

## § 149.694

### GUARDRAILS AND SIMILAR DEVICES

#### **§ 149.694 What are the requirements for catwalks, floors, and openings?**

(a) The configuration and installation of catwalks, floors, and openings must comply with § 143.110 of this chapter.

(b) This section does not apply to catwalks, floors, deck areas, or openings in areas not normally occupied by personnel or on helicopter landing decks.

#### **§ 149.695 What are the requirements for stairways?**

Stairways must have at least two courses of rails. The top course must serve as a handrail and be at least 34 inches above the tread.

#### **§ 149.696 What are the requirements for a helicopter landing deck safety net?**

A helicopter landing deck safety net must comply with 46 CFR 108.235.

### NOISE LIMITS

#### **§ 149.697 What are the requirements for a noise level survey?**

(a) A survey to determine the maximum noise level during normal operations must be conducted in each accommodation space, working space, or other space routinely used by personnel. The recognized methodology used to conduct the survey must be specified in the survey results. Survey results must be kept on the deepwater port or, for an unmanned deepwater port, in the owner's principal office.

(b) The noise level must be measured over 12 hours to derive a time weighted average (TWA) using a sound level meter and an A-weighted filter or equivalent device.

(c) If the noise level throughout a space is determined to exceed 85 db(A), based on the measurement criteria in paragraph (b) of this section, then signs must be posted with the legend: "Noise Hazard—Hearing Protectors Required." Signs must be posted at eye level at each entrance to the space.

(d) If the noise level exceeds 85 db(A) only in a portion of a space, then the sign described in paragraph (c) of this section must be posted within that por-

## 33 CFR Ch. I (7–1–25 Edition)

tion where visible from each direction of access.

(e) Working spaces and other areas routinely used by personnel, other than accommodation spaces, must be designed to limit the noise level in those areas so that personnel wearing hearing protectors may hear warning and emergency alarms. If this is not practicable and warning and emergency alarms cannot be heard, visual alarms in addition to the audible alarms must be installed.

### PORTABLE LIGHTS

#### **§ 149.700 What kind of portable lights may be used on a deepwater port?**

Each portable light and its supply cord on a deepwater port must be designed for the environment where it is used.

## **PART 150—DEEPWATER PORTS: OPERATIONS**

### **Subpart A—General**

#### Sec.

150.1 What does this part do?

150.5 Definitions.

150.10 What are the general requirements for operations manuals?

150.15 What must the operations manual include?

150.20 How many copies of the operations manual must be given to the Coast Guard?

150.25 Amending the operations manual.

150.30 Proposing an amendment to the operations manual.

150.35 How may an adjacent coastal state request an amendment to the deepwater port operations manual?

150.40 Deviating from the operations manual.

150.45 Emergency deviation from this subchapter or the operations manual.

150.50 What are the requirements for a facility spill response plan?

### **Subpart B—Inspections**

150.100 What are the requirements for inspecting deepwater ports?

150.105 What are the requirements for annual self-inspection?

150.110 What are the notification requirements upon receipt of classification society certifications?

**Subpart C—Personnel**

- 150.200 Who must ensure that deepwater port personnel are qualified?
- 150.205 What are the language requirements for deepwater port personnel?
- 150.210 What are the restrictions on serving in more than one position?
- 150.225 What training and instruction are required?

**Subpart D—Vessel Navigation**

- 150.300 What does this subpart do?
- 150.305 How does this subpart apply to unmanned deepwater ports?
- 150.310 When is radar surveillance required?
- 150.320 What advisories are given to tankers?
- 150.325 What is the first notice required before a tanker enters the safety zone or area to be avoided?
- 150.330 What is the second notice required before a tanker enters the safety zone or area to be avoided?
- 150.340 What are the rules of navigation for tankers in the safety zone or area to be avoided?
- 150.345 How are support vessels cleared to move within the safety zone or area to be avoided?
- 150.350 What are the rules of navigation for support vessels in the safety zone or area to be avoided?
- 150.355 How are other vessels cleared to move within the safety zone?
- 150.380 Under what circumstances may vessels operate within the safety zone or area to be avoided?
- 150.385 What is required in an emergency?

**Subpart E—Cargo Transfer Operations**

- 150.400 What does this subpart do?
- 150.405 How must a cargo transfer system be tested and inspected?
- 150.420 What actions must be taken when cargo transfer equipment is defective?
- 150.425 What are the requirements for transferring cargo?
- 150.430 What are the requirements for a declaration of inspection?
- 150.435 When are cargo transfers not allowed?
- 150.440 How may the Sector Commander, or MSU Commander, with COTP and OCM authority order suspension of cargo transfers?
- 150.445 When is oil in a single point mooring-oil transfer system (SPM-OTS) displaced with water?

**Subpart F—Emergency and Specialty Equipment**

- 150.500 What does this subpart do?

**MAINTENANCE AND REPAIR**

- 150.501 How must emergency equipment be maintained and repaired?

**LIFESAVING EQUIPMENT (GENERAL)**

- 150.502 What are the maintenance and repair requirements for lifesaving equipment?

**LAUNCHING APPLIANCES**

- 150.503 What are the time interval requirements for maintenance on survival craft falls?
- 150.504 When must the operator service and examine lifeboat and rescue boat launching appliances?
- 150.505 When must the operator service and examine lifeboat and rescue boat release gear?

**INFLATABLE LIFESAVING APPLIANCES**

- 150.506 When must the operator service inflatable lifesaving appliances and marine evacuation systems?
- 150.507 How must the operator service inflatable lifesaving appliances?
- 150.508 What are the maintenance and repair requirements for inflatable rescue boats?

**OPERATIONAL TESTS AND INSPECTIONS (GENERAL)**

- 150.509 How must emergency equipment be tested and inspected?
- 150.510 How must tested emergency equipment be operated?
- 150.511 What are the operational testing requirements for lifeboat and rescue boat release gear?

**FREQUENCY OF TESTS AND INSPECTIONS**

- 150.512 What occurs during the weekly tests and inspections?
- 150.513 What occurs during the monthly tests and inspections?
- 150.514 What are the annual tests and inspections?

**WEIGHT TESTING**

- 150.515 What are the requirements for weight testing of newly installed or relocated craft?
- 150.516 What are the periodic requirements for weight testing?
- 150.517 How are weight tests supervised?

**PERSONAL SAFETY GEAR**

- 150.518 What are the inspection requirements for work vests and immersion suits?

**EMERGENCY LIGHTING AND POWER SYSTEMS**

- 150.519 What are the requirements for emergency lighting and power systems?

**Pt. 150**

**33 CFR Ch. I (7–1–25 Edition)**

**FIRE EXTINGUISHING EQUIPMENT**

- 150.520 When must fire extinguishing equipment be tested and inspected?  
150.521 What records are required?

**MISCELLANEOUS OPERATIONS**

- 150.530 What may the fire main system be used for?  
150.531 How many fire pumps must be kept ready for use at all times?  
150.532 What are the requirements for connection and stowage of fire hoses?  
150.540 What are the restrictions on fueling aircraft?  
150.550 What are the requirements for the muster list?  
150.555 How must cranes be maintained?

**Subpart G—Workplace Safety and Health**

- 150.600 What does this subpart do?

**SAFETY AND HEALTH (GENERAL)**

- 150.601 What are the safety and health requirements for the workplace on a deepwater port?  
150.602 What occupational awareness training is required?  
150.603 What emergency response training is required?  
150.604 Who controls access to medical monitoring and exposure records?  
150.605 What are the procedures for reporting a possible workplace safety or health violation at a deepwater port?  
150.606 After learning of a possible violation, what does the Sector Commander, or the MSU Commander, with COTP and OCM authority do?

**GENERAL WORKPLACE CONDITIONS**

- 150.607 What are the general safe working requirements?

**PERSONAL PROTECTIVE EQUIPMENT**

- 150.608 Who is responsible for ensuring that the personnel use or wear protective equipment and are trained in its use?

**EYES AND FACE**

- 150.609 When is eye and face protection required?  
150.610 Where must eyewash equipment be located?

**HEAD**

- 150.611 What head protection is required?

**FEET**

- 150.612 What footwear is required?

**NOISE AND HEARING PROTECTION**

- 150.613 What are the requirements for a noise monitoring and hearing protection survey?

**CLOTHING**

- 150.614 When is protective clothing required?

**ELECTRICAL**

- 150.615 What safe practices are required?

**LOCKOUT/TAGOUT**

- 150.616 What are the requirements for lockout?  
150.617 What are the requirements for tagout?

**RESPIRATORY PROTECTION**

- 150.618 What are the requirements for respiratory protection?

**FALL ARREST**

- 150.619 What are the fall arrest system requirements?

**MACHINE GUARDS**

- 150.620 What are the requirements for protecting personnel from machinery?

**SLINGS**

- 150.621 What are the requirements for slings?

**WARNING SIGNS**

- 150.622 What are the warning sign requirements?

**CONFINED SPACE SAFETY**

- 150.623 What are the requirements for protecting personnel from hazards associated with confined spaces?

**BLOOD-BORNE PATHOGENS**

- 150.624 What are the requirements for protecting personnel from blood-borne pathogens?

**HAZARD COMMUNICATION PROGRAM**

- 150.625 What must the hazard communication program contain?  
150.626 What is the hazard communication program used for?  
150.627 Must material safety data sheets be available to all personnel?  
150.628 How must the operator label, tag, and mark a container of hazardous material?

**Subpart H—Aids to Navigation**

- 150.700 What does this subpart do?  
150.705 What are the requirements for maintaining and inspecting aids to navigation?  
150.710 What are the requirements for supplying power to aids to navigation?  
150.715 What are the requirements for lights used as aids to navigation?

## Coast Guard, DHS

## § 150.15

150.720 What are the requirements for sound signals?

### Subpart I—Reports and Records

150.800 What does this subpart do?

#### REPORTS

150.805 What reports must be sent both to a classification society and to the Coast Guard?

150.810 Reporting a problem with an aid to navigation.

150.812 What is the purpose of reporting casualties on deepwater ports?

150.815 How must casualties be reported?

150.820 When must a written report of casualty be submitted, and what must it contain?

150.825 Reporting a diving-related casualty.

150.830 Reporting a pollution incident.

150.835 Reporting sabotage or subversive activity.

#### RECORDS

150.840 What records must be kept?

150.845 Personnel records.

150.850 How long must a declaration of inspection form be kept?

### Subpart J—Safety Zones, No Anchoring Areas, and Areas to Be Avoided

150.900 What does this subpart do?

150.905 Why are safety zones, no anchoring areas, and areas to be avoided established?

150.910 What installations, structures, or activities are prohibited in a safety zone?

150.915 How are safety zones, no anchoring areas, and areas to be avoided established and modified?

150.920 How can I find notice of new or proposed safety zones?

150.925 How long may a safety zone, no anchoring area, or area to be avoided remain in place?

150.930 What datum is used for the geographic coordinates in this subpart?

150.940 Safety zones for specific deepwater ports.

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SOURCE: USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, unless otherwise noted.

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## Subpart A—General

### § 150.1 What does this part do?

This part provides requirements for the operation of deepwater ports.

### § 150.5 Definitions.

See §148.5 of this chapter for the definition of certain terms used in this part.

