DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 140, 141, 142, 143, 144, 145, 146, and 147

[USCG 1998–3868]

RIN 2115–AF39

Outer Continental Shelf Activities

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes a major revision of its regulations on Outer Continental Shelf (OCS) activities. A revision is needed to address new developments in the offshore industry, to fully address existing legislation, to effectively implement interagency agreements, to respond to comments received from the advanced notice of proposed rulemaking, and to address casualty investigation findings. The revised regulation will effectively implement existing legislation and interagency agreements. This rulemaking improves the level of safety in the workplace for personnel engaged in OCS activities.

DATES: Comments and related material must reach the Docket Management Facility on or before April 5, 2000. Comments sent to the Office of Management and Budget (OMB) on collection of information must reach OMB on or before February 7, 2000.

ADDRESSES: To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following methods:

(1) By mail to the Docket Management Facility, (USCG–1998–3868), U.S. Department of Transportation, room PL–401, 400 Seventh Street SW., Washington, DC 20590–0001.

(2) By hand delivery to room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(3) By fax to the Docket Management Facility at 202–493–2251.

(4) Electronically through the Web Site for the Docket Management System at http://dms.dot.gov.

You must also mail comments on collection of information to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, ATTN: Desk Officer, U.S. Coast Guard.

The Docket Management Facility maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at http://dms.dot.gov.

You may inspect the material proposed for incorporation by reference at room 1208C, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001 between 8:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–267–1082. Copies of the material are available as indicated in the ''Incorporation by Reference'' section of this preamble.

FOR FURTHER INFORMATION CONTACT: For questions on this proposed rule, call Mr. James M. Magill, Vessel and Facility Operating Standards Division (G–MSO–2), telephone (202) 267–1082, or fax (202) 267–4570. For questions on viewing or submitting material to the docket, call Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202–366–9329.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (USCG 1998–3868), indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments or material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one to the Docket Management Facility at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

What Is the History of This Rulemaking?

This rulemaking, USCG–1998–3868 (formerly CGD 84–098, CGD 95–016), is the final phase of an ongoing effort by the Coast Guard to update the Code of Federal Regulations (CFR) in 33 CFR chapter I, subchapter N, on Outer Continental Shelf (OCS) activities and to implement its authority under the Outer Continental Shelf Lands Act Amendments of 1978 (Pub. L. 95–372)(the Act). In the first phase, we published in the **Federal Register** a final rule, entitled ''Outer Continental Shelf Activities'' (CGD 78–160)(47 FR 9366, March 4, 1982). That rule implemented the mandatory provisions of the Act, such as employment of personnel in 33 CFR part 141, and reorganized subchapter N to provide a framework for the inclusion of other regulations in the future.

The second phase of this effort began in 1985 with the publication of an advance notice of proposed rulemaking (ANPRM) (CGD 84–098) (50 FR 9290, March 7, 1985). This ANPRM discussed inspection of fixed facilities, emergency evacuation, workplace safety and health, lifesaving, fire protection, training, and vessels used for OCS activities. Because virtually all of the comments received to the ANPRM focused on inspection of fixed facilities and emergency evacuation, we handled these subjects in two separate rulemakings. On May 26, 1988, we published a final rule entitled ''Self Inspection of Fixed OCS Facilities'' (CGD 84–098a) (53 FR 18977) and, on May 18, 1989, we published a final rule entitled ''Emergency Evacuation Plans for Manned OCS Facilities'' (CGD 84–098b) (54 FR 21566).

The current and final phase of this effort began with the publication of a ''Request for Comments'' (CGD 95–016) (60 FR 33185, June 27, 1995) describing the broad scope of this rulemaking and asking for public comments. The purpose of this request was to focus comments on subjects other than self-inspection and emergency evacuation, which were addressed in the second phase. The remaining subjects include workplace safety and health, lifesaving,

fire protection, training, operations, and certification.

What Is the Purpose of This Rulemaking?

The Coast Guard is the lead Federal agency for workplace safety and health, other than for matters generally related to drilling and production that are regulated by the MMS, on facilities and vessels engaged in the exploration for, or development or production of, minerals on the OCS. The last major revision of our current OCS regulations occurred in 1982. In 1982, the offshore industry was not as high tech as today's operations. Offshore activities were in relatively shallow water near land, where help was readily available during emergency situations. The equipment regulations required only basic equipment, primarily for lifesaving appliances and hand-held portable fire extinguishers. Since 1982, the requirements in 33 CFR chapter I, subchapter N, have not kept pace with the changing offshore technology or the safety problems it creates as OCS activities extend to deeper water (7,500 feet) and move farther offshore (127 miles). This proposed rule is intended to revisit all of our current OCS regulations in subchapter N to take advantage of past experiences and new improvements to make the OCS a safer workplace.

In keeping with the Vice President's National Partnership for Reinventing Government (using government/industry partnership to reduce government regulations), the Coast Guard along with the Minerals Management Service (MMS) is promoting voluntary use of Safety and Environmental Management Programs (SEMP). This approach has been promoted by the Coast Guard and the MMS since 1991. It would help those owners who operate equipment under MMS, USCG, and International Safety Management standards to have a consistent management program throughout their operations, which will certainly promote safety. With SEMP, Outer Continental Shelf operators can plan, design, manage, and conduct their operations with emphasis on the human element in safety and pollution prevention. Companies effectively using SEMP can expect it to result in more efficient operations by avoiding or containing accident and pollution costs. By promoting SEMP, it is our intent to put overall performance ahead of rote equipment testing and reliance on prescriptive regulations. See American Petroleum Institute (API) RP 75 entitled ''Recommended Practice for Development of a Safety and Environmental Management Program for Outer Continental Shelf (OCS) Operations and Facilities'' for further information. RP 75 is available from API on the Internet at http://www.api.org for a fee.

What Comments Were Received to the 1985 Advance Notice of Proposed Rulemaking?

We received 88 letters in response to the 1985 ANPRM. Of the 88 letters, 72 contained comments in response to questions published in the ANPRM on emergency evacuation plans (EEP's) for manned facilities and mobile offshore drilling units (MODU's). These comments were discussed in the notice of proposed rulemaking (NPRM) on EEP's that was published on December 24, 1987 (52 FR 48717).

Twenty-three letters contained comments concerning the self-inspection of fixed facilities. These comments were discussed in the NPRM on self-inspection of fixed facilities that was published on July 7, 1987 (52 FR 25392).

Eleven letters contained comments on the remaining questions in the ANPRM. They are addressed below:

(1) Five comments stated that fire protection on fixed facilities is adequately addressed in the MMS regulations and no additional Coast Guard regulations are needed.

We disagree. The 1998 Memorandum of Understanding (MOU) between the Coast Guard and MMS assigns to the Coast Guard the responsibility for establishing fire protection requirements for all areas on fixed facilities, including the wellbay and industrial equipment areas. Current regulations do not address requirements for structural fire protection in accommodation spaces on fixed facilities. This rulemaking will add requirements in this area.

(2) One comment suggested that the Coast Guard require a fire and gas detection system in or near accommodation spaces. They reasoned that a fire and gas detection system is needed because of the potential fire hazard resulting from flammable liquids or gases handled or processed on fixed facilities.

We agree. Proposed § 143.1050 would require that all accommodation spaces on manned fixed facilities be outfitted with a fire detection system. Under the 1998 MOU between MMS and the Coast Guard, MMS is responsible for establishing gas detection requirements on facilities. Gas detection system requirements for accommodation areas are found in 30 CFR 250.123(b)(9).

(3) Five comments stated that fire hazards on a fixed facility are not similar to those found on a tank vessel, as stated by the Coast Guard in the ANPRM. Rather than apply tank-vessel regulations to fixed facilities, the Coast Guard should develop fire protection regulations specifically for those facilities.

We agree and propose new regulations that address the unique fire hazards found on fixed facilities. As most fixed facilities do not store oil or gas in large quantities, as do tankers, a direct adoption of tank-vessel regulations is inappropriate. Fire hazards on fixed facilities are similar, in many areas, to those on MODU's, the greatest risk for loss of life on both being a blowout or a hydrocarbon fire. However, the probability of saving personnel on a fixed facility is greater than on a MODU, because the location of the facility is permanent and known to the Coast Guard, whereas that of the MODU changes. On the other hand, the risk of a blowout or hydrocarbon fire is greater on a fixed facility than on a MODU. A fixed facility has a connection to a hydrocarbon source year-round, 24 hours a day. A MODU has a connection to a hydrocarbon source only 20 to 25 percent of the time, as drilling results in a dry hole 75 to 80 percent of the time. Therefore, this rulemaking proposes new regulations in part 143, subparts K and L, for fixed facilities. They will allow the facility to meet either the MODU fire protection regulations or the National Fire Protection Association (NFPA) Life Safety Code, NFPA 101, with the additional requirement of an independent fire wall.

(4) One comment stated that there are already industry safety standards for most of the items addressed in the ANPRM. The comment suggested that we adopt or reference industry standards wherever possible, instead of issuing separate Coast Guard standards and requiring the use of only Coast Guard-approved equipment.

We incorporate industry standards into our regulations (proposed § 140.30), where appropriate. However, some critical safety equipment, such as lifesaving equipment, still needs to be approved by the Coast Guard to ensure adequate safety in the event of an emergency.

(5) Five comments stated that hospital spaces on fixed facilities are impractical and should not be required. They claimed that the current requirements for first-aid equipment are sufficient to handle personnel injuries offshore and that no new regulations are needed. Two comments stated that individuals who are seriously injured can be evacuated by helicopter to a shore-side hospital within a matter of hours. The

comments stated that many facilities house 10 or fewer people and that it is not feasible to require a hospital space on those facilities.

We agree that a hospital space is not needed for fixed facilities. However, it is necessary to have a space to isolate individuals or to provide basic first aid treatment while they await evacuation. Therefore, proposed § 143.1321 would require that a manned fixed facility with quarters for 12 or more persons have a designated medical treatment room.

(6) One comment suggested that first-aid supplies should be suitable for, and sized to, the facility's population.

We agree. Proposed § 143.855 would require that suitable first-aid supplies are provided in quantities based on a facility's population.

(7) Five comments questioned the need to require the lease holder to submit an annual report to the Coast Guard on the size of the worker population and total man hours lost as a result of casualties, as suggested in the ANPRM. They contend that this information would be difficult to obtain because subcontractors often work on fixed-rate contracts and do not report man-hours lost to the leaseholder. The comments recommended that subcontractors and others should report the required information directly to the Coast Guard.

We can require collection data only from the lease holder and not from subcontractors. We currently receive population data from the self-inspection and emergency evacuation regulations now in place. We propose no change in response to this comment and plan to reassess our needs at a later time.

(8) Four comments suggested that the Coast Guard, MMS, and Occupational Safety and Health Administration (OSHA) develop a single casualty reporting form to be submitted to all of these agencies. The comments stated that the three agencies' current casualty reporting requirements are redundant and that the duplication of reporting should be eliminated.

We agree. We have developed and propose a new consolidated form. Information about the proposed form is located at the end of the discussion of proposed changes.

What Comments Were Received to the 1995 Request for Comments?

The Coast Guard received a total of seven letters in response to our 1995 request for comments (60 FR 33185, June 27, 1995). Two letters submitted copies of the minutes for meetings of the National Offshore Safety Advisory Committee (NOSAC) subcommittee. Comments contained in the other five letters are summarized below:

Three comments expressed strong support for the Coast Guard's efforts to review and revise regulations for activities on the OCS. One comment supports operationally sound improvements to current OCS regulations. However, one comment stated that current safety regulations relative to a fixed structure on the OCS are suitable and adequate. It was further suggested that any change to safety regulations be justified by a cost/benefit analysis. The Coast Guard contends that review and revision of regulations for activities on the OCS is necessary. Here is but one example:

In the current 33 CFR parts 143 and 145, there are no requirements for structural fire protection for a fixed facility accommodation space. It is conceivable that an accommodation module made from plywood and 2x4 wooden studs could provide adequate protection from the weather. However, it would not provide adequate fire protection.

Through our industry partnerships, we discovered that many fixed facility owners voluntarily use fire resistant materials in the construction of fixed facility accommodation spaces. We incorporated several structural and construction fire protection requirements in this proposed rule.

One comment stated that the current regulations in 33 CFR parts 140–147 were inadequate in the following areas: design and equipment; operations; workplace safety and health, including confined-space entry; and accident reporting. We agree and propose many new workplace safety and health regulations that are similar to recently developed OSHA regulations. We also obtained valuable comments and recommendations from the NOSAC subcommittee addressing issues related to this rulemaking, and many suggestions were incorporated in the drafting of this proposed rule.

Two comments suggest that the Coast Guard consult with OSHA to update the 1979 MOU to clearly confirm that redundant jurisdiction and regulatory enforcement on the OCS does not exist. One comment contends that if the Coast Guard is unwilling to comprehensively address OCS issues, then it would be appropriate for it to formally withdraw from exercising regulatory jurisdiction over occupational safety and health issues on the OCS, leaving such activities to OSHA. The MOU between the Coast Guard and OSHA was last updated in 1989. We have a strong interagency relationship and regularly communicate on issues of mutual interest, thus the current MOU meets our needs at this time. The 1989 MOU clearly assigns regulatory responsibility and enforcement to the jurisdiction of the Coast Guard for workplace safety and health issues on the OCS.

One comment expressed concern about working conditions for U.S. citizens employed on board foreign vessels engaged in OCS activity. They stated that employees experience the labor standards of the third-world countries in which the vessels are registered, even when working within areas subject to U.S. jurisdiction. They requested the Coast Guard provide these U.S. citizens the protection entitled under the Act. The workplace safety and health regulations in part 142 apply to personnel engaged in operation on the OCS, whether onboard a foreign OCS unit or a U.S. OCS unit. The proposed revisions to part 142 will add many new workplace safety and health items which should increase the level of safety for U.S. citizens employed on foreign units engaged in OCS activities.

One comment stated that the Coast Guard should adopt an underlying principal that lifesaving equipment should be capable of keeping 100 percent of the personnel on a facility out of the water in case of abandonment or evacuation. We agree. Current regulations for fixed facilities require life floats for 100 percent of facility personnel. This is not adequate to protect personnel in the event of a blowout nor is it the best available and safest technology for this purpose. See proposed § 143.826 for the survival craft requirements for fixed facilities. This would align fixed facility requirements with similar regulations for MODU's and floating facilities.

Two comments commend the Coast Guard for working with industry groups, reviewing new developments, and creating an environment of partnership in safety. One comment specifically supports the Coast Guard's work with the NOSAC. The Coast Guard regularly receives valuable feedback and recommendations from various safety advisory committees. We also use other industry partnerships. For several years, the Coast Guard has focused on ways to improve safety and reduce incidents caused by human factors. Prevention Through People (PTP) continues to be a high priority with the Coast Guard's Office of Marine Safety and Environmental Protection. PTP is a people-focused approach to reducing casualties and pollution. Although initiated by the Coast Guard, PTP finds its strength in its close working relationship with the maritime and offshore industries. The Coast Guard

currently has eight PTP partnerships, and the projects undertaken within these partnership groups are mutually beneficial.

One comment encouraged the Coast Guard to include in this regulatory effort any new requirements developed by OSHA for onshore locations that may apply offshore. We continually review new OSHA regulations to determine applicability to the OCS. Many workplace safety and health regulations included in this proposed rule are similar to recent regulations developed by OSHA for onshore locations.

One comment suggests that the Coast Guard address the danger of a vessel colliding with a facility. A recent near-miss incident emphasizes the importance of this subject. In this case, a tanker lost power and nearly collided with a tension leg platform (TLP) production facility. The Coast Guard requested that a NOSAC subcommittee address this issue. On April 8, 1999, NOSAC reported its findings to the Coast Guard. We will review this information and the recommendations. Any necessary regulatory revisions would be part of a future rulemaking.

One comment expressed concern that design requirements for OCS units are inadequate. It further stated that workers are being injured and killed due to substandard facility design created by a lack of written standards. Since we established regulations for OCS activities, there are dramatic changes to both the nature of the work and the technology used. This proposed rule would address the deficient areas in current OCS regulations and improve the level of safety for workers engaged in OCS activities.

One comment stated that current regulations do not contain regulations to prevent injuries due to falls. We agree. The proposed rule contains requirements for fall-arrest systems in §§ 142.155 through 142.160.

Where Are Current OCS Regulations Located in the Proposed Rule?

When we use the term the ''current OCS regulation(s)'' in this preamble, we refer to the current regulation in 33 CFR chapter I, subchapter N. Discussion of material from this rulemaking is identified as ''proposed.'' Much of the material in the proposed rule is new. However, the following table can help you find out where material in the current 33 CFR is located in this document. This table does not show provisions that are new and did not come from current OCS regulations.

BILLING CODE 4910–15–U

Table 1. Distribution and Derivation Table

If the regulation is in the current 33 CFR ...	You will find it in the NPRM at proposed...	If you are looking at the proposed NRPM cite...	It is derived from the current 33 CFR...
140.1	140.1	140.1	140.1
140.3	140.5	140.5	140.3
140.4(a) and (b)	140.20(a) and (b)	140.10(a) and (b)(1)	140.4(c)
140.4(c)	140.10(a) and (b)(1)	140.15	140.20
140.5	140.3	140.20	140.4
140.7(a)	140.30(a)	140.25	140.10 and 147.1101
140.7(b)	140.30(b)	140.30	140.7
140.10	140.25	140.35	140.15(c)
140.15(a)	143.30 and 144.35	140.40	140.25
140.15(b)	143.35 and 144.40	140.45	140.30
140.15(c)	140.35	140.50	140.35
140.20	140.15	140.55	140.40
140.25	140.40	140.60	146.5(b)
140.30	140.45	140.100	140.101(a) and (b)
140.35	140.50	140.105	140.101(c)
140.40	140.55	140.110	140.101(d)
140.101(a) and (b)	140.100	140.115	140.101(e)
140.101(c)	140.105	140.120	140.103(a) and (b)
140.101(d)	140.110	140.125	140.103(c)
140.101(e)	140.115	140.130	140.105(a)
140.103(a) and (b)	140.120	140.135	140.105(b)
140.103(c)	140.125	140.140	140.105(c)
140.103(d)	Removed	140.145	140.105(d)
140.105(a)	140.130	140.200	140.201
140.105(b)	140.135	140.205	140.203(a)
140.105(c)	140.140	140.210	140.203(b)
140.105(d)	140.145	140.215	140.203(c)
140.201	140.200	140.220	140.205
140.203(a)	140.205	141.1	141.1
140.203(b)	140.210	141.5	141.5(a)
140.203(c)	140.215	141.10	141.5(b)
140.205	140.220	141.15(b)	141.10 and 141.15(b)
141.1	141.1	141.20(a)	141.5(c)
141.5(a)	141.5	141.20(b)	141.5(d)
141.5(b)	141.10	141.20(c)	141.5(e)
141.5(c)	141.20(a)	141.25(a)	141.15(a)
141.5(d)	141.20(b)	141.25(b)	141.15(c)
141.5(e)	141.20(c)	141.30	141.20(a)
141.10	141.15(b)	141.35	141.20(b)
141.15(a)	141.25(a)	141.40	141.20(c)
141.15(b)	141.15(b)	141.45(a)	141.20(d)
141.15(c)	141.25(b)	141.45(b)	141.20(e)
141.20(a)	141.30	141.45(c) and 141.50(a)	141.20(f)
141.20(b)	141.35	141.50(b)	141.20(g)
141.20(c)	141.40	141.55	141.20(h)
141.20(d)	141.45(a)	141.60	141.25(a)
141.20(e)	141.45(b)	141.65(a)	141.25(b)
141.20(f)	141.45(c) and 141.50(a)	141.65(b)	141.25(d)

Table 1 (continued)

If the regulation is in the current 33 CFR ...	You will find it in the NPRM at proposed...	If you are looking at the proposed NRPM cite...	It is derived from the current 33 CFR...
141.20(g)	141.50(b)	141.70	141.25(c)
141.20(h)	141.55	141.75	141.30
141.25(a)	141.60	141.80	141.35
141.25(b)	141.65(a)	142.1	142.1
141.25(c)	141.70	142.15	142.4
141.25(d)	141.65(b)	142.35	142.7(a)
141.30	141.75	142.40	142.7(b)
141.35	141.80	142.45	142.7(c)
142.1	142.1	142.100	142.21
142.4	142.15	142.110(a)	142.24(a)
142.7(a)	142.35	142.110(b)	142.24(b)
142.7(b)	142.40	142.115	142.27
142.7(c)	142.45	142.120	142.48
142.21	142.100	142.125	142.3
142.24(a)	142.110(a)	142.130	142.33(a)
142.24(b)	142.110(b)	142.140	142.36
142.27	142.115	142.150	142.39(a)
142.3	142.125	142.151	142.39(b)
142.33(a)	142.130	142.152	142.39(c)
142.36	142.140	142.155	142.42(a)
142.39(a)	142.150	142.156	142.42(b)
142.39(b)	142.151	142.170	142.45
142.39(c)	142.152	142.200	142.81
142.42(a)	142.155	142.205	142.84
142.42(b)	142.156	142.210	142.87
142.45	142.170	142.220	142.90(a) and (b)
142.48	142.120	142.225	142.90(c)
142.81	142.200	142.230	142.90(d)
142.84	142.205	143.1	143.100 and 146.1
142.87	142.210	143.30	140.15(a)
142.90(a) and (b)	142.220	143.35	140.15(b)
142.90(c)	142.225	143.100	146.5(a)
142.90(d)	142.230	143.105	146.1
143.1	143.1200, 144.700, and 145.400	143.110	146.30
143.15(a)	143.1210 and 145.415	143.115	146.35(a) and (b)
143.15(b)	146.410	143.120	146.40
143.100	143.1, 144.1, and 145.1	143.125	146.45
143.101(a) and (b)	143.1220	143.210(a)	146.110(a)
143.101(c)	143.1222(b)	143.220	146.115
143.101(d)	143.1223	143.225	146.12
143.101(e)	143.1221(a)	143.230	146.13
143.101(f)	143.1221(b)	143.310(a)	146.140(a)
143.105(a)	143.1225(a)	143.310(b)	146.140(d)(1) through (d)(3)
143.105(b)	143.1225(b)	143.310(c)	146.140(d)(4) through (d)(12)
143.110(a)	143.1230	143.315	146.140(a)

Table 1 (continued)

If the regulation is in the current 33 CFR ...	You will find it in the NPRM at proposed...	If you are looking at the proposed NRPM cite...	It is derived from the current 33 CFR...
143.110(b)	143.1232	143.320	146.140(a), (b), and (d)
143.120(a)	144.815 and 144.820	143.325	146.140(c)
143.120(b)	144.305, 144.505, 144.605, and 144.705	143.330(a)	146.140(e) and (e)(1)
143.120(c)	144.910	143.330(b)	146.140(f)
143.200	145.400(a)	143.330(c)	146.140(e)(2)
143.201	145.400(b)	143.330(d)	146.140(e)(3)
143.205	145.405	143.330(e)	146.140(f) and (g)
143.207	145.205 and 145.410	143.410	146.125(a)
143.210	145.425	143.410(a)	146.125(b)
143.300	146.1	143.415	146.125(d)
143.301	146.125	143.430	146.125(c)
143.400	146.500	143.610	146.15(a)
143.401(a)	146.500 and 146.505	143.615(g)	146.15(b)
143.401(b) and (c)	146.515	143.730	146.15(b)
143.401(d) and (e)	146.510	143.730(d)	146.15(c)
143.405	146.520	143.765	146.20(d) and (e)(1)
143.407	146.525	143.826	144.01-1 and 144.01-15
144.01-1	143.826 and 143.835	143.835	144.01-1
144.01-5	143.840	143.835(b)	144.01-10(a)
144.01-10(a)	143.835(b)	143.835(c)	144.01-10(b)
144.01-10(b)	143.835(c)	143.835(d)	144.01-10(c)
144.01-10(c)	143.835(d)	143.840	144.01-5
144.01-15	143.826	143.845	144.01-20
144.01-20	143.845	143.845(d)	144.01-20(d)
144.01-20(a)	143.846(a)	143.846(a)	144.01-20(a)
144.01-20(d)	143.845(d)	143.850(a)	144.01-25(a)
144.01-25(a)	143.850(a), 143.851, and 143.852	143.850(b)	144.01-25(b)
144.01-25(b)	143.850(b)	143.851	144.01-25(a)
144.01-30	143.855	143.852	144.01-25(a)
144.01-35	143.860	143.855	144.01-30
144.01-40	143.865	143.860	144.01-35
144.10-1(a)	143.910	143.865	144.01-40
144.10-1(a)(1)	143.915	143.875	146.20(a)
144.10-1(a)(2)	143.920	143.876	146.20(c)
144.10-1(a)(3)	143.920	143.878(b)	146.20(b)
144.10-1(b)	143.920	143.880	146.20(e)
144.10-10	Removed	143.880(b)	146.20(e)(2)
144.20-1	145.1	143.885(a) and (b)	146.135(d)
144.20-5(a) through (e)	145.210	143.885(c)	146.135(e)
144.20-5(f)	145.210(c)	143.910	144.10-1(a)
Subpart 144.30	145.215	143.915	144.10-1(a)(1)
145.01	143.1026	143.920	144.10-1(a)(2), (a)(3), and (b)
145.05(a) through (c)	143.1020	143.1020	145.05(a) through (c)
Table 145.05(c)	Table 143.1020	Table 143.1020	Table 145.05(c)

Table 1 (continued)

If the regulation is in the current 33 CFR ...	You will find it in the NPRM at proposed...	If you are looking at the proposed NRPM cite...	It is derived from the current 33 CFR...
145.05(d)	143.1027	143.1026	145.01
145.10(a)	143.1029	143.1027	145.05(d)
Table 145.10(a)	Table 143.1029	143.1029	145.10(a)
145.10(b)	143.1030	Table 143.1029	Table 145.10(a)
146.1	143.1, 144.1, and 146.1	143.1030	145.10(b)
146.5(a)	143.100	14. 1200	143.1
146.5(b)	140.60	143.1210	143.15(a)
146.10	143.105	143.1215	146.105
146.15(a)	143.610 and 145.120	143.1216	146.110(b)
146.15(b)	143.615(g) and 143.730	143.1217(b)	146.105
146.15(c)	143.730(d)	143.1218	146.135(a), (b), and (c)
146.20(a)	143.875	143.1220	143.1, 143.101(a) and (b)
146.20(b)	143.878(b)	143.1221(a)	143.101(e)
146.20(c)	143.876	143.1221(b)	143.101(f)
146.20(d)	143.765	143.1222(b)	143.101(c)
146.20(e)	143.880	143.1223	143.101(d)
146.20(e)(1)	143.765	143.1225(a)	143.105(a)
146.20(e)(2)	143.880(b)	143.1225(b)	143.105(b)
146.30	143.110	143.1230	143.110(a)
146.35(a) and (b)	143.115	143.1232	143.110(b)
146.40	143.120	144.1	143.100, 146.1, and 146.101
146.45	143.125	144.35	140.15(a)
146.101	144.1	144.40	140.15(b)
146.105	143.1215 and 143.1217(b)	144.305	143.120(b)
146.110(a)	143.210(a)	144.505	143.120(b)
146.110(b)	143.1216	144.605	143.120(b)
146.115	143.220	144.700	143.1
146.120	143.225	144.705	143.120(b)
146.125(a)	143.410	144.815	143.120(b)
146.125(b)	143.410(a)	144.820	143.120(b)
146.125(c)	143.430	144.910	143.120(c)
146.125(d)	143.415	145.1	143.100, 144.20-1, and 146.201
146.130	143.230	145.100	146.203
146.135(a), (b), and (c)	143.1218	145.105	146.205
146.135(d)	143.885(a) and (b)	145.110	146.202
146.135(e)	143.885(c)	145.115	146.210
146.140(a)	143.310(a), 143.315, and 143.320	145.120	146.15(a)
146.140(b)	143.320	145.205	143.207
146.140(c)	143.325	145.210	144.20-5(a) through (e)
146.140(d)	143.320	145.210(c)	144.20-5(f)
146.140(d)(1) through (d)(3)	143.310(b)	145.215	Subpart 144.30

Table 1 (continued)

If the regulation is in the current 33 CFR ...	You will find it in the NPRM at proposed...	If you are looking at the proposed NRPM cite...	It is derived from the current 33 CFR...
146.140(d)(4) through (d)(12)	143.310(c)	145.400	143.1
146.140(e) and (e)(1)	143.330(a)	145.400(a)	143.200
146.140(e)(2)	143.330(c)	145.400(b)	143.201
146.140(e)(3)	143.330(d)	145.405	143.205
146.140(f)	143.330(b) and (e)	145.410	143.207
146.140(g)	143.330(e)	145.415	143.15(a)
146.201	145.1	145.425	143.210
146.202	145.110	146.1	143.300, 146.1, and 146.301
146.203	145.100	146.105	146.303
146.205	145.105	146.125	143.301
146.210	145.115	146.410	143.15(b)
146.301	146.1	146.500	143.400 and 143.401(a)
146.303	146.105	146.505	143.401(a)
147.1	147.5 and 147.10	146.510	143.401(d) and (e)
147.5	147.20	146.515	143.401(b) and (c)
147.10(a)	147.25 through 147.35	146.520	143.405
147.10(b)	147.25 through 147.35	146.525	143.407
147.10(c)	147.25 through 147.35	147.5 and 147.10	147.1
147.10(d)	147.105	147.15	147.1101
147.15	147.40	147.20	147.5
147.1101	140.25 and 147.15	147.25 through 147.35	147.10
147.1102 through 147.1116	147.110	147.40	147.15
		147.105	147.10(d)
		147.110	147.1102 through 147.1116

What Are the Major Changes Being Proposed?

Many of the current OCS regulations remain unchanged in substance. They include the regulations in part 141 for personnel, in part 143 for self-inspection of manned fixed facilities and for EEP's, and in part 147 for safety zones.

The major changes are in the areas of operations, structural fire protection, lifesaving and fire-protection equipment, workplace safety and health, training, vessels engaged in OCS activities, and accommodation spaces on manned fixed facilities. To the extent practicable, we tried to align the regulations for one category of OCS unit with those for other categories and to align the regulations for foreign OCS units with those for U.S. OCS units.

We incorporated substantive changes in this proposed rule so OCS requirements in subchapter N conform with other applicable requirements in OCS regulations. We also aligned sections within subchapter N that are similar for various OCS units. The affected sections are as follows:

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Table 2. Comparison Table

Subject	NPRM cite location	Similar requirement location
Annual self-inspection window	140.120	46 CFR 107.269
Electrical-related work	142.145	29 CFR 1910.333
Personal fall arrest system	142.155-160	29 CFR 1915.159
Radiation	142.175-179	29 CFR 1910.1096
Asbestos exposure	142.181(a)	29 CFR 1915.1001
Inorganic lead exposure	142.181(b)	29 CFR 1915.1025
Blood-borne pathogens	142.185	29 CFR 1910.1030
Noise	142.235-240	29 CFR 1910.95
Machine guards	142.245-250	29 CFR 1910.212
Slings	142.260	29 CFR 1910.184
Color codes for signs and tags	142.285	29 CFR 1910.145
Confined-space entry	142 subpart D	29 CFR 1910.146, 29 CFR part 1915, subpart B, and 46 CFR subpart 91.50
Hazardous materials	142 subpart E	29 CFR 1910.1200
Lifesaving arrangement	143.25 and 144.30	46 CFR 108.105(d)
Alternate lifesaving equipment	143.30 and 144.35	46 CFR 108.105(e)
Substitution of Coast Guard approved equipment	143.35 and 144.40	46 CFR 108.105(a) and (b)
Novel lifesaving appliances	143.40 and 144.45	46 CFR 108.105(a) and (c)
Survival craft assignment	143.225	46 CFR 109.323
Station bill (muster list)	143.230	46 CFR 108.901(b)
Fire drill	143.420	46 CFR 109.213(f)
Abandonment drill	143.430	46 CFR 109.213(d)
Personnel training/instruction	143.[illegible]0	46 CFR 109.213(g) and (h)
Maintenance of lifesaving equipment	143.615(a)-(e) and (g)	46 CFR 109.301(b) and (c)
Maintenance of lifesaving equipment	143.615(f)	46 CFR 109.425
Maintenance of survival craft falls	143.620	46 CFR 109.301(j)
Maintenance of launching appliances	143.625	46 CFR 109.301(i)(1) and (i)(2)
Maintenance of release gear	143.630	46 CFR 109.301(i)(3) and (i)(4)

Table 2 (continued)

Subject	NPRM cite location	Similar requirement location
Maintenance of inflatable lifesaving appliances and marine evacuation systems	143.635	46 CFR 109.301(g)(1)
Maintenance of inflatable life rafts, inflatable life jackets, and hybrid inflatable lifejackets	143.640	46 CFR 109.301(g)(2) and (g)(3)
Maintenance of inflatable rescue boats	143.645	46 CFR 109.301(g)(4)
Operational testing	143.710	Proposed 33 CFR 143.435
Release gear testing	143.715	46 CFR 109.301(i)(5)
Weekly lifesaving equipment testing/inspection	143.720	46 CFR 109.301(d)
Monthly lifesaving equipment testing/inspection	143.725	46 CFR 109.301(e)
Annual lifesaving equipment testing/inspection	143.730	46 CFR 109.301(f)
Fire-fighting equipment testing/inspection	143.750	46 CFR 109.223
Fire-fighting equipment testing/inspection records	143.755	46 CFR 109.435
Emergency lighting and power systems testing/inspection	143.760	46 CFR 35.10-15 and 46 CFR 109.211(a)
Survival craft and rescue boat approval	143.820(a)	46 CFR 108.515(b)(1)
Survival craft and rescue boat approval	143.820(b)	46 CFR 108.515(b)(2)
Lifeboat approval	143.830(a)(2)	46 CFR 108.520(a)
Free-fall lifeboats	143.831	46 CFR part 109
Marine evacuation system approval	143.834	46 CFR part 109
Lifeboat launching equipment	143.835	46 CFR 108.550, 108.553, and 108.555
Inflatable and rigid liferaft launching equipment	143.837	46 CFR 108.550 and 108.553
Survival craft location and arrangement	143.840(b)	46 CFR 108.550(i)(1)
Survival craft location and arrangement	143.840(c)	46 CFR 108.550(k)
Survival craft location and arrangement	143.840(d)	46 CFR 108.525(a)(1)

Table 2 (continued)

Subject	NPRM cite location	Similar requirement location
Rescue boats	143.841	46 CFR 108.560
Rescue boat embarkation, launching, and recovery	143.842	46 CFR 108.570
Lifejackets	143.845	46 CFR 108.580(b)
Lifejackets	143.845(b)	46 CFR 108.580(b)(3)(i)
Lifejackets	143.845(c)	46 CFR 108. 580(b)(3)(ii)
Lifejacket location	143.846(b)	46 CFR 108.514(b)
Additional lifejackets	143.848	46 CFR 108.580(b)(1)
Immersion suits on unmanned facilities	143.925	Proposed 33 CFR 143.870
Fire extinguisher approval	143.1025	46 CFR 108.491
Fireman's outfits	143.1035(a)	46 CFR 108.497
Fireman's outfits	143.1035(b)	46 CFR 109.337
Fire axes	143.1040	46 CFR 108.499
Fire-extinguishing systems	143.1045	46 CFR 108.403(a)(1)
Automatic fire detection and alarm systems	143.1050	46 CFR 108.405
Fire-fighting equipment for helicopter decks	143.1060	46 CFR 108.486
Fire-fighting equipment for helicopter fueling facilities	143.1061	46 CFR 108.489(a)
Systems fire protection	143.1120	46 CFR part 108, subpart B
Ventilation system shutoff	143.1130	9.2.20 IMO MODU Code
Fire protection for escaping personnel	143.1135	9.3.5 IMO MODU Code
Means of escape	143.1221(c)	46 CFR 108.151(a)
Opening between accommodation spaces and other restrictive areas	143.1316	46 CFR 108.193(a)
Toilet and shower space	143.1319	46 CFR 108.205
Mess room seating	143.1320	46 CFR 108.207(b)
Heating in accommodation space	143.1325	46 CFR 108.213
Potable water	143.1330	40 CFR part 40 and 21 CFR part 1250, subpart E
Wash water	143.1331	21 CFR part 1250, subpart 1250.3 and 1250.87
Stairways and ladders	143.1340	46 CFR 108.159 and 29 CFR 1910.24(f)

Table 2 (continued)

Subject	NPRM cite location	Similar requirement location
Vertical ladders	143.1341	46 CFR 108.160
Lifesaving equipment for unmanned U.S. floating OCS facilities	144 subpart E	Proposed 33 CFR part 143, subpart J
Letter of certification for U.S. floating OCS facilities	144.910	46 CFR 107.2111(d)
Revoking a Certificate of Inspection	144.920, 144.1040, 145.430, and 145.540	46 CFR 107.279(e)
Operational requirements for foreign floating OCS facilities	144.1005	Proposed 33 CFR 145.105
Design, equipment, inspection for foreign floating OCS facilities	144.1020	Proposed 33 CFR 145.410
Foreign floating production storage and offloading systems	144.1025	Proposed 33 CFR 144.715
Letter of certification for foreign floating OCS facilities	144.1030	Proposed 33 CFR 145.425
Mid-period inspection for foreign floating OCS facilities	144.1035, 145.435, and 145.545	46 CFR 107.269 and Proposed 33 CFR 144.435
MODU emergency equipment	145.120 and 145.125	Proposed 33 CFR 143.610
MODU operational testing of emergency equipment	145.130	Proposed 33 CFR 143.435
MODU lifesaving equipment	145.200	46 CFR part 108
Foreign MODU design, equipment, and inspection	145.410	46 CFR 107.231, 46 CFR 107.261, and 46 CFR part 8
Notice of arrival/location	146.100	Proposed 33 CFR 145.110 and 144.110
Emergency equipment maintenance, inspection, and testing	146.110-120	Proposed 33 CFR 145.120 through 130
Immersion suits on foreign vessels	146.210	Proposed 33 CFR 145.215
Lights and warning devices	146.210	Proposed 33 CFR 145.415
Letter of compliance for U.S. vessels	146.420	Proposed 33 CFR 145.425
Letter of compliance for foreign vessels	146.425	Proposed 33 CFR 145.430
Re-inspection for foreign vessels	146.430	Proposed 33 CFR 145.435

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What Methods Did We Use To Make the Regulations More Readable?

One of the most noticeable changes in the proposed rule is in its organization, arrangement, and style. We use many of the modern drafting techniques intended to make regulations easier to locate and understand. These techniques include the use of personal pronouns that speak directly to the reader; section headings and text in a question/answer format; common, everyday words, except for necessary technical terms; the active voice to clarify who is responsible; short sentences; and logical organization. These techniques are consistent with the requirements of the Presidential Memorandum, ''Plain Language in Government Writing'' (63 FR 31885, June 1, 1998).

The most comprehensive change to the format of the current OCS regulations is the way the material is organized. In the proposed rule, all of the requirements that apply to a particular category of what we call an ''OCS unit'' (i.e., fixed facility, floating facility, MODU, mobile inland drilling unit (MIDU), or vessel) are grouped together in a single part of the CFR. For example, all the requirements specifically for fixed facilities appear in proposed part 143. Proposed part 143 also includes references to the general provisions applicable to all OCS units in parts 140, 141, and 142. On the other hand, the current OCS regulations group the material by subject, such as operations, and all of the operations regulations for all categories of OCS units appear in one CFR part. Therefore, the owner of a fixed facility has to scan parts 140 through 146 to locate and group together all of the regulations applicable to fixed facilities.

The proposed re-structuring of subchapter N is as follows:

- Part 140, General (applies to all OCS units).
- Part 141, Personnel (applies to all OCS units).
- Part 142, Workplace Safety and Health (applies to all OCS units).
- Part 143, Fixed Facilities.
- Part 144, Floating facilities.
- Part 145, MODU's and MIDU's.
- Part 146, Vessels (other than floating facilities, MODU's, and MIDU's).
- Part 147, Safety zones (applies to particular structures).

The subparts within each CFR part are also rearranged, with the most frequently used subject placed first. The order of the subparts is operations, lifesaving equipment, fire-fighting and fire-protection equipment, and design and equipment.

We are interested in your comments on our efforts to improve the readability of this subchapter. We recognize this material is highly technical and addressed to a technically trained audience, but we still hope to provide reader aids to make the material more readable and accessible. When drafting your comments on the style of presentation, please provide examples from the proposed rule with section references and then detail how you would improve it. We are particularly interested in your answers to the following:

- Do you find the question/answer format helpful?
- Do the tables present the information in an understandable and useful manner?
- Do you benefit from the reorganization, which presents all fixed-facility requirements in one part, all floating-facility requirements in another, and so forth?
- Is the level of detail appropriate for the material being presented and the intended audience?

Do you find the wording too technical or too simplified to be easily understood?

What Are the Substantive Changes?

On November 15, 1999, we published a notice of proposed rulemaking entitled, Frequency of Inspection, Alternate Hull Examination for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels (64 FR 62017). This notice proposes amending its vessel inspection regulations. It also introduces a 5-year Certificate of Inspection cycle. The comment period is open until December 30, 1999. However, we have not included changes in this regulation to reflect the proposed frequency of inspection regulation.

The following discussion is arranged by CFR part and section number, just as those parts and sections are numbered in the proposed rule. It does not include all changes and none of the ones related solely to format. To help identify what is derived from current OCS regulations and what is new, see Table 1 in the preamble.

Part 140—Outer Continental Shelf Activities: General

The only substantive changes to this part are as follows:

(1) The references to the ''U.S. Geological Survey'' are replaced with ''Minerals Management Service.''

(2) The definition section is significantly changed. In proposed § 140.25, the definitions for the following terms in subchapter N are amended:

- Development, fixed facility, floating facility, manned facility, marine inspector, mobile offshore drilling unit or MODU, OCS activity, Officer in Charge, Marine Inspection or OCMI, operator, owner, personnel, production, and unmanned facility.

The following terms are new:

- Accommodation module, accommodation module that is part of a drilling/workover rig package, accommodation space, approval series, approved, bloodborne pathogens, drilling/workover rig package, facility, floating production system or FPS, floating production storage and offloading system or FPSO, foreign, free-fall launching, fuel cell, hazardous material, helicopter fuel containment area, immersion suit, inflatable, lifejacket, lifesaving equipment, major conversion, marine evacuation system, mobile inland drilling unit or MIDU, naturally occurring radioactive material or NORM, novel lifesaving appliance or arrangement, OCS unit, on-load/off-load release mechanism, paint locker, personnel transfer net, platform hydrocarbon source, primary means of escape, radiation, registered architect, rescue boat, ring life buoy, secondary means of escape, service space, sleeping space, spar buoy, survival capsule, survival craft, systems fire protection, temporary accommodation module, tension leg platform or TLP, and U.S.

The items of special interest are as follows:

- ''Unit'' is changed to ''OCS unit,'' meaning all things covered by these regulations (i.e., fixed facilities, floating facilities, MODU's, MIDU's, and vessels).
- ''OCS facility,'' which included MODU's as well as fixed and floating facilities, is no longer used. Instead, each type of OCS unit is addressed in the regulations by its defined category (i.e., ''fixed facility,'' ''floating facility,'' ''MODU,'' ''MIDU,'' or ''vessel'').
- ''Systems fire protection'' is a new term being used in subchapter N. It incorporates structural fire protection items as well as other items from the Life Safety Code, NFPA 101, to make a complete fire protection system.
- ''U.S.,'' as used in the terms ''U.S. floating facility,'' ''U.S. MODU,'' and ''U.S. vessel,'' includes floating facilities, MODU's, and vessels that are not registered, documented, or certificated under the laws of any nation. In other words, these units, when on the U.S. OCS, must meet the same requirements as their U.S. certificated counterparts on the OCS.

(3) *In proposed §§ 140.200, 143.110, 145.106, and 146.110,* the dollar value for property damage is increased from $25,000 to $100,000.

Part 141—Outer Continental Shelf Activities: Personnel

The only substantive changes to this part are as follows:

(1) *In proposed § 141.15,* the definition of the terms ''citizen of the United States'' and ''citizen of a foreign nation'' are amended to include percentage of vested interests.

(2) *Proposed § 141.23* is new and details the process for submitting a request to the Commandant for a determination of the percentage of ownership and right to control an OCS unit. This determination is related to the employment of personnel on OCS units.

Part 142—Outer Continental Shelf Activities: Workplace Safety and Health

This part contains extensive changes to update OCS requirements in subchapter N with applicable requirements as referenced in the Comparison Table, to address adequate training of personnel, and to establish new workplace safety and health requirements necessary for work on the OCS. The substantive changes to this part are as follows:

(1) *In proposed § 142.5,* the following definitions are new:

• Certified industrial hygienist, certified marine chemist, confined space, dangerous atmosphere, hot work, and Offshore Competent Person.

(2) This proposed rule would impose new requirements for owners or operators to inform or provide training to personnel in several key areas. These areas include—

• Recognized hazards in the workplace (§ 142.20);

• Emergency response and cleanup (§ 142.25);

• The proper use of personal protective equipment (§ 142.110);

• Confined-space entry (subpart D); and

• The use, handling, and storage of hazardous material on the facility (subpart E).

(3) This proposed rule would establish the following new requirements:

• Procedures for access to medical monitoring (§ 142.30).

• Personal fall arrest systems, including inspection of components after a system arrests a fall and before it is returned to service (§§ 142.155 through 142.160).

• Personnel nets (§ 142.165).

• Personnel working in an area subject to radiation (§§ 142.175 through 142.179), airborne substances (§§ 142.180 through 142.183), infectious material or blood-borne pathogens (§ 142.185), and noise (§§ 142.235 through 142.240).

• Safe practices for electrical work (§ 142.215).

• Safe use and maintenance of equipment (§ 142.255).

• Design, construction, maintenance, and use of personnel transfer nets (§§ 142.265 through 142.280).

• Specification of color codes for signs and tags marking physical hazards and dangers (§ 142.285).

