

§ 165.911

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

79th Street Water Filtration Plant with its center in the approximate position 41°45'30" N, 87°32'32" W.

(b) *Regulations.* (1) Under § 165.33, entry into these zones is prohibited unless authorized by the Coast Guard Captain of the Port Chicago. Section 165.33 also contains other general requirements.

(2) All persons and vessels shall comply with the instruction of the Captain of the Port Chicago or the designated on-scene U.S. Coast Guard patrol personnel. On-scene patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard on board Coast Guard, Coast Guard Auxiliary, local, state, and federal law enforcement vessels. Emergency response vessels are authorized to move within the zone but must abide by the restrictions imposed by the Captain of the Port.

(3) Persons who would like to transit through a security zone in this section must contact the Captain of the Port at telephone number (630) 986-2175 or on VHF channel 16 (121.5 MHz) to seek permission to transit the area. If permission is granted, all persons and vessels shall 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.

[CGD09-02-001, 67 FR 53502, Aug. 16, 2002; 67 FR 65041, Oct. 23, 2002, as amended by CGD09-04-020, 69 FR 71709, Dec. 10, 2004]

**§ 165.911 Security Zones; Captain of the Port Buffalo Zone.**

(a) *Location.* The following are security zones:

(1) *Nine Mile Point and Fitzpatrick Nuclear Power Plants.* The navigable waters of Lake Ontario bounded by the following coordinates: commencing at 43°30.8' N, 076°25.7' W; then north to 43°31.2' N, 076°25.7' W; then east-northeast to 43°31.6' N, 076°24.9' W; then east to 43°31.8' N, 076°23.2' W; then south to 43°31.5' N, 076°23.2' W; and then following the shoreline back to the point of origin (NAD 83).

(2) *Ginna Nuclear Power Plant.* The waters of Lake Ontario bounded by the following area, starting at 43°16.9' N, 077°18.9' W; then north to 43°17.3' N,

077°18.9' W; then east to 43°17.3' N, 077°18.3' W; then south to 43°16.7' N, 077°18.3' W; then following the shoreline back to starting point (NAD 83).

(3) *Moses-Saunders Power Dam.* The waters of the St. Lawrence River bounded by the following area, starting at 45°00.73' N, 074°47.85' W; southeast following the international border to 45°00.25' N, 074°47.56' W; then southwest to 45°00.16' N, 074°47.76' W; then east to the shoreline at 45°00.16' N, 074°47.93' W; then northwest to 45°00.36' N, 074°48.16' W; then northeast back to the starting point (NAD 83).

(4) *Long Sault Spillway Dam.* The waters of the St. Lawrence River bounded by the following area, starting at 44°59.5' N, 074°52.0' W; north to 45°00.0' N, 074°52.0' W; east to 45°00.0' N, 074°51.6' W; then south to 44°59.5' N, 074°51.6' W; then west back to the starting point (NAD 83).

(b) *Regulations.* (1) In accordance with § 165.33, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Buffalo.

(2) Persons or vessels desiring to transit the area of the Nine Mile Point and Fitzpatrick Nuclear Power Plants or Ginna Nuclear Power Plant security zones must contact the Captain of the Port Buffalo at telephone number (716) 843-9570, or on VHF/FM channel 16 to seek permission to transit the area. Persons desiring to transit the area of Moses-Saunders Power Dam or Long Sault Spillway Dam security zones must contact the Supervisor, Marine Safety Detachment Massena at telephone number (315) 764-3284, or on VHF/FM channel 16 to seek permission to transit the area. If permission is granted, all persons and vessels shall 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.

[CGD09-02-005, 67 FR 53500, Aug. 16, 2002]

**§ 165.912 Security Zone; Lake Erie, Perry, OH.**

(a) *Location:* The following area is a security zone: all navigable waters of Lake Erie bounded by a line drawn between the following coordinates beginning at 41° 48.187' N, 081° 08.818' W; then

due north to 41° 48.7' N, 081° 08.818' W; then due east to 41° 48.7' N, 081° 08.455' W; then due south to the south shore of Lake Erie at 41° 48.231' N, 081° 08.455' W; thence westerly following the shoreline back to the beginning (NAD 83).

(b) *Regulations.* In accordance with the general regulations in §165.33 of this part, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Cleveland, or the designated on-scene 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.

[CGD09-02-006, 67 FR 52611, Aug. 13, 2002]

**§ 165.914 Safety Zones; Annual Fireworks Events in the Captain of the Port Buffalo Zone.**

(a) *Safety zones.* The following areas are designated safety zones:

(1) *Oswego Independence Day Fireworks, Oswego, NY.*

(i) *Location.* All waters of Oswego Harbor, in Lake Ontario, within a 1,000-foot radius of the fireworks barge moored or anchored in approximate position 43°28'05" N, 076°31'01" W (NAD 1983).

(ii) *Enforcement date.* The first Sunday in July.

(2) *Oswego Harborfest Fireworks Display, Oswego, NY.*

(i) *Location.* (A) All waters of Oswego Harbor within a 300-yard radius around the fireworks barge located at 43°28'08" N, 076°31'07" W (NAD 1983).

(B) All waters surrounding the fireworks display on the western break wall; 43°27'55" N, 076°31'30" W then to 43°28'03" N, 076°31'12" W then to 43°27'54" N, 076°31'06" W then to 43°27'48" N, 076°31'26" W then back to the point of origin (NAD 1983).

(ii) *Enforcement date.* The last Saturday during the last full week of July.

(3) *Ontario Memorial Day Fireworks, Ontario, NY.*

(i) *Location.* All waters of Lake Ontario within a 200-yard radius of the fireworks display at Bear Creek Harbor located in position 43°16'39" N, 077°16'35" W (NAD 1983).

(ii) *Enforcement date.* Memorial Day, the last Monday in May.

(4) *Olcott Fireworks, Olcott, NY.*

(i) *Location.* All waters of Lake Ontario within a 300-yard radius of the fireworks display on the west break wall of the Olcott Harbor entrance located in position 43°20'25" N, 078°43'09" W (NAD 1983).

(ii) *Enforcement date.* July 3.

(5) *Harbor Sound and Light Festival, Sackets Harbor, NY.*

(i) *Location.* All waters of Lake Ontario within a 300-yard radius of the fireworks display on the beach just southwest of Mill Creek located in position 43°57'18" N, 076°06'35" W (NAD 1983).

(ii) *Enforcement date.* The second Saturday in June.

(6) *Village of Sackets Harbor July 4 Display, Sackets Harbor, NY.*

(i) *Location.* All waters of Lake Ontario within a 200-yard radius of the fireworks display on the beach of Battlefield State Park located in position 43°56'56" N, 076°07'43" W (NAD 1983).

(ii) *Enforcement date.* July 4.

(b) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels must comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator shall proceed as directed.

(3) Commercial vessels may request permission from the Captain of the Port Buffalo to transit the safety zone. Approval will be made on a case-by-case basis. Requests must be made in advance and approved by the Captain of the Port before transits will be authorized. The Captain of the Port may be contacted via U.S. Coast Guard Group Buffalo on Channel 16, VHF-FM.

(4) Marine Event Permits (CG-4423) will still need to be sent to U.S. Coast Guard Group Buffalo, NY.

(c) *Notice of annual enforcement period.* The Captain of the Port Buffalo will publish, at least 10 days in advance of each annual event, a notice of implementation of regulation in the FEDERAL REGISTER. The COTP may also issue notices in the Ninth Coast Guard