### § 150.10 What are the general requirements for operations manuals?

(a) Each deepwater port must have an operations manual that addresses policies and procedures for normal and emergency operations conducted at the deepwater port. The operations manual must, at a minimum, include the requirements outlined in §150.15 of this part.

(b) The operations manual is reviewed and approved by the Commandant (CG–5P), who may consult with the local Sector Commander, or MSU Commander, with COTP and OCMI authority, as meeting the requirements of the Act and this subchapter. The original manual is approved as part of the application process in part 148 of this chapter.

(c) The Sector Commander, or MSU Commander, with COTP and OCMI authority may approve subsequent changes to the operations manual, provided the Commandant (CG–5P) is notified and consulted regarding any significant modifications.

(d) The manual must be readily available on the deepwater port for use by personnel.

(e) The licensee must ensure that all personnel are trained and follow the procedures in the manual while at the deepwater port.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39180, July 1, 2013]

### § 150.15 What must the operations manual include?

The operations manual required by §150.10 of this part must identify the deepwater port and include the information required in this section.

(a) *General information.* A description of the geographic location of the deepwater port.

(b) A physical description of the deepwater port.

(c) Engineering and construction information, including all defined codes and standards used for the deepwater port structure and systems. The operator must include schematics of all applicable systems. Schematics must show the location of valves, gauges, system working pressure, relief settings, monitoring systems, and other pertinent information.

(d) *Communications system*. A description of a comprehensive communications plan, including:

- (1) Dedicated frequencies;
- (2) Communication alerts and notices between the deepwater port and arriving and departing vessels; and
- (3) Mandatory time intervals or communication schedules for maintaining a live radio watch, and monitoring frequencies for communication with vessels and aircraft.

(e) *Facility plan*. A layout plan for the mooring areas, navigation aids, cargo transfer locations, and control stations.

(f) The hours of operation.

(g) The size, type, number, and simultaneous operations of tankers that the deepwater port can handle.

(h) Calculations, with supporting data or other documentation, to show that the charted water depth at each proposed mooring location is sufficient to provide at least a net under keel clearance of 5 feet, at the mean low water condition.

(i) *Tanker navigation procedures*. The procedures for tanker navigation, including the information required in paragraphs (i)(1) through (i)(9) of this section.

(1) The operating limits, maneuvering capability, draft, net under keel clearance, tonnage, length, and breadth of the tanker that will be accommodated at each designated mooring.

(2) The speed limits proposed for tankers in the safety zone and area to be avoided around the deepwater port.

(3) Any special navigation or communication equipment that may be required for operating in the safety zone and area to be avoided.

(4) The measures for routing vessels, including a description of the radar

navigation system to be used in operation of the deepwater port:

- (i) Type of radar;
- (ii) Characteristics of the radar;
- (iii) Antenna location;
- (iv) Procedures for surveillance of vessels approaching, departing, navigating, and transiting the safety zone and area to be avoided;

(v) Advisories to each tanker underway in the safety zone regarding the vessel's position, deepwater port conditions, and status of adjacent vessel traffic;

(vi) Notices that must be made, as outlined in §150.325 of this part, by the tanker master regarding the vessel's characteristics and status; and

(vii) Rules for navigating, mooring, and anchoring in a safety zone, area to be avoided, and anchorage area.

(5) Any mooring equipment needed to make up to the single point mooring (SPM).

(6) The procedures for clearing tankers, support vessels, and other vessels and aircraft during emergency and routine conditions.

(7) Weather limits for tankers, including a detailed description of how to forecast the wind, wave, and current conditions for:

- (i) Shutdown of cargo transfer operations;
- (ii) Departure of the tanker from the mooring;
- (iii) Prohibition on mooring at the deepwater port or SPM; and
- (iv) Shutdown of all deepwater port operations and evacuation of the deepwater port.

(8) Any special illumination requirements for vessel arrival, discharge, and departure operations.

(9) Any special watchstanding requirements for vessel transiting, mooring, or anchoring.

(j) *Personnel*. The duties, title, qualifications, and training of all deepwater port personnel responsible for managing and carrying out the following deepwater port activities and functions:

- (1) Vessel traffic management;
- (2) Cargo transfer operations;
- (3) Safety and fire protection;
- (4) Maintenance and repair operations;
- (5) Emergency procedures; and

(6) Deepwater port security.

(k) The personnel assigned to supervisory positions must be designated, in writing, by the licensee and have the appropriate experience and training to satisfactorily perform their duties. The Commandant (CG-5P) will review and approve the qualifications for all proposed supervisory positions.

(l) *Cargo transfer procedures.* The procedures for cargo transfer must comply with the applicable requirements of parts 154 and 156 for oil, and subpart B (Operations) to part 127 for natural gas, respectively, of this chapter, including the requirements specified in paragraphs (l)(1) through (l)(10) of this section.

(1) The requirements for oil transfers in accordance with subpart A to part 156 of this chapter regarding:

- (i) Pre-transfer conference;
- (ii) Inspection of transfer site and equipment such as hoses, connectors, closure devices, monitoring devices, and containment;
- (iii) Connecting and disconnecting transfer equipment, including a floating hose string for a single point mooring (SPM);

(iv) Preparation of the Declaration of Inspection; and

(v) Supervision by a person in charge.

(2) The requirements for natural gas transfers in accordance with subpart B to part 127 of this chapter regarding:

- (i) Pre-transfer conference;
- (ii) Inspection of transfer site and equipment such as hoses, connectors, closure devices, leak monitoring devices, and containment;
- (iii) Connecting and disconnecting of transfer equipment, including to a floating hose string for a SPM;

(iv) Line purging to test for leaks and to prepare for cool-down or heat-up phases as appropriate;

(v) Preparation of the Declaration of Inspection; and

(vi) Supervision by a deepwater port person in charge.

(3) The shipping name of, and Material Safety Data Sheet on, any product transferred.

(4) The duties, title, qualifications, and training of personnel of the deepwater port designated as the person in charge and responsible for managing cargo transfers, including ballasting

operations if applicable to the deepwater port, in accordance with subpart D of part 154 for oil, and subpart B (Operations) of part 127 for natural gas, respectively, of this chapter.

(5) Minimum requirements for watch personnel on board the vessel during transfer operations, such as personnel necessary for checking mooring gear, monitoring communications, and maintaining propulsion and steering on standby.

(6) The start up and completion of pumping.

(7) Emergency shutdown.

(8) The maximum relief valve settings, the maximum available working pressure, and hydraulic shock to the system without relief valves, or both.

(9) Equipment necessary to discharge cargo to the port complex without harm to the environment or to persons involved in the cargo transfer, including piping, adapters, bolted flanges, and quick-disconnect coupling.

(10) A description of the method used to water and de-water the single point mooring hoses when required.

(m) Unusual arrangements that may be applicable, including:

(1) A list and description of any extraordinary equipment or assistance available to vessels with inadequate pumping capacity, small cargoes, small diameter piping, or inadequate crane capacity; and

(2) A description of special storage or delivery arrangements for unusual cargoes; for example, cool-down requirements for transfer system components prior to transfer of liquefied natural gas.

(n) *Maintenance procedures.* A maintenance program to document service and repair of key equipment such as:

- (1) Cargo transfer equipment;
- (2) Firefighting and fire protection equipment;
- (3) Facility support services, such as generators, evaporators, etc.;
- (4) Safety equipment; and
- (5) Cranes.

(o) A waste management plan comparable to §151.57 of this chapter.

(p) *Occupational health and safety training procedures.* Policy and procedures to address occupational health and safety requirements outlined in

## § 150.15

## 33 CFR Ch. I (7–1–25 Edition)

§§ 150.600 to 150.632 of this part, including:

(1) Employee training in safety and hazard awareness, and proper use of personnel protective equipment;

(2) Physical safety measures in the workplace, such as housekeeping and illumination of walking and working areas;

(3) Fall arrest;

(4) Personnel transfer nets;

(5) Hazard communication (right-to-know);

(6) Permissible exposure limits;

(7) Machine guarding;

(8) Electrical safety;

(9) Lockout/tagout;

(10) Crane safety;

(11) Sling usage;

(12) Hearing conservation;

(13) Hot work;

(14) Warning signs;

(15) Confined space safety; and

(16) Initial and periodic training and certification to be documented for each deepwater port employee and for visitors, where appropriate; for example, safety orientation training.

(q) *Emergency notification procedures.* Emergency internal and external notification procedures:

(1) Names and numbers of key deepwater port personnel;

(2) Names and numbers of law enforcement and response agencies;

(3) Names and numbers of persons in charge of any Outer Continental Shelf facility that, due to close proximity, could be affected by an incident at the deepwater port.

(r) Quantity, type, location, and use of safety and fire protection equipment, including the fire plan.

(s) Aerial operations such as helicopter landing pad procedures.

(t) Deepwater port response procedures for:

(1) Fire;

(2) Reportable product spill;

(3) Personnel injury, including confined space rescue; and

(4) Terrorist activity, as described in the deepwater port security plan.

(u) Emergency evacuation procedures comparable to § 146.140(d) of this chapter.

(v) Designation of and assignment of deepwater port personnel to response teams for specific contingencies.

(w) Individual and team training for incident response, in accordance with 46 CFR 109.213, to cover:

(1) Care and use of equipment;

(2) Emergency drills and response, to include:

(i) Type;

(ii) Frequency, which must be at least annually; and

(iii) Documentation, including records, reports and dissemination of “lessons learned”.

(3) Documentation of the following minimum training requirements for response team members:

(i) Marine firefighting training;

(ii) First aid/CPR;

(iii) Water survival;

(iv) Spill response and clean up;

(v) Identification of at least one employee trained and certified at the basic level as an emergency medical technician; and

(vi) Identification of at least two employees trained and certified as offshore competent persons in prevention of inadvertent entry into hazardous confined spaces.

(x) *Security procedures.* Deepwater port operators must develop a deepwater port security plan comparable to those required by 33 CFR part 106. The plan must address at least:

(1) Access controls for goods and materials and access controls for personnel that require positive and verifiable identification;

(2) Monitoring and alerting of vessels that approach or enter the deepwater port’s security zone;

(3) Risk identification and procedures for detecting and deterring terrorist or subversive activity, such as security lighting and remotely-alarmed restricted areas;

(4) Internal and external notification and response requirements in the event of a perceived threat or an attack on the deepwater port;

(5) Designation of the deepwater port security officer;

(6) Required security training and drills for all personnel; and

(7) The scalability of actions and procedures for the various levels of threat.

(y) *Special operations procedures.* Include procedures for any special operations, such as:

(1) Evacuation and re-manning;

- (2) Refueling;
- (3) Diving;
- (4) Support vessel operations;
- (5) Providing logistical services; and
- (6) Contingency response for events that could affect nearby existing Outer Continental Shelf oil and gas facilities, such as explosions, fires, or product spills.

(z) Recordkeeping of maintenance procedures, tests, and emergency drills outlined elsewhere in the operations manual.

