

§ 148.720

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§§ 148.720 through 148.740 of this subpart.

§ 148.720 What are the siting criteria?

In accordance with § 148.715(b), the proposed and alternative sites for the deepwater port will be evaluated on the basis of how well each:

- (a) Optimizes location to prevent or minimize detrimental environmental effects;
- (b) Minimizes the space needed for safe and efficient operation;
- (c) Locates offshore components in areas with stable sea bottom characteristics;
- (d) Locates onshore components where stable foundations can be developed;
- (e) Minimizes the potential for interference with its safe operation from existing offshore structures and activities;
- (f) Minimizes the danger posed to safe navigation by surrounding water depths and currents;
- (g) Avoids extensive dredging or removal of natural obstacles such as reefs;
- (h) Minimizes the danger to the port, its components, and tankers calling at the port from storms, earthquakes, or other natural hazards;
- (i) Maximizes the permitted use of existing work areas, facilities, and access routes;
- (j) Minimizes the environmental impact of temporary work areas, facilities, and access routes;
- (k) Maximizes the distance between the port, its components, and critical habitats including commercial and sport fisheries, threatened or endangered species habitats, wetlands, flood plains, coastal resources, marine management areas, and essential fish habitats;
- (l) Minimizes the displacement of existing or potential mining, oil, or gas exploration and production or transportation uses;
- (m) Takes advantage of areas already allocated for similar use, without overusing such areas;
- (n) Avoids permanent interference with natural processes or features that are important to natural currents and wave patterns; and

- (o) Avoids dredging in areas where sediments contain high levels of heavy metals, biocides, oil or other pollutants or hazardous materials, and in areas designated wetlands or other protected coastal resources.

§ 148.722 Should the construction plan incorporate best available technology and recommended industry practices?

Each applicant must submit a proposed construction plan. It must incorporate best available technology and recommended industry practices as directed in § 148.730.

§ 148.725 What are the design, construction and operational criteria?

In accordance with § 148.720(b), the deepwater port proposal and reasonable alternatives will be evaluated on the basis of how well they:

- (a) Reflect the use of best available technology in design, construction procedures, operations, and decommissioning;
- (b) Include safeguards, backup systems, procedures, and response plans to minimize the possibility and consequences of pollution incidents such as spills and discharges, while permitting safe operation with appropriate safety margins under maximum operating loads and the most adverse operating conditions;
- (c) Provide for safe, legal, and environmentally sound waste disposal, resource recovery, affected area reclamation, and enhanced use of spoil and waste;
- (d) Avoid permanent interference with natural processes or features that are important to natural currents and wave patterns;
- (e) Avoid groundwater drawdown or saltwater intrusion, and minimizes mixing salt, fresh, and brackish waters;
- (f) Avoid disrupting natural sheet flow, water flow, and drainage patterns or systems;
- (g) Avoid interference with biotic populations, especially breeding habitats or migration routes;
- (h) Maximize use of existing facilities;
- (i) Provide personnel trained in oil spill prevention at critical locations identified in the accident analysis;