



16611
CG-5P Policy Letter
No. 01-24
December, 30 2024

A handwritten signature in blue ink, appearing to read "W. R. Arguin".

From: W. R. Arguin, RDML
COMDT (CG-5P)

To: Distribution

Subj: GUIDELINES FOR FACILITY DESIGN REVIEW AND COMPLIANCE
OVERSIGHT OF WATERFRONT FACILITIES HANDLING ALTERNATIVE
MARINE FUELS

Ref: (a) Title 33, Code of Federal Regulations (CFR), Part 160
(b) Title 33, Code of Federal Regulations (CFR), Part 127
(c) Title 33, Code of Federal Regulations (CFR), Part 154
(d) Title 49, Code of Federal Regulations (CFR), Part 172
(e) Title 33, Code of Federal Regulations (CFR), Part 6
(f) Coast Guard Regulated Facility Compliance Program, COMDTINST 16600.10

1. PURPOSE. This policy letter provides Captains of the Port (COTP) guidance on regulatory oversight in the planning, construction, and operational phases for waterfront facilities intending to handle bulk alternative marine fuels not covered by existing Coast Guard facility regulations. It should be used to establish a framework for facility design review and compliance inspections of fixed and mobile facilities intending to transfer alternative marine fuels for use aboard vessels. This policy does not apply to transfers involving these fuel types as cargo.
2. ACTION. COTPs shall use this policy as a guide to evaluate industry proposals for alternative marine fuel facilities using the authorities granted in reference (a). COTPs should also ensure prospective owners and operators of alternative fuel facilities are familiar with the contents of this Policy Letter.
3. DIRECTIVES AFFECTED. None.
4. AUTHORIZED RELEASE. Internet release is authorized.
5. BACKGROUND.
 - a. The International Maritime Organization's (IMO) 2023 Strategy on Reduction of Green House Gas (GHG) Emissions from Ships includes a common ambition to reach net-zero GHG emissions from international shipping close to 2050. To meet that goal, the maritime industry is rapidly developing alternative marine fuel technologies that will

reduce or eliminate carbon, sulfur, and nitrogen oxide emissions. To support use of these fuels and cargos in international shipping, industry is building new facilities or converting existing waterfront facility infrastructure.

- b. While there is no specific definition of alternative marine fuel, the IMO Green Voyage 2050 initiative identified several viable alternative fuels based on current trends and technology. These include bio/synthetic, methanol, ethanol, dimethyl ether, ammonia, and hydrogen.
- c. Many alternative marine fuels being developed by the maritime industry are accounted for through existing regulations in references (b) or (c). For those fuels, COTPs should apply existing regulations and standards and review the proposed operations for any unique hazards that would warrant the use of their authority in reference (a).
- d. Alternative marine fuels not listed in references (b) or (c) will require COTP review of the facility and/or Marine Transfer Area (MTA) design, standards, equipment, operations, transfer procedures, and personnel training in line with existing facility regulations to account for their unique hazards.

6. AUTHORITY AND JURISDICTION.

a. Safety

- (1) Pursuant to The Ports and Waterways Safety Act (46 USC chapter 700), Captains of the Port are granted authority to ensure the safety of waterfront facilities, the protection of the navigable waters and the resources therein.
- (2) 33 CFR 160.109 provides the foundational regulatory authority for the guidelines described in this Policy Letter. It establishes that COTPs may direct the handling, loading, unloading, storage, and movement (including the emergency removal, control, and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material as those terms are defined in 46 USC 2101, to prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters, and to protect the navigable waters and the resources therein from harm resulting from vessel or structural damage, destruction, or loss.
- (3) 46 USC 2101 defines Hazardous Material as a liquid material or substance that is:
 - a) Flammable or combustible;
 - b) Designated as a hazardous substance under Section 311(b) of the Federal Water Pollution Control Act (33 USC 1321); or
 - c) Designated a hazardous material under Section 49 USC 5103(a).

- (4) Safety requirements for alternative fuel facilities and the Facility Design Review (FDR) process generally apply to the MTA as defined in 33 CFR 127 or 154. MTAs are defined differently in these parts based on the product types and unique safety or pollution hazards they present. COTPs should assess each alternative fuel project for its unique hazards, with the overall intent of maintaining an equivalent level of safety to that of existing regulations. COTPs should also ensure MTA is clearly defined and understood by all industry and government stakeholders.
- (5) The Coast Guard partners with other federal regulatory agencies such as the Federal Energy Regulatory Commission (FERC), Pipeline and Hazardous Material Safety Administration (PHMSA), Department of Energy (DOE), Environmental Protection Agency (EPA) and Occupational Safety and Health Administration (OSHA) to manage safety oversight for certain traditional hazardous fuels and cargoes at waterfront facilities. Other government agencies are also being challenged with the rapid advancement of alternative marine fuels, and similar to the Coast Guard, many do not have regulations clearly establishing safety standards. Regardless of regulations, these agencies may be able to provide technical expertise or specialized capabilities to help inform COTP decisions. COTPs should engage with all potential partner agencies in federal, state, and local governments throughout the facility design, construction, and operations phases.

b. Security

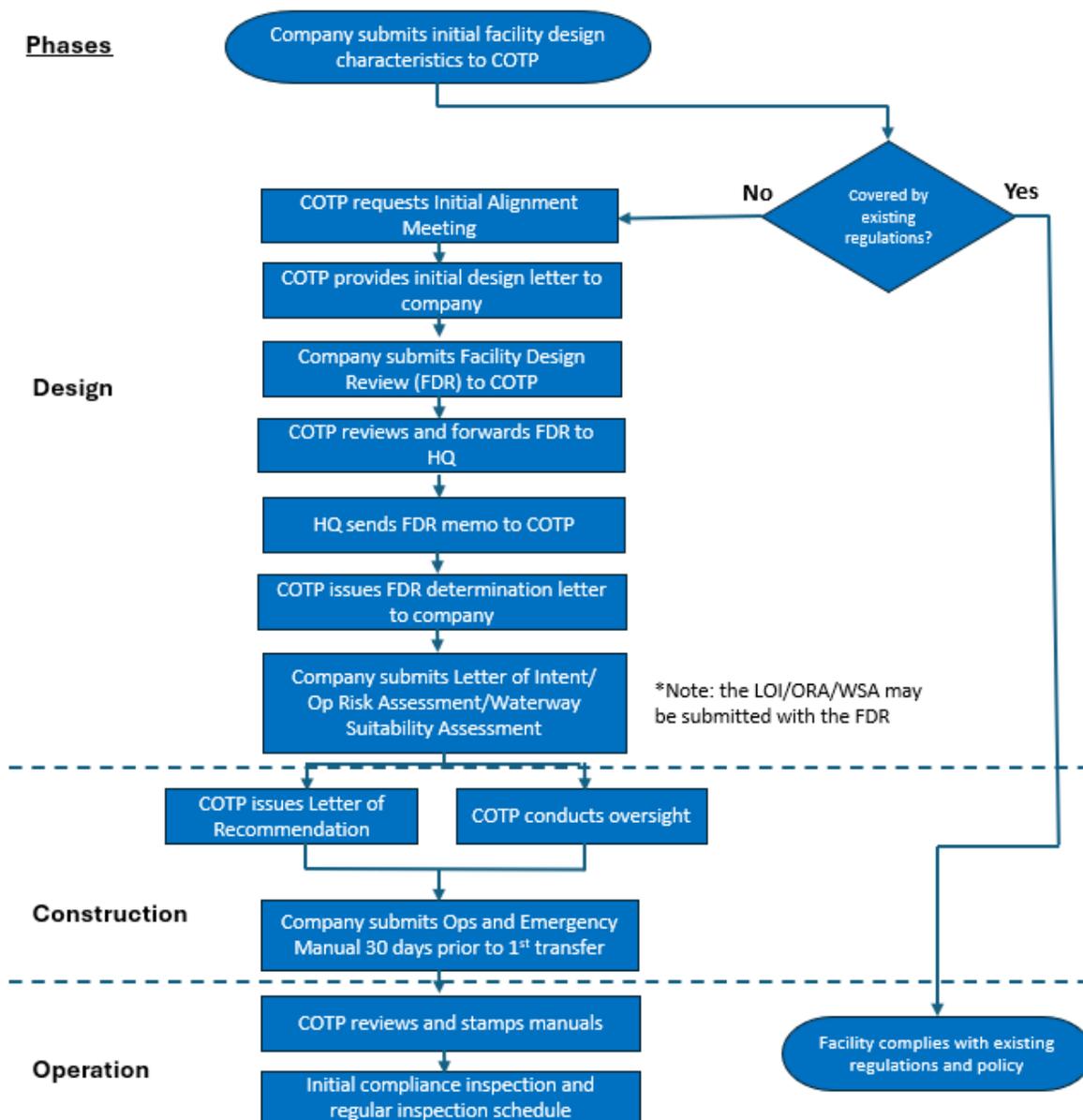
- (1) Pursuant to the Magnuson Act and 33 CFR 6, COTPs have the authority to prevent access of persons, articles, or things upon any waterfront facility where it appears that such action is necessary to secure such facility from damage or injury or to prevent damage or injury at any facility as defined in 33 CFR 6.01-4.
- (2) Additionally, some facilities may be subject to the requirements of 33 CFR 105 based on the type of vessel they receive or product they transfer. However, if the facility does not fall under any of the applicability categories of 33 CFR 105, there may still be a need for required security measures.
- (3) For facilities not subject to 33 CFR 105, COTPs may potentially use the authority in 33 CFR 160.109 to require security measures. Security requirements regarding alternative marine fuel transfers must be evaluated on a case-by-case basis and appropriately consider the Area Maritime Security Assessment, characteristics of the hazardous material, and whether the requirements are necessary to prevent damage or destruction to structures and protect the marine environment from harm. COTPs should review section 10.d of this policy for further guidance in these circumstances.

7. PROJECT SUBMISSION.

a. General

- (1) Coast Guard review of alternative marine fuel facility project proposals should begin with the cognizant COTP. COTPs will be part of the entire design review process.
- (2) If a mobile or other facility will be built in a COTP zone different than the intended operational location, COTPs from both zones should coordinate the FDR process.
- (3) The process for facility design approval can be broken down into three major phases: design, construction, and operation. Each phase is depicted in the below flow chart and discussed further in this policy letter.

Process for design, construction, and operation of alternative fuel facilities



b. Initial Alignment Meeting (IAM)

- (1) The IAM is designed to align all levels of the Coast Guard on the basic design and characteristics of a potential project. It should be held after a prospective facility owner or operator provides initial facility design characteristics to the COTP. At this meeting, the COTP, District, and relevant Headquarters offices will collectively review the proposed waterfront or mobile facility to determine whether existing regulations or this policy letter are applicable for Coast Guard oversight.
- (2) Based on the complexity of alternative marine fuel projects, many potential facility owners and operators will have initial discussions with Headquarters program offices and/or local COTPs to explain their general plans and operating concepts and to better determine the overall feasibility of development. If an industry representative approaches a Headquarters office with a project proposal, that Headquarters office shall ensure the appropriate COTP, District, and other Headquarters offices are notified.
- (3) Within 30 days of receiving such notification, COTPs should arrange an IAM and ensure the Area and District Prevention offices are included. The Coast Guard's Office of Design and Engineering Standards (CG-ENG), the Office of Environmental and Operating Standards (CG-OES), and the Office of Port and Facility Compliance (CG-FAC) should all participate in the IAM. Other Headquarters offices may participate depending on the project specifics.
- (4) At the IAM, all participants should verify that the proposed operation involves alternative marine fuels, discuss the overall process described in this Policy Letter, identify any project-specific information necessary for the LOI, and confirm the COTP will serve as the primary point of contact for the intended facility owner or operator.
- (5) Depending on the complexity of the project, the COTP and Headquarters program offices should also consider a joint call with the facility owner or operator before issuing an Initial Design Response Letter.

c. Initial Design Response Letter to Facility Owner or Operator

- (1) Within 30 days of the IAM, the COTP shall send a letter to the facility owner or operator noting their intention to operate a facility transferring alternative fuels and outlining the COTP's expectations for the Letter of Intent (LOI) submission, FDR requirements, and necessary Coast Guard involvement throughout the process.
- (2) This Initial Design Response Letter is critical to setting clear expectations for the owner or operator and for ensuring consistent application of this Policy Letter across COTP zones. The COTP should include a copy of this policy letter for facilities to reference during the process.

(3) A template for this letter is included as Enclosure (1).

d. Facility Design Review (FDR) Process

- (1) The Coast Guard does not provide formal engineering plan approval for production and storage at facilities regulated under references (b) or (c) and will not provide formal engineering plan approval for production or storage design at facilities intending to transfer alternative marine fuels. However, the Coast Guard may conduct an FDR covering aspects other than production and storage design as detailed in this policy.
- (2) The FDR process will assess a potential project and establish a regulatory and standards framework to assist COTPs in ensuring facility safety and port protection described in 33 CFR 160.109. The FDR process is intended to assess safety of the Marine Transfer Area (MTA) as outlined in references (b) or (c) but may be applied to additional areas of a proposed facility based on the overall design proposal.
- (3) Owners or operators should submit FDR packages to the COTP consistent with the contents of 33CFR127 subpart B, which should include:
 - a. Facility arrangement, including clear identification of the MTA;
 - b. Facility design plans;
 - c. Proposed facility location;
 - d. Information on the product to be transferred and safety concerns; and
 - e. The industry standards used to develop the project.
- (4) The owner or operator should also submit an Other Government Agency (OGA) matrix as part of the FDR that details the OGAs involved with the regulation of oversight of the different parts of the facility. This will aid in interagency coordination and reduce overlapping oversight.
- (5) In general, reference (b) provides a proven framework for items that should be covered as part of the FDR submission to clearly document proposed standards to ensure an equivalent level of safety to existing safety standards for regulated facilities. Enclosure (2) provides a checklist that facility owners or operators may reference for this purpose. This checklist may need to be adjusted based on the hazard characteristics of the product or the overall design of the facility. The owner or operator is responsible for submitting information on the industry standards they intend to apply. The alternative marine fuel hazard characteristics and current industry standards should be the basis of the contents of this submission.

- (6) Although not required to be included in the FDR, the company may submit the LOI and Operational Risk Assessment (ORA) or waterway suitability assessment (WSA) during the FDR process.
 - (7) Upon receipt of the FDR package, COTPs should conduct a preliminary review to ensure the appropriate information is included and identify any local concerns.
 - (8) Within 14 days of receiving a completed package, the FDR package should be forwarded through the appropriate District Prevention office to CG-FAC with a copy to the cognizant Area. Once received, CG-FAC will share with CG-OES and CG-ENG, and these offices will initiate an FDR. Other federal, state, or local agencies may still conduct plan review based on their regulatory authority.
 - (9) The FDR timeline will vary based on the complexity of the project, availability of industry standards, and interagency coordination. Within 60 days of receipt of the FDR package, Headquarters offices should provide a consolidated status update to the COTP and the facility owner or operator along with any specific questions on the submission. These status updates should occur every 30 days until the FDR is complete.
 - (10) Coast Guard Headquarters offices may engage with other government agencies that either have authority and jurisdiction or technical expertise that will support the review.
 - (11) Once CG-OES, CG-ENG, and CG-FAC are satisfied with the facility design submission, CG-OES will notify the COTP via memo that the proposed standards framework is acceptable and specify any additional stipulations. It will include a recommendation that the COTP require the facility owner or operator to notify the COTP of any changes to the standards framework.
 - (12) Within 30 days of receiving the FDR response memo from CG-OES, the COTP should notify the company of the results of all reviews in business letter format. The letter should inform the company of any requirements identified during the FDR that were lacking in the company's submittal. Additionally, the letter should clarify COTP expectations for compliance, inspections, and oversight during the construction phase.
 - (13) After receiving the response memo from CG-OES, COTPs shall ensure the facility is created in MISLE and all relevant documents are uploaded. All future inspections and oversight, administrative activities, and documentation shall be added into MISLE.
- e. Letter of Intent (LOI)

- (1) The LOI will assist COTPs in understanding the potential hazards and risks of the entire project and help them determine the appropriate application of their authorities as described in 33 CFR 160.109.
 - (2) The owner or operator of a proposed facility should submit the LOI in accordance with either 33 CFR 127.007 or 33 CFR 127.008, depending on the type of hazard assessment chosen by the owner or operator after coordination with the COTP.
 - (3) The letter should be submitted at least one year prior to the start of transfer operations to facilitate operational support.
- f. Waterway Suitability Assessment (WSA) and Operational Risk Assessment (ORA)
- (1) Depending on a facility's intended design and operating characteristics, the facility may pose a broader safety hazard to the marine transportation system within a port.
 - (2) Owners or Operators of alternative marine fuel facilities shall coordinate with the cognizant COTP who may determine that either a WSA or an ORA is required based on the hazards associated with the alternative marine fuel and the facility's intended design and operating characteristics.
 - (3) The risk assessment is a tool used to protect the safety of people and the environment during the development and operations of fueling facilities.
 - (4) This should be conducted and submitted in the same manner and using the standards as prescribed in either 33CFR 127.007 or 33 CFR 127.008.
 - (5) In conducting an assessment, the COTP should consult all appropriate port stakeholders.
- g. Letter of Recommendation (LOR)
- (1) COTPs should submit a LOR to the federal, state, or local government agencies having jurisdiction for siting, construction, and operation, while also providing a copy to the owner or operator.
 - (2) A letter based on a WSA should follow the guidance located in Navigation and Vessel Inspection Circular (NVIC) 01-11 and speak to the suitability of the waterway for alternative marine fuel traffic.
 - (3) A letter based on an ORA should speak to the suitability of operational safety and security measures of the alternative marine fueling facility, risk mitigation, and overall port activities and facilities. It should address the particulars of the LOI, how the LOR analysis was conducted, and the basis for the recommendation. A template LOR based on an ORA is provided in Enclosure (3).

8. CONSTRUCTION OVERSIGHT.

- a. As with current practices, the Coast Guard should verify compliance with the standards submitted by the owner or operator for the construction of the facility and MTA at waterfront facilities handling alternative marine fuels.
- b. Coast Guard personnel should participate in meetings and discussions held prior to construction where the facility owners and/or their designated representatives convey their intentions to comply with or exceed the construction requirements identified in the FDR.
- c. During and after construction and prior to operation, Coast Guard personnel should spot check equipment and systems to ensure the components and workmanship comply with the FDR. Ultimately, it is the facility owner/operator's responsibility to ensure the facility is designed, constructed, and operated in accordance with all applicable standards and regulations.
- d. The COTP may accept reports by another local, state, or federal agency when they feel there has been an adequate review of the design and construction requirements, in coordination with that agency.

9. COMPLIANCE OVERSIGHT.

- a. The Owner or Operator should develop operations and emergency manuals and response plans consistent with the requirements of reference (b) and (c), as applicable.
- b. COTPs should conduct operational plan reviews to provide consistency with existing regulations.
- c. Operations Manual and Emergency Manual
 - (1) COTPs should require owners or operators to submit a copy of the Operations Manual and Emergency Manual, in printed or electronic format for examination. This submission should occur 30 days prior to any transfer operation.
 - (2) The Operations Manual should include the following information if applicable and any additional information the COTP deems necessary based on the characteristics of the alternative marine fuel being transferred:
 - a. A description of the transfer system including mooring areas, transfer connections, control rooms, and diagrams of the piping and electrical systems;
 - b. The duties of each person assigned for transfer operations;
 - c. A description of the training each Person-in-Charge (PIC) is required to complete that includes;

- i. The name, hazards, and characteristics of each product to be transferred;
 - ii. The facility operating procedures
 - iii. Vessel transfer systems, in general;
 - iv. Each facility transfer control system to be used;
 - v. Local discharge reporting procedures; and
 - vi. Procedures to follow in case of a discharge in order to mitigate pollution and injury
- d. The maximum relief valve setting or maximum allowable working pressure of the transfer system;
 - e. The facility telephone numbers of facility supervisors, PICs of shoreside transfer operations, personnel on watch in the marine transfer area, and security personnel;
 - f. A description of the security systems for the marine transfer area;
 - g. A graphical depiction of the MTA;
 - h. The procedures for—
 - i. Transfer operations including gauging, cool down, pumping, venting, and shutdown;
 - ii. Transfer operations start-up and shutdown;
 - iii. Security violations;
 - iv. The communications systems; and
 - v. A description of the training programs for personnel involved in transfer operations.
- (3) The Emergency Manual should include the following information and any additional information the COTP deems necessary based on the characteristics of the alternative marine fuel being transferred:
- a. Release response procedures, including contacting local response organizations;
 - b. Emergency shutdown procedures;
 - c. A description of the fire equipment and systems and their operating procedures;

- d. A description of the emergency lighting, warning signs, warning alarms, and emergency power systems;
 - e. The telephone numbers of local Coast Guard units, hospitals, fire departments, police departments, and other emergency response organizations;
 - f. If the waterfront facility handling the alternative marine fuel has personnel shelters, the location of and provisions in each shelter;
 - g. Emergency personal protective equipment for workers in case of a discharge/release.
 - h. First aid procedures and if there are first aid stations, the locations of each station; and
 - i. Emergency procedures for mooring and unmooring a vessel, if appropriate.
- (4) If the COTP finds the Operations Manual or Emergency Manual acceptable, the COTP should provide notice to the facility stating each manual has been examined by the Coast Guard. This notice will include the revision date of the manual or other revision-specific identifying information. If the COTP finds the Operations Manual or Emergency Manual unacceptable, the COTP should return the manual(s) with an explanation of why it was found deficient.

d. Security

- (1) COTPs should closely evaluate the applicability within 33 CFR Subchapter H to determine if the proposed facility is subject to Maritime Transportation Security Act (MTSA) regulations.
- (2) For facilities subject to 33 CFR 105, COTPs shall follow the standard Facility Security Assessment and Facility Security Plan approval process as outlined in the regulations and the most current version of NVIC 03-03, *Implementation Guidance for the Regulations Mandated by the Maritime Transportation Security Act of 2002 for Facilities*.
- (3) For facilities not subject to 33 CFR 105, COTPs may potentially use the authority in 33 CFR 160.109 to require security measures. Security requirements regarding alternative fuel transfers must be evaluated on a case-by-case basis and appropriately consider the Area Maritime Security Assessment, nature of the hazardous material, and whether the requirements are necessary to prevent damage or destruction to structures and protect the marine environment from harm. COTPs should engage with their servicing legal office if considering mandating security measures using this authority.

- (4) For facilities subject to 33 CFR 103 (all facilities located in, on, under or adjacent to waters subject to the jurisdiction of the U.S.), the COTP should ensure, as per COMDINST 16601.28 (series), the Area Maritime Security Committee's (AMSC) annual assessment is updated if substantial changes such as the threat environment, changes in port infrastructure, and critical port operations are identified.
- (5) NVIC 09-02 Ch 6 also provides guidance for incorporating facilities that are not regulated under 33 CFR 104, 105, or 106 into Area Maritime Security planning.
- (6) COTPs should notify the company in business letter format detailing the security measures that will need to be implemented. This may be done as part of the FDR response letter or via separate correspondence.

e. Inspection and Compliance

- (1) Facility owners and operators are responsible for ensuring the project is constructed per the accepted standards framework.
- (2) CG-OES, CG-ENG, and CG-FAC may be consulted for specific inspection areas of focus given the characteristics of the alternative marine fuel (construction materials, piping, firefighting equipment, etc.) throughout the construction and operations phases.
- (3) Prior to operations, COTPs should conduct a full inspection of all aspects of the accepted standards framework.
- (4) Alternative marine fuel facilities may pose an increased or unfamiliar risks compared to traditional fuels due to product characteristics and the associated hazards. Therefore, full inspections should normally be conducted at 12-month intervals.

f. Operational Controls and Enforcement Actions

- (1) 33 CFR 160.109 serves as the primary authority for operational controls and enforcement actions involving alternative marine fuels.
- (2) The COTP should impose an appropriate operational control via COTP Order if the condition of the facility while under construction or during operation could result in damage to, or destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters, or to protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss.

10. DISCLAIMER.

This policy is neither a substitute for applicable legal requirements nor is it itself a rule. It is neither intended to nor does it impose legally binding requirements on any party. It represents the USCG's current position on this topic and may assist industry, mariners, the public, and the USCG, as well as other federal and state regulators, in applying statutory and regulatory requirements. Alternative approaches for complying with these requirements may be considered. Information should be made available to Commandant (CG-FAC-2) to show that the approach satisfies the requirements of the applicable statutes and regulations.

11. ENVIRONMENTAL ASPECTS AND IMPACT CONSIDERATIONS.

- a. The Office of Environmental Management, Commandant (CG-47) reviewed this policy and determined that it falls under the Department of Homeland Security (DHS) categorical exclusion L3. This policy will not result in any substantial change to existing environmental conditions or violation of any applicable federal, state, or local laws relating to the protection of the environment. It is the responsibility of the action proponent to evaluate all future specific actions resulting from this policy for compliance with the National Environmental Policy Act (NEPA), other applicable environmental requirements, and the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).

12. DISTRIBUTION. No paper distribution will be made of this policy letter. An electronic version will be located on the following Commandant (CG-FAC) website at <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Inspections-Compliance-CG-5PC-/cgfac/>.

13. QUESTIONS. Questions concerning this Policy Letter or suggestions for improvements should be directed to the Coast Guard Office of Port and Facility Compliance at: fac-2-safety@uscg.mil.

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Enclosure (1): Sample Initial Design Response Letter
Enclosure (2): Facility Design Review Checklist
Enclosure (3): Sample Letter of Recommendation

Dist: All Areas
All Districts (dp)
All Sectors (sp)
All MSUs



16611

Month Day, Year

Name
Company
Address
City, State Zip

Dear Mr./Ms.,

This letter is in response to your correspondence dated **[date]**, in which you included the details of the proposed waterfront facility **[insert facility type]** design. The Coast Guard conducted a comprehensive review of the project using applicable law, regulations and standards to determine:

1. The proposed project is a waterfront facility and will be subject to Coast Guard authority and jurisdiction in accordance with the Ports and Waterways Safety Act (PWSA), 46 U.S.C. §§ 70001-70036, and the regulations promulgated thereunder in 33 CFR part 160, including authority in 33 CFR § 160.109.
2. The novel operation of your proposed project, including **[Include any projects specifics]**, will require continued engagement with other federal, state, and local agencies to develop a suitable regulatory and standards compliance framework.
3. The proposed project requires following the process and timelines outlined in CG-5P Policy Letter 01-24, which I have attached to this letter, for your

Or

The proposed project falls under current regulation under 33CFRXXX. All regulations and guidelines should be followed for construction, plan submittal, and operation.

The Coast Guard will assess all elements relevant to the safety and security of the facility, port, and associated waterways before recommending operation within the marine transportation system. Please submit the project details to Coast Guard Sector **[Name of Sector]** for initial review and further coordination with relevant Coast Guard District and Headquarters offices.

If you have any questions regarding this letter, please contact L/CDR Coastie, Chief of Prevention, at ###-###-#### or by email at Coastie@uscg.mil.

Sincerely,

A. B. SEA
Captain, U.S. Coast Guard
Commander, Coast Guard Sector XXX

Copy: Commandant, CG-FAC, CG-ENG, CG-OES, CG-WWM
Commander, Coast Guard XX Area (p)
Commander, XX Coast Guard District (dp)

FACILITY DESIGN REVIEW CHECKLIST		
Subject	Applied Standard	Additional Notes
Overall Design		
General Design and Construction		
Piers and Wharves		
Layout and Spacing of Marine Transfer Area		
Electrical Power Systems		
Lighting Systems		
Communication Systems		
Warning Signs		
Equipment		
Sensing and Alarm Systems		
Portable Gas Detection		
Emergency Shutdown		
Warning Alarms		
Operations		
Persons in charge of shoreside transfer operations; qualifications and certifications		
Operations Manual		
Emergency Manual		
Motor Vehicles		
Bulk Storage		
Preliminary Transfer Inspection		
Declaration of Inspection		

FACILITY DESIGN REVIEW CHECKLIST		
Subject	Applied Standard	Additional Notes
Fuel Transfer Requirements		
Fuel Release Procedures		
Maintenance		
General Maintenance		
Inspections		
Repairs		
Testing		
Records		
Personnel Training		
Training Requirements for All Employees		
Training Requirements for Persons Assigned to Transfer Operations		
Firefighting		
General Requirements		
Portable Fire Extinguishers		
Emergency Outfits		
Fire Main Systems		
Dry Chemical Systems		
International Shore Connection		
Smoking		
Fires		
Hot work		

FACILITY DESIGN REVIEW CHECKLIST		
Subject	Applied Standard	Additional Notes
Security (Note: Owners or Operators may submit planned security measures during the FDR or at any point during the project submission phase.)		

U.S. Department of
Homeland Security

**United States
Coast Guard**



Commandant
United States Coast Guard

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Mail Stop 7501
Washington, DC 20593-7501
Staff Symbol: (sp)
Phone: (202) 372-1009

16611
Month, XX, 20XX

Name and Title
Agency
Address
City, State Zip

Dear Mr./Ms.

This Letter of Recommendation (LOR) is issued pursuant to 33 CFR 127.009 in response to the Letter of Intent submitted by **[name of applicant]** on **[date]** proposing to conduct **[Fuel Type]** marine fueling operations at **[name of facility]** proposed for operation in **[city, state]**. It conveys the Coast Guard's recommendation on the suitability of the facility for **[Fuel]** transfer as it relates to operational safety and security. In addition to meeting the requirements of 33 CFR 127.009, this letter also fulfills the Coast Guard's commitment for providing information to your agency.

After reviewing the information in the applicant's Letter of Intent (LOI) and Operational Risk Assessment (ORA) and completing an evaluation of the waterway in consultation with a variety of state and local port stakeholders, I recommend that the **[name of facility be considered (suitable / not suitable) for (fuel type) marine fueling operations]**. My recommendation is based on review of the factors listed in 33 CFR 127.008 and 33 CFR 127.009. The reasons supporting to my recommendation are outlined below.

On **[date]**, I completed a review of the ORA for the **[project name]**, submitted by **[name of applicant or entity that prepared the ORA]** on **[date]**. This review was conducted following the guidance provided in **[standard applied]**. The review focused on the safety and maritime security aspects of **[fuel]** fueling operations at the affected facility site. My analysis included an assessment of the risks posed by these operations and possible risk management measures. During the review, I consulted a variety of stakeholders including **[Specify here, could include Area Maritime Security Committees, Harbor Safety Committees, State government representatives, and/or individual emergency responders, etc.]**.

(Facility is Suitable answer)

Based upon a comprehensive review of the applicant's ORA and after consultation with state and local port stakeholders, I recommend that the **[Facility Name]** be considered suitable for accommodating marine fueling operations associated with this project.

The attached LOR Analysis contains a detailed summary of the ORA review process that has guided this recommendation. In the absence of full implementation of the strategies and risk management measures identified in the applicant's ORA, the **[facility name]** would be considered unsuitable for the **[Fuel Type]** marine traffic.

(Facility Unsuitable Answer)

Based upon a comprehensive review of the applicant's ORA and in consultation with state and local port stakeholders, I am recommending that the **[Facility Name]** be considered not suitable for accommodating marine fueling operations associated with this project. The specific reasons which lead to my recommendation are provided below. **[Specify all reasons why the waterway is unsuitable below]**

- 1.
- 2.

Should there be significant changes to the items described above, characteristics of the port or to the risk management measures proposed by the applicant which would cause my recommendation to change, I may reconsider my recommendation provided that supporting documentation regarding the changed circumstances is submitted for my review.

(Closing in Both Cases)

This recommendation is provided to assist you in your determination of whether the proposed facility should be commissioned. The risk management measures identified in the applicant's ORA and the information in the attached analysis may be used by you if you deem conditions are warranted. As with all issues related to port safety and security, I will assess each transit on a case-by-case basis to identify what, if any, safety and security measures are necessary to safeguard the public health and welfare, critical marine infrastructure and key resources, the port, the marine environment, and the vessel.

If you have questions, my point of contact is **[name]**. He/She may be reached at the address, phone number, and e-mail address listed above.

Sincerely,

[Name]
Captain, U.S. Coast Guard
Captain of the Port
[Applicable Port Name]

Enclosure: LOR Analysis

Copy: Commandant CG-5, CG-FAC, CG-ENG, CG-OES, CG-WWM
Commander **[Atlantic or Pacific]** Area (p)
Commander Coast Guard District **[#]** (dp)
Owner/Operator
Federal, State and Local Agencies Having Jurisdiction