(aa) *Environmental procedures.* A program for maintaining compliance with license conditions and applicable environmental laws, by periodic monitoring of the environmental effects of the port and its operations, including:

(1) Air and water monitoring in accordance with applicable Federal and State law;

(2) A routine re-examination, not less than once every 5 years, of the physical, chemical, and biological factors contained in the deepwater port's environmental impact analysis and baseline study submitted with the license application; and

(3) A risk management plan, addressing the potential for an uncontrolled release; or provision for more detailed studies following any uncontrolled release or other unusual event that adversely affects the environment.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39180, July 1, 2013]

#### **§ 150.20 How many copies of the operations manual must be given to the Coast Guard?**

The draft operations manual must be included with the application, and the number of copies is governed by § 148.115 of this chapter. At least five copies of the final operations manual, and of any subsequent amendment, must be submitted to the Commandant (CG-5P). Additional copies may be required to meet the needs of other agencies.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39181, July 1, 2013]

#### **§ 150.25 Amending the operations manual.**

(a) Whenever the cognizant Sector Commander, or MSU Commander, with COTP and OCMI authority finds that the operations manual does not meet the requirements of this part, the COTP notifies the licensee, in writing, of the inadequacies in the manual.

(b) Within 45 days after the notice under paragraph (a) of this section is sent, the licensee must submit written proposed amendments to eliminate the inadequacies.

(c) The cognizant Sector Commander, or MSU Commander, with COTP and OCMI authority reviews the amendments and makes a determination as to the adequacy of the amendments and notifies the licensee of the determination.

(d) If the Sector Commander, or MSU Commander, with COTP and OCMI authority decides that an amendment is necessary, the amendment goes into effect 60 days after the Sector Commander, or MSU Commander, with COTP and OCMI authority notifies the licensee of the amendment.

(e) The licensee may petition the Commandant (CG-5P), via the appropriate district office, to review the decision of the Sector Commander, or MSU Commander, with COTP and OCMI authority. In this case, the effective date of the amendment is delayed pending the Commandant's decision. Petitions must be made in writing and presented to the Sector Commander, or MSU Commander, with COTP and OCMI authority to forward to the Commandant (CG-5P).

(f) If the Sector Commander, or MSU Commander, with COTP and OCMI authority finds that a particular situation requires immediate action to prevent a spill or discharge, or to protect the safety of life and property, the he or she may issue an amendment effective on the date that the licensee receives it. The Sector Commander, or MSU Commander, with COTP and OCMI authority must include a brief



## § 150.30

## 33 CFR Ch. I (7–1–25 Edition)

statement of the reasons for the immediate amendment. The licensee may petition the District Commander for review, but the petition does not delay the effective date of the amendment.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39181, July 1, 2013]

### § 150.30 Proposing an amendment to the operations manual.

(a) The licensee may propose an amendment to the operations manual:

(1) By submitting to the Sector Commander, or to the MSU Commander, with COTP and OCMI authority, in writing, the amendment and reasons for the amendments not less than 30 days before the requested effective date of the amendment; or

(2) If the amendment is needed immediately, by submitting the amendment, and reasons why the amendment is needed immediately, to the Sector Commander, or MSU Commander, with COTP and OCMI authority in writing.

(b) The Sector Commander, or MSU Commander, with COTP and OCMI authority must respond to a proposed amendment by notifying the licensee, in writing, before the requested date of the amendment whether the request is approved. If the request is disapproved, the Sector Commander, or MSU Commander, with COTP and OCMI authority must include the reasons for disapproval in the notice. If the request is for an immediate amendment, the Sector Commander, or MSU Commander, with COTP and OCMI authority must respond as soon as possible.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39181, July 1, 2013]

### § 150.35 How may an Adjacent Coastal State request an amendment to the deepwater port operations manual?

(a) An Adjacent Coastal State connected by pipeline to the deepwater port may petition the cognizant Sector Commander, or MSU Commander, with COTP and OCMI authority to amend the operations manual. The petition must include sufficient information to allow the Sector Commander, or MSU Commander, with COTP and OCMI authority to reach a decision concerning the proposed amendment.

(b) After the Sector Commander, or MSU Commander, with COTP and OCMI authority receives a petition, the Sector Commander, or MSU Commander, with COTP and OCMI authority requests comments from the licensee.

(c) After reviewing the petition and comments, and considering the costs and benefits involved, the Sector Commander, or MSU Commander, with COTP and OCMI authority may approve the petition if the proposed amendment will provide equivalent or improved protection and safety. The Adjacent Coastal State may petition the Commandant (CG–5P) to review the decision. Petitions must be made in writing and presented to the Sector Commander, or MSU Commander, with COTP and OCMI authority for forwarding to the Commandant (CG–5P) via the District Commander.

[USCG–2013–0397, 78 FR 39181, July 1, 2013]

### § 150.40 Deviating from the operations manual.

If, because of a particular situation, the licensee needs to deviate from the operations manual, the licensee must submit a written request to the Captain of the Port (COTP) explaining why the deviation is necessary and what alternative is proposed. If the COTP determines that the deviation would ensure equivalent or greater protection and safety, the COTP authorizes the deviation and notifies the licensee in writing.

### § 150.45 Emergency deviation from this subchapter or the operations manual.

In an emergency, any person may deviate from any requirement in this subchapter, or any procedure in the operations manual, to ensure the safety of life, property, or the environment. Each deviation must be reported to the Sector Commander, or MSU Commander, with COTP and OCMI authority, at the earliest possible time.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39181, July 1, 2013]

**§ 150.50 What are the requirements for a facility spill response plan?**

(a) Each deepwater port which meets the applicability requirements of part 154 subpart F of this chapter must have a facility response plan that is approved by the Sector Commander, or MSU Commander, with COTP and OCMI authority.

(b) Each natural gas deepwater port must have a natural gas facility emergency plan that meets part 127, subpart B of this chapter.

(c) The response plan must be submitted to the Sector Commander, or MSU Commander, with COTP and OCMI authority, in writing, not less than 60 days before the deepwater port begins operation.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39181, July 1, 2013]

**Subpart B—Inspections****§ 150.100 What are the requirements for inspecting deepwater ports?**

Under the direction of the Sector Commander, or to the MSU Commander, with COTP and OCMI authority, marine inspectors may inspect deepwater ports to determine whether the requirements of this subchapter are met. A marine inspector may conduct an inspection, with or without advance notice, at any time the Sector Commander or MSU Commander deems necessary.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

**§ 150.105 What are the requirements for annual self-inspection?**

(a) The owner or operator of each manned deepwater port must ensure that the deepwater port is regularly inspected to determine whether the facility is in compliance with the requirements of this subchapter. The inspection must be at intervals of no more than 12 months. The inspection may be conducted up to 2 months after its due date, but will be valid for only the 12 months following that due date.

(b) The owner or operator must record and submit the results of the annual self-inspection to the Sector

Commander, or to the MSU Commander, with COTP and OCMI authority within 30 days of completing the inspection. The report must include a description of any failure, and the scope of repairs made to components or equipment, in accordance with the requirements in subpart I of this part, other than primary lifesaving, fire-fighting, or transfer equipment, which are inspected and repaired in accordance with subpart F.

(c) Prior to the initiation of a self-inspection plan, and before commencement of operations, the owner or operator must submit a proposal describing the self-inspection plan to the Sector Commander, or MSU Commander, with COTP and OCMI authority for acceptance. The plan must address all applicable requirements outlined in parts 149 and 150 of this subchapter.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

**§ 150.110 What are the notification requirements upon receipt of classification society certifications?**

The licensee must notify the Sector Commander, or MSU Commander, with COTP and OCMI duties, in writing, upon receipt of a classification society certification, interim class certificate, or single point mooring classification certificate.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

**Subpart C—Personnel****§ 150.200 Who must ensure that deepwater port personnel are qualified?**

The licensee must ensure that the individual filling a position meets the qualifications for that position as outlined in the operations manual.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

## § 150.205

### **§ 150.205 What are the language requirements for deepwater port personnel?**

Only persons who read, write, and speak English may occupy the essential management positions outlined in the operations manual.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

### **§ 150.210 What are the restrictions on serving in more than one position?**

No person may serve in more than one of the essential management positions outlined in the operations manual at any one time.

### **§ 150.225 What training and instruction are required?**

Personnel must receive training and instruction commensurate with the position they hold. Procedures for documenting employee training must be outlined in the operations manual.

## **Subpart D—Vessel Navigation**

### **§ 150.300 What does this subpart do?**

This subpart supplements the International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) described in subchapter D of this chapter, and prescribes requirements that:

- (a) Apply to the navigation of all vessels at or near a deepwater port; and
- (b) Apply to all vessels while in a safety zone, area to be avoided, or no anchoring area.

### **§ 150.305 How does this subpart apply to unmanned deepwater ports?**

The master of any tanker calling at an unmanned deepwater port is responsible for the safe navigation of the vessel to and from the deepwater port, and for the required notifications in § 150.325 of this part. Once the tanker is connected to the unmanned deepwater port, the master must maintain radar surveillance in compliance with the requirements of § 150.310 of this part.

[USCG-2013-0397, 78 FR 39182, July 1, 2013]

### **§ 150.310 When is radar surveillance required?**

A manned deepwater port's person in charge of vessel operations must main-

## **33 CFR Ch. I (7-1-25 Edition)**

tain radar surveillance of the safety zone or area to be avoided when:

- (a) A tanker is proceeding to the safety zone after submitting the report required in § 150.325 in this part;
- (b) A tanker or support vessel is underway in the safety zone or area to be avoided;
- (c) A vessel other than a tanker or support vessel is about to enter or is underway in the safety zone or area to be avoided; or
- (d) As described in the deepwater port security plan.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

### **§ 150.320 What advisories are given to tankers?**

A manned deepwater port's person in charge of vessel operations must advise the master of each tanker underway in the safety zone or area to be avoided of the following:

- (a) At intervals not exceeding 10 minutes, the vessel's position by range and bearing from the pumping platform complex; and
- (b) The position and the estimated course and speed, if moving, of all other vessels that may interfere with the movement of the tanker within the safety zone or area to be avoided.

### **§ 150.325 What is the first notice required before a tanker enters the safety zone or area to be avoided?**

(a) The owner, master, agent, or person in charge of a tanker bound for a manned deepwater port must comply with the notice of arrival requirements in subpart C of part 160 of this chapter.

(b) The owner, master, agent, or person in charge of a tanker bound for a manned deepwater port must report the pertinent information required in § 150.15(i)(4)(vi) of this part for the vessel, including:

- (1) The name, gross tonnage, and draft of the tanker;
- (2) The type and amount of cargo in the tanker;
- (3) The location of the tanker at the time of the report;
- (4) Any conditions on the tanker that may impair its navigation, such as fire, or malfunctioning propulsion, steering,

navigational, or radiotelephone equipment. The testing requirements in §164.25 of this chapter are applicable to vessels arriving at a deepwater port;

(5) Any leaks, structural damage, or machinery malfunctions that may impair cargo transfer operations or cause a product discharge; and

(6) The operational condition of the equipment listed under §164.35 of this chapter on the tanker.

(c) If the estimated time of arrival changes by more than 6 hours from the last reported time, the National Vessel Movement Center (NVMC) and the port's person in charge of vessel operations must be notified of the correction as soon as the change is known.

(d) If the information reported in paragraphs (b)(4) or (b)(5) of this section changes at any time before the tanker enters the safety zone or area to be avoided at the deepwater port, or while the tanker is in the safety zone or area to be avoided, the master of the tanker must report the changes to the NVMC and port's person in charge of vessel operations as soon as possible.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

**§ 150.330 What is the second notice required before a tanker enters the safety zone or area to be avoided?**

When a tanker bound for a manned deepwater port is 20 miles from entering the port's safety zone or area to be avoided, the master of the tanker must notify the port's person in charge of vessel operations of the tanker's name and location.

**§ 150.340 What are the rules of navigation for tankers in the safety zone or area to be avoided?**

(a) A tanker must enter or depart the port's safety zone or area to be avoided in accordance with the navigation procedures in the port's approved operations manual as described in §150.15(i) of this part.

(b) A tanker must not anchor in the safety zone or area to be avoided, except in a designated anchorage area.

(c) A tanker may not enter a safety zone or area to be avoided in which another tanker is present, unless it has been cleared by the person in charge of

the port and no other tankers are underway.

(d) A tanker must not operate, anchor, or moor in any area of the safety zone or area to be avoided in which the net under keel clearance would be less than 5 feet.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

**§ 150.345 How are support vessels cleared to move within the safety zone or area to be avoided?**

All movements of support vessels within a manned deepwater port's safety zone or area to be avoided must be cleared in advance by the port's person in charge of vessel operations.

**§ 150.350 What are the rules of navigation for support vessels in the safety zone or area to be avoided?**

A support vessel must not anchor in the safety zone or area to be avoided, except:

(a) In an anchorage area; or

(b) For vessel maintenance, which, in the case of a manned deepwater port, must be cleared by the port's person in charge of vessel operations.

**§ 150.355 How are other vessels cleared to move within the safety zone?**

(a) Clearance by a manned deepwater port's person in charge of vessel operations is required before a vessel, other than a tanker or support vessel, enters the safety zone.

(b) The port's person in charge of vessel operations may clear a vessel under paragraph (a) of this section only if its entry into the safety zone would not:

(1) Interfere with the purpose of the deepwater port;

(2) Endanger the safety of life, property, or environment; or

(3) Be prohibited by regulation.

(c) At an unmanned deepwater port, such as a submerged turret landing (STL) system, paragraphs (a) and (b) of this section apply once a tanker connects to the STL buoy.

**§ 150.380 Under what circumstances may vessels operate within the safety zone or area to be avoided?**

(a) Table 150.380(a) of this section lists both the areas within a safety

zone where a vessel may operate and the clearance needed for that location.

TABLE 150.380(a)—REGULATED ACTIVITIES OF VESSELS AT DEEPWATER PORTS

Regulated activities	Safety zone	Areas to be avoided around each deepwater port component <sup>1</sup>	Anchorage areas	Other areas within and adjacent to the safety zone (e.g., no anchoring area)
Tankers calling at port .....	C	C	C	C
Support vessel movements .....	C	C	C	C
Transit by vessels other than tankers or support vessels.	F	D	P	P
Mooring to surface components (for example an SPM) by vessels other than tankers or support vessels.	N	N	N	N
Anchoring by vessels other than tankers or support vessels.	N	F	C	F
Fishing, including bottom trawl (shrimping) .....	N	D	P	N
Mobile drilling operations or erection of structures. <sup>2</sup>	N	R	N	N
Lightering/transshipment .....	N	N	N	N

<sup>1</sup> Areas to be avoided are in subpart J of this part.

<sup>2</sup> Not part of Port Installation.

Key to regulated activities for Table 150.380(a):

C—Movement of the vessel is permitted when cleared by the person in charge of vessel operations.

D—Movement is not restricted, but recommended transit speed not to exceed 10 knots. Communication with the person in charge of vessel operations.

F—Only in an emergency. Anchoring will be avoided in a no anchoring area except in the case of immediate danger to the ship or persons on board.

N—Not permitted.

P—Transit is permitted when the vessel is not in the immediate area of a tanker, and when cleared by the vessel traffic supervisor.

R—Permitted only if determined that operation does not create unacceptable risk to personnel safety and security and operation. For transiting foreign-flag vessels, the requirement for clearance to enter the area to be avoided and no anchoring area is advisory in nature, but mandatory for an anchorage area established within 12 nautical miles.

(b) If the activity is not listed in table 150.380(a) of this section, or otherwise provided for in this subpart, the Sector Commander's, or MSU Commander's, with COTP and OCMI authority permission is required before operating in the safety zone or regulated navigation area.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39182, July 1, 2013]

#### § 150.385 What is required in an emergency?

In an emergency, for the protection of life or property, a vessel may deviate from a vessel movement requirement in this subpart without clearance from a manned deepwater port's person in charge of vessel operations if the master advises the port person in charge of the reasons for the deviation at the earliest possible moment.

### Subpart E—Cargo Transfer Operations

#### § 150.400 What does this subpart do?

This subpart prescribes rules that apply to the transfer of oil or natural gas at a deepwater port.

#### § 150.405 How must a cargo transfer system be tested and inspected?

(a) No person may transfer oil or natural gas through a cargo transfer system (CTS) at a deepwater port unless it has been inspected and tested according to this section.

(b) The single point mooring (SPM)–CTS must be maintained as required by the design standards used to comply with § 149.650 of this chapter.

(c) If the manufacturer's maximum pressure rating for any cargo transfer hose in a SPM–CTS has been exceeded, unless it was exceeded for testing required by this section, the hose must be:

- (1) Removed;
- (2) Hydrostatically tested to 1.5 times its maximum working pressure for oil,

or 1.1 times its maximum working pressure for natural gas; and

(3) Visually examined externally and internally for evidence of:

- (i) Leakage;
- (ii) Loose covers;
- (iii) Kinks;
- (iv) Bulges;
- (v) Soft spots; and
- (vi) Gouges, cuts, or slashes that penetrate the hose reinforcement.

(d) Each submarine hose used in cargo transfer operations in an SPM-CTS must have been removed from its coupling, surfaced, and examined as described in paragraphs (c)(2) and (c)(3) of this section, within the preceding 2 years for oil, or 15 months for natural gas; and

(e) Before resuming cargo transfer operations, each submarine hose in an SPM-CTS must be visually examined in place as described in paragraph (c)(3) of this section after cargo transfer operations are shut down due to sea conditions at the deepwater port.

**§ 150.420 What actions must be taken when cargo transfer equipment is defective?**

When any piece of equipment involved in oil or natural gas transfer equipment is defective:

(a) The piece of equipment must be replaced or repaired before making any further cargo transfers; and

(b) The repaired or replaced piece must meet or exceed its original specifications. Repairs must be conducted in accordance with the port's maintenance program outlined in the operations manual, and that program must provide for the repair of natural gas transfer hoses in accordance with § 127.405 of this chapter.

**§ 150.425 What are the requirements for transferring cargo?**

Cargo transfer procedures must be outlined in the deepwater port operations manual and must provide:

(a) Oil transfer procedures that accord with § 156.120 of this chapter; and

(b) Natural gas transfer procedures that accord with §§ 127.315, 127.317 and 127.319 of this chapter.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

**§ 150.430 What are the requirements for a declaration of inspection?**

(a) No person may transfer cargo from a tanker to a manned deepwater port unless a declaration of inspection complying with § 156.150(c) for oil, or § 127.317 for natural gas, of this chapter has been filled out and signed by the vessel's officer in charge of cargo transfer and the person in charge (PIC) of cargo transfer for the deepwater port.

(b) Before signing a declaration of inspection, the vessel's officer in charge of cargo transfer must inspect the tanker, and the PIC of cargo transfer for the deepwater port must inspect the deepwater port. They must indicate, by initialing each item on the declaration of inspection form, that the tanker and deepwater port comply with § 156.150 for oil, or § 127.317 for natural gas, of this chapter.

**§ 150.435 When are cargo transfers not allowed?**

No person may transfer cargo at a deepwater port:

(a) When the person in charge (PIC) of cargo transfer is not on duty at the deepwater port;

(b) During an electrical storm in the deepwater port's vicinity;

(c) During a fire at the port, at the onshore receiving terminal, or aboard a vessel berthed at the port, unless the PIC of cargo transfer determines that a cargo transfer should be resumed as a safety measure;

(d) When a leak develops so that a sufficient quantity of product accumulates in the cargo containment underneath the manifold or piping;

(e) When there are not enough personnel nor equipment at the port dedicated to contain and remove the discharge or perform the emergency response functions as required in the port's response plan under part 154 for oil, or emergency plan under part 127 for natural gas, of this chapter;

(f) Whenever the emergency shutdown system should have activated but failed to;

(g) By lighterage, except in bunkering operations, unless otherwise authorized by the Sector Commander, or MSU Commander, with COTP and OCM authority ;

## § 150.440

(h) When the weather at the port does not meet the minimum operating conditions for cargo transfers as defined in the port's operations manual; or

(i) When prescribed by the deepwater port security plan under heightened security conditions at the deepwater port or its adjacent areas, or on vessels calling on or serving the deepwater port.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

### **§ 150.440 How may the Sector Commander, or MSU Commander, with COTP and OCMI authority order suspension of cargo transfers?**

(a) In case of emergency, the Sector Commander, or MSU Commander, with COTP and OCMI authority may order the suspension of cargo transfers at a deepwater port to prevent the discharge, or threat of discharge, of oil or natural gas, or to protect the safety of life and property.

(b) An order of suspension may be made effective immediately.

(c) The order of suspension must state the reasons for the suspension.

(d) The licensee may petition the District Commander to reconsider the order of suspension. The petition must be in writing, unless the order of suspension takes effect immediately, in which case the petition may be made by any means, but the petition does not delay the effective date of the suspension. The decision of the District Commander is considered a final agency action.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

### **§ 150.445 When is oil in a single point mooring-oil transfer system (SPM-OTS) displaced with water?**

(a) The oil in an SPM-OTS must be displaced with water, and the valve at the pipeline end manifold must be closed whenever:

(1) A storm warning forecasts weather conditions that will exceed the design operating criteria listed in the operations manual for the SPM-OTS;

(2) A vessel is about to depart the SPM because of storm conditions; or

## 33 CFR Ch. I (7-1-25 Edition)

(3) The SPM is not scheduled for use in an oil transfer operation within the next 7 days.

(b) The requirement in paragraph (a) of this section is waived if port officials can demonstrate to the Sector Commander, or MSU Commander, with COTP and OCMI authority that a satisfactory alternative means of safely securing all cargo transfer hoses can be implemented in the event of severe weather conditions.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

## **Subpart F—Emergency and Specialty Equipment**

### **§ 150.500 What does this subpart do?**

This subpart concerns requirements for maintenance, repair, and operational testing of emergency and specialty equipment at a deepwater port.

#### **MAINTENANCE AND REPAIR**

### **§ 150.501 How must emergency equipment be maintained and repaired?**

All lifesaving, firefighting, and other emergency equipment at a deepwater port, including additional equipment not required to be on board the deepwater port, must be maintained in good working order and repaired according to the deepwater port's planned maintenance program and the requirements outlined in this subpart.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

#### **LIFESAVING EQUIPMENT (GENERAL)**

### **§ 150.502 What are the maintenance and repair requirements for lifesaving equipment?**

(a) Each deepwater port must have on board, or in the operator's principal office in the case of an unmanned port, the manufacturer's instructions for performing onboard maintenance and repair of the port's lifesaving equipment. The instructions must include the following for each item of equipment, as applicable:

(1) Instructions for maintenance and repair;

## Coast Guard, DHS

## § 150.505

(2) A checklist for use when carrying out the monthly inspections required under § 150.513 of this part;

(3) A schedule of periodic maintenance;

(4) A diagram of lubrication points with the recommended lubricants;

(5) A list of replaceable parts;

(6) A list of spare parts sources; and

(7) A log for records of inspections and maintenance.