• Entering and working in an unventilated confined space which may contain a dangerous atmosphere (subpart D).

• Hazardous material communication, use, handling, and storage (subpart E).

(4) *Proposed subpart D* contains precautions for entering and working in any unventilated confined space that may contain poisonous gases, explosive gases, or an oxygen deficient atmosphere. Fatalities continue to occur on facilities when people work in a confined space that contains a dangerous atmosphere.

While gathering information to evaluate the nature and extent of this problem, the Coast Guard met with a NOSAC working group at the Coast Guard's Eighth District offices in New Orleans, Louisiana. Representatives from the offshore facility owners and operators, the NFPA, and the Marine Chemist Association participated. The recommendation of the group was that regulations are necessary for work in confined spaces. The recommendation was to extract applicable requirements from OSHA's general industry standards for confined-space entry in 29 CFR 1910.146, the Shipyard Confined-space Entry Standards in 29 CFR part 1915, subpart B, and U.S. Cargo and Miscellaneous Vessel regulations in 46 CFR part 91, subpart 91.50.

A primary point of discussion revolved around the use of a Certified Marine Chemist and or the use of a Competent Person. The offshore industry contends that an Offshore Competent Person should have the responsibility to perform most of the tests and work for the day-to-day entry into confined spaces aboard an OCS unit.

We agree, but determined that the qualifications of the Offshore Competent Person must extend beyond those listed in OSHA's general industry standards. In the proposed rule, the authority of the Offshore Competent Person was limited to testing for oxygen, flammable gas, benzene, total hydrocarbons, and hydrogen sulfide. This is due to both the limited education and training of the Offshore Competent Person when compared with the Certified Marine Chemist and to the absence of an oversight body that assesses the competency of the Offshore Competent Person.

We request comment on the following specific areas:

• Suggestions on ways to create an oversight body for the Offshore Competent Person.

• Training and education criteria for an Offshore Competent Person.

• Information on atmospheric hazards that may be routinely anticipated and thus should be included on the list of toxins for which an Offshore Competent Person is authorized to test.

• Information and suggestions on ways to enable and require the Offshore Competent Person to identify unexpected hazards and hazards which require the expertise of a Certified Marine Chemist. For example, rapid consumption of certain anti-corrosion anodes is known to produce hydrogen gas in the confined spaces to which the anodes are attached. A typical combustible gas indicator will not indicate the explosive atmosphere created by the hydrogen gas. Typically, the meter will ''peg out'' then return to zero in such an atmosphere. The Offshore Competent Person needs to recognize that this is abnormal instrument behavior and request the services of the Certified Marine Chemist. A second more common situation is the presence of toxic hazards that are not anticipated and would not be identified in the facility's written confined-space entry program. For example, a typical hazard analysis of a diesel fuel oil tank may identify the atmospheric hazards as oxygen and flammable gas. However, we have information that even fuel oil tanks known to have contained only diesel fuel have resulted in atmospheres containing benzene above the action level. More commonly, ballast tanks on offshore supply vessels have been found to contain benzene or cleaning-solvent vapors above the threshold limit values. The presence of these vapors were not a result of the liquids being carried in the tanks. Instead, they were present because cleaning liquids used topside drained into the tanks or because topside tanks overflowed and the liquids found their way into the ballast tanks.

• Information on these and other insidious hazards and suggestions on addressing them in this regulation.

(5) *Proposed subpart E* would prescribe requirements for hazardous

material on fixed and floating facilities. The proposed regulation would ensure that all personnel on a fixed or floating facility are aware of what materials on the facility are hazardous and what hazards are associated with their use, handling, and storage.

On March 10, 1988, the Coast Guard published a final rule entitled ''Hazardous Materials Used as Ship's Stores On Board Vessels'' (53 FR 7745). In the preamble discussion, under the heading ''Related Projects,'' the Coast Guard stated that it proposed to make the hazardous ship's stores regulations applicable to fixed and floating facilities. MODU's, offshore supply vessels (OSV's), and other vessels are already included in the ship's stores regulations. We reviewed the existing programs being used on fixed and floating facilities in the U.S. OCS and reviewed the comments from the NOSAC working group. We determined that ships' stores regulations were not applicable to fixed and floating facilities. We contend that the hazards associated with a floating facility are similar to those of a fixed facility.

The current industry trend incorporates guidance from OSHA's requirements when establishing procedures for workers. We determined that regulations for hazardous communication similar to 29 CFR 1910.1200 are appropriate for activities performed on fixed and floating facilities.

Part 143—Outer Continental Shelf Activities: Fixed Facilities

This part contains extensive changes to update OCS requirements in subchapter N with applicable requirements as referenced in Table 2 in this preamble and to establish new requirements necessary for work on the OCS. The substantive changes to this part are as follows:

(1) We propose the following new requirements:

- Marine casualty reports, including a proposed change of form (§ 143.115).
- Possession and storage of any firearm or firearm ammunition (§ 143.130).
- Storage and dispensing of anesthetics, drugs, and other prescription medication (§ 143.135).
- Assignment of muster stations (§ 143.215), emergency duties (§ 143.220), survival craft assignment (§ 143.225), and posting of documents (§ 143.235).
- Emergency Evacuation Plan (EEP) (subpart D) regarding personnel in temporary accommodation modules (§ 143.310), and marine inspector review, approval, and deficiency issues during oversight inspection to the facility (§ 143.320). These changes reflect current Coast Guard and industry practices.
- Fire drills and abandonment drills (§§ 143.420 and 143.425).
- Use of equipment during drills (§ 143.435).
- Onboard training and instruction (§ 143.510).
- Maintenance and repair of lifesaving, fire-fighting, and other equipment (subpart G).
- Tests and inspection of lifesaving, fire-fighting, and other equipment (§§ 143.700 through 143.730, and § 143.750) including emergency lighting and power systems (§ 143.760), survival craft and rescue boat weight testing (§§ 143.735 through 143.740), and recordkeeping of tests or inspections of fire-fighting equipment (§ 143.755).
- Lifesaving equipment on manned fixed facilities (subpart I) including survival craft and rescue boats (§§ 143.825 and 143.826), survival craft for temporary personnel (§ 143.828), approval requirements for lifeboats (§ 143.830), free-fall lifeboats (§ 143.831), inflatable life rafts (§ 143.832), rigid life rafts (§ 143.833), marine evacuation systems (143.834), life floats (§ 143.835), launching and recovery equipment (§§ 143.836 and 143.837), location and arrangement of survival craft (§ 143.840), rescue boat approval and stowage (§ 143.841), embarkation, launching, and recovery arrangements (§ 143.842), lifejackets (§§ 143.845 through 143.848), ring life buoys (§§ 143.850 through 143.852), first aid kit (§ 143.855), immersion suits (§ 143.870), marking of work vests (§ 143.877), inflatable lifejackets (§ 143.881), and marking requirements for lifesaving equipment (§ 143.885).
- Fire-fighting and fire-protection equipment (subpart K) including fire extinguisher approval (§ 143.1025), number of fire extinguishers required (§ 143.1029), fireman's outfits (§ 143.1035), fire axes (§ 143.1040), fire extinguishing systems (§ 143.1045), automatic fire detection and alarm systems (§ 143.1050), smoke detection in sleeping spaces (§ 143.1050), fire main system (§ 143.1055), fire-fighting equipment on helicopter decks (§ 143.1060), helicopter fueling facility fire-fighting equipment (§ 143.1061), and water supply for helicopter deck fire protection (§ 143.1062).
- Systems fire protection (subpart L) including fire protection in accommodation spaces and modules (§§ 143.1115 and 143.1120), design and location of an accommodation space near a hydrocarbon source (§ 143.1125), ventilation system shutdown (§ 143.1130), and fire protection for escaping personnel (§ 143.1135).
- Design and equipment for fixed facilities (subpart M) including general alarm systems on manned and unmanned facilities (§ 143.1215), means of escape (§§ 143.1220 through 143.1223), personnel landings (§ 143.1225), stairways (§ 143.1231), and general noise level design standards (§§ 143.1235 and 143.1236).
- Design and equipment for manned fixed facilities (subpart N) including openings between accommodation spaces and other restrictive areas (§ 143.1316), sleeping spaces (§ 143.1317), temporary accommodation modules (§ 143.1318), toilet and shower spaces (§ 143.1319), messroom seating (§ 143.1320), medical treatment space (§ 143.1321), medical treatment room (§ 143.1322), laundry room (§ 143.1323), heating in accommodation spaces (§ 143.1325), potable water (§ 143.1330), wash water (§ 143.1331), sanitary water (§ 143.1332), electrical lighting (§ 143.1335), emergency lighting and power (§ 143.1336), and stairways and ladders (§§ 143.1340 and 143.1341).
- Certification of fixed facilities (subpart O) including design plan review (§ 143.1410).

(2) *Proposed subpart I* would prescribe requirements for lifesaving equipment on manned fixed facilities. This new subpart would revise the current OCS regulations in 33 CFR part 144, subparts 144.01 and 144.10. Much of this information, written as far back as 1956, is outdated because it requires mainly life floats, life preservers, ring life buoys, and exposure suits. This proposed rule establishes requirements for lifeboats and life rafts sufficient to rescue 100 percent of manned fixed facility personnel. Life floats are acceptable for use in addition to the required lifeboats, in certain conditions. We also propose new requirements for launching equipment, rescue boats, immersion suits, and work vests. When determining the rescue boat requirements, we considered the facility location, the distance from a safe haven (another facility or vessel capable of providing rescue), and the temperature of the water. Rescue boats, lifeboats, and life rafts are the primary sources of rescue. Life floats are used only as a secondary means of rescue in warmer waters and are considered an acceptable risk within 5.6 kilometers (3 nautical miles) of another facility or vessel capable of rescue. On these waters, life floats are acceptable since lifeboats would be deployed first and, once deployed, would be available to assist in

the rescue of an individual using a life float.

(3) *Proposed § 143.810* would permit lifesaving equipment on a fixed facility as of the date of the final rule to be continued in service until replaced or until the facility undergoes major alterations affecting the equipment.

(4) *Proposed § 143.815* would permit the use of existing lifeboats on manned fixed facilities constructed after the effective date of this rule, if they are modified to include self-righting capability and onload/offload release mechanism within 2 years of the effective date of the final rule. Owners who voluntarily installed lifeboats on OCS units before the effective date of this rule may now use the modified lifeboats as rescue boats, even though the lifeboats may not meet the rescue boat requirements.

(5) *Proposed § 143.827* would allow for an existing manned fixed facility a 2-year phase-in period to comply with the survival craft and rescue boat requirements in subpart I.

(6) *Proposed § 143.842* would prescribe requirements for rescue boat embarkation, launching, and recovery arrangements similar to 46 CFR 108.570. Paragraph (g) allows an onboard crane to launch the rescue boat, as an alternative to having a separate rescue boat launching system.

(7) *Proposed § 143.855* would prescribe requirements for the first aid kit. This section is similar to the current requirement located in 33 CFR 144.01–30. We added a requirement for the location of the first aid kit, either in the medical treatment space, if there is one, or in the custody of the person in charge. We added a requirement that each first aid kit contain a copy of ''The Ship's Medicine Chest and Medical Aid at Sea'' or ''The American Red Cross First Aid Manual and Safety Handbook.''

(8) *Proposed § 143.870* would prescribe requirements for immersion suits on manned fixed facilities. This is similar to the requirement for immersion suits on MODU's. The requirement for immersion suits was first introduced in February 6, 1984. That change to the current OCS regulations applied only to MODU's operating on the OCS. We did not address immersion suits on fixed facilities at that time, because we intended to include this revision in the planned revision of subchapter N.

(9) *Proposed § 143.877.* This new section would require work vests to be marked with retro-reflective material under International Maritime Organization (IMO) Resolution A.658(16) and approved under approval series 164.018.

(10) *Proposed subpart J* would prescribe requirements for lifesaving equipment on unmanned fixed facilities. This subpart is similar to the current requirement located in 33 CFR part 144, subpart 144.10. The term ''unmanned platforms'' has been updated to ''unmanned fixed facilities.'' This subpart has also been made applicable to floating facilities through cross referencing.

(11) *Proposed § 143.915* would prescribe requirements for lifejackets on unmanned facilities. This section is similar to the current requirement located in 33 CFR 144.10–1(a)(1). We removed the references to personal flotation devices and to make the proposed rule consistent with SOLAS 74/83. We added an allowance that would require lifejackets to be on the facility only when personnel are on board. This would help eliminate the expense incurred by the growing practice of lifejackets being stolen from unmanned facilities. We also added an alternate provision permitting the use of helicopter lifejackets on unmanned facilities by personnel while on a short helicopter visit.

(12) *Proposed subpart K* would revise and expand the limited current OCS regulations on fixed facility fire-fighting and fire-protection equipment located in 33 CFR part 145.

(13) *Proposed § 143.1000* allows all fixed facilities, 2 years from the effective date of the final rule, to install fire-fighting and fire-protection equipment.

(14) *Proposed § 143.1010* would clarify the long standing Coast Guard position that only Coast Guard approved fire-fighting and fire-protection equipment may be used on OCS units, whether or not that equipment is in addition to the number of approved items required in the regulations. This is similar to the requirements for MODU's located in 46 CFR 108.103. We allow exemptions for equivalent items as stated in paragraph (b), excess fire-fighting equipment under proposed § 143.1015, MMS fire-fighting items permitted under proposed §§ 143.1055(b) and (c) and 143.1062(a), and existing helicopter deck fire-protection systems under proposed § 143.1063.

(15) *Proposed § 143.1015* would allow for the use of fire-fighting equipment for which the Coast Guard has no standard, if the equipment does not endanger the facility or personnel and is maintained in good working condition.

(16) *Proposed § 143.1020* would prescribe requirements for fire extinguishers. This section is similar to the current requirement located in 33 CFR 145.05(a) through (c), with the removal of soda and water extinguishers and the addition of type B–IV extinguishers from the table.

(17) *Proposed § 143.1045* would prescribe requirements for fire-extinguishing systems for certain enclosed spaces on a manned fixed facility, which is similar to current requirements for MODU's. However, we considered some significant differences while proposing this requirement. MODU's have to drill in harsh environmental areas such as the North Sea. Their industrial areas often must be enclosed, requiring fire-extinguishing systems for those areas. Many industrial spaces on fixed facilities in the U.S. OCS are open to the atmosphere and would not require a fire-extinguishing system.

(18) *Proposed § 143.1050* would prescribe requirements for automatic fire detection and alarm systems in accommodation and service spaces and smoke detectors in the sleeping quarters of a manned fixed facility. Fire detection and alarm systems must meet American Petroleum Institute (API) standards and NFPA 72 requirements. The requirement for smoke detectors in sleeping quarters is new and in addition to current MODU regulations. We intend to revise MODU regulations in a future rulemaking, to include new requirements for smoke detectors in sleeping spaces similar to IMO MODU CODE requirements.

(19) *Proposed § 143.1055* would require manned fixed facilities to have a fire main system to protect the accommodation spaces. Existing requirements in subchapter N have no provisions for fire mains in the accommodation spaces. Existing OCS manned fixed facilities have a fire main as part of the firewater system required by MMS for the production-handling equipment areas. If the owner or operator elects to meet this requirement by making an extension to the existing MMS fire main, the new fire main system piping fittings and hardware may meet the MMS requirements to maintain compatibility of the necessary hardware. If the owner or operator elects to install a new independent fire main to meet this requirement, the system design and hardware must comply with the MODU regulations in 46 CFR 108.415 through 108.425.

(20) *Proposed § 143.1062* would prescribe requirements for the water supply of helicopter deck fire-protection systems. Many operators of fixed facilities have voluntarily installed helicopter deck fire protection systems, even though they have not been

required by the Coast Guard regulations. The water supply for these voluntarily installed systems is, in most cases, a continuation of the MMS firewater system. Some facilities tap into a Coast Guard approved independent accommodation fire main system. Either option will meet this requirement as long as the design and hardware maintains consistency with the fire main being used.

(21) *Section 143.1063* would permit the continued use of non-approved Coast Guard helicopter deck fire-protection equipment if installed on the facility before 2 years after the effective date of the final rule. This exemption is required to permit the continued use of voluntarily installed systems. However, this equipment will still have to meet the requirements in §§ 143.1060 and 143.1061.

(22) *Proposed subpart L* would prescribe requirements for systems fire protection for manned fixed facilities. The Coast Guard currently has extensive regulations for structural fire protection on MODU's and floating facilities; however, there are no requirements in existing 33 CFR part 145 for structural fire protection of manned fixed facilities and fire protection of helicopter decks.

In accordance with the 1998 MOU between the Coast Guard and MMS, the Coast Guard is responsible for regulating fire protection for fixed facilities in the areas of accommodation spaces, service spaces, control rooms, wellbay areas, and helicopter decks. This subpart would address structural fire protection of accommodation spaces and the fire-protection requirements for helicopter decks and helicopter refueling systems.

For personnel safety, the proximity of an accommodation space to an explosive source or hydrocarbon source is of critical importance in the event of a blowout or explosion. Accident statistics show that 78 percent of all fires, explosions, and blowouts occurring on the OCS have occurred on fixed facilities. A likely explanation of this statistic is that the majority of fixed facilities are producing and flowing oil and gas 24-hours-a-day, whereas most MODU's are performing exploratory drilling, where they encounter dry holes 80 percent of the time. Many fixed facilities house production facilities capable of handling thousands of barrels of oil and millions of cubic feet of gas daily, making the threat of fire on a fixed facility greater than or at least equal to that of a MODU engaged in OCS activity.

Coast Guard and MMS accident and casualty data reveals that the threat of fire remains a major hazard on fixed facilities. Between 1970 and 1979, there were 264 fires, explosions, and blowouts on fixed facilities, resulting in 42 fatalities. Between 1980 and 1986, there were 410 fires, explosions, and blowouts on fixed facilities, resulting in 31 fatalities. Between 1987 and 1998, there were 563 fires, explosions, and blowouts on fixed facilities, resulting in 10 fatalities.

Initially, the Coast Guard intended to write the requirements for structural fire protection on a manned fixed facility, similar to Coast Guard MODU regulations in 46 CFR part 108, subpart D, and the 1989 IMO MODU Code. In the process of determining what requirements to establish, the Coast Guard formed a NOSAC working group to address the issue of structural fire protection. Many members were of the opinion that the ''fixed'' nature of a manned fixed facility made it more like a land-based structure than their marine-based counterparts (for example, MODU's). Therefore, the working group recommended that the requirements for structural fire protection be similar to the existing land-based building code requirements. This would provide an equivalent level of safety while allowing greater flexibility in construction and design. We thoroughly examined one of the land-based building codes, the Life Safety Code, NFPA 101. We determined that with a few modifications, NFPA 101 requirements could increase the level of safety.

We contend that, in addition to NFPA 101, an independent firewall between the accommodation spaces and the wellbore or explosive source is absolutely necessary. The requirement for a firewall is an acknowledged international requirement brought about by the review of the ''Piper Alpha'' accident in the North Sea. This requirement is consistent with the IMO MODU Code, which includes a regulation requiring the front bulkhead of accommodation spaces to be of A60 construction if it is within 30 meters of the wellhead. As an alternative, this proposed rule allows the owner or operator to use an A60 bulkhead on the periphery of the quarters building, as required by the MODU regulations in 46 CFR part 108.

(23) *Proposed §§ 143.1100 and 143.1105* would prescribe requirements for fixed facilities, major conversions, relocated facilities, accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package. The proposed regulations would apply only if the facility, conversion, or module were contracted for or constructed after the effective date of the final rule.

(24) *Proposed §§ 143.1115 and 143.1120* would prescribe requirements for systems fire protection for accommodation spaces and modules on manned fixed facilities, based on the Life Safety Code, NFPA 101, with an additional requirement for a fire wall. We also permit the owner or operator to elect to meet this requirement by complying with 46 CFR part 108, subpart B.

(25) *Proposed § 143.1125* would prescribe requirements for the design and location of accommodation spaces, accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package with respect to explosive sources. This would provide a safe refuge from fires, blowouts, and explosions during the time needed to evacuate.

(26) *Proposed § 143.1217* would prescribe requirements for the hardware of the general alarm system on a fixed facility. The current OCS regulations were deficient in this area. It has long been the Coast Guard's standard practice to require a bell for the primary sounding device for MODU'S and other U.S. vessels. This is in keeping with international maritime standards. However it has been standard practice on U.S. fixed facilities to use primary alarm sounding devices that are not bells. Floating and fixed facility operations are similar in being mostly production operations and different from that of MODU's and other U.S. vessels. Because personnel engaged in OCS activity often work on both fixed and floating facilities, consistency between the general alarm systems is important. This rulemaking allows the use of devices other than bells for the primary and supplementary sounding device so the signals on a fixed facility will be similar to the signal on a floating facility. It further permits the use of system hardware that is either Underwriters Laboratories (UL) listed, Factory Mutual (F.M.) listed, or U.S. Coast Guard approved.

(27) *Proposed §§ 143.1235 and 143.1236* would prescribe general noise level design standards for all new manned fixed facilities. These sections are intended to be used in conjunction with proposed §§ 142.235 and 142.240 to result in a general noise standard for all new manned fixed facilities. The table of maximum noise levels for accommodation spaces in § 143.1235 is taken from the IMO Resolution A.468(XII).

(28) *Proposed subpart N* would prescribe requirements for accommodation spaces, accommodation lighting and power, heating in

accommodation spaces, service water systems, emergency lighting and power, and stairways and ladders on manned fixed facilities contracted for or constructed after these rules are finalized. Requirements are proposed to establish minimum safety and design standards for those areas on fixed facilities within the responsibility of the Coast Guard under the Outer Continental Shelf Lands Act and the 1998 MOU between the Coast Guard and the MMS. Because many of the potential safety hazards on fixed facilities are similar to those on MODU's, requirements proposed in this subpart are similar to those applied to MODU's under subchapter I√A of 46 CFR chapter I. The proposed modifications were needed to address differences specific to the nature of operations on a fixed facility. This rulemaking is more general in nature than that for MODU's, because fixed facilities do not have to comply with international marine regulations as do MODU's.

(29) *Proposed § 143.1317* would prescribe general requirements for sleeping spaces on manned fixed facilities and modules. Many of the paragraphs are similar to the regulations for accommodation spaces on a MODU in 46 CFR 108.201 and 108.203. Coast Guard vessel and MODU regulations permit only four persons per sleeping space. The Coast Guard determined that six persons per sleeping space is acceptable on fixed facilities for the following reasons:

(a) Fixed facilities do not experience wave motion as do vessels and MODU's. More space is required in a room where there is vessel motion than in a room which does not have motion.

(b) Fixed facilities do not embark on international ocean voyages and therefore do not have to contend with foreign marine manning regulations.

(30) *Proposed § 143.1318* would prescribe general requirements for temporary accommodation modules used on fixed facilities. The Coast Guard determined that eight persons in these sleeping spaces is acceptable because the sleeping space would only be used on a temporary basis on the rare occasions that personnel are working on the facility.

(31) *Proposed § 143.1321* would require a medical treatment space on each manned fixed facility with accommodation spaces for 12 or more persons. Also see the comments on this subject in paragraph (5) of the discussion of comments to the ANPRM in this preamble.

(32) *Proposed § 143.1322* would allow a medical treatment room to be used as a sleeping space or office.

(33) *Proposed § 143.1323* would prescribe requirements for laundry rooms. It would require a washer and dryer for every 25 persons on the facility or a laundry service could be used instead.

(34) *Proposed § 143.1332* would prescribe requirements for sanitary water systems. It is general in nature, the main objective being to ensure that sanitary water is properly located and labeled to avoid being used for drinking and to avoid its coming into contact with food or medical utensils.

(35) *Proposed § 143.1335* would prescribe electrical lighting requirements for accommodation spaces, illuminated exit signs, and lifeboat and life raft embarkation area floodlights. The requirements are intended to ensure that adequate lighting is provided for accommodation spaces and for emergency purposes. Paragraph (a) would require that the design and installation of the lighting system comply with API RP 14F, section 9.

(36) *Proposed § 143.1336* would prescribe emergency lighting and power design and installation requirements for emergency lighting and power sources. The system design must meet API RP 14F. The purpose of this requirement is to ensure that a dependable independent emergency power source is available to provide a minimum level of light and power during an emergency. The emergency source of power may consist of either batteries, a generator, or a combination of both.

(37) *Proposed § 143.1341* would prescribe requirements for vertical ladders. It is similar to the vertical ladder requirements for MODU's in 46 CFR 108.160. Paragraph (c) on embarkation ladders is an additional requirement to that for MODU's. This is added to eliminate the potential safety hazard of an escaping person becoming trapped by waves in the ladder cage during storm conditions. This rulemaking would add a side opening to the cage and the elimination of the cage for the bottom 9.15 meters (30 feet).

(38) *Proposed § 143.1410* would require a U.S. registered professional engineer or registered architect to review facility design plans and specifications of the items prescribed by this subchapter and certify that these items comply with the Coast Guard's design regulations. This section was proposed in order to allow owners and operators to use in-house, as well as third-party, engineers to review and certify calculations and drawings. This change is necessary to reduce both the time required for plan review by the Coast Guard and the cost of plan review for the owner.

Part 144—Outer Continental Shelf Activities: Floating Facilities

Fixed and floating facilities have many regulations in common, so some subparts and sections in part 144 refer to requirements in part 143. Existing regulations for floating facilities were very limited. Many new and novel types of floating facilities, such as TLP's and Spar Buoys, have appeared since subchapter N was last revised. This new part addresses these new types of floating facilities, as well.

(1) This proposed rule would establish new requirements for all floating facilities in the following areas:

- Notice of arrival or relocation (§ 144.110).
- Operating manuals (§ 144.210).
- Lifesaving equipment for manned U.S. floating facilities (subpart D), including immersion suits (§ 144.310).
- Lifesaving equipment for unmanned U.S. floating facilities (subpart E).
- Fire fighting and fire protection for floating facilities (subpart F), including temporary accommodation modules on a manned floating facility (§ 144.510) and fire-fighting and fire-protection equipment for U.S. unmanned floating facilities (§ 144.515).
- Equipment requirements for U.S. floating facilities (subpart G), including the general alarm system (§§ 144.605 and 144.610).
- Design and equipment requirements for manned and unmanned U.S. floating facilities (subpart H), including conversions, relocations (§ 144.700), TLP's (§ 144.710), and FPSO's (§ 144.715).
- Plan and approval requirements for manned and unmanned U.S. floating facilities (subpart I), including initial submission (§ 144.815), plan submission (§ 144.820), in-service inspection (§ 144.830), and new or novel hull designs (§§ 144.835 and 144.840).
- Inspection and certification requirements for U.S. floating facilities (subpart J), including Certificates of Inspection (COI) (§ 144.910), drydocking (§ 144.915), and the revocation of a COI (§ 144.920).
- Foreign floating facility requirements (subpart K), including operational requirements (§ 144.1005), EEP's (§ 144.1010), operating manuals (§ 144.1015), design equipment and inspection requirements (§ 144.1020), FPSO's (§ 144.1025), Letter of Compliance (LOC) (§ 144.1030), mid-

period inspection (§ 144.1035), and the revocation of a LOC (§ 144.1040).

(2) *Proposed § 144.105* would prescribe requirements for manned and unmanned floating facilities. The owner or operator of a floating facility would have to comply with the same operational requirements as the owner or operator of a fixed facility. There is one exception; the notice of arrival or relocation requirement is specific to manned and unmanned floating facilities.

(3) *Proposed § 144.305* would prescribe the requirements for lifesaving equipment. Currently, the owner or operator of a floating facility must comply with all of 46 CFR part 108. This proposed rule would exempt the portions of 46 CFR part 108 that are not applicable to floating facilities.

(4) *Proposed § 144.310* would prescribe the requirements for immersion suits. This requirement applies to any floating facility located north of 32 degrees north latitude. It may effect floating facilities located along the Pacific and Atlantic coasts of the continental United States. It will not effect any floating facility located in the Gulf of Mexico. This requirement will improve the level of safety of personnel in the event they are forced to spend time in the water.

(5) *Proposed subpart E* would prescribe the requirements for lifesaving equipment for unmanned U.S. floating facilities. The requirements are the same as those for unmanned fixed facilities in proposed part 143, subpart J.

(6) *Proposed § 144.510* would permit temporary accommodation modules used on a manned floating facility that meet the same requirements as modules for manned fixed facilities. Present regulation requires any temporary accommodation module used on a floating facility to meet the requirements for MODU's in 46 CFR part 108.

(7) *Proposed §§ 144.605 and 144.610* would prescribe equipment requirements for a U.S. floating facility. These sections would make equipment requirements for a floating facility similar to those for a fixed facility, except that the general alarm system for a floating facility must meet the electrical engineering requirements in 46 CFR chapter I, subchapter J. Floating facilities would use Coast Guard-approved hardware, rather than UL or F.M. listed hardware. However, TLP's would meet the fixed facility requirements.

(8) *Proposed subpart H* would prescribe the design and equipment requirements for manned and unmanned U.S. floating facilities. This subpart would revise and expand the current requirement in 33 CFR 143.120(b), which states in general terms that floating facilities must comply with 46 CFR part 108. We incorporate in subpart H additional requirements from the ''MVI Policy Letter No. 13–92,'' which details the design and equipment requirements for FPSO's. We also incorporate the requirements of API RP 2FPS for floating production systems and API RP 2T for TLP's.

(9) *Proposed § 144.810* would require that if construction of a U.S. floating facility began before the plans were approved, then any discrepancies between the final construction and the approved plans must be rectified.

(10) *Proposed § 144.830* would require in-service inspection plans to be submitted at the same time as the design basis. This early stage submittal will facilitate minimum cost and effort for any structural design changes that are necessary for proper inspection.

(11) *Proposed § 144.1025* would require a foreign FPSO operating on the U.S. OCS to comply with OPA 90 regulations, which will align with U.S. FPSO requirements.

Part 145—Outer Continental Shelf Activities: Mobile Offshore Drilling Units and Mobile Inland Drilling Units

We combined the requirements for U.S. and foreign MODU's located in 33 CFR part 143, subpart C, part 144, subparts 144.20 and 144.30, and part 146, subpart C, with new regulations for MIDU's. We have left much of the current MODU regulations unchanged, but we have added some new requirements, expanded the current OCS regulations in areas where they were very general, and made some modifications. The substantive changes to this part are as follows:

(1) This proposed rule would establish new requirements in the following areas:

- Excess emergency equipment for MODU's (§ 145.125).
- Operational testing of emergency equipment for MODU's (§ 145.130).
- Two-year LOC for foreign MODU's (§ 145.425).
- Revocation of a foreign MODU's Letter of Compliance (LOC) (§ 145.430), mid-period inspection of foreign MODU's (§ 145.435), and fees for an LOC examination of foreign MODU's (§ 145.440).
- Operational, training, and drill requirements for U.S. MIDU's (§ 145.510), arrival and relocation notification (§ 145.515), EEP (§ 145.520), lifesaving equipment (§ 145.525), fire fighting and fire protection (§ 145.530), design, equipment, and inspection requirements (§ 145.535), LOC (§ 145.540), revoking of an LOC (§ 145.545), and re-inspection requirements (§ 145.550).

(2) *Proposed § 145.210* would prescribe immersion suit requirements for U.S. MODU's. On October 1, 1998, we published a final rule on lifesaving equipment (63 FR 52802) that established new requirements for immersion and exposure suits on U.S. MODU's in 46 CFR part 108. Before these regulations were established, immersion-suit requirements for MODU's were located in 33 CFR 144.20–5. When the MODU regulations in 46 CFR part 108 were revised to include immersion-suit requirements, the requirements located in 33 CFR 144.20–5 (a) through (e) became obsolete. Therefore, proposed § 145.210 cross-references the MODU immersion-suit requirements in 46 CFR part 108.

As for exposure suits, our regulations in 46 CFR part 160, subpart 160.071, have been removed. Immersion suit regulations under 46 CFR part 160, subpart 160.171, have replaced those for exposure suits, because of the similarity between the two suits and because SOLAS uses the term ''immersion suit.'' Paragraph (a) is similar to the first sentence of the current requirement located in 33 CFR 144.20–5, but would revise the geographical areas where immersion suits are required.

This section cross-references the requirements for immersion suits for manned fixed facilities (§ 143.870), unmanned fixed facilities (§ 143.925), manned floating facilities (144.310), unmanned floating facilities (§ 144.420), U.S. vessels (§ 146.200), and foreign vessels (§ 146.210). MODU's and other OCS units engaged in OCS activity would be required to have immersion suits when operating in waters North of 32 degrees North latitude in both the Atlantic and Pacific Oceans. Current regulations in 33 CFR 144.20–5 and 144.30–5 require suits when operating North of 32 degrees in the Atlantic and North of 35 degrees in the Pacific. A study conducted by the Coast Guard determined that temperatures in the Pacific Ocean near the West Coast of the United States at 32 degrees North latitude were colder than they were in the Atlantic Ocean at the same latitude. There was no reason, therefore, to allow 35 degrees North latitude for the Pacific Ocean. This proposed rule would change the geographical areas to 32 degrees North for both oceans.

(3) *Proposed § 145.215* would establish immersion suit requirements for foreign MODU's. The intent is to have identical requirements, or at least

equivalent requirements, on all MODU's (U.S. or foreign). There are two ways that a foreign MODU may satisfy the requirements. They may use—

(a) U.S. approved suits; or

(b) Their own nation's immersion suits, anti-exposure suits, or other similar suits approved by the MODU's flag-state, provided the suits are accepted by the Coast Guard as equivalent to U.S. approved suits.

(4) *Proposed 145.425(c)* would amend the current requirement located in 33 CFR 143.210(b) to allow a 2-year term for the LOC. This would align that term with the 2-year term for a COI.

(5) *Proposed subpart F* would establish regulations for MIDU's operating on the OCS. This proposed rule implements an established policy that has been operating successfully for several years. When operating on the OCS, a MIDU would have to comply with portions of the requirements for a manned fixed facility, the requirements for arrival and relocation notification for a floating facility, and the requirements for EEP plans for a MODU. Also, they would be required to obtain an LOC and undergo annual inspections to certify compliance with these limited regulations.

(6) *Proposed § 145.525* would require MIDU's operating on the OCS to comply with lifesaving equipment requirements for manned fixed facilities. The section does not specifically address immersion suits; however, immersion suits are part of the lifesaving equipment for a manned fixed facility. When a MIDU operates on the OCS North of 32 degrees North latitude, it must comply with the immersion suit requirements for a manned fixed facility.

(7) *Proposed § 145.535* would require that MIDU's operating on the OCS have an LOC. An LOC would be issued to a MIDU for operations inside the defined area. An LOC would be issued based on an inspection to establish that the MIDU meets the lifesaving, fire fighting, and operational requirements for a manned fixed facility and proposed part 145, subpart F. A foreign MIDU is not permitted to operate on the OCS.

Part 146—Outer Continental Shelf Activities: Vessels

We combined the current requirements in 33 CFR part 143, subpart D (Vessels), with those in part 143, subpart E (Standby Vessels), to form this one part for all vessels operating on the OCS, other than MODU's, MIDU's, and floating facilities. Some sections were added to make this an all-inclusive set of regulations for OCS vessels. The substantive changes to this part are as follows:

(1) *Proposed §§ 146.115 and 146.120* would revise the current requirement in 33 CFR 146.303, which requires an owner or operator of a foreign vessel to comply with the casualty notice for fixed and floating facilities. We propose a revision that would require foreign vessels to meet the general U.S. vessel requirements for notice of casualty located in 46 CFR 4.05.

(2) *Proposed § 146.205* would establish lifesaving equipment requirements for all foreign vessels engaged in OCS activities, other than foreign MODU's and floating facilities. Our intent is to require the owner or operator of a foreign vessel to meet the same lifesaving requirements or ones equivalent to those for a U.S. vessel. For foreign vessels, we propose the option of using any one of the three alternatives for satisfying the lifesaving equipment requirements. The owner or operator of a foreign vessel may meet either the U.S. lifesaving regulations, their own nation's regulations, if they have been reviewed and approved by the Commandant, or the lifesaving requirements in SOLAS.

(3) *Proposed § 146.305* would establish fire-fighting and fire-protection regulations for foreign vessels while engaged in OCS activities. The current OCS regulations have no requirements in this area, and this has created the possibility that foreign vessels may be operating on the OCS with a lower standard of fire protection than that of a similar type of U.S. vessel. The intent is to require foreign vessels, while engaged in OCS activities, to have a standard of fire protection the same as or equivalent to that for a U.S. vessel. The proposed regulation is organized similar to the requirements for lifesaving equipment for foreign vessels in proposed § 146.205 by providing the option of one of three alternatives to comply with this requirement.

(4) *Proposed § 146.405* would require the owner or operator of a foreign vessel, while engaged in OCS activities, to comply with the design, equipment, and inspection requirements applicable to U.S. vessels under proposed § 146.400 or the standards of the vessel's nation if accepted and approved by the Coast Guard. The intent is to ensure that all vessels engaged in OCS activities have a minimum level of safety at least equal to that of a U.S. vessel of similar type.

(5) *Proposed § 146.420* would require foreign vessels, while engaged in OCS activities, to obtain an LOC similar to that required for foreign MODU's in current 33 CFR 143.210 and in proposed § 145.425.

(6) *Proposed subpart F* would revise and enlarge the current OCS regulations for standby vessels in 33 CFR part 143, subpart E. The intent is to produce a complete set of regulations for standby vessels. The standby vessel regulations were added as part of the EEP regulations published on May 18, 1989 (54 FR 21566). Standby vessels would also be subject to applicable vessel regulations of part 146.

Proposed Form CG–RMAID

The Coast Guard, MMS, and OSHA worked together to develop the proposed form entitled ''Casualty Report of Accident, Injury, Occupational Illness, or Death on a Facility, Excluding Mobile Offshore Drilling Units.'' We intend to streamline the reporting process by using one form to report to each agency. The form number, CG–RMAID, is temporary and will be replaced by the proper Coast Guard form number in the final rule. We encourage comments on the use and clarity of this form.

BILLING CODE 4910–15–U

DEPARTMENT OF TRANSPORTATION U.S. Coast Guard CG -RMAID (Rev. 6-99)	CASUALTY REPORT OF ACCIDENT, INJURY, OCCUPATIONAL ILLNESS, or DEATH ON A FIXED OR FLOATING FACILITY	UNIT CASE NUMBER (AGENCY USE ONLY)

SECTION I - GENERAL INFORMATION

1. Name of facility:	2. Facility ID number:		3. Lease ID number:
4. Type of facility (fixed platform, guyed tower, etc.):	5. ☐ Manned ☐ Unmanned	6. Year built:	7. Area block:
8. Date of last inspection(s): USCG: _____ MMS: _____ SELF: _____	9. Type of operation:	10. Date (of occurrence):	11. Time (local):
12. Name, address, and telephone no. of operating co.:	13. Water depth: 15. No. of persons on board:	14. Estimated loss or damage to: FACILITY: $_____ EQUIPMENT: $_____ OTHER: $_____	
16. Name of person in charge:		17. Duration of event causing casualty: Seconds: _____ Minutes: _____ Hours: _____ Days: _____	
16.a. Street address: (city, state, ZIP code):	16.b. Telephone number: ( )		

18. Casualty elements (Check as many as needed and explain in Block No. 41)

TYPE OF EVENT CAUSING CASUALTY	CAUSE OF CASUALTY	EFFECT OF CASUALTY
☐ HEAVY WEATHER DAMAGE	☐ CARGO CONTAINER LOST/DAMAGED	☐ ILLNESS HOW MANY? _____
☐ FIRE	☐ BLOWOUT PREVENTER FAILED	☐ DEATH HOW MANY? _____
☐ EXPLOSION	☐ DRILLING/PRODUCTION EQUIPMENT FAILED	☐ MISSING HOW MANY? _____
☐ COMMERCIAL DIVING CASUALTY	☐ BURNING/WELDING EQUIPMENT FAILED	☐ INJURED HOW MANY? _____
☐ ICE DAMAGE	☐ AUXILLARY MACHINERY FAILURE	☐ HAZARDOUS MATERIAL RELEASED OR INVOLVED? (Identify substance and amount in Block No. 41)
☐ DAMAGE TO AIDS TO NAVIGATION	☐ MAIN MACHINERY OR EQUIPMENT FAILURE	☐ OIL SPILL - Estimate Amount: _____
☐ COLLISION (Identify other vessel or object in Block No. 41)	☐ ELECTRICAL FAILURE	☐ STRUCTURAL OR EQUIPMENT LOSS
☐ SUBSEA EVENT	☐ STRUCTURAL FAILURE	☐ Yes
☐ OTHER (Describe in Block No. 41)	☐ MATERIALS TRANSFER/CRANE FAILED	☐ No
	☐ FIREFIGHTING OR EMERGENCY EQUIPMENT FAILED OR INADEQUATE (Describe in Block 41)	
	☐ LIFESAVING EQUIPMENT FAILED OR INADEQUATE (Describe in Block No. 41)	
	☐ BLOW OUT (Petroleum exploration/production)	
	☐ ALCOHOL INVOLVEMENT (Describe in Block 41)	
	☐ DRUG INVOLVEMENT (Describe in Block No. 41)	
	☐ OTHER (Specify and describe in Block No. 41)	

19. Conditions

A. Sea conditions (wave height, direction):	B. Weather:	C. Time:	D. Visibility:	E. Distance (miles of visibility):
	☐ Clear	☐ Daylight	☐ Good	F. Air temperature:
	☐ Rain	☐ Twilight	☐ Fair	G. Wind speed and direction:
	☐ Snow	☐ Night	☐ Poor	H. Current speed and direction:
	☐ Fog			
	☐ Other (specify)			

20. Person involved: ☐ Male ☐ Female ☐ Dead ☐ Injured ☐ Missing	21.a. Name (Last, First, Middle):	21.b. SSN: – –	21.c. Status ☐ Facility worker ☐ Visitor ☐ Sub contractor ☐ Other (specify)
	21.d. Address (City, State, Zip Code):		

22. Birth date:	23. Telephone number: ( )	24. Job position:	25. Department:	26. Check here if off duty: ☐

27. Employer (If different from Block No. 12, fill in name, address, and telephone number):

28. Person's time:	Year(s)	Month(s)
a. In this industry		
b. With this company		
c. In present job or position		
d. On present facility		
e. Hours on duty when accident occurred		

29. Industry of employer (oil company, casing company, etc.)

30. Was the injured/ill person incapacitated 72 hours or more? ☐ Yes ☐ No

31. Date of Death:

32. Occupational illness:	33. Source of illness:
34. Specific location of accident on facility:	35. Activity of person at time of accident:
36. Type of accident (fall, caught between, etc.):	37. Resulting injury (cut, bruise, fracture, burn, etc.):
38. Part of body injured:	39. Equipment involved in accident:

40. Specific object, part of the equipment in Block 39, or substance (chemical, solvent, etc.) that directly produced the injury or illness:

SECTION II - DESCRIPTION OF CASUALTY

41. Describe how accident occured, damage, information on alcohol/drug involovement and recommendations for corrective safety measures. (See instructions and attach additional sheets if necessary):

42. Attending physician (name, address, telephone number):

43. Hospital attended (name, address, telephone number):

44. Witness (name, address, telephone number):

45. Witness (name, address, telephone number):

SECTION III - PERSON MAKING THIS REPORT

46. Name (PRINT) (Last, First, Middle):	46.b. Address (city, state, ZIP code):	46.c. Title:	
46.a. Signature:		46.d. Telephone number: ( )	46.e. Date:

FOR OFFICIAL USE ONLY **REPORTING OFFICE:**

APPARENT CAUSE:

OSHA CASE OR FILE NUMBER:	INVESTIGATOR (Name):	DATE:	APPROVED BY (Name):	DATE:

INSTRUCTIONS TO COMPLETE FORM CG-RMAID
REPORT OF ACCIDENT, INJURY, OCCUPATIONAL
ILLNESS, OR DEATH ON A FIXED OR FLOATING FACILITY

Requirement met by this form

1. This form satisfies the requirements for the U.S. Coast Guard report of accidents required by 33 CFR §§ 143.110 and 143.115, Minerals Management Service report of accidents required by 30 CFR 250.19, and OSHA Supplementary report Form 101 as required by 29 CFR 1904.4.

FIXED AND FLOATING FACILITIES

2. All fixed and floating facilities engaged in mineral exploration, development, or production activities on the Outer Continental Shelf of the U.S. are required by 33 CFR 143.110 to report accidents resulting in:

   a) Death;
   b) Injury of 5 or more persons in a single incident;
   c) Injury causing any person to be incapacitated for more than 72 hours;
   d) Damage affecting the usefulness of primary lifesaving or fire-fighting equipment;
   e) Damage to a fixed or floating facility in excess of $100,000.00; or
   f) Damage to the fixed or floating facility in excess of $100,000.00 resulting from a collision by a vessel.

Note: Mobile offshore drilling units must use Form CG-2692 to report accidents etc. under 46 CFR 109.411.

COMPLETING THIS FORM

3. a) This form should be filled out as completely and accurately as possible. Please type or print clearly. Fill in all blanks that apply to the kind of accident that has occurred. If a question is not applicable, the abbreviation "NA" should be entered in that space. If an answer is unknown and cannot be obtained, the abbreviation "UNK" should be entered in that space. If "NONE" is the correct response, then enter it in that space.

   b) If more than one death or injury occurs in a single incident, complete the entire CG-RMAID for one of the persons injured or killed, and attach one form for each additional person, filling out Blocks (1) and (2) and Section II on the subsequent forms.

   c) As soon as possible, deliver or mail one copy of the completed form(s) to each of the following agencies:

      1) Coast Guard Marine Safety or Marine Inspection Office nearest to the location of casualty.
      2) Minerals Management Service to the address listed in 30 CFR 250.19(a).
      3) Occupational Safety and Health (have form available for inspection per 29 CFR 1094.4).

   d) Block 41 - Describe the sequence of events which led up to this casualty. Include your opinion of the primary cause and any contributing causes of the casualty. Briefly describe damage to your facility, its equipment, and other vessels/property. Include any recommendations you may have for preventing similar casualties.

