area or facility;

(v) At designated reporting points, set forth in paragraph (e) of this section;

(vi) When the estimated time of arrival (ETA) to a reporting point varies by 6 hours from the previously reported ETA;

(vii) Any significant deviation from previously reported information;

(viii) Upon departing the RNA with one or more CDC barges; and

(ix) When directed by the IRVMC.

(2) The fleeting area manager responsible for one or more CDC barges in the RNA must report all the information items specified in table 165.830(g), in paragraph (g) of this section, to the IRVMC:

(i) Once daily, report all CDC barges within the fleeting area;

(ii) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat;

(iii) Any significant deviation from previously reported information; and

(iv) When directed by the IRVMC.

(3) Reports required by this section may be made by a company representative or dispatcher on behalf of the fleeting area manager.

(4) Reports required by this section must be made to the IRVMC either by telephone to (866) 442-6089, by fax to (866) 442-6107, or by e-mail to irvmc@cgstl.uscg.mil. A reporting form and e-mail link are available at <http://www.uscg.mil/d8/Divs/M/IRVMC.htm>.

(5) The general regulations contained in 33 CFR 165.13 apply to this section.

(e) *Eighth Coast Guard District Inland River RNA Reporting points.* Towing vessel operators responsible for one or more CDC barges in the RNA must make reports to the IRVMC at each point listed in this paragraph (e):

(1) Lower Mississippi River (LMR), between Mile Markers (M):

(i) M 235.0-240.0 (Entering & Exiting RNA)