(b) In lieu of the manufacturer's instructions required under paragraph (a) of this section, the deepwater port may have its own onboard planned maintenance program for maintenance and repair that is equivalent to the procedures recommended by the equipment manufacturer.

(c) The deepwater port must designate a person in charge of ensuring that maintenance and repair is carried out in accordance with the instructions required in paragraph (a) of this section.

(d) If deficiencies in the maintenance or condition of lifesaving equipment are identified, the Sector Commander, or MSU Commander, with COTP and OCMI authority may review the instructions under paragraph (a) of this section and require appropriate changes to the instructions or operations to provide for adequate maintenance and readiness of the equipment.

(e) When lifeboats, rescue boats, and liferafts are not fully operational because of ongoing maintenance or repairs, there must be a sufficient number of fully operational lifeboats and liferafts available for use to accommodate all persons on the deepwater port.

(f) Except in an emergency, repairs or alterations affecting the performance of lifesaving equipment must not be made without notifying the Sector Commander, or MSU Commander, with COTP and OCMI authority in advance. The person in charge must report emergency repairs or alterations to lifesaving equipment to the Sector Commander, or MSU Commander, with COTP and OCMI authority, as soon as practicable.

(g) The person in charge must ensure that spare parts and repair equipment are provided for each lifesaving appli-

ance and component subject to excessive wear or consumption.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

### LAUNCHING APPLIANCES

#### **§ 150.503 What are the time interval requirements for maintenance on survival craft falls?**

(a) Each fall used in a launching device for survival craft or rescue boats must be turned end-for-end at intervals of not more than 30 months.

(b) Each fall must be replaced by a new fall when deteriorated, or at intervals of not more than 5 years, whichever is earlier.

(c) A fall that cannot be turned end-for-end under paragraph (a) of this section must be carefully inspected between 24 and 30 months after its installation. If the inspection shows that the fall is faultless, the fall may be continued in service up to 4 years after its installation. It must be replaced by a new fall 4 years after installation.

#### **§ 150.504 When must the operator service and examine lifeboat and rescue boat launching appliances?**

(a) The operator must service launching appliances for lifeboats and rescue boats at intervals recommended in the manufacturer's instructions under § 150.502(a), or according to the deepwater port's planned maintenance program under § 150.502(b).

(b) The operator must thoroughly examine launching appliances for lifeboats and rescue boats at intervals of not more than 5 years. Upon completion of the examination, the operator must subject the winch brakes of the launching appliance to a dynamic test.

#### **§ 150.505 When must the operator service and examine lifeboat and rescue boat release gear?**

(a) The operator must service lifeboat and rescue boat release gear at intervals recommended in the manufacturer's instructions under § 150.502(a), or according to the deepwater port's planned maintenance program under § 150.502(b).

(b) The operator must subject lifeboat and rescue boat release gear to a thorough examination at each annual



## § 150.506

self-certification inspection by personnel trained in examining the gear.

### INFLATABLE LIFESAVING APPLIANCES

#### § 150.506 When must the operator service inflatable lifesaving appliances and marine evacuation systems?

(a) The operator must service each inflatable lifejacket, hybrid inflatable lifejacket, and marine evacuation system at 1-year intervals after its initial packing. The operator may delay the servicing for up to 5 months to meet the next scheduled inspection of the deepwater port.

(b) The operator must service each inflatable liferaft no later than the month and year on its servicing sticker under 46 CFR 160.151–57(m)(3)(ii), except that the operator may delay servicing by up to 5 months to meet the next scheduled inspection of the deepwater port. The operator must also service each inflatable liferaft:

- (1) Whenever the container of the raft is damaged; or
- (2) Whenever the container straps or seals are broken.

#### § 150.507 How must the operator service inflatable lifesaving appliances?

(a) The operator must service each inflatable liferaft according to 46 CFR subpart 160.151.

(b) The operator must service each inflatable lifejacket according to 46 CFR subpart 160.176.

(c) The operator must service each hybrid inflatable lifejacket according to the owner's manual and the procedures in 46 CFR subpart 160.077.

#### § 150.508 What are the maintenance and repair requirements for inflatable rescue boats?

The operator must perform the maintenance and repair of inflatable rescue boats according to the manufacturer's instructions.

### OPERATIONAL TESTS AND INSPECTIONS (GENERAL)

#### § 150.509 How must emergency equipment be tested and inspected?

All lifesaving, firefighting, and other emergency equipment at a deepwater port must be tested and inspected under this subpart.

## 33 CFR Ch. I (7–1–25 Edition)

#### § 150.510 How must tested emergency equipment be operated?

The equipment must be operated under the operating instructions of the equipment's manufacturer when tests or inspections include operational testing of emergency equipment.

#### § 150.511 What are the operational testing requirements for lifeboat and rescue boat release gear?

(a) Lifeboat and rescue boat release gear must be operationally tested under a load of 1.1 times the total mass of the lifeboat or rescue boat when loaded with its full complement of persons and equipment.

(b) The test must be conducted whenever the lifeboat, rescue boat, or its release gear is overhauled, or at least once every 5 years.

(c) The Sector Commander, or MSU Commander, with COTP and OCMI authority may consider alternate operational test procedures to those under paragraph (a) of this section.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39182, July 1, 2013]

### FREQUENCY OF TESTS AND INSPECTIONS

#### § 150.512 What occurs during the weekly tests and inspections?

The required weekly tests and inspections of lifesaving equipment are as follows:

(a) The operator must visually inspect each survival craft, rescue boat, and launching device to ensure its readiness for use;

(b) The operator must test the general alarm system; and

(c) The operator must test for readiness of the engine, starting device, and communications equipment of each lifeboat and rescue boat according to the manufacturer's instructions.

#### § 150.513 What occurs during the monthly tests and inspections?

(a) The operator must inspect each item of lifesaving equipment under § 150.502(b) of this subpart monthly, to ensure that the equipment is complete and in good order. The operator must keep on the deepwater port, or in the operator's principal office in the case

## Coast Guard, DHS

## § 150.519

of an unmanned deepwater port, a report of the inspection that includes a statement as to the condition of the equipment, and make the report available for review by the Coast Guard.

(b) The operator must test, on a monthly basis, each emergency position indicating radio beacon (EPIRB) and each search and rescue transponder (SART), other than an EPIRB or SART in an inflatable liferaft. The operator must test the EPIRB using the integrated test circuit and output indicator to determine whether the EPIRB is operational.

### § 150.514 What are the annual tests and inspections?

At least annually, the operator must:

(a) Strip, clean, thoroughly inspect, and, if needed, repair each lifeboat, rescue boat, and liferaft. At that time, the operator must also empty, clean, and refill each fuel tank with fresh fuel;

(b) Thoroughly inspect and, if needed, repair each davit, winch, fall, and other launching device;

(c) Check all lifesaving equipment and replace any item that is marked with an expiration date that has passed;

(d) Check all lifesaving equipment batteries and replace any battery that is marked with an expiration date that has passed; and

(e) Replace any battery that is not marked with an expiration date if that battery is used in an item of lifesaving equipment, except for a storage battery used in a lifeboat or rescue boat.

(f) The requirements in this section do not relieve the person in charge of the requirement to keep the equipment ready for immediate use.

### WEIGHT TESTING

### § 150.515 What are the requirements for weight testing of newly installed or relocated craft?

(a) The operator must perform installation weight testing, using the procedure outlined in 46 CFR 199.45(a)(1) on each new lifeboat, rescue boat, and davit-launched liferaft system.

(b) The operator must conduct installation weight tests, according to paragraph (a) of this section, when survival crafts are relocated to another deepwater port.

### § 150.516 What are the periodic requirements for weight testing?

The operator must weight test, using the procedure outlined in 46 CFR 199.45(a)(1), each lifeboat, davit-launched liferaft, and rescue boat every time a fall is replaced or turned end-for-end.

### § 150.517 How are weight tests supervised?

(a) The installation and periodic tests required by §§ 150.515 and 150.516 of this subpart must be supervised by a person familiar with lifeboats, davit-launched liferafts, rescue boats, and with the test procedures under those sections.

(b) The person supervising the tests must attest, in writing, that the tests have been performed according to Coast Guard regulations. The operator must keep a copy of the supervisor's attesting statement on board the deepwater port, or in the operator's principal office in the case of an unmanned deepwater port, and make it available to the Sector Commander, or MSU Commander, with COTP and OCMI authority.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

### PERSONAL SAFETY GEAR

### § 150.518 What are the inspection requirements for work vests and immersion suits?

(a) All work vests and immersion suits must be inspected by the owner or operator pursuant to § 150.105 of this part to determine whether they are in serviceable condition.

(b) If a work vest or immersion suit is inspected and is in serviceable condition, then it may remain in service. If not, then it must be removed from the deepwater port.

### EMERGENCY LIGHTING AND POWER SYSTEMS

### § 150.519 What are the requirements for emergency lighting and power systems?

(a) The operator must test and inspect the emergency lighting and power systems at least once a week to

## § 150.520

determine if they are in proper operating condition. If they are not in proper operating condition, then the operator must repair or replace their defective parts.

(b) The operator must test, under load, each emergency generator driven by an internal combustion engine that is used for an emergency lighting and power system at least once per month for a minimum of 2 hours.

(c) The operator must test each storage battery for the emergency lighting and power systems at least once every 6 months to demonstrate the ability of the batteries to supply the emergency loads for an 8-hour period. The operator must follow the manufacturer's instructions in performing the battery test to ensure the batteries are not damaged during testing.

### FIRE EXTINGUISHING EQUIPMENT

#### § 150.520 When must fire extinguishing equipment be tested and inspected?

The operations manual must specify how and when the operator will test and inspect each portable fire extinguisher, semi-portable fire extinguisher, and fixed fire extinguishing system. These specifications must accord with 46 CFR 31.10-18.

#### § 150.521 What records are required?

(a) The operator must maintain a record of each test and inspection under § 150.520 of this part on the deepwater port, or in the operator's principal office in the case of an unmanned deepwater port, for at least 2 years.

(b) The record must show:

(1) The date of each test and inspection;

(2) The number or other identification of each fire extinguisher or system tested or inspected; and

(3) The name of the person who conducted the test or inspection and the name of the company that person represents.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

## 33 CFR Ch. I (7-1-25 Edition)

### MISCELLANEOUS OPERATIONS

#### § 150.530 What may the fire main system be used for?

The fire main system may be used only for firefighting and deck washing, unless it is capable of being isolated and can provide the applicable minimum pressures required in § 149.416 of this chapter.

#### § 150.531 How many fire pumps must be kept ready for use at all times?

At least one of the fire pumps required by this subchapter must be kept ready for use at all times.

#### § 150.532 What are the requirements for connection and stowage of fire hoses?

(a) At least one length of fire hose, with a combination nozzle, must be connected to each fire hydrant at all times. If it is exposed to the weather, the fire hose may be removed from the hydrant during freezing weather.

(b) When not in use, a fire hose connected to a fire hydrant must be stowed on a hose rack.