ALCOHOL AND DRUG INFORMATION. Provide the following information with regard to each person determined to be directly involved in the casualty: name, position aboard facility, whether or not the person was under the influence of alcohol or drugs at the time of the casualty, and the method used to make this determination. If toxicological testing is conducted, the results should be included; if the results are not available in a timely manner, provide the results of the toxicological test as soon as practical and indicate that this is the case in Block 41 of the casualty form.

BILLING CODE 4910–15–C

Incorporation by Reference

Material proposed for incorporation by reference appears in proposed § 140.30. You may inspect this material at U.S. Coast Guard Headquarters where indicated under **ADDRESSES.** Copies of the material are available from the sources listed in proposed § 140.30.

Before publishing a binding rule, we will submit this material to the Director of the Federal Register for approval of the incorporation by reference.

Regulatory Evaluation

(a) Introduction

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget (OMB) has not reviewed it under that Order. It is not ''significant'' under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979).

A draft Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT will be available in the docket as indicated under **ADDRESSES** on January 6, 2000. The Regulatory Evaluation is included in the document entitled ''Economic Supporting Data.'' A summary of the Evaluation follows:

(b) Summary

Subchapter N regulations apply to all activities occurring on the OCS. The types of unit that engage in OCS activities are diverse and include fixed facilities, floating facilities, mobile offshore drilling units, mobile inland drilling units, and vessels (i.e., offshore supply vessels, industrial vessels, pipe lay barges, and derrick barges). The proposed rule is a comprehensive effort to provide a complete rulemaking package to meet the needs of today's OCS, with sufficient flexibility to handle tomorrow's emerging technology. The primary changes for OCS units are in workplace safety and health, lifesaving, fire-fighting, and fire-protection equipment, and structural fire protection.

The benefit-to-cost ratio for this proposed rule is 0.86-to-1. The cost of the rule in present value dollars over the 10-year period of analysis (2000–2009) is $82.8 million, which includes $81.9 million in costs to industry and $0.9 million in costs to the government. The present value benefits in the form of avoided deaths, injuries, and accidents are $71 million.

The component parts of the proposed rule have the following benefit-to-cost ratios:

- Part 142, 10.5-to-1;
- Part 143, .28-to-1; and
- Parts 144 through 146, which account for approximately 2 percent of the costs, have benefits expressed qualitatively.

The Coast Guard included several measures to accommodate small entities and others affected by this proposed rule with phase-in periods, exemptions, and options to meeting some proposed requirements.

(c) Costs Evaluation

(1) Costs to the Offshore Industry

When you review the proposed rule, you will note that the substance of many current OCS regulations remains unchanged. The following is a list of parts identifying where you will find proposed changes that impact the industry.

- *Part 140* No changes that impact the industry costs.
- *Part 141* No changes that impact the industry costs.
- *Part 142* Contains 17 changes which impact costs. General categories are training, personal fall arrest systems, and confined-space entry.
- *Part 143* Contains 28 changes which impact costs. General categories are lifesaving equipment, fire-fighting and fire-protection equipment, and structural fire protection.
- *Part 144* Contains 5 changes which impact costs.
- *Part 145* Contains 3 changes which impact costs.
- *Part 146* Contains 2 changes which impact costs.
- *Part 147* No changes that impact the industry costs.

Costs incurred by the industry under this proposed rule are comprised of first-year one-time costs, 2-year phase-in costs, and recurring costs to all OCS units and new build manned fixed facilities involving workplace safety and health, lifesaving, fire-fighting, and fire-protection equipment. The accumulated present value costs of this rule to industry are $81.9 million. Total first-year costs to industry are $33.7 million. Two-year phase-in costs to industry are $21.6 million and recurring annual costs are $5.2 million.

Together Part 142 (Workplace Safety and Health) and Part 143 (Fixed Facilities) comprise $80 million (present value) or 98 percent of the total industry cost. Parts 144–146 (floating facilities, MODU's and MIDU's, and foreign vessels) comprise the remaining $1.9 million (present value) or 2 percent of the total industry cost.

(2) Government Costs

The estimated annual costs to the Federal government are $124,288. The costs would include Coast Guard personnel time and resources to review and approve the following:

- In-service inspection plans for tension leg platforms (TLP) and spar buoys (SPARS).
- Design basis documents for floating facilities.
- Inspections for letter of compliance issuance for MIDU's and foreign vessels.

(d) Benefits Evaluation

According to the MMS FY95 report to Congress, a noticeable increase of accidents and injuries have occurred to personnel engaged in OCS activities due to the rapid increase of oil exploration and production over the last 20 years. The proposed rule would provide benefits through implementing workplace safety and health, lifesaving and fire-fighting equipment, and structural fire protection requirements. Also, the proposed rule would require the owner or operator of a foreign vessel or foreign floating facility engaged in OCS activities to comply with requirements similar to those imposed on U.S. OCS units.

Most accidents on the OCS occur during drilling or production. Trends show that the two main causes of incidents are equipment failure and human error. The proposed rule would provide benefits by reducing the number of accidents or decreasing the severity of injury to personnel. We did not include the valuation of property damage from blowouts, fires, and explosions as a potential benefit due to insufficient data to support accurate assumptions. Some of the proposed measures that will reduce the likelihood of deaths and injuries include improved workplace safety and health requirements, structural fire protection, and additional lifesaving, fire-fighting, and fire-protection equipment. The following is a discussion presenting the quantifiable benefits, the qualitative benefits, and the total benefits summary.

To determine potential benefits, we examined both the Coast Guard and Mineral Management databases for accidents involving personnel on OCS units and identified the trends. This data is summarized in Table 3 in this preamble.

Table 3. Breakdown of OCS fatalities and injuries.

Fatalities (MMS database)[1]	1992	1993	1994	1995	1996	1997	1998
Human Error or Work Place Safety Related (39)	4	2	6	6	7	5	9
Fire-Related (1)	0	0	0	0	1	0	0
Water-Related (20)	1	1	4	2	2	5	5
Total Number of Fatalities (61)	5	3	10	8	10	11	14

Injuries (MSMS database)[2]	1992	1993	1994	1995	1996	1997	1998[(3)]
Total Number of Injuries (455)	128	75	57	63	53	48	31

1 Fatality data retrieved from Minerals Management Service's OCS Report MMS 98-003 (does not include fatalities resulting from natural causes).

2 Injury data retrieved from the Coast Guard's Marine Safety Management System (MSMS) database.

3 1998 data is considered partial due to the lag period in receiving complete yearly data.

From this data, we extracted cases meeting the following criteria—

(1) Fatalities that had occurred ''on or around'' an OCS unit;

(2) Critical or severe injury that occurred ''on or around'' an OCS unit; and

(3) Injuries ''on or around'' an OCS unit that involved fire, water, or human-error related incidents.

A query of the Coast Guard's Marine Safety Information System (MSIS) yielded 94 incidents between 1992–1998 that met the criteria. A MMS query yielded 61 fatality cases that met the criteria. The following adjustments have been made:

(1) We used MMS fatality cases as our primary data source for fatalities. We cross-referenced all of the Coast Guard's Marine Safety Management System (MSMS) fatality cases with the MMS cases to avoid double-counting.

(2) We used MSIS as our data source for injuries. MSIS data had more information and allowed us to make a better criteria match.

From the combined data sources, we identified a total of 47 accidents likely to benefit from the proposed requirements.

We then assigned one of the following effectiveness measures to each incident:

(1) 85 percent for incidents with a high possibility of prevention;

(2) 50 percent for incidents with a medium possibility of prevention; or

(3) 25 percent for incidents with a low possibility of prevention.

The effectiveness measures assigned to individual incidents were based on—(a) the actual details of the incident, (b) the positive effects of measures or regulations currently in place to avert occurrences, i.e., SEMP, and, (c) the professional estimates used to determine the degree of applicability.

The benefits estimate for each incident is determined by multiplying the effectiveness measure and the dollar value for society's willingness to pay (WTP) to avert a fatality. The benefits of the proposed rule would be measured based on an estimated dollar value for society's WTP to avert a fatality. According to the Department of Transportation, the value is $2.7 million per fatality averted. The Department of Transportation's memorandum, dated January 8, 1993, ''Treatment of Value of Life and Injuries in Preparing Economic Evaluations'' provides percentages of society's WTP for severe and critical injuries. Injuries averted are derived as a fraction of the value of an averted fatality. Because of the subjectiveness in determining whether an injury is severe or critical (e.g., multiple injuries to neck, head, or spinal), the mean of these two injury levels is calculated as $1,282,500 and is applied as the value of an averted injury.

(1) Quantifiable Benefits

Quantifiable benefits accruing from this proposed rule include reductions in deaths and injuries due to improved workplace safety and health requirements, and additional lifesaving, fire-fighting, and fire-protection equipment. These potential benefits are determined based on the analysis of accident cases from the MSIS and MMS databases. The proposed requirements that would have potentially reduced the likelihood of accidents that occurred on the OCS and provided a quantifiable benefit are discussed here.

(i) *Workplace Safety and Health (Part 142).* Based on the review of accident narratives over the period of analysis, 24 deaths and 5 injuries might have been prevented or diminished in severity by the proposed workplace safety and health requirements. Proposed requirements that would impact incidents similar to our criteria base are: increase training, improve work practices, upgrade fall arrest systems, and require guardrails, fencing, or other means necessary to avert a fall.

The following table summarizes the effectiveness measures applied to accidents that occurred during the period of analysis. Annual benefits from avoided deaths and injuries for this component are $7.1 million.

Table 4. Workplace safety & health benefit estimate.[1]

Type of Accident (A)		WTP Value x effectiveness measure (B)	Annual Benefit Estimate: (AxB)/7 years
Fatalities			
High	15	$2.7 M WTP x .85 = $2,295,000	$4,917,857
Medium	6	$2.7 M WTP x .5 = $1,350,000	$1,157,143
Low	3	$2.7 M WTP x .25 = $ 675,000	$289,286
Injuries			
High	5	$1,282,500 WTP x .85 = $1,090,125	$778,661
		Estimate of Total Annual Benefits	**$7,142,947**

1 The benefit estimates from avoided fatalities and injuries are annualized over 7-years. This is determined by the number of years in the data analysis period

(ii) Fixed Facilities (Part 143). Below are the estimated benefits for lifesaving equipment, and fire-fighting and fire-protection equipment. These two sections are reviewed separately because they represent a significant share of the proposed requirements. We found zero (0) quantifiable benefit for the remaining proposed requirements under the fixed facilities component, i.e., medical treatment room and emergency lighting and power source. However, they are discussed later as qualitative benefits.

Lifesaving equipment for fixed facilities. Based on the review of accident narratives, 9 deaths and 5 injuries might have been prevented or diminished in severity by the proposed lifesaving equipment requirements. The following table summarizes the effectiveness measures applied to accidents that occurred during the period of analysis. Annual benefits from avoided deaths and injuries for this component are $2.3 million.

Table 5. Lifesaving equipment benefit estimate.

Type of Accident (A)		WTP Value x effectiveness measure (B)	Annual Benefit Estimate: (AxB)/7 years
Fatalities			
High	2	$2.7 M WTP x .85 = $2,295,000	$655,714
Medium	4	$2.7 M WTP x .5 = $1,350,000	$771,429
Low	3	$2.7 M WTP x .25 = $675,000	$289,286
Injuries			
High	2	$1,282,500 WTP x .85 = $1,090,125	$311,464
Medium	3	$1,282,500 WTP x .5 = $641,250	$274,821
		Total Annual Benefit Estimate	**$2,302,714**

Currently, 67 percent of industry voluntarily complies with survival craft and rescue boat requirements. Survival crafts and rescue boats are needed to provide a means for personnel to abandon a facility during a blowout, explosion, or fire. Blowouts, which are an uncontrollable flow of hydrocarbon from a wellhead, have occurred more

frequently in recent years—as shown in Table 6. On average, the number of fires in 1997 and 1998 totaled 109. Although most of these incidents were considered minor, the occurrences posed a risk to human safety.

Data reports provided by Survival Systems International include emergency offshore incidents requiring evacuation of crewmembers, using their survival craft. On 5 different incidents during the period from 1994 to 1997, more than 156 persons were evacuated by rescue boats. The incidents were primarily a result of fire and explosion. Exposure to risk and danger increases with the likelihood of emergency abandonment of facilities. The availability of rescue boats is critical to a safe and expeditious evacuation.

Table 6. Accidents on OCS facilities between 1995 and 1998.[1]

	1995	1996	1997	1998	Totals
Blowouts	1	4	5	7	17
Collisions	6	5	10	6	27
Explosion	0	8	10	4	22
Fires	41	83	125	92	341
Totals	48	100	150	109	407

1 Accident data from Minerals Management Service's OCS Report MMS 98-0030.

Fire-fighting and fire-protection equipment for fixed facilities. Based on the review of accident narratives over the period of analysis, 1 death and 3 injuries might have been prevented or diminished in severity by the proposed fire-fighting and fire-protection equipment requirements. The following table summarizes the effectiveness measures applied to accidents that occurred during the period of analysis. Annual benefits from avoided deaths and injuries for this component are $660,053.

Table 7. Fire-fighting and fire protection equipment benefit estimate.

Type of Accident (A)		WTP Value x effectiveness measure (B)	Annual Benefit Estimate: (AxB)/7 years
Fatalities			
Medium	1	$2.7 M WTP x .5 = $1,350,000	$192,857
Injuries			
High	3	$1,282,500 WTP x .85 = $1,090,125	$467,196
		Total Annual Benefit Estimate	**$660,053**

The most significant fire in the last decade was the 1988 Piper Alpha incident in the North Sea. We did not quantify benefits from the Piper Alpha for this rulemaking; however, we mention it to show the presence of risk. The night of July 6, 1988, a series of events resulted in a catastrophic fire. These events include human error, operational failure, design deficiencies, and system failures. Of the 226 people onboard, 165 died. We reviewed reports on this incident and incorporated several requirements in the proposed rule to provide increased safety and reduce the risk of this type of incident happening on the U.S. OCS in the future. These proposed items include, but are not limited to, personnel training, fire and emergency drills, means of escape, fire-protection systems, fire-fighting equipment, a fire main, structural fire protection, emergency lighting and power, and design certification.

We reviewed other MMS narratives describing fire-related incidents that did not result in injuries or fatalities, but might have been prevented or diminished in severity by the proposed

fire-fighting and fire-protection equipment requirements. The proposed on-site fire main system might have been effective in the following scenarios—

• On November 12, 1995, the night production operator noticed a pipeline pump engulfed in flames, which were spreading into the wellbay. The temperature safety element located above the pump burned out and activated the emergency shut-down system. The general alarm was sounded to alert all personnel. The fire-fighting deluge system was activated by the emergency shut down. After about 5 minutes the fire was extinguished using the fire pump water and a No. 30 extinguisher.

• On September 20, 1996, a steel hull shrimp trawler collided with a satellite well resulting in an explosion and fire. All personnel abandoned the vessel and were rescued. Safety devices operated properly and closed the well stream flow. Gas or liquid gas was shut in at the production facility. The fire was extinguished with the fire water system aboard the rescue vessel. The collision and subsequent explosion resulted in severe damage to the satellite well.

Total benefits for fixed facilities. The total estimated benefits for part 143 are $3 million annually. This estimate represents the quantifiable benefits from lifesaving, fire-fighting, and fire-protection equipment.

(2) Qualitative Benefits

Many proposed requirements were difficult to quantify but, if implemented, should provide benefits to industry through a safer work environment, decreased risk of death, injury, or property damage. Here are some examples.

• *Training.* When personnel are trained 1) to recognize hazards in the workplace, the risk of incident due to lack of preparedness decreases; 2) to properly use and wear appropriate personal protective equipment, the risk of injury decreases; and 3) to know the methods and procedures to avoid exposure, the risk of contamination from blood-borne pathogens or other infection material decreases.

• *Protective equipment, guards, warning signs, and hazardous communication program.* Conducting a noise level survey or otherwise identifying hazards, posting appropriate warning signs, and providing appropriate personal protective equipment will promote a safer work environment.

• *Offshore Competent Person and confined-space entry program.* Having a trained Offshore Competent Person to recognize confined spaces and the dangers they may contain, to test the space, to identify restrictions for working in the space, and to ensure that personnel conduct confined-space entry in accordance with the written program in § 142.375, the risk of property damage, injury, or death resulting from an incident within a confined space will decrease.

• *Training and drills.* When drills are conducted regularly and personnel are trained in lifesaving procedures, survival when overboard, use of lifesaving equipment, and duties assigned under the station bill, the risk of injury, death, or property damage is diminished in the event of emergencies. When emergency situations occur, the training will minimize confusion and human error as people follow the procedures they have learned and practiced.

• *Maintenance, equipment inspection, and weight testing.* Maintenance and equipment inspection ensures proper function in the event of emergency. Weight testing will ensure survival craft falls are operational and ready for emergency use. When equipment is operating properly and used by trained personnel following established procedures, the risk of injury, death, and property damage is diminished.

• *Lifesaving equipment and immersion suits.* Maintained and operational lifesaving equipment will increase the probability of rescue. Immersion suits will increase the probability of survival in the event personnel spend time in cold water.

• *Fire-fighting, fire-protection, fire-extinguishing equipment, fire main systems, fire-extinguishing systems, structural fire protection, and emergency lighting and power systems.* Fireman's outfits, fire axes, fire main systems and fire-extinguishing systems will greatly increase the probability that fire is contained, controlled, and extinguished in a timely manner. Detection and alarm systems will provide fast, effective notification to personnel so they can act immediately as trained, either fighting the fire or evacuating the facility. Structural fire protection will increase safety and slow the spread of fire. Emergency lighting and power systems may provide power in the event a fire damages the main power generator, keeping lights, alarms, and communication systems operational. These things would decrease the risk of injury or death and decrease property damage.

• *In-service inspection plan for floating facilities.* Currently a floating facility must undergo drydocking every 2 years. The option to use an in-service inspection plan would allow the facility to remain on station during its field depletion lifetime. Current technology results in the location of larger oil fields, requiring longer on station time for depletion. It is costly to shutdown operations, undergo drydocking, and return to station to resume operations. In-service inspection will ensure an adequate level of safety while allowing the facility to continue production.

(e) Total Benefit-Cost Estimate

Total benefit estimate for this proposed rule over the 10-year period of analysis is $71 million. This estimate reflects the outcome of the effectiveness measures and WTP values of the 47 accident cases found likely to benefit from the proposed requirements.

The following table illustrates the total quantifiable costs and benefits resulting from the implementation of this proposed rule. The ratios are derived using present value benefits and costs for the 10-year period of 1999 through 2009.

Table 8. Benefit – cost ratios (in present value dollars).

	Benefit	Cost	Ratio (B/C)
Part 142	$50,169,071	$4,766,062	10.5-to-1
Part 143 (total)	$20,809,236	$75,218,951	.28-to-1
Lifesaving	$16,173,300	$35,792,953	.45-to-1
Fire fighting	$4,635,936	$22,960,272	.20-to-1
Other*	$0	$16,465,726	0-to-1
Part 144	Defined qualitatively	$1,130,200	N/A
Part 145	Defined qualitatively	$112,409	N/A
Part 146	Defined qualitatively	$710,266	N/A
Total Parts	$70,978,307	$81,937,888	.87-to-1

* We found zero quantifiable benefits for the "other" portion of Part 143. However, the preamble includes a discussion of qualitative benefits.

Accumulated present value benefits attributable to the proposed rule are estimated to total $70,978,307 for the 10-year period. Accumulated present value costs to industry attributable to the proposed rule are estimated to total $81,937,888 for the 10-year period.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

This proposed rule considered impacts for small business owners and operators of OCS units, such as fixed and floating facilities and foreign vessels engaged in OCS activity that are held by small companies. Based on the Small Business Administration's classification, a small entity in the oil and gas extraction industry is a company with 500 employees or less. A MMS report (dated Feb. 27, 1998) that addresses small entities regulated under its offshore program, identifies approximately 130 owners or operators of OCS units. Of these, we estimate 13 (10 percent) are small entities.

While an entity connected to this industry is classified as small based on its number of employees, an enormous monetary effort is essential to develop even the smallest of fixed facilities. The following table shows an estimate of the project cost of developing an oil field.

Table 9. Cost of fixed facility development.

Platform	Cost to develop
Shallow Fixed Facility	$200 million
Mid-Sized Fixed Facility	$400 million
Large Deep Water Facility	$800 million

The maximum cost an owner or operator of a facility or vessel might incur to comply with the proposed regulation is shown in Table 10 as implementation or one-time costs, recurring costs, and total costs extending the 10-year period of analysis. This maximum cost would only apply if a facility were not currently in compliance with any of the proposed requirements. In 1991, the MMS introduced the Safety and Environmental Management Program (SEMP) as a voluntary approach to improving safety and environmental protection on OCS facilities. In 1996, MMS conducted a comprehensive survey of the offshore industry, to determine the effectiveness of SEMP. Ninety-six percent of all OCS operators responded, which represented over 99 percent of total OCS oil and gas production at that time. The results of the survey indicated that OCS operators have SEMP plans or were well on their way to implementing SEMP plans. Based on this information, for the purpose of this analysis, we assumed that 95 percent of the owners or operators currently meet the proposed workplace safety and health requirements proposed in Part 142. Total cost to any of these facilities over

a 10-year period is determined to be less than 1 percent of development cost of a fixed facility.

There are currently 513 OSV's owned by approximately 170 individual companies. Of these 170 companies, we estimate approximately 90 percent, or 153, are small entities. For those OSV's not in compliance with any of the proposed measures, the total 10-year cost in present value dollars is expected to be $3,317 dollars as shown in Table 10. Current (1999) day rates for these vessels depend on the size of the vessel, but are in the $2,500 to $6,000 range. Therefore, the cost of this rule over the next 10 years for an OSV not in compliance is approximately the cost of 1 day of operation.

There are currently 190 MODU's and MIDU's operating on the OCS owned by approximately 15 individual companies. Of these companies, no more than 2 are small entities. For those OCS units not in compliance with any of the proposed measures, the total 10-year cost in present value dollars is $43,792 for a MODU and $76,580 for a MIDU (as shown in Table 10). The day rates for MODU's vary from $30,000 to $180,000. Therefore, the cost of this rule over the next 10 years for a MODU is approximately the cost of one day of operation. The day rates for MIDU's range from $10,000 to $15,000. Therefore, the cost of this rule over the next 10 years for a MIDU ranges from approximately 5 to 8 days of operation.

Table 10. Maximum costs of proposed rule per facility.

OCS Unit Type	Implementation One-Time	Recurring	Costs (10-Year Present Value)
Manned Fixed Facility	$287,445	$3,855	$292,113
Floating Facility	$73,010	$44,770	$340,838
New Builds – Manned Fixed Facility	$414,945	$0	$387,799
Foreign Vessels	$2,550	$1,275	$10,147
MIDU's	$39,338	$6,539	$76,580
MODU's	$33,110	$2,110	$43,792
OSV's	$780	$425	$3,317

1 Applicable costs per OCS facility are derived from the estimated costs developed for each proposed requirement.

To help offset burdens on small businesses caused by this proposed rulemaking, the Coast Guard has included several measures to accommodate small business needs and provide flexibility to small entities affected by this rulemaking.

- The Coast Guard would allow a floating facility to use an in-service inspection plan in place of the 2-year drydocking requirement. This would allow a floating facility to remain on station during its field depletion lifetime. This is a cost-saving measure considering the effort involved in moving an operational floating facility.
- All lifesaving equipment on an existing fixed facility may be continued in use and need not meet the proposed requirements if it has been accepted by the OCMI for use on the facility. However, if the lifesaving equipment is replaced or the facility undergoes major repairs, alterations, and modifications, the new lifesaving equipment must meet the new requirements. This flexibility would allow businesses to not have to purchase new lifesaving equipment upon the effective date of this rule.
- Existing lifeboats on any fixed facility would not need to meet the proposed lifeboat requirement provided it is modified to include self-righting capability and an onload/offload release mechanism within 2 years of the effective date of the final rule. If the existing lifeboats already meet the aforementioned requirement, then the need for a rescue boat or lifeboat meeting the rescue boat requirements is not required. Survival craft and its davit and winch also have exemption, which would lessen the regulatory burden. The expense of modifying a lifeboat would be less burdensome than purchasing a new lifeboat. If a new lifeboat is purchased, the cost may be phased-in over a 2-year period.
- For fire-fighting and fire-protection equipment, manned fixed facilities would have a 2-year phased-in period to meet the proposed requirements.
- Accommodation modules, temporary accommodation modules and temporary accommodation modules that are part of a platform/workover package on existing fixed facilities would be exempt from structural fire protection requirements.
- Existing helicopter landing deck fire protection systems on manned fixed facilities would have a 2-year exemption period, after the effective date of the final rule, to be used without having Coast Guard equipment approval.
- The fire main system required under this proposed rulemaking for manned fixed facilities include an option whereby it may be part of the required MMS firewater system. This flexibility would lessen the burden involved with this requirement.
- Fire drills and emergency evacuation or emergency drills may be conducted in sequence as long as all functions required for each drill are performed. This would provide small businesses an opportunity to minimize the disruption to production operations thereby decreasing potential costs.

The Coast Guard has given consideration to small entities and others affected by this proposed rule. Due to the flexibility provided by the alternatives, the Coast Guard certifies under 5 U.S.C. 605(b) that if

implemented, the proposed rule would not have a significant economic impact on a substantial number of small entities.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment to the Docket Management Facility at the address under **ADDRESSES**. In your comment, explain why you think it qualifies and how and to what degree this rule would economically affect it. Recommendations on workable alternatives that would help minimize the economic impact are also solicited.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please consult Mr. James M. Magill, Vessel and Facility Operating Standards Division (G–MSO–2), telephone (202) 267–1082, or fax (202) 267–4570.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This proposed rule would call for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). As defined in 5 CFR 1320.3(c), ''collection of information'' comprises reporting, recordkeeping, monitoring, posting, labeling, and other, similar actions. The title and description of the information collections, a description of those who must collect the information, and an estimate of the total annual burden follow. The estimate covers the time for reviewing instructions, searching existing sources of data, gathering and maintaining the data needed, and completing and reviewing the collection. The Coast Guard is currently requesting a revision of current collections of information, under OMB control numbers 2115–0569 and 2115–0580.

Title: Outer Continental Shelf Activities.

Summary of the Collection of Information: This proposed rule requires the owner or operator of a facility or a foreign vessel engaged in OCS activity to meet standard design requirements as well as report or record information that is necessary for the safe operation of a facility or a foreign vessel. This includes:

(1) Confined-space entry permit;
(2) Confined-space entry certificate of training;
(3) Offshore competent person certificate;
(4) In-service inspection plans;
(5) Floating facility plan approval;
(6) Design basis report;
(7) Design certification;
(8) Fire drill report;
(9) Report of lifesaving equipment record;
(10) Weight testing written attestment;
(11) Record of fire-fighting equipment;
(12) Emergency evacuation plans for MIDU's;
(13) Letter of compliance for MIDU's; and
(14) Letter of compliance for foreign vessels.

These recordkeeping and reporting requirements are consistent with good commercial practices and the maintenance of vital equipment.

Need for Information: The primary use of this information is to determine if a facility or foreign vessel is in compliance with requirements. Additionally, the information is necessary to implement the Best Available and Safest Technology concept of Section 21 of the Outer Continental Shelf Lands Act.

Proposed Use of Information: This information can be used to determine in cases where a casualty resulted, whether failure to meet these regulations contributed to the casualty.

Estimate of Total Annual Burden: The estimated reporting burden to industry is 3,095 hours.

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), we have submitted a copy of this proposed rule to the Office of Management and Budget (OMB) for its review of the collection of information.

We ask for public comment on the proposed collection of information to help us determine how useful the information is; whether it can help us perform our functions better; whether it is readily available elsewhere; how accurate our estimate of the burden of collection is; how valid our methods for determining burden are; how we can improve the quality, usefulness, and clarity of the information; and how we can minimize the burden of collection.

If you submit comments on the collection of information, submit them both to OMB and to the Docket Management Facility where indicated under **ADDRESSES**, by the date under **DATES**.

You need not respond to a collection of information unless it displays a currently valid control number from OMB. Before the requirements for this collection of information become effective, we will publish notice in the **Federal Register** of OMB's decision to approve, modify, or disapprove the collection.

Federalism

We have analyzed this proposed rule under E.O. 13132 and have determined that this rule does not have implications for federalism under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This proposed rule would not impose an unfunded mandate.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (34) (c), (d) and (e), of Commandant Instruction M16475.lC, this proposed rule is categorically excluded from further environmental documentation. The environmental impact associated with requiring additional equipment, training, and improved facilities will be insignificant. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES**.

List of Subjects

33 CFR Part 140

Continental shelf, Incorporation by reference, Investigations, Marine safety, Occupational safety and health, Penalties, Reporting and recordkeeping requirements.

33 CFR Part 141

Citizenship and naturalization, Continental shelf, Employment, Reporting and recordkeeping requirements.

33 CFR Part 142

Continental shelf, Marine safety, Occupational safety and health, Reporting and recordkeeping requirements.

33 CFR Part 143

Continental shelf, Fire prevention, Fixed facilities, Lifesaving equipment, Marine safety, Reporting and recordkeeping requirements.

33 CFR Part 144

Continental shelf, Fire prevention, Floating facilities, Lifesaving equipment, Marine safety, Reporting and recordkeeping requirements.

33 CFR Part 145

Continental shelf, Fire prevention, Lifesaving equipment, Marine safety, Mobile offshore drilling units, Reporting and recordkeeping requirements.

33 CFR Part 146

Continental shelf, Fire prevention, Lifesaving equipment, Marine safety, Reporting and recordkeeping requirements, Vessels.

33 CFR Part 147

Continental shelf, Marine safety, Navigation.

For the reasons discussed in the preamble, the Coast Guard proposes to revise 33 CFR chapter I, subchapter N, as follows:

SUBCHAPTER N—OUTER CONTINENTAL SHELF ACTIVITIES

PART 140—OUTER CONTINENTAL SHELF ACTIVITIES: GENERAL

Subpart A—General

Sec.

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Subpart C—Investigations

140.200 What OCS activity incidents will the Coast Guard investigate?
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140.215 Are investigation reports made available to the public?
140.220 What subpoena powers does the Coast Guard investigating officer have?

Authority: 43 U.S.C. 1333(d)(1), 1348(c), 1356; 49 CFR 1.46.

Subpart A—General

§ 140.1 What is the purpose of this subchapter?

The purpose of this subchapter is to—

(a) Promote safety of life and property and protect the marine environment on the Outer Continental Shelf (OCS); and

(b) Implement the Outer Continental Shelf Lands Act (43 U.S.C. 1331 *et seq.*), as amended.

§ 140.5 What and who does this subchapter apply to?

(a) This subchapter applies to OCS units (i.e., fixed facilities; floating facilities; mobile offshore drilling units (MODU's); mobile inland drilling units (MIDU's); and vessels, including, but not limited to, pipelay barges, derrick barges, offshore supply vessels, and oceanographic research vessels) that are on the OCS for the purposes of engaging in OCS activities, as the term ''OCS activity'' is defined in § 140.25.

(b) Unless otherwise specified, the owner or operator of an OCS unit must ensure that the requirements of this subchapter are complied with on that unit.

§ 140.10 What does this subchapter not do?

This subchapter does not do the following:

(a) Regulate drilling or production equipment on any OCS unit. Drilling and production equipment are regulated by the Minerals Management Service under 30 CFR part 250.

(b) Establish design requirements for fixed facilities, except—

(1) For requirements relating to navigation or workplace safety or health; and

(2) For requirements relating to accommodation spaces, accommodation modules, temporary accommodation modules, accommodation modules that are part of a drilling/workover rig package, lifesaving equipment, structural fire protection, and fire-protection equipment.

§ 140.15 Who administers and enforces this subchapter?

The Officer in Charge, Marine Inspection, (OCMI) is responsible for enforcing this subchapter within that OCMI's marine safety zone. The OCMI may delegate this authority as necessary.

§ 140.20 What OCS units also have to meet Minerals Management Service regulations?

(a) Each facility, MODU, and MIDU, when in contact with the seabed of the OCS, must meet the requirements of this subchapter, the regulations and orders of the Minerals Management Service (MMS), including those under 30 CFR part 250, and other MMS regulations and orders that are applicable to facilities, MODU's, and MIDU's for exploration or exploitation of subsea resources.

(b) If you find a conflict between the requirements of the Coast Guard and MMS, you should notify the OCMI.

§ 140.25 How are terms used in this subchapter defined?

(a) Quotation marks around terms in this section mean that those terms are defined in this section.

(b) As used in this subchapter—

Accommodation module means a module with one or more ''accommodation space'' that is individually contracted for and may be used on one or more ''facility''. The term does not include ''temporary accommodation module'' and ''accommodation module that is part of a drilling/workover rig package.''

Accommodation module that is part of a drilling/workover rig package means a module with one or more ''accommodation space'' that is individually contracted for, that may be used on one or more ''fixed facility'' or ''floating facility'' and that is used as part of a ''drilling/workover rig package.'' The term does not include ''accommodation module'' and ''temporary accommodation module.''

Accommodation space means living quarters, including sleeping, mess, medical treatment, recreational, toilet, washing, shower, and office spaces, and corridors serving living quarters.

Act means the Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331 *et seq.*), as amended.

Approval series means the first six digits of a number assigned by the Coast Guard to approved equipment. Where approval is based on a subpart of 46 CFR chapter I, subchapter Q, the approval series corresponds to the number of the subpart. A listing of approved equipment, including all of the approval series, is published periodically by the Coast Guard in Equipment Lists (COMDTINST M16714.3 series), available from Commandant (G–MSE), 2100 Second Street SW., U.S. Coast Guard, Washington, DC 20593–0001.

Approved means approved by the ''Commandant.'' See § 140.35.

Attending vessel means a ''vessel'' that is moored close to and readily accessible from an ''OCS unit'' for the purpose of providing power, fuel, or other services to the operation being conducted on the unit.

Bloodborne pathogens means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Commandant means Commandant of the Coast Guard or that individual's authorized representative.

Development means those activities that take place following discovery of ''minerals'' in paying quantities, including, but not limited to, geophysical activity, drilling, and ''facility'' construction, and that are for the purpose of ultimately producing the ''minerals'' discovered.

District Commander means an officer who commands a Coast Guard District described in part 3 of this chapter or that individual's authorized representative.

Drilling/workover rig package means a modular group of moveable components, including tanks, accommodation modules, and equipment for hoisting, rotating, pumping, and power generation, that is designed for engaging in drilling and workover operations supporting ''exploration'' or exploitation of ''mineral'' resources from a ''facility'' ''MODU,'' or ''MIDU.''

Exploration means the process of searching for ''minerals,'' including, but not limited to—

(1) Geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of the ''minerals;'' and

(2) Any drilling, whether on or off of known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made and the drilling of any additional delineation well after the discovery which is needed to delineate any reservoir and to enable the lessee to determine whether to proceed with development and production.

Facility means—

(1) An installation or other device that is fixed or floating, is permanently or temporarily attached to the subsoil or seabed of the ''Outer Continental Shelf,'' and is erected for the purpose of ''exploration,'' ''development,'' or ''production'' of resources from the subsoil or seabed, or

(2) An installation or other device (other than a ''vessel'') that is erected for the purpose of transporting those resources. The term includes ''fixed facilities'' and ''floating facilities.'' The term does not include ''mobile offshore drilling units,'' ''mobile inland drilling units,'' ''vessels,'' pipelines, or deepwater ports (as the term ''deepwater port'' is defined in 33 U.S.C. 1502).

Fixed facility means a bottom founded ''facility'' permanently attached to the seabed or subsoil of the ''OCS.'' The term includes, but is not limited to, artificial islands, platforms, guyed towers, and articulated gravity platforms.

Floating facility means a buoyant ''facility'' that is securely and substantially moored so that it cannot be moved without a special effort. The term includes, but is not limited to—

(1) ''Tension leg platforms,'' ''floating production systems,'' ''floating production storage and off loading systems,'' and ''spar buoys'' that are site-specific and not intended for periodic relocation and

(2) Permanently moored semisubmersibles or shipshape hulls. The term does not include ''mobile offshore drilling units,'' ''mobile inland drilling units,'' and ''vessels.''

Floating production system or *FPS* means a ''floating facility'' that produces hydrocarbons from the well and processes them on board but does not store them within its hull or directly offload them to another vessel.

Floating production storage and offloading system or *FPSO* means a ''floating facility'' that produces hydrocarbons from the well, processes them on board, stores the processed products within its hull, and has the capability to offload them directly to another vessel.

Foreign, as used in the terms foreign floating facility, foreign MODU, and foreign vessel, means a ''floating facility,'' ''MODU'', or ''vessel'' that is registered, documented, or certificated under the laws of a nation other than the United States.

Free-fall launching means the method of launching a survival craft whereby the craft, with its full complement of persons and equipment on board, is released and allowed to fall into the sea without any restraining apparatus.

Fuel cell means an electrochemical device that uses a continuous flow of fuel and oxidant to convert a chemical into electrical energy via an isothermal process.

Hazardous material means a substance or material that, under normal conditions of use or in an emergency, poses a physical hazard or a health risk to persons in the workplace.

Helicopter fuel containment area means the area around a helicopter fuel

storage tank, fuel transfer pump, and fuel hose reel that is designed to contain fuel in the event of a leak or spill.

Immersion suit means an insulated, buoyant suit approved under 46 CFR part 160, subpart 160.171, worn to prevent shock upon entering cold water and to lessen the chances of incurring hypothermia.

Inflatable means having non-rigid chambers that are capable of being inflated with a gas but that are normally uninflated until ready for use.

Investigating officer means an individual assigned by the ''Commandant,'' a ''District Commander,'' or an ''Officer in Charge, Marine Inspection,'' to conduct an investigation of an accident, casualty, or other incident.

Lifejacket means a flotation device approved under § 143.845 as a life preserver or lifejacket.

Lifesaving equipment means a device, such as a ''survival craft,'' ''lifejacket,'' ''ring life buoy,'' ''rescue boat,'' ''immersion suit,'' or first aid kit, designed to protect persons or enhance their chance of survival and includes the component parts of the device and its accessories, such as launching equipment and oars.

Major conversion, of a ''fixed facility'' or a ''floating facility,'' means a conversion of the ''facility'' that, as determined by the ''Commandant,''—

(1) Substantially changes the dimensions of the ''facility;''

(2) If a ''fixed facility,'' substantially changes the water depth capability of the ''facility;''

(3) If a ''floating facility,'' substantially changes the carrying capacity of the ''facility;''

(4) Changes the type of ''facility;''

(5) Substantially prolongs the life of the ''facility;'' or

(6) Otherwise so changes the ''facility'' that it is essentially a new ''facility.''

Manned facility means a ''facility'' on which at least one person occupies an ''accommodation space'' for more than 30 accumulative days in any successive 12-month period.

Marine evacuation system means an appliance designed to rapidly transfer a large number of people from an embarkation station by means of a passage to a floating platform for subsequent transfer to a ''survival craft.''

Marine inspector means an individual designated as such by an ''Officer in Charge, Marine Inspection,'' to perform inspections of OCS units to determine whether or not the requirements of Coast Guard regulations or laws administered by the Coast Guard are met.

Minerals includes oil, gas, sulfur, geopressured-geothermal and associated resources, and all other ''minerals'' that are authorized by an Act of Congress to be produced from public lands, as the term ''public lands'' is defined in section 103 of the Federal Lands Policy and Management Act of 1976 (43 U.S.C. 1702(e)).

Mobile inland drilling unit or *MIDU* means a ''vessel,'' other than a ''mobile offshore drilling unit'' or a public vessel of the United States, that is capable of engaging in drilling operations for ''exploration'' or exploitation of subsea resources and is designed and intended for use in U.S. State waters, rivers, inland lakes, bays, or sounds.

Mobile offshore drilling unit or *MODU* means a ''vessel,'' other than a ''mobile inland drilling unit'' or public vessel of the United States, that is capable of engaging in drilling operations for ''exploration'' or exploitation of subsea resources.

Naturally occurring radioactive material or *NORM* means a nuclide that is radioactive in its natural physical state (i.e., not man-made) and that may occur during an ''OCS activity'' not expressly designed to produce radiation.

Novel lifesaving appliance or arrangement means one that has new features not fully covered by this subchapter but providing an equal or higher standard of safety.

OCS activity means any activity that occurs on the ''Outer Continental Shelf'' and is associated with the ''exploration'' for, or ''development'' or ''production'' of, ''minerals.''

OCS unit means a ''fixed facility,'' ''floating facility,'' ''MODU,'' ''MIDU,'' or ''vessel'' engaged in ''OCS activities.''

Officer in Charge, Marine Inspection, or *OCMI* means an individual who commands a Marine Inspection Zone described in part 3 of this chapter and who is immediately responsible for the performance of duties with respect to inspections, enforcement, and administration of regulations governing ''OCS units.''

On-load/off-load release mechanism means a release mechanism that is designed to release a lifeboat when the load is off the hook, but not release the lifeboat when the hook is under load unless the safety mechanism is purposely overridden.

Operator means—

(1) For a ''vessel,'' a charterer by demise or other person who is responsible for the operation, manning, and supplying of the ''vessel;'' or

(2) For a ''facility,'' ''MODU,'' or ''MIDU,'' the operator as defined in 30 CFR 250.2(gg).

Outer Continental Shelf or *OCS* means all submerged lands lying seaward and outside of the area of lands beneath navigable waters (as the term ''lands beneath navigable waters'' is defined in section 2(a) of the Submerged Lands Act (43 U.S.C. 1301(a)) and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

Owner means a person holding title to or, in the absence of title, other evidence of ownership of an ''OCS unit.'' However, the term does not include a person who holds evidence of ownership primarily to protect a security interest in, and who does not participate in the management or operation of, the ''OCS unit.''

Paint locker means an enclosed space that is used primarily for the storage of paint and paint accessories but may be used for the storage of other flammable or combustible liquids, gases, or solids.

Person means an individual, association, partnership, consortium, joint venture, government entity, or private, public, or municipal firm or corporation.

Person in charge means the master or other individual designated as such by the ''owner'' or ''operator'' under §§ 143.100 or 146.100 of this chapter or 46 CFR 109.107.

Personnel means individuals who are employed by lease holders, permit holders, ''operators,'' ''owners,'' contractors, or subcontractors and who are on an ''OCS unit'' by reason of their employment.

Personnel transfer net means a net or device used for the transfer of ''personnel'' between ''OCS units.''

Platform hydrocarbon source means a wellhead or process equipment and pipeline risers that contain produced hydrocarbons.

Primary means of escape means a fixed stairway, or fixed ladder, of steel or equivalent construction, used in evacuating a ''facility.''

Production means those activities that take place after the successful completion by the removal of ''minerals,'' including, but not limited to, the removal, field operations, transfer of ''minerals'' to shore by pipeline, operation monitoring, and well workover activities.

Radiation includes alpha particles, beta particles, gamma rays, X-rays, neutrons, high-speed electrons, high-speed protons, and other atomic particles. The term does not include sound or radio waves or visible, infrared, or ultra-violet light.

Rebuilt means having had substantial alteration or reconstruction of the hull or principal structural component.

Registered architect means an individual who meets the statutory registration requirements through established Board Rules and Regulations of the State in which the individual has sought registration.

Rescue boat means a boat intended for use in rescuing persons from the water and to marshal ''survival craft.''

Ring life buoy means a ring-shaped flotation device intended to be thrown from an ''OCS unit'' to rescue personnel from the water.

Secondary means of escape means a ''marine evacuation system,'' a portable flexible ladder, a knotted man rope, or a similar device determined by the ''Officer in Charge, Marine Inspection,'' to provide a means for evacuating a ''facility'' that is equivalent to or better than these devices.

Service space means a space used for a galley, pantry containing cooking appliances, storeroom, or workshop other than those in industrial areas and trunks to those spaces.

Sleeping space means a space provided with bunks for sleeping.

Spar buoy means a ''floating facility'' that is held in place by a permanent mooring system, has a center of gravity below its center of buoyancy, and has a deep and narrow underwater shape designed to reduce vessel motions and excursions.

Standby vessel means a ''vessel'' meeting the requirements of part 146, subpart F, of this chapter and specifically designated in an Emergency Evacuation Plan under part 143, subpart D, § 144.205(b), or § 145.115 of this chapter to rapidly evacuate ''personnel'' in an emergency.

Survival capsule means a lifeboat whose waterplane shape is a circle or an ellipse.

Survival craft means a craft capable of sustaining the lives of persons in distress after abandoning an OCS unit. The term includes lifeboats, life rafts, life floats, and ''survival capsules'' but does not include rescue boats, unless the ''rescue boats'' are also approved as lifeboats.

Systems fire protection means structural fire protection items and other items from the Life Safety Code, National Fire Protection Association (NFPA) 101.

Temporary accommodation module means a module with one or more ''accommodation spaces'' that is individually contracted for, that may be used on one or more ''facilities'' and that is intended for use on a ''facility'' for short periods of time, not to exceed 12 months. The term does not include ''accommodation modules'' and ''accommodation modules that are part of drilling/workover rig packages.''

Tension leg platform or *TLP* means a ''floating facility'' that is held in place by tendons that facilitate a large buoyancy force to be used to provide reduced vessel motions and excursions.

Unmanned facility means a ''facility'' that is not a ''manned facility'' even though an ''attending vessel'' may continuously service it.

U.S., as used in the terms U.S. floating facility, U.S. MODU, or U.S. vessel, means a ''floating facility,'' ''MODU,'' or ''vessel'' that is registered, documented, or certificated under the laws of the United States or that is not registered, documented, or certificated under the laws of any nation.

Vessel means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

§ 140.30 How can I get a copy of a publication referenced in this subchapter?

(a) Certain material is incorporated by reference into this subchapter with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the **Federal Register**; and the material must be available to the public. All approved material is available for inspection at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC, and at the U.S. Coast Guard, Office of Operating and Environmental Standards, 2100 Second Street SW., Washington, DC 20593–0001, and is available from the sources mentioned in paragraph (b).

