

through the safety zone on the condition that they proceed directly through the zone without stopping.

(4) Any vessel wanting to stop, fish, anchor or discharge divers inside the zone, or any divers wanting to visit the wreckage of the M/V ROY A. JODREY, must request permission from the Captain of the Port Buffalo or his designated on-scene representative prior to entry into the zone.

[CGD09-02-522, 67 FR 65043, Oct. 23, 2002]

§ 165.918 Safety zones; annual fireworks displays in the Captain of the Port Chicago Zone.

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

(1) *Evanston Fourth of July Fireworks—Evanston, IL:*

(i) *Location.* All waters and adjacent shoreline of Lake Michigan bounded by the arc of a circle with a 1000-foot radius from the fireworks launch site with its center in approximate position 42°02'58" N, 087°40'22" W (NAD 83).

(ii) *Expected date and time.* First Week in July; sunset to termination of display.

(2) *Independence Day Fireworks—Manistee, MI:*

(i) *Location.* All waters and adjacent shoreline of Lake Michigan within the arc of a circle with a 1000-foot radius from the fireworks launch site with its center in approximate position 44°14'51" N, 086°20'46" W (NAD 83) (Off First Street Beach).

(ii) *Expected date and time.* First Week in July; sunset to termination of display.

(3) *Independence Day Fireworks—Lake Kalamazoo, Saugatuck, MI:*

(i) *Location.* All waters and adjacent shoreline of Lake Kalamazoo, Saugatuck, MI. within the arc of a circle with a 1000-foot radius from the fireworks launch site with its center in approximate position 42°38'52.5" N, 086°12'18.5" W (NAD 83).

(ii) *Expected date and time.* First Week in July; sunset to termination of display.

(4) *Independence Day Fireworks—White Lake, Whitehall, MI:*

(i) *Location.* All waters and adjacent shoreline of White Lake, Whitehall, MI. within the arc of a circle with a 1000-foot radius from the fireworks

launch site with its center in approximate position of 43°24'33.5" N, 086°21'28.5" W (NAD 83).

(ii) *Expected date and time.* First Week in July; sunset to termination of display.

(5) *Pentwater July 3rd Fireworks—Lake Michigan, Pentwater, MI:*

(i) *Location.* All waters and adjacent shoreline of Lake Michigan and the Shipping Channel, Pentwater, MI. within the arc of a circle with a 1000-foot radius from the fireworks launch site on the North Breakwall with its center in approximate position of 43°46'56.5" N, 086°26'38" W (NAD 83).

(ii) *Expected date and time.* First Week in July; sunset to termination of display.

(6) *Venetian Night Fireworks—Lake Kalamazoo, Saugatuck, MI:*

(i) *Location.* All waters and adjacent shoreline of Lake Kalamazoo, Saugatuck, MI. within the arc of a circle with a 1000-foot radius from the fireworks launch site with its center in approximate position 42°38'52.5" N, 086°12'18.5" W (NAD 83).

(ii) *Expected date and time.* The fourth weekend in July; or the first weekend in August; sunset to termination of display:

(7) *Venetian Night Fireworks—Lake Michigan, Hammond, IN:*

(i) *Location.* All waters and adjacent shoreline of Lake Michigan, Hammond, IN. within the arc of a circle with a 840-foot radius from the fireworks launch site with its center in approximate position of 41°41'54" N, 087°30'46" W (NAD 83).

(ii) *Expected date and time.* The first weekend in August; sunset to termination of display.

(8) *Venetian Night Fireworks—Monroe Street Harbor—Chicago, IL:*

(i) *Location.* All waters and adjacent shoreline of Lake Michigan, Chicago, IL. within the arc of a circle with a 1000-foot radius from the fireworks launch site at Monroe Street Harbor with its center in approximate position of 41°52'41" N, 087°36'37" W (NAD 83).

(ii) *Expected date and time.* The fourth weekend in July; or the first weekend in August; sunset to termination of display.

(9) *Wings Over the Lake Air Show—Michigan City, IN:*

(i) *Location.* All waters and adjacent shoreline of Lake Michigan, off Washington Park, Michigan City, IN. encompassed by a line drawn between the following coordinates starting at 41°43'39" N, 086°54'32" W; northwest to 41°44'06" N, 086°54'44" W; northeast to 41°44'21" N, 086°53'52" W; southeast to 41°43'55" N, 086°53'40" W; then southwest back to the point of origin (NAD 83). The safety zone starts approximately 250-feet from the East Pierhead and 250-feet from Washington Park Beach.

(ii) *Expected Date and Time.* The first week in July.

(10) *YMCA Lake Michigan Swim—Ferrysburg, MI:*

(i) *Location.* All waters and adjacent shoreline of Lake Michigan, off the Ferrysburg North Pier within 100-feet of a straight line from 43°03.45' N, 086°13.4' W; to 43°05' N, 086°15.24' W (NAD 83).

(ii) *Expected date and time.* The 3rd week in July; from 8 a.m. (local) until the end of the event.