(c) The hydrant nearest the edge of a deck must have enough fire hose length connected to it to allow 10 feet of hose, when pressurized, to curve over the edge.

#### § 150.540 What are the restrictions on fueling aircraft?

If the deepwater port is not equipped with a permanent fueling facility, the Sector Commander, or the MSU Commander with COTP and OCM authority's approval is necessary before aircraft may be fueled at the port.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

#### § 150.550 What are the requirements for the muster list?

(a) A muster list must be posted on each pumping platform complex.

(b) The muster list must:

(1) List the name and title of each person, in order of succession, who is the person in charge of the pumping platform complex for purposes of supervision during an emergency;

(2) List the special duties and duty stations for each person on the pumping platform complex, in the event of an emergency that requires the use of equipment covered by part 149 of this chapter; and

(3) Identify the signals for calling persons to their emergency stations and for abandoning the pumping platform complex.

**§ 150.555 How must cranes be maintained?**

Cranes must be operated, maintained, and tested in accordance with 46 CFR part 109, subpart F.

**Subpart G—Workplace Safety and Health**

**§ 150.600 What does this subpart do?**

This subpart sets safety and health requirements for the workplace on a deepwater port.

**SAFETY AND HEALTH (GENERAL)**

**§ 150.601 What are the safety and health requirements for the workplace on a deepwater port?**

(a) Each operator of a deepwater port must ensure that the port complies with the requirements of this subpart, and must ensure that all places of employment within the port are:

(1) Maintained in compliance with workplace safety and health regulations of this subpart; and

(2) Free from recognized hazardous conditions.

(b) Persons responsible for actual operations, including owners, operators, contractors, and subcontractors must ensure that those operations subject to their control are:

(1) Conducted in compliance with workplace safety and health regulations of this subpart; and

(2) Free from recognized hazardous conditions.

(c) The term “recognized hazardous conditions,” as used in this subpart, means conditions that are:

(1) Generally known among persons in the affected industry as causing, or likely to cause, death or serious physical harm to persons exposed to those conditions; and

(2) Routinely controlled in the affected industry.

**§ 150.602 What occupational awareness training is required?**

(a) Each deepwater port operator must ensure that all deepwater port personnel are provided with information and training on recognized hazardous conditions in their workplace, including, but not limited to, electrical, mechanical, and chemical hazards. Specific required training topics are outlined in § 150.15(w) of this part.

(b) As an alternative to compliance with the specific provisions of this subpart, an operator may provide, for workplace safety and health, the implementation of an approved, port-specific safety and environmental management program (SEMP). Operators should consult with the Commandant (CG-5P) in preparing an SEMP. Five copies of a proposed SEMP must be submitted to the Commandant for evaluation. The Commandant may consult with the local Sector Commander, or with the local MSU Commander, with COTP and OCMI authority, and will approve the SEMP if he or she finds that the SEMP provides at least as much protection of workplace safety and health as do the specific provisions of this subpart.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39182, July 1, 2013]

**§ 150.603 What emergency response training is required?**

The requirements for emergency response training must be outlined in the deepwater port operations manual.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

**§ 150.604 Who controls access to medical monitoring and exposure records?**

If medical monitoring is performed or exposure records are maintained by an employer, the owner, operator, or person in charge must establish procedures for access to these records by personnel.

## § 150.605

### **§ 150.605 What are the procedures for reporting a possible workplace safety or health violation at a deepwater port?**

Any person may notify the Sector Commander, or the MSU Commander, with COTP and OCMI authority verbally or in writing of:

- (a) A possible violation of a regulation in this part; or
- (b) A hazardous or unsafe working condition on any deepwater port.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

### **§ 150.606 After learning of a possible violation, what does the Sector Commander, or the MSU Commander, with COTP and OCMI authority do?**

After reviewing the information received under §150.605 of this part, and conducting any necessary investigation, the Sector Commander, or the MSU Commander, with COTP and OCMI authority notifies the owner or operator of any deficiency or hazard and initiates enforcement measures as the circumstances warrant. The identity of any person making a report of a violation will remain confidential, except to the extent necessary for the performance of official duties or as agreed to by the person.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

#### GENERAL WORKPLACE CONDITIONS

### **§ 150.607 What are the general safe working requirements?**

(a) All equipment, including machinery, cranes, derricks, portable power tools, and, most importantly, safety gear must be used in a safe manner and in accordance with the manufacturer's recommended practice, unless otherwise stated in this subchapter.

(b) All machinery and equipment must be maintained in proper working order or removed.

## 33 CFR Ch. I (7-1-25 Edition)

#### PERSONAL PROTECTIVE EQUIPMENT

### **§ 150.608 Who is responsible for ensuring that the personnel use or wear protective equipment and are trained in its use?**

(a) Each deepwater port operator must ensure that all personnel wear personal protective equipment when within designated work areas.

(b) Each deepwater port operator must ensure that:

(1) All personnel engaged in the operation are trained in the proper use, limitations, and maintenance of the personal protective equipment specified by this subpart;

(2) The equipment is maintained and used or worn as required by this subpart; and

(3) The equipment is made available and on hand for all personnel engaged in the operation.

#### EYES AND FACE

### **§ 150.609 When is eye and face protection required?**

The operator must provide eye and face protectors for the use of persons engaged in or observing activities where damage to the eye is possible, such as welding, grinding, machining, chipping, handling hazardous materials, or burning or cutting acetylene. These eye and face protectors must be:

(a) Properly marked and in compliance with the requirements of 29 CFR 1910.133; and

(b) Maintained in good condition or replaced when necessary.

### **§ 150.610 Where must eyewash equipment be located?**

Portable or fixed eyewash equipment providing emergency relief must be immediately available near any area where there is a reasonable probability that eye injury may occur.

#### HEAD

### **§ 150.611 What head protection is required?**

The deepwater port operator must ensure that where there is a reasonable probability of injury from falling objects or contact with electrical conductors, personnel working or visiting

## Coast Guard, DHS

## § 150.617

such an area wear head protectors designed to protect them against such injury and complying with 29 CFR 1910.135.

### FEET

#### § 150.612 What footwear is required?

The deepwater port operator must ensure that while personnel are working in an area, or engaged in activities, where there is a reasonable probability for foot injury to occur, they wear footwear that complies with 29 CFR 1910.136, except for when environmental conditions exist that present a hazard greater than that against which the footwear is designed to protect.

### NOISE AND HEARING PROTECTION

#### § 150.613 What are the requirements for a noise monitoring and hearing protection survey?

(a) The deepwater port operator must measure noise and provide hearing protection in accordance with 29 CFR 1910.95.

(b) The initial noise survey for a deepwater port must be completed within one year of beginning operations.

### CLOTHING

#### § 150.614 When is protective clothing required?

The deepwater port operator must ensure that personnel exposed to flying particles, radiant energy, heavy dust, or hazardous materials wear clothing and gloves that protect against the hazard involved.

### ELECTRICAL

#### § 150.615 What safe practices are required?

(a) The deepwater port operator must ensure that before personnel begin work that might expose them to an electrical charge, they turn off the electricity, unless doing so is not feasible.

(b) The deepwater port operator must ensure that personnel turning off equipment pursuant to paragraph (a) of this section follow the lockout or tagging procedures specified in 29 CFR

1910.147, and in §§ 150.616 and 150.617 of this part.

(c) The deepwater port operator must ensure that, to prevent electrical shock, personnel receive training in electrical, safety-related work practices in the area of the work they perform, including the use of electrical personal protective equipment appropriate to protect against potential electrical hazards.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

### LOCKOUT/TAGOUT

#### § 150.616 What are the requirements for lockout?

The deepwater port operator must ensure that, if electrical, hydraulic, mechanical, or pneumatic equipment does not need to be powered during the work described in § 150.615(a) of this part, and has a lockout or other device to prevent the equipment from being turned on unintentionally, that the lockout or other device is activated.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

#### § 150.617 What are the requirements for tagout?

(a) The deepwater port operator must ensure that, before work takes place on equipment that is disconnected from the power source, a tag complying with this section is placed at the location where the power is disconnected. The operator must ensure that, if there is a control panel for the equipment in line between the equipment and the location where the power is disconnected, a tag complying with this section is also placed on the control panel.

(b) Each tag or sign must have words stating:

(1) That equipment is being worked on;

(2) That power must not be restored or the equipment activated; and

(3) The name of the person who placed the tag.

(c) Only the person who placed the tag, that person's immediate supervisor, or the relief person of either, is authorized to remove the tag.

## § 150.618

### RESPIRATORY PROTECTION

#### **§ 150.618 What are the requirements for respiratory protection?**

(a) The deepwater port operator must ensure that respiratory protection measures are taken in compliance with 29 CFR 1910.134 including establishment of a formal respiratory protection program.

(b) The deepwater port operator must ensure that measures for protection from exposure to asbestos are taken in compliance with 29 CFR 1910.1001.

(c) The deepwater port operator must ensure that measures for protection from exposure to inorganic lead are taken in compliance with 29 CFR 1910.1025.

### FALL ARREST

#### **§ 150.619 What are the fall arrest system requirements?**

(a) The deepwater port operator must ensure that all personnel who are exposed to the risk of falling more than 6 feet, or who are at risk of falling any distance onto equipment with irregular surfaces, exposed moving components, electrically energized cables or connectors, or water, are protected against such a fall by guardrails or other measures that comply with 29 CFR 1910.23 or 1910.28, or by the use of suitable life-saving equipment that complies with 46 CFR part 160.

(b) In addition, the operator must take measures to control the risk of falling, tripping, or slipping in work areas and walkways due to the presence of loose material or wet conditions, including spills.

### MACHINE GUARDS

#### **§ 150.620 What are the requirements for protecting personnel from machinery?**

The deepwater port operator must ensure that all personnel are protected from the risks created by operating machinery through the use of guard devices or other measures that comply with 29 CFR 1910.212, or through the use of conspicuously posted warning signs that comply with § 150.626 of this part.

## 33 CFR Ch. I (7–1–25 Edition)

### SLINGS

#### **§ 150.621 What are the requirements for slings?**

The use of slings for handling material must comply with the requirements of 29 CFR 1910.184.

### WARNING SIGNS

#### **§ 150.622 What are the warning sign requirements?**

The construction and use of warning signs must be in compliance with 29 CFR 1910.144 and 1910.145.

### CONFINED SPACE SAFETY

#### **§ 150.623 What are the requirements for protecting personnel from hazards associated with confined spaces?**

(a) All personnel must be protected by suitable measures from inadvertently entering a confined space containing a hazardous atmosphere that can cause death or serious injury.

(b) Each deepwater port operator must evaluate the specific hazards associated with entering the port's confined spaces, and develop a confined space safe entry program that complies with:

(1) 29 CFR 1910.146 for permit-required confined spaces, where applicable; and

(2) A national consensus standard, as that term is defined in 29 CFR 1910.2, or that is set by a nationally recognized testing laboratory as defined in 29 CFR 1910.7 and that provides levels of personnel protection at least equivalent to those provided for shipyard personnel by 29 CFR part 1915, subpart B.

(c) To implement the confined space safe entry program, the deepwater port operator must determine the education, training, and experience needed by the designated competent persons to safely conduct their duties, including:

(1) Identification, testing, and certification of confined spaces; and

(2) Training of personnel regarding dangers.