(ii) M 338.0-343.0

(iii) M 430.0-435.0

(iv) M 520.0-525.0

(v) M 621.0-626.0

Coast Guard, DHS

§ 165.830

- (vi) M 695.0-700.0
- (vii) M 772.0-777.0
- (viii) M 859.0-864.0
- (ix) M 945.0-950.0
- (2) Upper Mississippi River (UMR), between Mile Markers (M) and Departing Lock & Dam (L&D), unless otherwise indicated:
 - (i) L&D 3
 - (ii) L&D 4
 - (iii) L&D 8
 - (iv) L&D 11
 - (v) L&D 14
 - (vi) L&D 18
 - (vii) L&D 21
 - (viii) L&D 25
 - (ix) Arriving Melvin Price L&D (downbound)
 - (x) Departing Melvin Price L&D (upbound)
 - (xi) M 150.0-145.0
 - (xii) M 66.0-61.0
- (3) Missouri River (MOR), between Mile Markers (M):
 - (i) M 54.0-56.0
 - (ii) M 115.0-117.0
 - (iii) M 208.0-210.0
 - (iv) M 326.0-328.0
 - (v) M 397.0-399.0
 - (vi) M 487.0-489.0
 - (vii) M 572.0-574.0
 - (viii) M 652.0-654.0
 - (ix) M 745.0-750.0
- (4) Illinois River (ILR), at Mile Marker (M) and Lock & Dam (L&D), as indicated:
 - (i) M 0.0
 - (ii) Departing New LaGrange L&D
 - (iii) M 140.0
 - (iv) M 187.2 (Entering & Exiting RNA)
- (5) Ohio River, between Mile Markers (M) and at Lock & Dam (L&D), as indicated:
 - (i) M 950.0-952.0
 - (ii) Arriving Smithland L&D
 - (iii) M 826.0-828.0
 - (iv) M 748.0-750.0
 - (v) M 673.0-675.0
 - (vi) M 628.0-630.0
 - (vii) M 556.0-559.0
 - (viii) M 511.0-513.0
 - (ix) Departing Capt Anthony Meldahl L&D
 - (x) Arriving Greenup L&D (upbound)
 - (xi) Departing Greenup L&D (downbound)
 - (xii) Departing Robert C. Byrd L&D (upbound)
 - (xiii) Arriving Robert C. Bryd L&D (downbound)
 - (xiv) Departing Belleville L&D
 - (xv) Departing Hannibal L&D
 - (xvi) Departing Montgomery L&D
- (6) Allegheny River at Lock & Dam (L&D), as indicated:
 - (i) Departing L&D 4 (upbound)
 - (ii) Arriving L&D 4 (downbound)
- (7) Monongahela River Departing Lock & Dam (L&D):
 - (i) Grays Landing L&D
 - (ii) L&D 3
- (8) Kanawha River, at Lock & Dam (L&D), as indicated:
 - (i) Arriving Winfield L&D (upbound)
 - (ii) Departing Winfield L&D (downbound)
- (9) Cumberland River, between Mile Markers (M) and Departing Lock & Dam (L&D), unless otherwise indicated:
 - (i) Departing Old Hickory L&D (upbound)
 - (ii) Arriving Old Hickory L&D (downbound)
 - (iii) M 127.0-129.0
 - (iv) Barkley L&D
- (10) Tennessee River, between Mile Markers (M) and when Departing Lock & Dam (L&D), unless otherwise indicated:
 - (i) Fort Loudon L&D
 - (ii) Watts Bar L&D
 - (iii) Departing Chickamauga L&D (upbound)
 - (iv) Arriving Chickamauga L&D (downbound)
 - (v) Nickajack L&D
 - (vi) Gunterville L&D
 - (vii) General Joe Wheeler L&D
 - (viii) Pickwick Landing L&D
 - (ix) M 122.0-124.0
 - (x) Kentucky L&D
- (11) Tennessee-Tombigbee River, between Mile Markers (M) and when Departing Lock & Dam (L&D):
 - (i) Lock D
 - (ii) Aberdeen L&D
 - (iii) Aliceville L&D
 - (iv) M 202.0-203.0
 - (v) Coffeetown L&D
- (12) Mobile River, at Mile Marker (M):
 - (i) 0.0 (Entering & Exiting RNA)
 - (ii) [Reserved]
- (13) Black Warrior River, when Departing L&D:
 - (i) Holt L&D
 - (ii) [Reserved]
- (14) Alabama River, when Departing L&D:
 - (i) Claiborne L&D
 - (ii) Henry L&D
- (15) McClellan-Kerr Arkansas River Navigation System, when Departing Lock & Dam (L&D), unless otherwise indicated:
 - (i) Chouteau L&D
 - (ii) W.D. Mayo L&D
 - (iii) Ozark-Jeta Taylor L&D
 - (iv) L&D 9
 - (v) Arriving David D. Terry L&D (upbound)
 - (vi) Departing David D. Terry L&D (downbound)
 - (vii) L&D 2
- (16) Red River, between Mile Markers (M) and when Departing Lock & Dam (L&D):
 - (i) L.C. Boggs L&D
 - (ii) Lock 3
 - (iii) M 178.0-180.0
- (17) Atchafalaya River, at Mile Marker (M):
 - (i) 55.0 (Entering & Exiting RNA)
 - (ii) [Reserved]
 - (f) *Information to be reported to the IRVMC by towing vessel operators.* With the exception noted in paragraph (d)(1)(ii) of this section, towing vessel operators responsible for one or more

§ 165.830

33 CFR Ch. I (7-1-05 Edition)

CDC barges in the RNA must report all the information required by this sec-

tion as set out in table 165.830(f) of this paragraph.

TABLE 165.830(F).—INFORMATION TO BE REPORTED TO THE IRVMC BY TOWING VESSEL OPERATORS

	24-hour contact number	Name of vessel moving barge(s)	Barge(s) name and official number	Type, name and amount of CDC on-board	Estimated time of departure from fleeting area or facility	Name and location of CDC barge (fleeting area or facility), including estimated time of arrival	Reporting point	Estimated time of arrival (ETA) to next reporting point (if applicable)
(1) Upon point of entry into the RNA with a CDC barge	X	X	X	X	.....	X	X	X
(2) 4 hours before to originating a voyage within the RNA with one or more CDC barges; but see exception in paragraph (d)(1)(ii) of this section	X	X	X	X	X	X	.....	X
(3) Upon dropping off one or more CDC barges at a fleeting area or facility	.....	X	X	.....	.....	.....	.....	.....
(4) Upon picking up one or more additional CDC barges from a fleeting area or facility	.....	X	X	X	.....	.....	.....	.....
(5) At designated reporting points in table 165.830(e) .....	.....	X	X	(¹)	.....	(¹)	X	X
(6) When ETA to a reporting point varies by 6 hours from previously reported ETA .....	.....	X	(¹)	(¹)	.....	.....	.....	X
(7) Any significant deviation from previously reported information (all that apply)	X	X	X	X	X	X	X	X
(8) Upon departing the RNA with a CDC barge(s) .....	.....	X	X	.....	X	.....	X	.....
(9) When directed by the IRVMC	X	X	X	X	X	X	X	X

¹ If changed.