(b) The material approved for incorporation by reference in this subchapter, and the sections affected, are as follows:

American Industrial Hygienists Association (AIHA)
2700 Prosperity Avenue, Suite 250, Fairfax, VA 22031 or at http://www.aiha.org/pubs.html.
AIHA publication ''Respiratory Protection—A Manual and Guideline'' 163–PC–91 (1991)—142.152

American National Standards Institute (ANSI)
11 West 42nd Street, New York, NY 10036 or on the Internet at http://www.ansi.org.
ANSI A10.11–1989 (R1998), Safety Nets Used During Construction, Repair, and Demolition Operations—142.165
ANSI A14.3–1992, Ladders—Fixed—Safety Requirements—143.1341
ANSI S1.13–1995, Measurement of Sound Pressure Levels in Air—142.235
ANSI 12.36–1990 (R1997), Survey Methods for the Determination of Sound Power Levels of Noise Sources—142.235
ANSI S12.6–1997, Methods for Measuring the Real-Ear Attenuation of Hearing Protectors—142.135
ANSI Z359.1–1992, Safety Requirements for Personal Fall Arrest Systems, Subsystems, and Components—142.156; 142.157
ANSI Z41–1991, Personal Protection-Protective Footwear—142.130
ANSI Z87.1–1989, Practice for Occupational and Educational Eye and Face Protection—142.115
ANSI Z88.2–1992, Respiratory Protection—142.150; 142.151; 142.152
ANSI Z89.1–1997, Industrial Head Protection—142.125; 143.1035

American Petroleum Institute (API)
Order Desk, 1220 L Street, NW., Washington, DC, 20005–4070 or on the Internet at http://www.api.org.
API RP 2FPS, Planning, Designing and Constructing Floating Production Systems—144.705; 144.710
API RP 2T, Planning, Designing, and Constructing Tension Leg Platforms, Second Edition, August 1997 (ANSI/API RP 2T–1997)—144.710
API RP 14C, Analysis, Design, Installation and Testing of Basic Surface Safety Systems for Offshore Production Platforms, Sixth Edition, March 1998—143.1050
API RP 14F, Design and Installation of Electrical Systems for Offshore Production Platforms, Third Edition, September 1991 (ANSI/API RP14F–1993)—143.1335; 143.1336
API RP 14G, Fire Prevention and Control on Open Type Offshore Production Platforms, Third Edition, December 1993—143.1050; 143.1055
API RP 54, Occupational Safety and Health for Oil and Gas Well Drilling and Servicing Operations, and Servicing Operations, Second Edition, May 1, 1992—142.265
API RP 500, Recommended Practice for Classification of Locations for Electrical Installations at Petroleum Facilities Classified as Class I, Division 1 and Division 2, Second Edition, November 1997 (ANSI/API RP 500–1998)—143.1336
API RP T–1, Orientation Programs for Personnel Going Offshore for the First Time, Fourth Edition, October 1995—143.515
API RP T–4, Training of Offshore

Personnel in Nonoperating Emergencies, Second Edition, November 1995—143.515

API RP T–7, Training of Personnel in Rescue of Persons in Water, Second Edition, October 1995. 143.515

American Society for Testing Materials (ASTM)

100 Barr Harbor Drive, West Conshohocken, PA 19428–2959.

ASTM E 1529, Standard Test Methods for Determining the Effects of Large Hydrocarbon Pool Fires on Structural Members and Assemblies—143.1115

International Maritime Organization (IMO)

IMO Sales, New York Nautical Instrument and Service Corp., 140 W. Broadway, New York, NY 10013.

IMO Resolution A.414(XI), Code for Construction and Equipment of Mobile Offshore Drilling Units, 1979—144.1020; 145.105; 145.205; 145.305; 145.410

IMO Resolution A.468(XII), Code on Noise Levels On Board Ships, 1981—142.235

IMO Resolution A.520(13), Code of Practice for the Evaluation, Testing and Acceptance of Prototype Novel Lifesaving Appliances and Arrangements, 1983—143.45; 144.50

IMO Resolution A.649(16), Code for the Construction and Equipment of Mobile Offshore Drilling Units, 1989—144.1005; 144.1020; 145.105; 145.205; 45.305; 145.410

IMO Resolution A.658(16), Use and Fitting of Retro-Reflective Materials on Lifesaving Appliances, dated 20 November 1989—143.845; 143.850; 143.877

National Fire Protection Association (NFPA)

Secretary, Standards Council, National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269–9101.

National Electrical Code® (NEC), 1996 Edition—143.1336

NFPA 72, National Fire Alarm Code®, 1996 Edition—143.1050

NFPA 101, Life Safety Code®, 1997 Edition—140.25; 143.1115

NFPA 306, Standard for the Control of Gas Hazards on Vessels, 1997 Edition—142.331; 142.335; 142.351; 142.352; 142.371

National Institute for Occupational Safety and Health (NIOSH)

Department of Health and Human Services, 200 Independence Avenue, SW., Washington, DC 20201.

NIOSH publication No. 87–116, ''Guide to Industrial Respiratory Protection'' (1987)—142.152

Public Health Service, Department of Health and Human Services (DHHS)

Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

DHHS Publication No. (PHS) 84–2024, ''The Ship's Medicine Chest and Medical Aid at Sea,'' revised 1984—143.135

§ 140.35 What is the Coast Guard publication for equipment type approval and where can I obtain it?

(a) Where equipment in this subchapter is required to be of an approved type, the equipment requires the specific approval of the Commandant. Approvals are published in COMDTINST M16714.3 (Series), Equipment List, available from Commandant (G–MSE), 2100 Second Street SW., U.S. Coast Guard, Washington, DC 20593–0001.

(b) Specifications for certain items required to be of an approved type are contained in 46 CFR parts 160 through 164.

§ 140.40 How may I appeal an action or decision of the OCMI or District Commander?

(a) Any person directly affected by an action or decision of the OCMI under the Act or the regulations in this subchapter may request reconsideration of that action or decision. If still dissatisfied, that person may appeal the action or decision of the OCMI within 30 days to the District Commander of the District in which the action was taken or the decision made. The District Commander issues a decision after reviewing the appeal submitted under this paragraph.

(b) Any person not satisfied with the decision of a District Commander may appeal that decision within 30 days to the Commandant, who issues a ruling after reviewing the appeal submitted under this paragraph. Rulings of the Commandant constitute final agency action.

(c) An appeal to the District Commander or Commandant—

(1) Must be made in writing, except in an emergency when an oral appeal may be accepted;

(2) Must be submitted to the District Commander of the District in which the action was taken or the decision made;

(3) Must describe the decision or action being appealed;

(4) Must state the reason(s) why the action or decision should be set aside or modified; and

(5) May contain any supporting document(s) and evidence that the appellant wishes to have considered.

(d) Pending determination of any appeal, the action or decision appealed remains in effect, unless suspended by the District Commander to whom the appeal was made or by the Commandant.

§ 140.45 What is the procedure for judicial review?

(a) Nothing in this subchapter may be construed to prevent any interested party from seeking judicial review as authorized by law.

(b) Judicial review of the regulations in this subchapter, or any final ruling or order of the Commandant or that person's delegate under the Act or the regulations in this subchapter, is governed by the judicial review provisions of section 23 of the Act (43 U.S.C. 1349).

§ 140.50 What are the penalties for noncompliance?

(a) Any person who fails to comply with one of the following, after notice of the failure and after expiration of any reasonable period allowed for corrective action, is liable for a civil penalty of not more than $10,000 for each day the failure continues:

(1) Any provision of the Act.

(2) Any regulation in this subchapter.

(3) Any order issued under the Act or this subchapter by the Commandant, a District Commander, or an OCMI.

(b) Any person who knowingly and willfully commits one of the following will, upon conviction, be subject to a fine of not more than $100,000, imprisonment for not more than 10 years, or both:

(1) Violates any provision of the Act.

(2) Violates any regulation in this subchapter designed to protect health, safety, or the environment.

(3) Violates any order of the Commandant, District Commander, or OCMI issued under the Act or this subchapter that is designed to protect health, safety, or the environment.

(4) Makes any false statement, representation, or certification in any application, record, report, or other document filed or required to be maintained under the Act or this subchapter.

(5) Falsifies, tampers with, or renders inaccurate any monitoring device or method of record required to be maintained under this Act or this subchapter.

(6) Reveals any data or information required to be kept confidential by the Act.

(c) Each of the following is a separate violation under paragraph (b) of this section:

(1) Each day that a violation under paragraph (b)(1), (b)(2), or (b)(3) continues.

(2) Each day that any monitoring device or data recorder remains inoperative or inaccurate because of any activity described in paragraph (b)(5).

(d) Whenever a corporation or other entity is subject to prosecution under paragraph (b), any officer or agent of the corporation or entity who knowingly and willfully authorized, ordered, or carried out the prescribed activity is subject to the same fines, imprisonment, or both, as provided for under paragraph (b).

(e) The penalties in this section are concurrent and cumulative. The exercise of one penalty does not preclude the exercise of the others. Furthermore, the penalties in this section are in addition to other penalties, if any, under other laws or regulations.

§ 140.55 How are penalty cases processed?

Apparent violations of this subchapter are processed under part 1, subpart 1.07, of this chapter on civil and criminal penalty proceedings, except as follows:

(a) The District Commander refers a civil penalty case to the Secretary of the Interior, or that person's delegate, who, under the Act, assesses, collects, and compromises civil penalties.

(b) If a possible violation investigated by the Coast Guard carries both a civil and a criminal penalty, the District Commander determines whether to refer the case to the U.S. Attorney for criminal prosecution or to the Secretary of the Interior, or that person's delegate, for civil penalty proceedings.

(c) When the U.S. Attorney declines to institute criminal proceedings, the District Commander decides whether to refer the case to the Secretary of the Interior, or that person's delegate, for civil penalty proceedings or to close the case.

§ 140.60 To rectify emergencies, can the person in charge use actions not in the regulations?

In the event of an emergency, the person in charge may take any action necessary to resolve the emergency, even though the action may not comply with the regulations in this subchapter.

Subpart B—Inspections

§ 140.100 Are all OCS units subject to Coast Guard inspection?

(a) Yes. Each OCS unit is subject to inspection by the Coast Guard.

(b) Under the direction of the OCMI, marine inspectors may inspect OCS units to determine whether the requirements of this subchapter are met. A marine inspector may inspect, with or without advance notice, at any time deemed necessary by the OCMI.

§ 140.105 What review, drills, and inspection procedures should I prepare for?

A marine inspector may review records and may require and observe the conduct of an emergency drill and other test or procedure to demonstrate that the OCS unit and its equipment are in compliance with applicable Coast Guard regulations. The marine inspector consults with the person in charge of the unit before requiring a drill or other test or procedure to minimize disruption of the unit activities and risk to life or property.

§ 140.110 For a foreign OCS unit, what certificates will the Coast Guard recognize?

For the inspection of foreign OCS units, the Coast Guard recognizes valid international certificates accepted by the United States, including Safety of Life at Sea (SOLAS), Loadline, and IMO MODU Code certificates for matters covered by the certificates, unless there is clear indication that the condition of the OCS unit or its equipment does not correspond substantially with the particulars of the certificate. These deficiencies must be corrected to the satisfaction of the marine inspector.

§ 140.115 For a fixed facility, who conducts the initial inspection?

Coast Guard marine inspectors conduct an initial inspection of each fixed facility to determine whether the facility is in compliance with the requirements of this subchapter.

§ 140.120 For a fixed facility, what are the requirements for annual self-inspection?

(a) The owner or operator of each fixed facility must ensure that the facility is inspected, at intervals of 12 months, to determine whether the facility is in compliance with the requirements of this subchapter. The inspection may be conducted within 2 months before to 2 months after the date the inspection is due. However, the inspection is credited as of 12 months after the previous due date.

(b) Except for initial inspections under § 140.115, unannounced inspections by Coast Guard marine inspectors do not meet the requirements for an inspection under paragraph (a) of this section.

§ 140.125 For a fixed facility, what form must I use for the annual self-inspection results, and when must I send it to the Coast Guard?

Except for initial inspections under § 140.115, you must record the results of the inspection on Form CG–5432 ''Fixed OCS Facility Inspection Report.'' You may obtain a Form CG–5432 from the OCMI. The owner or operator must submit the completed Form CG–5432 to the OCMI within 30 days after completion of the inspection.

§ 140.130 What must I do with defective lifesaving and fire-fighting equipment?

You must, in the presence of the Coast Guard inspector, mutilate or make unusable any lifesaving and fire-fighting equipment that, in the opinion of the inspector, is defective or damaged beyond repair. If you discover defective lifesaving and fire-fighting equipment when an inspector is not present, mutilate it in the presence of the person making the determination that it is defective or beyond repair, remove it from the OCS unit, replace it with non-defective equipment, and notify the OCMI on Form CG–5432.

§ 140.135 What is the procedure to correct a deficiency or hazard discovered during a Coast Guard inspection?

The Coast Guard marine inspector reports any deficiency or hazard discovered during an inspection to the OCS unit's owner or operator. The owner or operator must correct each deficiency or hazard as soon as practicable and within the time specified by the Coast Guard marine inspector for each item.

§ 140.140 For a fixed facility, what procedures must I follow to correct a deficiency or hazard discovered during annual self-inspection?

(a) You must correct or eliminate each deficiency or hazard discovered during an inspection of a fixed facility under § 140.120. If practicable, correct or eliminate all possible items before you submit Form CG–5432 to the OCMI. Be sure that any items not corrected or eliminated are clearly marked ''outstanding'' on the form.

(b) The owner or operator must contact the OCMI to request a time period for the repair of any lifesaving and fire-fighting equipment marked ''outstanding'' on Form CG–5432. Include in the comment section of Form CG–5432, a description of the deficiency and the time period for repair or correction specified by the OCMI.

(c) Upon receipt of a Form CG–5432 with a deficiency or hazard outstanding, the OCMI sends a letter to the owner or operator identifying each deficiency or hazard and specifying the time period to correct or eliminate them.

§ 140.145 What action will the Coast Guard take if I do not correct a deficiency or hazard?

The OCMI initiates appropriate enforcement measures if a deficiency or hazard remains outstanding after the time specified for its correction.

Subpart C—Investigations

§ 140.200 What OCS activity incidents will the Coast Guard investigate?

Under the direction of the OCMI, investigating officers investigate the following incidents resulting from OCS activities:

(a) Death.

(b) Injury resulting in substantial impairment of any body part or bodily function.

(c) Fire causing death, serious injury, or property damage exceeding $100,000.

(d) Oil spillage creating a sludge, sheen, or emulsion on or beneath the water.

(e) Other injuries, casualties, accidents, complaints of unsafe working conditions, fires, pollution, and incidents occurring as a result of OCS activities as the OCMI deems necessary to promote the safety of life or property or to protect the marine environment.

§ 140.205 What investigation procedures will the Coast Guard follow?

As far as practicable, investigations conducted under this subchapter must follow the procedures of 46 CFR part 4.

§ 140.210 To what extent does the Minerals Management Service participate in Coast Guard investigations?

Representatives of the Minerals Management Service may participate in investigations under this subchapter. This participation may include, but is not limited to—

(a) Participating in a joint on-scene investigation;

(b) Making recommendations concerning the scope of the investigation;

(c) Calling and examining witnesses; and

(d) Submitting or requesting additional evidence.

§ 140.215 Are investigation reports made available to the public?

Upon completion of agency action, reports of investigations conducted under this subchapter must be made available to the parties in the investigation and to the public.

§ 140.220 What subpoena powers does the Coast Guard investigating officer have?

(a) In any investigation conducted under this subchapter, the investigating officer may administer necessary oaths, subpoena witnesses, and require the production of books, papers, documents, and other evidence.

(b) Attendance of witnesses or the production of books, papers, documents, or any other evidence is compelled by a process similar to that used in the District Courts of the United States.

PART 141—OUTER CONTINENTAL SHELF ACTIVITIES: PERSONNEL

Subpart A—Restrictions on Employment

Sec.
141.1 What is the purpose of this subpart?
141.5 What does this subpart apply to?
141.10 What does this subpart not apply to?
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141.20 How is the percentage of ownership and right to control an OCS unit determined?
141.23 How may I request a determination under § 141.20?
141.25 Do I have to employ only U.S. citizens and resident aliens to work on my OCS unit?
141.30 Can I get an exemption from § 141.25 so I can employ foreign citizens?
141.35 What are the procedures and details that I must include in my exemption request?
141.40 Where must I send my exemption request?
141.45 Upon receiving the request, what procedures does the Coast Guard follow to process and issue a certification of exemption?
141.50 How long is a certification of exemption valid?
141.55 Are there some foreign citizens for whom I do not need a request?
141.60 What can I accept from a prospective employee as evidence of U.S. citizenship?
141.65 If the person does not have any of the documents listed in § 141.60, what other evidence will the Coast Guard accept?
141.70 What does the Coast Guard do in cases where doubt exists concerning evidence of U.S. citizenship?
141.75 What can I accept from a prospective employee as evidence of status as a resident alien?
141.80 What records of proof of U.S. citizenship or resident alien status must I keep?

Authority: 43 U.S.C. 1356; 49 CFR 1.46.

Subpart A—Restrictions on Employment

§ 141.1 What is the purpose of this subpart?

The purpose of this subpart is to prescribe rules governing restrictions on the employment of personnel on Outer Continental Shelf (OCS) units engaged in OCS activities.

§ 141.5 What does this subpart apply to?

This subpart applies to employment of personnel on OCS units, except as provided in § 141.10.

§ 141.10 What does this subpart not apply to?

This subpart does not apply to employment of personnel on any—

(a) Vessel subject to the citizenship requirements of 46 U.S.C. 8103 for pilots, licensed officers, and unlicensed crew when the vessel is transiting to or from a facility or a United States port;

(b) Vessel subject to the citizenship requirements of 46 U.S.C. 7102 and 8103 for officers and crew on Federally subsidized or documented vessels; or

(c) OCS unit over 50 percent of which is owned by one or more citizens of a foreign nation or with respect to which one or more citizens of a foreign nation have the right effectively to control, except to the extent and to the degree that the President determines that the government of the foreign nation or any of its political subdivisions has implemented, by statute, regulation, policy, or practice, a national manning requirement for equipment engaged in the exploration, development, or production of oil or gas in its offshore areas.

§ 141.15 Where can I find the definition of a term used in this part?

(a) See § 140.25 of this chapter for the definition of a term used in this part, other than the terms in paragraph (b).

(b) As used in this part—

Citizen of a foreign nation means—(1) In the case of an individual, one who is not a citizen of the United States;

(2) In the case of a partnership, unincorporated company, or association, one in which more than 50 percent of the controlling interest is vested in citizens of a nation other than the United States; or

(3) In the case of a corporation, one which is incorporated under the laws of a nation other than the United States so long as—

(i) The title to a majority of the stock in the corporation is free from any trust or fiduciary obligation in favor of any citizen of the United States;

(ii) The majority of the voting power in the corporation is not vested in any citizen of the United States;

(iii) Through any contract or understanding, the majority of the voting power is not to be exercised directly or indirectly on behalf of any citizen of the United States; or

(iv) By any other means, control of the corporation is not conferred upon or permitted to be exercised by any citizen of the United States; or

(4) In the case of any other entity not mentioned in paragraphs (1) through (3) of this definition, one in which more than 50 percent of the controlling interest is vested in citizens of a nation other than the United States.

Citizen of the United States means—

(1) In the case of an individual, one who is a native born, derivative, or fully naturalized citizen of the United States;

(2) In the case of a partnership, unincorporated company, or association, one in which 50 percent or more of the controlling interest is vested in citizens of the United States;

(3) In the case of a corporation, one which is incorporated under the laws of the United States or of any State thereof; or

(4) In the case of any other entity not mentioned in paragraphs (1) through (3) of this definition, one in which 50 percent or more of the controlling interest is vested in citizens of the United States.

Regular complement means those personnel necessary for the routine functioning of an OCS unit, including marine officers and crew; industrial personnel on the unit, such as toolpushers, drillers, roustabouts, floor hands, crane operators, derrickmen, mechanics, motormen, and general maintenance personnel; and support personnel on the unit, such as cooks, stewards, and radio operators. The term does not include specialists, professionals, or other technically trained personnel called in to handle emergencies or other temporary operations that fall outside the normal operations of the unit; extra personnel on the unit for training; and other personnel temporarily on the unit for specialized operations, such as construction, alteration, well logging, or unusual repairs or emergencies.

Resident alien means an alien lawfully admitted to the United States for permanent residence in accordance with section 101(a)(20) of the Immigration and Nationality Act of 1952, as amended, (8 U.S.C. 1101(a)(20)).

§ 141.20 How is the percentage of ownership and right to control an OCS unit determined?

(a) The Commandant may, upon request or upon that person's own initiative, determine whether over 50 percent of a particular OCS unit is owned by citizens of a foreign nation or whether citizens of a foreign nation have the right effectively to control the unit.

(b) In determining whether ownership or a right effectively to control exists, the Commandant may consider operational control of an OCS unit, management responsibility, title, lease and charter arrangements, and financial interests.

(c) The owner or operator of any OCS unit affected is notified of the Commandant's determination.

§ 141.23 How may I request a determination under § 141.20?

(a) To request a determination under § 141.20, you must submit the following to the address in § 141.40:

(1) A certification, in the form of an affidavit, and supporting certified documentation, signed by an authorized officer of the entity (individual, partnership, unincorporated company, association, corporation, or other entity) owning the OCS unit, certifying that the entity is organized under the laws of a foreign nation. The certification must identify the nation involved.

(2) If the owner of the OCS unit is an individual, the supporting certified documentation must establish that the individual is a citizen of a foreign nation.

(3) If the owner of the OCS unit is a partnership, the supporting certified documentation must establish that each general partner, if any, is a citizen of a foreign nation and that ownership and control of a majority of the equity in the partnership is vested, free and clear of any trust or fiduciary obligation in favor of a citizen of the United States, in a partner or partners, each of whom is a citizen of a foreign nation.

(4) If the owner of the OCS unit is an unincorporated company or an association, the supporting certified documentation must establish that the chief executive officer and the chair of the board (committee or body) are citizens of a foreign nation, that a majority of a quorum of the board (or equivalent) are citizens of a foreign nation, and that a majority of the voting power is vested, free and clear of any trusts or fiduciary obligation in favor of a citizen of the United States, in the citizens of a foreign nation.

(5) If the owner of the OCS unit is a corporation, the supporting certified documentation must establish the citizenship of each director and each member of the board and the certification must certify also that—

(i) The president or other chief executive officer and the chair of the board of directors are citizens of a foreign nation;

(ii) A majority of a quorum of the board of directors are citizens of a foreign nation;

(iii) The title to a majority of the stock in the corporation is vested, free and clear of any trust or fiduciary obligation in favor of a citizen of the United States, in citizens of a foreign nation;

(iv) The majority of the voting power in the corporation is vested in citizens of a foreign nation;

(v) There is no contract or understanding through which the majority of the voting power may be exercised, directly or indirectly, on behalf of any person who is a citizen of the United States; and

(vi) There are no other means whatsoever in which control of the corporation is conferred upon or permitted to be exercised by a citizen of the United States.

(6) If the owner is an entity not mentioned in paragraphs (a)(1) through (a)(5) of this section, the supporting certified documentation must establish that the ownership and control of a majority of the equity in the entity is vested, free and clear of any trust or fiduciary obligation in favor of a citizen of the United States, in citizens of a foreign nation.

(b) If any owner is an entity that is owned, in whole or in part, by one or more other entities, each tier of entity ownership must consist of majority ownership vested in citizens of a foreign nation. A certificate meeting requirements of paragraphs (a)(1) through (a)(6) of this section for the type of entity in question must be submitted for each tier of ownership.

(c) If any owner is an entity that is controlled, in whole or in part, by one or more other entities, each tier of entity control must consist of majority control vested in citizens of a foreign nation. A certificate meeting the requirements of paragraphs (a)(1) through (a)(6) for the type of entity in question must be submitted for each tier of control.

(d) All contractual arrangements that the OCS unit will be operating under must also be submitted. These include, but are not limited to, any charter party or operating contracts between the owner of the OCS unit and any other entity. If a contractual arrangement vests the right effectively to control the OCS unit in an entity other than the owner, then that entity must also conform to the requirements of paragraphs (a) through (c) of this section.

§ 141.25 Do I have to employ only U.S. citizens and resident aliens to work on my OCS unit?

(a) Each employer of personnel on an OCS unit must employ, as members of the regular complement of the unit, only citizens of the United States or resident aliens, except as provided by § 141.30.

(b) The OCMI may determine whether a particular individual or position is part of the regular complement of an

OCS unit. A copy of the determination is provided to the owner or operator of the unit affected.

§ 141.30 Can I get an exemption from § 141.25 so I can employ foreign citizens?

An employer may request an exemption from the restrictions on employment in § 141.25 in order to employ persons other than citizens of the United States or resident aliens as part of the regular complement of the OCS unit under the following circumstances:

(a) When specific contractual provisions or national registry manning requirements in effect on September 18, 1978, provide that a person other than a citizen of the United States or a resident alien is to be employed on a particular OCS unit.

(b) When there is not a sufficient number of citizens of the United States or resident aliens qualified and available for the work.

(c) When the President determines with respect to a particular OCS unit that the employment of only citizens of the United States or resident aliens is not consistent with the national interest.

§ 141.35 What are the procedures and details that I must include in my exemption request?

A request under § 141.30 must be in writing, identify the provision of § 141.30 relied upon, and—

(a) If involving specific contractual provisions under § 141.30(a), list the persons claimed exempt and contain a copy of the contract;

(b) If involving persons without an H–2 Visa under § 141.30(b), list the persons or positions sought to be exempted; or

(c) If under § 141.30(c), identify the unit involved and contain any information in support of the claim.

§ 141.40 Where must I send my exemption request?

Send requests under § 141.30 to the Commandant (G–MOC), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001.

§ 141.45 Upon receiving the request, what procedures does the Coast Guard follow to process and issue a certification of exemption?

(a) Upon receipt of a request under § 141.30(b), the Coast Guard seeks information from the Department of Labor concerning whether there are citizens of the United States or resident aliens qualified and available for work. If information is provided that citizens of the United States or resident aliens are qualified and available, the employer may be required to seek their employment before the request is approved.

(b) Upon receipt of a request under § 141.30(c) and after consulting with other Federal agencies as appropriate, the Commandant forwards the request and the comments of the Coast Guard and other interested agencies to the President for determination.

(c) Upon approval by the President for a request under § 141.130(c) or by the Coast Guard for all other requests, the Coast Guard issues a certification of the exemption.

§ 141.50 How long is a certification of exemption valid?

(a) A certification issued under § 141.30 is valid for one year from the date of issuance.

(b) If, within 30 days of receipt by the Coast Guard of a request under § 141.30(b), the Coast Guard does not make a determination or advise the employer that additional time for consideration is necessary, the request is considered approved for a period of 90 days from the end of the 30-day period.

§ 141.55 Are there some foreign citizens for whom I do not need a request?

You do not need a request for persons who are not citizens of the United States or resident aliens and who—

(a) Are employed under the national registry manning requirements exception in § 141.30(a); or

(b) Have been classified and admitted to the United States as temporary workers under 8 U.S.C. 1101(a)(15)(H)(ii) for work in a position for which admitted.

§ 141.60 What can I accept from a prospective employee as evidence of U.S. citizenship?

The employer may accept as sufficient evidence that a person is a citizen of the United States any one of the following documents and no others:

(a) A merchant mariner's document issued by the Coast Guard under 46 CFR part 12 which shows the holder to be a citizen of the United States.

(b) An original or certified copy of a birth certificate or birth registration issued by a state or the District of Columbia.

(c) A United States passport.

(d) A Certificate of Citizenship issued by the Immigration and Naturalization Service.

(e) A Certificate of Naturalization issued by a Naturalization Court.

(f) A letter from the Coast Guard issued under § 141.65(b).

§ 141.65 If a person does not have any of the documents listed in § 141.60, what other evidence will the Coast Guard accept?

(a) If a person does not have one of the documents listed § 141.60(a) through (f), that person may appear in person before an OCMI and submit one or more of the following documents that may be considered as evidence that the applicant is a citizen of the United States:

(1) A Certificate of Derivative Citizenship or a Certificate of Naturalization of either parent and a birth certificate of the applicant or other evidence satisfactorily establishing that the applicant was under 21 years of age at the time of the parent's naturalization.

(2) An original or certified copy of a birth certificate from a political jurisdiction outside the United States that demonstrates citizenship status.

(3) A Baptismal certificate or parish record recorded within 1 year after birth.

(4) A statement of a practicing physician certifying that the physician attended the birth and has a record showing the date on which the birth occurred.

(5) A commission, or evidence of commission, in the Armed Forces of the United States that shows the holder to be a citizen of the United States.

(6) A continuous discharge book or certificate of identification, issued by the Coast Guard or the former Bureau of Marine Inspection, that shows that the applicant produced satisfactory evidence of citizenship at the time the document was issued.

(7) A delayed certificate of birth issued under a State seal, if there are no collateral facts indicating fraud in its procurement.

(8) A report of the Census Bureau showing the earliest available record of the applicant's age or birth.

(9) Affidavits of parents, relatives, or two or more responsible citizens of the United States; school records; immigration records; insurance policies; or other records that support the citizenship claim.

(b) If the OCMI determines that documents submitted under paragraph (a) of this section are sufficient evidence that the applicant is a citizen of the United States, the Coast Guard issues the applicant a letter acknowledging this determination.

§ 141.70 What does the Coast Guard do in cases where doubt exists concerning evidence of U.S. citizenship?

In any case where doubt exists concerning evidence of citizenship submitted under § 141.65(a), the OCMI may refer the matter to the United States Immigration and Naturalization Service for an advisory opinion.

§ 141.75 What can I accept from a prospective employee as evidence of status as a resident alien?

The employer may accept, as sufficient evidence that a person is a resident alien, any one of the following documents and no others:

(a) A merchant mariner's document issued by the Coast Guard under 46 CFR part 12.

(b) An alien registration receipt card issued by the Immigration and Naturalization Service certifying that the card holder has been admitted to the United States as an immigrant.

(c) A declaration of intention to become a citizen of the United States issued by the Naturalization Court.

§ 141.80 What records of proof of U.S. citizenship or resident alien status must I keep?

(a) The employer of personnel subject to this subpart must maintain, and make available to the Coast Guard upon request, a record identifying which of the documents listed in §§ 141.60, 141.65, and 141.75 were relied upon for each employee. The record must consist of either a copy of the document or the following information on the document:

(1) For a merchant mariner's document or a United States passport, the document's title and identification number.

(2) For a birth certificate or birth registration, the document's title and the employee's date and place of birth.

(3) For all other documents listed in §§ 141.60, 141.65, and 141.75, the document's title and date and place of issuance.

(b) The employer of personnel subject to this subpart must maintain a written list of the positions that make up the regular complement of the unit and the name and nationality of the individual filling each employee position. This list may be in summary form and any simple format.

PART 142—OUTER CONTINENTAL SHELF ACTIVITIES: WORKPLACE SAFETY AND HEALTH

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Authority: 43 U.S.C. 1333(d)(1), 1347(c), 1348(c); 49 CFR 1.46.

Subpart A—General

§ 142.1 What is the purpose of this part?

The purpose of this part is to promote workplace safety and health by establishing requirements relating to personnel, workplace activities and conditions, and equipment on all Outer Continental Shelf (OCS) units.

§ 142.3 Who does this part apply to?

(a) Subparts A through D of this part apply to all persons who work on an OCS unit.

(b) Subpart E of this part applies to all persons who work on a fixed or floating facility.

§ 142.5 Where can I find the definition of a term used in this part?

(a) See § 140.25 of this chapter for the definition of a term used in this part, other than the terms in paragraph (b).

(b) As used in this subpart—

Certified Industrial Hygienist means an industrial hygienist who is certified by the American Board of Industrial Hygiene.

Certified Marine Chemist means a marine chemist who is certified by the National Fire Protection Association.

Confined space means a space that may contain a dangerous atmosphere, including a space—

(1) That has poor natural ventilation, such as a space with limited openings; or

(2) That is not designed for continuous occupancy by personnel.

Dangerous atmosphere means an atmosphere that may expose personnel to the risk of death, incapacitation, injury, or acute illness or may impair their ability to escape from the atmosphere unaided.

Hot work means work that produces heat or fire, such as riveting, welding, burning, or the use of powder-actuated fastening tools. Work that produces sparks, such as grinding, drilling, or abrasive blasting, is hot work if considered so by a Certified Marine Chemist.

Offshore Competent Person means an individual certified under § 142.372 as trained and experienced in matters relating to confined-space entry.

§ 142.10 Where can I get a copy of a publication referenced in this part?

You may get a copy of a publication referenced in this part from the sources listed in § 140.30 of this chapter.

§ 142.15 Who must ensure compliance with the requirements of this part?

(a) Each holder of a lease or permit under the Act must ensure that all places of employment within the lease area or within the area covered by the permit on the OCS are—

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

(2) Free from recognized hazards.

(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 part; and

(2) Free from recognized hazards.

(c) The term ''recognized hazards'', as used in this section, 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.

§ 142.20 What workplace-safety information and training must I provide?

Each holder of a lease or permit under the Act must ensure that all personnel are provided with information and training on recognized hazards in their workplace, including, but not limited to, electrical, mechanical, and chemical hazards.

§ 142.25 What emergency response training is required?

Personnel must be trained in emergency response and cleanup, including—

(a) The actions they are expected to perform and the limitations on those actions;

(b) The hazards associated with each emergency;

(c) Their responsibilities for the safety of others involved in the emergency response; and

(d) The selection and use of proper personal protection equipment.

§ 142.30 Who controls access to medical monitoring and exposure records?

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

§ 142.35 To whom can I report a possible workplace safety or health violation?

Any person may notify the OCMI of—

(a) A possible violation of a regulation in this part; or

(b) A hazardous or unsafe working condition on any OCS unit.

§ 142.40 After learning of a possible violation, what does the OCMI do?

After reviewing the information received under § 142.35 and conducting any necessary investigation, the OCMI notifies the owner or operator of any deficiency or hazard and initiates enforcement measures as the circumstances warrant.

§ 142.45 If I report a violation, will the Coast Guard keep my identity confidential?

The identity of any person providing information under § 142.35 is not made available, without the permission of that person, to anyone other than those officers and employees of the Department of Transportation who have a need for the information in the performance of their official duties.

Subpart B—Personal Protective Equipment

§ 142.100 What is the purpose of this subpart?

The purpose of this subpart is to prescribe requirements concerning personal protective equipment on an OCS unit.

§ 142.110 Who is responsible for ensuring that personnel use or wear protective equipment and are trained in its use?

(a) Each holder of a lease or permit under the Act must ensure that all personnel who are required by this subpart to use or wear personal protective equipment do so when within the lease area or the area covered by the permit.

(b) Persons responsible for actual operations must ensure—

(1) That 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) That the equipment is maintained and used or worn as required by this subpart.

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

Eye and Face

§ 142.115 When must I wear eye and face protection?

While you are engaged in or are observing welding, grinding, machining, chipping, handling hazardous materials, or acetylene burning or cutting, you must wear eye and face protectors that—

(a) Comply with the requirements specified for the operation in Figure 8 of ANSI Z87.1–1989;

(b) Are maintained in good condition; and

(c) Are marked with the information required for that type of protector by ANSI Z87.1–1989.

§ 142.120 Where must eyewash equipment be located?

Portable or fixed eyewash equipment providing emergency relief must be immediately available near the drill floor, mudrooms, and other areas where there is a reasonable probability that eye injury may occur.

Head

§ 142.125 Who must wear head protection and how must it be marked?

While you are working in one of the following areas, you must wear a head protector that meets the specifications of, and marked with the information required in, ANSI Z89.1–1997 for that type of protector and for the hazard involved:

(a) Where there is a hazard of falling objects.

(b) Where there may be contact with electrical conductors.

Feet

§ 142.130 What shoes must I wear?

(a) While you are working in an area, or are engaged in activities, where there is a reasonable probability for foot injury to occur, you must wear footwear meeting the specifications of ANSI Z41–1991, except when environmental conditions exist that present a hazard greater than that against which the footwear is designed to protect.

(b) Each pair of footwear must be marked with the information specified by ANSI Z41–1991 for the type of footwear.

Hearing

§ 142.135 When must I wear hearing protectors? What standards must they meet?

(a) If you are working in an area where the noise level is greater than 87 db(A), you must wear hearing protectors capable of reducing the level to 87 db(A) or less. The noise level must be measured as a time-weighted-average (TWA) over 12 hours using a sound level meter and an A-weighted filter or an equivalent device.

(b) The hearing protectors must have been performance-tested in accordance with ANSI S3.19 or ANSI S12.6–1997.

Clothing

§ 142.140 When must I wear protective clothing?

While you are within an area where there are flying particles, molten metal, radiant energy, heavy dust, or hazardous materials, you must wear clothing and gloves providing protection against the hazard involved.

Electrical

§ 142.145 What training must I have?

To prevent electrical shock, personnel must be trained 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.

Respiratory

§ 142.150 When must I wear respiratory protection equipment?

While you are within an atmosphere specified under ANSI Z88.2–1992 as requiring the use of respiratory protection equipment, you must wear the type of respiratory protection equipment specified in ANSI Z88.2–1992 for that atmosphere.

§ 142.151 What training must I have before I use respiratory protection equipment?

Before you enter an atmosphere specified under ANSI Z88.2–1992 as

requiring the use of respiratory protection equipment, you must be trained—

(a) In the procedures stated in section 7 of ANSI Z88.2–1992 concerning the proper selection of a respirator and individual fit testing;

(b) In the matters in section 8 of ANSI Z88.2–1992 concerning proper use of the equipment; and

(c) In the generally recognized short and long term harmful effects of exposure to the atmosphere involved.

§ 142.152 To what standard must respiratory protection equipment be approved, used, and maintained?

(a) All respiratory protection equipment must be approved, used, tested, and maintained in accordance with ANSI Z88.2–1992.

(b) The fit-testing standards in section 8 of ANSI Z88.2–1992 may be met also through the use of either qualitative or quantitative fit-testing under NIOSH ''Guide to Industrial Respiratory Protection'' (publication no. 87–116) or AIHA ''Respiratory Protection—A Manual and Guideline'' 163–PC–91.

Fall Arrest

§ 142.155 When must I use a personal fall arrest system?

Except when moving from one location to another, you must wear a personal fall arrest system when—

(a) Engaged in an activity where there is a hazard of falling 1.8 meters (6 feet) or more; or

(b) Working less than 1.8 meters (6 feet) above—

(1) Equipment with irregular surfaces;

(2) Exposed moving components; or

(3) Electrically energized cables or connectors.

§ 142.156 What training do I need?

Before you use a personal fall arrest system, you must be trained in the proper use of the system as described in ANSI Z359.1–1992.

§ 142.157 What standards must a personal fall arrest system meet?

(a) Each personal fall arrest system must meet the standards for performance, design, marking, and qualification testing in ANSI Z359.1–1992.

(b) A person who has extensive knowledge, training, and experience with personal fall arrest systems must inspect and maintain each system in accordance with ANSI Z359.1–1992.

§ 142.158 May I use a personal fall arrest system to hoist material?

No. You may not use a personal fall arrest system to hoist material. The system and its components are only for personal fall protection purposes.

§ 142.159 When may I re-use a personal fall arrest system that has previously been used to arrest a fall?

Once a personal fall arrest system has been subjected to impact loading, such as by arresting a fall, the system must be removed from service. It may not be used again until all components of the system have been inspected by a person who has extensive knowledge, training, and experience in personal fall arrest systems and found undamaged and suitable for re-use.

§ 142.160 When is a fall arrest system not needed?

You do not need to use a fall arrest system when you are—

(a) Using a personnel net; or

(b) Protected from a fall by guardrails or fencing under § 143.1230 of this chapter.

Personnel Nets

§ 142.165 What standards must personnel nets meet?

(a) Each personnel net must meet the standards for performance, design, marking, and qualification testing in ANSI A10.11–1989.

(b) A person who has extensive knowledge, training, and experience in personnel nets must inspect and maintain each system in accordance with ANSI A10.11–1989.

Work Vests

§ 142.170 Must I wear a work vest or lifejacket when working over water?

If you are working in a location where, in the event of a fall, you would likely fall into the water, you must wear one of the following:

(a) A work vest that meets the requirements of § 143.875 of this chapter.

(b) A lifejacket that meets the requirements of § 143.845 of this chapter.

(c) A personal fall arrest system that meets the requirements of § 142.157.

Radiation

§ 142.175 When must I wear a personal radiation monitoring device?

If you enter an area where you may receive 25 percent of the allowable whole-body total dose of 1.25 REM per calendar quarter, you must wear an appropriate personal radiation monitoring device, such as a film badge, film ring, pocket chamber, or pocket dosimeter.

§ 142.176 For how long must dosimetry records be kept?

The owner, operator, or person in charge must ensure that the dosimetry records of each person on the facility who is required to wear a monitoring device under § 142.175 are retained for 30 years from that person's last day of employment and made available for inspection.

§ 142.177 When must I conduct a radiation survey?

The owner, operator, or person in charge must ensure that a radiation survey is performed as necessary to comply with §§ 142.175 and 142.178. The survey must evaluate the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions. When appropriate, this evaluation must include a physical survey of the location of materials and equipment and measurements of levels of radiation or concentrations of radioactive material present.

§ 142.178 When must I post signs to warn about radiation?

If a work area may contain radiation emissions of 5 or more millirems per hour, radiation caution signs, labels, and signals as described in 29 CFR 1910.1096(e) must be posted.

§ 142.179 What about naturally occurring radioactive material?

For operations that introduce naturally occurring radioactive material (NORM), the owner or operator must establish a program that includes procedures for—

(a) Controlling the generation of airborne dust containing NORM;

(b) Limiting the exposure of personnel to airborne dust containing NORM;

(c) Managing equipment contaminated with NORM; and

(d) Disposing of waste contaminated with NORM.

Airborne Substances

§ 142.180 What are the permissible exposure limits for airborne substances?

Exposure of personnel to any airborne substance, other than a substance under § 142.181, must be limited to the permissible exposure limit cited in the material safety data sheet for that substance.

§ 142.181 What are the permissible exposure limits for asbestos and inorganic lead?

(a) Exposure of personnel to asbestos must not exceed the 8-hour time-weighted average of 0.1 fiber per cubic centimeter of air or the 30-minute

excursion limit of 1.0 fiber per cubic centimeter of air.

(b) Exposure of personnel to inorganic lead must not exceed the 8-hour time-weighted average of 0.05 milligrams of lead per cubic meter of air.

§ 142.182 If an area exceeds the exposure limits, must I restrict entry to certain personnel?

You must not enter, or allow others to enter, an area containing an airborne substance in quantities that exceed the permissible exposure limits in §§ 142.180 or 142.181, unless you are wearing the personal protective equipment appropriate for the substance and are trained in the proper use of the equipment.

§ 142.183 How may I keep exposure to a level within the permissible exposure limits?

To keep exposure to airborne substances to a level within the permissible exposure limits in §§ 142.180 and 142.181, engineering controls, administrative controls, personnel protective equipment, or a combination of these may be used.

Infectious Material

§ 142.185 What must I do to avoid exposure to infectious material?

(a) Before you perform, or are required to perform, a duty that may expose you to a blood-borne pathogen or other potentially infectious material, you must be trained in the procedures and equipment necessary to avoid the exposure.

(b) Each OCS unit must have a written program that describes the training, procedures, and equipment to prevent exposure to blood-borne pathogens.

Subpart C—General Workplace Conditions

§ 142.200 What is the purpose of this subpart?

The purpose of this subpart is to prescribe requirements relating to general working conditions on OCS units.

§ 142.205 What must I do to help prevent tripping and slipping?

(a) All working surfaces, including staging and platform surfaces, and all walkways, including ramps and stairways, must be kept clear of—

(1) Tripping hazards, such as material, portable tools, equipment, and other items not in use; and

(2) Slipping hazards, such as spilt substances.

(b) On the drill floor, footwear and flooring designed to reduce slipping may be used instead of keeping the floor clear of drilling fluid, such as fluid spilt when pulling wet strings of drill pipe.

§ 142.207 How do I manage deck obstructions to avoid interfering with survival craft?

You must keep deck areas where survival craft and rescue boats are stowed free of obstructions that might interfere with the boarding and launching of the craft.

§ 142.210 How must I guard a deck opening?

On a deck that is accessible to personnel, each temporary opening in the deck must be covered or guarded so that a person's foot can not pass through the opening, or the area around the opening made inaccessible to personnel. For requirements for the protection of permanent openings, see the guards and rail requirements in § 143.1230 of this chapter.

Electrical Work

§ 142.215 What safe practices must I use?

(a) Before you begin work that might expose you to an electrical charge, you must turn off the electricity, unless doing so is not feasible.

(b) When you turn off equipment, you must follow the lockout or tagging procedures in § 142.220 or 142.225.

Lockout

§ 142.220 How must I disable equipment before I work on it?

If the equipment does not need to be powered during the work and it has a lockout or other device to prevent the equipment from being turned on unintentionally, you must activate that lockout or device.

Tagout

§ 142.225 How must I warn others not to restore power to equipment I am working on?

(a) Before doing work on equipment that is disconnected from the power source, you must place a tag at the location where the power is disconnected. If there is a control panel for the equipment in line between the equipment and the location where the power is disconnected, you also must place a tag 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;

(3) The name of the person who placed the tag; and

(4) The name of the person who authorized the tag.

§ 142.230 Who may remove a tag indicating that power must not be restored?

To remove a tag under § 142.225, you must have the permission of—

(a) The person who placed the tag;

(b) That person's immediate supervisor; or

(c) The relief person of either.

Noise

§ 142.235 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 survey must be conducted in accordance with ANSI S1.13–1995 and S1.36–1990 or with IMO Resolution A.468(XII), and the survey results kept on the OCS unit.

(b) A new survey must be conducted when the space is substantially modified or when equipment producing a high level of noise is added or replaced in the space.

