UNIVERSITY - NATIONAL OCEANOGRAPHIC LABORATORY SYSTEM

RESEARCH VESSEL OPERATORS COUNCIL

Summary Report of the 1982 Annual Meeting

Hosted by the
Harbor Branch Foundation, Inc.
Fort Pierce, Florida
September 27-28, 1982

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UNIVERSITY-NATIONAL OCEANOGRAPHIC LABORATORY SYSTEM

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Summary Report
of the
1982 ANNUAL MEETING

GENERAL

The meeting was called to order in the Conference Room of the Harbor Branch Foundation, Inc. at Link Harbor, Ft. Pierce, Florida, at 0900, September 27, 1982 by Chairman Brad Veek. A welcome was extended by Dr. Bob Jones, Managing Director, Harbor Branch Foundation.

The Agenda was followed and the order items were discussed as reported below. The Agenda is included as Appendix I.

Representatives from 14 of the 17 Member institutions had one or more delegates as well as four from Associate Members. For a complete list of attendees, see Appendix II.

AGENDA

Old Business

The minutes of the 1981 RVOC Annual Meeting held October 15, 1981 were approved as written.

New Business

1. CDR John McMillan (National Science Foundation) provided an update of the budget outlook for CY 1983. There is an expectation of level funding but a projected budget shortfall of about $6 M between ship operations funds requested vs funds available. The UNOLS Advisory Council Report dealing with this issue has been disseminated for review and comment by UNOLS members.

2. Lee Stevens (U.S. State Dept.) briefly discussed the problems of dealing with terrorism. If a ship is threatened, contact should be made by any means with the nearest U.S. authority who should in turn contact the U.S. State Department.

Lee mentioned that clearance problems will probably increase somewhat as a result of the conflicts and political differences of other countries. He stated that all clearance requests should be submitted for approval as soon as possible--do not wait for the 60 day minimum deadline. Please append clear, definitive track charts per NRVO #61. Make two berths available for foreign scientists. Ensure that the description of intended

research is adequate - about two to three paragraphs are minimum. Appendix III provides further comments from Lee.

3. Captain Bill Barbee (UNOLS Executive Secretary) reported that his office was now established at the University of Washington. Bill discussed satellite communication links, bulk purchasing arrangements and fleet management problems. He noted the problems associated with balancing the resources of ships and funded science and asked that members keep him appraised of changes in ship scheduling as they occurred. He mentioned that the ship evaluation forms were being forwarded on a regular basis and that they were proving useful.

4. LCDR Steve Schrobo (Commander, Naval Oceanography Command) reviewed:

- the necessity to notify CNOC of R/V schedules (and revisions);

- intent to use explosives, loud acoustic emissions or deep towed objects which may impact submarine operations. CNOC will assist in ensuring that appropriate Naval commands are informed of such activities. The need for such notification extends worldwide; and

- the Interactive Data Retrieval Program. Details are in the CNOC published "Oceanographic Ship Operating Schedules."

5. Dr. Bill Sweet (Mineral Management Service) provided an overview of when, where, why, etc. permits are required to conduct geological or geophysical surveys in U.S. waters beyond the territorial waters administrated by U.S. Coastal states (usually to the three mile limit). He noted that permits are required only when:

a. Explosives are to be used, or

b. Drilling to depths greater than 300 feet (or 50 feet of rock).

Details are in part 251 of Title 30 of the Code of Federal Regulations, included as Appendix IV of these minutes.

6. Topography Experiments for Ocean Circulation (TOPEX). Jet Propulsion Laboratory provided brochures which describes projected TOPEX missions for the late 1980s. Mission plans call for the TOPEX satellite to be carried to earth orbit by the Space Shuttle in the late 1980s and to operate for a three- to five-year period. Its principal instrument is a radar altimeter with a precision of 1 to 2 centimeters. Further information (and brochures) can be obtained by contacting Karyn R. Massoni, Jet Propulsion Lab, 4800 Oak Grove Dr., Pasadena, CA 91109; (213) 354-8254.

7. Future of the Oceanographic Research Fleet, 1985 and Beyond. With respect to proposed project by project funding for smaller research vessels, an overall improvement is expected, but because it reduces

funding certainties, it will make advanced planning more difficult.

There was a concern that if ship time costs were a line item in proposals, it could lead to a negative bias in the review process with respect to use of larger (more expensive) R.V.'s. John McMillan explained that if ship time costs were a line item, the number of approvals required from the National Science Board would increase significantly and slow the process.

The long run consequence could lead to a reduced number of large ($) ships for strictly economic reasons, but not necessarily for reasons having to do with the scientific capability. These consequences must be compensated for in the review process.

8. Jack Bash (University of Rhode Island) reminded the members of the forthcoming Winch and Wire Seminars co-sponsored by the Office of Naval Research and the National Science Foundation. The seminars will be held October 18-20, 1982 at Providence, R.I. and November 15-17, 1982 at Millbrae, CA. For details, contact:

Alan Driscoll or Joanne May
Graduate School of Oceanography
University of Rhode Island
Narragansett, RI 02882
(401) 294-2863 or 885-3410

Woods Hole Oceanographic Institution is the central location for bulk purchases of cables and wires. Contact Larry Clark (NSF), (202) 357-7837, for approval to draw from the stockpile.

9. Paul Eden (University of Miami) reported on ATS-1 and ATS-3. He is submitting a proposal to NASA to assume responsibility for managing ATS-1 for the oceanographic research community. The "design" bandwidth of 100 Khz is actually 160 Khz and has the capacity to link multi-channel with data rates of up to 2400 characters/sec. For more details on how ATS-1 can serve your operations, contact Paul at (305) 725-6304.

10. Brad Veek (University of Southern California) reported on the Geological and Geophysical Survey Permit requirments recently levied by the State of California on all research cruises which are conducted within three miles of California shores. The requirement for the permit is new and the Terms and Conditions which are imposed on Permit holders are onerous.

After suitable discussion, the members voted to pass the following position statement to the UNOLS members.

> "The RVOC senses that the recent regulations imposed by the California State Lands Commission concerning Geological and Geophysical research may seriously impede scientific research along the coast. We recommend that UNOLS follow developments and take action as appropriate."

11. UNOLS Research Vessel Safety Standards were discussed. It was clear that some topics have been inadequately addressed and others have not been presented in the text. Captain Tex Treadwell (Texas A & M University) volunteered to chair a committee to review and revise the standards and to submit a revised version for consideration by the RVOC by the next annual meeting. Other committee members are:

Dean Letzring (Texas A & M University)
Bill Mitchell (The University of Texas)
Dr. Gene Allmendinger (University of New Hampshire)
Dolly Dieter (University of Alaska)
Sam Gerard (Columbia University - LDGO)

Proposed text changes will be placed on the Telemail Bulletin board for review and comment by RVOC members. Watch that space!

12. A report of the meeting of the 25th session of I.M.C.O. Subcommittee on Ship Design and Equipment was provided by Jonathan Leiby (W.H.O.I.). Please see Appendix V.

13. Dr. William Behrens, Jr. (Florida Institute of Oceanography) provided specifications for their newly converted R/V Suncoaster and R/V Bellows. Please see Appendix VI.

14. Election of Officers. Ms Dolly Dieter was elected Chairman and Mr. John Bash, secretary (vice-chairman) of RVOC.

15. A demonstration launch and recovery of a J-S-L submersible from R/V SEA DIVER and a tour of the excellent Harbor Branch Foundation, Inc. facilities were provided by Jean Buhler.

16. The meeting was adjourned at 1205 p.m., 28 September.

Respectively submitted,

Brad Veek

Brad Veek
Secretary
Research Vessel Operators' Council

1982 ANNUAL MEETING
Harbor Branch Foundation
Link Port, Fort Pierce, Florida
September 27 - 28, 1982

AGENDA

Welcoming remarks

Dr. Robert S. Jones, Managing Director, Harbor Branch Foundation.

Old Business

Report of the 1981 RVOC Annual Meeting - Brad Veek, Chairman.

Other.

New Business

Agency Representatives reports:

- National Science Foundation - Budget Outlook; Cdr. John McMillan.
- U.S. State Department - Clearance Problems, Terrorism; Lee Stevens.
- University National Oceanographic Laboratory System - Report from UNOLS; Capt. Bill Barbee.
- Commander Naval Oceanography Command - CNOC status, Ship Op Skeds; Cdr. Steve Schrobo.
- Mineral Management Service - Permits to conduct seismic surveys offshore; Dr. Bill Sweet.

Scheduled Topics and Designated Speakers:

- Topography Experiments for Ocean Circulation (TOPEX) - JPL.
- Future of the Oceanographic Research Fleet, 1985 and beyond - open discussion.
- Winches and Wires Report - Jack Bash.
- ATS Operations; new developments - Paul Eden.
- Geological and Geophysical Survey Permit Requirements (California) - Brad Veek.
- UNOLS Research Vessel Safety Standards (open discussion), including;
  - o Night-time operational safety standards and precautions.
  - o Universally accepted alarm hardware and a standard alarm code.

- o Shipboard drills.
- o Emergency instructions.
- o Abandon ship procedures.
- o Rescue obligations and procedures.
- o Emergency lighting (46 CFR 184.30).
- o Communications Policies (UNOLS Safety Standard 12.3, Reporting)
- o Missing ship procedures.
- o Radioactive materials handling aboard ship.
- o Weight handling equipments - testing and documentation.
- o Line throwing appliances.
- o Chartered vessel safety standards.
- o Other.

Election of Officers:

Required by Bylaws every two years.

Other.

Scheduled Activities

Harbor Branch Foundation Facilities;

- . Johnson Science Laboratory Activities - Dr. Charles M. (Skip) Hoskin, Marine Geologist.
- . Link Engineering Laboratory Activities - David L. Clayton, Division Director.
- . Marine Operations - Roger W. Cook, Division Director.
- . Tour of facilities and demonstration of J-S-L submersible launch and recovery from R/V Johnson - Jean Buhler, host.
- . Beach barbecue (fish fry) - Harbor Branch Foundation, host.

APPENDIX II

RESEARCH VESSEL OPERATOR'S COUNCIL

Annual Meeting, September 27/28, 1982

NAME	ROLE	AFFILIATON	TELEPHONE #
Eugene Allmendinger	A	University of New Hampshire	(603) 862-2994
William Barbee	O	University of Washington	(206) 543-2203
Jack Bash	M	University of Rhode Island	(401) 789-1926
Cliff Buehrens	M	University of Rhode Island	(401) 789-1926
Jean E. Buhler	A	Harbor Branch Foundation	(305) 465-2400
W. B. Clark	M	University of Hawaii	(808) 847-2661
Dolly Dieter	M	University of Alaska	(907) 224-5261
Paul Eden	M	University of Miami	(305) 725-6304
James Gibbons	M	University of Miami	(305) 350-7223
Robert Gerard	M	Lamont Doherty GO - Columbia Univ.	(914) 359-2900
W. G. Harkness	M	University of Hawaii	(808) 847-2661
Robert S. Jones	A	Harbor Branch Foundation	(305) 465-2400
Dean Letzring	M	Texas A & M University	(713) 744-3604
John G. McMillan	O	National Science Foundation	(202) 357-7837
Wilt Mitchell	M	University of Texas - IG	(713) 765-2276
Jack Morton	A	Florida Inst. of Technology	(305) 723-3701 x302
Don Mraz	A	University of Wisconsin - Milwaukee	(414) 224-3007
Capt. Eric B. Nelson	M	Duke/UNC Consortium	(919) 728-2111
Wadsworth Owen	M	University of Delaware	(301) 645-4320
LCDR Stephen M. Schrobo	O	Commander Naval Oceanography Cmd	(601) 688-4890
Richard Shutts	M	Moss Landing Marine Lab	(408) 633-3304
Lee Stevens	O	Department of State	(202) 632-0789
Bill Sweet	O	Mineral Management Service	
John Thompson	M	University of Texas - PAML	(512) 749-6760
Capt. T. K. Treadwell	M	Texas A & M University	(713) 845-7211
Brad Veek	M	Univ. of Southern California	(213) 743-7735
Capt. Jim Williams	M	Scripps Institute of Oceanography	(714) 225-9600

O = Observer
A = Associate Member of UNOLS
M = Member of UNOLS

Talking Points, Lee Stevens

Research Vessel Operators' Council
September 1982

I Seeking Clearance

A) Requests should be submitted to the State Department Office of Marine Science and Technology Affairs (OMS) as early as possible, in most cases, using standard UNOLS forms. Clear track charts must be appended. NTRVO 61 contains suggested lead-times for specific countries. By having DOS submit clearance request, your institution agrees to accept two foreign participants and to share all data results (policies which were implemented on UNOLS recommendation).

B) Research often needs to be more fully described -- preferably 2 to 3 paragraphs in non-technical terms. One or two sentences are no longer adequate in most cases. Emphasize background, purpose and objectives of research.

C) Any changes in the original clearance request should be provided immediately along with justification for change (e.g., dates, revised research plan, station locations, port calls, etc.). State practice differs with regard to changes, and foreign clearance might be delayed in some cases depending upon the nature of the change.

D) Foreign participation: Official participant is identified through diplomatic channels ONLY. Private invitations for foreign scientists to join a cruise are entirely acceptable, but there is no guarantee that participants desired by your institution will be selected by the host country. Be sure to let us know if any private invitations have been extended for foreign participation in the research.

E) Cruise reports: Required within 30 days following completion of cruise. Cruise report must contain schedule for meeting post-cruise obligations, including date on which final data results will be provided. Actual dates in schedule are determined by the senior scientist. It is NOT acceptable to indicate that data will be provided to the host country upon request, except in extraordinary circumstances.

F) Data-sharing:

-- it is a longstanding U.S. policy, agreed to by UNOLS, that all data results be freely shared. Procedures have been implemented to ensure that results are provided through government channels. This does not, of course, preclude sharing info with colleagues abroad, but private data-sharing is not an acceptable substitute for submission of results through official channels.
-- schedule provided by senior scientist in preliminary cruise report must be adhered to. Any delay in meeting original schedule should be communicated to OMS immediately, with brief explanation of reason for delay. This information will be communicated to the host state.

-- post-cruise data can be sent direct to AmEmbassy (this office can provide address), with copy of transmittal letter to OES/OMS; non-bulky data can be sent to OMS to be forwarded by diplomatic pouch if mail deemed unreliable.

-- overall performance on post-cruise obligations is mixed at best -- some institutions are very diligent in ensuring that their scientists adhere to the system, other institutions studiously avoid taking an active role. Best results occur when one individual at an institution is assigned to monitor compliance and assist/prod scientists following each cruise. Ship operating institution is accountable to DOS for data-sharing.

II Clearance Update

A) Mexico

-- situation has not improved, Mexican Fisheries Ministry appears to be deliberately causing difficulties. Serious problems have been encountered with research involving or affecting marine biology.

-- The Government of Mexico is particularly sensitive about research which is perceived to be resource-related, concerning either living (especially tuna) or non-living (especially hydrocarbon) resources. Use of explosives is strongly discouraged by the Mexicans.

-- even when things go smoothly, clearance approvals invariably come at last minute. Any word on status of clearance will be relayed to your institution immediately when received. Wise to avoid beginning research immediately after Mexican holiday periods (August, December).

-- Mexico often wants detailed info (sometimes unreasonably so) on purpose and ultimate objectives of research.

-- GOM keeps track of data-sharing both according to scientist and according to ship. Positive record helps in speeding clearances along.

B) Danger areas as of September 1982:
Ethiopia
Yemen
Libya
Colombia (reported drug-related piracy)
Persian Gulf
Andros Island, Bahamas (drug trafficking)

III Law of the Sea

President Reagan announced on July 9 that the United States will not sign the Law of the Sea Convention as adopted on April 30 by the Third United Nations Conference on the Law of the Sea. The United States does not recognize the draft Convention as having any legal force.

IV Terrorist and Other Attacks on UNOLS Vessels

-- consult OMS before working near suspected trouble spots.

-- when operating in potential danger area, ship should provide frequent position reports to operating institution. In foreign port, captain should consult appropriate U.S. Embassy or Consulate if uncertain about vessel's safety.

-- avoid contact with suspicious vessels when at sea.

