

§ 150.30

33 CFR Ch. I (7–1–11 Edition)

§ 150.30 Proposing an amendment to the operations manual.

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

(1) By submitting, in writing, the amendment and reasons for the amendments to the Captain of the Port (COTP) not less than 30 days before the requested effective date of the amendment; or

(2) If the amendment is needed immediately, by submitting the amendment, and reasons why the amendment is needed immediately, to the COTP in writing.

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

§ 150.35 How may an adjacent coastal State request an amendment to the operations manual?

(a) An adjacent coastal State connected by pipeline to the deepwater port may petition the cognizant Captain of the Port (COTP) to amend the operations manual. The petition must include sufficient information to allow the COTP to reach a decision concerning the proposed amendment.

(b) After the COTP receives a petition, the COTP requests comments from the licensee.

(c) After reviewing the petition and comments, and considering the costs and benefits involved, the COTP may approve the petition if the proposed amendment will provide equivalent or improved protection and safety. The adjacent coastal State may petition the Commandant (CG-5) to review the decision of the COTP. Petitions must be made in writing and presented to the COTP for forwarding to the Commandant (CG-5) via the District Commander.

§ 150.40 Deviating from the operations manual.

If, because of a particular situation, the licensee needs to deviate from the operations manual, the licensee must

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

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

In an emergency, any person may deviate from any requirement in this subchapter, or any procedure in the operations manual, to ensure the safety of life, property, or the environment. Each deviation must be reported to the Captain of the Port at the earliest possible time.

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

(a) Each deepwater port which meets the applicability requirements of part 154 subpart F of this chapter must have a facility response plan that is approved by the Captain of the Port (COTP).

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

(c) The response plan must be submitted to the COTP, in writing, not less than 60 days before the deepwater port begins operation.

Subpart B—Inspections

§ 150.100 What are the requirements for inspecting deepwater ports?

Under the direction of the Officer in Charge of Marine Inspection (OCMI), marine inspectors may inspect deepwater ports to determine whether the requirements of this subchapter are met. A marine inspector may conduct an inspection, with or without advance notice, at any time the OCMI deems necessary.

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

(a) The owner or operator of each manned deepwater port must ensure that the port is regularly inspected to determine whether the facility is in

compliance with the requirements of this subchapter. The inspection must be at intervals of no more than 12 months. The inspection may be conducted up to 2 months after its due date, but will be valid for only the 12 months following that due date.

(b) The owner or operator must record and submit the results of the annual self-inspection to the Captain of the Port (COTP) within 30 days of completing the inspection. The report must include a description of any failure, and the scope of repairs made to components or equipment, in accordance with the requirements in subpart I of this part, other than primary life-saving, firefighting, or transfer equipment, which are inspected and repaired in accordance with subpart F.

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

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

The licensee must notify the Captain of the Port, in writing, upon receipt of a classification society certification, interim class certificate, or single point mooring classification certificate.

Subpart C—Personnel

§ 150.200 Who must ensure that port personnel are qualified?

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

§ 150.205 What are the language requirements for port personnel?

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

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

No person may serve in more than one of the essential management posi-

tions outlined in the operations manual at any one time.

§ 150.225 What training and instruction are required?

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

Subpart D—Vessel Navigation

§ 150.300 What does this subpart do?

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

(a) Apply to the navigation of all vessels at or near a deepwater port; and

(b) Apply to all vessels while in a safety zone, area to be avoided, or no anchoring area.

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

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

§ 150.310 When is radar surveillance required?

A manned deepwater port's person in charge of vessel operations must maintain radar surveillance of the safety zone or area to be avoided when:

(a) A tanker is proceeding to the safety zone after submitting the report required in § 150.325;

(b) A tanker or support vessel is underway in the safety zone or area to be avoided;

(c) A vessel other than a tanker or support vessel is about to enter or is underway in the safety zone or area to be avoided; or

(d) As described in the port security plan.