(11) *Team Aquatics Ski Show—Grand River, Grand Haven, MI:*

(i) *Location.* All waters and adjacent shoreline of the Grand River, Grand Haven, MI. from 43°04'08" N, 086°14'13" W; thence east to 43°04'06" N, 086°14'07" W; thence southwest to 43°03'53" N, 086°14'14" W; and east to 43°03'51.5" N, 086°14'07.5" W (NAD 83).

(ii) *Expected date and time.* The 4th week in July; from 6 p.m. (local) until 8:30 p.m. (local).

(12) *Chicago Flatwater Classic—Chicago River, Chicago, IL:*

(i) *Location.* All waters and adjacent shoreline of the Chicago River from a line drawn across the river at mile marker 323 to a line drawn across the river at mile marker 331.

(ii) *Expected date and time.* The 2nd weekend in August; from 9 a.m. (local) until 3:30 p.m. (local).

(13) *Navy Pier Summer Fireworks—Lake Michigan, Chicago, IL.*

(i) *Locations.*

(1) *Primary launch site.* All waters and adjacent shoreline of Lake Michigan bounded by the arc of a circle with a 1400-foot radius from the fireworks launch platform with its center in approximate position 41°53'18" N, 087°36'08" W (NAD 83).

(2) *Alternate launch site.* In the case of inclement weather, the alternate launch site is all waters and adjacent shoreline of Lake Michigan bounded by the arc of a circle with a 1400-foot radius with its center in approximate position 41°53'24" N, 087°35'44" W (NAD 83).

(ii) *Expected dates and times.* Every Wednesday and Saturday evening from 9 p.m. (local) until termination of display from June 1 thru September 1.

(14) *Navy Pier 4th of July Fireworks—Lake Michigan, Chicago, IL.*

(i) *Locations.*

(1) *Primary launch site.* All waters and adjacent shoreline of Lake Michigan bounded by the arc of a circle with a 1400-foot radius from the fireworks launch platform with its center in approximate position 41°53'18" N, 087°36'08" W (NAD 83).

(2) *Alternate launch site.* In the case of inclement weather, the alternate launch site is all waters and adjacent shoreline of Lake Michigan bounded by the arc of a circle with a 1400-foot radius with its center in approximate position 41°53'24" N, 087°35'44" W (NAD 83).

(ii) *Expected date and time.* The first week of July; sunset to termination of display.

(15) *St. Joseph's River Marathon Swim—St. Joseph, MI.*

(i) *Location.* All the waters of Lake Michigan (off of St. Joseph, MI.), and the St. Joseph River, within 100 feet of the race course.

(ii) *Expected date and time.* The 3rd week in July; from 11 a.m. (local) until the end of the event.

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

(2) All persons and vessels shall 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. U.S. Coast Guard Auxiliary, representatives of the event organizer, and local or state officials may be present to inform vessel operators of this regulation and other applicable laws.

(3) In cases where shipping is affected, commercial vessels may request permission from the Captain of the Port Chicago to transit the safety zone. Approval in such cases will be case-by-case. 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 Channel 16, VHF-FM.

(c) Captain of the Port Chicago will announce the exact time and location of the annual events listed in this regulation by Notice of Implementation, Broadcast Local Notice to Mariners, or any other means deemed appropriate.

[CGD09-03-203, 68 FR 27467, May 20, 2003]

§ 165.920 Regulated Navigation Area: USCG Station Port Huron, Port Huron, MI, Lake Huron.

(a) *Location.* All waters of Lake Huron encompassed by the following: starting at the northwest corner at 43°00.4' N, 082°25.327' W; then east to 43°00.4' N, 082°25.23.8' W; then south to 43°00.3' N, 082°25.238' W; then west to 43°00.3' N, 082°25.327' W; then following the shoreline north back to the point of origin (NAD 83).

(b) *Special regulations.* No vessel may fish, anchor, or moor within the RNA without obtaining the approval of the Captain of the Port (COTP) Detroit. Vessels need not request permission from COTP Detroit if only transiting through the RNA. COTP Detroit can be reached by telephone at (313) 568-9580, or by writing to: MSO Detroit, 110 Mt. Elliot Ave., Detroit MI 48207-4380.

[CDG09-03-287, 69 FR 23103, Apr. 28, 2004]

§ 165.921 Regulated Navigation Area; Reporting Requirements for Barges Loaded with Certain Dangerous Cargoes, Illinois Waterway System located within the Ninth Coast Guard District.

(a) *Regulated Navigation Area.* The following waters are a regulated navigation area (RNA): the Illinois Waterway System above mile 187.2 to the Chicago Lock on the Chicago River at mile 326.7 and to the confluence of the Calumet River and Lake Michigan at mile 333.5 of the Calumet River.

(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 towing vessel operators responsible for barges not carrying CDC barges, or 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,
- (vi) Ethylene dibromide,
- (vii) Methacrylonitrile,