-- in the event of attack, provide State Department with immediate report in as much detail as possible. Notify Coast Guard if operating off North America and Navy if operating in distant waters. Ship should attempt to radio nearby coastal states for assistance.

dropped the specific reference and have adopted language which reflects similar provisions in 30 CFR 252.3.

251.14 Disclosure of Information and Data Submitted Under Permits

The comments received regarding this section have been previously considered under "Discussion of Major Comments."

Authors: Thomas McCloskey, Office of the Assistant Secretary—Energy and Minerals, U.S. Department of the Interior (202/343-4457), Gordon D. Burton, Daniel S. Palubniak, and Leaman D. Harris, Geological Survey, U.S. Department of the Interior (703/860-7564).

ENVIRONMENTAL IMPACT AND REGULATORY ANALYSIS: The Department of the Interior has determined that the revision of the regulations in 30 CFR Part 251, in accordance with this notice, is not a major Federal action significantly affecting the quality of the human environment and will not require preparation of an Environmental Impact Statement. The Department has also determined that this document is not a significant rule and does not require preparation of a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

Dated: January 22, 1980.

Charles L. Eddy,

Acting Assistant Secretary of the Interior.

Part 251 of Title 30 of the Code of Federal Regulations is revised to read as follows:

PART 251—GEOLOGICAL AND GEOPHYSICAL (G & G) EXPLORATIONS OF THE OUTER CONTINENTAL SHELF.

Sec.

Authority: Outer Continental Shelf Lands Act, 43 U.S.C. 1331 et seq., as amended, 92 Stat. 629; National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq. (1970); Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq.

§ 251.1 Purpose.

The Act authorizes the Secretary to prescribe rules and regulations necessary to carry out the provisions of the Act. The primary purpose of the regulations in this Part is to prescribe policies, procedures, and requirements for conducting geological and geophysical activities not authorized under a lease on the Outer Continental Shelf (OCS). These activities may take place on unleased lands or on lands under lease to a third party. These activities are limited to geological and geophysical exploration for mineral resources and geological or geophysical scientific research which involves the use of solid or liquid explosives or drilling activities. The requirements of the regulations in this Part implement the provisions of sections 5, 8(g), 11 (a) and (g), 19, 24, and 26 of the Act. Federal Agencies are exempt from the regulations in this Part.

§ 251.2 Definitions.

When used in this Part, the following terms shall have the meaning given below:

(a) "Act" means the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et seq.).

(b) "Affected local government" means the principal governing body of a locality which is in an affected State and is identified by the Governor of that State as a locality which will be significantly affected by oil and gas activities on the OCS.

(c) "Affected State" means, with respect to any program, plan, lease sale, or other activity proposed, conducted, or approved pursuant to the provisions of the Act, any State:

(1) The laws of which are declared, pursuant to section 4(a)(2)(A) of the Act, to be the law of the United States for the portion of the OCS on which such activity is, or is proposed to be, conducted;

(2) Which is, or is proposed to be, directly connected by transportation facilities to any artificial island or installation or other device permanently or temporarily attached to the seabed;

(3) Which is receiving, or in accordance with the proposed activity, will receive oil for processing, refining, or transshipment which was extracted from the OCS and transported directly to the State by means of vessels or by a combination of means including vessels;

(4) Which is designated by the Secretary as a State in which there is a substantial probability of significant impact on or damage to the coastal, marine, or human environment or a State in which there will be significant changes in the social, governmental, or economic infrastructure resulting from the exploration, development, and production of oil and gas anywhere in the OCS; or

(5) In which the Secretary finds that because of such activity there is, or will be, a significant risk of serious damage, due to factors such as prevailing winds and currents, to the marine or coastal environment in the event of any oil spill, blowout, or release of oil or gas from vessels, pipelines, or other transshipment facilities.

(d) "Analyzed geological information" means data collected under a permit or a lease which have been analyzed. Analysis may include, but is not limited to, identification of lithologic and fossil content, core analyses, laboratory analyses of physical and chemical properties, well logs or charts, results and data obtained from formation fluid tests, and descriptions of hydrocarbon occurrences or hazardous conditions.

(e) "Coastal environment" means the physical, atmospheric, and biological components, conditions, and factors which interactively determine the productivity, state, condition, and quality of the terrestrial ecosystem from the shoreline inward to the boundaries of the coastal zone.

(f) "Coastal zone" means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal States. The coastal zone includes islands, transition and intertidal areas, salt marshes, wetlands, and beaches. The coastal zone extends seaward to the outer limit of the United States territorial sea and extends inland from the shoreline to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters, and the inward boundaries of which may be identified by the several coastal States, pursuant to the authority of section 305(b)(1) of the Coastal Zone Management Act.

(g) "Coastal Zone Management Act" means the Coastal Zone Management Act of 1972, as amended (16 U.S.C. 1451 et seq.).

(h) "Cultural resource" means a site, structure, or object of historical or archeological significance.

(i) "Data" means facts and statistics or samples which have not been analyzed or processed.

(j) "Deep stratigraphic test" means drilling which involves the penetration into the sea bottom of more than 50 feet (15.2 meters) of consolidated rock or a total of more than 300 feet (91.4 meters).

(k) "Director" means the Director of the Geological Survey, U.S. Department of the Interior or a subordinate authorized to act on the Director's behalf.

(l) "Exploration" means the process of searching for minerals. Exploration activities include but are not limited to: (1) Geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of minerals, and (2) Any drilling, whether on or off a geological structure.

(m) "Gas" means any fluid, either combustible or noncombustible, which is extracted from a reservoir and which has neither independent shape nor volume, but tends to expand indefinitely; a substance that exists in a gaseous or rarefied state under standard temperature and pressure conditions.

(n) "Geological exploration for mineral resources" means any operation conducted on the OCS which utilizes geological and geochemical techniques, including, but not limited to, core and test drilling, well logging techniques, and various bottom sampling methods to produce information and data on mineral resources, including information and data in support of possible exploration and development activity. The term does not include scientific research.

(o) "Geophysical exploration for mineral resources" means any operation conducted on the OCS which utilizes geophysical techniques, including, but not limited to gravity, magnetic, and various seismic methods, to produce information and data in support of possible exploration and development activity. The term does not include scientific research.

(p) "Geological or geophysical scientific research" means any investigation conducted on the OCS using solid or liquid explosives, or drilling activities for scientific research purposes involving the gathering and analysis of geological or geophysical information and data which are made available to the public for inspection and reproduction at the earliest practicable time.

(q) "Governor" means the Governor of a State, or the person or entity designated by, or pusuant to, State law to exercise the powers granted to a Governor pursuant to the Act.

(r) "Human environment" means the physical, social, and economic components, conditions, and factors which interactively determine the state, condition, and quality of living conditions, employment, and health of those affected, directly or indirectly, by activities occurring on the OCS.

(s) "Hydrocarbon occurrences" means the direct or indirect detection during drilling operations of any liquid or gaseous hydrocarbons by examination of well cuttings, cores, gas detector readings, formation fluid tests, wireline logs, or by any other means. The term does not include background gas, minor accumulations of gas, or heavy oil residues on cuttings and cores.

(t) "Information," when used without a qualifying adjective, includes analyzed geological information, processed geophysical information, interpreted geological information, and interpreted geophysical information.

(u) "Interpreted geological information" means knowledge, often in the form of schematic cross sections and maps, developed by determining the geological significance of data and analyzed geological information.

(v) "Interpreted geophysical information" means knowledge, often in the form of seismic cross sections and maps, developed by determining the geological significance of geophysical data and processed geophysical information.

(w) "Lease" means (1) any form of authorization which is issued under section 8 or maintained under section 6 of the Act and which authorizes exploration for, and development and production of, minerals, or (2) the area covered by such authorization, whichever is required by the context.

(x) "Lessee" means the party authorized by a lease, or an approved assignment thereof, to explore for, develop, and produce the leased deposits in accordance with the regulations in Part 250 of this Chapter. The term includes all parties holding such authority by or through the lessee.

(y) "Marine environment" means the physical, atmospheric, and biological components, conditions, and factors which interactively determine the productivity, state, condition, and quality of the marine ecosystem, including the waters of the high seas, the contiguous zone, transitional and intertidal areas, salt marshes, and wetlands within the coastal zone and on the OCS.

(z) "Minerals" includes oil, gas, sulphur, geopressured-geothermal and associated resources, and all other minerals which are authorized by an Act of Congress to be produced from "public lands" as defined in Section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(aa) "National Environmental Policy Act" means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(bb) "Notice" means the statement of intent to conduct geological scientific research which involves shallow test drilling activities.

(cc) "OCS Order" means a formal numbered Order, issued by the Director, that implements the regulations contained in this Part and specifically applies to operations in an area in the Order.

(dd) "Oil" means any fluid hydrocarbon substance other than gas which is extracted in a fluid state from a reservoir and which exists in a fluid state under the existing temperature and pressure conditions of the reservoir. Oil includes liquefiable hydrocarbon substances such as drip gasoline or other natural condensates recovered or recoverable in a liquid state from produced gas.

(ee) "Operator" means the individual, partnership, firm, or corporation having control or management of operations on the leased area or a portion thereof. The operator may be a lessee, designated

agent of the lessee, or holder of rights under an approved operating agreement.

(ff) "Outer Continental Shelf" means all submerged lands which lie seaward and outside the area of lands beneath navigable waters as defined in section 2 of the Submerged Lands Act (43 U.S.C. 1301), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

(gg) "Permit" means the contract or agreement, other than a lease, approved for a specified period of not more than 1 year under which a person acquires the right to conduct (1) geological exploration for mineral resources, (2) geophysical exploration for mineral resources, (3) geological scientific research, or (4) geophysical scientific research.

(hh) "Permittee" means the person authorized by a permit issued pursuant to this Part to conduct activities on the OCS.

(ii) "Person" means a citizen or national of the United States, an alien lawfully admitted for permanent residence in the United States as defined in 8 U.S.C. 1101(a)(20), a private, public, or municipal corporation organized under the laws of the United States or of any State or territory thereof, and associations of such citizens, nationals, resident aliens, or private, public, or municipal corporations, States, or political subdivisions of States. The term does not include Federal Agencies.

(jj) "Pollution contingency plan" means the National Multi-Agency Oil and Hazardous Materials Pollution Contingency Plan or any successor plan thereto.

(kk) "Processed geophysical information" means data collected under a permit or a lease which have been processed. Processing involves changing the form of data so as to facilitate interpretation. Processing operations may include, but are not limited to, applying corrections for known perturbing causes, rearranging or filtering data, and combining or transforming data elements.

(ll) "Secretary" means the Secretary of the Interior or a subordinate authorized to act on the Secretary's behalf.

(mm) "Shallow test drilling" means drilling into the sea bottom to depths less than those specified in the definition of a deep stratigraphic test.

(nn) "Third party" means any person other than a representative of the United States or the permittee.

(oo) "Violation" means a failure to comply with any provision of the Act, or a provision of a regulation or order issued under the Act, or any provision of a lease, license, or permit issued pursuant to the Act.

§ 251.3 Administrative authority and applicability.

§ 251.3-1 Administrative authority.

Exploration or scientific research activities authorized or conducted under this Part shall be performed in accordance with the Act, the regulations in this Part, OCS Orders, other orders of the Director, and other applicable statutes and regulations, and amendments thereto.

§ 251.3-2 Functions of Director.

The Director shall regulate all operations and other activities under this Part and perform all duties prescribed by this Part. The Director is authorized to issue OCS Orders and other written and oral orders and to take all other actions necessary to carry out the provisions of this Part and to prevent harm or damage to, or waste of, any natural resource (including any mineral deposit in areas leased or not leased), any life (including fish and other aquatic life), property, or the marine, coastal, or human environment. The Director shall confirm oral orders in writing as soon as possible.

§ 251.3-3 Geological and geophysical activities under a lease.

The regulations in this Part shall not apply to geological and geophysical exploration conducted by or on behalf of the lessee on a lease on the OCS. Those exploration activities shall be governed by the regulations in Part 250 of this title.

§ 251.3-4 Geological and geophysical activities not under a lease.

The regulations in this Part are applicable to permits for geological and geophysical activities issued after or unexpired as of the effective date of this final rule. Notices filed after the effective date of this final rule shall also be subject to the regulations in this Part.

If the regulations in this Part conflict with the provisions of a permit which was issued under regulations published in the Federal Register on June 23, 1978 (41 FR 25893), the requirements of the permit shall govern, except for any requirements limiting the Director's authority to inspect and require the submission of interpretations derived from information and data acquired under those permits issued after January 27, 1978, as established by Part 252 of this title.

§ 251.3-5 General requirements of notices and permits.

(a) Geological or geophysical activities for mineral exploration or scientific research activities authorized under this Part shall be conducted so that those activities do not:

(1) Interfere with or endanger operations under any lease issued or maintained pursuant to the Act;

(2) Cause harm or damage to aquatic life;

(3) Cause pollution;

(4) Create hazardous or unsafe conditions;

(5) Unreasonably interfere with or harm other uses of the area; or

(6) Disturb cultural resources.

(b) Any person conducting geological or geophysical activities for mineral exploration or scientific research under this Part shall immediately report to the Director when these activities:

(1) Detect hydrocarbon occurrences;

(2) Encounter evironmental hazards which constitute an imminent threat to human activity; or

(3) Adversely affect the environment, aquatic life, cultural resources, or other uses of the area in which the exploration activity is conducted.

(c) Any person conducting shallow test drilling or deep stratigraphic test drilling geological activities under a permit for mineral exploration or scientific research under this Part shall utilize the best available and safest technologies which the Director determines to be economically feasible.

(d) Authorization granted under this Part to conduct geological and geophysical exploration for minerals or for scientific research shall not confer a right to any discovered oil, gas, or other minerals, or to a lease under the Act.

§ 251.4 Geological and geophysical activities requiring notices or permits.

§ 251.4-1 Geological and geophysical exploration for mineral resources.

Geological or geophysical exploration for mineral resources may not be conducted on the OCS without an approved permit unless such activities are being conducted pursuant to a lease issued or maintained under the Act. Separate permits must be obtained for geological exploration for mineral resources and for geophysical exploration for mineral resources. If the Director disapproves an application, the statement of rejection shall state the reasons for the denial, and shall advise the applicant of those changes needed to obtain approval.

§ 251.4-2 Geological or geophysical scientific research.

Geological or geophysical scientific research may not be conducted by any person on the OCS without an approved permit or filing of a notice unless such activities are being conducted pursuant to a lease issued or maintained under the Act.

(a) Separate permits must be obtained for geological scientific research and for geophysical scientific research which involves the use of solid or liquid explosives or the drilling of a deep stratigraphic test. If the Director disapproves an application, the statement of rejection shall state the reasons for the denial, and shall advise the applicant of the changes needed to obtain approval.

(b) A notice must be filed with the Director at least 30 days prior to the commencement of scientific research activities which involve shallow test drilling. Within 21 days of the filing of the notice, the Director may disapprove the notice by sending a statement of disapproval by certified mail to the person who filed the notice. If the Director disapproves the notice, the statement shall state the reasons for disapproval and shall advise the applicant of recommended changes.

§ 251.5 Applying for notices or permits.

§ 251.5-1 Permit forms.

(a) An application for a permit shall be submitted in a form and manner prescribed and approved by the Director. Each application for a permit shall include:

(1) The name of any person who will conduct the proposed exploration or research activity;

(2) The name of any person who will participate in the proposed exploration or research activity;

(3) The type of exploration or research activity and the manner in which the activity will be conducted;

(4) The location on the OCS where the exploration or research activity will be conducted;

(5) The purpose for conducting the exploration or research activity;

(6) The dates on which the exploration or research activity is proposed to be commenced and completed; and

(7) Such other relevant information and data as the Director may require.

(b) This reporting requirement has been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942 (042-5777002).

§ 251.5-2 Notices.

A notice shall not be on a standardized form, but shall be signed and shall state:

(1) The name of the person conducting or participating in the proposed research;

(2) The type of research and manner in which it will be conducted;

(3) The location, designated on a map, plat, or chart, where the research will be conducted;

(4) The dates, which shall designate a period of not more than 1 year, on which the research activity is proposed to be commenced and completed;

(5) The proposed time and manner in which the information and data resulting from the research will be made available to the public for inspection and reproduction, such time being the earliest practicable time;

(6) An agreement that the information and data resulting from the research will not be sold or withheld for exclusive use; and

(7) The name, registry number, registered owner, and port of registry of vessels used in the operation.

§ 251.5-3 Filing locations for permits to conduct exploration for mineral resources.

Each application for a permit to conduct geological or geophysical exploration for mineral resources in the OCS shall be filed, in duplicate, at the following locations:

(a) For the OCS off the Atlantic Coast—the ~~Area Oil and Gas Supervisor for Resource Evaluation~~, Atlantic Area, U.S. Geological Survey, 1725 K Street NW, Suite 204, Washington, D.C. 20006.

(b) For the OCS in the Gulf of Mexico—the Area Oil and Gas ~~Supervisor for Resource Evaluation~~, U.S. Geological Survey, Gulf of Mexico Area, P.O. Box 7944, Metairie, Louisiana 70010.

(c) For the OCS off the coast of the States of California, Oregon, or Washington—the ~~Area Oil and Gas~~ Supervisor, U.S. Geological Survey, Pacific Area, Room 160, 1340 West Sixth Street, Los Angeles, California 90017.

(d) For the OCS off the State of Alaska—the ~~Area Oil and Gas~~ Supervisor, U.S. Geological Survey, Alaska Area, P.O. Box 259, Anchorage, Alaska 99510.

§ 251.5-4 Filing locations for notices or permits to conduct scientific research.

Each notice or application for a permit to conduct geological or geophysical scientific research on the OCS shall be filed, in duplicate, at the locations indicated in subsection 251.5-3 of this section.

§ 251.5-5 Fishermen's Contingency Fund.

Upon the establishment of an account under the Fishermen's Contingency Fund for any area of the OCS pursuant to subsection 402(b) of the Act, the holder of a permit for geological or geophysical exploration activities for mineral resources in the area covered by the account shall pay an amount specified by the Secretary of Commerce for the purpose of the establishment and maintenance of an account for the area. At the time of issuing a permit, the Director shall collect the amount specified and deposit it in the Fund to the credit of the appropriate account.

§ 251.6 Test drilling activities.

§ 251.6-1 Permit or notice requirements for shallow test drilling.

The Director, prior to the commencement of shallow test drilling for exploration for mineral resources or for scientific research, may require for permits or recommend for notices the gathering and submission of geophysical information and data sufficient to determine shallow structural detail across and in the vicinity of the proposed test. Other information and data may include, but is not limited to, seismic, bathymetric, side-scan sonar, and magnetometer systems, across and in the vicinity of the proposed test. When required, §§ 251.6-2(c)(1) and (e) and 251.6-3 will apply to permits issued and notices filed for shallow test drilling.

§ 251.6-2 Permit requirements for a deep stratigraphic test.

(a) No deep stratigraphic test drilling activities shall be initiated or conducted until a Drilling Plan has been submitted by the applicant and approved by the Director. The Drilling Plan shall include:

(1) The proposed type and sequence of drilling activities to be undertaken together with a timetable for their performance from commencement to completion;

(2) A description of the drilling rig proposed for use, unless a description has been previously submitted to the Director, indicating the important features thereof, with special attention to safety features and pollution prevention and control features, including oil spill containment and cleanup plans and onshore disposal procedures;

(3) The location of each deep stratigraphic test to be conducted, including the surface and projected bottomhole location of the borehole;

(4) The types of geophysical instrumentation to be used;

(5) Geophysical information and data sufficient to determine shallow

structural detail across and in the vicinity of the proposed test, and other information and data from, but not limited to, seismic, bathymetric, side-scan sonar, and magnetometer systems, collected across any proposed drilling location, and other geophysical data from the area of the proposed test location, and processed geophysical information and interpreted geophysical information therefrom, so as to allow evaluation of structural detail to the total depth of the proposed test; and

(6) Such other relevant information and data as the Director may require.

(b) At the same time the applicant submits a Drilling Plan to the Director, an Environmental Report shall be submitted. The report shall be in summary form and should include information available at the time the related Drilling Plan is submitted. Such information is to be accurate, current, and applicable to the geographic area and the proposed activities covered by the plan. The applicant shall refer to information and data contained in the related plan, other Environmental Reports, and other environmental analyses and impact statements prepared for the geographic area by identifying the information and indicating a source for obtaining copies of the cited materials. Information and data which are site-specific, or which are developed subsequent to the most recent Environmental Impact Statement or other environmental analyses in the immediate area, shall be specifically considered. Specific guidelines for implementing this section will be issued by the Director. The Environmental Report shall include the following:

(1)*(a)* A list and description of new or unusual technologies that are to be used; *(b)* The location of travel routes for supplies and personnel; *(c)* the kinds and approximate quantities of energy to be used; *(d)* The environmental monitoring systems that are to be used; and *(e)* Suitable maps and diagrams showing details of the proposed project layout.

(2) A narrative description of the existing environment. This section shall include the following information on the area: *(a)* Geology; *(b)* Physical oceanography; *(c)* Other uses of the area; *(d)* Flora and fauna; *(e)* Existing environmental monitoring systems; and *(f)* Other unusual or unique characteristics which may affect or be affected by the drilling activities.

(3) A narrative description of the probable impacts of the proposed action on the environment and the measures proposed for mitigating these impacts.

(4) A narrative description of any unavoidable or irreversible adverse effects on the environment that could be expected to occur as a result of the proposed action.

(5) Such other relevant information and data as the Director may require.

(c)(1) When required under a coastal zone management program approved under the Coastal Zone Management Act, the activities proposed by an applicant for a permit to conduct geological or geophysical exploration for minerals or for geological or geophysical scientific research must receive State concurrence in its coastal zone consistency certification prior to the Director's approval of any of the activities covered under the permit.

(2) The applicant shall submit a sufficient number of copies of the Drilling Plan and Environmental Report to permit the Director to transmit copies of each to the Governor of each affected State and the coastal zone management agency of each affected State that has a coastal zone management program approved under the Coastal Zone Management Act. The Director shall also make the Drilling Plan and accompanying Environmental Report available to appropriate Federal Agencies and the public, in accordance with established Departmental practices and procedures.

(d) Any revisions to an approved Drilling Plan must be approved by the Director.

(e) A permittee authorized to drill a deep stratigraphic test shall, if requested by the Director, conduct studies to determine whether any cultural resources exist in the area that may be affected by such drilling, and shall report the findings of those studies to the Director. A permittee authorized to perform shallow test drilling may be required to conduct similar studies if required by the Director. The study shall include a full description of any cultural resources detected. The permittee shall take no action that will result in the disturbance of cultural resources without the prior approval of the Director and, if any cultural resource is discovered after submission of the study (i.e., during site preparation or drilling), the permittee shall immediately report the discovery to the Director and make every reasonable effort to protect the cultural resource from damage until the Director has given directions as to its preservation.

(f) All OCS regulations relating to drilling operations in Part 250 of this title and all OCS Orders relating to the drilling of wells apply, as appropriate, to drilling activities authorized under this Part.

(g) At the completion of the test activities, the borehole of all deep stratigraphic tests shall be permanently plugged and abandoned by the permittee prior to moving the rig off location in accordance with the requirements of the regulations in Part 250 of this Chapter and applicable orders. If the tract on which deep stratigraphic test drilling has been conducted is later leased for exploration and development, the lessee will not be held responsible for the test hole, provided the lessee has not reentered or otherwise disturbed the borehole.

§ 251.6–3 Group participation in test drilling activities.

(a) In order to minimize duplicative geological exploration activities involving the penetration of the seabed of the OCS, a person proposing to drill a deep stratigraphic test shall afford all interested persons, through a signed agreement, an opportunity to participate in the drilling on a cost-sharing basis. The provisions of the agreement for sharing the cost of a deep stratigraphic test may include a penalty for late participants of not more than 100 percent of the cost to each original participant in addition to the original share cost. The participants shall assess and distribute penalties in accordance with the terms of the agreement. If the Director releases a public notice announcing a significant hydrocarbon occurrence, the penalty for subsequent late participants may be raised to not more than 300 percent of the cost of each original participant in addition to the original share cost.

(b) An applicant proposing to conduct shallow test drilling activities shall, when ordered by the Director or when provided in the permit, afford all interested persons an opportunity to participate in the test activity on a cost-sharing basis with a penalty for late participation of not more than 50 percent of the cost to each original participant.

(c) To allow for group participation in shallow or deep test drilling activities, the applicant shall:

(1) Publish a summary statement describing the proposed activity in a manner approved or prescribed by the Director;

(2) Forward a copy of the published statement to the Director;

(3) Allow at least 30 days from the date of publishing the summary statement for other persons to join as original participants;

(4) Compute the estimated cost to an original participant by dividing the estimated total cost of the program by the number of original participants; and

(5) Furnish the Director with a complete list of all participants under

the permit prior to commencing operations, or at the end of the advertising period if operations begin prior to its close. Also, the names of all late participants shall be forwarded to the Director.

(d) If the applicant proposes changes to the original application and the Director determines that such changes are significant, the Director shall require a republication of the changes and an additional 30 days for other persons to join as original participants.

§ 251.6-4 Bonds.

Before a permit authorizing the drilling of a deep stratigraphic test will be issued, the applicant shall furnish to the Bureau of Land Management a corporate surety bond of not less than $50,000 conditioned on compliance with the terms of the permit, unless the applicant maintains with or furnishes to the Bureau of Land Management a bond in the sum of $300,000 conditioned on compliance with the terms of the permit issued to him for the area of the OCS where the applicant proposes to conduct the drilling of a deep stratigraphic test. The Director may require the submission of a bond before authorizing the initiation of shallow test drilling. Any bond furnished or maintained by a person under this section shall be on a form approved or prescribed by the Director, Bureau of Land Management.

§ 251.6-5 Duration of exploration activities.

If a deep stratigraphic test well is drilled within 50 geographic miles of any tract tentatively selected for a lease sale as listed on the currently approved OCS Leasing Schedule, all drilling activities must be completed, and the information and data submitted to the Director, at least 3 months prior to the first day of the month in which the Proposed Notice of Sale is listed. However, the Director may extend the expiration date of a permit if it is determined that such an extension is in the national interest.

§ 251.7 Inspection and reporting of progress and results of activities conducted under permits.

§ 251.7-1 Inspection and observation of exploration activities.

(a) A permittee, upon request by the Director, shall furnish food, quarters, and transportation for Federal representatives. Upon request, the permittee will be reimbursed by the United States for the actual costs incurred as a result of providing food, quarters, and transportation for a Federal representative's stay of more than 10 hours. The Federal representative shall observe or inspect operations conducted pursuant to the permit and determine whether operations are having any adverse effects upon the environment, aquatic life, cultural resources, or other uses of the area.

(b) The Federal representatives shall be appointed or approved by the Director.

§ 251.7-2 Progress report on activities conducted under a permit.

Each permittee shall submit status reports on a weekly basis in a manner approved or prescribed by the Director. This shall include a daily log of operations.

§ 251.7-3 Final report on activities conducted under a permit.

Each permittee shall submit to the Director a final report of exploration or scientific research activities under the permit within 30 days after the completion of operations. The final report shall contain the following:

(a) A description of the work performed.

(b) Charts, maps, or plats depicting the areas and blocks in which any exploration or scientific research activities were conducted, specifically identifying the lines of geophysical traverses or the locations where geological exploration or scientific research activities were conducted, including a reference sufficient to identify the data produced during each activity.

(c) The dates on which the actual exploration or scientific research activities were performed.

(d) A narrative summary of any: (1) Hydrocarbon occurrences or environmental hazards, and (2) Adverse effects of the exploration or scientific research activities on the environment, aquatic life, cultural resources, or other uses of the area in which the activities were conducted.

(e) Such other descriptions of the activities conducted as may be specified by the Director.

§ 251.8 Suspension and cancellation of authority to conduct activities under permit.

(a) The Director may suspend or temporarily prohibit the permittee's authority to conduct exploration or scientific research activities under a permit by notifying the permittee either orally or in writing when the Director determines that there is a threat of serious, irreparable, or immediate harm or damage to life (including fish and other aquatic life), to property, to any mineral deposits (in areas leased or not leased), to the national security or defense, or to the marine, coastal, or human environment. Such suspensions shall be effective immediately upon receipt of the notice. Suspensions issued orally shall be followed by a written notice confirming the action, and all written notices will be sent by certified mail. A suspension shall remain in effect until the basis for the suspension has been corrected to the satisfaction of the Director.

(b) The Director may suspend or temporarily prohibit the permittee's authority to conduct exploration or scientific research under a permit either orally or in writing when the Director determines the permittee fails to comply with a provision of the Act or of any applicable law, the provisions of the permit, provisions of these and other applicable regulations, OCS Orders, or any other written orders or field rules including orders for the filing of reports and well records or logs within the time specified. Such suspensions shall be effective immediately upon receipt of the notice. Suspensions issued orally shall be followed by a written notice confirming the action and all written notices shall be sent by certified mail. A suspension shall remain in effect until the basis for the suspension has been corrected to the satisfaction of the Director.

(c)(1) The Director may cancel, or a permittee may relinquish, a permit to conduct exploration or scientific research activities at any time by sending a notice of cancellation or a notice of relinquishment. Such notices shall state the reason for the cancellation or relinquishment and shall be sent by certified mail to the other party at least 30 days in advance of the date the cancellation or relinquishment will be effective.

(2) Cancellation of a permit to conduct exploration or scientific research activities shall not relieve the permittee of the obligation to abandon any drill sites in accordance with the requirements of paragraph 251.6-2(g) of this Part and to comply with all other obligations specified in this Part or in the permit.

§ 251.9 Penalties.

All persons conducting geological or geophysical exploration activities for mineral resources or scientific research shall be subject to the penalty provisions of section 24 of the Act (43 U.S.C. 1350), the procedures contained in § 250.80 of this Chapter for noncompliance with any provision of the Act, or any provision of the permit, or for any violation of the provisions of any regulation or order issued under the Act. The penalties prescribed in this section shall be in addition to any other

penalty afforded by any other law or regulation.

§ 251.10 Appeals.

Orders or decisions issued under the regulations in this Part may be appealed as provided in Part 290 of this Chapter.

§ 251.11 Inspection, selection, and submission of geological information and data.

(a) Each holder of a permit for geological exploration activities for mineral resources or scientific research shall notify the Director immediately, in writing, of the acquisition, analysis, or interpretation of any geological information and data collected under the permit. All geological data, analyzed geological information, and interpreted geological information collected by the permittee shall be available for inspection by the Director. At any time within 1 year after receiving a notice of the acquisition, analysis, or interpretation of any geological information and data, the Director may select all or part of the geological data, analyzed geological information, and interpreted geological information. However, a longer period of time may be specified in the permit. The permittee shall submit reproducible copies of the information and data selected to the Director within 30 days following receipt of the Director's request, unless the Director authorizes a longer time period for the submission of the information or data.

(b) Each submission of geological data, analyzed geological information, and interpreted geological information shall contain, unless otherwise specified by the Director, the following:

(1) An accurate and complete record of all geological (including geochemical) data, analyzed geological information, and interpreted geological information resulting from each operation;

(2) Paleontological reports identifying microscopic fossils by depth, unless washed samples are maintained by the permittee for paleontological determination and are made available upon request for inspection by the Geological Survey;

(3) Copies of well logs or charts;

(4) Results and data obtained from formation fluid tests;

(5) Analyses of core or bottom samples or a representative cut or split of the core or bottom sample;

(6) Detailed descriptions of any hydrocarbons or hazardous conditions encountered during operations, including near losses of well-control, abnormal geopressures, and losses of circulation; and

(7) Such other geological data, analyzed geological information, and interpreted geological information as may be specified by the Director.

(c) In the event that geological data, analyzed geological information, or interpreted geological information is transferred from the permittee to a third party, or from a third party to another third party, the transferor shall notify the Director and shall require the receiving party, in writing, to abide by the obligations of the permittee as specified in this section as a condition precedent to the transfer of information or data.

§ 251.12 Inspection, selection, and submission of geophysical information and data.

(a) Each holder of a permit for geophysical exploration activities for minerals or scientific research shall notify the Director immediately, in writing, of the acquisition, processing, reprocessing, or interpretation of any geophysical information or data collected under the permit. All geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information collected by the permittee shall be available for inspection by the Director. At any time within 1 year after receiving a notice of the acquisition, processing, reprocessing, or interpretation of any geophysical information and data, the Director may select all or part of the geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information. However, a longer period of time may be specified in the permit.

(b) The Director shall have the right to inspect geophysical data, processed geophysical information, reprocessed geophysical information, or interpreted geophysical information prior to final selection. This inspection shall be performed on the permittee's premises unless the Director requests that the permittee deliver the information or data to the Director for inspection. Such delivery shall be within 30 days following the receipt of the Director's request unless the Director authorizes a later delivery date. At any time prior to final selection, the Director may return any or all geophysical information or data following either its inspection and detailed assessment of its quality, or the establishment of a price to the Government for the processing or reprocessing of the geophysical information or data. If the Director decides to keep all or a portion of the geophysical information and data, the Director shall notify the permittee, in writing, of this decision. If the inspection is done on the permittee's premises, the permittee shall submit the geophysical information or data selected within 30 days following receipt of the Director's request, unless the Director authorizes a longer period of time for delivery. The Director shall have the right to arrange, by contract or otherwise, for the reproduction, without the consent of the permittee, of geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information.

(c) In the event that geophysical data, processed geophysical information, reprocessed geophysical information, or interpreted geophysical information is transferred from the permittee to a third party, or from a third party to another third party, the transferor shall notify the Director and shall require the receiving third party, in writing, to abide by the obligations of the permittee as specified in this section as a condition precedent to the transfer of information or data.

(d) Each submission of geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information, shall contain, unless otherwise specified by the Director, the following:

(1) An accurate and complete record of each geophysical survey conducted under the permit, including digital navigational data and final location maps of all survey stations;

(2) All seismic data developed under a permit presented in a format and of a quality suitable for processing;

(3) Processed geophysical information derived from seismic data with extraneous signals and interference removed, presented in a format and of a quality suitable for interpretive evaluation, reflecting state-of-the-art processing techniques; and

(4) Other geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information obtained from, but not limited to, shallow and deep subbottom profiles, bathymetry, sidescan sonar, gravity and magnetic surveys, and special studies such as refraction and velocity surveys.

§ 251.13 Reimbursement to permittees.

(a) After the delivery of geophysical data, processed geophysical information, and reprocessed geophysical information selected by the Director in accordance with § 251.12(b) of this Part, and upon receipt of a request for reimbursement and a determination by the Director that the requested reimbursement is proper, the

permittee or third party shall be reimbursed for the cost of reproducing the selected information and data at the permittee's or third party's lowest rate or at the lowest commercial rate established in the area, whichever is less.

(b) After the delivery of processed and reprocessed geophysical information selected by the Director in accordance with § 251.12(b) of this Part, and upon receipt of a request for reimbursement and determination by the Director that the requested reimbursement is proper, the permittee or third party shall be reimbursed only for the reasonable costs attributable to processing and reprocessing, as distinguished from the cost of data acquisition, as follows: (1) If the processing or reprocessing has been done by the permittee in the form and manner which is used by the permittee in the normal conduct of business, the Director shall pay the reasonable costs at the lowest rate at which the processed or reprocessed information is made available by the permittee to any party; or (2) If the processing or reprocessing has been done in a form and manner as the Director may request other than that used in the normal conduct of the permittee's business, the Director shall pay the costs of processing and reprocessing such data.

(c) Requests for reimbursement are to contain a breakdown of costs in sufficient detail to allow separation of processing and reprocessing costs from acquisition costs.

§ 251.14 Disclosure of information and data submitted under permits.

§ 251.14-1 Disclosure of information and data to the public.

(a) The Director shall make information and data available in accordance with the requirements and subject to the limitations of the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the requirements of the Act, and the regulations contained in 30 CFR Part 250 (Oil and Gas and Sulphur Operations in the Outer Continental Shelf), this Part, and 30 CFR Part 252 (Outer Continental Shelf Oil and Gas Information Program).

(b) Except as specified in this section or in Parts 250 and 252 of this Chapter, no information or data determined by the Director to be exempt from public disclosure under (a) of this section shall be provided to any affected State or be made available to the executive of any affected local government or to the public unless the permittee and all persons to whom such permittee has sold the information or data under promise of confidentiality agree to such an action.

(c) The Director shall disclose geological data, analyzed geological information, and interpreted geological information submitted under a permit as follows:

(1) The Director shall immediately issue a public announcement when any significant hydrocarbon occurrences are detected or environmental hazards are encountered on unleased lands during drilling operations. In the case of significant hydrocarbon occurrences, the Director will announce such occurrences in a form and manner that will further the national interest without unduly damaging the competitive position of those conducting the drilling. Other information and data pertaining to the permit will be released according to the schedule provided in paragraphs (c)(2) or (3) of this section.

(2) The Director shall make available to the public all geological data, analyzed geological information, and interpreted geological information, except geological data, analyzed geological information, and interpreted geological information obtained from the drilling of a deep stratigraphic test, 10 years after the date of issuance of the permit under which the information and data was obtained.

(3) The Director shall make available to the public all geological data and information obtained from drilling a deep stratigraphic test 10 years after the completion date of the test or 60 calendar days after the issuance of the first OCS oil and gas lease within 50 geographic miles (92.6 kilometers) of the site of the completed test, whichever is sooner. The Director shall make available to the public all geological information and data submitted in support of an application for a permit to drill a deep stratigraphic test well at the earlier of the following times: (*a*) 10 years after completion of the test; or (*b*) 60 calendar days after the issuance of the first OCS oil and gas lease within 50 geographic miles (92.6 kilometers) of the site of the completed test.

(d) The Director shall disclose geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information submitted under a permit, and retained by the Director, as follows:

(1) The Director shall make available to the public geophysical data 10 years after the date of issuance of the permit under which the data is obtained.

(2) The Director shall make available to the public processed geophysical information, reprocessed geophysical information, and interpreted geophysical information 10 years after the date it is submitted to the Director.

(3) The Director shall make available to the public processed geophysical information, reprocessed geophysical information, and interpreted geophysical information submitted in support of an application for a permit to drill a deep stratigraphic test, or which the permittee is required to obtain in order to conduct the drilling of a deep stratigraphic test, at the earliest of the following times: (*a*) 10 years after completion of the test; or (*b*) 60 calendar days after the issuance of the first OCS oil and gas lease within 50 geographic miles (92.6 kilometers) of the site of the completed test.

§ 251.14-2 Disclosure to independent contractors.

The Director reserves the right to disclose any information or data acquired from a permittee to an independent contractor or agent for the purpose of reproducing, processing, reprocessing, or interpreting such information or data. When practicable, the Director shall notify the permittee who provided the information or data of intent to disclose the information or data to an independent contractor or agent. The Director's notice of intent will afford the permittee a period of not less than 5 working days within which to comment on the intended action. When the Director so notifies a permittee of the intent to disclose information or data to an independent contractor or agent, all other owners of such information or data shall be deemed to have been notified of the Director's intent. Prior to any such disclosure, the contractor or agent shall be required to execute a written commitment not to transfer or to otherwise disclose any information or data to anyone without the express consent of the Director. The contractor or agent shall be liable for any unauthorized use by or disclosure of information or data to third parties.

§ 251.14-3 Sharing of information with affected States.

(a) At the time of soliciting nominations for the leasing of lands within 3 geographic miles of the seaward boundary of any coastal State, the Director, pursuant to the provisions of § 252.7(a)(4) and 252.7(b) of this Chapter and sections 8(g) and 26(e) of the Act, shall provide the Governor of the State the following information that has been acquired by the Director on such lands proposed to be offered for leasing:

(1) All information on the geographical, geological, and ecological

characteristics of the areas and regions proposed to be offered for leasing;

(2) An estimate of the oil and gas reserves in the areas proposed for leasing; and

(3) An identification of any field, geological structure, or trap located within 3 miles of the seaward boundary of the State.

(b) After the time of receipt of nominations for any area of the OCS within 3 geographic miles of the seaward boundary of any coastal State and tentative tract selection in accordance with the provisions of 43 CFR Parts 3313 and 3314, the Director, in consultation with the Governor of the State, shall determine whether any tracts being given further consideration for leasing may contain one or more oil or gas reservoirs underlying both the OCS and lands subject to the jurisdiction of the State.

(c) At any time prior to a sale, information acquired by the Director that pertains to the identification of oil or gas pools or fields underlying both the Outer Continental Shelf and lands subject to the jurisdiction of any coastal State on tracts selected for leasing within 3 geographic miles of the seaward boundary of any such State will be shared, upon request and pursuant to the provisions of § 252.7(a)(4) and 252.7(b) of this Chapter and sections 8(g) and 26 of the Act, with the Governor of such State.

(d) Knowledge obtained by a State official who receives information under subsections (a) and (b) of this section shall be subject to the requirements and limitations of the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the Act, the regulations contained in 30 CFR Part 250 (Oil and Gas and Sulphur Operations in the Outer Continental Shelf), the regulations in this Part 251 (Geological and Geophysical Explorations of the Outer Continental Shelf), and the regulations contained in 30 CFR Part 252 (Outer Continental Shelf Oil and Gas Information Program).

§ 251.14-4 Disclosure of information and data relating to specific contractual commitments.

All information and data already received by the Director and covered by a specific contractual commitment concerning its release shall be handled in a way consistent with the contractual commitment. In the event of any conflict between this provision and a provision of any other regulation in this Part 251, or of any regulation in Part 250, this provision shall govern.

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(Rev. 10/80)

Permit and
Agreement No.: _____
Date: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Gulf of Mexico OCS Region
(Insert Appropriate Region Name)

PERMIT AND AGREEMENT FOR OUTER CONTINENTAL SHELF GEOLOGICAL EXPLORATION FOR MINERAL RESOURCES OR SCIENTIFIC RESEARCH

In consideration of the terms and conditions contained herein and the authorization granted hereby, this Permit and Agreement is entered into by and between the United States of America (the Government), acting through the Geological Survey of the Department of the Interior, and

_____
(Name of Permittee)

_____
(Number and Street)

_____
(City, State and Zip Code)

This Permit and Agreement is made pursuant to the authority of sec. 11, Outer Continental Shelf Lands Act of August 7, 1953, as amended on September 18, 1978 by 92 Stat. 629, 43 U.S.C. 1340, hereinafter called the "Act"; and 30 CFR 251. The Government and the Permittee agree as follows:

Sec. 1 The Government hereby authorizes the Permittee to conduct:

☐ Geological exploration for mineral resources or scientific research by means of deep stratigraphic tests as defined in 30 CFR Part 251.2 (j).

☐ Geological exploration for mineral resources by means other than deep stratigraphic tests (including, but not limited to, shallow test drilling as defined in 30 CFR Part 251.2(mm), grab or dart sampling, geochemical analysis, and gas sniffing).

This Permit and Agreement authorizes the Permittee to conduct geological activities during the period from _____ to _____ in the following area(s):

Sec. 2. The type(s) of operations and technique(s):

a. The Permittee shall employ the following type(s) of operations:

and shall utilize the following instrumentation and/or technique(s) in such operations:

b. The Permittee shall conduct all activities in compliance with the terms and conditions of this Permit and Agreement including the "Stipulations," "Special Provisions," and the approved application which are attached to this Permit and Agreement and made a part of it.

c. The Permittee shall conduct all activity in compliance with the Act, the regulations in 30 CFR Part 251, applicable OCS Orders, other written and oral orders of the Deputy Conservation Manager, and other applicable regulations and statutes whether such statutes, regulations and orders are enacted, promulgated, issued or amended before or after this Permit and Agreement is issued, provided, however, that if any provision of any future statue, regulation or order is in conflict with the terms of sections 8, 9, or 10 hereof, the terms of these sections shall control. Some of the provisions of 30 CFR Part 251 are restated in this Permit and Agreement for emphasis. However, all of the provisions of such regulations are incorporated in this Permit and Agreement except as limited by this subsection.

Sec. 3. Reports on operations:

a. Each Permittee shall submit a status report on a weekly basis in a manner approved or prescribed by the Deputy Conservation Manager. This shall include a daily log of operations.

b. Each Permittee shall submit to the Deputy Conservation Manager a final report within 30 days after the completion of operations. The final report shall contain the following:

(1) A description of the work performed.

(2) Charts, maps, or plats depicting the areas and blocks in which any exploration or scientific research activities were conducted, specifically identifying the locations where geological explorations or scientific research activities were conducted, sufficient to identify the data produced during each activity.

(3) The dates on which the actual exploration or scientific research activities were performed.

(4) A narrative summary of any: (a) hydrocarbon occurrences or environmental hazards observed, and (b) adverse effects of the exploration or scientific research activities on the environment, aquatic life, cultural resources, or other uses of the area in which the activities were conducted.

(5) Such other descriptions of the activities conducted as may be specified by the Deputy Conservation Manager.

Sec. 4. Permit requirements for shallow test drilling:

If Section 1. of this Permit and Agreement authorizes shallow test drilling for exploration for mineral resources or scientific reseach, the Deputy Conservation Manager may require the gathering and submission of geophysical information and data sufficient to determine shallow structural detail across and in the vicintiy of the proposed test. Other information and data may include, but is not limited to, seismic, bathymetric, side-scan sonar, and magnetometer systems, across and in the vicinity of the proposed test. When required, §§ 251.6-2(c)(1) and (e), 251.6-3 and 251.6-4 of the regulations in 30 CFR Part 251 will apply to permits issued for shallow test drilling. OCS regulations in 30 CFR Part 250, and OCS orders related to drilling apply as appropriate to activities authorized under this section.

Sec. 5. Permit requirements for a deep stratigraphic test:

If Section 1. of this Permit and Agreement authorizes the drilling of a deep stratigraphic test, the following conditions shall apply:

a. No deep stratigraphic test drilling activities shall be initiated or conducted until a drilling plan has been submitted by the applicant and approved by the Deputy Conservation Manager. The drilling plan shall include:

(1) The proposed type and sequence of drilling activities to be undertaken together with a timetable for their performance from commencement to completion.

(2) A description of the drilling rig proposed for use, unless a description has been previously submitted to the Deputy Conservation Manager, indicating the important features thereof, with special attention to safety features and pollution prevention and control features, including oil spill containment and cleanup plans and onshore disposal procedures.

(3) The location of the deep stratigraphic test to be conducted, including the surface and projected bottomhole location of the borehole.

(4) The types of geophysical instrumentation to be used for site surveys.

(5) Geophysical information and data sufficient to determine shallow structural detail across and in the vicinity of the proposed test, and other information and data from, but not limited to, seismic, bathymetric, side-scan sonar, and magnetometer systems collected across any proposed drilling location, and other geophysical data from the area of the proposed test location, and processed geophysical information and interpreted geophysical information therefrom, so as to allow evaluation of structural detail to the total depth of the proposed test.

(6) Such other relevant information and data as the Deputy Conservation Manager may require.

b. Any revisions to an approved Drilling Plan must be approved by the Deputy Conservation Manager.

c. At the same time the applicant submits a drilling plan to the Deputy Conservation Manager, an Environmental Report shall be submitted. The report shall be in summary form and should include information available at the time the related drilling plan is submitted. Such information is to be accurate, current, and applicable to the geographic area and the proposed activities covered by the plan. The applicant shall refer to information and data contained in the related plan, other Environmental Reports, and other environmental analyses and impact statements prepared for the geographic area by identifying the information and indicating a source for obtaining copies of the cited materials. Information and data which are site-specific, or which are developed subsequent to the most recent Environmental Impact Statement or other environmental analyses in the immediate area, shall be specifically considered. Specific guidelines for implementing this section will be issued by the Director of the Geological Survey. The Environmental Report shall include the following:

(1) (a) A list and description of new or unusual technologies that are to be used; (b) the location of travel routes for supplies and personnel; (c) the kinds and approximate quantities of energy to be used; (d) the environmental monitoring systems that are to be used; (e) suitable maps and diagrams showing details of the proposed project layout.

(2) A narrative description of the existing environment. This section shall include the following information on this area: (a) geology; (b) physical oceanography; (c) other uses of the area; (d) flora and fauna; (e) existing environmental monitoring systems; and (f) other unusual or unique characteristics which may affect or be affected by the drilling activities.

(3) A narrative description of the probable impacts of the proposed action on the environment and the measures proposed for mitigating these impacts.

(4) A narrative description of any unavoidable or irreversible adverse effects on the environment that could be expected to occur as a result of the proposed action.

(5) Such other relevant information and data as the Deputy Conservation Manager may require.

d. All OCS regulations relating to drilling operations in 30 CFR Part 250 and all OCS Orders relating to the drilling of wells apply, as appropriate, to drilling activities authorized under this Permit and Agreement.

e. At the completion of the test activities, the borehole of all deep stratigraphic tests shall be permanently plugged and abandoned by the Permittee prior to moving the rig off location in accordance with the requirements of the regulations in 30 CFR Part 250 and applicable orders.

f. The Permittee shall comply with the following sections of 30 CFR Part 251: 251.6-3 (Group Participation), 251.6-4 (Bonds), 251.6-2(c)(1) and (2) (Coastal Zone Management Act), 251.6-2(e) (Cultural Resources), and 251.6-5 (Duration of Exploration Activities).

Sec. 6. Inspection, selection, and submission of geological information and data

a. The Permittee shall notify the Deputy Conservation Manager immediately, in writing, of the acquisition, analysis, or interpretation of any geological information and data collected under the permit. All geological data, analyzed geological information, and interpreted geological information collected by the Permittee shall be available for inspection by the Deputy Conservation Manager. At any time within ____ year(s) after receiving a notice of the acquisition, analysis, or interpretation of any geological information and data, the Deputy Conservation Manager may select all or part of the geological data, analyzed geological information and interpreted geological information. The Permittee shall submit reproducible copies of the information and data selected to the Deputy Conservation Manager within 30 days following receipt of the Deputy Conservation Manager's request, unless the Deputy Conservation Manager authorizes a longer time period for the submisson of the information or data.

b. Each submission of geological data, analyzed geological information, and interpreted geological information shall contain unless otherwise specified by the Deputy Conservation Manager, the following:

(1) An accurate and complete record of all geological (including geochemical) data, analyzed geological information, and interpreted geological information resulting from each operation.

(2) Paleontological reports identifying microscopic fossils by depth, unless washed samples are maintained by the Permittee for paleontological determination and are made available upon request for inspection by the Geological Survey.

(3) Copies of well logs or charts.

(4) Results and data obtained from formation fluid tests.

(5) Analyses of core or bottom samples or a representative cut or split of the core or bottom sample.

(6) Detailed descriptions of any hydrocarbons or hazardous conditions encountered during operations, including near losses of well control, abnormal geopressures, and losses of circulation.

(7) Such other geological data, analyzed geological information, and interpreted geological information as may be specified by the Deputy Conservation Manager.

c. In the event that geological data, analyzed geological information, or interpreted geological information are transferred from the Permittee to a third party, or from a third party to another third party, the transferor shall notify the Deputy Conservation Manager and shall require the receiving party, in writing, to abide by the obligations of the Permittee as specified in this section as a condition precedent to the transfer of information or data.

Sec. 7. Reimbursement to Permittees:

The Permittee shall not be reimbursed for the costs of any information or data acquired and submitted, or of any interpretations performed and submitted, under the terms and conditions of this Permit and Agreement.

Sec. 8. Disclosure of information and data to the public:

a. The Deputy Conservation Manager shall make information and data submitted by a Permittee available in accordance with the requirements and subject to the limitations of the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the requirements of the Act, and the regulations contained in 30 CFR Part 250 (Oil and Gas and Sulphur Operations in the Outer Continental Shelf), 30 CFR Part 251 (Geological and Geophysical Explorations of the Outer Continental Shelf), and 30 CFR Part 252 (Outer Continental Shelf Oil and Gas Information Program).

b. Except as specified in this section or in 30 CFR Parts 250, 251, and 252, no information or data determined by the Deputy Conservation Manager to be exempt from public disclosure under subsection a. of this section shall be provided to any affected State, or government, or to the public unless the Permittee and all persons to whom such Permittee has sold the information or data under promise of confidentiality agree to such an action.

c. The Director or the Deputy Conservation Manager shall disclose geological data, analyzed geological information, and interpreted geological information submitted under a permit as follows:

(1) The Director shall immediately issue a public announcement when any significant hydrocarbon occurrences are detected or environmental hazards are encountered on unleased lands during drilling operations. In the case of significant hydrocarbon occurrences, the Director will announce such occurrences in a form and manner that will further the national interest without unduly damaging the competitive position of those conducting the drilling. Other information and data pertaining to the permit will be released according to the schedule provided in paragraphs (2) and (3) of this subsection.

(2) The Deputy Conservation Manager shall make available to the public all geological data, analyzed geological information, and interpreted geological information, except geological data, analyzed geological information, and interpreted geological information obtained from the drilling of a deep stratigraphic test, 10 years after the date of issuance of the permit under which the information and data was obtained.

(3) The Deputy Conservation Manager shall make available to the public all geological data and information obtained from drilling a deep stratigraphic test 10 years after the completion date of the test or 60 calendar days after the issuance of the first OCS oil and gas lease within 50 geographic miles (92.6 kilometers) of the site of the completed test, whichever is sooner. The Deputy Conservation Manager shall make available to the public all geological information and data submitted in support of an application for a permit to drill a deep stratigraphic test well at the earlier of the following times: (a) 10 years after completion of the test; or (b) 60 calendar days after the issuance of the first OCS oil and gas lease within 50 geographic miles (92.6 kilometers) of the site of the completed test.

Sec. 9. Disclosure to independent contractors:

The Deputy Conservation Manager reserves the right to disclose any information or data acquired from a Permittee to an independent contractor or agent for the purpose of reproducing, analyzing, or interpreting such information or data. When practicable, the

Deputy Conservation Manager shall notify the Permittee who provided the information or data of intent to disclose the information or data to an independent contractor or agent. The Deputy Conservation Manager's notice of intent will afford the Permittee a period of not less than 5 working days within which to comment on the intended action. When the Deputy Conservation Manager so notifies a Permittee of the intent to disclose information or data to an independent contractor or agent, all other owners of such information or data shall be deemed to have been notified of the Deputy Conservation Manager's intent. Prior to any such disclosure, the contractor or agent shall be required to execute a written commitment not to transfer or to otherwise disclose any information or data to anyone without the express consent of the Deputy Conservation Manager. The contractor or agent shall be liable for any unauthorized use by or disclosure of information or data to third parties.

Sec. 10. Sharing of information with affected States:

a. At the time of soliciting nominations for the leasing of lands within 3 geographic miles of the seaward boundary of any coastal State, the Deputy Conservation Manager pursuant to the provisions of 30 CFR Parts 252.7(a)(4) and 252.7(b), and sections 8(g) and 26(e) of the Act, shall provide the Governor of the State (or the Governor's designated representative) the following information that has been acquired by the Deputy Conservation Manager on such lands proposed to be offered for leasing:

(1) All information on the geographical, geological, and ecological characteristics of the areas and regions proposed to be offered for leasing.

(2) An estimate of the oil and gas reserves in the areas proposed for leasing.

(3) An identification of any field, geological structure, or trap located within 3 miles of the seaward boundry of the State.

b. After the time of receipt of nominations for any area of the OCS within 3 geographic miles of the seaward boundary of any coastal State and tentative tract selection in accordance with the provisions of 43 CFR Parts 3313 and 3314, the Deputy Conservation Manager in consultation with the Governor of the State (or the Governor's designated representative), shall determine whether any tracts being given further consideration for leasing may contain one or more oil or gas reservoirs underlying both the OCS and lands subject to the jurisdiction of the State.

c. At any time prior to a sale, information acquired by the Deputy Conservation Manager that pertains to the identification of oil or gas pools or fields underlying both the Outer Continental Shelf and lands subject to the jurisdication of any coastal State on

tracts selected for leasing within 3 geographic miles of the seaward boundary of any such State will be shared, upon request and pursuant to the provisions of 30 CFR Parts 252.7(a)(4) and 252.7(b) and sections 8(g) and 26 of the Act, with the Governor of such State (or the Governor's designated representative).

d. Knowledge obtained by a State official who receives information under subsections a. and b. of this section shall be subject to the requirements and limitations of the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the Act, the regulations contained in 30 CFR Part 250 (Oil and Gas and Sulphur Operations in the Outer Continental Shelf), the regulations in 30 CFR Part 251 (Geological and Geophysical Explorations of the Outer Continental Shelf), and the regulations contained in 30 CFR Part 252 (Outer Continental Shelf Oil and Gas Information Program).

Sec. 11. Fishermen's Contingency Fund:

Upon the establishment of an account under the Fishermen's Contingency Fund for any area of the OCS pursuant to subsection 402(b) of the Act, the holder of a permit for geological exploration activities for mineral resources in the area covered by the account shall pay an amount specified by the Secretary of Commerce for the purpose of the establishment of an account for the area. At the time of an assessment as specified in 50 CFR Part 296.4, the Deputy Conservation Manager shall collect the amount specified and deposit it in the Fund to the credit of the appropriate account.

Sec. 12. Permit Modifications:

The Government shall have the right at any time to modify or amend any provision of this Permit and Agreement except that the Government shall not have such right with respect to the provisions of sections 8, 9, and 10 hereof.

IN WITNESS WHEREOF the parties have executed this Permit and Agreement, and it shall be effective as of the date of signature by the Deputy Conservation Manager.

Permittee:

By _____
(Signature of Permittee)

_____
(Type or print name of Permittee)

_____
(Title)

_____
(Date)

The United States of America:

By _____
(Deputy Conservation Manager)

_____
(Type or print name of Deputy Conservation Manager)

_____
(Date)

(Rev. 10/80)

Permit and
Agreement No: _____
Date: _____

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Gulf of Mexico OCS Region
(Insert Appropriate Region Name)

PERMIT AND AGREEMENT FOR OUTER CONTINENTAL SHELF GEOPHYSICAL EXPLORATION FOR MINERAL RESOURCES OR SCIENTIFIC RESEARCH

In consideration of the terms and conditions contained herein and the authorization granted hereby, this Permit and Agreement is entered into by and between the United States of America (the Government), acting through the Geological Survey of the Department of the Interior, and

_____
(Name of Permittee)

_____
(Number and Street)

_____
(City, State and Zip Code)

This Permit and Agreement is made pursuant to the authority of Sec. 11, Outer Continental Shelf Lands Act of August 7, 1953, as amended on September 18, 1978 by 92 Stat. 629, 43 U.S.C. 13s40, hereinafter called the "Act"; and 30 CFR 251. The Government and the Permittee agree as follows:

Sec 1. The Government hereby authorizes the Permittee to conduct:

☐ Geophysical Exploration for mineral resources as defined by 30 CFR Part 251.2 (o) and (gg).

☐ Geophysical scientific research. This is any geophysical investigation that involves the use of solid or liquid explosives as defined by 30 CFR Part 251.2(p) and (gg).

This Permit and Agreement authorizes the Permittee to conduct geophysical activities during the period from _____ to _____ in the following area(s):

Sec. 2. The type(s) of operations and technique(s):

a. The Permittee shall employ the following type(s) of operations:

and shall utilize the following instrumentation and/or technique(s) in such operations:

b. The Permittee shall conduct all activities in compliance with the terms and conditions of this Permit and Agreement, including the "Stipulations," "Special Provisions," and the approved application, which are attached to this Permit and Agreement and made a part of it.

c. The Permittee shall conduct all exploration or scientific research activities in compliance with the Act, the regulations in 30 CFR Part 251, applicable OCS Orders, other written and oral orders of the Deputy Conservation Manager, and other applicable regulations and statutes whether such statutes, regulations, and orders are enacted, promulgated, issued, or amended before or after this Permit and Agreement is issued, provided, however, that if any provision of any future statute, regulation, or order is in conflict with the terms of sections 5, 6, 7, or 8 hereof, the terms of these sections shall control. Some of the provisions of 30 CFR Part 251 are restated in this Permit and Agreement for emphasis. However, all of the provisions of such regulations are incorporated in this Permit and Agreement except as limited by this subsection.

Sec. 3. Reports on Operations:

Each Permittee shall submit status reports on a weekly basis in a manner approved or prescribed by the Deputy Conservation Manager. This shall include a daily log of operations and a map on a scale of 1 inch equals 40,000 feet showing traverse lines according to area and block numbers. Rough line index map at scale 1 inch equals 40,000' with lines shot that week marked (by color) would suffice.

a. Each Permittee shall submit to the Deputy Conservation Manager a final report within 30 days after the completion of operations. The final report shall contain the following:

(1) A description of the work performed.
(2) Charts, maps, or plats (on a scale of 1 inch equals 40,000 feet) depicting the areas and blocks in which any geophysical exploration or scientific research activities were conducted, specifically identifying the lines of geophysical traverses, and with references sufficient to identify data produced during each activity.
(3) The dates on which the actual exploration or scientific research activities were performed.
(4) A narrative summary of any (a) hydrocarbon occurrences or environmental hazards observed, and (b) adverse effects of the exploration or scientific research activities on the environment, aquatic life, cultural resources, or other uses of the area in

(5) Such other descriptions of the activities conducted as may be specified by the Deputy Conservation Manager.

Sec. 4. Inspection, selection, and submission of geophysical information and data:

a. The Permittee shall notify the Deputy Conservation Manager immediately, in writing, of the acquisition, processing, reprocessing, or interpretation of any geophysical information or data collected under the permit. The Permittee must submit this written notice to the Deputy Conservation Manager when the initial product becomes available at each level of data gathering or utilization, i.e., acquisition, processing, reprocessing, or interpretation. If subsequent utilizations of the data are conducted, it is the responsibility of the permittee to either (1) submit a new written notice, or (2) keep the resulting products available in the event a request is received from the Deputy Conservation Manager concerning the current status of data utilization, in which case a new period as specified herein begins for inspection and selection of the data and information. All geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information collected by the Permittee shall be available for inspection by the Deputy Conservation Manager. At any time within ____ year(s) after receiving a notice of the acquisition, processing, reprocessing, or interpretation of any geophysical information and data, the Deputy Conservation Manager may select all or part of the geophysical information, and interpreted geophysical information.

b. The Deputy Conservation Manager shall have the right to inspect geophysical data, processed geophysical information, reprocessed geophysical information, or interpreted geophysical information prior to final selection. This inspection shall be performed on the Permittee's premises unless the Deputy Conservation Manager requests that the Permittee deliver the information or the data to the Deputy Conservation Manager for inspection. Such delivery shall be within 30 days following the receipt of the Deputy Conservation Manager's request unless the Deputy Conservation Manager authorizes a later delivery date. The information or data selected by the Deputy Conservation Manager must be submitted regardless of whether the permittee and the Government have or have not concluded an agreement for reimbursement for the information or data selected. At any time prior to final selection, the Deputy Conservation Manager may return any or all geophysical information or data following either its inspection and detailed assessment of its quality, or the establishment of a price to the Government for the processing or reprocessing of the geophysical information or data. If the Deputy Consevation Manager decides to keep all or a portion of the geophysical information or data, the Deputy Conservation Manager shall notify the Permittee, in writing, of this decision. If the inspection is done on the Permittee's premises, the Permittee shall submit the geophysical information or data selected within 30 days following receipt of

the Deputy Conservation Manager's request, unless the Deputy Conservation Manager authorizes a longer period of time for delivery. The Deputy Conservation Manager shall have the right to arrange, by contract or otherwise, for the reproduction, without the consent of the Permittee, of geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information.

c. In the event that geophysical data, processed geophysical information, reprocessed geophysical information, or interpreted geophysical information is transferred from the Permittee to a third party, or from a third party to another third party, the transferor shall notify the Deputy Conservation Manager and shall require the receiving third party, in writing, to abide by the obligations of the Permittee as specified in this section as a condition precedent to the transfer of information or data.

d. Each submission of geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information, shall contain, unless otherwise specified by the Deputy Conservation Manager, the following:

(1) An accurate and complete record of each geophysical survey conducted under the permit, including digital navigational data and final location maps of all survey stations.
(2) All seismic data developed under a permit presented in a format and of a quality suitable for processing.
(3) Processed geophysical information derived from seismic data with extraneous signals and interference removed, presented in a format and of a quality suitable for interpretive evaluation, reflecting state-of-the-art processing techniques.
(4) Other geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information obtained from, but not limited to, shallow and deep subbottom profiles, bathymetry, side-scan sonar, gravity and magnetic surveys, and special studies such as refraction and velocity surveys.

Sec. 5. Reimbursement to Permittees:

a. After the delivery of geophysical data, processed geophysical information, and reprocessed geophysical information selected by the Deputy Conservation Manager in accordance with subsection 4.b. of this permit, and upon receipt of a request for reimbursement and a determination by the Deputy Conservation Manager that the requested reimbursement is proper, the Permittee or third party shall be reimbursed for the cost of reproducing the selected information and data at the Permittee's or third party's lowest rate or at the lowest commerical rate established in the area, whichever is less.

b. After the delivery of processed and reprocessed geophysical information selected by the Deputy Conservation Manager in accordance with subsection 4.b. of this permit and upon receipt of a request for reimbursement and determination by the Deputy Conservation Manager that the requested reimbursement is proper, the Permittee or third party shall be reimbursed only for the reasonable costs attributable to processing and reprocessing, as distinguished from the cost of data acquisition, as follows: (1) if the processing or reprocessing has been done by the Permittee in the form and manner which is used by the Permittee in the normal conduct of business, the Deputy Conservation Manager shall pay the reasonable costs at the lowest rate at which the processed or reprocessed information is made available by the Permittee to any party; or (2) if the processing or reprocessing has been done in a form and manner as the Deputy Conservation Manager may request other than that used in the normal conduct of the Permittee's business, the Deputy Conservation Manager shall pay the costs of processing and reprocessing such data.

c. Request for reimbursement are to contain a breakdown of costs in sufficient detail to allow separation of processing and reprocessing costs from acquisition costs.

d. The Permittee shall not be reimbursed for the cost of any interpretations performed and submitted under the terms and conditions of this permit.

Sec. 6. Disclosure of information and data to the public:

a. The Deputy; Conservation Manager shall make information and data submitted by a Permittee available in accordance with the requirements and subject to the limitations of the Freedom of Information Act (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the requirements of the Act, and the regulations contained in 30 CFR Part 250 (Oil and Gas and Sulphur Operations in the Outer Continental Shelf), 30 CFR Part 251 (Geological and Geophysical Explorations of the Outer Continental Shelf), and 30 CFR Part 252 (Outer Continental Shelf Oil and Gas Information Program).

b. Except as specified in this section or in 30 CFR Parts 250, 251, and 252, no information or data determined by the Deputy Conservation Manager to be exempt from public disclosure under subsection a. of this section shall be provided to any affected State, or be made available to the executive of any affected local government or to the public, unless the Permittee and all persons to whom such Permittee has sold the information or data under promise of confidentiality agree to such an action.

c. The Deputy Conservation Manager shall disclose geophysical data, processed geophysical information, reprocessed geophysical information, and interpreted geophysical information submitted under a permit and retained by the Deputy Conservation Manager as follows:

(1) The Deputy Conservation Manager shall make available to the public geophysical data 10 years after the date of issuance of the permit under which the data is obtained.
(2) The Deputy Conservation Manager shall make available to the public processed geophysical information, reprocessed geophysical information, and interpreted geophysical information 10 years after the date it is submitted to the Deputy Conservation Manager.
(3) The Deputy Conservation Manager shall make available to the public processed geophysical information, reprocessed geophysical information, and interpreted geophysical information submitted (1) in support of an application for a permit to drill a deep stratigraphic test, or which (2) the Permittee is required to obtain in order to conduct the drilling of a deep stratigraphic test, at the earliest of the following times: (a) 10 years after completion of the test; or (b) 60 calendar days after the issuance of the first OCS oil and gas lease within 50 geographic miles (92.6 kilometers) of the site of the completed test.

Sec. 7. Disclosure to independent contractors:

The Deputy Conservation Manager reserves the right to disclose any information or data acquired from a Permittee to an independent contractor or agent for the purpose of reproducing, processing, reprocessing or interpreting such information or data. When practicable, the Deputy Conservation Manager shall notify the Permittee who provided the information or data of intent to disclose the information or data to an independent contractor or agent. The Deputy Conservation Manager's notice of intent will afford the Permittee a period of not less than 5 working days within which to comment on the intended action. When the Deputy Conservation Manager so notifies a Permittee of the intent to disclose information or data to an independent contractor or agent, all other owners of such information or data shall be deemed to have been notified of the Deputy Conservation Manager's intent. Prior to any such disclosure, the contractor or agent shall be required to execute a written commitment not to transfer or to otherwise disclose any information or data to anyone without the express consent of the Deputy Conservation Manager. The contractor or agent shall be liable for any unauthorized use by or disclosure of information or data to third parties.

Sec. 8. Sharing of information with affected States:

a. At the time of soliciting nominations for the leasing of lands within 3 geographic miles of the seaward boundary of any coastal State, the Deputy Conservation Manager pursuant to the provisions of 30 CFR Part 252.7(a)(4) and 252.7(b), and sections 8(g) and 26(e) of the Act, shall provide the Governor of the State (or the Governor's designated representative) the following information that has been acquired by the Deputy Conservation Manager on such lands proposed to be offered for leasing:

(1) All information on the geographical, geological, and ecological characteristics of the areas and regions proposed to be offered for leasing.
(2) An estimate of the oil and gas reserves in the areas proposed for leasing.
(3) An identification of any field, geological structure, or trap located within 3 miles of the seaward boundary of the State.

b. After the time of receipt of nominations for any area of the OCS within 3 geographic miles of the seaward boundary of any coastal State and tentative tract selection in accordance with the provisions of 43 CFR Parts 3313 and 3314, the Deputy Conservation Manager, in consultation with the Governor of the State (or the Governor's designated representative), shall determine whether any tracts being given further consideration for leasing may contain one or more oil or gas reservoirs underlying both the OCS and lands subject to the jurisdiction of the State.

c. At any time prior to a sale, information acquired by the Deputy Conservation Manager that pertains to the identification of oil or gas pools or fields underlying both the Outer Continental Shelf and lands subject to the jurisdiction of any coastal State on tracts selected for leasing within 3 geographic miles of the seaward boundary of any such State will be shared, upon request and pursuant to the provisions of 30 CFR Part 252.7(a)(4) and 252.7(b), and sections 8(g) and 26 of the Act, with the Governor of such State (or the Governor's designated representative).

d. Knowledge obtained by a State official who receives information under subsections (a) and (b) of this section shall be subject to the requirements and limitations of the Freedom of Information Act, (5 U.S.C. 552) and the implementing regulations (43 CFR Part 2), the Act, the regulations contained in 30 CFR Part 250 (Oil and Gas and Sulphur Operations in the Outer Continental Shelf), the regulations in Part 251 (Geological and Geophysical Exploration of the Outer Continental Shelf), and the regulations contained in 30 CFR Part 252 (Outer Continental Shelf Oil and Gas Information Program).

Sec. 9. Fishermen's Contingency Fund:

Upon the establishment of an account under the Fishermen's Contingency Fund for any area of the OCS pursuant to subsection 402(b) of the Act, the holder of a permit for geophysical exploration activities for mineral resources in the area covered by the account shall pay an amount specified by the Secretary of Commerce for the purpose of the establishment of an account for the area. At the time of an assessment, as specified in 50 CFR 296.4, the Deputy Conservation Manager shall collect the amount specified and deposit it in the Fund to the credit of the appropriate account.

Sec. 10. Permit Modifications:

The Government shall have the right at any time to modify or amend any provisions of this Permit and Agreement except that the Government shall not have such right with respect to the provisions of sections 5, 6, 7, and 8 hereof.

IN WITNESS WHEREOF the parties have executed this Permit and Agreement and it shall be effective as of the date of signature by the Deputy Conservation Manager.

Permittee:

By _____
(Signature of Permittee)

_____
(Type or print name of Permittee)

_____
(Title)

_____
(Date)

The United States of America:

By _____
(Signature of Deputy Conservation Manager)

_____
(Type or print name of Deputy Conservation Manager)

_____
(Date)

STIPULATIONS

In the performance of any operations under the Permit and Agreement for Outer Continental Shelf Geophysical Exploration, the Permittee shall comply with the following Stipulations:

1. As part of the requirements of 30 CFR Part 251.3-5(a), if any operation under this Permit and Agreement is to be conducted in a leased area, the Permittee shall take all necessary precautions to avoid interference with operations on the lease and damage of existing structures and facilities. The lessee (or operator) of the leased area will be notified in writing before the Permittee enters the leased area or commences operations, and a copy of the notification will be sent to the Deputy Conservation Manager executing this Permit and Agreement.

2. (a) Solid or liquid explosives shall not be used except pursuant to written authorization from the Deputy Conservation Manager. Requests for the use of such explosives must be in writing, giving the size of charges to be used, the depth at which they are to be detonated, and the specific precautionary methods proposed for the protection of fish, oysters, shrimp, and other aquatic life, wildlife, or other natural resources.

   (b) The following provisions are made applicable when geophysical exploration on the Outer Continental Shelf using explosives is approved:

      (i) Each explosive charge will be permanently identified by markings so that unexploded charges may be positively traced to the Permittee and to the specific field party of the Permittee responsible for the explosive charge.

      (ii) The placing of explosive charges on the seafloor is prohibited. No explosive charges shall be detonated nearer to the seafloor than five (5) feet (1.52 meters).

      (iii) No explosive shall be discharged within 1,000 feet (304.8 meters) of any boat not involved in the survey.

3. Any serious accident, personal injury, or loss of property shall be immediately reported to the Deputy Conservation Manager.

4. All pipes, buoys, and other markers used in connection with seismic work shall be properly flagged and lighted according to the navigation rules of the U.S. Corps of Engineers and the U.S. Coast Guard.

5. In addition to the "Stipulations" above, the "Special Provisions" attached hereto shall apply:

STIPULATIONS

In the performance of any operations under the Permit and Agreement for Outer Continental Shelf Geological Exploration for Mineral Resources or Scientific Research, the Permittee shall comply with the following Stipulations:

1. As part of the requirements of 30 CFR 251.3-5(a), if any operation under this Permit and Agreement is to be conducted in a leased area, the Permittee shall take all necessary precautions to avoid interference with operations on the lease and damage of existing structures and facilities. The lessee (or operator) of the leased area will be notified, in writing, before the Permittee enters the leased area or commences operations, and a copy of the notification will be sent to the Deputy Conservation Manager executing this Permit and Agreement.

2. Any serious accident, personal injury, or loss of property shall be immediately reported to the Deputy Conservation Manager.

3. All pipes, buoys, and other markers used in connection with geologic work shall be properly flagged and lighted according to the navigation rules of the U.S. Corps of Engineers and the U.S. Coast Guard.

4. In addition to the "Stipulations" above, the "Special Provisions" attached hereto shall apply.

(Rev. 10/80)

The application is for a Permit and Agreement to conduct: (Check One)

Permit and Agreement No: _____

Date: _____

☐ Geological Exploration for Mineral Resources

☐ Geophysical Exploration for Mineral Resources

☐ Geological Scientific Research

☐ Geophysical Scientific Research

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Gulf of Mexico OCS Region
(Insert Appropriate Region Name)

APPLICATION FOR PERMIT AND AGREEMENT FOR OUTER CONTINENTAL SHELF EXPLORATION FOR MINERAL RESOURCES OR SCIENTIFIC RESEARCH

(Sec. 11, Outer Continental Shelf Lands Act of August 7, 1953, as amended on September 18, 1978 by P.L. 95-372, 92 Stat. 629, 43 U.S.C. 1340; and 30 CFR 251)

_____
(Name of Applicant)

_____
(Number and Street)

_____
(City, State and Zip Code)

_____
(Name of Service Company or Purchaser if different from above)

Application is made for a Permit and Agreement to conduct exploration for mineral resources or scientific research on the Outer Continental Shelf. Application should be filed in triplicate. Separate applications are required for each permit requested.

The applicant hereby furnishes the following information with respect to the proposed activity for which a Permit and Agreement is requested. Use separate sheets as necessary.

Each application for a Permit and Agreement shall include a plat(s) showing the proposed location of the activity. Said plat(s) should show geographic coordinates relative to Bureau of Land Management area and block numbers, an easily identified onshore point of reference, and the distance and direction from the point of reference to the area of activity.

A. GENERAL INFORMATION:

1. The activity shall be conducted by:

_____ FOR _____
(Service Company Name) (Purchaser of the data)

_____ _____

_____ _____
(Address) (Address)

_____ _____
(Telephone) (Telephone)

2. The purpose of the activity is: ☐ Scientific research

☐ Mineral exploration

3. Describe the environmental effects of the proposed activity including potential adverse effects on marine life and what steps are planned to minimize these adverse effects (use continuation sheets as necessary) _____

_____

_____.

4. The expected commencement date is _____ and the expected completion date is _____.

5. The name of the individual in charge of the field operation is _____. May be contacted at _____

_____.

Telephone (local) _____ (marine) _____

Radio call sign)_____.

6. The vessel(s) to be used in the operations is (are) as follows:

Name _____ Official number _____

Registered owner _____.

7. The port from which the vessel(s) will operate is _____.

8. Briefly describe the locator system _____

_____.

B. COMPLETE FOR GEOLOGICAL EXPLORATION FOR MINERAL RESOURCES, OR GEOLOGICAL SCIENTIFIC RESEARCH:

1. The type(s) of operation(s) to be employed is (are): (check one)

(a) ☐ Deep stratigraphic test, or (b) ☐ Shallow stratigraphic test with proposed total depth of _____ or,

(c) ☐ Other: _____.

2. Exact geographic coordinates of proposed test(s): _____

_____

C. COMPLETE FOR GEOPHYSICAL EXPLORATION FOR MINERAL RESOURCES, OR GEOPHYSICAL SCIENTIFIC RESEARCH:

1. Area of activity and total number of line miles proposed: _____

_____.

2. The type(s) of operation(s) to be employed is (are): _____ (Seismic,

_____. gravity, magnetic, etc.)

3. The instrumentation and/or technique(s) to be used in the operation(s) is (are): _____. (air gun, sparker, etc.)

4. Explosive charges will ☐ will not ☐ be used. If applicable, indicate the type of explosive and maximum charge size (in pounds) to be used: Type _____ Pounds _____
Equivalent pounds of TNT _____.

D. COMPLETE FOR SCIENTIFIC RESEARCH:

1. State the time and manner in which information resulting from the research will be made available to the public for inspection and reproduction, such time being the earliest practicable time: _____

2. _____(applicant) agrees that the information and data resulting from the research will not be sold or withheld for exclusive use.

_____
(Signature of Applicant)

_____
(Type or print name of applicant)

_____
(Title)

_____
(Date)

APPENDIX V

To: R.V.O.C.

From: Jonathan Leiby

Subject: Meeting of 25th Session of I.M.C.O. Subcommittee on Ship Design and Equipment

I was one of the U.S. representatives at the 25th Session Meeting at I.M.C.O. Headquarters (London). I.M.C.O.'s Maritime Safety Committee (MSC) has responsibility for drafting international codes for the regulation of ships and shipping. One matter currently before the M.S.C. is a draft code for special purpose ships which include the following types of mechanically self-propelled ships carrying more than 12 special purpose personnel:

1. Ships engaged in research, expeditions and survey;
2. Ships for training of marine personnel;
3. Whale and fish factory ships, not engaged in catching;
4. Ships processing other living resources of the sea, not engaged in catching;
5. Other ships with design features and modes of operation similar to ships referred to in 1. to 4. which in the opinion of the Administration may be referred to this group.

The drafting of this code has been underway for about six years and indications are that it will take perhaps six years more to complete, and then will go into effect some years after that, so it is not very imminent.

The application of the code will be to ships over 500 gross tons carrying more than 12 special personnel (scientists), so the resulting regulations will not apply to any ships which are not presently already covered by U.S. Coast Guard inspection regulations (which apply at 300 gross tons). Therefore there will really be nothing new except an internationally recognized certificate. Still the machinations are very interesting to witness

and take part in. It is interesting to watch the change in approach that takes place as the complexion of the various delegations change every so many years.

Enclosed are the most recent notes from the London meeting not so much to enlighten you but to show you how confusing this all can be.

U.S. Department of Transportation
United States Coast Guard

Commandant
United States Coast Guard

Washington, DC 20593
Staff Symbol:(G-MTH-2/12)
Phone: (202) 426-2160

0 9 AUG 1982
16675/IMO/DE

To: Members of the D&E SOLAS Working Group

Gentlemen:

Subj: 25th Session of the Subcommittee on Ship Design and Equipment

1. I will forward a copy of the Subcommittee's report to the MSC, when it arrives. I have, in the interim, included below a summary of those items of discussion and decisions of the 25th session which were of particular interest to the United States. Additionally, the minutes of the 26 May 1982 meeting of the D&E SOLAS Working Group are included as enclosure (1).