(c) The initial survey for an OCS unit constructed before [effective date of final rule.] must be completed by [date one year after effective date of final rule.].

§ 142.240 What signs must I post in spaces with high-noise levels?

(a) If the noise level throughout a space is determined to exceed 87 db(A), you must post a sign with the legend ''NOISE HAZARD—HEARING PROTECTORS REQUIRED'' at eye level at each entrance to the space. You must measure the noise level as a time-weighted-average (TWA) over 12 hours using a sound level meter and an A-weighted filter or an equivalent device.

(b) If the noise level is determined to exceed 87 db(A) only in a portion of a space, you may post the sign within that portion in a location visible from each direction of access.

Machine Guards

§ 142.245 What are the requirements for machine guards?

(a) Except as provided in § 142.250, you must guard all exposed rotary, reciprocating, or other hazardous parts of a machine to protect the operator and other personnel in the area from hazards, such as those created by rotating parts, flying chips, and sparks. Guards include, but are not limited to, barrier guards, covers, rails, two-hand tripping devices, and electronic safety devices.

(b) You must attach the guard to the machine; or, if having the guard attached to the machine would itself

create a hazard, you must affix the guard elsewhere.

§ 142.250 When is a guard not required?

A guard is not required if it would restrict or prevent the operation of the machine and a warning sign is conspicuously displayed in accordance with § 142.285.

Equipment Use and Maintenance

§ 142.255 What are the general requirements?

(a) All equipment, including machinery, cranes, derricks, and portable power tools 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, unless removed from service.

Slings

§ 142.260 What are the requirements for slings?

(a) Slings must be used, inspected, repaired, and tested according to the manufacturer's recommendations.

(b) Slings must be inspected visually before each use.

(c) Unsafe, damaged, or defective slings must be removed from service immediately and either tagged out or destroyed.

(d) Slings must be marked with information showing their size, grade, and rated capacity.

Personnel Transfer Nets

§ 142.265 How must they be used and maintained?

(a) Personnel transfer nets must be used and maintained in accordance with API RP 54.

(b) The load on a personnel transfer net must not exceed the manufacturer's specifications.

§ 142.270 How must they be constructed?

(a) Personnel transfer nets must be constructed of new material that resists deterioration by ultraviolet light or sea water.

(b) All lines and other component parts of the nets must have a minimum tensile strength of at least six times the manufacturer's maximum rated load for each line or other component part.

§ 142.275 Must I inspect every net before each use? What do I do with a damaged net?

(a) A personnel transfer net must be inspected visually before each use.

(b) If a load bearing part of the net, such as a pick up line, load line, or lifting ring, is frayed, damaged, worn, or corroded, the net must be withdrawn immediately from service and discarded.

(c) If a non-load-bearing part is frayed, damaged, worn, or corroded, the part must be replaced before the net is used again. The replacement part must be equivalent to the original in strength, material, and method of construction.

§ 142.280 What are the lifting procedures for personnel transfer nets?

When a crane is being used with a personnel transfer net to transfer personnel over water, personnel must wear a Coast Guard approved personal floatation device. The crane operator must not lift or lower personnel directly over an OSC unit or attending vessel, except to clear or land personnel.

Warning Signs

§ 142.285 What are the warning sign requirements?

(a) This section applies to all warning signs added or replaced after [the effective date of the final rule]. The requirements for the use of tags for disabled equipment are in §§ 142.225 and 142.230.

(b) Signs must be used to alert personnel and identify specific hazards that might lead to accidental injury.

(c) Signs warning personnel of immediate danger and the need for special precaution must use the color red.

(d) Signs warning personnel against potential hazards or cautioning against an unsafe practice must use the color yellow.

(e) A sign must be removed when the hazard it warns of is eliminated.

(f) Signs need not be used where tags, guarding, or other means of protection are used.

Subpart D—Confined-Space Entry

General

§ 142.300 What is the purpose of this subpart?

The purpose of this subpart is to reduce the likelihood of personnel inadvertently entering a confined space containing a hazardous atmosphere that can cause death or serious injury.

§ 142.305 What does an Offshore Competent Person do?

Under the supervision of the person in charge, an Offshore Competent Person identifies confined spaces, tests the atmosphere in those spaces, calibrates equipment used to test the atmosphere, posts permits, records the results of calibrations and tests, and performs the other functions assigned to an Offshore Competent Person under this subpart.

§ 142.306 What do the Certified Industrial Hygienist and the Certified Marine Chemist do?

Under the supervision of the person in charge, the Certified Industrial Hygienist and the Certified Marine Chemist may perform any of the functions under this subpart assigned—

(a) To them, by name; or

(b) To an Offshore Competent Person.

Entry Requirements for Personnel

§ 142.310 When may I enter and work within a confined space?

You may enter and work within a confined space if—

(a) You are certified to enter confined spaces under § 142.362;

(b) You see a permit or certificate and, if required, a log under § 142.335 posted at the entrance to the space;

(c) You are wearing or using the personnel protection equipment required in the program under § 142.375 or noted on the permit, certificate, or log;

(d) You follow the requirements noted on the permit or certificate and on the log while in the space; and

(e) You follow the procedures for working within confined spaces as provided in your training under § 142.360 and in the program under § 142.375.

§ 142.311 When must I leave a confined space?

You must leave a confined space immediately when—

(a) You experience a symptom that you believe indicates that you should leave the space; or

(b) You notice the conditions in the space have changed.

§ 142.312 What do I do if there is no permit or certificate posted?

If there is no permit or certificate posted at the entrance to a confined space or if the permit or certificate posted has expired, you may not enter the space until the proper documents under § 142.335 are posted.

Steps Required Before Personnel May Enter the Space

§ 142.315 What steps must be taken before personnel may enter a confined space?

Before personnel may enter a confined space, the following steps must be taken:

(a) The space must be prepared, and the non-atmospheric hazards in the space controlled, under § 142.320.

(b) The equipment used to test the atmosphere in the space must be calibrated under § 142.325.

(c) The atmosphere in the space must be tested under § 142.330 from the outside of the space.

(d) The atmosphere in the space must be tested under § 142.332 from inside of the space.

(e) A permit or certificate and, if required, a log under § 142.335 must be posted at the entrance to the space.

Preparing a Space for Entry

§ 142.320 What must be done within the space to prepare it for the entry of personnel?

Before personnel may enter a confined space, the following must be done to prepare the space:

(a) The space must be isolated from gas, liquid, mechanical, and electrical hazards by positive means, such as by locking out, disconnecting pipes, double blocking and bleeding, blocking moving mechanical parts, disconnecting power supply lines, and relieving trapped pressure and tension on springs.

(b) The space must be ventilated before and during entry at a sufficient volume and flow rate to establish and maintain an atmosphere that meets the ''Safe for Workers'' designation under § 142.331(a). If the space can not be ventilated to meet that designation, a Certified Industrial Hygienist or a Certified Marine Chemist must certify that the atmosphere in the space meets the ''Enter with Restrictions'' designation under § 142.331(b) and specify the restrictions, such as the use of personnel protection equipment, necessary for entry.

(c) The discharge areas for the ventilation system must be tested to ensure that there is no buildup of toxic or flammable vapors.

(d) Liquid residues of hazardous materials must be removed as thoroughly as practicable.

(e) Workplace hazards within the space, such as trip and fall hazards and excessive heat and noise, and problems with access to and from the space must be identified and controlled.

(f) Signs prohibiting sources of ignition or warning of other hazards within the space must be posted at the entrances to the space.

(g) Rescue equipment must be pre-positioned and readied for use, as specified in the program under § 142.375.

Calibrating Atmospheric Testing Instruments

§ 142.325 When and how must instruments used in testing be calibrated?

(a) Before use in an atmospheric test under this subpart, each instrument to be used must be calibrated on the day of use. The instrument must be re-calibrated during the test when indicated by the instrument's reading.

(b) The instrument must be tested by using a known concentration of test gas in a manner consistent with the manufacturer's recommendations under the conditions in which the instrument will be used.

§ 142.326 Who must calibrate the testing instruments?

The individual under §§ 142.330 and 142.332 who will test the atmosphere from outside and within the confined space must calibrate the testing instruments to be used in that test.

§ 142.327 What records of the calibration of testing instruments must be kept?

(a) The owner, operator, or person in charge must keep a record of the calibrations under § 142.325.

(b) The records must be kept on the OCS unit for at least 3 months and made available to the Coast Guard upon request.

(c) Also, the calibration must be recorded on the permit or certificate under § 142.335.

Testing the Atmosphere

§ 142.330 What atmospheric test must be conducted from outside of the confined space?

(a) The atmosphere within a confined space must first be tested from outside of the space. The test must be conducted as specified in the program under § 142.375 and include sampling at varying heights within the space.

(b) The Offshore Competent Person may test only for oxygen, flammable gas, benzene, and hydrogen sulfide.

(c) If the Offshore Competent Person determines that the atmosphere, or the nature of the work to be conducted, indicate that toxins other than benzene or hydrogen sulfide may be present, a Certified Marine Chemist or Certified Industrial Hygienist must test the space.

§ 142.331 What atmospheric conditions are necessary for entry?

(a) If the outside test is conducted by the Offshore Competent Person under § 142.330(b), the atmosphere must meet the ''Safe for Workers'' designation under NFPA 306, chapter 2, section 2–3.1, before entry may be authorized.

(b) If the outside test is conducted by a Certified Marine Chemist or Certified Industrial Hygienist under § 142.330(c), the atmosphere must meet the ''Safe for Workers'' designation under NFPA 306, chapter 2, section 2–3.1, or ''Enter with Restrictions'' designation under NFPA 306, chapter 2, section 2–3.3, before entry may be authorized.

§ 142.332 What tests and examinations must be conducted from inside of the confined space?

(a) Once the test conducted from outside of the space under § 142.330 indicates that the atmosphere in the space meets the requirements of § 142.331, the space must be tested from the inside.

(b) This test must be conducted by the same individual who conducted the outside test under § 142.330.

(c) The individual conducting the test must—(1) Physically enter the space and again test the atmosphere to verify that it meets the appropriate NFPA designation under § 142.331; and

(2) Visually examine all areas of the space and identify and control potential fire or other hazards within the space, such as liquid residues capable of regenerating vapors to hazardous levels.

Permits, Certificates, and Logs

§ 142.335 What type of document must be posted at the entrance to the space?

(a) When tests under §§ 142.330 and 142.332 show that the atmosphere in the confined space meets the appropriate NFPA designation under § 142.331 and when the space is prepared under § 142.320, the individual who conducted the tests must post, at each entrance to the space, a permit under paragraph (b) or a certificate under paragraph (c).

(b) If the tests under §§ 142.330 and 142.332 were conducted by an Offshore Competent Person or a Certified Industrial Hygienist, the document to be posted is a copy of the Offshore Confined-space Entry Permit (Coast Guard Form CSE) in appendix A of this subpart, with the information on the document relating to the space filled out.

(c) If the tests under §§ 142.330 and 142.332 were conducted by a Certified Marine Chemist, the document to be posted is a Marine Chemist's certificate under NFPA 306, with the information on the document relating to the space filled out.

(d) If the permit or certificate is more than 24 hours old, a log must be posted next to the permit or certificate. The log must identify the space and contain the following:

(1) The name of the OCS unit.

(2) The time, date, results of each subsequent test under § 142.340 and the name of person conducting the test.

(3) A description of the operations performed by personnel in the space since the previous test, such as cleaning and hot work.

(4) Additional instructions, as needed.

(e) The documents posted under this section must remain posted until the

work to be done in the space is finished or the permit or certificate expires, whichever occurs first.

§ 142.336 What happens when a permit or certificate expires or is no longer posted?

(a) When the permit or certificate expires or is removed under § 142.335(e), the owner, operator, or person in charge must keep a copy of the document and corresponding log for 3 months.

(b) These documents must be made available to the Coast Guard upon request.

Subsequent Testing

§ 142.340 What is required to maintain the certificate or permit?

(a) The atmosphere in the space must be re-tested and the space re-examined at least once every 24 hours. More frequent testing and examining may be necessary depending upon factors, such as potential hazards, temperature and cleanliness of the space, type of work being done in the space, and frequency of work breaks.

(b) The Offshore Competent Person must repeat the tests and examinations under § 142.330 and § 142.332, including physically entering the space to verify that conditions have not changed.

(c) An Offshore Competent Person may conduct the tests and examinations under this section, even if the permit or certificate was issued by a Certified Marine Chemist or a Certified Industrial Hygienist.

(d) If the original document posted is a Certified Marine Chemist's certificate and the certificate states that certain tests need not be repeated, those tests are not required.

(e) The results of tests under this section must be recorded on the log posted under § 142.335 at each entrance to the space.

When Conditions in the Space Change

§ 142.345 What if conditions change while I'm in the space?

(a) You must leave the space when conditions that could affect the atmosphere change, such as a failure of the ventilation or the introduction of hazardous substances into the space.

(b) Before you may re-enter the space, it must be re-tested under §§ 142.330 and 142.332 and a new permit or certificate posted under § 142.335.

Restrictions on Equipment and Work

§ 142.350 What are the restrictions on equipment used in a confined space?

(a) All equipment in the confined space capable of generating a static electricity discharge must be bonded.

(b) All fans in the space must have non-sparking blades.

(c) All lighting and electrical equipment in the space must be explosion proof.

§ 142.351 When may I perform hot work within a confined space?

(a) If you perform hot work in one of the following areas, you may do so only to the extent authorized by a Certified Marine Chemist under the provisions of NFPA 306:

(1) In a fuel or cargo tank.

(2) On the boundary of a fuel or cargo tank.

(3) On the boundary of spaces adjacent to a tank carrying a Grade A, B, or C flammable liquid.

(4) On pipelines, heating coils, pumps, fittings, or other appurtenances connected to fuel or cargo tanks.

(b) If a Certified Marine Chemist is not available, a person authorized by the OCMI may conduct the necessary tests and inspections in accordance with NFPA 306 and authorize the hot work.

(c) Hot work conducted in spaces other than those listed in paragraph (a) of this section may be regulated by the Mineral Management Service under 30 CFR 250.52 and must meet those requirements as applicable.

§ 142.352 What is required to maintain the Marine Chemist's Certificate for hot work?

(a) If hot work under § 142.351(a) does not begin within 24 hours after the Marine Chemist's Certificate is issued, the Offshore Competent Person must maintain the Certificate under NFPA 306, paragraph 2–6.

(b) The results of the tests and inspections under paragraph (a) of this section must be recorded on the log under § 142.335(d).

Testing and Protective Equipment

§ 142.355 What equipment must be provided?

(a) The owner or operator must ensure that all equipment needed to protect personnel in a confined space and to determine and control the hazards within and affecting the confined space is provided.

(b) The equipment may vary depending on the particular space and may include—

(1) Testing and monitoring instruments;

(2) Ventilating equipment;

(3) Communications equipment;

(4) Personal protective equipment;

(5) Lighting equipment;

(6) Barriers and shields;

(7) Equipment to provide access to and from the space, such as a ladder;

(8) Rescue equipment; and

(9) Emergency medical equipment.

Personnel Training

§ 142.360 What training must I have?

The person in charge must ensure that all personnel who enter confined spaces are trained how to—

(a) Safely perform all duties required by this subpart, by the program under § 142.375, and by a permit or certificate under § 142.335;

(b) Recognize a confined space and how it can produce a dangerous atmosphere;

(c) Anticipate the hazards of entering and working within a confined space;

(d) Determine what personal protective equipment is needed and how to use it;

(e) Recognize the physical signs of exposure to a dangerous atmosphere;

(f) Control hazards in the space; and

(g) Know when to evacuate the space.

§ 142.361 When must I receive the training?

(a) You must receive the training under § 142.360 before you are allowed to enter a confined space.

(b) If the operations or duties that you were trained for under § 142.360 change, you must be trained in the areas under § 142.360 that relate to your new operations or duties.

§ 142.362 How can I show that I have been trained?

(a) Before you may enter a confined space, you must have a certificate under this section.

(b) When you successfully complete the training under § 142.360, the owner, operator, or person in charge must issue a certificate to you certifying that you successfully completed the training.

(c) The certificate must contain your name, the name and title of the person who issued the certificate under paragraph (b) of this section, and the date of the certification.

(d) The certificate must be kept on the OCS unit and made available for inspection by the Coast Guard.

Rescue Team

§ 142.365 How are rescue operations conducted?

(a) The owner, operator, or person in charge must ensure that a team is established to rescue personnel from confined spaces and provide emergency medical attention.

(b) The rescue team must be located on the OCS unit and be available for emergency response while personnel are in a confined space.

(c) The team must follow the rescue and medical procedures in the confined-space entry program under § 142.375.

(d) In determining the qualifications of the team and the equipment they will need, the owner, operator, or person in charge must consider the type of confined spaces that will be encountered, the nature of the particular hazards in those spaces, and the type of work to be conducted in them.

§ 142.366 What additional training is required for rescue team members?

(a) The owner, operator, and person in charge must ensure that, in addition to the training under § 142.360, each member of the rescue team is trained to use the personal protective, rescue, and medical equipment needed to perform their functions as part of the team.

(b) Each member must have a current Emergency Response Certificate and a Cardio-Pulmonary Resuscitation (CPR) for the Professional Rescuers Certificate from the American Red Cross or the equivalent certificates.

(c) At least one member must have a current registration with the National Registry of Emergency Medical Technicians (EMT) at the EMT-Intermediate level.

(d) Members must practice their functions as part of the team at least once every 12 months, unless the team performs an actual rescue during that 12-month period. The practice must use mannequins, rescue equipment, and a confined space to closely approximate an actual rescue.

Offshore Competent Person

§ 142.370 What education, training, and experience must an Offshore Competent Person have?

An Offshore Competent Person must have the following education, training, and experience:

(a) Have completed the following courses at an accredited college or university:

(1) Two semesters or three quarters of general chemistry.

(2) Two semesters or three quarters of organic chemistry with laboratory training.

(3) One course in analytical methods with laboratory training.

(4) One course in industrial hygiene sampling and analysis involving hands-on use of testing instruments.

(b) Have completed a course or seminar on confined-space entry with hands-on calibration and the use of testing instruments and scenarios that simulate confined spaces that will be encountered.

(c) Have at least 3 years of experience in the offshore oil and gas industry, with at least 2 years of active involvement in an offshore safety program.

(d) Have, within the past 6 months, conducted a confined-space entry test offshore or received training in conducting such a test.

§ 142.371 What abilities and knowledge must an Offshore Competent Person have?

(a) An Offshore Competent Person must be able to—

(1) Interpret and apply the confined-space entry program under § 142.375, the regulations in this subpart, and the standards in NFPA 306;

(2) Recognize the confined spaces on the facility or unit;

(3) Identify the particular hazards and their sources associated with each confined space on the facility or unit and with the work conducted within that space;

(4) Select and apply the appropriate engineering or administrative controls, such as ventilation equipment, lock out procedures, safe work practices, and personal protective equipment;

(5) Select, calibrate, use, and maintain the testing instruments for confined-space entry;

(6) Interpret the results of tests under this subpart;

(7) Determine when a Certified Marine Chemist or Certified Industrial Hygienist is needed;

(8) Complete a permit and log under § 142.335;

(9) Monitor the work authorized by the permit and conditions in the space while that work is going on; and

(10) Maintain the records required by this subpart.

(b) The Offshore Competent Person also must have a knowledge of—

(1) The configuration of the OCS unit, including its structure, pipe systems, arrangement of spaces, and nomenclature; and

(2) The operations on the OCS unit and how they affect safe confined-space entry.

§ 142.372 Who certifies the Offshore Competent Person, what must the certificate contain, and where must it be kept?

(a) If a person meets the requirements of §§ 142.370 and 142.371, the owner or operator may certify that person as an Offshore Competent Person.

(b) The certification must be in writing and contain the name of the person being certified, the name and title of the person who issued the certificate under paragraph (a) of this section, and the date of the certification. It also must state that the person being certified meets the requirements of §§ 142.370 and 142.371.

(c) The certification must be kept on the OCS unit where the person is working and made available for inspection by the Coast Guard.

§ 142.373 What refresher training must the Offshore Competent Person have?

The Offshore Competent Person must have annual refresher training that reviews confined-space entry procedures and precautions, provides hands-on experience with new instrumentation, and identifies new regulations and standards concerning confined-space entry and exposure levels.

Program for Confined-Space Entry

§ 142.375 What type of confined-space entry program is required?

(a) The owner and operator must ensure that a written program is maintained on the OCS unit that explains how tests, training, rescues, and other matters related to confined-space entry are to be carried out. The program is intended to supplement the requirements in this subpart and must not conflict with these requirements.

(b) The program must contain at least the following:

(1) A list of all confined spaces on the OCS unit and the hazards associated with each space.

(2) A description of duties and training requirements of—

(i) The person in charge;

(ii) The Offshore Competent Person;

(iii) Personnel who work within confined spaces; and

(iv) The rescue team.

(3) A description of all personal protective equipment required for confined-space entry and how and when it is to be used.

(4) A description of atmospheric testing instruments by type, model, and capabilities.

(5) The procedure for calibrating atmospheric testing instruments and interpreting and recording the results of the calibrations.

(6) The procedures for conducting atmospheric tests under §§ 142.330, 142.332, 142.340, and 142.352.

(7) The procedures and signals used to evacuate a space.

(8) A description of the methods used to prevent unauthorized entry.

(9) The procedure to follow if a permit, certificate, or log under § 142.335 is missing.

(10) The procedures for conducting rescue operations and the methods for keeping the rescue team ready to respond.

(11) A list of the medical services that must be available during confined-space entry.

BILLING CODE 4910–15–U

Appendix A to Part 142, Subpart D

Coast Guard Form CSE: OFFSHORE CONFINED-SPACE ENTRY PERMIT

Offshore Facility	Type of Facility	Owner
Offshore Competent Person or Certified Industrial Hygienist	Person in Charge (OIM, etc.)	Permit Valid From: Date: _____ Time: _____ to
Space (Location, designation)	Potential Hazards	Date: _____ Time: _____

Pre-entry Preparations: (Completed by Offshore Competent Person or Certified Industrial Hygienist and Reviewed by Facility Person in Charge)

- ☐ Space thoroughly ventilated
- ☐ Space cleaned as needed
- ☐ Access and egress arrangements are adequate
- ☐ Arrangements made for continuous ventilation
- ☐ Lighting is adequate
- ☐ Other physical hazards are adequately controlled:
  - ☐ Heat Stress ☐ Noise
  - ☐ Other _____
- ☐ Rescue and resuscitation team & equip are ready
- ☐ Communication system tested and ready
- ☐ All personnel properly clothed and equipped
- ☐ Space has been isolated
- ☐ Testing instruments calibrated
- ☐ Space tested (complete results section below.)
- ☐ Arrangements made for frequent atmospheric checks
- ☐ Energy (refer to company lock out program)
- ☐ Other _____
- ☐ Attendant at entrance is designated and ready
- ☐ All equipment inspected and in good condition
- ☐ Pre entry brief held with all entrants, attendant, rescue team, offshore competent person, and person in charge
- ☐ Emergency and evacuation procedures established and understood by all persons involved

Tests Performed:	Results:	Requirements:
☐ Oxygen (O_2)	_____	>19.5%, <22%
☐ Flammability (LEL)	_____	<10% of the LEL
☐ Toxicity (Specify) _____	_____	_____ (Specify)
☐ Toxicity (Specify) _____	_____	_____ (Specify)
☐ Toxicity (Specify) _____	_____	_____ (Specify)
☐ Toxicity (Specify) _____	_____	_____ (Specify)
☐ Toxicity (Specify) _____	_____	_____ (Specify)
☐ Toxicity (Specify) _____	_____	_____ (Specify)

Additional Requirements or Precautions Required During Entry:

_____
_____
_____
_____
_____

Work to be Completed During Entry:

_____
_____
_____
_____
_____
_____

This space meets the "Safe for Workers" criteria contained in NFPA 306, Control of Gas Hazards. Authorized employees may enter this space to conduct work the work described on this permit, using the precautions described on this permit.

Name (Printed), Offshore Competent Person	Name (Printed), Person in Charge
Signature, Offshore Competent Person	Signature, Person in Charge

See Offshore Competent Person's Log for Results of Subsequent Atmospheric Tests.
THIS PERMIT IS RENDERED INVALID IF ANY CONDITION NOTED ON THE PERMIT CHANGES.

BILLING CODE 4910–15–C

Subpart E—Hazardous Material on Fixed or Floating Facilities

§ 142.400 What is the purpose of this subpart?

The purpose of this subpart is to ensure that all personnel on a fixed or floating facility are made aware of what materials on the facility are hazardous and what the hazards associated with their use, handling, storage, and intermingling are.

§ 142.405 Who does this subpart apply to?

This subpart applies to all persons who work on a fixed or floating facility.

Hazard Communication Program

§ 142.410 What must the hazard communication program contain?

(a) Each fixed or floating facility must have a hazard communication program (HCP) available for the training of, and review by, all personnel on the facility.

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

(1) Each hazardous material on the facility;

(2) The potential hazards of the material;

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

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

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

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

(7) The special precautions, such as lockout and tagout under §§ 142.220 and 142.225, that should be emphasized when working around the material;

(8) Information and training required for personnel onboard the facility; and

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

(c) The information on a material safety data sheet on the material may be used as a substitute for items in paragraph (b) that are addressed in the sheet.

(d) The program must be supplemented as necessary to address each hazardous material newly introduced on the facility.

§ 142.415 What is the hazard communication program used for?

(a) The person in charge must ensure that, before a person is allowed to work at the facility—

(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.

(b) The training must be supplemented to address each hazardous material newly

introduced on the facility.

§ 142.420 Must I make the material safety data sheets 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 facility is made available to all personnel on the facility.

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

§ 142.425 How must I label, tag, and mark a container of hazardous material?

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

PART 143—OUTER CONTINENTAL SHELF ACTIVITIES: FIXED FACILITIES

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Heating

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Letter of certification

143.1410 As owner or operator, what must I do before my facility may engage in OCS activities?

Authority: 43 U.S.C. 1333(d)(1), 1347(c), 1348(c), 1356; 49 CFR 1.46.

Subpart A—General

§ 143.1 What does this part apply to?

This part applies to fixed facilities engaged in OCS activities.

§ 143.5 Where can I find the definition of a term used in this part?

See § 140.25 of this chapter for the definition of a term used in this part.

§ 143.10 Where can I get a copy of a publication referenced in this part?

You may get a copy of a publication referenced in this part from the sources listed in § 140.30 of this chapter.

§ 143.15 Where can I find the workplace safety and health requirements?

See part 142 of this chapter for requirements on workplace safety and health.

§ 143.20 Can I obtain an exemption from requirements in this subchapter during the construction or erection of a fixed facility?

Except for the arrangement of lifesaving equipment under § 143.25(a), the OCMI may exempt any fixed facility during construction or erection from any requirement of this subchapter that would be impracticable or unreasonable to apply during that time.

§ 143.25 What Coast Guard acceptance of lifesaving arrangements do I need during a fixed facility's construction or erection or whenever lifesaving arrangements are modified?

(a) During a fixed facility's construction or erection, the owner must obtain acceptance of lifesaving arrangements from the Commandant (G–MSE).

(b) When any modification to the lifesaving arrangement is done after construction, the owner must obtain acceptance of lifesaving arrangements from the Commandant (G–MSE).

§ 143.30 How may I request the use of alternate equipment or procedures for those required in this subchapter?

(a) You may request the use of alternate equipment or procedures for those required in this subchapter, except as under §§ 143.40(a) and 143.45.

(b) Upon request, the OCMI may allow the use of alternate equipment or procedures if they will—

(1) Accomplish the purposes for the requirement; and

(2) Provide a degree of safety equivalent to or greater than that provided by the requirement.

(c) The OCMI may require that the requesting party—

(1) Explain why applying the requirement would be unreasonable or impracticable; and

(2) Submit engineering calculations, tests, or other data to demonstrate how the requested alternative would comply with paragraph (b) of this section.

(d) The OCMI may determine, on a case-by-case basis, that, under § 143.35, the Commandant (G–MSE) must approve the use of the alternate equipment or procedure.

§ 143.35 When is Coast Guard Headquarters approval of alternate equipment or procedures required?

(a) For any requirement in this subchapter, including requirements relating to a fitting, material, apparatus, equipment, arrangement, calculation, test, standard, or procedure, the

Commandant (G–MSE) may accept a substitute that is at least as effective as that specified in this subchapter. If necessary, the Commandant (G–MSE) may require engineering calculations and tests to demonstrate the equivalence of the substitute.

(b) In any case where you show to the satisfaction of the Commandant (G–MSE) that a requirement is unreasonable or impracticable, the Commandant may allow the use of a substitute to the extent that it will provide a degree of safety consistent with the minimum standards in this subchapter.

§ 143.40 When may the OCMI not allow the use of alternate lifesaving equipment?

(a) The OCMI may not allow, under § 143.30, the use of alternates for the following lifesaving equipment specified in this subchapter:

(1) Survival craft and rescue boats.

(2) Launching and embarkation appliances for survival craft and rescue boats.

(b) For lifesaving appliances and arrangements, an allowance under § 143.30 remains in effect until the OCMI determines that—

(1) The condition of the appliance or arrangement is unsatisfactory or unfit for the service intended; or

(2) The ability of the facility's personnel to use and assist others in the use of the appliance or arrangement is inadequate.

§ 143.45 Can I get the Coast Guard to accept a novel lifesaving appliance?

The Commandant (G–MSE) may accept a novel lifesaving appliance or arrangement not addressed in this subchapter if you can demonstrate that it provides a level of safety equivalent to or greater than that provided by the requirements of this subchapter, it accomplishes the purposes of this subchapter, and it—

(a) Is evaluated and tested under IMO Resolution A.520(13); or

(b) Has successfully undergone evaluation and tests that are substantially equivalent to IMO Resolution A.520(13).

Subpart B—Operational Requirements for All Fixed Facilities

§ 143.100 Who designates the person in charge of a fixed facility?

(a) Each manned fixed facility, and each unmanned fixed facility when personnel are on board, must have an individual on the facility who is designated under paragraph (b) of this section as the person in charge of the facility.

(b) The owner or operator, or their agent, must designate the person in charge by title. They must designate, by title and in order of succession, enough individuals so that one individual on the facility is acting as the person in charge.

(c) The owner and operator must ensure that the name of the individual acting as the person in charge is made available, upon request, to Coast Guard personnel.

§ 143.105 What information must I send the Coast Guard before installing a new fixed facility?

(a) At least 30 days before the date that on-site construction of a fixed facility is expected to begin, the owner or operator of the facility must notify the District Commander for the area where the facility will be located of—

(1) The proposed location of the facility;

(2) The designation under 30 CFR 250.15 assigned to the facility for identification;

(3) The date when operation of the facility is expected to begin; and

(4) The date when the facility is expected to be available for inspection by the Coast Guard.

(b) The information required in paragraph (a) of this section may be submitted with, and need not duplicate, the information submitted in connection with the application and notice requirements in part 67, subparts 67.35 and 67.40, of this chapter for aids to navigation on the facility.

§ 143.110 When is a notice of casualty required and what must it contain?

(a) Immediately after aiding the injured and stabilizing the situation, the owner, operator, or person in charge of a fixed facility must notify the Coast Guard of each event on or involving the facility that results in one or more of the following:

(1) Death.

(2) Injury to five or more persons.

(3) Injury to a person requiring hospitalization for more than 48 hours within 5 days of the event.

(4) A fractured bone (other than in a finger, toe, or nose); a loss of limb; severe hemorrhaging; severe damage to a muscle, nerve, or tendon; or damage to an internal organ.

(5) Impairment to the operation of any of the facility's primary lifesaving or fire-fighting equipment.

(6) Property damage in excess of $100,000, including damage resulting from a vessel or helicopter striking the facility. This amount includes the cost of labor and material to restore all affected items, including, but not limited to, the facility and the vessel or helicopter, to their condition before the damage. This amount does not include the cost of salvage, cleaning, gas freeing, drydocking, or demurrage of the facility, vessel, or helicopter.

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

(1) The facility involved.

(2) The owner, operator, or person in charge of the facility.

(3) The nature and circumstances of the event.

(4) The nature and extent of the injury and damage resulting from the event.

(Approved by the Office of Management and Budget under OMB control numbers 2115–003 and 2115–004)

§ 143.115 When must I submit a written report of casualty and what must it contain?

(a) In addition to the notice of casualty under § 143.110, the owner, operator, or person in charge of a fixed facility must submit a written report of the event to the OCMI within 10 days after the notice of casualty. The report may be on Form CG–RMAID entitled, ''Casualty Report of Accident, Injury, Occupational Illness or Death on an OCS Unit, Excluding Mobile Offshore Drilling Units,'' or in narrative form if it contains all of the applicable information requested in Form CG–RMAID. Copies of Form CG–RMAID are available from the OCMI.

(b) The written report must also include the information relating to alcohol and drug involvement required under 46 CFR 4.05–12.

(c) The written report of casualty will satisfy the notice requirement under § 143.110 if filed immediately after the event.

§ 143.120 How must I report a diving-related casualty?

Diving-related deaths and injuries must be reported under 46 CFR 197.484 and 197.486, rather than under §§ 143.110 and 143.115.

§ 143.125 How must I report a pollution incident?

Oil pollution incidents involving a fixed facility are reported under §§ 135.305 and 135.307 of this chapter.

§ 143.130 What are the restrictions on the use and storage of firearms or ammunition?

(a) No person may bring, possess, or use on a fixed facility, any firearm or firearm ammunition, except with the permission of the person in charge of the facility.

(b) All small arms ammunition on a facility must be stored in a locked, metal magazine or locker. The key to the magazine or locker must be kept in the possession of the person in charge or a person designated by the person in charge.

(c) When small arms are necessary for protection from wild animals in the Arctic regions, the OCMI may authorize alternatives to the requirements of this section.

§ 143.135 What are the requirements for the stowage and dispensing of medication?

Anesthetics, drugs, and other prescription medicines on a fixed facility must be stowed and dispensed under DHHS Publication No. (PHS) 84–2024, ''The Ship's Medicine Chest and Medical Aid at Sea.''

Subpart C—Additional Operational Requirements for Manned Fixed Facilities

§ 143.200 What does this subpart apply to?

In addition to the operational requirements for all fixed facilities in subpart B of this part, this subpart provides additional operational requirements for manned fixed facilities.

§ 143.205 Who must ensure compliance with the requirements of this subpart?

The person in charge of each manned fixed facility must ensure compliance with the requirements of this subpart.

§ 143.210 What are the signals for calling persons to their muster stations or for abandoning the facility?

(a) The person in charge of each manned fixed facility must ensure that the following emergency signals for the general alarm system under § 143.1217 are used for calling persons to their muster stations and for abandoning the facility:

(1) An intermittent sound of not less than 10 seconds duration must be used as the signal for calling persons to their muster stations assigned under § 143.215.

(2) A continuous sound must be used as the signal to abandon the facility.

(b) The person in charge must ensure that all personnel, including visitors and temporary personnel, are informed of these signals at the time of their arrival on the facility.

§ 143.215 What are the requirements for the assignment of muster stations?

The person in charge of each manned fixed facility must assign all persons, including visitors and temporary personnel, a muster station and notify them of its location at the time of their arrival on the facility.

§ 143.220 What are the requirements for the assignment of and instruction on emergency duties?

(a) The person in charge of each manned fixed facility must assign to personnel, as appropriate, duties relating to the deployment or use of emergency equipment that will minimize confusion and delay in the event of an emergency. The duties assigned must be as compatible with the individual's regular duties as possible. The person in charge must ensure that all personnel are instructed in their duties at the time of assignment.

(b) The duties must include at least the following:

(1) Closing air ports, watertight doors, scuppers, and through-hull sanitary and other discharges.

(2) Turning off fans and other ventilation systems.

(3) Assisting in the donning of lifejackets.

(4) Preparing and launching survival craft.

(5) Using fire-fighting equipment.

§ 143.225 What are the requirements for assignment to a survival craft?

(a) The person in charge of each manned fixed facility must ensure that each person on the facility, including visitors and temporary personnel, is assigned to at least one life float, inflatable life raft, lifeboat, or survival capsule. The persons must be equitably distributed among the survival craft.

(b) For each survival craft, the person in charge must assign—

(1) One person to command the craft and be responsible for launching it in the event of an emergency;

(2) One person as second in command if the craft has a capacity of more than 40 persons; and

(3) One person who can operate and perform minor adjustments to the motor if the craft has a motor.

(c) The person in charge must ensure that the person who is in command of a survival craft under paragraph (b)(1) and the person who is second in command of the craft under paragraph (b)(2) of this section each are provided with a list, by station bill number and job title on the facility, of all persons assigned to the craft.

§ 143.230 What are the requirements for a station bill (muster list)?

(a) The person in charge of each manned fixed facility is responsible for preparing and maintaining a station bill (muster list). The person in charge must sign the station bill and post copies in conspicuous locations throughout the facility.

(b) The station bill must state—

(1) The emergency signals under § 143.210 to be used for calling persons to their muster station and to abandon the facility;

(2) The muster station assigned to each person under § 143.215;

(3) The emergency duties assigned to each person under § 143.220;

(4) The person, by station-bill number and by either job title on the facility or designation as visitor, assigned to each survival craft under § 143.225(a);

(5) The person, by station bill number and job title on the facility, assigned a responsibility under § 143.225(b);

(6) The procedure for retrieving a person from the water;

(7) Instructions for operating the general alarm system under § 143.1216; and

(8) The action to be taken by personnel on board when each emergency signal under § 143.210(a) is sounded.

(c) The person in charge must ensure that all personnel are familiar with the provisions of the station bill.

§ 143.235 What documents must I post?

You must post in conspicuous locations throughout the facility the following documents under glass or cover them so they are protected:

(a) The station bill under § 143.230.

(b) A fire control and lifesaving equipment plan for each deck showing at least the following:

(1) Each fire retardant bulkhead and each independent firewall required under table 143.1115(f).

(2) Each manual alarm and each fire-detection and fire-extinguishing system.

(3) Each fire door.

(4) Each means of escape from accommodation spaces and other manned spaces.

(5) Each ventilating system, including the location of each damper, fan, and the special shut-down features for shutting down the ventilation system under § 143.1130.

(6) The location of all lifesaving equipment, such as lifeboats, life rafts, rescue boats, lifejackets, immersion suits, ring life buoys, etc.

(c) An escape route plan. The plan must be posted on the door of each accommodation space, showing a primary and secondary means of escape to the open deck.

Subpart D—Emergency Evacuation Plans for Manned Fixed Facilities

§ 143.300 What does this subpart apply to?

This subpart provides requirements for developing and carrying out the Emergency Evacuation Plan (EEP) for manned fixed facilities.

§ 143.305 Who must ensure compliance with the requirements of this subpart?

The owner or operator of each manned fixed facility must ensure compliance with the requirements of this subpart.

§ 143.310 Who must develop the EEP and what must it contain?

(a) The operator of each manned fixed facility must develop an EEP for the facility that addresses all of the items listed this section.

(b) The format of the EEP must—

(1) Be written in language that is easily understood by the facility's operating personnel;

(2) Have a table of contents and general index; and

(3) Have a record of changes.

(c) The contents of the EEP must include the following:

(1) The name, telephone number, and function of each person to be contacted under the EEP and state the circumstances in which that person should be contacted.

(2) A list of the facility's communications equipment, its available frequencies, and the communications schedules with shore installations, standby vessels, rescue aircraft, and other facilities specified in the EEP.

(3) The primary source of weather forecasting relied upon in implementing the EEP and the frequency of reports when normal weather is forecasted, the frequency of reports when heavy weather is forecasted, and the method of transmitting the reports to the facility.

(4) The individual on each facility covered by the EEP who is assigned the primary responsibility for implementing the EEP.

(5) Designate the facility and shoreside support personnel who—

(i) Have the authority to advise the person in charge of the facility as to the best course of action to be taken, and

(ii) Initiate actions to assist facility personnel.

(6) The recognized circumstances (such as fires or blowouts) and environmental conditions (such as approaching hurricanes or ice floes) that would place the facility or its personnel in jeopardy and justify a mass evacuation of the facility.

(7) A list of the pre-evacuation steps for securing operations, whether drilling or production, including the time estimates for completion and the personnel required for each of the circumstances and conditions described under paragraph (c)(6).

(8) A description of—

(i) The order in which personnel would be evacuated;

(ii) The types of transportation to be used in the evacuation;

(iii) The operational limitations for each mode of transportation specified; and

(iv) The time and distance factors for initiating the evacuation for each of the circumstances and conditions described under paragraph (c)(6) of this section.

(9) The means and procedures—

(i) For retrieving persons from the water during an evacuation;

(ii) For transferring persons from the facility to designated standby vessels, lifeboats, or other types of evacuation craft;

(iii) For retrieving persons from designated standby vessels or other types of evacuation craft, if used; and

(iv) For the ultimate evacuation of all persons on the facility to land, another facility, or other location where the evacuees would be reasonably out of danger for each of the circumstances and conditions described under paragraph (c)(6).

(d) The EEP must include personnel using temporary accommodation modules and accommodation modules that are part of a drilling/workover rig package.

§ 143.315 May an EEP apply to more than one OCS unit?

The EEP may apply to more than one OCS unit if—

(a) All of the units are located in the same general geographic location and within the same Coast Guard OCMI zone;

(b) All of the units are specifically identified in the EEP; and

(c) The evacuation needs of all units are addressed.

§ 143.320 How is the EEP reviewed?

(a) A complete copy of the EEP must be on each OCS unit included in the EEP and available for review by the marine inspector at least 30 days before the facility is placed in operation.

(b) The marine inspector reviews the EEP during the initial inspection of the facility.

(c) If the EEP complies with § 143.310 (b) and (d) and contains all of the information in § 143.310(c) for each OCS unit included in the EEP, the marine inspector accepts the EEP.

(d) If any item in § 143.310 is not addressed, the marine inspector does not accept the EEP. The marine inspector marks the EEP ''RETURNED FOR REVISION'' and returns it to the operator of the facility. The marine inspector includes an explanation of the EEP's deficiencies and a copy of the marine inspector's deficiency report (Form CG–835), which indicates the time allowed to revise the EEP. You must resubmit the revised EEP to the marine inspector for review and acceptance within the time allowed in the deficiency plan.

§ 143.325 What are the requirements for subsequent reviews of and revisions to the EEP?

(a) The marine inspector reviews the EEP during each oversight inspection. If the marine inspector finds that the EEP is deficient or in need of revision, the operator must correct the deficiencies or revise the plan to the satisfaction of the OCMI.

(b) You must revise the EEP when changes occur that cause the information in the EEP to be out of date or incorrect. Changes include, but are not limited to,—

(1) The installation of a new facility within the area covered by an EEP;

(2) The relocation of a MODU that is included in the facility's EEP;

(3) A change in the means or methods of evacuation; or

(4) A change in the time required to accomplish an evacuation.

§ 143.330 What are the responsibilities of the operator?

The operator must ensure that—

(a) All equipment specified in the EEP, whether the equipment is located on or off the fixed facility, is made available and located as indicated in the EEP and is designed and maintained to be capable of performing its intended function during an emergency evacuation;

(b) All personnel newly reporting on the facility are briefed, orally or by written summary, on the EEP;

(c) All personnel specified in the EEP are available and located as specified in the EEP and are trained in fulfilling their role under the EEP;

(d) All drills are conducted under §§ 143.430 and 143.435; and

(e) A copy of the EEP is made available to the facility's operating personnel, to personnel on standby vessels designated in the EEP, and to all shoreside support personnel specified in the EEP. A copy must be onboard each standby vessel designated in the EEP.

Subpart E—Drills on Fixed Facilities

§ 143.400 What does this subpart apply to?

This subpart provides requirements for drills on—

(a) Manned fixed facilities; and

(b) Unmanned fixed facilities that have temporary personnel in temporary accommodation modules or in accommodation modules that are part of a drilling/workover rig package.

§ 143.405 Who must ensure compliance with the requirements of this subpart?

The person in charge of each fixed facility must ensure compliance with the requirements of this subpart.

§ 143.410 How must I conduct emergency drills?

(a) The person in charge of each fixed facility must ensure that the emergency drills are conducted according to §§ 143.420 through 143.435.

(b) You must conduct each drill as if an actual emergency existed.

(c) You may conduct multiple drills in sequence, as long as all functions required for each drill are performed.

§ 143.415 How must I report emergency drills?

(a) The person in charge of each fixed facility must submit a written report to the facility's owner or operator of the date and time each drill under §§ 143.420 through 143.435 was conducted.

(b) The facility's owner or operator must maintain the report for at least one year after the date on which the drill was conducted and must furnish it upon request to the Coast Guard.

(c) When it is impracticable to conduct a particular emergency drill within the period specified, the facility's owner or operator must prepare a written report stating why a drill could not be conducted within that period. The owner or operator must maintain the report for at least one year and furnish it upon request to the Coast Guard.

§ 143.420 What are the requirements for fire drills?

(a) The person in charge of each fixed facility must ensure that a sufficient number of fire drills are conducted on the facility so that all personnel participate in at least one fire drill per month.

(b) If, as a result of a personnel change, more than 25 percent of the personnel have not participated in a fire drill on the facility during the previous month, a drill must be held within 24 hours of the personnel change.

(c) Each fire drill, where appropriate, must include—

(1) Simulating a fire emergency that is varied from drill to drill in both location and type of fire;

(2) Summoning of personnel to their muster stations by sounding the general alarm signals under § 143.210;

(3) Personnel reporting to their muster stations and preparing for and demonstrating their duties assigned under § 143.220 for the particular fire emergency being simulated;

(4) Starting all fire pumps and using a sufficient number of outlets to demonstrate the proper use of the equipment;

(5) Checking the relevant communication equipment;

(6) Checking the operation of fire doors, watertight doors, and other closing arrangements;

(7) Checking the fireman's outfits and other personal rescue equipment;

(8) Checking the necessary arrangements for subsequent abandonment of the facility; and

(9) Checking the operation of remote controls for stopping ventilation systems and for stopping fuel supplies to machinery spaces.

