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FEB 18, 2009

CAPTAIN OF THE PORT UPPER MISSISSIPPI RIVER POLICY LETTER 01-09

Subj: MARINE SAFETY AT FIREWORKS DISPLAYS

Ref: (a) Title 33, Code of Federal Regulations (CFR), Part 100  
(b) Title 33, Code of Federal Regulations (CFR), Part 160  
(c) National Fire Protection Association (NFPA) 1123, Code for Fireworks Display

1. PURPOSE. This policy letter sets forth the required guidelines for outdoor fireworks displays on board vessels and floating platforms on navigable waters located within the Captain of the Port (COTP) Upper Mississippi River zone.

2. POLICY. Applicants are required to submit a marine event permit application and site plans for fireworks displays to the COTP Upper Mississippi River no less than 135 days prior to the event if the applicant does not meet criteria specified in 33 CFR 100.15 (c), or 60 days prior to the event if the applicant does meet the criteria. Requirements for site plans are detailed in Section three (3) of this policy letter. Applicants may use the Fireworks Site Plan template enclosure (1) to assist in meeting safety requirements. The event sponsor is responsible for ensuring the overall safety of the marine fireworks display. Sponsors are encouraged to contact local authorities during the planning phase to ensure all aspects of safety are considered. Furthermore, as described in references (a) and (b), the Coast Guard has the authority to impose appropriate controls on marine events that may pose a safety threat to persons, vessels, and facilities in its jurisdiction. It is important to understand that approval of these permits require joint effort and support among the event organizers, local authorities and COTP Upper Mississippi River, who serves as the Coast Guard's Issuing Authority.

3. APPLICATION REQUIREMENTS. Based upon the unique requirements that each event presents, some application reviews are very time consuming and the findings may require the imposition of modified requirements by the local authorities or COTP Upper Mississippi River. Therefore, it is essential that marine event applications for fireworks displays be submitted on time to the COTP Upper Mississippi River. Failure to do so will delay the application review and approval process and may ultimately require the postponement of the event until it can be verified that all requirements have been met.

Below is a list of minimum requirements that all marine event coordinators affected by this policy shall address in their fireworks site plans.

- a. Provide a list of all involved parties affiliated with the marine event such as fireworks operators, fire departments, police departments, the Federal Aviation Administration, other groups involved in the event, and any other local or state authority having jurisdiction.

- b. Provide a site plan that includes, at a minimum, the dimensions of the discharge site on the vessel/floating platform, the spectator viewing area, the parking area, and the fallout area along with the associated separation distances.
- c. Describe the vessel/floating platform characteristics, which include length, width, draft, gross tonnage, structural type, and stability details.
- d. Describe whether the vessel/floating platform is self-propelled or controlled by another vessel, and its mooring and anchoring arrangements.
- e. Address how the vessel/floating platform will be physically secured at all times before, during, and after the event.
- f. Describe the fireworks arrangements on the vessel/floating platform and the safety measures in place to ensure the safe execution of the fireworks display.
- g. Describe if the vessel/floating platform will or will not be manned during the electrical firing phase. If the platform will be manned then a safety shelter must be provided that meets the following requirements:
  - (1) Be of sufficient size to accommodate all personnel present during the actual firing of the display.
  - (2) Have a minimum of three sides and a roof.
  - (3) Have walls and a roof constructed of at least  $\frac{3}{4}$  inch plywood or equivalent material.
- h. Provide a copy of the fireworks permit issued by the local fire department or authority having jurisdiction where the marine event is to take place.
- i. Provide proof that the fireworks operator selected for the event has training and experience in arranging and inspecting fireworks discharge equipment. This can be satisfied by including a copy of a current and valid fireworks operator license or proof that the operator is an employee of a company in the business of public display of fireworks. If not licensed, the operator should provide documentation of successfully completing a fireworks course taught by a competent public or private authority. The operator shall provide documentation of having participated in the setup and inspection of a minimum of one public display within the past twenty-four months.

*(Note: Some local and state jurisdictions require fireworks operators to have such licenses. The Coast Guard COTP Upper Mississippi River does not license fireworks operators, but requires that all fireworks operators comply with local and state jurisdictional requirements.)*
- j. Notify and provide a brief statement that the local Occupational Safety and Health Administration (OSHA) has been notified of the fireworks event.

k. Submit a safety plan that addresses emergency procedures which include the following items:

- (1) Emergency procedures as outlined in NFPA 1123, appendix F.6.4.
- (2) Describe means of communication to alert all involved parties of an emergency.
- (3) Emergency reporting instructions that describe the information that should be provided to emergency responders.
- (4) Means of evacuation of the crew, the location and approximate response time of a designated response vessel, and a refuge area for emergency personnel access.

*(Note: It is recommended that a standby towing vessel be available to provide assistance in case of an emergency.)*

l. Describe the location, size and makeup of the command center for the event before, during, and after the fireworks show.

*(Note: Depending upon the size of the event, the maritime security level at the time of the event, and an array of other factors, the COTP may send Coast Guard personnel to the event and/or establish a safety zone.)*

m. Provide a brief statement that a sponsor representative has read, understands, and will comply with all operational restrictions noted in this policy letter.

#### 4. OPERATIONAL RESTRICTIONS.

- a. The COTP Upper Mississippi River may require that the vessel/floating platform be examined prior to being used for fireworks displays. This will be determined during the application review phase and, if determined necessary, the examination will be conducted prior to permit approval.
- b. All vessels/floating platforms must comply with Chapter 6 of reference (c).
- c. Dump scows with wall heights exceeding 4 feet in height should not be used for fireworks displays since they increase the difficulty of exiting the vessel.
- d. Even though NFPA 1123, Section A.4.3.4, allows the use of wooden vessels for fireworks displays, their use in marine fireworks displays is strongly discouraged. If floating platforms constructed of wood or other combustible material are used, the surface of such platforms must be protected from fire by means acceptable to the authority having jurisdiction. These platforms should also be of sufficient construction and configuration to safely allow the firing of the display.
- e. Vessels used for fireworks displays should have man overboard handholds or ladders placed in a fashion appropriate to aid the recovery of personnel in the water. If freeboard is excessive or river conditions mandate a tow boat (on a tow boat/barge platform) the

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tow boat must have its propeller continually engaged and the rescue boat shall be stationed close enough to render immediate assistance. (See paragraph 4.i.)

- f. Firing of shells should not occur when, in the opinion of the COTP Upper Mississippi River, conditions such as rapid water current pose a potential safety hazard to the operation.
- g. If high winds, precipitation, or other adverse weather conditions prevail creating a hazard in the opinion of the operator, Fire Marshall, or the COTP Upper Mississippi River, the fireworks display shall be postponed or discontinued until weather conditions improve.
- h. Each vessel/floating platform shall have at least one approved ringlife buoy with a lifeline 100 feet or more in length and in good serviceable condition. All such buoys will be stowed for immediate access and use.
- i. Rescue boat (emergency response watercraft) shall be provided with a communications system capable of conversing with the operator and the Sector Upper Mississippi River command center. The boat or craft shall not be of an inflatable type and shall be capable of withstanding brief exposure to hot embers. As a rule of thumb, COTP Upper Mississippi River recommends at least one rescue boat per 50 spectator vessels.
- j. Additionally COTP Upper Mississippi River recommends that there is at least one safety and/or security person per 250 people.
- k. No welding or hot work is permitted while fireworks are aboard the floating vessel/floating platform.
- l. All requests for Fireworks Displays shall also be coordinated through the local Fire Marshall's office.

5. RESOURCES. The 2006 Edition of reference (c) provides amplifying guidance on this subject. Copies of the code can be purchased for \$34.50 on-line at [www.nfpa.org/](http://www.nfpa.org/) or by phone at 1-800-344-3555. Additionally, local fire departments or state Fire Marshal's offices may have a copy for applicants to review. Applicants with questions concerning this policy letter can contact Lieutenant Rob McCaskey at (314) 269-2541.



S. L. Hudson  
Captain, U.S. Coast Guard  
Captain of the Port

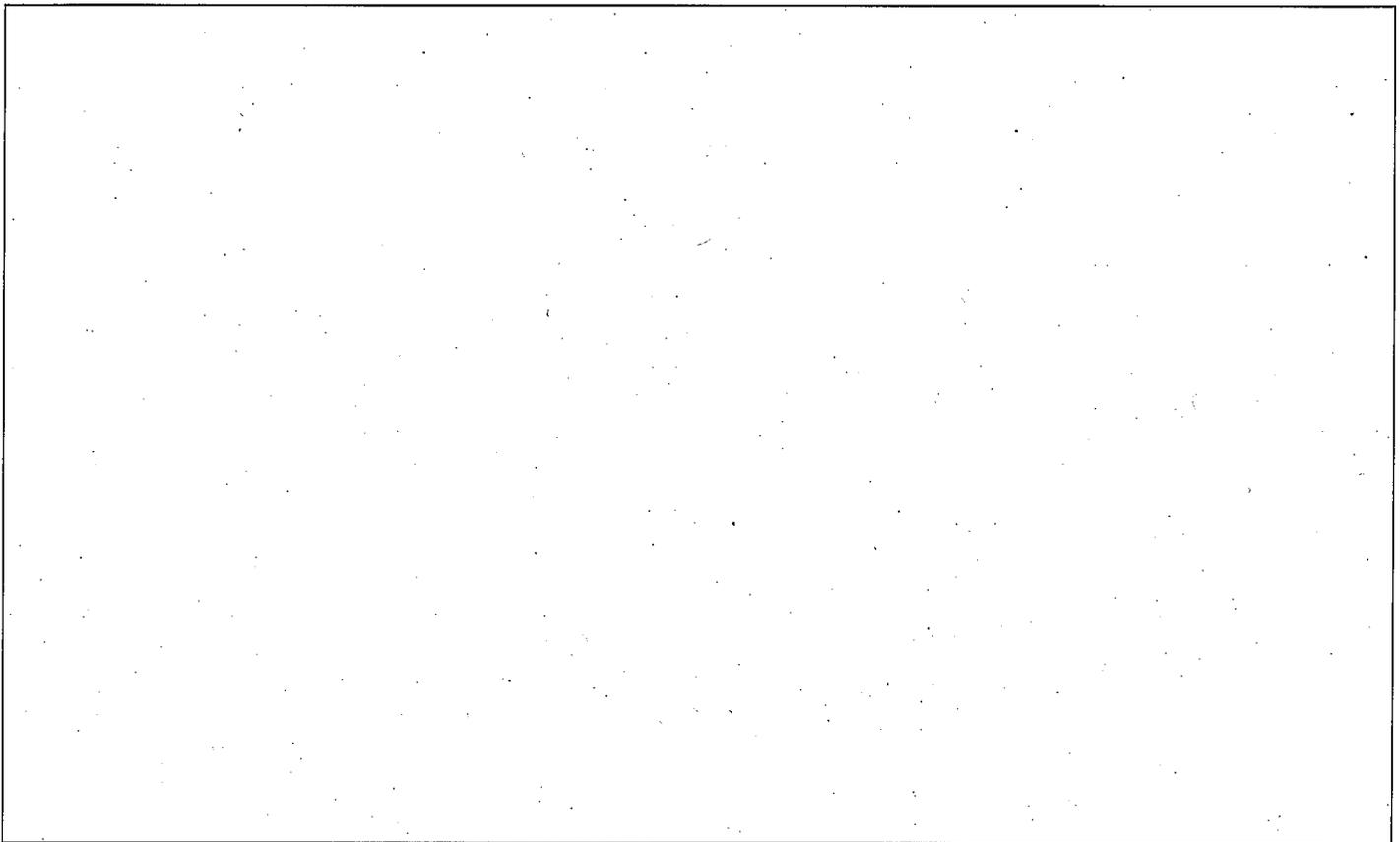
Enclosures: (1) Fireworks Site Plan

# Fireworks Site Plan Template

*This template is for guidance only and is not required for use in meeting Marine Event Permit application requirements for over water fireworks displays. This template is derived from Captain of the Port Upper Mississippi River Policy Letter 01-09: "Marine Safety at Fireworks Displays."*

Name of Event: \_\_\_\_\_

1. Name, position, and phone number of person submitting this plan:
2. Site plan (See policy letter 01-08 for list of required items. Attach additional sketches if needed):



3. List all affiliated parties involved with the marine event (i.e. fireworks operators, fire departments, police departments, Federal Aviation Administration, etc. For the local fire department point of contact, provide a name and phone number):

Encl: (1)

4. List of all permits required and received (if not described elsewhere):
  
5. Name of launch vessel/floating platform(s) and assist vessels involved in the event (i.e. barge(s) and tow boat(s)):
  
6. Name and river mile of location where the launch vessel will be loaded with fireworks:
  
7. Date and Time of fireworks loading: \_\_\_\_\_
  
8. Description of vessel/floating platform(s) characteristics including length, width, draft, gross tonnage, structure type, and stability details (if available):
  
9. Description of vessel/floating platform(s) movement (i.e. self-propelled or method/name of vessel to move and position platform) and its mooring arrangement:
  
10. Description of the platform's security at all times before, during, and after the event. How will the fireworks be safeguarded until the event occurs?
  
11. Describe fireworks arrangement on the platform(s) and safety measures to ensure safe execution of the fireworks display:

12. Will the platform be manned during the firing phase? YES NO

If yes, is the required safety shelter in place which meets all 3 of the following characteristics? YES NO

- Sufficient size to accommodate all personnel present during the actual firing of the display
- Minimum of three sides and a roof
- Walls and roof constructed of at least 3/4 inch plywood or equivalent material

13. Is a copy of the fireworks permit issued by the local fire department or similar authority having jurisdiction attached to this site plan? YES NO

14. Provide proof that the fireworks operator selected for the event has training and experience in arranging and inspecting fireworks discharging equipment. Attaching a copy of a current and valid fireworks operator license to this site plan will satisfy this requirement. If the operator is not licensed, then see policy letter 02-09 for additional direction.

15. Has the Occupational Safety and Health Administration administrator been notified of the fireworks display event? YES NO

16. SAFETY PLAN (Listed items are the bare minimum requirements and the plan should include additional information):

16.1 Description of the staff emergency alert plan:

16.2 Identify the signal and means to notify the display operator and/or sponsor, to terminate the loading or firing of fireworks in the event that a hazard arises during the outdoor display:

16.3 Identify the means of notifying public emergency responders:

16.4 Describe emergency reporting instructions with the information that should be provided to emergency operators:

*(The Safety Plan can also include additional information, such as stand by rescue boats and personnel, crew evacuation procedures, refuge area for emergency personnel, etc...)*

17. Acting on behalf of the sponsoring organization, \_\_\_\_\_,  
I have read, understand, and will comply with all operational restrictions noted in U. S. Coast Guard, Captain of the Port Upper Mississippi River Policy letter 01-09.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_