(d) These measures must be specified in the port operations manual, along with a list of all confined spaces on the

## Coast Guard, DHS

## § 150.628

port, describing the specific hazards associated with each such space.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39183, July 1, 2013]

### BLOOD-BORNE PATHOGENS

#### **§ 150.624 What are the requirements for protecting personnel from blood-borne pathogens?**

Measures for protection from the dangers of blood-borne pathogens must be taken in compliance with 29 CFR 1910.1030.

### HAZARD COMMUNICATION PROGRAM

#### **§ 150.625 What must the hazard communication program contain?**

(a) Each deepwater port must have a hazard communication program available for the training of, and review by, all personnel on the deepwater port.

(b) The program must be in writing and describe or include:

(1) An inventory of each hazardous material on the deepwater port;

(2) The potential hazards of the material;

(3) The material's intended use on the deepwater port;

(4) The methods for handling and storing the material;

(5) The protective measures and equipment used to avoid hazardous exposure;

(6) The labeling, marking, or tagging of the material;

(7) The special precautions, such as lockout and tagout under §§150.616 and 150.617 of this part, that should be emphasized when working around the material;

(8) Information and training required for personnel on board the deepwater port; and

(9) A material safety data sheet for the material.

(c) The information on a material safety data sheet itself may be used by the employer as a tool for educating employees about the hazards posed by the material, provided the employees acknowledge and can demonstrate appropriate precautionary measures to minimize risk to health and safety.

(d) The program must be supplemented as necessary to address each

hazardous material newly introduced on the deepwater port.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39183, July 1, 2013]

#### **§ 150.626 What is the hazard communication program used for?**

(a) The hazard communication program must ensure that all deepwater port employees, when required by their duties, work safely and responsibly with hazardous materials.

(b) The person in charge for safety must ensure that, before a person is allowed to work at the deepwater port:

(1) A copy of the hazard communication program is made available to the person; and

(2) The person is trained in the information contained in the program.

(c) The training must be supplemented to address each hazardous material newly introduced on the deepwater port.

#### **§ 150.627 Must material safety data sheets be available to all personnel?**

(a) The person in charge must ensure that a material safety data sheet (MSDS) for each hazardous material on the fixed or floating deepwater port is made available to all personnel on the port.

(b) Each MSDS must contain at least information on the use, proper storage, potential hazards, and appropriate protective and response measures to be taken when exposed to or handling the material.

#### **§ 150.628 How must the operator label, tag, and mark a container of hazardous material?**

The operator must label, tag, or mark each container of hazardous material with the identity of the hazardous material and the appropriate physical, health, reactive and other special condition hazard warnings. The only exception is for portable containers that transfer hazardous material from a labeled container to the work site for immediate use by the person who performs the transfer.



**Subpart H—Aids to Navigation**

**§ 150.700 What does this subpart do?**

This subpart provides requirements for the operation of aids to navigation at a deepwater port.

**§ 150.705 What are the requirements for maintaining and inspecting aids to navigation?**

(a) All aids to navigation must be maintained in proper operating condition at all times.

(b) The Coast Guard may inspect all aids to navigation at any time without notice.

**§ 150.710 What are the requirements for supplying power to aids to navigation?**

The power of all navigation aids must be maintained, at all times, at or above the level recommended by the equipment's manufacturer.

**§ 150.715 What are the requirements for lights used as aids to navigation?**

(a) Each light under part 149, subpart E of this chapter, used as a navigation aid on a deepwater port, must be lit continuously from sunset to sunrise.

(b) During construction, a platform or single point mooring, if positioned on the surface or within the net under keel depth for tankers transiting within the safety zone, must be marked with at least one of the following:

(1) The obstruction lights required for the structure in part 149, subpart E of this chapter;

(2) The fixed lights of a vessel attending the structure; or

(3) The general illumination lights on the structure, if they meet or exceed the intensity required for obstruction lights required for the structure.

(c) The focal plane of each obstruction light and lit rotating beacon must always coincide with the horizontal plane that passes through the light source.

**§ 150.720 What are the requirements for sound signals?**

The sound signal on each pumping platform complex must be operated whenever the visibility in any horizontal direction from the structure is

less than 5 miles. If the platform is under construction, this requirement may be met by the use of a 2-second whistle blast, made every 20 seconds by a vessel moored at the platform.

**Subpart I—Reports and Records**

**§ 150.800 What does this subpart do?**

This subpart concerns reports and records that the licensee must keep and submit.

REPORTS

**§ 150.805 What reports must be sent both to a classification society and to the Coast Guard?**

The licensee must submit to the Sector Commander, or to the MSU Commander, with COTP and OCMI authority a copy of each report submitted to an authorized classification society, as defined in 46 CFR 8.100, for maintenance of a single point mooring's class under the rules of that society.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

**§ 150.810 Reporting a problem with an aid to navigation.**

(a) Any problem affecting the operation or characteristics of a navigation aid at the deepwater port must be reported to the District Commander by the fastest means available. The report must identify:

(1) The navigation aid affected;

(2) The aid's location;

(3) The nature of the problem; and

(4) The estimated repair time.

(b) When the problem is corrected, the District Commander must be notified.

**§ 150.812 What is the purpose of reporting casualties on deepwater ports?**

The Coast Guard, upon receipt of a reported marine casualty on a deepwater port, as outlined in § 150.815 of this part, will conduct an investigation to determine the cause of the incident and to take appropriate measures to promote safety of life and property. The Coast Guard investigator will follow the procedures outlined in 46 CFR

## Coast Guard, DHS

## § 150.825

subpart 4.07 in conducting the investigation.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

### § 150.815 How must casualties be reported?

(a) Immediately after aiding the injured and stabilizing the situation, the owner, operator, or person in charge of a deepwater port must notify the nearest Sector, Marine Safety Unit, or other Coast Guard unit of each event on, or involving, the deepwater port that results in one or more of the following:

- (1) Loss of life;
- (2) An injury that requires professional medical treatment beyond first aid and, if the person is engaged or employed on the deepwater port, that renders the individual unfit to perform his or her routine duties;
- (3) Impairment of the port's operations or primary lifesaving or fire-fighting equipment; or
- (4) Property damage in excess of \$100,000, including damage resulting from a vessel or aircraft striking the port. This amount includes the cost of labor and material to restore all affected items, including, but not limited to, restoring the port and the vessel or aircraft to their condition before the damage. This amount does not include the cost of salvage, cleaning, gas freeing, dry-docking, or demurrage of the port, vessel, or aircraft.

(b) The notice under paragraph (a) of this section must identify the following:

- (1) The deepwater port involved;
- (2) The owner, operator, or person in charge of the port;
- (3) The nature and circumstances of the event; and
- (4) The nature and extent of the injury and damage resulting from the event.

(c) The operator will ensure that the report contains the information pertinent to Outer Continental Shelf operations as outlined in part 140 of this chapter when the deepwater port is co-

located on a facility regulated by the Bureau of Ocean Energy Management.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2011-0257, 76 FR 31837, June 2, 2011; USCG-2013-0397, 78 FR 39183, July 1, 2013]

### § 150.820 When must a written report of casualty be submitted, and what must it contain?

(a) In addition to the notice of casualty under § 150.815 of this part, the owner, operator, or person in charge of a deepwater port must submit a written report of the event to the nearest Sector Commander, or the nearest MSU Commander, with COTP and OCMI authority within 5 days of the casualty notice. The report may be on Form 2692, Report of Marine Accident, Injury, or Death, or in narrative form if it contains all of the applicable information requested in Form 2692. Copies of Form 2692 are available from the Sector Commander, or from the MSU Commander, with COTP and OCMI authority.

(b) The written report must also include the information relating to alcohol and drug involvement specified by 46 CFR 4.05-12. The deepwater port operator will ensure compliance with the chemical testing procedures outlined in 46 CFR part 16.

(c) If filed immediately after the event, the written report required by paragraph (a) of this section serves as the notice required under § 150.815 of this part.

(d) The operator will ensure that the written report is provided to the nearest Bureau of Ocean Energy Management (BOEM) office when the deepwater port is co-located with a BOEM-regulated facility.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2011-0257, 76 FR 31837, June 2, 2011; USCG-2013-0397, 78 FR 39183, July 1, 2013]

### § 150.825 Reporting a diving-related casualty.

Deaths and injuries related to diving within the safety zone of a deepwater port must be reported according to 46

## **§ 150.830**

CFR 197.484 and 197.486, rather than to §§ 150.815 and 150.820 of this part.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

### **§ 150.830 Reporting a pollution incident.**

Oil pollution incidents involving a deepwater port are reported according to §§ 135.305 and 135.307 of this chapter.

### **§ 150.835 Reporting sabotage or subversive activity.**

The owner, operator, or person in charge of a deepwater port must immediately report to the Sector Commander, or the MSU Commander, with COTP and OCMI authority, by the fastest possible means, any evidence of sabotage or subversive activity against any vessel at the deepwater port or against the deepwater port itself.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

## **RECORDS**

### **§ 150.840 What records must be kept?**

(a) The licensee must keep copies at the deepwater port of the reports, records, test results, and operating data required by this part. In the case of unmanned deepwater ports, these copies must be kept at the operator's principal office rather than on the deepwater port.

(b) The copies must be readily available to Coast Guard inspectors.

(c) Except for personnel records under § 150.845 of this part, the copies must be kept for 3 years.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

### **§ 150.845 Personnel records.**

The licensee must keep documentation on the designation and qualification of the supervisory positions, outlined in the port operations manual, that are responsible for the management of the deepwater port. These records must be kept for the life of the deepwater port.

## **33 CFR Ch. I (7-1-25 Edition)**

### **§ 150.850 How long must a declaration of inspection form be kept?**

The licensee must keep signed copies of the declaration of inspection forms required by § 150.430 of this part for one month from the date of signature.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

## **Subpart J—Safety Zones, No Anchoring Areas, and Areas To Be Avoided**

### **§ 150.900 What does this subpart do?**

(a) This subpart provides requirements for the establishment, restrictions, and location of safety zones, no anchoring areas (NAAs), and areas to be avoided (ATBAs) around deepwater ports.

(b) Subpart D of this part, concerning vessel navigation and activities permitted and prohibited at deepwater ports, applies to safety zones, NAAs, ATBAs, and their adjacent waters; and supplements the International Regulations for Preventing Collisions at Sea.

(c) Recommended shipping safety fairways associated with deepwater ports are described in part 166 of this chapter.

### **§ 150.905 Why are safety zones, no anchoring areas, and areas to be avoided established?**

(a) Safety zones, no anchoring areas (NAAs) and areas to be avoided (ATBAs) under this subchapter are established to promote safety of life and property, marine environmental protection, and navigational safety at deepwater ports and adjacent waters.

(b) Safety zones are the only federally regulated navigation areas. They accomplish these objectives by preventing or controlling specific activities, limiting access by vessels or persons, and by protecting the living resources of the sea from harmful agents.

(c) The NAAs and ATBAs are established via the International Maritime Organization (IMO). An NAA, specifically established to protect vessels in transit and sub-surface deepwater port components, will be mandatory. An ATBA will be a recommendatory routing measure.