§ 143.425 What are the requirements for abandonment drills?

(a) The person in charge of each fixed facility must ensure that a sufficient number of abandonment drills are conducted on the facility so that all personnel participate in at least one abandonment drill per month.

(b) If, as a result of a personnel change, more than 25 percent of the personnel have not participated in an abandonment drill on the facility during the previous month, a drill must be held within 24 hours of the personnel change.

(c) Each abandonment drill must comply with 46 CFR 109.213(d).

§ 143.430 When and how must I conduct emergency evacuation drills?

The person in charge of each fixed facility must ensure that the following emergency evacuation drills are conducted:

(a) At least once a year, all the elements of the Emergency Evacuation Plan (EEP) relating to the evacuation of personnel from the facility must be exercised through a drill or a series of drills. The drills must exercise all of the means and procedures listed for each circumstance and condition described in the EEP under § 143.310(c)(6).

(b) At least once a month, a drill must be conducted that demonstrates the ability of the facility's personnel to perform their duties and functions as described in the EEP. If a standby vessel is designated for that facility in the EEP, the vessel must be positioned as described in the EEP for an evacuation of the facility, and the vessel's crew must demonstrate its ability to perform its duties and functions under the EEP.

§ 143.435 How must I operate equipment during drills that involve operational testing of emergency equipment?

When drills under this part involve operational testing of emergency equipment, the equipment must be operated under the operating instructions of the equipment's manufacturer.

Subpart F—Onboard Training and Instruction for Fixed Facilities

§ 143.500 What does this subpart apply to?

This subpart provides for instruction and training of personnel on—

(a) Manned fixed facilities; and

(b) Unmanned fixed facilities that have temporary personnel in temporary accommodation modules or in accommodation modules that are part of a drilling/workover rig package.

§ 143.505 Who must ensure compliance with the requirements of this subpart?

The owner or operator of each fixed facility must ensure compliance with the requirements of this subpart.

§ 143.510 What instruction and training is required and when must it be given?

The person in charge of each fixed facility must ensure that all personnel on the facility are given onboard instruction and training to comply with 46 CFR 109.213(g) and (h).

§ 143.515 What optional methods may I use for instruction or training instead of that required under § 143.510?

(a) The following instruction and training standards may be used instead of those required in § 143.510:

(1) API RP T–1.

(2) API RP T–4.

(3) API RP T–7.

(b) Any instruction or training under § 143.510 that is not addressed by the standards in paragraph (a) of this section must be provided in accordance with § 143.510.

Subpart G—Maintenance and Repair of Lifesaving, Fire-Fighting, and Other Emergency Equipment on Manned Fixed Facilities

§ 143.600 What does this subpart do?

This subpart provides requirements for maintenance and repair of lifesaving, fire-fighting, and other emergency equipment on manned fixed facilities.

§ 143.605 Who must ensure compliance with the requirements of this subpart?

The person in charge of a facility must ensure compliance with the requirements of this subpart.

§ 143.610 What are the general maintenance requirements for emergency equipment?

(a) All lifesaving, fire-fighting, and other emergency equipment, whether or not the equipment is required by this subchapter and whether or not the equipment is in addition to that required by this subchapter, must be maintained in good working condition and ready for immediate use at all times when the facility is in use.

(b) All emergency equipment that is in addition to the equipment required by this subchapter must be maintained and inspected as prescribed in this subchapter for that item of equipment.

§ 143.615 What are the maintenance and repair requirements for lifesaving equipment?

(a) Except as under paragraph (b) of this section, each manned fixed facility must have on board the manufacturer's instructions for onboard maintenance and repair of the facility's lifesaving equipment. The instructions must include the following for each item of equipment:

(1) Instructions for maintenance and repair.

(2) A checklist for use when carrying out the monthly inspections required under § 143.725(a).

(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 sources of spare parts.

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

(b) As an alternative to the instructions required under paragraph (a) of this section, the facility may have its own onboard planned maintenance program for maintenance and repair, that includes the items listed in paragraphs (a)(1) through (a)(7).

(c) The person in charge must ensure that maintenance and repair is carried out in accordance with the instructions under paragraph (a).

(d) If deficiencies in the maintenance or condition of lifesaving equipment are identified, the OCMI may review the instructions under paragraph (a) 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 rigid life rafts are not fully operational because of on-going maintenance or repairs, there must be a sufficient number of fully operational lifeboats and life rafts available for use to accommodate all persons on the facility.

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

(g) Spare parts and repair equipment must be provided for each lifesaving appliance and component subject to excessive wear or consumption. Parts that need to be replaced regularly also must be provided.

§ 143.620 What are the maintenance requirements for 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 can not 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 5 years after its installation. It must be replaced by a new fall 5 years after installation.

§ 143.625 When must I service and examine lifeboat and rescue boat launching appliances?

(a) You must service launching appliances for lifeboats and rescue boats at intervals recommended in the manufacturer's instructions under § 143.615(a) or in the facility's planned maintenance program under § 143.615(b).

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

§ 143.630 When must I service and examine lifeboat and rescue boat release gear?

(a) You must service lifeboat and rescue boat release gear at intervals recommended in the manufacturer's instructions under § 143.615(a) or in the facility's planned maintenance program under § 143.615(b).

(b) You must subject lifeboat and rescue boat release gear to a thorough examination at each inspection for certification by personnel trained in examining the gear.

§ 143.635 When must I service inflatable lifesaving appliances and marine evacuation systems?

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

(b) You must service each inflatable life raft no later than the month and year on its servicing sticker under 46 CFR 160.151–57(n), except when servicing is delayed to meet the next scheduled inspection of the facility. You must also service each inflatable life raft—

(1) Whenever the container of the raft is damaged; or

(2) Whenever the container straps or seals are broken.

§ 143.640 How must I service inflatable lifesaving appliances?

(a) You must service each inflatable life raft according to 46 CFR part 160, subpart 160.151.

(b) You must service each inflatable lifejacket according to 46 CFR part 160, subpart 160.176.

(c) You must service each hybrid inflatable lifejacket according to the owner's manual and the procedures in 46 CFR part 160, subpart 160.077.

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

(a) You must perform the maintenance and repair of inflatable rescue boats according to the manufacturer's instructions.

(b) All repairs must be made at a servicing facility approved by the Commandant (G–MSE), except for emergency repairs carried out on the fixed facility.

Subpart H—Tests and Inspections of Lifesaving, Fire-fighting, and Other Emergency Equipment for Manned Fixed Facilities

§ 143.700 What does this subpart apply to?

This subpart provides the requirements for testing and inspecting lifesaving, fire-fighting, and other emergency equipment on manned fixed facilities.

§ 143.705 Who must ensure compliance with the requirements of this subpart?

The person in charge of the facility must ensure compliance with the requirements of this subpart.

Operational Tests

§ 143.710 How must equipment being tested 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.

§ 143.715 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 compliment of persons and equipment.

(b) The test must be conducted whenever the lifeboat, rescue boat, or

their release gear is overhauled or at least once every 5 years.

(c) The OCMI may consider alternate operational test procedures to those under paragraph (a) of this section.

Lifesaving Equipment

§ 143.720 What are the weekly tests and inspections?

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

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

(b) You must test the general alarm system.

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

§ 143.725 What are the monthly tests and inspections?

(a) You must inspect monthly each item of lifesaving equipment under § 143.615 to ensure that the equipment is complete and in good order. You must keep on the facility 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) You must test monthly each Emergency Position Indicating Radio Beacon (EPIRB) and each Search and Rescue Transponder (SART), other than an EPIRB or SART in an inflatable life raft. You must test the EPIRB using the integrated test circuit and output indicator to determine whether the EPIRB is operational.

§ 143.730 What are the annual tests and inspections?

(a) You must strip, clean, thoroughly inspect, and, if needed, repair each lifeboat, rescue boat, and rigid life raft at least once each year. At that time, you must empty, clean, and refill with fresh fuel each fuel tank.

(b) You must thoroughly inspect and, if needed, repair each davit, winch, fall, and other launching device once each year.

(c) You must replace during the annual inspection each item of lifesaving equipment with an expiration date if the expiration date has passed.

(d) You must replace during the annual inspection each battery used in an item of lifesaving equipment and clearly marked with an expiration date if the expiration date has passed.

(e) You must replace during the annual inspection each battery without an expiration date 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 under § 143.610(a) to keep the equipment ready for immediate use.

Lifeboats, Davit-Launched Life Rafts, and Rescue Boats

§ 143.735 What are the requirements for installation weight-testing of new and relocated craft?

(a) You must perform installation weight-testing according to 46 CFR 199.45(a) on each new lifeboat and rescue boat.

(b) You must perform installation weight-testing according to 46 CFR 75.37–5 on each new davit-launched life raft system.

(c) You must conduct installation weight tests according to paragraphs (a) and (b) of this section when survival craft are relocated to another facility.

§ 143.740 What are the periodic requirements for weight-testing?

You must weight-test according to 46 CFR 199.45 each lifeboat, davit-launched life raft, and rescue boat every time a fall is replaced or every 5 years, whichever comes first.

§ 143.745 How are weight tests supervised?

(a) The installation and periodic tests required by §§ 143.735 and 143.740 must be supervised by a person familiar with lifeboats, davit-launched life rafts, and 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. You must keep a copy of the supervisor's attesting statement on board the facility and make it available to the OCMI.

Fire-Fighting Equipment

§ 143.750 When must they be tested and inspected?

You must test and inspect each hand-portable fire extinguisher, semiportable fire extinguisher, and fixed fire-extinguishing system at least once every 12 months.

§ 143.755 What records are required?

(a) You must maintain a record of each test and inspection of fire-fighting equipment under § 143.750 on the facility 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.

Other Equipment

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

(a) You must test and inspect the emergency lighting and power systems under § 143.1336 at least once each week to determine if they are in proper operating condition. If they are not in proper operating condition, then you must repair or replace their defective parts.

(b) You 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 in each month for a minimum of 2 hours.

(c) Test each storage battery for the emergency lighting and power systems at least once in each 6 months to demonstrate the ability of the batteries to supply the emergency loads for the 8-hour period specified in § 143.1336. You must follow the manufacturer's instructions in performing the battery test to ensure the batteries are not damaged during testing.

§ 143.765 What are the inspection requirements for work vests?

(a) All work vests are subject to inspection by the owner or operator under § 140.120 of this subchapter to determine whether they are in serviceable condition.

(b) If a work vest is inspected and is in serviceable condition, then it may be continued in service.

(c) If a work vest is inspected and is not in serviceable condition, then it must be removed from the facility. If a work vest is beyond repair, you must destroy or mutilate it in the presence of a Coast Guard inspector so as to prevent its continued use as a work vest.

(d) You must maintain all commercial hybrid personal floatation devices (PFD's) used on the facility as work vests under § 143.880 according to the procedures in the PFD manual required by 46 CFR 160.077–29(e)(2).

Subpart I—Lifesaving Equipment on Manned Fixed Facilities

§ 143.800 What does this subpart do?

This subpart provides requirements for lifesaving equipment on manned fixed facilities.

§ 143.805 Who must ensure compliance with the requirements of this subpart?

The owner or operator must ensure that the requirements of this subpart are complied with on their facility.

§ 143.810 What are the requirements for lifesaving equipment on the facility on [date one day before the effective date of the final rule.]?

(a) All lifesaving equipment on a manned fixed facility on [date one day before the effective date of the final rule.] may be continued in use and need not meet the requirements of this subpart, if it has been accepted by the OCMI for use on that facility, except as under paragraph (b) of this section.

(b) When lifesaving equipment is replaced or when the facility undergoes a major repair, alteration, or modification that involves replacing or adding to the equipment, the new lifesaving equipment must meet the requirements of this subpart, except as under—

(1) Section 143.815(a) for lifeboats modified to include self-righting capability and on-load/off-load release mechanism; and

(2) Section 143.820 for survival craft, rescue boats, and their davits and winches.

§ 143.815 May a lifeboat built on or before [date one day before the effective date of the final rule.] that has a self-righting capability and an on-load/off-load release mechanism be used on any manned fixed facility?

(a) Yes. A lifeboat built on or before [date one day before the effective date of the final rule.] may be used on any manned fixed facility and need not meet the requirements of § 143.830, if it is modified to have a self-righting capability and an on-load/off-load release mechanism, not later than [date 2 years after the effective date of the final rule].

(b) A facility with lifeboats that meet paragraph (a) of this section need not have a rescue boat, or a lifeboat meeting the requirements for rescue boats, as required in § 143.826.

§ 143.820 What are the requirements for replacing survival craft, rescue boats, and their davits and winches that were on the facility on or before [date one day before the effective date of the final rule.]?

(a) When a survival craft, or rescue boat, that is on a manned fixed facility on or before [date one day before the effective date of the final rule.] is replaced without replacing its davit and winch, the replacement survival craft or rescue boat need not meet the requirements of this subpart if it is accepted by the OCMI or approved by the Coast Guard under §§ 143.810(a) or 143.815(a).

(b) When both the davit and winch of a survival craft or rescue boat that is on a facility on or before [date one day before the effective date of the final rule.] are replaced without replacing the survival craft or rescue boat itself, the replacement davit and winch need not meet the requirements of this subpart if they are approved or accepted under §§ 143.810(a) or 143.815(a).

§ 143.825 What survival craft and rescue boats may be used on a facility?

Each survival craft on a manned fixed facility must be one of the following:

(a) A lifeboat meeting the requirements of § 143.830.

(b) An inflatable life raft meeting the requirements of § 143.832.

(c) A rigid life raft meeting the requirements of § 143.833.

(d) A life float meeting the requirements of § 143.835.

(e) A rescue boat meeting the requirements of § 143.841 and 143.842.

§ 143.826 What type and how many survival craft and rescue boats must a facility have?

(a) Except as under § 143.827, each manned fixed facility must have at least the type and number of survival craft and the number of rescue boats indicated for the facility in table 143.826.

(b) The following apply to table 143.826:

(1) Lifeboats may be substituted for life rafts and life floats. Life rafts may be substituted for life floats.

(2) The life floats and life rafts required for the category of 31 or more persons must have a capacity so that, if the survival craft at any one location are lost or rendered unusable, there will be craft remaining with 100 percent capacity.

(3) The capacity referred to in table 143.826 is the total number of persons on the facility at any one time, not including temporary personnel. See § 143.828 for additional survival craft requirements when temporary personnel are on board.

(4) A ''safe haven'' is another manned facility or a vessel capable of rescuing personnel.

(5) The required lifeboats may be used as rescue boats if the lifeboats also meet the requirements for rescue boats in § 143.842. See § 143.815 for facilities with lifeboats built on or before [date one day before the effective date of the final rule].

Table 143.826
Requirements for Survival Craft and Rescue Boats

If you are--	With 8 persons or less on the facility, you must have--	With 9 to 30 persons on the facility, you must have--	With 31 or more persons on the facility, you must have--
1) Operating South of 32 degrees North latitude and are 5.6 kilometers (3 nautical miles) or less from a safe haven	One or more lifeboats with a total capacity of 100 percent of the personnel onboard and one or more life floats with a total capacity of 100 percent of the personnel onboard.	One or more lifeboats with a total capacity of 100 percent of the personnel onboard, one or more life floats with a total capacity of 100 percent of the personnel onboard, and one rescue boat.	At least two lifeboats with a total capacity of 100 percent of the personnel onboard, one or more life floats with a total capacity to meet 33 CFR 143.826(b)(2), and one rescue boat.
2) Operating South of 32 degrees North latitude and are more than 5.6 kilometers (3 nautical miles) from a safe haven	One or more lifeboats with a total capacity of 100 percent of the personnel onboard and one or more life rafts with a total capacity of 100 percent of the personnel onboard.	One or more lifeboats with a total capacity of 100 percent of the personnel onboard, one or more life rafts with a total capacity of 100 percent of the personnel onboard, and one rescue boat.	At least two lifeboats with a total capacity of 100 percent of the personnel onboard, one or more life rafts with a total capacity to meet 33 CFR 143.826(b)(2), and one rescue boat.
3) Operating North of 32 degrees North latitude	One or more lifeboats with a total capacity of 100 percent of the personnel onboard and one or more life rafts with a total capacity of 100 percent of the personnel onboard.	One or more lifeboats with a total capacity of 100 percent of the personnel onboard, one or more life rafts with a total capacity of 100 percent of the personnel onboard, and one rescue boat.	At least two lifeboats with a total capacity of 100 percent of the personnel onboard, one or more life rafts with a total capacity to meet 33 CFR 143.826(b)(2), and one rescue boat.

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§ 143.827 When must facilities installed on the OCS on or before [date one day before the effective date of the final rule.] have survival craft and rescue boats?

Manned fixed facilities installed on the OCS on or before [date one day before the effective date of the final rule.] that are required to have survival craft and rescue boats must have them by [date 2 years after effective date of the final rule].

§ 143.828 What are the survival craft requirements for temporary personnel?

(a) When temporary personnel under § 143.1318(a) are on board a manned fixed facility and the compliment exceeds the capacity of the survival craft required under § 143.826, the facility must have additional life rafts to ensure that the total capacity of the survival craft is not less than 200 percent of the personnel on board at any one time. Spaces in survival craft not used under § 143.826 may be used by personnel occupying the temporary accommodations.

(b) The life rafts required in paragraph (a) of this section need not meet the launching requirements of §§ 143.832(b) or 143.833(b) but must meet the stowage requirements of 46 CFR 108.565.

§ 143.830 What are the requirements for lifeboats?

(a) All lifeboats must be—

(1) Totally-enclosed, fire-protected lifeboats approved under approval series 160.135; and

(2) If the hull or canopy is of aluminum, protected in its stowage position by a water spray system meeting 46 CFR 34.25.

(b) Each lifeboat must have at least the following provisions and equipment meeting 46 CFR 199.175(b):

(1) Bailer.

(2) Bilge pump.

(3) Boathook.

(4) Fire extinguisher.

(5) First aid kit.

(6) Flashlight.

(7) Hatchet.

(8) Heaving line.

(9) Ladder.

(10) Towline.

(11) Drinking water; 2 liters per person.

(12) Sea anchor.

(13) Smoke signals; 2 required.

(14) Signal, parachute flare; 4 required.

(15) Tool kit.

(16) Bucket.

(17) Search light.

(c) Except for boathooks, the equipment under paragraph (b) of this section must be securely stowed in the lifeboat.

(d) Each lifeboat must have a list of the equipment it is required to carry under paragraph (b). The list must be posted in the lifeboat.

(e) The manufacturer's instructions for maintenance and repair of the lifeboat required under § 143.615(a) must be in the lifeboat or on the facility.

§ 143.831 What are the requirements for free-fall lifeboats?

All free-fall lifeboats on a manned fixed facility must—

(a) Be approved under approval series 160.135; and

(b) Meet the requirements for MODU's in 46 CFR 108.557 for free-fall lifeboat launching and recovery arrangements.

§ 143.832 What are the requirements for inflatable life rafts?

(a) All inflatable life rafts on a facility must be approved under approval series 160.151.

(b) Except as under § 143.828(b), each inflatable life raft boarded from a deck that is more than 4.5 meters (14 feet 9 inches) above the water must be davit launched or served by a marine evacuation system meeting § 143.834.

§ 143.833 What are the requirements for rigid life rafts?

(a) All rigid life rafts on a manned fixed facility must be approved under approval series 160.118.

(b) Except as under § 143.828(b), each rigid life raft boarded from a deck that is more than 4.5 meters (14 feet 9 inches) above the water must be davit launched or served by a marine evacuation system meeting § 143.834.

§ 143.834 What are the requirements for marine evacuation systems?

All marine evacuation systems on a manned fixed facility must—

(a) Be approved under approval series 160.175; and

(b) Meet the launching arrangement requirements for MODU's in 46 CFR 108.545.

§ 143.835 What are the requirements for life floats?

(a) All life floats on a manned fixed facility must be approved by the Commandant (G–MSE–4) under 46 CFR part 160, subpart 160.027.

(b) Each life float must have a painter—

(1) That is at least 30 meters (100 feet) long, but not less than three times the distance between the deck where the life float is stowed and the waterline;

(2) That has a breaking strength of at least 6.67 KiloNewtons (1,500 pounds) for life floats with a capacity of less than 50 persons and at least 13.34 KiloNewtons (3,000 pounds) for life floats with a capacity of 50 or more persons;

(3) That is resistant to deterioration from ultraviolet light; and

(4) That is stowed in such a way that the painter runs out freely when the life float floats away from the facility.

(c) Each life float must have a floating, electric waterlight approved under approval series 161.010. You must attach the light to the life float by a lanyard of 12-thread manila, or a synthetic rope of equivalent strength, not less than 5.5 meters (18 feet) in length. You must mount the light on a bracket so that, when the life float is launched, the light will pull free of the bracket.

(d) Each life float must have at least two buoyant paddles of not less than 1.2 meters (4 feet) in length. You must stow the paddles so that they are both readily accessible from all sides of the life float when it is in the water.

§ 143.836 What are the launching and recovery requirements for lifeboats?

(a) Each conventional lifeboat must have a launching and recovery system that meets the requirements in 46 CFR 108.555.

(b) Each free-fall lifeboat must have a launching and recovery system that meets the requirements in 46 CFR 108.557.

§ 143.837 What are the launching equipment requirements for inflatable life rafts and rigid life rafts?

(a) Each inflatable life raft and rigid life raft not intended for davit launching must be capable of rapid deployment.

(b) Each davit launchable life raft must have the following launching equipment at each launching station:

(1) A launching device, davit and winch, approved by the Commandant (G–MSE–4) under approval series 160.163.

(2) A mechanical disengaging apparatus approved by the Commandant (G–MSE–4) under approval series 160.170.

(c) The launching equipment must be operative both from the life raft and from the facility.

(d) Winch controls must be located so that the operator can observe the life raft launching.

(e) The launching equipment must be arranged so that a loaded life raft does not have to be lifted before it is lowered.

(f) Not more than two life rafts may be launched from the same set of launching equipment.

§ 143.840 How must survival craft be arranged?

You must arrange survival craft so that they—

(a) Are readily accessible in an emergency;

(b) Are accessible for inspection, maintenance, and testing;

(c) Are in locations clear of overboard discharge lines and obstructions below; and

(d) Are separated on the facility so as to reduce the chance of a fire or other casualty immobilizing all of the survival craft.

§ 143.841 What are the approval and stowage requirements for rescue boats?

(a) Rescue boats must be approved under approval series 160.156. A lifeboat is acceptable as a rescue boat if it also meets the requirements for a rescue boat under approval series 160.156.

(b) The stowage of rescue boats must meet the requirements of 46 CFR 108.565.

§ 143.842 What embarkation, launching, and recovery arrangements must rescue boats meet?

(a) Each rescue boat must be capable of being launched in a current of up to 5 knots. A painter may be used to meet this requirement.

(b) Each rescue boat embarkation and launching arrangement must permit the rescue boat to be boarded and launched in the shortest possible time.

(c) If the rescue boat is one of the facility's survival craft, the rescue boat must also meet the following:

(1) The rescue boat must meet the embarkation arrangement and launching station requirements of 46 CFR 108.540.

(2) The rescue boat must meet the launching arrangement requirements of 46 CFR 108.550 and 108.557 and, if the launching arrangement uses falls and a winch, 46 CFR 108.553.

(3) If the launching arrangement uses a single fall, the rescue boat may have an automatic disengaging apparatus approved under approval series 160.170, instead of a lifeboat release mechanism.

(d) The rescue boat must be capable of being recovered rapidly when loaded with its full complement of persons and equipment. If a lifeboat is being used as a rescue boat, rapid recovery must be possible when loaded with its lifeboat equipment and a rescue boat's complement of at least six persons.

(e) Each rescue boat launching appliance must be fitted with a powered winch motor.

(f) Each rescue boat launching appliance must be capable of hoisting the rescue boat, when loaded with a rescue boat's full complement of persons and equipment, at a rate of not less than 0.3 meters per second (59 feet per minute).

(g) You may use an onboard crane to launch a rescue boat, if the crane's launching system meets the requirements of this section and the stowage of the rescue boat meets the requirements of 46 CFR 108.565.

§ 143.845 What are the requirements for lifejackets?

(a) Each lifejacket must be approved by the Commandant (G–MSE–4) under approval series 160.002, 160.005, 160.055, 160.155, 160.176, or 160.077.

(b) Each lifejacket must have a lifejacket light approved under approval series 161.012 or 160.112. Each light must be securely attached to the front shoulder area of the lifejacket.

(c) Each lifejacket must have a whistle permanently attached to the lifejacket by a cord.

(d) Each lifejacket must be marked with Type I retro-reflective material approved under approval series 164.018. The arrangement of the retro-reflective material must comply with IMO Resolution A.658(16).

§ 143.846 How and where must lifejackets be stowed?

(a) You must stow lifejackets in readily accessible places in or adjacent to accommodation spaces.

(b) Lifejacket stowage containers and the spaces housing the containers must not be capable of being locked.

(c) You must mark each lifejacket container or lifejacket stowage location with the words ''LIFEJACKETS'' in block letters and the quantity, identity, and size of the lifejackets stowed inside the containers or stowed at the location. The identification may be in words or with the appropriate symbol from IMO Resolution A.760(18).

§ 143.847 Must every person on the facility have a lifejacket?

Yes, you must provide a lifejacket meeting the requirements of § 143.845 for each person on a manned fixed facility.

§ 143.848 What additional lifejackets must I have?

You must stow an additional lifejacket in a readily accessible location for each person on duty in a location where their lifejacket under § 143.847 is not readily accessible.

§ 143.850 What are the requirements for ring life buoys?

(a) Ring life buoys must be approved under approval series 160.050 or 160.150. You may use ring life buoys approved under former 46 CFR part 160, subpart 160.009, as long as they are in good and serviceable condition.

(b) Each ring life buoy must have a floating, electric waterlight approved under approval series 161.010. You must attach the light to the ring life buoy by a lanyard of 12-thread manila, or a synthetic rope of equivalent strength, not less than 0.9 meters (3 feet) nor more than 1.8 meters (6 feet) in length. You must mount the light on a bracket near the ring life buoy so that, when the ring life buoy is cast loose, the light will be pulled free of the bracket.

(c) You must attach to each ring life buoy a buoyant line of 30 meters (100 feet) in length, with a breaking strength of at least 5 KiloNewtons (1,124 pounds) force. The end of the line must not be secured to the facility.

(d) You must mark each ring life buoy with Type II retro-reflective material approved under approval series 164.018. The arrangement of the retro-reflective material must comply with IMO Resolution A.658(16).

§ 143.851 How many ring life buoys must be on each facility?

There must be at least four approved ring life buoys on each manned fixed facility.

§ 143.852 Where must I locate ring life buoys and how must I stow them?

(a) You must locate one ring life buoy on each side of the facility and one near each external stairway leading to the water. You may use one buoy to satisfy both these requirements.

(b) You must stow each ring life buoy on or in a rack that is readily accessible in an emergency. The ring life buoy must not be permanently secured in any way to the rack or the facility.

§ 143.855 What are the requirements for first aid kits?

(a) Each manned fixed facility must have an industrial first aid kit approved by the Mine Safety and Health Administration of a size suitable for the maximum number of persons on the facility.

(b) The first aid kit must be maintained in the medical treatment room required under § 143.1321 or, if there is no medical treatment room, under the custody of the person in charge.

(c) You must maintain with the first aid kit a copy of DHHS Publication No. (PHS) 84–2024, ''The Ship's Medicine Chest and Medical Aid at Sea,'' available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or the ''American Red Cross First Aid and Safety Handbook,'' available from Little Brown and Company, 3 Center Plaza, Boston, MA 02108.

§ 143.860 What are the requirements for litters?

Each manned fixed facility must have at least one Stokes litter or other suitable litter capable of being safely hoisted with an injured person. The litter must be readily accessible in an emergency.

§ 143.865 What emergency communications equipment must be on a manned fixed facility?

Each manned fixed facility must have a radio, telephone, or other means of emergency communication with the shore, vessels, and facilities in the vicinity. This communication equipment must have an emergency power source as required by § 143.1336.

§ 143.870 What are the immersion suit requirements?

Each manned fixed facility located north of 32 degrees North latitude must comply with the immersion suit requirements applicable to MODU's under § 145.210.

§ 143.875 What are the approval requirements for work vests?

All work vests on a manned fixed facility must be of a buoyant type approved under—

(a) Approval series 160.053; or

(b) Approval series 160.077, as a commercial hybrid personal flotation device.

§ 143.876 How must I stow work vests?

You must stow all work vests separately from lifejackets and in a location that is not easily confused with a storage area for lifejackets.

§ 143.877 How must I mark work vests?

You must mark all work vests with Type II retro-reflective material approved under approval series 164.018. The arrangement of the retro-reflective material must comply with IMO Resolution A.658(16).

§ 143.878 When may I substitute a work vest for a lifejacket?

(a) You may use a work vest approved under § 143.875 instead of a lifejacket when working near or over water.

(b) You may not substitute work vests for any portion of the number of approved lifejackets required to be on the facility or an attending vessel for use during drills and emergencies.

§ 143.880 What are the requirements for hybrid personal flotation devices?

(a) You must use and stow all commercial hybrid personal flotation devices (PFD's) used as work vests under—

(1) The procedures in the manual required for these devices under 46 CFR 160.077–29; and

(2) All limitations, if any, marked on them.

(b) All commercial hybrid PFD's on the facility must be of the same or similar design and must have the same method of operation.

§ 143.881 What are the requirements for inflatable lifejackets?

(a) Each inflatable lifejacket must be approved by the Commandant (G–MSE–4) under approval series 160.176.

(b) All inflatable lifejackets on a facility must be used and stowed under—

(1) The procedures in the manual required for these lifejackets under 46 CFR 176.21; and

(2) All limitations, if any, marked on them.

(c) All inflatable lifejackets on a facility must be of the same or similar design and must have the same method of operation.

§ 143.885 What are the marking requirements for lifesaving equipment?

(a) Each life float, lifeboat, rigid life raft, and survival capsule must be marked on two opposite outboard sides with the name, number, or other inscription identifying the facility on which placed and the number of persons permitted on the craft. Each paddle or oar for these craft must be marked with an inscription identifying the facility. The letters and numbers must be at least 100 millimeters (4 inches) high on a contrasting background.

(b) Each inflatable life raft must be marked to meet 46 CFR part 160.151–33, and after each servicing, 46 CFR 160.151(m).

(c) All lifejackets and ring life buoys must be conspicuously marked with the name, number, or other inscription identifying the facility on which placed. The letters and numbers must be at least 38 millimeters (1.5 inches) high on a contrasting background. Lifejackets and ring life buoys that accompany mobile crews to unmanned facilities may be marked with the operator's name and field designation.

Subpart J—Lifesaving Equipment on Unmanned Fixed Facilities

§ 143.900 What does this subpart apply to?

This subpart applies to unmanned fixed facilities.

§ 143.905 Who must ensure compliance with the requirements of this subpart?

The owner or operator must ensure that the requirements of this subpart are complied with on their facility.

§ 143.910 When are people prohibited from being on a facility?

No person may be on a facility unless the requirements of this subpart are met.

§ 143.915 What are the requirements for lifejackets?

(a) Except as under paragraph (b) of this section, each unmanned fixed facility must have at least one lifejacket meeting the requirements of § 143.845 for each person on the facility. The lifejackets need be on the facility only when persons are on board.

(b) During helicopter visits personnel who have aircraft type lifejackets may use them as an alternative to the requirements of paragraph (a) of this section.

§ 143.920 What are the requirements for ring life buoys?

(a) Each unmanned fixed facility must have at least one ring life buoy meeting the requirements of § 143.850 for every two persons on the facility, up to a maximum of four buoys.

(b) If there is no space on the facility for the ring life buoys, they must be on a manned vessel located alongside of the facility while the persons are on the facility.

§ 143.925 What are the requirements for immersion suits?

(a) Each unmanned fixed facility located North of 32 degrees North latitude must comply with the immersion suit requirements applicable to MODU's under § 145.210. Except as under paragraph (b) of this section, the immersion suits need be on the facility only when persons are on board.

(b) If an attending vessel is moored to the facility, the suits may be stowed on the vessel, instead of on the facility.

Subpart K—Fire-Fighting and Fire-Protection Equipment for Fixed Facilities

§ 143.1000 What does this subpart apply to?

(a) This subpart applies to all fixed facilities on [date 2 years after effective date of the final rule].

(b) A facility constructed before [date 2 years after effective date of the final rule] need not comply with this subpart until [date 2 years after effective date of the final rule].

§ 143.1005 Who must ensure compliance with the requirements of this subpart?

The owner or operator must ensure that the requirements of this subpart are complied with on their facility.

§ 143.1010 What equipment must be approved by the Coast Guard?

(a) Except as under paragraph (b) of this section, §§ 143.1015, 143.1055 (b) and (c), 143.1062(a), and 143.1063, all fire-fighting and fire-protection equipment on a unit, whether or not required to be on the unit, must be approved by the Coast Guard under this chapter or under 46 CFR chapter I for that item of equipment.

(b) Fire-fighting and fire-protection equipment equivalent to equipment under paragraph (a) of this section may be used on the unit if the equipment is permitted under § 143.30.

§ 143.1015 Can I use fire-fighting equipment for which there is no Coast Guard standard?

Yes. You may use fire-fighting equipment for which there is no Coast Guard standard as excess equipment, but not as the primary fire-fighting equipment, if the equipment does not endanger the facility or personnel in any way and it is maintained in good working condition.

§ 143.1020 How are fire extinguishers classified?

(a) Portable and semiportable extinguishers on a manned fixed facility must be classified using the Coast Guard's marine rating system of combination letter and number symbol. The letter indicates the type of fire that the extinguisher is designed to extinguish, and the number indicates the relative size of the extinguisher.

(b) The letter designations are as follows:

(1) ''A'' for fires in ordinary combustible materials where the quenching and cooling effects of quantities of water, or solutions containing large percentages of water, are of first importance.

(2) ''B'' for fires in flammable liquids, greases, or other thick flammable substances, where a blanketing effect is essential.

(3) ''C'' for fires in electrical equipment where the use of a non-conducting extinguishing agent is of first importance.

(c) The number designations for size range from ''I'' for the smallest extinguisher to ''V'' for the largest. Sizes I and II are portable extinguishers. Sizes III, IV, and V are semiportable extinguishers which should be fitted with suitable hose and nozzle or other practicable means so that all portions of the space concerned may be covered. Examples of size graduations for some of the typical portable and semiportable extinguishers are set forth in table 143.1020.

Table 143.1020
Portable and Semi-portable Extinguishers

Classification Type-Size	Foam liters (gallons)	Carbon dioxide kilograms (pounds)	Dry chemical kilograms (pounds)
A-II	9.5 (2.5)	--	2.25 (5)[1]
B-II	9.5 (2.5)	6.7 (15)	4.5 (10)
C-II	--	6.7 (15)	4.5 (10)
B-IV	7.6 (20)	22.5 (50)	13.5 (30)
B-V	15.2 (40)	45 (100)[2]	22.5 (50)[2]

[1] Must be specifically approved as a type "A," "B," or "C" extinguisher.
[2] For outside use, double the quantity of agent that must be carried.

§ 143.1025 What are the approval requirements for a fire extinguisher?

All fire extinguishers must be of an approved type under 46 CFR part 162, subparts 162.028 and 162.039.

§ 143.1026 Must fire extinguishers be on the facility at all times?

(a) On a manned fixed facility, the fire extinguishers required by § 143.1030 must be on the facility at all times.

(b) On an unmanned fixed facility, the fire extinguishers required by § 143.1030 need be on the facility only when personnel are working on the facility more than 12 consecutive hours.

§ 143.1027 What are the name plate requirements for a fire extinguisher?

All portable and semiportable extinguishers must have a durable, permanently attached nameplate giving the name of the item, its rated capacity in liters (gallons) or kilograms (pounds), the name and address of the person or firm for whom approved, and the identifying mark of the actual manufacturer.

§ 143.1028 What are the maintenance requirements for a fire extinguisher?

All fire extinguishers must be maintained in good working order.

§ 143.1029 How many fire extinguishers do I need?

For each particular location, you need the number of fire extinguishers required by table 143.1029.

Table 143.1029
Portable and Semi-portable Extinguishers, Minimum Quantity and Location

Space	Classification	Minimum quantity and location
Safety Areas		
Communicating corridors	A-II	One in each main corridor or stairway not more than 45 meters (150 feet) apart.
Radio room	C-II	One outside of and near each radio room exit.
Accommodation Spaces		
Sleeping quarters	A-II	One in each sleeping space for more than four persons.
Service Spaces		
Galleys	B-II or C-II	One for each 232 square meters (2,500 square feet) or fraction thereof for hazards involved.
Storerooms	A-II	One for each 232 square meters (2,500 square feet) or fraction thereof located near each exit, either inside or outside of the space.
Paint room	B-II	One outside each paint room exit.
Machinery Spaces		
Gas-fired boilers	B-II (CO2 or dry chemical)	Two.
Gas-fired boilers	B-V	One.[1]
Oil-fired boilers	B-II	Two.
Oil-fired boilers	B-V	Two.[1]
Internal combustion or gas turbine engines	B-II	One for each engine.[2]
Electric motors and generators, both of the open type.	C-II	One for each two motors or generators.[3]
Helicopter Areas		
Helicopter landing decks	B-V	One at each access route.
Helicopter fueling facility	B-V	One at each fuel transfer facility.[4]

[1] Not required if a fixed system is installed.
[2] If the boiler is installed on a weather deck or is open to the atmosphere at all times, one B-II may be used for every three engines.
[3] Small electrical appliances, such as fans, are exempt.
[4] Not required if a fixed foam system is installed in accordance with § 143.1061.

§ 143.1030 Where must a semiportable fire extinguisher be located?

All semiportable fire extinguishers under table 143.1029 must be located in the open so as to be readily seen.

§ 143.1035 What are the requirements for fireman's outfits?

(a) Each manned fixed facility with nine or more persons must have at least two fireman's outfits consisting of—

(1) A self-contained breathing apparatus of the pressure-demand, open-circuit type, approved by the Mine Safety and Health Administration (MSHA) and by the National Institute for Occupational Safety and Health (NIOSH). Each one must have a minimum 30-minute air supply, full facepiece, and one spare charge. Fixed facilities constructed before November 23, 1992, may continue to use equipment previously approved under 46 CFR 160.011 as long as it is maintained in good condition to the satisfaction of the cognizant OCMI;

(2) One three-cell, explosion proof flashlight with an Underwriter's Laboratories label and one set of spare batteries for the flashlight;

(3) One oxygen and explosive meter with an Underwriter's Laboratories label or Factory Mutual label;

(4) One pair of boots and gloves made of rubber or other electrically non-conductive material;

(5) One helmet meeting ANSI Z89.1–1997;

(6) Clothing that protects the skin from heat and scalding steam and that has a water resistant outer surface; and

(7) One lifeline that—

(i) Is attached to the self-contained breathing apparatus;

(ii) Is made of bronze wire rope, inherently corrosion resistant steel wire rope, or galvanized or tinned steel wire rope;

(iii) Is long enough to permit use of the outfit in any location on the facility;

(iv) Is fitted on each end with a hook having a 16 millimeter (⅝ inch) throat opening for the keeper; and

(v) Has a minimum breaking strength of 68 kilograms (1,500 pounds).

(b) The person in charge must ensure that—

(1) At least two people trained in the use of fireman's outfits are on the facility at all times;

(2) Each fireman's outfit and its spare equipment is stowed together in a readily accessible container or locker; that no more than one outfit is stowed in the same container or locker; and

(3) Fireman's outfits are not used for any purpose other than fire fighting.

§ 143.1040 How many fire axes do I need?

Each manned fixed facility must have at least two fire axes.

§ 143.1045 On a manned fixed facility, what spaces require a fixed fire-extinguishing system?

The following spaces or systems on a manned fixed facility must be protected by an approved fixed-gaseous, or other approved fixed-type, extinguishing system:

(a) Paint lockers of capacity in excess of 57 cubic meters (200 cubic feet) and similar spaces containing flammable liquids.

(b) Galley range or deep fat fryer.

(c) Each enclosed space containing internal combustion or gas turbine machinery, with an aggregate power of more than 1,000 B.H.P., and any associated fuel oil units, purifiers, valves, or manifolds.

§ 143.1050 What are the requirements for a fire detection and alarm system?

(a) All accommodation and service spaces on a manned fixed facility must have an automatic fire detection and alarm system.

(b) Sleeping quarters must be fitted with smoke detectors that have local alarms and that may or may not be connected to the central alarm panel.

(c) Each fire detection and fire alarm system must:

(1) Be designed to comply with API RP 14G, section 4.

(2) Be installed to comply with API RP 14C and NFPA 72.

(3) Have a visual alarm and an audible alarm at a normally manned area.

(4) Be divided into zones to limit the area covered by a particular alarm signal.

§ 143.1055 What are the requirements for a fire main on a manned fixed facility?

(a) Each manned fixed facility must have a fire main system protecting accommodation spaces, accommodation modules, control spaces, and other areas not covered by Minerals Management Service (MMS) regulations under 30 CFR 250.123(b)(8). The hose system must be capable of reaching all parts of these spaces without difficulty.

(b) The fire main system under paragraph (a) of this section may be part of the firewater system required by MMS regulations under 30 CFR 250.123(b)(8)(i).

(c) If the accommodation fire main is part of the MMS firewater system, as permitted under paragraph (b) of this section, the fire main system design and hardware must meet the MMS requirements of 30 CFR 250.123(b)(8) and API RP 14G, subsection 5.2. If an independent fire main is installed, the fire main system design and hardware must comply with the MODU regulations for fire mains in 46 CFR 108.415 through 108.425.

§ 143.1060 What fire-fighting equipment must a helicopter landing deck on a manned fixed facility have?

Each helicopter landing deck on a manned fixed facility must have the following:

(a) A fire hydrant and hose located near each stairway access to the landing deck. If the landing deck has more than two stairway accesses, only two stairway accesses need to have a fire hydrant and hose. The fire hydrants must be part of the fire main system.

(b) Portable fire extinguishers in the quantity and location as required in table 143.1029.

§ 143.1061 What fire-protection system must a helicopter fueling facility have?

In addition to the portable fire extinguishers required under table 143.1029, each helicopter fueling facility must have a fire-protection system capable of delivering, to the fuel containment area, one of the following fire-fighting agents at the rates prescribed for the agent:

(a) Protein foam at the rate of at least 6.52 liters per minute for each square meter (0.16 gallon per minute for each square foot) of the area for 5 minutes.

(b) Aqueous film forming foam at the rate of at least 4.07 liters per minute for each square meter (0.1 gallon per minute for each square foot) of the area for 5 minutes.

(c) Twenty-two and a half kilograms (50 pounds) of dry chemical (B–V semiportable) for each 28 square meters (300 square feet) or less of the area.

§ 143.1062 Can the water supply for the helicopter deck fire-protection system be part of the MMS firewater system?

(a) The water supply for the helicopter deck fire-protection system required under §§ 143.1060 or 143.1061 may be part of—

(1) The MMS firewater system under 30 CFR 250.123(b)(8); or

(2) If installed, an independent accommodation fire main system under § 143.1055.

(b) If the water supply for the helicopter deck fire-protection system is part of the MMS firemain system, the piping design and hardware must be compatible with the MMS system.

(c) If the water supply for the helicopter deck fire-protection system is part of an independent accommodation fire main system, the piping design and hardware must be compatible with the system and must comply with the

requirements for fire mains in 46 CFR 108.415 through 108.425.

§ 143.1063 Does an existing helicopter deck fire-protection system have to be Coast Guard approved?

No. A helicopter deck fire-protection system on a fixed facility on [date 2 years after effective date of final rule] may continue in use without having Coast Guard equipment approval, if the system meets §§ 143.1060 and 143.1061.

Subpart L—Systems Fire Protection for Fixed Facilities

§ 143.1100 What does this subpart apply to?

This subpart applies to the following:

(a) Each fixed facility that—

(1) Was contracted for, or the construction of which began, on or after [effective date of final rule.];

(2) Underwent a major conversion that began on or after [effective date of final rule.]; or

(3) Was relocated to another OCS location on or after [effective date of final rule.].

(b) When on a facility under paragraph (a)(1) of this section—

(1) Each accommodation module;

(2) Each temporary accommodation module; or

(3) Each accommodation module that is part of a drilling/workover rig package.

§ 143.1105 What doesn't this subpart apply to?

This subpart doesn't apply to the following:

(a) Each fixed facility that—

(1) Was contracted for, or the construction of which began, before [effective date of final rule.];

(2) Underwent a major conversion that began before [effective date of final rule.]; or

(3) Was relocated to another OCS location before [effective date of final rule.].

(b) When on a facility under paragraph (a)(1) of this section—

(1) Each accommodation module;

(2) Each temporary accommodation module; or

§ 143.1110 Who must ensure compliance with the requirements of this subpart?

The owner or operator must ensure that the requirements of this subpart are complied with on their fixed facility.

§ 143.1115 What are the requirements for systems fire protection in accommodation spaces and modules?

(a) Except as under § 143.1120, the systems fire protection requirements for accommodation spaces, accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package are listed in table 143.1115(f). These requirements in the table do not apply to facilities and modules under § 143.1105.

(b) Accommodation spaces, accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package for more than 16 persons must be treated as new dormitories under chapter 16 of NFPA 101 and meet chapters 16 and 32 of NFPA 101, except as follows:

(1) In the case where fire detection and alarm systems are required by chapter 16 of NFPA 101, then the requirements of § 143.1050 do not apply.

(2) Section 21–2.2.3(c) of chapter 21 of NFPA 101, as referenced in chapter 16 of NFPA 101, does not apply.

(c) Accommodation spaces, accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package for 16 or fewer persons must be treated as new lodging or rooming houses under chapter 20 of NFPA 101 and meet chapters 20 and 31 of NFPA 101, except as follows:

(1) In the case where fire detection and alarm systems are required by chapter 20 of NFPA 101, then the requirements of § 143.1050 do not apply.

(2) Section 21–2.2.3(c) of chapter 21 of NFPA 101, as referenced in chapter 20 of NFPA 101, does not apply.