2. Machinery and Electrical Installations: This ad hoc group met and completed work on harmonization of alarms in Chapter II of the 1981 SOLAS Amendments, recommending several minor changes. In considering the desirability of reducing the number of alarms on the bridge, the Subcommittee agreed that performance specifications for alarms should be developed. Such information would most appropriately be dealt with in a Code or similar document and would take the ad hoc group at least two to three sessions to develop. A U. S. proposal that propeller speed, pitch and direction indicators be independent of the propulsion control system was accepted as was a recommendation from the Subcommittee on Radiocommunications that the ship's earth station be supplied from the emergency source of power. Appropriate amendments were developed to implement these requirements.

3. Special Purpose Ships (SPS): Technical aspects on the Code of Safety for Special Purpose Ships were completed with the exception of Chapter 6, Firefighting. Application of the Code to vessels less than 500 gross tons and administrative concerns over appropriate certificates remain problems. The Subcommittee has repeatedly had difficulty addressing the relationships of Code certificates to other SOLAS documents. If it is desired to allow Code certificates to stand alone for SPS, without falling under the passenger or cargo ship exemption procedures, consideration at the MSC level with a resulting revision to SOLAS 74 is probably the only viable long term solution. The Japanese delegation suggested this at the meeting in connection with the SPS Code and was supported by the U. S. delegation. Completion of the Code is expected at the next (26th) session.

4. Maneuverability of Ships: Final review of the Resolution for Towing Arrangements on Tank Vessels was completed. One small change as suggested by the U. S. was made to requirements for towing system strength. The Resolution was forwarded to the MSC for submission to the Thirteenth Assembly. Preliminary guidelines for assessing maneuvering performance of ships were drafted. The guidelines were developed primarily from papers and suggestions from the U. S. A copy of a draft Resolution is provided as enclosure (2). These guidelines are expected to be substantially completed at the next session.

Subj: 25th Session of the Subcommittee on Ship Design and Equipment

5. Safety Measures for Diving Systems: An unscheduled ad hoc working group met to consider papers by the USSR, Japan, Norway, Australia, and the E&P Forum on the draft Code for the Design, Construction, and Survey of Fixed Diving Systems. The draft Code was completed. The USSR recommended that standardization of flanges on diving units be considered as a future work item. Norway recommended that work on temporary diving systems be considered at the 26th session. The Subcommittee decided that both of these issues should be considered at the 27th session; however, a working group may be convened at the next session if a large number of papers are submitted.

6. Helicopter Facilities for All Types of Ships: The ad hoc group met and developed an outline of the guidelines for these helicopter facilities. It was decided that the guidelines should cover ships that are serviced by helicopters on a regular basis. The U. S., Greece, Liberia, ICS and IMPA, expressed concern that some of the proposals of the working group might effectively prohibit the occasional use of helicopters on ships. These delegations questioned whether there was a compelling need for the proposed work of the group and recommended further discussion of this matter at the MSC. However, an ad hoc group is scheduled to meet at the next D&E session.

7. Other Matters: Norwegian proposals to amend the MODU Code were considered. The Subcommittee did not wish to make a decision on amending the MODU Code at this session. The issue will be reconsidered at the next session allowing members time to review the Norwegian proposals and the Alexander L. Kielland accident report.

8. The 26th session of the Subcommittee on Ship Design and Equipment is scheduled from 28 February to 4 March 1983. To prepare for the next session, it is anticipated that a D&E SOLAS Working Group meeting will be scheduled during the first week of November 1982. I look forward to working with you in preparation for the 26th session.

Sincerely,

A. E. Henn

A. E. HENN
Captain, U. S. Coast Guard
Chairman, SOLAS Working Group
Ship Design and Equipment Subcommittee

Encl: (1) Minutes of 26 May 1982 meeting of D & E SOLAS Working Group
(2) Draft Resolution, Guidelines for Assessing Maneuvering Performance of Ships, Annex 1 to DE 25/WP.6

U. S. SOLAS WORKING GROUP
SHIP DESIGN AND EQUIPMENT

A Meeting of the SOLAS Working Group on Ship Design and Equipment (D&E) was held in Room 1303 of U. S. Coast Guard Headquarters, Washington, DC. The meeting began at 0930, 26 May 1982, with the following members in attendance:

CAPT R. L. Brown, Chairman	USCG
Mr. R. Alford	CONOCO
Mr. C. Bedell	IADC (Houston)
Mr. J. H. Boyd	Searle Consortium
CDR J. W. Calhoun	USCG
CDR J. C. Card	USCG
Mr. C. B. Cherrix	MARAD
Mr. J. J. Cox	AIMS
Mr. H. E. Denzler, Jr.	IADC (New Orleans)
Mr. H. L. Hime	USCG
CAPT D. Hintze	NOIA
DR. J. Leiby	RVOC (Woods Hole)
Mr. C. W. Mangus	Shell Offshore
CDR J. C. Maxham	USCG
CAPT W. A. Mayberry	OMSA
Mr. E. H. Middleton	MIRAID
CAPT G. H. Read	Reading & Bates
Mr. A. Ritola	ABS
CAPT W. F. Searle	MIT/Searle Consortium
Mr. F. W. Weidner	USCG

A discussion of each item on the agenda is summarized below:

Requirements for Machinery and Electrical Installations:

CDR Maxham summarized the agenda of this ad hoc group. Work at the 25th session will concentrate primarily on harmonizing machinery and electrical alarms in Chapter II of the amended SOLAS Convention. Grouping and location of alarms will be considered. Items under the heading of "Improvements to the 1974 SOLAS Provisions," which include cable flammability, steering failure alarms, and bilge system arrangements on cargo ships, are not expected to be discussed until the 26th session. A U. S. paper on requirements for propeller indicators (DE 25/3) was submitted and should be discussed at this session.

Safety Measure for Special Purpose Ships:

CDR Calhoun indicated that it should be possible to complete the Code at the 25th session and forward it to the MSC for approval. He also presented a U. S. paper for submission to the 25th session. This paper suggests some editorial changes to the draft Code, minor changes to the Stability Chapter, and a recommendation that the "first alternative" of the Lifesaving Appliances Chapter be adopted.

ENCLOSURE(1)

ORGANIZATION

DE 25/4/2
16 April 1982
Original: ENGLISH

SUB-COMMITTEE ON SHIP DESIGN AND EQUIPMENT - 25th session
Agenda item 4

IMO

SAFETY MEASURES FOR SPECIAL PURPOSE SHIPS

Submitted by the Netherlands

1 Having considered Chapter 2 (Stability and Subdivision) of the draft Code of Safety for Special Purpose Ships contained in Annex 3 to document DE XXIV/13 the Netherlands delegation wishes to offer the following comments.

2 Bearing in mind the lengthy discussions on the definition of special purpose ships as given in paragraph 1.3.4 of DE XXIV/13, Annex 3 both in the Sub-Committee on Subdivision, Stability and Load Lines and this Sub-Committee it is proposed to introduce, for the purpose of subdivision requirements, two categories of special purpose ships viz.:

.1 the general type;

.2 the offshore type.

It should be emphasized that the offshore type vessel is generally not covered by the present draft Code for Special Purpose Ships. Ships of the general type are characterized by having no limitations in their mobility (e.g. training vessels) whereas ships of the offshore type are more or less restricted in their mobility for a considerable period of time when they are in operation (e.g. diving support vessels, pipe laying barges, etc.).

3 For the general type of special purpose ship no change to the present text of DE XXIV/13, Annex 3 is deemed necessary. For the offshore type of special purpose ship it is proposed to introduce the minor damage concept, which is in line with the MODU Code. Due to the similarity of Mobile Offshore Drilling Units and the offshore type of Special Purpose ships, i.e. restricted mobility a damage penetration of 1.5 m is suggested.

4 Considering the categories of special purpose ships defined by the number of special personnel carried on board the following Table gives a review in a summarized form for both ship types.

INTERNATIONAL MARITIME ORGANIZATION

IMO

DE 25/4/4
24 May 1982
Original: ENGLISH

SUB-COMMITTEE ON SHIP DESIGN AND EQUIPMENT - 25th session
Agenda item 4

SAFETY MEASURES FOR SPECIAL PURPOSE SHIPS

Submitted by the United States

In accordance with paragraph 4.10 of DE XXIV/13 the United States submitted the following comments.

1 The resolutions referred to in the preamble of the draft Code have all been incorporated into the 1981 amendments to the 1974 SOLAS Convention. Reference to them should be deleted.

2 Regarding Chapter 2 - Stability and Subdivision of the draft Code, it appears that, with the elimination of reference to Regulation 13, all provisions for insuring watertightness in bulkheads will be removed. While the United States agrees that a full application of Regulation 13 might be too onerous for certain Special Purpose Ships, it is suggested that paragraphs 13(a), 13(g) and 13(n) could reasonably be applied. This would keep the number of openings to a minimum, provide for quick acting doors, and require that doors be kept closed. The United States therefore recommends that paragraphs 13(a), 13(g) and 13(n) be included in paragraph 2.7 of the draft Code.

3 The phrase in brackets of paragraph 2.7.5 of the draft Code should be eliminated. It is the opinion of the United States that Special Purpose Ships can meet Regulation 15 without difficulty and this qualifying statement is unnecessary.

4 The United States believes that the requirements of Chapter 6 of the draft Code are correct and proper and therefore recommends the brackets surrounding paragraphs 6.1, 6.2 and 6.3 be deleted. It is also recommended a format similar to that adopted by the twelfth Assembly for "Guidelines for Design and Construction of Offshore Supply Vessels" be utilized. A suggested rewording is:

"6.1 For ships carrying more than 200 special personnel the vessel should comply with the provisions for passenger ships carrying more than 36 passengers of Chapter II-2 of the 1981 Amendments to the 1974 SOLAS Convention.

INTERNATIONAL MARITIME ORGANIZATION

SUB-COMMITTEE ON SHIP DESIGN AND EQUIPMENT - 25th session
Agenda item 4

IMO

DE 25/4/3
24 May 1982
Original: ENGLISH

SAFETY MEASURES FOR SPECIAL PURPOSE SHIPS

Submitted by the USSR

Having considered the draft Code of Safety for Special Purpose Ships (DE XXIV/13, Annex 3) the USSR submits the following comments and proposals for the Sub-Committee's consideration:

1 Chapter 1 - General

.1 Paragraph 1.3 should be changed to read:

"For the purpose of this Code the following definitions, besides relevant definitions of the International Convention for the Safety of Life at Sea, 1974 as amended, apply:"

Therefore, this paragraph should contain only definitions which do not exist or differ from those given in SOLAS 74.

.2 In paragraph 1.3.7 the term used should be changed to read: "1974 SOLAS Convention". Respectively, paragraph 2.8.3 and relevant paragraphs of Chapters 8, 9 and 10 and paragraph 2.6 of the Appendix should be changed.

2 Chapter 2 - Stability and Subdivision

.1 As the Sub-Committee on Subdivision, Stability and Load Lines has prepared the draft of this Chapter for ships listed in paragraphs 1.3.4.1.1 to 1.3.4.1.4 only, the title of the Chapter should contain the following note: "(provisions of this Chapter should apply to the ships listed in paragraphs 1.3.4.1.1 to 1.3.4.1.4 of Chapter 1)".

ANNEX

Preamble

Paragraph 5

Delete in the first and second sentence the words: "and service characteristics".

Introduce a new paragraph 5 bis:

5 bis:

With regard to the chapter on Subdivision and Damage Stability it was felt necessary to distinguish between the general type of special purpose ships and a specific type. The first category is identified by the types mentioned in paragraphs 1.3.4.1.1 to 1.3.4.1.4. The specific type of special purpose ships are ships of a different design and/or mode of operation compared to the general type. These ships have service characteristics comparable to those of Mobile Offshore Drilling Units. The specific type of special purpose ships are more or less restricted in their movements when they are in operation. The damage stability requirements for this category of ships, the offshore type, are therefore based on the minor damage concept as applied to Mobile Offshore Drilling Units.

Chapter 1

Paragraph 1.3.4.1

Delete the definition in paragraph 1.3.4.1.5.

Introduce a new paragraph 1.3.4.2.

1.3.4.2 (For the chapter on Subdivision and Damage Stability) A special purpose ship of the offshore type is a special purpose ship which has design features and modes of operation which are different from the ships mentioned in paragraphs 1.3.4.1.1 to 1.3.4.1.4. These include the following types:

.1 Diving Support Vessels

.2 Offshore Service Vessels

.3 Pipe-laying barges.

2.3.5.2 The vertical extent: from the moulded line of the bottom shell plating at the centreline upwards without limit.

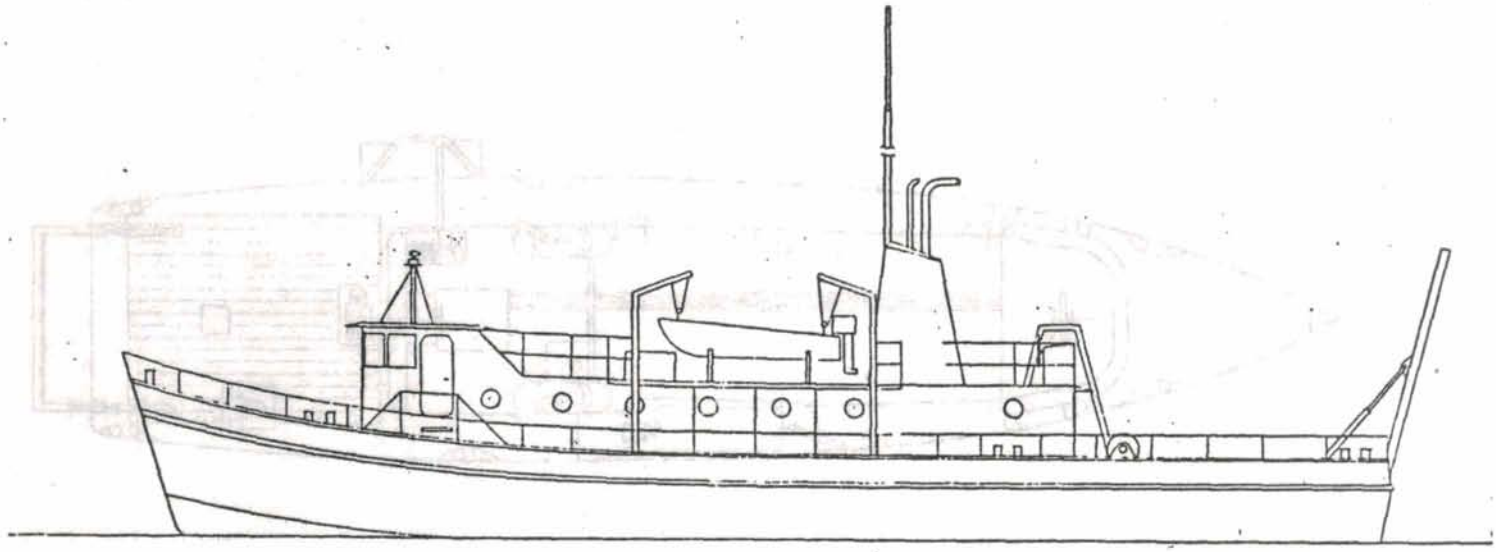
2.3.6 A transverse watertight bulkhead extending from the vessel's side to a distance inboard equal to the transverse extent of damage as defined in paragraph 2.3.5 at the level of the summer loadline joining longitudinal watertight bulkheads may be considered as a transverse watertight bulkhea for the purpose of the damage calculations.

2.3.7 If pipes, ducts or tunnels are situated within the assumed extent of damage, arrangements should be made so that progressive flooding cannot thereby extend to compartments other than those assumed to be flooded for each case of damage.

2.4 up to and incl. 2.5.1 Unchanged.

2.5.2 In the case of unsymmetrical flooding the total heel shall not exceed 7°, except that, in special cases, the Administration may allow additional heel due to the unsymmetrical moment, but in no case shall the final heel exceed 15°.

2.5.3 up to and incl. 2.8.3 Unchanged.

