

§ 150.30

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notifies the licensee of the determination.

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

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

(f) If the Sector Commander, or MSU Commander, with COTP and OCMI authority finds that a particular situation requires immediate action to prevent a spill or discharge, or to protect the safety of life and property, the he or she may issue an amendment effective on the date that the licensee receives it. The Sector Commander, or MSU Commander, with COTP and OCMI authority must include a brief statement of the reasons for the immediate amendment. The licensee may petition the District Commander for review, but the petition does not delay the effective date of the amendment.

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

§ 150.30 Proposing an amendment to the operations manual.

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

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

(2) If the amendment is needed immediately, by submitting the amendment, and reasons why the amendment is needed immediately, to the Sector

Commander, or MSU Commander, with COTP and OCMI authority in writing.

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

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

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

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

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

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

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