

Access to Information

The Kilauea Lava Flow Ocean Entry Safety Zone regulation for Hawaii Island can be found at Title 33 of the Code of Federal Regulations, part 165 (33 CFR 165.1414), copies of which are available through your local library or at www.ecfr.gov.

To view a copy of the rule, as well as the rulemaking record and regulatory analysis, visit the Kilauea Lava Flow Ocean Entry Safety Zone docket online at www.regulations.gov, and search using docket number USCG-2017-0234.

For additional Lava Safety Zone compliance information please visit Coast Guard [Homeport](https://homeport.uscg.mil/) at <https://homeport.uscg.mil/>.



**If you have any questions
about this rule, contact:**

**Sector Honolulu
Prevention Department
Waterways Division**

SectorWaterways@uscg.mil

808-541-4359



Small Entity Compliance Guide



***Kilauea
Lava Flow
Ocean Entry
Safety Zone***

33 CFR 165.1414



Homeland
Security



Basics

In March 2017, the Coast Guard proposed the establishment of a 300-meter permanent safety zone surrounding the entry point of lava from the Kilauea volcano into the Pacific Ocean. In May of 2018, 33 CFR 165.1414 was promulgated. This regulation prohibits all persons and vessels from accessing the 300-meter Kilauea lava flow ocean entry safety zone, when the safety zone is enforced, unless specifically authorized by the Coast Guard Captain of the Port Honolulu.

Prior to March 2017, access to the waters surrounding lava ocean entry was not regulated. After careful review and concern for mariner safety associated with the hazards associated with molten lava entering the ocean, the Coast Guard established specific regulations to restrict access within 300 meters of the affected coastline where lava is entering the ocean.

The Coast Guard developed and issued the Lava Safety Zone under the authority of the Port and Waterways Safety Act of 1972, as outlined in 33 United States Code 1221-1236, which allows the Coast Guard to impose and enforce restrictions on vessels operating near the lava flow that enters the ocean as the Coast Guard determines necessary to promote safe navigation and to preserve the safety of life and property. Additional information governing safety zones is contained in 33 CFR 165.23.

This Compliance Guide, issued under the Small Business Regulatory Enforcement Act of 1996, provides a plain-language overview of the rule and regulations. Please refer to the "Access to Information" section for more details.

What does the Kilauea Lava Flow Ocean Entry on Southeast Side of Island of Hawaii, HI Safety Zone require?

The Safety Zone requires all persons or vessels, commercial or private, to comply with the regulations governing safety zones found in 33 CFR Part 165 and to request prior access approval to travel within 300 meters of a lava flow associated with the Kilauea eruption on the southeast side of the Hawaii island.

Under the safety zone regulations, persons or vessels require Captain of the Port approval to access the waterway within 300 meters of the lava flow ocean entry. Outside of 300 meters, no approval is needed.

When will the Safety Zone be enforced?

The Lava Safety Zone will be enforced when lava is entering the ocean associated with the Kilauea eruption. When enforced, entry into or remaining in the safety zone is prohibited unless specifically authorized by the Captain of the Port Honolulu or his designated representative. Public notice via VHF broadcasts and written Local Notice to Mariners will be provided to the Public.

Are these requirements only for commercial entities?

No, all persons and vessels are required to gain Coast Guard Captain of the Port Honolulu approval to come within 300 meters of a ocean entry lava flow, each and every time the safety zone is enforced.

Please see "How do I request access" for details on multiple entries into the safety zone.

How do I request access?

Persons or vessels desiring safety zone access must submit a written request to the Captain of the Port Honolulu prior to safety zone access, when the Coast Guard notifies the public of safety zone enforcement.

Each request must explain how the vessel will operate safely in proximity to lava. A request should note the vessel's condition, the operator's familiarity with the surrounding waters, and specific safety practices for operating near the lava ocean-entry points.

Persons authorized initial entry may, thereafter, contact the Captain of the Port through his designated representative at the Coast Guard Sector Honolulu Command Center via telephone at 808-842-2600 or on VHF channel 16 to request permission to transit the safety zone. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port Honolulu or his designated representative.

