

**MTSA Regulations found at 33 CFR Subchapter H  
Part 106-- Outer Continental Shelf (OCS) Activities**

**"The information in this document is for use as an aid to interpretation. Should anything in this document be in conflict with 33 CFR Subchapter H or CG policy, then Subchapter H and the CG policy determinations control."**

**Q.** What OCS activities are affected by 33 CFR Part 106?

**Ans.** The requirements in Part 106 apply to owners and operators of any fixed or floating facility, including MODUs not subject to part 104 of this subchapter, operating on the Outer Continental Shelf (OCS) of the U.S. for the purposes of engaging in exploration, development, or production of oil, natural gas, or mineral resources that are regulated by 33 CFR subchapter N. See 33 CFR 106.105

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Part 106-- Outer Continental Shelf (OCS) Activities**

**Q.** What is the impact to a facility owner/operator who is subject to the MTSA regulations of 33 CFR part 106 and who fails to submit a required facility security plan to the Coast Guard?

**Ans.** On or before December 31, 2003, OCS facility owners or operators must submit to the cognizant District Commander for each OCS facility—the facility security plan described in subpart D of this part for review and approval; or if intending to operate under an approved Alternative Security Program, a letter signed by the OCS facility owner or operator stating which approved ASP the owner or operator intends to use. Failure to submit the assessment report (see 33 CFR 106.300 and 106.310) and facility security plan (see 33 CFR 106.400) by December 31, 2003 is a violation of the MTSA regulations and may result in a civil penalty against the owner/operator of the facility. Under the regulations, the Coast Guard Captain of the Port (COTP) may impose civil penalties that range up to \$25,000.00 per violation of the MTSA requirements. After the July 1, 2004 deadline, non-compliant operators may be subject to having their operation shut down until an approved security plan is in place. See 33 CFR 106.110, and 33 CFR 101.415

OCS facilities built on or after July 1, 2004, must submit for approval an FSP 60 days prior to beginning operations. See 33 CFR 110 (c).

**Q.** What is an OCS facility owner or operators responsibility relative to Maritime Security (MARSEC) Directives?

**Ans.** All OCS facility owners or operators subject to this part must comply with any instructions contained in a MARSEC Directive issued under 101.405 of this subchapter. See 33 CFR 106.140, and 106.235.

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**Q.** Does an OCS owner or operator have to implement security measures for access control?

**Ans.** Yes, in general, the owner or operator of an OCS facility must ensure implementation of security measures to deter the unauthorized introduction of dangerous substances and devices, including any device intended to damage or destroy persons, vessels, or the OCS facility. (See 33 CFR 106.260).