

§ 106.265

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(3) The new hire presents an identification credential that meets the requirements of §101.515 of this subchapter;

(4) There are no other circumstances that would cause reasonable suspicion regarding the new hire's ability to obtain a TWIC, and the OCS facility owner or operator or FSO have not been informed by the cognizant COTP that the individual poses a security threat; and

(5) There would be an adverse impact to OCS facility operations if the new hire is not allowed access.

(c) This section does not apply to any individual being hired as a Company Security Officer or FSO, or any individual being hired to perform OCS facility security duties.

(d) The new hire may not begin working at the OCS facility under the provisions of this section until the owner, operator, or FSO receives notification, via Homeport or some other means, the new hire has passed an initial name check.

[USCG–2006–24196, 72 FR 3587, Jan. 25, 2007]

§ 106.265 Security measures for restricted areas.

(a) *General.* The OCS facility owner or operator must ensure the designation of restricted areas in order to:

- (1) Prevent or deter unauthorized access;
- (2) Protect persons authorized to be in the OCS facility;
- (3) Protect the OCS facility;
- (4) Protect vessels using and serving the OCS facility;
- (5) Protect sensitive security areas within the OCS facility;
- (6) Protect security and surveillance equipment and systems; and
- (7) Protect stores and industrial supplies from tampering.

(b) *Designation of restricted areas.* The OCS facility owner or operator must ensure restricted areas are designated within the OCS facility. They must also ensure that all restricted areas are clearly marked and indicate that access to the area is restricted and that unauthorized presence within the area constitutes a breach of security. The OCS facility owner or operator may designate the entire OCS facility as a

restricted area. Restricted areas must include, as appropriate:

- (1) Areas containing sensitive security information;
- (2) Areas containing security and surveillance equipment and systems and their controls, and lighting system controls; and
- (3) Areas containing critical OCS facility infrastructure equipment, including:
 - (i) Water supplies;
 - (ii) Telecommunications;
 - (iii) Power distribution system;
 - (iv) Access points for ventilation and air-conditioning systems;
 - (v) Manufacturing areas and control rooms;
 - (vi) Areas designated for loading, unloading or storage of stores and industrial supplies; and
 - (vii) Areas containing hazardous materials.

(c) The OCS facility owner or operator must ensure that the Facility Security Plan (FSP) includes measures for restricted areas to:

- (1) Identify which OCS facility personnel are authorized to have access;
- (2) Determine which persons other than OCS facility personnel are authorized to have access;
- (3) Determine the conditions under which that access may take place;
- (4) Define the extent of any restricted area; and
- (5) Define the times when access restrictions apply.

(d) *MARSEC Level 1.* At MARSEC Level 1, the OCS facility owner or operator must ensure the implementation of security measures to prevent unauthorized access or activities within the area. These security measures may include:

- (1) Restricting access to only authorized personnel;
- (2) Securing all access points not actively used and providing physical barriers to impede movement through the remaining access points;
- (3) Verifying the identification and authorization of all persons seeking entry;
- (4) Using security personnel, automatic intrusion detection devices, surveillance equipment, or surveillance systems to detect unauthorized entry

to or movement within restricted areas; or

(5) Designating temporary restricted areas to accommodate OCS facility operations. If temporary restricted areas are designated, the FSP must include security requirements to conduct a security sweep of the designated temporary restricted areas both before and after the area has been established.

(e) *MARSEC Level 2*. In addition to the security measures required for MARSEC Level 1 in this section, at MARSEC Level 2, the OCS facility owner or operator must also ensure the implementation of additional security measures, as specified for MARSEC Level 2 in their approved FSP. These additional security measures may include:

(1) Enhancing the effectiveness of the barriers surrounding restricted areas, for example, by the use of patrols or automatic intrusion detection devices;

(2) Reducing the number of access points to restricted areas, and enhancing the controls applied at the remaining accesses;

(3) Further restricting access to the restricted areas and movements and storage within them;

(4) Using continuously monitored and recorded surveillance equipment;

(5) Increasing the number and frequency of patrols, including the use of waterborne patrols; or

(6) Restricting access to areas adjacent to the restricted areas.

(f) *MARSEC Level 3*. In addition to the security measures required for MARSEC Level 1 and MARSEC Level 2, at MARSEC Level 3, the OCS facility owner or operator must ensure the implementation of additional security measures, as specified for MARSEC Level 3 in their approved FSP. These additional security measures may include:

(1) Restricting access to additional areas;

(2) Prohibiting access to restricted areas; or

(3) Searching restricted areas as part of a security sweep of all or part of the OCS facility.

[USCG-2003-14759, 68 FR 39345, July 1, 2003, as amended at 68 FR 60558, Oct. 22, 2003]

§ 106.270 Security measures for delivery of stores and industrial supplies.

(a) *General*. The OCS facility owner or operator must ensure that security measures relating to the delivery of stores or industrial supplies to the OCS facility are implemented to:

(1) Check stores or industrial supplies for package integrity;

(2) Prevent stores or industrial supplies from being accepted without inspection;

(3) Deter tampering; and

(4) Prevent stores and industrial supplies from being accepted unless ordered. For any vessels that routinely use an OCS facility, an OCS facility owner or operator may establish and implement standing arrangements between the OCS facility, its suppliers, and any vessel delivering stores or industrial supplies regarding notification and the timing of deliveries and their documentation.

(b) *MARSEC Level 1*. At MARSEC Level 1, the OCS facility owner or operator must ensure the implementation of measures to:

(1) Inspect stores or industrial supplies before being accepted; and

(2) Check that stores or industrial supplies match the order prior to being brought on board.

(c) *MARSEC Level 2*. In addition to the security measures required for MARSEC Level 1 in this section, at MARSEC Level 2, the OCS facility owner or operator must also ensure the implementation of additional security measures, as specified for MARSEC Level 2 in the approved Facility Security Plan (FSP). These additional security measures may include:

(1) Intensifying inspection of the stores or industrial supplies during delivery; or

(2) Checking stores or industrial supplies prior to receiving them on board.

(d) *MARSEC Level 3*. In addition to the security measures for MARSEC Level 1 and MARSEC Level 2, at MARSEC Level 3, the OCS facility owner or operator must ensure the implementation of additional security measures, as specified for MARSEC Level 3 in the approved FSP. These additional security measures may include: