

§ 148.415

33 CFR Ch. I (7–1–14 Edition)

§ 148.415 When conducting site evaluation and pre-construction testing, what must be reported?

(a) When conducting site evaluation or pre-construction testing, the following must be immediately reported by any means to the Commandant (CG–5P):

- (1) Any evidence of objects of cultural, historical, or archeological significance;
- (2) Any adverse effect on the environment;
- (3) Any interference with authorized uses of the Outer Continental Shelf;
- (4) Any threat to human health and welfare; and
- (5) Any adverse effect on an object of cultural, historical, or archeological significance.

(b) Within 120 days after the site evaluation or pre-construction testing, a final written report must be submitted to the Commandant (CG–5P) that contains:

- (1) A narrative description of the activities performed;
- (2) A chart, map, or plat of the area where the activities occurred;
- (3) The dates when the activities were performed;
- (4) Information on the adverse effects of items reported under paragraph (a) of this section;
- (5) Data on the historical or archeological significance of the area where the activities were conducted, including a report by an underwater archeologist; and
- (6) Any additional information required by the Commandant (CG–5P) on a case-by-case basis.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39177, July 1, 2013]

§ 148.420 When may the Commandant (CG–5P) suspend or prohibit site evaluation or pre-construction testing?

(a) The Commandant (CG–5P) may order, either in writing or orally, with written confirmation, the prohibition or immediate suspension of any activity related to site evaluation or pre-construction testing when the activity threatens to harm:

- (1) Human life;
- (2) Biota;

- (3) Property;
- (4) Cultural resources;
- (5) Any valuable mineral deposits; or
- (6) The environment.

(b) The Commandant (CG–5P) will consult with the applicant on measures to remove the cause for suspension.

(c) The Commandant (CG–5P) may lift a suspension after the applicant assures the Commandant (CG–5P) that the activity will no longer cause the threat on which the suspension was based.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39177, July 1, 2013]

Subpart F—Exemption From or Adjustments to Requirements in This Subchapter

§ 148.500 What does this subpart do?

This subpart provides procedures for requesting an exemption from a requirement in this subchapter. The Commandant (CG–5) and MARAD coordinate in evaluating requests for exemption from the requirements in this subchapter.

§ 148.505 How do I apply for an exemption?

(a) Any person required to comply with a requirement in this subchapter may submit a petition for exemption from that requirement.

(b) The petition must be submitted in writing to the Commandant (CG–5P) and the MARAD Administrator.

(c) The Commandant (CG–5P) may require the petition to provide an alternative to the requirement.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39177, July 1, 2013]

§ 148.510 What happens when a petition for exemption involves the interests of an Adjacent Coastal State?

If the petition for exemption concerns an Adjacent Coastal State, the Commandant (CG–5P) forwards the petition to the Governor of the State for the Governor’s recommendation.

[USCG–1998–3884, 71 FR 57651, Sept. 29, 2006, as amended by USCG–2013–0397, 78 FR 39177, July 1, 2013]