(d) Where an independent fire wall is required by table 143.1115(f), it must be constructed and installed so as to be of sufficient size and orientation to protect the exterior surfaces of the spaces or modules from extreme radiant heat flux levels. The wall must have a structural core of flat steel plate that is suitably stiffened and protected so as to meet the conditions of acceptance for a 60-minute exposure for test method C (Tests of Fire-Containment Capability of Walls) of ASTM E 1529.

(e) The berth capacity in table 143.1115(f) refers to the number of berths within a single accommodation space or module. Multiple independent installations of spaces or modules with berth capacities of 16 or less are allowed to independently meet the fire-protection requirements in table 143.1115(f) if—

(1) The accommodation spaces or modules are not structurally connected;

(2) Each accommodation space or module has independent access to open decks or walkways; and

(3) Each space or module includes an HVAC system that services only that respective space or module.

(f) The systems fire protection requirements for accommodation spaces, accommodation modules, temporary accommodation modules and accommodation modules that are part of a platform or workover package are contained in the following table.

Table 143.1115(f)
Systems Fire Protection Requirements
for Accommodation Spaces, Accommodation Modules, Temporary Accommodation Modules and Accommodation Modules That Are Part of a Drilling/Workover Rig Package

Structure	*Interior Structural Fire Protection Design*	*Exterior Structural Fire Protection Design*	
Accommodation space or module berth capacity of--	**Must meet applicable requirements in--**	**Greater than 30 meters (100 feet) from platform hydrocarbon source, all exterior load bearing walls, roof, and floor structures must be--**	**30 meters (100 feet) or less from platform hydrocarbon source, all exterior load bearing walls, roof, and floor structures must be--**
1) 16 or less persons	Chapter 20 and 31 of NFPA 101, Life Safety Code per § 143.1115(c).	A-0 per 46 CFR 108.131(b)(1) or Type V (111)[1] fire resistant per NFPA 220.	A-0 per 46 CFR 108.131(b)(1) or Type V (111)[1] fire resistant per NFPA 220 and equipped with an independent fire wall per § 143.1115(d).
2) Greater than 16 persons	Chapter 16 and 32 of NFPA 101, Life Safety Code per § 143.1115(d).	A-0 per 46 CFR 108.131(b)(1) or Type II (111)[2] fire resistant per NFPA 220.	A-0 per 46 CFR 108.131(b)(1) or Type II (111)[2] fire resistant per NFPA 220 and equipped with an independent fire wall per § 143.1115(d).

[1] The fire resistive designs required in this table must be UL Classified materials that are specifically investigated for exterior use. Exterior non-load bearing walls must meet the fire resistance requirements for exterior load bearing walls. Where NFPA 220 references approved combustible materials, these include fire retardant impregnated wood or other materials that have a flame spread index of 25 or less when tested to ASTM E-84 and show no increase in flame spread index after being subjected to ASTM D2898.

[2] The fire resistive designs required in this table must be UL Classified materials that are specifically investigated for exterior use. Exterior non-load bearing walls must meet the fire resistance requirements for exterior load bearing walls.

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§ 143.1120 What alternative systems fire protection requirements may I meet?

Accommodation spaces, accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package may meet the requirements for structural fire protection in 46 CFR part 108, subpart B, instead of in § 143.1115. However, the exterior boundaries of superstructures and deckhouses enclosing these spaces and modules, including overhanging decks, if any, that support these spaces and modules, must be constructed to the A–60 standard (as defined in 46 CFR 108.131(b)(1)) for the whole or portion of the boundaries that faces, and is within 30 meters (100 feet) of, the platform hydrocarbon source.

§ 143.1125 How must accommodation spaces and modules be designed and located to protect personnel in case of fire?

Accommodation spaces, accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package, must be designed and located so as to—

(a) Minimize the effects of flames, excess heat, or blast effects caused by fires, blowouts, and explosions; and

(b) Provide safe refuge from fires, blowouts, and explosions for personnel for the minimum time necessary to evacuate the space under the Emergency Evacuation Plan under subpart D of this part.

§ 143.1130 What special shut-down features must a ventilation system for an accommodation space and service space be provided with?

The ventilation system in an accommodation space, an accommodation module, a temporary accommodation module, an accommodation module that is part of a drilling/workover rig package, and a service space must have—

(a) A means of shutting down the system; and

(b) An alarm at a manned location that sounds when flammable gases, smoke, hydrogen sulfide or other hazardous or toxic substances is in the system.

§ 143.1135 What are the fire-protection requirements for escape routes?

At least one escape route from an accommodation space, accommodation module, temporary accommodation module, and accommodation module that is part of a drilling/workover rig package to a primary means of escape under §§ 143.1220 and 143.1221, must provide adequate protection for escaping personnel from fires, blowouts, and explosions.

Subpart M—Design and Equipment for All Fixed Facilities

General

§ 143.1200 What does this subpart apply to?

This subpart applies to all fixed facilities.

§ 143.1205 Who must ensure compliance with the requirements of this subpart?

The owner or operator must ensure that the requirements of this subpart are complied with on their facility.

Aids to Navigation

§ 143.1210 What are the requirements for obstruction lights and warning devices?

All fixed facilities must meet the requirements for obstruction lights and warning devices in part 67 of this chapter.

General Alarm System

§ 143.1215 What facilities must have one?

Each manned fixed facility and each unmanned fixed facility that has temporary personnel berthed in temporary accommodation modules or accommodation modules that are part of a drilling/workover rig package must have a general alarm system capable of signaling personnel to go to the emergency stations assigned under § 143.215 and to abandon the facility.

§ 143.1216 What are the signals?

(a) The signal to go to emergency stations must be a series of intermittent sounds, each sound with a duration of not less than 10 seconds.

(b) The signal to abandon the facility must be a continuous sound.

§ 143.1217 What must it consist of?

(a) A general alarm system must be an electrically-operated bell, klaxon, or other warning device capable of producing the signals under § 143.1216.

(b) The signals produced must be audible throughout the facility and must be distinct from other audible signals on the facility.

(c) A visual alarm in the form of a rotating red light may be required in areas of high noise levels, to comply with the requirements of § 143.1236.

(d) The system hardware must be Underwriters Laboratories (UL) listed, Factory Mutual (F.M.) listed, or Coast Guard approved.

§ 143.1218 What signs are required?

(a) Each audible alarm activator for the system must be marked with at least the words ''GENERAL ALARM'' in red letters at least 25 millimeters (one inch) high on a contrasting background.

(b) A sign bearing at least the legend ''GENERAL ALARM—WHEN BELL RINGS GO TO YOUR STATION'' in red letters at least 25 millimeters (one inch) high on a contrasting background must be posted near each bell or audible alarm sounding device on the system. If the sounding device is not a bell, you may replace the words ''BELL'' and ''RINGS'' with words that more accurately describes the device.

Means of Escape

§ 143.1220 What means of escape are required?

(a) Each facility must have the primary and secondary means of escape required in §§ 143.1222 or 143.1223 for use in evacuating the facility.

(b) A primary means of escape consists of a fixed stairway, or a fixed ladder, constructed of steel.

(c) A secondary means of escape consists of a marine evacuation system, a portable flexible ladder, a knotted man rope, or a similar device determined by the OCMI to provide an equivalent or better means of escape.

(d) Where a secondary means of escape is required, a primary means of escape may be substituted.

§ 143.1221 Where must they be located?

(a) Each means of escape required in §§ 143.1222 or 143.1223 must be easily accessible to personnel for rapidly evacuating the facility.

(b) When two or more means of escape are installed, at least two must be located as nearly diagonally opposite each other as practicable.

(c) The following spaces with a floor area of 28 square meters (300 square feet) or more must have at least two exits as widely spaced as possible:

(1) Each accommodation space.

(2) Each space that is used on a regular basis, such as a control room, machinery room, store room, or other space where personnel could be trapped in an emergency.

§ 143.1222 How many means of escape are required for manned fixed facilities?

(a) Each manned fixed facility and each structural appendage, other than one under paragraph (b) of this section, must have at least two primary means of escape.

(b) Structural appendages to the facility that do not have living quarters, workshops, offices, or other manned spaces and that personnel do not occupy continuously must have at least one primary means of escape and, as determined necessary by the OCMI, one or more secondary means of escape.

(c) Each means of escape under paragraph (a) or (b) of this section must extend from the facility's uppermost level that contains living quarters (living level) or that personnel occupy continuously (working level), to each successively lower living or working level, and so on to the water surface.

§ 143.1223 How many means of escape are required for unmanned fixed facilities?

(a) Each unmanned fixed facility must have at least one primary means of escape.

(b) When personnel are on an unmanned facility, the facility must have, in addition to the one primary means of escape in paragraph (a) of this section, either—

(1) Another primary means of escape; or

(2) One or more secondary means of escape for every 10 persons on board at any one time.

(c) Structural appendages to an unmanned facility do not require a primary or a secondary means of escape, unless the OCMI determines that one or more are necessary.

(d) Each means of escape under paragraph (a), (b), or (c) of this section must extend from the facility's uppermost working level, to each successively lower working level, and so on to the water surface.

Personnel Landings

§ 143.1225 What are the requirements for personnel landings on manned fixed facilities?

(a) Each manned fixed facility must have at least two personnel landings for safe access to and from the facility. The OCMI may determine that additional landings are necessary to provide safe access during adverse weather or emergencies.

(b) Each personnel landing must be lighted so that at least one-foot candle of light can be measured at the landing floor and at the guardrails.

Guardrails and Similar Devices

§ 143.1230 What are the requirements for catwalks, floors, and openings?

(a) The unprotected perimeter of all catwalks, floor or deck areas, and openings must be rimmed with guardrails, or wire mesh fences, at least 107 centimeters (42 inches) high.

(b) This section does not apply to catwalks, floor or deck areas, and openings—

(1) In areas not normally occupied by personnel; or

(2) On helicopter landing decks.

(c) If guardrails are used—

(1) They must have at least three courses of rails;

(2) The two intermediate courses must be approximately evenly spaced between the top course and the floor or deck area; and

(3) If a toe board is installed, one of the intermediate courses may be omitted and the other course placed approximately half way between the top of the toe board and the top course.

§ 143.1231 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 86 centimeters (34 inches) above the tread.

§ 143.1232 What are the requirements for a helicopter landing deck safety net?

The unprotected perimeter of a helicopter landing deck must be protected with a safety net at least 1.5 meters (4.92 feet) wide. The outer edge of the net must not extend more than 15 centimeters (6 inches) above the surface of the deck.

Noise Limits

§ 143.1235 What are the noise limits for accommodation spaces?

On facilities constructed after [effective date of final rule.], each of the following accommodation spaces must be designed to limit the noise within the spaces to the following levels:

Space	dbA
Sleeping spaces and medical treatment rooms	60
Mess rooms	65
Offices	65
Recreation rooms	65
Open recreation areas	75
Galleys, without food processing equipment operating	75

§ 143.1236 What are the noise limits for working spaces and other areas?

On fixed facilities constructed after [Insert effective date of final rule.], 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 can not be heard, visual alarms in addition to the audible alarms must be installed. The visual alarms must comply with § 143.1217(c).

Subpart N—Design and Equipment for Certain Fixed Facilities

§ 143.1300 What does this subpart apply to?

This subpart applies to the following:

(a) Each fixed facility that—

(1) Was contracted for, or the construction of which began, on or after [effective date of final rule.];

(2) Underwent a major conversion that began on or after [effective date of final rule.]; or

(3) Was relocated to another OCS location on or after [effective date of final rule.].

(b) When used on a facility under paragraph (a)(1)of this section—

(1) Each accommodation module;

(2) Each temporary accommodation module; and

(3) Each accommodation module that is part of a drilling/workover rig package.

§ 143.1305 What doesn't this subpart apply to?

This subpart doesn't apply to the following:

(a) Each fixed facility that—

(1) Was contracted for, or the construction of which began, before [effective date of final rule.];

(2) Underwent a major conversion that began before [effective date of final rule.]; or

(3) Was relocated to another OCS location before [effective date of final rule.].

(b) When on a facility under paragraph (a)(1) of this section—

(1) Each accommodation module;

(2) Each temporary accommodation module; or

(3) Each accommodation module that is part of a drilling/workover rig package.

§ 143.1310 Who must ensure compliance with the requirements of this subpart?

The owner or operator must ensure that the requirements of this subpart are complied with on their facility.

Accommodation Spaces: Manned Fixed Facilities

§ 143.1315 What are the requirements for accommodation spaces within accommodation modules and temporary accommodation modules?

Each accommodation space within an accommodation module, temporary accommodation module, or an accommodation module that is part of a drilling/workover rig package on a manned fixed facility must meet the requirements in this subpart for that type of space, except as under § 143.1318 for sleeping spaces in temporary accommodation modules and accommodation modules that are part of a drilling/workover rig package.

§ 143.1316 How must I design the opening into an accommodation space?

Each access or opening on a manned fixed facility between an

accommodation space and a space for stowage or industrial machinery systems must have a solid, close-fitting door or hatch, except for accesses and openings to air condition or heat spaces.

§ 143.1317 What are the requirements for sleeping spaces on fixed facilities and accommodation modules?

(a) This section applies to sleeping spaces on manned fixed facilities, including sleeping spaces in accommodation modules. This section does not apply to sleeping spaces in temporary accommodation modules or in accommodation modules that are part of a drilling/workover rig package.

(b) Each sleeping space may berth no more than six occupants.

(c) Each occupant in a sleeping space must have a separate berth.

(d) Provide separate sleeping spaces for men and women, when both are employed on the facility.

(e) Each sleeping space must have at least 2.8 square meters (30 square feet) of deck area and 6 cubic meters (210 cubic feet) of volume for each occupant, including the space for equipment used by the occupant.

(f) Place no more than one berth over another.

(g) Each sleeping space must have a locker for each occupant. The locker must be accessible to the occupant and made of a hard, smooth material.

(h) Design each berth and locker to minimize areas that may harbor vermin.

(i) Arrange each berth to provide ample room for easy occupancy.

(j) Design each sleeping space so that there is a headroom of at least 191 centimeters (6 feet 3 inches).

§ 143.1318 What are the requirements for sleeping spaces on temporary accommodation modules and accommodation modules that are part of a drilling/workover rig package?

(a) On manned fixed facilities, temporary accommodation modules and accommodation modules that are part of a drilling/workover rig package may be used only by personnel not regularly employed on the facility.

(b) Each sleeping space may berth no more than eight persons.

(c) Each sleeping space must meet the requirements in § 143.1317 (b) through (j).

§ 143.1319 What are the toilet, washing, and shower space requirements?

(a) Each manned fixed facility must have at least one toilet, one shower, and one washbasin for each eight persons berthed on the facility, including those berthed in accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package. When both men and women are employed on the facility, they must have separate toilet, washing, and shower spaces.

(b) Toilet and washing facilities intended to service sleeping spaces must be convenient to those spaces.

(c) Toilet facilities must not be located in sleeping spaces.

(d) Each washing space and each toilet space must be constructed and arranged so that they can be kept clean and sanitary and the plumbing and mechanical appliances can be maintained in good working order.

§ 143.1320 What are the messroom seating space requirements?

(a) Each manned fixed facility must have at least one messroom.

(b) Each messroom or combination of messrooms must have space to seat at least one third of the total occupants on the facility at one time, including those in accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package.

§ 143.1321 What are the medical treatment room requirements?

Each manned fixed facility with sleeping spaces for 12 or more persons, including persons in accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package must have a medical treatment room. The room must have—

(a) A sign at the entrance designating it as a medical treatment room;

(b) An entrance that is wide enough and arranged to readily admit a person on a litter;

(c) A single berth or examination table that is accessible from both sides; and

(d) A washbasin located in the room.

§ 143.1322 Can I use a medical treatment room for other purposes?

Yes, you may use a medical treatment room as a sleeping space if the room meets the requirements of this subpart for both medical treatment rooms and sleeping spaces. You may also use it as an office. However, when the room is being used for medical purposes, it may not be used as a sleeping space or office.

§ 143.1323 What are the laundry room requirements?

On each manned fixed facility, a laundry room must be provided with one clothes washing machine and one clothes drying machine for each 25 persons berthed on the facility, including those berthed in accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package. You may provide a laundry service instead of the washing and drying machine.

Heating

§ 143.1325 What are the heating system requirements?

(a) Each accommodation space on a manned fixed facility, including those spaces in accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package, must be heated by a heating system capable of maintaining the temperature in the space at or above 20°C (68°F).

(b) Construct, locate, or shield radiators and other heating devices to avoid the risk of fire and the risk of harm or discomfort to the occupants of the accommodation spaces.

Water

§ 143.1330 What are the potable water system requirements?

(a) Potable water on a fixed facility must meet the standards for primary drinking water in 40 CFR part 141.

(b) The methods for delivering potable water and the sanitary conditions surrounding the delivery must prevent the introduction, transmission, or spread of communicable diseases.

(c) Potable water systems must meet 21 CFR 1250.3, 1250.82, 1250.83, 1250.84, 1250.85, and 1250.86 for sanitation facilities and conditions on vessels.

§ 143.1331 What are the wash water system requirements?

Wash water systems on a fixed facility must meet 21 CFR 1250.3 and 1250.87 for wash water systems on vessels.

§ 143.1332 What are the sanitary water system requirements?

(a) All sanitary water systems on a fixed facility must be independent of potable water and wash water systems. All faucets on a sanitary water system must be clearly and permanently labeled with at least the words ''UNFIT FOR DRINKING.''

(b) Salt water used in a sanitary water system must be drawn from the area least likely to be contaminated or polluted.

(c) Sanitary outlets must not be located in a medical treatment room or in a space where food is stored, prepared or served, except for flushing of toilets and sinks.

Lighting

§ 143.1335 What are the lighting requirements?

(a) Accommodation spaces. Each accommodation space on a manned fixed facility, including those spaces in accommodation modules, temporary accommodation modules, and accommodation modules that are part of a drilling/workover rig package, must be lighted throughout the portions of the space normally occupied by personnel to at least the minimum level of illumination specified in API RP 14F, section 9, table 9–1. The lighting system must be designed and installed in accordance with API RP 14F, section 9.

(b) Illuminated exit signs. Illuminated or luminescent signs with the word ''EXIT'' in letters at least 50 millimeters (2 inches) high must be installed throughout the facility to clearly indicate the direction of escape to a deck open to the outside. The signs must be located so that the entire escape route is obvious. Exit signs are not required in machinery spaces, stowage spaces, and other spaces where personnel normally are not working. An individual cabin or other similarly-sized small room is not required to have an exit sign, if the passageways to the room have exit signs indicating the escape route.

(c) Lighting of survival craft and their launching areas. Each manned facility must have lights that illuminate lifeboats and life rafts, their launching devices, stowage areas, and launching areas, and the areas between their stowage areas and the water. These lights must have an alternative source of power or independently-powered backup lights must be provided.

§ 143.1336 What are the emergency lighting and power requirements on a manned fixed facility?

(a) Each manned fixed facility must have a general emergency lighting and power source, or a separate emergency lighting and power source, for use in emergencies that is separate from the main power source and that is capable of providing emergency power to the following:

(1) Navigation lights, if powered by the main electric power.

(2) Lights throughout machinery spaces that are essential for emergency operations or restoring the main power system.

(3) Lights for passageways, stairways, and escape trunks in accommodation spaces, for public spaces, for machinery spaces, and for work spaces.

(4) Illuminated ''EXIT'' signs.

(5) Lights for lifeboat and life raft launching areas, embarkation decks, and personnel assembly points.

(6) Smoke detection systems required by § 143.1050(b).

(7) Fire detection systems required by § 143.1050(a).

(8) Gas detection systems required by 30 CFR 250.123(b)(9).

(9) General alarm system.

(10) Helicopter landing lights.

(11) Emergency communication equipment required by § 143.865.

(b) Additional emergency loads needed for the safety of personnel or of the facility may be added if the emergency power source is sized to handle the total connected loads.

(c) Each emergency lighting and power source must come into operation automatically whenever the main power supply fails. If the emergency source of power is a generator, the generator's engine must be capable of being started independently of the automatic mechanism.

(d) Each emergency power source must be capable of providing power for at least 2 hours to the lights listed in paragraphs (a)(2) through (a)(5) and (a)(10) of this section, and 8 hours to the systems in subparagraph (a)(1), (a)(6) through (a)(9) and (a)(11) of this section that the source powers.

(e) Each emergency power source must be designed and installed in accordance with section 9.4 of API RP 14F, the NFPA NEC, and API RP 500.

(f) Each emergency power source must consist either of batteries, fuel cells, or of a generator powered by a compression-ignition engine or a gas turbine.

(g) All batteries, fuel cells, generator sets and associated fuel tanks, and other generating equipment must be located—

(1) In a room with a door to the open air that is outside of a hazardous area; or

(2) On an open deck surrounded by a weather-proof enclosure.

Stairways and Ladders

§ 143.1340 What are the stairway requirements?

(a) Each stairway, except a stairway in a drilling or production equipment space or a machinery or storage space, and each exterior inclined ladder must be at least 70 centimeters (28 inches) wide with an angle of inclination from the horizontal of not more than 50 degrees.

(b) The treads on the stairways must have nosings. Welded-bar-grating treads need not have nosings if the leading edge of each tread can be identified readily as the leading edge by personnel descending the stairway.

(c) Treads and nosings must be slip-resistant.

§ 143.1341 What are the vertical ladder requirements?

(a) Each fixed vertical ladder must have rungs that are—

(1) At least 41 centimeters (16 inches) in width;

(2) Not more than 30 centimeters (12 inches) apart and spaced uniformly throughout the length of the ladder; and

(3) At least 18 centimeters (7 inches) from the nearest permanent object in back of the ladder.

(b) Each exterior fixed vertical ladder more than 6 meters (20 feet) long must be fitted with a cage or a ladder safety device meeting sections 6 and 7 of ANSI A14.3–1992.

(c) For embarkation ladders, the following apply:

(1) Cages must have an opening on one side at least 50 centimeters (20 inches) wide for the full length of the ladder.

(2) Cages must be omitted from the portion of the ladder that extends from the still waterline up to 9.15 meters (30 feet) above the still waterline.

(d) Fixed vertical ladders must be made of a material other than wood.

Subpart O—Certification of Fixed Facilities

§ 143.1400 What does this subpart apply to?

This subpart applies to the following:

(a) Each fixed facility that—

(1) Was contracted for, or the construction of which began, on or after [effective date of final rule.];

(2) Underwent a major conversion that began on or after [effective date of final rule.]; or

(3) Was relocated to another OCS location on or after [effective date of final rule].

(b) When on a facility under paragraph (a)(1) of this section—

(1) Each accommodation module;

(2) Each temporary accommodation module; or

(3) Each accommodation module that is part of a drilling/workover rig package.

§ 143.1405 What doesn't this subpart apply to?

This subpart doesn't apply to the following:

(a) Each fixed facility that—

(1) Was contracted for, or the construction of which began, before [effective date of final rule.];

(2) Underwent a major conversion that began before [effective date of final rule.]; or

(3) Was relocated to another OCS location before [effective date of final rule.].

(b) When used on a facility under paragraph (a)(1) of this section——

(1) Each accommodation module;

(2) Each temporary accommodation module; or

(3) Each accommodation module that is part of a drilling/workover rig package.

Letter of certification

§ 143.1410 As owner or operator, what must I do before my facility may engage in OCS activities?

(a) Before starting to install a fixed facility on the OCS, the owner or operator of the facility must submit a letter of certification to the OCMI where the facility is to be located. The letter must be signed by a registered professional engineer or registered architect, certifying that the facility has been designed in accordance with the applicable provisions in subparts I (Lifesaving Equipment on Manned Facilities), J (Lifesaving Equipment on Unmanned Facilities), K (Fire-fighting and Fire-protection Equipment), L (Systems Fire Protection), M (Design and Equipment: For All Facilities), and N (Design and Equipment: For New, Converted, or Relocated Facilities).

(b) All drawings, calculations, diagrams, and specifications relating to the items prescribed by subpart N must be submitted with the letter of certification. They must be stamped by a registered professional engineer or registered architect certifying that the matters they address comply with the regulations listed in paragraph (a) of this section.

PART 144—OUTER CONTINENTAL SHELF ACTIVITIES: FLOATING FACILITIES

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144.1040 When may a letter of compliance be suspended or revoked?

Authority: 43 U.S.C. 1333(d), 1348(c), 1356; 49 CFR 1.46.

Subpart A—General

§ 144.1 What does this part apply to?

(a) This part applies to floating facilities when engaged in OCS activities.

(b) Subparts B through J apply to U.S. floating facilities.

(c) Subpart K applies to foreign floating facilities.

§ 144.5 Who must ensure compliance with the requirements of this part?

The owner or operator of each floating facility must ensure that the requirements of this part are complied with on their facility.

§ 144.10 Where can I find the definition of a term used in this part?

See § 140.25 of this chapter for the definition of a term used in this part.

§ 144.15 Where can I get a copy of a publication referenced in this part?

You may get a copy of a publication referenced in this part from the sources listed in § 140.30 of this chapter.

§ 144.20 Where can I find the workplace safety and health requirements?

See part 142 of this chapter for requirements on workplace safety and health.

§ 144.25 Can I obtain an exemption from requirements in this subchapter during the construction or erection phase of a floating facility?

The OCMI may exempt any floating facility under construction or erection phase from any requirement of this subchapter that would be impracticable or unreasonable to apply during either phase.

§ 144.30 What Coast Guard acceptance of lifesaving arrangements do I need during a floating facility's construction or whenever lifesaving arrangements are modified?

(a) During a floating facility's construction, the owner must obtain acceptance of lifesaving arrangements from the Commandant (G–MSE).

(b) When any modification to the lifesaving arrangement is done after construction, the owner must obtain acceptance of lifesaving arrangements from the Commandant (G–MSE).

§ 144.35 How may I request the use of alternate equipment or procedure for those required in this subchapter?

(a) You may request the use of alternate equipment or procedures for those required in this subchapter, except as under §§ 144.45(a) and 144.50.

(b) Upon request, the OCMI may allow the use of alternate equipment or procedures if they will—

(1) Accomplish the purposes for the requirement; and

(2) Provide a degree of safety equivalent to or greater than that provided by the requirement.

(c) The OCMI may require that the requesting party—

(1) Explain why applying the requirement would be unreasonable or impracticable; and

(2) Submit engineering calculations, tests, or other data to demonstrate how the requested alternative would comply with paragraph (b) of this section.

(d) The OCMI may determine, on a case-by-case basis, that, under § 144.40, the Commandant (G-MSE) must approve the use of the alternate equipment or procedure.

§ 144.40 When is Coast Guard Headquarters approval of alternate equipment or procedures required?

(a) For any requirement in this subchapter, including requirements relating to a fitting, material, apparatus, equipment, arrangement, calculation, or test, standard, or procedure, the Commandant (G–MSE) may accept a substitute that is at least as effective as that specified in this subchapter. If necessary, the Commandant (G–MSE) may require engineering calculations and tests to demonstrate the equivalence of the substitute.

(b) In any case where it is shown to the satisfaction of the Commandant (G-MSE) that a requirement is unreasonable or impracticable, the Commandant may allow the use of a substitute to the extent that it will provide a degree of safety consistent with the minimum standards in this subchapter.

§ 144.45 When may the OCMI not allow the use of alternate lifesaving equipment?

(a) The OCMI may not allow, under § 144.35, the use of alternates for the following lifesaving equipment specified in this subchapter:

(1) Survival craft and rescue boats.

(2) Launching and embarkation appliances for survival craft and rescue boats.

(b) For lifesaving appliances and arrangements, an allowance under § 144.35 remains in effect until the OCMI determines that—

(1) The condition of the appliance or arrangement is unsatisfactory or unfit for the service intended; or

(2) The ability of the facility's personnel to use and assist others in the use of the appliance or arrangement is inadequate.

§ 144.50 Can I get Coast Guard to accept a novel lifesaving appliance?

The Commandant (G–MSE) may accept a novel lifesaving appliance or arrangement not addressed in this subchapter if you can demonstrate that it provides a level of safety equivalent to or greater than that provided by the requirements of this subchapter, it accomplishes the purposes of this subchapter, and it—

(a) Is evaluated and tested under IMO Resolution A.520(13); or

(b) Have successfully undergone evaluation and tests that are substantially equivalent to IMO Resolution A.520(13).

Subpart B—Operations

§ 144.100 What does this subpart apply to?

This subpart provides operational requirements for both manned and unmanned U.S. floating facilities.

§ 144.105 What operating requirements must facilities meet?

Each manned or unmanned U.S. floating facility must comply with the operating requirements for fixed facilities in part 143, subpart B of this chapter, except § 143.105 on Notice of New Fixed Facility.

§ 144.110 What notice is required when a facility arrives or relocates on the OCS?

(a) At least 30 days before a manned or unmanned U.S. floating facility arrives on the OCS or as soon thereafter as practicable, the owner or operator of the facility must notify the District Commander for the area in which the unit will operate of the following:

(1) The proposed location of the facility.

(2) The facility's designation assigned under 30 CFR 250.15 for identification, the facility's name, if any, and the facility's nationality.

(3) The date when operations of the facility are expected to begin.

(4) Classification or inspection certificates, if any, currently held by the facility.

(5) The location where and date when the facility will be available and ready for inspection by the Coast Guard.

(b) Once a facility is on the OCS, the owner or operator must notify the OCMI before relocating the facility to another site. This notice must be given 30 days before you relocate the facility or as soon after that as practicable.

(c) You may provide the information required in paragraphs (a) and (b) of this section by telephone or you may submit it together with, and need not duplicate, the information in applications and notices under the aids to navigation requirements in part 67 of this chapter.

Subpart C—Additional Operational Requirements for Manned U.S. Floating Facilities

§ 144.200 What does this subpart apply to?

This subpart provides operational requirements in addition to those in subpart B of this part for manned U.S. floating facilities.

§ 144.205 What are the operating requirements?

Each manned U.S. floating facility must comply with the following operating requirements for fixed facilities in part 143 of this chapter:

(a) Subpart C—Additional Operational Requirements for Manned Fixed Facilities.

(b) Subpart D—Emergency Evacuation Plans for Manned Fixed Facilities.

(c) Subpart E—Drills on Manned Fixed Facilities.

(d) Subpart F—Onboard Training and Instruction for Manned Fixed Facilities.

(e) Subpart G—Maintenance and Repair of Lifesaving, Fire-fighting, and other Emergency Equipment on Manned Fixed Facilities.

(f) Subpart H—Tests and Inspections of Lifesaving, Fire-fighting, and other Emergency Equipment on Manned Fixed Facilities.

§ 144.210 What are the requirements for operating manuals?

(a) Each manned U.S floating facility must have on the facility at all times an operating manual approved by the Coast Guard Marine Safety Center at the address in § 144.825(a)(2). The manual must meet the operating manual requirements for MODU's under 46 CFR 109.121.

(b) You must keep the manual up to date. As changes occur that cause information in the manual to become incorrect or deficient, you must revise that information and insert it into the manual. You must add a list identifying the revised information to the end of the manual.

(c) You must submit revisions to the manual to the OCMI for approval. The OCMI may determine, if the revisions are extensive, that you must submit them to the Coast Guard Marine Safety Center for approval. If you can easily remove old pages from the manual and insert new ones, submit only the revised pages.

(d) If a facility is relocated or undergoes a major conversion, you must submit the entire manual to the Coast Guard Marine Safety Center for approval.

Subpart D—Lifesaving Equipment for Manned U.S. Floating Facilities

§ 144.300 What does this subpart apply to?

This subpart provides requirements for lifesaving equipment on manned U.S. floating facilities.

§ 144.305 What are the requirements for lifesaving equipment?

Each manned U.S. floating facility must comply with the lifesaving equipment requirements for MODU's in 46 CFR part 108, subparts E, G, and H, except for the following provisions within those subparts:

(a) *In subpart E.* 46 CFR 108.597 on line throwing appliances.

(b) *In subpart G.* 46 CFR 108.641 on steering gear and 46 CFR 108.643 on rudder orders.

(c) *In subpart H.* 46 CFR 108.713 through 108.719.

§ 144.310 What are the requirements for immersion suits?

Each manned U.S. floating facility located North of 32 degrees North latitude must comply with the requirements for immersion suits on MODU's under § 145.210 of this chapter.

Subpart E—Lifesaving Equipment for Unmanned U.S. Floating Facilities

§ 144.400 What does this subpart apply to?

This subpart provides requirements for lifesaving equipment on unmanned U.S. floating facilities.

§ 144.405 When are people prohibited from being on an unmanned U.S. floating facility?

No person may be on an unmanned U.S. floating facility unless it meets the requirements in this subpart.

§ 144.410 What are the requirements for lifejackets?

(a) Except as under paragraph (b) of this section, each unmanned U.S. floating facility must have at least one lifejacket meeting the requirements of § 143.845 of this chapter for each person on the facility. The lifejackets need be on the facility only when persons are on board.

(b) During helicopter visits, personnel may use aircraft-type lifejackets instead of lifejackets under paragraph (a) of this section.

§ 144.415 What are the requirements for ring life buoys?

(a) Each unmanned U.S. floating facility must have at least one ring life buoy meeting the requirements of § 143.850 of this chapter for every two persons on the facility, up to a maximum of four buoys.

(b) If there is no space on the facility for the ring life buoys, they must be on a manned vessel located alongside of the facility while personnel are on the facility.

§ 144.420 What are the requirements for immersion suits?

(a) Each unmanned U.S. floating facility located North of 32 degrees North latitude must comply with the immersion suit requirements applicable to MODU's under § 145.210 of this chapter. Except as under paragraph (b) of this section, the immersion suits need to be on the facility only when persons are on board.

(b) If an attending vessel is moored to the facility, the suits may be stowed on the vessel, instead of on the facility.

Subpart F—Fire Fighting and Fire Protection on U.S. Floating Facilities

§ 144.500 What does this subpart apply to?

This subpart provides requirements for fire-fighting and fire-protection equipment on U.S. floating facilities.

§ 144.505 What are the fire-fighting and fire-protection equipment requirements for manned facilities?

Each manned U.S. floating facility must comply with the following fire-fighting and fire-protection requirements:

(a) Sections 143.1125, 143.1130, and 143.1135 of this chapter.

(b) 46 CFR 108.123 through 108.147 on structural fire protection.

(c) 46 CFR part 108, subpart D, on fire extinguishing systems, except for 46 CFR 108.427 on international shore connections.

(d) 46 CFR 108.621 on equipment markings, 46 CFR 108.627 through 108.635 on fire alarms, stations, and equipment, and 46 CFR 108.637 on hand portable fire extinguishers.

§ 144.510 What are the requirements for fire-fighting and fire-protection equipment for temporary accommodation modules on manned facilities?

Each temporary accommodation module on a manned U.S. floating facility must meet the requirements for fire-fighting and fire-protection equipment applicable to a temporary accommodation module on a manned fixed facility in part 143, subparts K and L, of this chapter.

§ 144.515 What are the requirements for fire-fighting and fire-protection equipment on unmanned facilities?

Each unmanned U.S. floating facility must meet the requirements for fire-fighting and fire-protection equipment applicable to unmanned fixed facilities in part 143, subpart K, of this chapter.

Subpart G—Equipment

§ 144.600 What does this subpart apply to?

This subpart provides requirements for equipment on U.S. floating facilities.

§ 144.605 What are the equipment requirements?

Except as in § 144.610, each U.S. floating facility must meet the equipment requirements applicable to fixed facilities in part 143, subpart M, of this chapter.

§ 144.610 What are the special requirements for the general alarm system?

(a) For U.S. floating facilities other than tension leg platforms (TLP's), the general alarm system must meet electrical engineering requirements in 46 CFR chapter I, subchapter J, instead of § 143.1217(c) of this chapter.

(b) For TLP's, the general alarm system must meet the requirements applicable to fixed facilities in part 143, subpart M, of this chapter.

Subpart H—Design and Equipment

§ 144.700 What does this subpart apply to?

This subpart applies to each U.S. floating facility that—

(a) Was contracted for, or the construction of which began, on or after [effective date of final rule.];

(b) Underwent a major conversion that began on or after [effective date of final rule.]; or

(c) Was relocated to another OCS location on or after [effective date of final rule.].

§ 144.705 What are the requirements for facilities, other than tension leg platforms?

Each U.S. floating facility, other than a TLP, must comply with the design and equipment requirements (other than those relating to production and drilling systems) in the following:

(a) The design and equipment requirements for MODU's in 46 CFR part 108.

(b) The design and equipment practices in API RP 2FPS.

(c) The marine and electrical engineering requirements for vessels in 46 CFR chapter I, subchapters F and J.

(d) The requirements for lifesaving equipment in subparts D and E of this part.

(e) The requirements for fire protection in subpart F of this part.

(f) The requirements for marine sanitation devices in part 159 of this chapter.

(g) If the facility is used for the storage of oil in bulk, the requirements—

(1) For tank vessels in 46 CFR chapter I, subchapter D (Tank Vessels); and

(2) For tank vessels carrying oil in bulk in part 157 of this chapter.

§ 144.710 What are the requirements for tension leg platforms?

Each U.S. TLP must comply with the design and equipment requirements (other than those relating to production and drilling systems) in the following:

(a) Section 144.705(c) through (g).

(b) The design and equipment practices in API RP 2T, and API RP 2FPS.

(c) The following requirements in 46 CFR part 108:

(1) Subpart A (General).

(2) Subpart B (Construction and Arrangement), only §§ 108.113 through 108.187 and §§ 108.221 through 108.241.

(3) Subparts C (Stability) and D (Fire Extinguishing Systems).

(4) Subpart E (Lifesaving Equipment), other than § 108.597.

(5) Subpart F (Cranes).

(6) Subpart G (Equipment Markings and Instructions), only §§ 108.621 through 108.639, §§ 108.645 through 108.649, and §§ 108.651 through 108.665.

(7) Subpart H (Miscellaneous Equipment), only §§ 108.697 through 108.709.

§ 144.715 What are the requirements for a tank vessel being converted to a floating facility with oil storage?

(a) Each tank vessel being converted to a U.S. floating facility capable of storing oil in bulk must comply with the requirements of § 144.705 or if it is being converted to a TLP it must comply with § 144.710.

(b) Before a vessel is converted, the Coast Guard Marine Safety Center, at the address in § 144.825(a)(4), determines, on a case-by-case basis, if the conversion is major under the Oil Pollution Act of 1990 (Pub. L. 101–380; 104 Stat. 484) (which includes a requirement for double hulls (46 U.S.C. 3703a)) and when the facility must comply with that act.

Subpart I—Plan Approval

§ 144.800 What does this subpart apply to?

This part applies to each U.S. floating facility that—

(a) Was contracted for, or the construction of which began, on or after [Effective date of final rule.];

(b) Underwent a major conversion that began on or after [Effective date of final rule.]; or (c) Was relocated to another OCS location on or after [Effective date of final rule.].

§ 144.805 What is the purpose of this subpart?

This subpart contains the requirements for submitting plans and information on U.S. floating facilities that are new, that are relocated, or that undergo a major conversion.

§ 144.810 When may a facility begin or continue operations after its plans are submitted?

(a) Each U.S. floating facility that is new, is relocated, or undergoes a major conversion must have its plans approved under this subpart before the facility may begin, or continue to, engage in OCS activities.

(b) If construction, relocation, or conversion of the facility begins before plans are approved, the owner or operator must make all changes necessary to conform the facility to the plans, once approved, before the facility may engage, or continue to engage, in OCS activities.

§ 144.815 What information is required before submitting plans?

Before submitting plans under § 144.820, the owner or operator of each U.S. floating facility must submit the following initial information to the Coast Guard Marine Safety Center at the address in § 144.825(a)(2):

(a) A general description of the facility that identifies the configuration, hull-type (i.e., ship, TLP, Spar, *etc.*), and whether or not the facility will store oil in bulk.

(b) The method and type of mooring system to be used.

(c) Information on whether the facility is to be new, converted from an existing facility or vessel, or relocated.

(d) Information on whether the facility will be classed and, if so, what classification society will be used.

§ 144.820 What plans and information must be submitted?

The owner or operator of a U.S. floating facility must submit, for approval, three copies of the following plans, calculations, and information concerning the design, construction, arrangement, required equipment, and safety features of the facility:

(a) Specifications, other than those submitted with the initial information under § 144.815 or with a design basis under § 144.840.

(b) General arrangement plan of decks, columns, pontoons, and other major structural components and inboard and outboard profiles.

(c) Hull structural drawings listed in 46 CFR 107.305(c) through (p), as applicable to the type of facility.

(d) Plans and information required under 46 CFR chapter I, subchapter S (Stability), as applicable to the type of facility.

(e) Fire control plans showing for all decks of the facility and all accommodation spaces, the arrangement and location of control stations, fire sections enclosed by fire-resisting

bulkheads, alarm and extinguishing systems, fire extinguishers, means of access to compartments and other decks, and ventilation systems, including the location of ventilation shutdowns and the positions of ventilation fire dampers. The plan must include numbers identifying each system under this paragraph.

(f) Ventilation system diagram, showing dampers and other fire control features.

(g) Details of fire detection and alarm systems.

(h) Details of fixed fire extinguishing systems.

(i) Arrangement plans showing each accommodation space, its ventilation system, and its means of escape.

(j) Plans required for marine engineering equipment and systems under 46 CFR chapter I, subchapter F.

(k) Plans required for electrical engineering equipment and systems under 46 CFR chapter I, subchapter J.

(l) Plans showing the location and arrangement of each lifesaving system.

(m) For each embarkation deck, plans showing the clearances of all over-board discharges from lifeboats, rescue boats, life rafts, and their launching equipment throughout the range of list and trim angles required under 46 CFR part 108, subpart E.

(n) The weight of each lifeboat, rescue boat, and davit-launched life raft, when fully equipped and loaded.

(o) The working load of the davits and winches for each lifeboat, rescue boat, and life raft.

(p) The types and sizes of falls used for launching.

(q) The manufacturer's name and model number or other identifying information for all lifesaving equipment required to be approved under 46 CFR chapter I, subchapter Q.

(r) A construction portfolio of materials used, as described in 46 CFR 107.305(hh).

(s) An operating manual required by § 144.210.

(t) Crane plans and information required under 46 CFR 107.309.

(u) An in-service inspection plan under § 144.830.

(v) For self-propelled U.S. floating facilities that are 100 meters (328 feet) or more in overall length, a plan that shows how visibility from the navigation bridge complies with 46 CFR 108.801.

(w) A design basis under § 144.835, only if the design of the facility is determined to be novel or unconventional.

§ 144.825 Where and when do I submit plans and information?

(a) You must submit copies of the plans and information under § 144.820 to one of the following, as applicable:

(1) The OCMI in the zone in which the facility is to be built or altered.

(2) Commanding Officer, Coast Guard Marine Safety Center, 400 Seventh St. SW., Washington, DC 20590–0001.

(3) The American Bureau of Shipping, ABS Plaza, 16855 Northchase Drive, Houston, TX 77060.

(4) The International Cargo Gear Bureau, Inc., 17 Battery Place, New York, NY 10004.

(b) The Coast Guard Marine Safety Center (MSC) will, on a case-by-case basis, inform the owner or operator where the plans and information should be sent. The owner or operator should, at an early stage of design, contact the MSC to arrange a ''kick-off'' meeting, so that submission of plans may be discussed and the most efficient plan for submission can be decided on by the MSC and the owner or operator.

§ 144.830 What are the requirements for in-service inspections plans?

(a) The Coast Guard requires an in-service inspection plan as part of the plan approval process instead of the 2-year drydocking as required by 46 CFR 107.261(a). The plan, once approved, allows the facility to remain on-station during its field-depletion lifetime.

(b) You must submit the in-service inspection plan to the Commandant (G–MOC–3) for approval under § 144.820(u). It must be submitted at the same time the other information under § 144.820 is submitted and, if applicable, at the same time the design basis under § 144.840 is submitted.

(c) The plan must address the following in detail:

(1) Inspection techniques, including inspection of the shell plating from the inside, inspection of the underwater portion of the hull, and inspection of the mooring system, tendons, and tendon connections.

(2) The extent of each annual inspection and the areas to be inspected for the lifetime of the facility at the intended site.

(3) The manner in which you will handle deficiencies and the procedures for their repair.

(4) The precise location and description of all compartments that may be inaccessible during an in-service inspection and the provisions you will take to assure the continued integrity of the compartments.

§ 144.835 What if the design of the facility is considered novel or unconventional?

(a) After reviewing the pre-plan information submitted under § 144.815, the Coast Guard Marine Safety Center determines whether the design of a U.S. floating facility is considered novel or unconventional.

(b) A design is considered novel or unconventional if—

(1) There is no known facility of similar design on the U.S. OCS;

(2) There are no Coast Guard regulations on the design;

(3) There are no rules published by a classification society on the design; and

(4) There are no standards issued by an industry standards organization on the design.

Design Basis

§ 144.840 What design basis plans and technical information must be submitted for novel or unconventional designs?

(a) If the Coast Guard determines that a design of a U.S. floating facility is novel or unconventional, the owner or operator must submit a design basis along with the other plans and information submitted for approval under § 144.820. You must submit the design basis only to the Coast Guard Marine Safety Center at the address in § 144.825(a)(2).

(b) The design basis must contain at least the following:

(1) A description of the facility and its configuration.

(2) The design methodology, including method of analysis, design codes and regulatory requirements, and environmental criteria and loading.

(3) A design overview of primary structure and, if applicable, the tendons and mooring systems.

(c) A design overview of electrical and control systems.

(d) A design overview of marine and utility systems.

(e) A design overview of fire-protection and safety systems.

(f) A design overview of the in-service inspection plan under § 144.830 for the hull and tendons, including philosophy, methodology, and, if available, preliminary drawings of areas to be inspected.

(g) Intact and damage stability calculations for the afloat mode and, for TLPs, for the tendon-attached mode.

(h) A description of the unique design aspects that alleviate the negative consequences of damage stability scenarios, facilitate safe operation, or enhance maintenance and inspection requirements.

(i) For converted vessels or facilities, a summary of previous service, certifications, and classification status,

and an overview of any structural modifications proposed.

(j) For TLPs—

(1) A fatigue analysis of the hull and tendons;

(2) A general damage stability and tendon risk analysis that examines possible modes of failure, their consequences, and the design aspect that alleviates the consequences of that failure mode; and

(3) A tendon installation plan.

Subpart J—Inspection and Certification

§ 144.900 What does this subpart apply to?

This subpart provides requirements for inspection and certification of U.S. floating facilities.

§ 144.905 What are the requirements for inspection, certification, and testing?

Each U.S. floating facility must meet the requirements for inspection, certification, and testing of MODU's in 46 CFR part 107, subpart B.

§ 144.910 How do I get a Certificate of Inspection?

(a) If the OCMI determines that a U.S. floating facility meets the requirements of this subpart and subparts D, E, F, G, and H of this part, the OCMI will issue a Certificate of Inspection for the facility. The OCMI may require inspection of the facility before making this determination.

(b) A Certificate of Inspection issued under paragraph (a) of this section is valid for 2 years after the date of issue.

§ 144.915 What are the requirements for drydock examinations when a facility is relocated?

A drydock examination under 46 CFR 107.261 must be performed before a U.S. floating facility is relocated to a new site. However, if approved by the Commandant (G–MOC), a special examination in lieu of drydocking may be performed. The special examination must be performed under 46 CFR 107.261 and 107.265.

§ 144.920 When may a Certificate of Inspection be suspended or revoked?

The OCMI may suspend or revoke a Certificate of Inspection, if the OCMI determines that the owner or operator does not maintain the U.S. floating facility in accordance with the requirements of this subpart or subparts D, E, F, G, and H of this part or does not operate the facility in accordance with the facility's operating manual under § 144.210.

Subpart K—Foreign Facilities

General

§ 144.1000 What does this subpart apply to?

This subpart applies to foreign floating facilities engaged in OCS activities.

Operations

§ 144.1005 What are the operating requirements for a foreign facility?

Each foreign floating facility must comply with one of the following:

(a) The operating requirements in subparts B and C of this part.

(b) The operating standards of the facility's nation, if the Commandant has determined that those standards provide a level of safety generally equivalent to, or greater than, that provided under subparts B and C. You must send requests for a determination by the Commandant to Commandant (G–MSO), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001, along with technical data that supports the requests.

(c) The operating standards for MODU's in IMO Resolution A.649(16) and, for matters not addressed in the Resolution, the operating requirements for U.S. facilities in subparts B and C of this part.

Emergency Evacuation Plans

§ 144.1010 What are the requirements for an emergency evacuation plan for a foreign facility?

Each foreign floating facility must comply with the emergency evacuation plan requirements for U.S. floating facilities and manned fixed facilities under § 144.205(b).

Operating Manual

§ 144.1015 What are the requirements for operating manuals for a foreign facility?

Each foreign floating facility must comply with the requirements for operating manuals under § 144.210.

Design, Equipment, Inspection, and Testing

§ 144.1020 What are the design, equipment, and inspection requirements for a foreign facility?

Each foreign floating facility must comply with one of the following:

(a) The design and equipment requirements in subparts D, E, F, and H of this part, the inspection requirements for MODU's in 46 CFR 107.231(a) through (z), and the drydock or special examination requirements of 46 CFR 107.261 and 107.265.

(b) The design, equipment, and inspection standards of the facility's nation, if the Commandant has determined that the standards provide a level of safety generally equivalent to, or greater than, that provided under subparts D, E, F, G, H, and J of this part. You must send requests for a determination by the Commandant to the Commandant (G–MSE), U.S. Coast Guard, 2100 Second St. SW., Washington, DC 20093–0001, along with technical data supporting the request.

(c) The design, equipment, and inspection standards for MODU's in IMO Resolution A.414(XI) or A.649(16) and, for matters not addressed in the Resolutions, the design, equipment, and inspection standards for certification requirements in paragraph (a) of this section.

(d) Have both of the following valid SOLAS certificates and comply with paragraph (a) for items not addressed by these certificates:

(1) Cargo Ship Safety Construction Certificate.

(2) Cargo Ship Safety Equipment Certificate.

§ 144.1025 What are the additional requirements for a foreign facility used for the storage of oil in bulk?

(a) In addition to the other requirements of this subpart, foreign floating facilities used for the storage of oil in bulk must comply with the following tank vessel requirements:

(1) Non-self-propelled facilities must comply with part 157 (Rules for the Protection of the Marine Environment Relating to Tank Vessels Carrying Oil in Bulk) of this chapter and be inspected and certificated under 46 CFR chapter I, subchapter D as a tank barge. The requirements of 46 CFR chapter I, subchapter D applicable to tank barges must be used in the inspection of the hull and its machinery and the electrical and piping systems.

(2) Self-propelled facilities must meet paragraph (a)(1) of this section. However, the Coast Guard will accept valid SOLAS and International Oil Pollution Prevention (IOPP) certificates as equivalent to the items required in paragraph (a)(1).

(b) For a foreign floating facility used for the storage of oil in bulk that was converted from a tank vessel, the Coast Guard Marine Safety Center, at the address in § 144.825(a)(2), determines, on a case-by-case basis, if the conversion is major under the Oil Pollution Act of 1990 (Pub. L. 101–380; 104 Stat. 484) (which includes a requirement for double hulls (46 U.S.C. 3703a)) and when the facility must comply with that act.

Letter of Compliance

§ 144.1030 How do I get a letter of compliance for a foreign facility?

(a) When engaged in OCS activities, each foreign floating facility must have on board a valid letter of compliance under this section.

(b) If the OCMI determines that the facility meets the design, equipment, and inspection requirements of this subpart, and the lights and warning device requirements of § 143.1210, the OCMI will issue a letter of compliance for the facility. The OCMI may require that the facility be inspected as part of this determination.

(c) A letter of compliance under this section is valid for 2 years or until the facility departs the OCS, whichever comes first.

§ 144.1035 When must a foreign facility be reinspected?

The OCMI reinspects each foreign floating facility within 2 months before to 2 months after the issue date of the facility's letter of compliance to determine whether the facility meets the requirements of this subpart.

§ 144.1040 When may a letter of compliance be suspended or revoked?

If the OCMI determines that the owner or operator is not maintaining a foreign floating facility in accordance with the requirements of this subpart or is not being operated in accordance with the facility's operating manual under § 144.1015, the OCMI may suspend or revoke a letter of compliance.

PART 145—OUTER CONTINENTAL SHELF ACTIVITIES: MOBILE OFFSHORE DRILLING UNITS AND MOBILE INLAND DRILLING UNITS

Subpart A—General

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Lifesaving Equipment

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Design, Equipment, and Inspection

145.535 What are the design, equipment, and inspection requirements for a MIDU?
145.540 Must a MIDU under this subpart have a letter of compliance?
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Authority: 43 U.S.C. 1333(d), 1347(c), 1348(c), 1356; 49 CFR 1.46. Sec. 145.100 also issued under 14 U.S.C. 664 and 31 U.S.C. 9701.

Subpart A—General

§ 145.1 What does this part apply to?

(a) This part applies to requirements for mobile offshore drilling units (MODU's) and mobile inland drilling units (MIDU's) when engaged in OCS activities.

(b) Subparts B through E apply to MODU's.

(c) Subpart F applies to MIDU's.

§ 145.5 Where can I find the definition of a term used in this part?

See § 140.25 of this chapter for the definition of a term used in this part.

§ 145.10 Where can I get a copy of a publication referenced in this part?

You can get a copy of a publication referenced in this part from the sources listed in § 140.30 of this chapter.

§ 145.15 Where can I find the workplace safety and health requirements?

See part 142 of this chapter for requirements on workplace safety and health.

§ 145.20 How may I request the use of alternate equipment or procedures?

You may request, under 46 CFR 104.105, the use of alternate equipment or procedures for those requirements in this subpart.

Subpart B—Operations

§ 145.100 What are the operational requirements for a U.S. MODU?

Each U.S. MODU must comply with the operating requirements in 46 CFR part 109 when engaged in OCS activities.

§ 145.105 What are the operational requirements for a foreign MODU?

Each foreign MODU must comply with one of the following when engaged in OCS activities:

(a) The operating requirements in 46 CFR part 109.

(b) The operating standards of the MODU's nation, if the Commandant has determined that the standards provide a level of safety generally equivalent to, or greater than, that provided under 46 CFR part 109. Requests for a

determination by the Commandant must be sent to Commandant, U.S. Coast Guard (G–MSO), 2100 Second Street SW., Washington, DC 20593–0001, along with technical data that supports the requests.

(c) The operating standards for MODU's in IMO Resolutions A.414(XI) or A.649(16) and, for matters not addressed in the Resolutions, the requirements of 46 CFR part 109.

§ 145.106 When is a notice of casualty required and what must it contain?

(a) Immediately after aiding the injured and/or stabilizing the situation, the owner, operator, or person in charge of a foreign MODU operating on the OCS must ensure that the Coast Guard is—

(1) Notified of each event listed in 46 CFR 4.05–1(a)(1) through (a)(6), and (2) Notified of an occurrence causing property damage in excess of $100,000, this damage including the cost of labor and material to restore the property to its condition before the occurrence, but not including the cost of salvage, cleaning, gas-freeing, drydocking, or demurrage.

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

(1) The MODU involved.

(2) The owner, operator, or person in charge of the MODU.

(3) The nature and circumstances of the event.

(4) The nature and extent of the injury and damage resulting from the event.

§ 145.107 When must a written report of casualty be submitted and what must it contain?

(a) In addition to the notice of a casualty under § 145.106, the owner, operator, or person in charge of a foreign MODU operating on the OCS must submit, within 10 days after the notice of casualty, a written report of the event to the OCMI. The report may be on Form CG–2692 (Report of Marine Accident, Injury, or Death), supplemented as necessary by appended Form CG–2692B (Report of Required Chemical Drug and Alcohol Testing Following a Serious Marine Accident) or in narrative form if it contains all of the applicable information requested in Form CG–2692 and Form CG–2692B. Copies of Form CG–2692 and Form CG–2692B are available from the OCMI.

(b) The written report must also contain information relating to alcohol and drug involvement as specified in 46 CFR 4.05–12.

(c) If filed immediately after the occurrence, the written report required by paragraph (a) of this section, satisfies the notice required by § 145.106.

§ 145.110 What notice is required when a MODU arrives or relocates on the OCS?

(a) Fourteen days before a MODU arrives on the OCS or as soon after that as practicable, the owner or operator of the MODU must notify the District Commander for the area where the MODU will operate of the following:

(1) The MODU's name, nationality, and designation assigned for identification under 30 CFR 250.15.

(2) The location where, and year when, the MODU was built.

(3) The name and address of the MODU's owner and the owner's local representative, if any.

(4) Whether the MODU has a Classification Society Certificate or a Coast Guard Certificate of Inspection.

(5) The location where the MODU will operate.

(6) The date that operations are expected to begin and end.

(7) The location where, and date when, the MODU will be available and ready for inspection by the Coast Guard.

(b) Once the MODU is located on the OCS, the owner or operator of the MODU must notify the District Commander of the information under paragraph (a) of this section before relocating the unit.

(c) Information under paragraphs (a) and (b) of th is section may be provided by telephone or may be submitted together with, and need not repeat, information submitted in applications and notices under the aids to navigation requirements in part 67 of this chapter.

§ 145.115 What are the requirements for an emergency evacuation plan?

(a) Each MODU must meet the requirements for Emergency Evacuation Plans (EEP's) for manned fixed facilities under part 143, subpart D, of this chapter, except as required by paragraphs (b) through (d) of this section.

(b) An EEP must be submitted by—

(1) The holder of a lease or permit under the Act for each MODU within the area of the lease or the area covered by the permit; or

(2) The operator under 30 CFR 250.2(gg) for each MODU within the area where the operator controls or manages operations.

(c) The EEP may refer to sections in the MODU's operating manual required by 46 CFR 109.121 to avoid unnecessary duplication.

(d) The EEP must designate the master or person in charge of the MODU under 46 CFR 109.107 as the individual under § 143.310(c)(4) primarily responsible for implementing the EEP as it relates to the MODU.

§ 145.120 How must emergency equipment be maintained?

All lifesaving, fire-fighting, and other emergency equipment on MODU's required by this subchapter must be maintained in good working condition and ready for immediate use when the MODU is in use.

§ 145.125 How must excess emergency equipment be maintained and inspected?

All emergency equipment that is in addition to the equipment required by this subchapter must be maintained and inspected as prescribed in this subchapter for that item of equipment.

§ 145.130 How must operational testing of emergency equipment be conducted?

When emergency equipment must be operated as part of a drill or inspection, the equipment must be operated according to the operating instructions of the equipment's manufacturer.

Subpart C—Lifesaving Equipment

§ 145.200 What are the requirements for lifesaving equipment on a U.S. MODU?

Each U.S. MODU must comply with the requirements for lifesaving equipment applicable to U.S. MODU's under 46 CFR part 108, subparts E, G, and H.

§ 145.205 What are the requirements for lifesaving equipment on a foreign MODU?

Each foreign MODU must comply with one of the following:

(a) The requirements for lifesaving equipment applicable to U.S. MODU's under 46 CFR part 108, subparts E, G, and H.

(b) The lifesaving equipment standards of the MODU's nation, if the Commandant has determined that the standards provide a level of safety equivalent to, or greater than, that provided under the lifesaving equipment requirements in 46 CFR part 108, subparts E, G, and H. You must send requests for a determination by the Commandant to the Commandant (G–MSE–4), U.S. Coast Guard, 2100 Second St. SW., Washington, DC 20093–0001, along with technical data supporting the performance of the equipment.

(c) The lifesaving equipment standards for MODU's under IMO Resolutions A.414(XI) or A.649(16) and, for matters not addressed in the Resolutions, the requirements of 46 CFR part 108, subparts E, G, and H.

§ 145.210 What are the requirements for immersion suits on a U.S. MODU?

(a) This section applies to U.S. MODU's that are located North of 32 degrees North latitude.

(b) Each U.S. MODU must comply with the requirements for immersion

suits or anti-exposure suits for U.S. MODU's under 46 CFR 108.580(c) and 108.649(c), (d), and (g).

(c) Suit stowage containers and the spaces housing the containers must not be capable of being locked.

§ 145.215 What are the requirements for immersion suits on a foreign MODU?

(a) Except as under paragraph (b) of this section, foreign MODU's that are located North of 32 degrees North latitude must meet the immersion suit requirements for U.S. MODU's under § 145.210(b) and (c).

(b) Immersion suits, anti-exposure suits, or other similar suits approved by the MODU's nation may be used instead of suits under § 145.210(b), if the suits are accepted by the Commandant as providing thermal protection equivalent to, or greater than, that provided by immersion suits approved under approval series 160.171 or anti-exposure suits approved under approval series 160.153. Requests for acceptance of suits must be sent to the Commandant at the address in § 145.205(b), along with technical data supporting the thermal performance of the suits.

Subpart D—Fire-Fighting and Fire Protection

§ 145.300 What are the requirements for fire-fighting and fire-protection equipment for a U.S. MODU?

Each U.S. MODU must comply with the fire-fighting and fire-protection equipment requirements applicable to U.S. MODU's under 46 CFR part 108, subparts B and D, and §§ 108.621 through 108.635, 108.637, 108.651, and 108.653.

§ 145.305 What are the requirements for fire-fighting and fire-protection equipment for a foreign MODU?

Each foreign MODU must comply with one of the following:

(a) The fire-fighting and fire-protection equipment requirements under § 145.300.

(b) The fire-fighting and fire-protection equipment standards of the MODU's nation, if the Commandant has determined that the standards provide a level of safety equivalent to, or greater than, that provided under § 145.300. Requests for a determination by the Commandant must be sent to Commandant at the address in § 145.205(b), along with technical data that supports the request.

(c) The fire-fighting and fire-protection equipment standards for MODU's under IMO Resolutions A.414(XI) or A.649(16) and, for matters not addressed in the Resolutions, the requirements of § 145.300.

Subpart E—Design, Equipment, and Inspection

§ 145.400 What does this subpart apply to?

(a) This subpart contains requirements on design, equipment, and inspection for MODU's, except for MODU's under paragraph (b) of this section.

(b) Each MODU constructed, under construction, or contracted for construction before April 5, 1982, need not meet the design, equipment, and inspection requirements of this subpart, until rebuilt. Until rebuilt, the MODU must continue to comply with the requirements applicable to MODU's on April 4, 1982, namely Navigation and Vessel Inspection Circular (NVIC) No. 4–78 entitled ''Inspection and Certification of Existing Mobile Offshore Drilling Units.''

§ 145.405 What are the design, equipment, and inspection requirements for a U.S. MODU?

Each U.S. MODU must comply with the design, equipment, and inspection requirements in 46 CFR parts 107 and 108. Existing MODU's under § 145.400(b) must comply with NVIC 4–78.

§ 145.410 What are the design, equipment, and inspection requirements for a foreign MODU?

Each foreign MODU must comply with one of the following:

(a) The requirements for design and equipment in 46 CFR part 108, for inspection of U.S. MODU's in 46 CFR 107.231(a) through (z), and for drydock or special examination in 46 CFR 107.261.

(b) The design, equipment, and inspection standards of the MODU's nation, if the Commandant has determined that the standards provide a level of safety generally equivalent to, or greater than, that provided under 46 CFR 107.231(a) through (z), 107.261, and part 108. You must send requests for a determination by the Commandant to the Commandant, U.S. Coast Guard, 2100 Second St. SW., Washington, DC 20093–0001, along with technical data that supports the request.

(c) The design, equipment, and inspection standards for MODU's in IMO Resolution A.414(XI) or A.649(16) and, for matters not addressed in the Resolutions, the requirements of 46 CFR 107.231(a) through (z), 107.261, and part 108.

§ 145.415 What are the requirements for lights and warning devices?

MODU's, when in contact with the seabed, must meet the requirements for lights and warning devices in part 67 of this chapter (Aids to Navigation on Artificial Islands and Fixed Structures).

§ 145.420 What MODU's must have a Certificate of Inspection?

When engaged in OCS activities, each U.S. MODU must have on board a valid Certificate of Inspection under 46 CFR part 107, subpart B.

§ 145.425 What MODU's must have a letter of compliance?

(a) When engaged in OCS activities, each foreign MODU must have on board a valid letter of compliance under this section.

(b) If the OCMI determines that the foreign MODU meets the design, equipment, and inspection requirements of § 145.410 and the lights and warning device requirements of § 145.415, the OCMI issues a letter of compliance for the MODU. The OCMI may require that the MODU be inspected as part of this determination.

(c) A letter of compliance under this section is valid for 2 years or until the MODU departs the OCS, whichever comes first.

§ 145.430 What if a foreign MODU fails to comply with a letter of compliance?

If the OCMI determines that a foreign MODU is not in compliance with the requirements for its letter of compliance under § 145.425 or is not being operated in accordance with the operations requirements in subpart B of this part, the OCMI may suspend or revoke the letter of compliance.

§ 145.435 What are the requirements for a mid-period inspection for a foreign MODU?

The OCMI reinspects each foreign MODU within 2 months before to 2 months after the issue date of the MODU's letter of compliance to determine whether the MODU meets the requirements of this subpart.

§ 145.440 What are the fees for inspecting a foreign MODU for a letter of compliance?

The owner or operator of a foreign MODU requiring inspection for a letter of compliance under § 145.425 must pay the fee under 46 CFR 2.10–130.

Subpart F—Mobile Inland Drilling Units

General

§ 145.500 What does this subpart apply to?

This subpart applies to mobile inland drilling units (MIDU's) when engaged in OCS activities.

§ 145.505 Where on the OCS may a MIDU operate?

MIDU's may operate only on the OCS shoreward of the first 9.15-meter (30-

foot) contour from shore and shoreward of the Boundary Line described in 46 CFR 7.10 through 7.180.

Operations

§ 145.510 What are the operational, training, and drill requirements for a MIDU?

When operating on the OCS shoreward of the first 9.15 meters (30-foot) contour from shore and shoreward of the Boundary Line described in 46 CFR 7.10 through 7.180, each MIDU must meet the operations, training, and drill requirements for manned fixed facilities in subparts B, C, E, and F of part 143 of this chapter, unless otherwise required by this subpart.

§ 145.515 What are the requirements for notifying the Coast Guard before the arrival or relocation of a MIDU on the OCS?

MIDU's under this subpart must meet the requirements for notice of arrival and relocation on the OCS under § 145.110; except that, the notice must also state that the unit is a MIDU.

§ 145.520 What are the requirements for an emergency evacuation plan?

MIDU's under this subpart must meet the requirements for emergency evacuation plans for MODU's under § 145.115.

Lifesaving Equipment

§ 145.525 What are the lifesaving equipment requirements for a MIDU?

When operating on the OCS shoreward of the first 9.15-meter (30-foot) contour from shore and shoreward of the Boundary Line described in 46 CFR 7.10 through 7.180, each MIDU must meet the following lifesaving requirements for manned fixed facilities:

(a) The requirements for maintenance and repair of lifesaving equipment in subpart G of this part.

(b) The tests and inspection of lifesaving equipment in subpart H of this part.

(c) The requirements for lifesaving equipment on manned fixed facilities in subpart I of this part.

Fire Fighting and Fire Protection

§ 145.530 What are the fire-fighting and fire-protection equipment requirements for a MIDU?

When operating on the OCS shoreward of the first 9.15-meter (30-foot) contour from shore and shoreward of the Boundary Line described in 46 CFR 7.10 through 7.180, each MIDU must meet the requirements for fire-fighting and fire-protection equipment for manned fixed facilities in subpart K of part 143 of this chapter.

Design, Equipment, and Inspection

§ 145.535 What are the design, equipment, and inspection requirements for a MIDU?

When operating on the OCS shoreward of the first 9.15-meter (30-foot) contour from shore and shoreward of the Boundary Line described in 46 CFR 7.10 through 7.180, MIDU's need not meet the design, equipment, and inspection requirements in subpart E of this part.

§ 145.540 Must a MIDU under this subpart have a letter of compliance?

(a) When engaged in OCS activities, each MIDU must have on board a valid letter of compliance issued under this section that indicates that the MIDU meets the lifesaving equipment requirements under § 145.525 and the fire-fighting and fire-protection requirements under § 145.530.

(b) If the OCMI determines that the MIDU meets the requirements of paragraph (a) of this part, the OCMI issues a letter of compliance for the MIDU. The OCMI may require that the MIDU be inspected as part of this determination.

(c) A letter of compliance under paragraph (b) of this part is valid for 2 years or until the MIDU departs the OCS, whichever comes first.

§ 145.545 What if a MIDU fails to comply with a letter of compliance?

If the OCMI determines that a MIDU is not in compliance with the requirements for its letter of compliance under § 145.540 or is not being operated in accordance with the operations requirements in this subpart, the OCMI may suspend or revoke the letter of compliance.

§ 145.550 When must a MIDU be reinspected?

The OCMI reinspects each MIDU within 2 months before to 2 months after the issue date of the MIDU's letter of compliance to determine whether the MIDU meets the requirements of this subpart.

PART 146—OUTER CONTINENTAL SHELF ACTIVITIES: VESSELS

Subpart A—General

Sec.
146.1 What does this part apply to?
146.5 Where can I find the definition of a term used in this part?
146.10 Where can I get a copy of a publication referenced in this part?
146.15 Where can I find the workplace safety and health requirements?

Subpart B—Operations

146.100 Who designates the person in charge of a vessel engaged in OCS activities?
146.105 What notice is required when a foreign vessel arrives on the OCS?
146.110 How must the Coast Guard be notified of casualties involving U.S. vessels and how must they be reported?
146.115 When is a notice of casualty required for a foreign vessel and what must it contain?
146.120 When must a written report of casualty be submitted for a foreign vessel and what must it contain?
146.125 How must emergency equipment be maintained?
146.130 How must excess emergency equipment be maintained and inspected?
146.135 How must operational testing of emergency equipment be conducted?
146.140 What are the load line requirements of vessels?

Subpart C—Lifesaving

146.200 What are the requirements for lifesaving equipment and immersion suits on a U.S. vessel?
146.205 What are the requirements for lifesaving equipment on a foreign vessel?
146.210 What are the requirements for immersion suits on a foreign vessel?

Subpart D—Fire Fighting and Fire Protection

146.300 What are the requirements for fire-fighting and fire-protection equipment on a U.S. vessel?
146.305 What are the requirements for fire-fighting and fire-protection equipment on a foreign vessel?

Subpart E—Design, Equipment, and Inspection

146.400 What are the design, equipment, and inspection requirements for a U.S. vessel?
146.405 What are the design, equipment, and inspection requirements for a foreign vessel?
146.410 What are the requirements for lights and warning devices?
146.415 What vessels must have a Certificate of Inspection?
146.420 What vessels must have a letter of compliance?
146.425 What if a foreign vessel fails to comply with a letter of compliance?
146.430 When must a foreign vessel be reinspected?

Subpart F—Standby Vessels

146.500 What does this subpart apply to?
146.505 What are the requirements for certification of a standby vessel?
146.510 What are the operational requirements for a standby vessel?
146.515 What are the design and equipment requirements for a standby vessel?
146.520 What are the additional equipment requirements for a standby vessel?
146.525 What are the manning requirements for a standby vessel?

Authority: 43 U.S.C. 1333(d)(1), 1348(c), 1356; 49 CFR 1.46.

Subpart A—General

§ 146.1 What does this part apply to?

This part applies to vessels engaged in OCS activities, other than floating facilities, MODU's, and MIDU's. Vessels under this part include, but are not limited to, standby vessels, attending vessels, offshore supply vessels, pipelay vessels, derrick ships, diving support vessels, and oceanographic research vessels.

§ 146.5 Where can I find the definition of a term used in this part?

See § 140.25 of this chapter for the definition of a term used in this part.

§ 146.10 Where can I get a copy of a publication referenced in this part?

You can get a copy of a publication referenced in this part from the sources listed in § 140.30 of this chapter.

§ 146.15 Where can I find the workplace safety and health requirements?

See part 142 of this chapter for requirements on workplace safety and health.

Subpart B—Operations

§ 146.100 Who designates the person in charge of a vessel engaged in OCS activities?

(a) Each vessel engaged in OCS activities must have an individual on the vessel who is designated under paragraph (b) of this section as the person in charge of the vessel.

(b) The owner or operator, or their agent, must designate the person in charge by title. They must designate, by title and in order of succession, enough individuals so that one individual on the vessel is acting as the person in charge.

(c) The owner and operator must ensure that the name of the individual acting as the person in charge is made available upon request by Coast Guard personnel.

§ 146.105 What notice is required when a foreign vessel arrives on the OCS?

(a) Fourteen days before a foreign vessel arrives on the OCS or as soon after that as practicable, the owner or operator of the vessel must notify the District Commander for the area where the vessel will operate of the following:

(1) The vessel's name and country of registry.

(2) The name and address of the vessel's owner and the owner's local representative, if any.

(3) Whether the vessel has a classification society certificate or a previous letter of compliance issued by the Coast Guard.

(4) The date that operations are expected to begin and end.

(5) The location where, and date when, the vessel will be available and ready for inspection by the Coast Guard.

(b) Information under paragraph (a) of this section may be provided by telephone or may be submitted together with, and need not repeat, information submitted in applications and notices under the aids to navigation requirements in part 67 of this chapter.

§ 146.110 How must the Coast Guard be notified of casualties involving U.S. vessels and how must they be reported?

The requirements for notifying the Coast Guard of a casualty and the reporting of marine casualties are listed in 46 CFR part 4. The owner or operator must ensure that the Coast Guard is—

(a) Notified of each event listed in 46 CFR 4.05–1(a)(1) through (a)(6), and

(b) Notified of an occurrence causing property damage in excess of $100,000, this damage including the cost of labor and material to restore the property to its condition before the occurrence, but not including the cost of salvage, cleaning, gas-freeing, drydocking, or demurrage.

§ 146.115 When is a notice of casualty required for a foreign vessel and what must it contain?

(a) Immediately after aiding the injured and or stabilizing the situation, the owner, operator, or master of a foreign vessel engaged in OCS activities must ensure that the Coast Guard is notified of each event listed in 46 CFR 4.05–1.

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

(1) The name of the vessel involved.

(2) The name of the owner, operator, or master of the vessel.

(3) The nature and circumstances of the event.

(4) The nature and extent of the injury and damage resulting from the event.

§ 146.120 When must a written report of casualty be submitted for a foreign vessel and what must it contain?

(a) In addition to the notice of a casualty under § 146.115, the owner, operator, or master of a foreign vessel engaged in OCS activities must submit, within 10 days after the notice of casualty, a written report of the event to the OCMI.

The report may be on Form CG–2692 (Report of Marine Accident, Injury, or Death) supplemented as necessary by appended Form CG–2692B (Report of Required Chemical Drug and Alcohol Testing Following a Serious Marine Accident) or in narrative form if it contains all of the applicable information requested in Form CG–2692 and Form CG–2692B. Copies of Form CG–2692 and Form CG–2692B are available from the OCMI.

(b) The written report must also contain information relating to alcohol and drug involvement as specified in 46 CFR 4.05–12.

(c) If filed immediately after the occurrence, the written report required by paragraph (a) of this section, satisfies the notice required by § 146.115.

§ 146.125 How must emergency equipment be maintained?

All lifesaving, fire-fighting, and other emergency equipment required by this subchapter, must be maintained in good working condition and ready for immediate use when the vessel is in use.

§ 146.130 How must excess emergency equipment be maintained and inspected?

All emergency equipment that is in addition to the equipment required by this subchapter must be maintained and inspected as prescribed in this subchapter for that item of equipment.

§ 146.135 How must operational testing of emergency equipment be conducted?

When emergency equipment must be operated as part of a drill or inspection, the equipment must be operated according to the operating instructions of the equipment's manufacturer.

§ 146.140 What are the load line requirements of vessels?

(a) Each U.S. or foreign vessel subject to the load line requirements in 46 CFR chapter I, subchapter E, arriving at or proceeding to sea from any port or place within the United States, must comply with the requirements in 46 CFR chapter I, subchapter E when engaged in OCS activities.

(b) Load line certificates and load line exemption certificates issued or accepted under 46 CFR chapter I, subchapter E, are accepted as evidence of compliance with paragraph (a) of this section.

Subpart C—Lifesaving

§ 146.200 What are the requirements for lifesaving equipment and immersion suits on a U.S. vessel?

Each U.S. vessel must comply with the requirements for lifesaving equipment and immersion suits applicable to that category of vessel under 46 CFR chapter I.

§ 146.205 What are the requirements for lifesaving equipment on a foreign vessel?

Each foreign vessel must comply with one of the following:

(a) The lifesaving equipment requirements applicable to that category of vessel under 46 CFR chapter I.

(b) The lifesaving equipment standards of the vessel's nation, if the Commandant has determined that the standards provide a level of safety equivalent to, or greater than, that provided under the lifesaving equipment requirements applicable to that category of vessel under 46 CFR chapter I. Send your request for a determination along with technical data supporting the performance of the equipment to the Commandant (G–MSE–4), U.S. Coast Guard, 2100 Second Street SW., Washington DC 20593–0001.

(c) The lifesaving equipment requirements of the International Convention for the Safety of Life at Sea, 1974, as amended, (SOLAS) applicable to the vessel, if the vessel meets all other SOLAS requirements applicable to that vessel.

§ 146.210 What are the requirements for immersion suits on a foreign vessel?

(a) Each foreign vessel that is operated North of 32 degrees North latitude must comply with the immersion-suit requirements for U.S. vessels under § 146.200, except as under paragraph (b) of this section.

(b) You may use an immersion suit, exposure suit, or other similar suit approved by the vessel's nation instead of immersion suit under § 146.200. The suit must be accepted by the Commandant as providing thermal protection equal to, or greater than, the thermal protection provided by an immersion suit approved under approval series 160.171 or an anti-exposure suit approved under approval series 160.153. Send your request for acceptance of a suit along with technical data supporting the thermal performance of the suit to the Commandant (G–MSE–4) at the address in § 146.205(b).

Subpart D—Fire Fighting and Fire Protection

§ 146.300 What are the requirements for fire-fighting and fire-protection equipment on a U.S. vessel?

Each U.S. vessel must comply with the requirements for fire-fighting and fire-protection equipment applicable to that category of vessel under 46 CFR chapter I.

§ 146.305 What are the requirements for fire-fighting and fire-protection equipment on a foreign vessel?

Each foreign vessel must comply with one of the following:

(a) The requirements for fire-fighting and fire-protection equipment applicable to that category of vessel under 46 CFR chapter I.

(b) The standards for fire-fighting and fire-protection equipment of the vessel's nation, if the Commandant determines that the standards provide a level of safety equivalent to, or greater than, that provided under the requirements for fire-fighting and fire-protection equipment applicable to that category of vessel under 46 CFR chapter I. Send your request for a determination along with technical data that supports the request to the Commandant (G–MSE–4), U.S. Coast Guard, 2100 Second Street SW., Washington DC 20593–0001.

(c) The requirements for fire-fighting and fire-protection equipment applicable to the vessel under the 1975 SOLAS Convention, as amended, if the vessel meets all other SOLAS requirements applicable to that vessel.

Subpart E—Design, Equipment, and Inspection

§ 146.400 What are the design, equipment, and inspection requirements for a U.S. vessel?

Each U.S. vessel must comply with the design, equipment, and inspection requirements applicable to that category of vessel under the following subchapters of 46 CFR chapter I:

(a) Subchapter D—Tank Vessels.

(b) Subchapter F—Marine Engineering.

(c) Subchapter H—Passenger Vessels.

(d) Subchapter I—Cargo and Miscellaneous Vessels.

(e) Subchapter J—Electrical Engineering.

(f) Subchapter L—Offshore Supply Vessels.

(g) Subchapter P—Manning of Vessels.

(h) Subchapter T—Small Passenger Vessels.

(i) Subchapter U—Oceanographic Research Vessels.

§ 146.405 What are the design, equipment, and inspection requirements for a foreign vessel?

Each foreign vessel must comply with one of the following:

(a) The design, equipment, and inspection requirements in § 146.400 applicable to U.S. vessels in similar service.

(b) The design, equipment, and inspection standards of the vessel's nation, if the Commandant has determined that the standards provide a level of safety generally equivalent to, or greater than, that provided by the design, equipment, and inspection standards applicable to that category of vessel under 46 CFR chapter I. You must send requests for a determination by the Commandant to the Commandant, U.S. Coast Guard, 2100 Second Street SW., Washington DC 20593–0001, along with technical data that supports the request.

§ 146.410 What are the requirements for lights and warning devices?

All vessels must meet the requirements for lights and warning devices in the International Regulations for Preventing Collisions at Sea 1972 (33 CFR part 81) or under local rules provided for in Rule 1 of those regulations.

§ 146.415 What vessels must have a Certificate of Inspection?

When engaged in OCS activities, the owner or operator of a U.S. vessel must have on board a valid Certificate of Inspection under 46 CFR chapter I.

§ 146.420 What vessels must have a letter of compliance?

(a) When engaged in OCS activities, the owner or operator of a foreign vessel must have on board a valid letter of compliance under this section.

(b) If the OCMI determines that the vessel meets the design and equipment requirements of § 146.405, the OCMI issues a letter of compliance for the vessel. The OCMI may require that the vessel be inspected as part of this determination.

(c) A letter of compliance issued under this section is valid for 2 years or until the vessel departs the OCS, whichever comes first.

§ 146.425 What if a foreign vessel fails to comply with a letter of compliance?

The OCMI may suspend or revoke the letter of compliance if the OCMI determines that the owner or operator of a foreign vessel—

(a) Is not in compliance with the requirements for its letter of compliance under § 146.420; or

(b) Is not operating according to the operations requirements in subpart B of this part.

§ 146.430 When must a foreign vessel be reinspected?

The OCMI reinspects each foreign vessel between 10 and 14 months after the issue date of the vessel's letter of compliance to determine whether the vessel meets the requirements of this subpart.

Subpart F—Standby Vessels

§ 146.500 What does this subpart apply to?

(a) This subpart applies only to standby vessels specifically designated in an Emergency Evacuation Plan (EEP) under part 143, subpart D, § 144.205, or

§ 145.115 of this chapter to rapidly evacuate personnel in the event of an emergency on a facility, MODU, or MIDU.

(b) The requirements in this subpart are in addition to those in subparts B through E of this part. If a requirement in this subpart differs from one in another subpart, the requirement in this subpart must be complied with on standby vessels.

§ 146.505 What are the requirements for certification of a standby vessel?

Your vessel may operate as a standby vessel if—

(a) It is a U.S. vessel; and

(b) It has a valid Certificate of Inspection issued in compliance with 46 CFR chapter I, subchapters H, I, K, T, or L.

§ 146.510 What are the operational requirements for a standby vessel?

The owner or operator must ensure that—

(a) A standby vessel does not carry or store goods, supplies, and equipment on the deck or other location that may hinder the vessel's ability to render assistance to the facility, MODU, or MIDU that the vessel is designated under the Emergency Evacuation Plan to assist; and

(b) A standby vessel does not carry or store any hazardous material as defined in 49 CFR 171.8.

§ 146.515 What are the design and equipment requirements for a standby vessel?

The owner or operator ensures that each standby vessel meets the following:

(a) Comply with the design and equipment requirements under 46 CFR chapter I, subchapters H, I, K, T, or L applicable to the category of vessel.

(b) Be capable of carrying and providing shelter for 100 percent of the number of persons on the most populated facility, MODU, or MIDU that the vessel is designated under the Emergency Evacuation Plan to assist. Crew spaces may be used to meet the requirements of this paragraph.

(c) Have aircraft-type reclining seats for 10 percent of the number of persons on the most populated facility, MODU, or MIDU that the standby vessel is designated to assist. You may use crew spaces to meet the requirements of this paragraph.

§ 146.520 What are the additional equipment requirements for a standby vessel?

(a) In addition to the equipment requirements under § 146.515, you must have at least the following equipment:

(1) Multiple propellers or propulsion devices.

(2) Two searchlights.

(3) For vessels certificated under 46 CFR chapter I, subchapter H, one line throwing appliance that meets the requirements in 46 CFR 75.45.

(4) For vessels certified under 46 CFR chapter I, subchapters I, K, L, or T, one line throwing appliance that meets the requirements of 46 CFR 94.45.

(5) A Stokes or comparable litter.

(6) One blanket for each person on the most populated facility, MODU, or MIDU that the vessel is designated to assist.

(7) A means for safely retrieving persons, including injured or helpless persons, from the water. The means of retrieval must be demonstrated to the satisfaction of the OCMI.

(8) A scramble net that can be rigged on either side of the vessel.

(9) A minimum of four Coast Guard approved ring life buoys, each equipped with 30 meters (100 feet) of line.

(10) An immersion suit approved by the Coast Guard under approval series 160.171, or an anti-exposure suit approved under approval series 160.153, for each member of the standby vessel's crew when the vessel operates North of 32 degrees North latitude.

(11) Two boat hooks.

(12) A fire monitor with a minimum flow rate of at least 1,893 liters (500 gallons) per minute.

(13) One two-way radio capable of voice communication with the facility, MODU, or MIDU and with helicopters or other rescue aircraft, rescue boats, and the shore-side support personnel.

(14) Floodlights to illuminate the personnel and boat retrieval area, the scramble net when deployed, and the water around the personnel retrieval and scramble net deployment areas.

(15) A copy of ''The Ship's Medicine Chest and Medical Aid at Sea'', DHHS Publication No. (PHS) 84–2024, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or a copy of the ''American Red Cross First Aid Manual,'' available from Little Brown and Company, 3 Center Plaza, Boston, MA 02108.

(16) An industrial first aid kit sized for 50 percent of the number of persons on the most populated facility, MODU, or MIDU that the vessel is designated to assist.

(17) Coast Guard approved life preservers for 50 percent of the number of persons on the most populated facility, MODU, or MIDU that the vessel is designated to assist.

(b) The OCMI must approve the equipment required by paragraph (a) of this section.

§ 146.525 What are the manning requirements for a standby vessel?

Standby vessels must be crewed in accordance with their Certificate of Inspection for 24-hour operation. The OCMI may require the crew to be augmented, as necessary, to provide for maneuvering the vessel, for lookouts, for rigging and operating retrieval equipment, and for caring for survivors.

PART 147—OUTER CONTINENTAL SHELF ACTIVITIES: SAFETY ZONES

Subpart A—General

Sec.
147.1 What does this part apply to?
147.5 What is the purpose of this part?
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Subpart B—Specific Safety Zones

147.100 What is the purpose of this subpart?
147.105 What do I need to know about the geographic coordinates used in this subpart?
147.110 Where are the safety zones in the Eleventh Coast Guard District and what are their regulations?

Authority: 14 U.S.C. 85; 43 U.S.C. 1333: 49 CFR 1.46.

Subpart A—General

§ 147.1 What does this part apply to?

This part applies to the owner, operator, or master of a fixed facility, floating facility, mobile offshore drilling unit (MODU), and mobile inland drilling unit (MIDU) engaged in OCS activities.

§ 147.5 What is the purpose of this part?

A safety zone under this part is a zone around a facility, MODU, or MIDU being constructed, maintained, or operated on the Outer Continental Shelf. The purpose of a safety zone is to promote the safety of life and property on the facility, MODU, or MIDU, on their appurtenances and attending vessels, and on the adjacent waters within the zone.

§ 147.10 How is safety promoted in a safety zone?

The safety of life and property within a safety zone is promoted by regulations under this part that prevent or control specific activities and access by vessels or persons or that protect the living

resources of the sea from harmful agents.

§ 147.15 Where can I find the definition of a term used in this part?

See § 140.25 of this chapter for the definition of a term used in this part.

§ 147.20 Who may establish safety zones and enforce this part?

The District Commander may establish safety zones and enforce this part.

§ 147.25 How are safety zones established?

(a) Before establishing a safety zone, the District Commander considers all factors detrimental to safety, including the congestion of vessels, the presence of unusually harmful or hazardous substances, and the presence of obstructions within 500 meters (1,640 feet) of the facility, MODU, or MIDU.

(b) If the District Commander decides to establish a zone, the District Commander publishes a notice of proposed rulemaking in the **Federal Register** and provides an opportunity for public comment. After consideration of the comments, the District Commander may publish a final rule establishing the zone and its regulations.

(c) When there is an imminent threat to the safety of life and property within the zone, the District Commander may establish the safety zone and its regulations in an interim rule without first publishing a notice of proposed rulemaking. The interim rule makes the safety zone and its regulations effective on publication in the **Federal Register** and requests public comments. After consideration of the comments received, the District Commander publishes a final rule, which may adopt the interim rule with or without changes or remove it.

(d) If required by circumstances, safety zones may be placed into effect immediately. A **Federal Register** document must be published promptly.

§ 147.30 How will the public be notified of new or proposed safety zones?

In addition to documents published in the **Federal Register** under § 147.25, 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, and broadcast stations, or other means.

§ 147.35 When may a zone be established and how long may it last?

A safety zone and its regulations may go into effect as early as when construction equipment and materials arrive at the zone and may remain in effect until the facility, MODU, or MIDU for which the zone was established is removed.

§ 147.40 How far may safety zones extend?

A safety zone may extend to a maximum distance of 500 meters (1,640 feet) around the facility, MODU, or MIDU measured from each point on its outer edge or from its construction site. However, the zone may not interfere with the use of recognized sea lanes.

Subpart B—Specific Safety Zones

§ 147.100 What is the purpose of this subpart?

This subpart contains specific safety zones and their regulations.

§ 147.105 What do I need to know about the geographic coordinates used in this subpart?

The geographic coordinates used in this subpart are not intended for plotting on charts or maps using coordinates based on the North American Datum of 1983 (NAD 83). If you use the geographic coordinates in this subpart to plot on a chart or map referencing NAD 83, you must make corrections as shown on the chart or map.

§ 147.110 Where are the safety zones in the Eleventh Coast Guard District and what are their regulations?

The safety zones in the Eleventh Coast Guard District and their regulations are as follows:

(a) *Location.* Each safety zone is the area within a line 500 meters (1,640 feet) from each point on the outer edge of each facility listed in the following table.

TABLE 147.110(a)—SAFETY ZONES

Name of safety zone	Location of facility
EDITH	33°–35′–45″N, 118°–08′–27″W.
ELLEN [1]	33°–34′–57″N, 118°–07′–42″W.
ELLY [1]	33°–35′–00″N, 118°–07′–40″W.
EUREKA	33°–33′–50″N, 118°–07′–00″W.
EXXON SANTA YNEZ [2]	34°–24′–19″N, 120°–06′–00″W.
GAIL	34°–07′–30″N, 119°–24′–01″W.
GILDA	34°–10′–56″N, 119°–25′–07″W.
GINA	34°–07′–02″N, 119°–16′–35″W.
GRACE	34°–10′–47″N, 119°–28′–05″W.
HARMONY	34°–22′–36″N, 120°–10′–03″W.
HARVEST	34°–28′–09.5″N, 120°–40′–46.1″W.
HERITAGE	34°–21′–01″N, 120°–16′–45″W.
HERMOSA	34°–27′–19″N, 120°–38′–47″W.
HIDALGO	34°–29′–42″N, 120°–42′–08″W.
HONDO	34°–23′–27″N, 120°–07′–14″W.
IRENE	34°–36′–37.5″N, 120°–43′–46″W.

[1] Facilities ELLEN and ELLY are approximately 120 meters (394 feet) apart.
[2] Facility EXXON SANTA YNEZ is a mooring for offshore storage and treatment vessels.

(b) *Regulations.* No vessel may enter or remain in a safety zone under paragraph (a) of this section, except the following:

(1) An attending vessel.

(2) A vessel under 30 meters (100 feet) in overall length not engaged in towing. Overall length means the horizontal distance between the foremost part of the vessel's stem to the aftermost part of its stern, excluding fittings and attachments.

(3) A vessel authorized by the Commander, Eleventh Coast Guard District, to enter or remain in the safety zone.

Dated: November 22, 1999.

Jeffrey P. High,

Acting Assistant Commandant for Marine Safety and Environmental Protection.

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