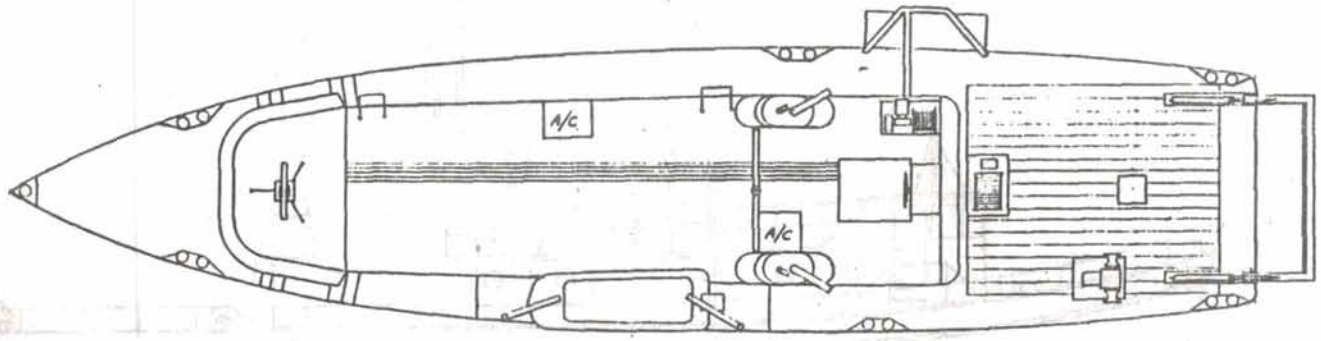


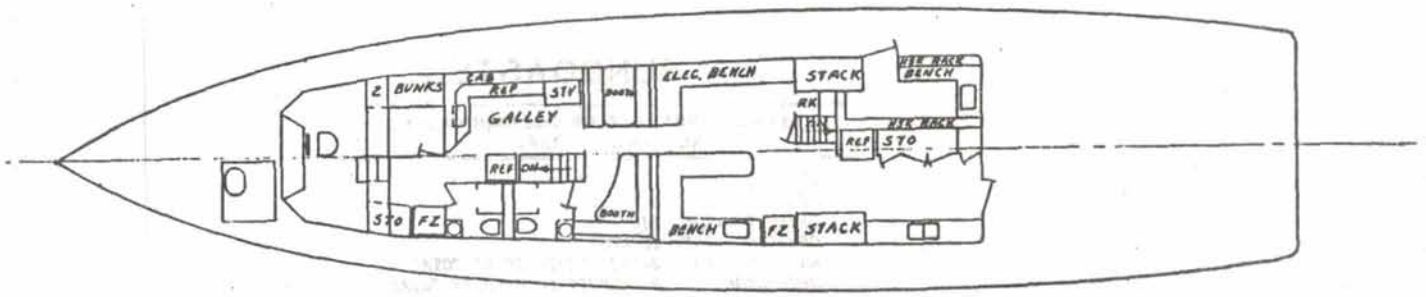
R/V SUNCOASTER

FLORIDA INSTITUTE OF OCEANOGRAPHY
RESEARCH VESSEL

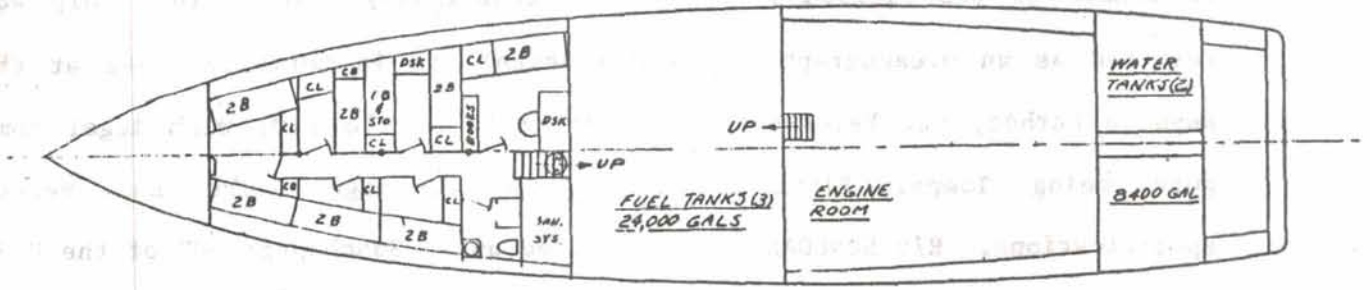
LENGTH	*110 FEET*
BEAM	*26 FEET*
GROSS TONNAGE	*149*
CRUISING SPEED	*10 KTS*
MAIN ENGINES	*2-CAT. D363-850 HP TOTAL*
GENERATORS	*2-DETROIT 3-71-60 KW TOTAL*

The R/V SUNCOASTER was acquired by the State of Florida through U.S. Department of Commerce, (NOAA/NMFS) as a financial assistance award for and on behalf of the Florida Institute of Oceanography (FIO). This ship was refitted as an oceanographic research vessel and is normally based at the Bayboro Harbor, St. Petersburg, Florida, site of the FIO, with legal home port being Tampa, Florida. The following pages list the vessel specifications. R/V SUNCOASTER is operated under Subchapter "U" of the U.S. Coast Guard Regulations. The master is highly qualified and experienced, and ship and crew operational procedures meet the University-National Oceanographic Laboratory System (UNOLS) requirements. Insurance coverage by Northwestern National Insurance Company through the State of Florida is for $1,000,000 liability and present full value of the hull to the State (appraised replacement value $3,000,000).





MAIN DECK



LOWER DECK

R/V SUNCOASTER

FLORIDA INSTITUTE OF OCEANOGRAPHY
RESEARCH VESSEL

LENGTH	110 FEET
BEAM	26 FEET
GROSS TONNAGE	149
CRUISING SPEED	10 KTS
MAIN ENGINES	2-CAT. D363-850 HP TOTAL
GENERATORS	2-DETROIT 3-71-60 KW TOTAL

R/V SUNCOASTER SPECIFICATIONS

LENGTH:	110 ft.	GROSS TONNAGE:	149
BEAM:	25 ft.	DRAFT:	10 ft.

PROPULSION:	Twin-screw, 2 CAT. D353 diesel engines, 850 HP total
CONTROLS:	Pilot house steering and engine controls
	Aft 01 deck steering and engine controls
ELECTRICAL:	2 30 kw Delco diesel auxiliaries, GM 3-71
LABORATORY AREA:	420 sq. ft., fully air conditioned dry/wet lab.
FREEZER SPACE:	19 cubic feet: 19 cubic ft. lab refrigerator
AFTER DECK AREA:	588 sq. ft.
CRUISING SPEED:	10 knots
ENDURANCE:	33 days normal operation
RANGE:	7920 nautical miles normal operation
CREW:	Captain, Mate/Engineer, Cook/Deckhand, Oiler/Deckhand
ACCOMMODATIONS:	12 scientists in four 2-man and one 4-man staterooms
RADIOS:	1 SSB Radio
	Synthesized VHF radio
SAT NAV:	1 Decca 801 Satellite Navigator
RADAR:	1 Decca Model 916 RADAR 48 NM range
LORAN:	1 Computer LORAN C
ECHO SOUNDER:	1 FURUNO 881 Depth Recorder 2100 meters
	DE725 Raytheon Depth Recorder 300 feet
	EDO Western Precision Depth Recorder

R/V SUNCOASTER SPECIFICATIONS (continued)

ELECTRO/MECHANICAL

WINCHS:	1 Custom built hydraulic, mounted on main deck, max 3,000 lb., line pull, 3,000 m 3/16" cable capacity, 2,000 m 3/8" capacity. Equipped with slip rings for 7-lead conducting cable
	1 Custom built hydraulic available for mounting on main deck, 5,000 lb. line pull, 5,000 3/16" m cable capacity, 1,800 m 5/16" cable capacity
HYDRO WINCH	10 HP winch mounted on 01 deck with 1800 m 3/16" capacity
HYDRAULIC CONTROLS:	Single control board for winches on 01 deck overlooking main work deck
AUXILIARY WINCH:	2 davit electric winchs mounted on 01 deck port side for small boat deployment
U-FRAME:	Stern, width 16 ft., height 18 ft. with hydraulic rams, travel distance 6 ft. fore, 8 ft. aft; weight capacity dynamic 10,000 lb., static 30,000 lb.
A-FRAME:	Starboard, aft; width 10 ft., height 13 ft., fixed; with 3X10 hero platform
SIDE BOOM:	Amidships, extending 13 ft. for plankton/neuston tows
WORK BOATS:	1 15' fiberglass boat with outboard
	1 12' Avon Rubber inflatable boat with 15 hp outboard

SAFETY EQUIPMENT:

1 Emergency Positioning Indicator Radio Beacon (EPIRB)

2 8-man inflatable survival rafts

7 fire extinguishers

Engine room CO_2 fire protection system

Bridge, lab, and living quarters fire alarm system

R/V BELLOWS SPECIFICATIONS

LENGTH:	65 ft.	GROSS TONNAGE:	90
BEAM:	20 ft.	DRAFT:	5 ft.

PROPULSION:	Twin-screw, 2 GM 6-71 diesel engines
CONTROLS:	Pilot house steering and engine controls
	Wood-Freeman Auto Pilot
ELECTRICAL:	2 40 kw 3-71 Detroit diesel auxiliaries
LABORATORY AREA:	Fully air conditioned dry/wet lab, 37 cubic feet
(185 sq. ft.)	freezer space, one 15 cubic ft. lab refrigerator
CRUISING SPEED:	8.5 knots
ENDURANCE:	10 days normal operation
RANGE:	2,000 nautical miles normal operation
CREW:	Captain, Mate/Engineer, Cook/Deckhand
ACCOMMODATIONS:	10 scientists in 2 man and 4 man quarters
RADIOS:	1 Decca SSB Radio - 150 watts
	1 Motorola synthesized 12 channel VHF radio
	1 Motorola Model 440 full frequency VHF-FM
SAT NAV:	1 Decca 801 Satellite Navigator
RADAR:	1 Decca Model 916 Radar 48 NM range
LORAN:	1 Micromarine Model 7100 Computer LORAN C
	1 Micrologic Model ML 320 Loran C
ECHO SOUNDER:	1 DE731 Raytheon Depth Recorder 400 fathoms
	1 DE725 Raytheon Depth Recorder 300 feet
	1 EDO Western Precision Depth Recorder

TRAWL WINCHES:	1 Custom hydraulic, mounted starboard on main deck, max. 8,000 lb. line pull, 5.000 m 3/16" cable capacity, 2,000 m 3/8" capacity. Equipped with slip rings for 7-lead conducting cable 1 Custom hydraulic available for mounting on main deck, 1,000 lb. line pull, 5,000 3/16" m cable capacity, 2,000 m 5/16" cable capacity
HYDRO WINCH:	Hydro Products HY75 winch mounted on 01 deck above lab, 800 lb. line pull, 1,800 m 3/16" capacity
HYDRAULIC CONTROLS:	Single control board for winches on 01 deck overlooking main work deck
AUXILIARY WINCH:	1 davit electric winch mounted on 01 deck port side for small boat deployment
AUXILIARY HYDRAULICS:	1 auxiliary capstan starboard amidships
U-FRAME:	Stern, width 16 ft., height 18 ft. with hydraulic rams, travel distance 6 ft.
A-FRAME:	Starboard, aft; width 6 ft., height 10 ft., fixed; with 2 ft. hero platform
SIDE BOOM:	Amidships, extending 13 ft. for plankton/neuston tows
WORK BOATS:	1 14' Boston Whaler with 25 hp outboard 1 12' Avon Rubber boat with 15 hp outboard
INTER-COMMUNICATIONS:	Two-way intercom system for ship and scientific use connecting all living space, work areas and pilot house

R/V SUNCOASTER SPECIFICATIONS (continued)

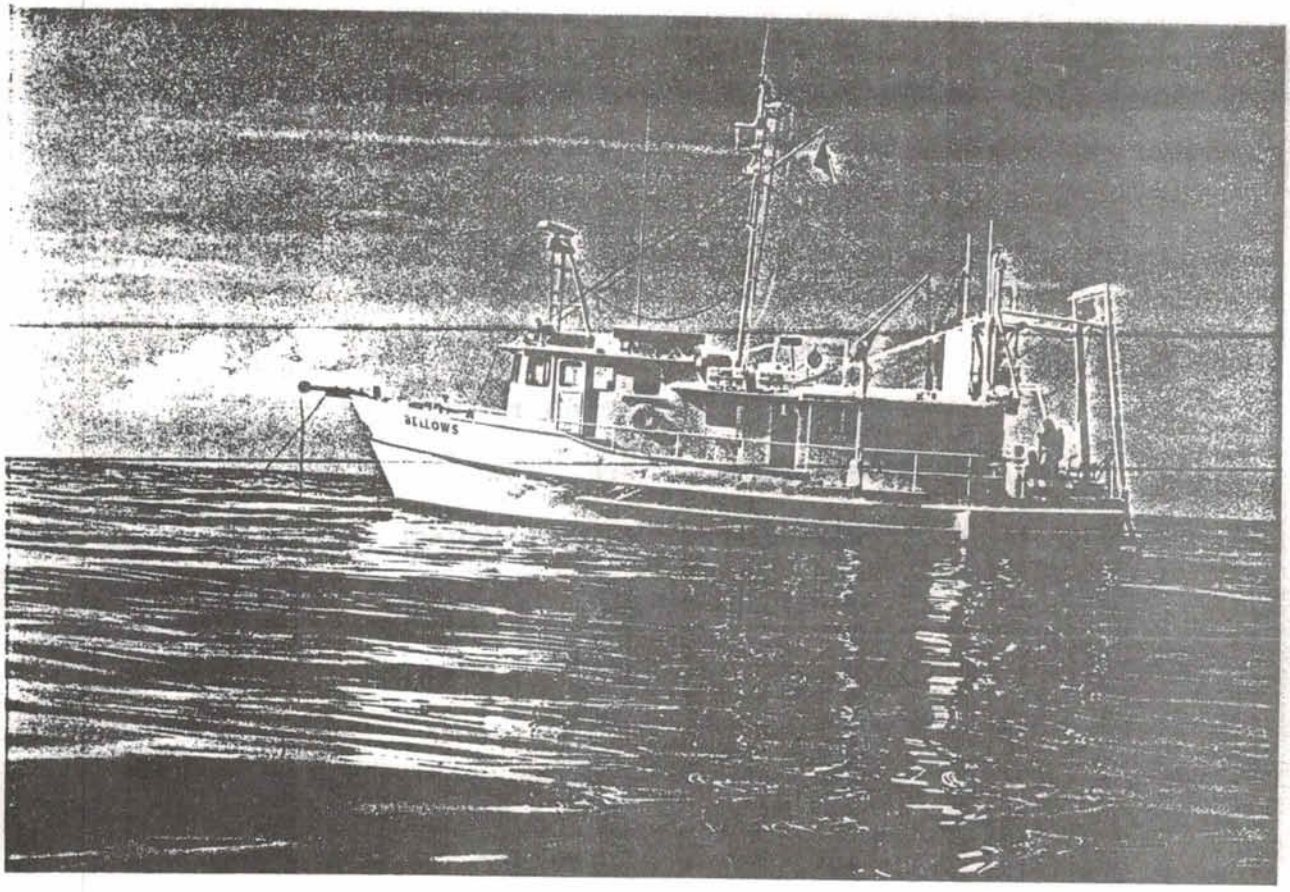
SAFETY EQUIPMENT: 1 Emergency Positioning Indicator Radio Beacon (EPIRB)

3 inflatable survival rafts, 6-man

Fire extinguishers

Engineer room CO_2 fire protection system

Bridge, lab, and living quarters fire alarm system



R/V BELLOWS

Through purchase by the State of Florida, the R/V BELLOWS is wholly owned for and on behalf of the Florida Institute of Oceanography (FIO). This ship is normally based at the Bayboro Harbor, St. Petersburg, Florida, site of the FIO, and her legal home port is Tampa, Florida. The following pages list the vessel specifications. R/V BELLOWS is operated under Subchapter "U" of the U.S. Coast Guard Regulations. The master is highly qualified and experienced, and ship and crew operational procedures meet the UNOLS requirements. Insurance coverage by Northwestern National Insurance Company through the State of Florida is for $1,000,000 liability and full value ($149,379) of the hull (although the appraised replacement value is $257,000).