§ 165.835

33 CFR Ch. I (7-1-05 Edition)

(g) *Information to be reported to the IRVMC by fleeting area managers.* Fleeting area managers responsible for one or more CDC barges in the RNA must

report the information required by this section as set out in table 165.830(g) of this paragraph.

TABLE 165.830(G).—INFORMATION TO BE REPORTED TO THE IRVMC BY FLEETING AREA MANAGERS

	24-hour contact number	Barge(s) name and official number	Type, name and amount of CDC onboard	Location of CDC barge (fleeting area or facility)
(1) Once daily, all CDC barges in a fleeting area	X	X	X	X
(2) Upon moving one or more CDC barges within a fleeting area by a fleet tow boat .....	.....	X	X	X
(3) Any significant deviation from previously reported information (all that apply)	X	X	X	X
(4) When directed by the IRVMC	X	X	X	X

(h) *Alternative reporting.* The Eighth Coast Guard District Commander may consider and approve alternative methods to be used by a reporting party to meet any reporting requirements if—

(1) the request is submitted in writing to Commander, Eighth Coast Guard District (m), Hale Boggs Federal Bldg., 501 Magazine Street, New Orleans, LA 70130; and

(2) the alternative provides an equivalent level of the reporting that which would be achieved by the Coast Guard with the required check-in points.

(i) Deviation from this section is prohibited unless specifically authorized by the Commander, Eighth Coast Guard District or the IRVMC.

(Approved by the Office of Management and Budget under OMB control number 1625-0105)

[CDG08-03-029, 68 FR 57363, Oct. 3, 2003; 68 FR 63988, Nov. 12, 2003, as amended at 68 FR 69959, Dec. 16, 2003]

§ 165.835 Security Zone; Port of Mobile, Mobile Ship Channel, Mobile, AL.

(a) *Definition.* As used in this section—

Cruise Ship means a passenger vessel over 100 gross tons, carrying more than 12 passengers for hire, making a voyage lasting more than 24 hours any part of which is on the high seas, and for which passengers are embarked or disembarked in the United States or its territories. This definition covers passenger vessels that must comply with 33 CFR parts 120 and 128.

(b) *Location.* The following areas are security zones: all waters of the Port of Mobile and Mobile Ship Channel—

(1) Within 100 yards of a cruise ship that is transiting shoreward of the Mobile Sea Buoy (located in approximate position 28°07'50" N, 88°04'12" W; NAD 83), and

(2) Within 25 yards of a cruise ship that is moored shoreward of the Mobile Sea Buoy.

(c) *Periods of enforcement.* This rule will only be enforced when a cruise ship is transiting the Mobile Ship Channel shoreward of the Mobile Sea Buoy, while transiting in the Port of Mobile, or while moored in the Port of Mobile. The Captain of the Port Mobile or a designated representative would inform the public through broadcast notice to mariners of the enforcement periods for the security zone.

(d) *Regulations.* (1) Under § 165.33 of this part, entry into a security zone is prohibited unless authorized by the Captain of the Port Mobile or a designated representative.

(2) While a cruise ship is transiting on the Mobile Ship Channel shoreward of the Mobile Sea Buoy, and while transiting in the Port of Mobile, all persons and vessels are prohibited from entering within 100 yards of a cruise ship.

(3) While a cruise ship is moored in the Port of Mobile, all persons and vessels are prohibited from entering within 25 yards of a cruise ship.

(4) Persons or vessels that desire to enter into the security zone for the purpose of passing or overtaking a cruise ship that is in transit on the Mobile Ship Channel or in the Port of Mobile must contact the on-scene Coast