

TITLE 14. NATURAL RESOURCES
DIVISION 1. FISH AND GAME COMMISSION - DEPARTMENT OF FISH AND GAME
SUBDIVISION 4. OFFICE OF SPILL PREVENTION AND RESPONSE
CHAPTER 4. VESSEL REQUIREMENTS
SUBCHAPTER 3. TANK VESSEL ESCORT REGULATIONS FOR PORT HUENEME HARBOR

§ 851.50. Purpose and Scope.

The regulations in this subchapter set forth tank vessel escort requirements for Port Hueneme. These requirements specify the number of tugs required for escort service. The escort tugs will be available to influence the speed and direction of travel of a tank vessel in the event of a steering or propulsion failure, thereby reducing the possibility of a grounding or collision and the risk of an oil spill from these tank vessels.

The Administrator shall periodically review the elements of the tank vessel escort program. The program review will include a survey of the tanker-related incidents in U.S. waters to determine the types of failures that have occurred, an assessment of tug technology and any advances made in design and power, and the related tug-escort rules and policies that are implemented by other coastal states and maritime organizations. At the conclusion of the review, the Administrator will determine whether it is necessary to modify any provision of the program requirements.

Note: Authority cited: Section 8670.17.2 and 8670.23.1, Government Code. Reference: Section 8670.17.2, Government Code.

§ 851.51. Definitions.

In addition to the definitions found in Government Code Section 8670.3 and Chapter 1, Section 790 of this Subdivision, the following definitions shall apply to this subchapter. Where similar terms are defined, the following will supersede the definition in Government Code Section 8670.3 and Chapter 1:

- (a) "Escort" means maintaining a position in the vicinity of the tank vessel, based on existing conditions, which will enable a tug to provide timely and effective response to prevent a vessel casualty.
- (b) "Master" means the licensed master of the tanker.
- (c) "Operator" means the operator of an uninspected towing vessel licensed under federal statutes and/or regulations to engage in the towing of a barge.

Note: Authority cited: Section 8670.17.2 and 8670.23.1, Government Code. Reference: Section 8670.3 and 8670.17.2, Government Code.

§ 851.51.1. Requirements for Escort Tugs.

- (a) A tug may be used for escort services if authorized by the Oxnard Harbor District and/or the U.S. Navy for use in Port Hueneme.
- (b) Tugs used for escort services must be equipped with at least 500 horsepower.

(c) The braking force shall be re-measured after any modifications and/or repairs to the main engines, hull, shaft-drive line, or steering, that could affect the bollard pull. The new measurements must be registered with the Oxnard Harbor District.

(d) Escort tugs that submit to the Escort Tug Inspection Program, as described in Sections 851.8(a)(4)(B) and 851.23(a)(7)(B), can perform escort duties in any port in the state, if the tugs meet the requirements of the appropriate subchapter (i.e., Subchapter 1, San Francisco Bay Region; Subchapter 2, Los Angeles/Long Beach Harbor; Subchapter 3, Port Hueneme Harbor; Subchapter 4, Humboldt Bay; Subchapter 5, San Diego Harbor), of this Chapter 4 of the California Code of Regulations.

Note: Authority cited: Section 8670.17.2 and 8670.23.1, Government Code. Reference: Section 8670.17.2, Government Code.

§ 851.52. Tug Escort for Tankers.

(a) All tankers operating in Port Hueneme, whether entering, departing, shifting or berthing, shall use two escort tugs between the Pilot Boarding Area and the designated berth. For purposes of this Article, oil spill response vessels and offshore supply vessels as defined in 46 USC 2101, are not required to engage escort tugs in accordance with this subchapter.

Note: Authority cited: Section 8670.17.2 and 8670.23.1, Government Code. Reference: Section 8670.17.2, Government Code.

§ 851.53. Tug Escort for Barges.

(a) All tank barges operating in Port Hueneme, whether entering, departing, or shifting, except as specified in subparagraph (a)(4), shall use a tug or tugs for escort, in addition to the towing vessel, based on the following criteria:

(1) Tank barges of 150 feet or less: No escort tug is required unless deemed necessary by the Master or Operator as appropriate for that size vessel.

(2) Tank barges greater than 150 feet, but less than or equal to 250 feet: One escort tug is required; the horsepower of the tug shall be appropriate for that size vessel as deemed necessary by the Master or Operator as appropriate for that size vessel.

(3) Tank barges greater than 250 feet: At least one escort tug is required; the horsepower of the tug shall be 1500 horsepower or greater. Additional tugs shall be used as deemed necessary by the Master or Operator as appropriate for that size vessel.

(4) Empty tank barges operating in Port Hueneme shall have a tug escort on a case-by-case basis as deemed necessary by the Master or Operator as appropriate for that size vessel.

(b) In accordance with Section 851.53(a), tank barges entering or departing Port Hueneme shall be escorted by a tug or tugs between the Pilot Boarding Area and the designated berth. For purposes of this Article, oil spill response vessels and offshore supply vessels as defined in 46 USC 2101, are not required to engage escort tugs in accordance with this subchapter.

Note: Authority cited: Section 8670.17.2 and 8670.23.1, Government Code. Reference: Section 8670.17.2, Government Code.

§ 851.54. Remedies.

(a) Nothing herein shall limit or prevent any action by any party in a court of competent jurisdiction.

(b) Any person who knowingly, intentionally or negligently violates any provision of this Subchapter shall be subject to criminal, civil, and/or administrative civil actions as prescribed in Article 9, beginning with Government Code Section 8670.57.

Note: Authority cited: Section 8670.17.2 and 8670.23.1, Government Code. Reference: Section 8670.17.2 and 8670.57, Government Code.