(d) The sizes of restricted areas will be the minimum size needed to ensure safety, while at the same time considering potential impacts on other activities, including recreational boating, fishing, and Outer Continental Shelf activity.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

**§ 150.910 What installations, structures, or activities are prohibited in a safety zone?**

No installations, structures, or activities that are incompatible with or that present an unacceptable risk to safety of the deepwater port's operations or activity are allowed in the safety zone of a deepwater port.

**§ 150.915 How are safety zones, no anchoring areas, and areas to be avoided established and modified?**

(a) Safety zones are developed and designated during the application process for a deepwater port license, and may be established or modified through rulemaking. Rulemakings will afford prior public notice and comment, except when there is good cause not to do so, for example due to an imminent threat to the safety of life and property.

(b) Before a safety zone, no anchoring area (NAA), or area to be avoided (ATBA) is established, all factors detrimental to safety are considered, including but not limited to:

(1) The scope and degree of the risk or hazard involved;

(2) Vessel traffic characteristics and trends, including traffic volume, the sizes and types of vessels involved, potential interference with the flow of commercial traffic, the presence of any unusual cargoes, and other similar factors;

(3) Port and waterway configurations and variations in local conditions of geography, climate and other similar factors;

(4) The need for granting exemptions for the installation and use of equipment or devices for use with vessel traffic services for certain classes of small vessels, such as self-propelled fishing vessels and recreational vessels;

(5) The proximity of fishing grounds, oil and gas drilling and production operations, or other potential or actual conflicting activity;

(6) Environmental factors;

(7) Economic impact and effects;

(8) Existing vessel traffic services; and

(9) Local practices and customs, including voluntary arrangements and agreements within the maritime community.

(c) The Executive Branch, acting through the Secretary of State and Commandant (CG-5P) proposes NAAs and ATBAs for deepwater ports to the International Maritime Organization (IMO) for approval. The ATBAs will be implemented after IMO approval is granted and announced in an IMO Circular, and after publication of a notice in the FEDERAL REGISTER.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

**§ 150.920 How can I find notice of new or proposed safety zones?**

In addition to documents published in the FEDERAL REGISTER under § 150.915 of this part, the District Commander may provide public notice of new or proposed safety zones by Broadcast Notices to Mariners, Notices to Mariners, Local Notices to Mariners, newspapers, broadcast stations, or other means.

[USCG-1998-3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG-2013-0397, 78 FR 39183, July 1, 2013]

**§ 150.925 How long may a safety zone, no anchoring area, or area to be avoided remain in place?**

A safety zone, no anchoring area, or area to be avoided may go into effect as early as initial delivery of construction equipment and materials to the deepwater port site, and may remain in place until the deepwater port is removed.

**§ 150.930 What datum is used for the geographic coordinates in this subpart?**

The geographic coordinates used in this subpart have been revised to enable plotting using the North American Datum of 1983 (NAD 83) and no longer

§ 150.940

33 CFR Ch. I (7–1–25 Edition)

require the use of any further conversion factors for correction.

[USCG–2007–27887, 72 FR 45903, Aug. 16, 2007]

§ 150.940 Safety zones for specific deepwater ports.

(a) *Louisiana Offshore Oil Port (LOOP)*. (1) The location of the safety zone for LOOP is as described in Table 150.940(A) of this section:

TABLE 150.940(A)—SAFETY ZONE FOR LOOP, GULF OF AMERICA

Plotting guidance	Latitude N	Longitude W
(i) Starting at .....	28°55'24"	90°00'37"
(ii) A rhumb line to: .....	28°53'51"	90°04'07"
(iii) Then an arc with a 4,465 meter (4,883 yard) radius centered at the deepwater port's pumping platform complex .....	28°53'07"	90°01'30"
(iv) To a point .....	28°51'08"	90°03'06"
(v) Then a rhumb line to .....	28°50'10"	90°02'24"
(vi) Then a rhumb line to .....	28°49'06"	89°55'54"
(vii) Then a rhumb line to .....	28°48'37"	89°55'00"
(viii) Then a rhumb line to .....	28°52'05"	89°52'42"
(ix) Then a rhumb line to .....	28°53'11"	89°53'42"
(x) Then a rhumb line to .....	28°54'53"	89°57'00"
(xi) Then a rhumb line to .....	28°54'53"	89°59'36"
(xii) Then an arc with a 4,465 meter (4,883 yard) radius centered again at the deepwater port's pumping platform complex .....		
(xiii) To the point of starting .....	28°55'24"	90°00'37"

(2) The areas to be avoided within the safety zone are:

(i) The area encompassed within a circle having a 600 meter radius around the deepwater port's pumping platform complex and centered at 28°53'07" N, 90°01'30" W.

(ii) The six areas encompassed within a circle having a 500 meter radius around each single point mooring (SPM) deepwater at the port and centered at:

Latitude N	Longitude W
28°54'13"	90°00'37"
28°53'17"	89°59'59"
28°52'16"	90°00'19"
28°51'46"	90°01'25"
28°52'09"	90°02'33"
28°53'08"	90°03'02"

(3) The anchorage area within the safety zone is an area enclosed by the rhumb lines joining points at:

Latitude N	Longitude W
28°52'22"	89°57'47"
28°54'06"	89°56'38"
28°52'05"	89°52'42"
28°50'21"	89°53'51"

TABLE 150.940(B)—ATBA FOR NEGDWP

Plotting guidance	Latitude N	Longitude W
(i) Starting at .....	42°24'17"	070°35'16"
(ii) A rhumb line to: .....	42°24'35"	070°36'46"

Latitude N	Longitude W
28°52'22"	89°57'47"

(b) *Northeast Gateway Deepwater Port (NEGDWP)*—(1) *Location*. The safety zones for the NEGDWP consist of circular zones, each with a 500-meter radius and centered on each of the deepwater port's two submerged turret loading (STL) buoys. STL Buoy "A" is centered at the following coordinates: 42°23'38" N, 070°35'31" W. STL Buoy "B" is centered at the following coordinates: 42°23'56" N, 070°37'00" W. Each safety zone is located approximately 13 miles south-southeast of the City of Gloucester, Massachusetts, in Federal waters.

(2) *No anchoring areas*. Two mandatory no anchoring areas for NEGDWP are established for all waters within circles of 1,000-meter radii centered on the submerged turret loading buoy positions set forth in paragraph (b)(1) of this section.

(3) *Area to be avoided*. An area to be avoided (ATBA) for NEGDWP is as described in Table 150.940(B):

TABLE 150.940(B)—ATBA FOR NEGDWP—Continued

Plotting guidance	Latitude N	Longitude W
(iii) Then an arc with a 1250 meter radius centered at point .....	42°23'56"	070°37'00"
(iv) To a point .....	42°23'17"	070°37'15"
(v) Then a rhumb line to .....	42°22'59"	070°35'45"
(vi) Then an arc with a 1250 meter radius centered at point .....	42°23'38"	070°35'31"
(vii) To the point of starting .....	42°24'17"	070°35'16"

(4) *Regulations.* (i) In accordance with the general regulations set forth in 33 CFR 165.23 and elsewhere in this part, no person or vessel may enter the waters within the boundaries of the safety zones described in paragraph (b)(1) of this section unless previously authorized by the Captain of the Port (COTP) Boston, or his/her authorized representative.

(ii) Notwithstanding paragraph (b)(4)(i) of this section, tankers and support vessels, as defined in 33 CFR 148.5, operating in the vicinity of NEGDWP are authorized to enter and move within such zones in the normal course of their operations following the requirements set forth in 33 CFR 150.340 and 150.345, respectively.

(iii) All other vessel operators desiring to enter, operate or conduct diving operations within a safety zone described in paragraph (b)(1) of this section must contact the COTP, or the COTP's authorized representative, to obtain permission by contacting the Sector Boston Command Center at 617-223-5761 or via VHF-FM Channel 16 (156.8 MHz). Vessel operators given permission to enter, operate, or conduct diving operations in a safety zone must comply with all directions given to them by the COTP or the COTP's authorized representative.

(iv) No vessel, other than a support vessel or tanker calling on NEGDWP may anchor in the area described in paragraph (b)(2) of this section.

(c) *Neptune Deepwater Port (Neptune)*—(1) *Location.* The safety zones for Neptune consist of circular zones, each with a 500-meter radius and centered on each of Neptune's two submerged turret loading (STL) buoys. STL Buoy "A" is centered at the following coordinates: Latitude 42°29'12.3" N, Longitude 070°36'29.7" W; and STL Buoy "B": Latitude 42°27'20.5" N, Longitude 070°36'07.3" W. Each safety zone encompasses, within the respective 500-meter circles, the primary components of Neptune, including a submerged turret loading buoy and a pipeline end manifold. Each safety zone is located approximately eight nautical miles south-southeast of Gloucester, Massachusetts, in Federal waters.

(2) *No anchoring areas.* Two mandatory no anchoring areas for Neptune are established for all waters within circles of 1,000-meter radii centered on the submerged turret loading buoy positions set forth in paragraph (c)(1) of this section.

(3) *Area to be avoided.* An area to be avoided (ATBA) for Neptune is as described in Table 150.940(C):

TABLE 150.940(C)—ATBA FOR NEPTUNE

Plotting guidance	Latitude N	Longitude W
(i) Starting at .....	42°27'26.6"	70°35'13.1"
(ii) A rhumb line to .....	42°29'18.3"	70°35'35.4"
(iii) Then an arc with a 1250 meter radius centered at point .....	42°29'12.3"	70°36'29.7"
(iv) To a point .....	42°29'6.3"	70°37'24.0"
(v) Then a rhumb line to .....	42°27'14.7"	70°37'1.6"
(vi) Then an arc with a 1250 meter radius centered at point .....	42°27'20.5"	70°36'7.3"
(vii) To the point of starting .....	42°27'26.6"	70°35'13.1"

(4) *Regulations.* (i) In accordance with the general regulations set forth in 33 CFR 165.23 and elsewhere in this part,

no person or vessel may enter the waters within the boundaries of the safety zones described in paragraph

**§ 150.940**

**33 CFR Ch. I (7–1–25 Edition)**

(c)(1) of this section unless previously authorized by the Captain of the Port (COTP) Boston, or the COTP's authorized representative.

(ii) Notwithstanding paragraph (c)(4)(i) of this section, liquefied natural gas carriers (LNGCs) and support vessels, as defined in 33 CFR 148.5, calling on Neptune, are authorized to enter and move within such zones in the normal course of their operations following the requirements set forth in 33 CFR 150.340 and 150.345, respectively.

(iii) All other vessel operators desiring to enter, operate or conduct diving operations within a safety zone described in paragraph (c)(1) of this section must contact the COTP or the COTP's authorized representative to

obtain permission by contacting the Sector Boston Command Center at 617-223-5761 or via VHF-FM Channel 16 (156.8 MHz). Vessel operators given permission to enter or operate in a safety zone must comply with all directions given to them by the COTP or the COTP's authorized representative.

(iv) No vessel, other than an LNGC or support vessel calling on Neptune, may anchor in the area described in paragraph (c)(2) of this section.

[USCG-2007-27887, 72 FR 45903, Aug. 16, 2007, as amended by USCG-2007-0087, 73 FR 34194, June 17, 2008; USCG-2009-0589, 75 FR 51376, Aug. 20, 2010; USCG-2013-0397, 78 FR 39183, July 1, 2013; USCG-2015-0433, 80 FR 44281, July 27, 2015]