DEPARTMENT OF HOMELAND SECURITY
U.S. COAST GUARD
CG-2554 (Rev. 03-03)

PRIVATE AIDS TO NAVIGATION APPLICATION

(See attached instructions and copy of Code of Fed. Reg., Title 33, Chap. 1, Part 66)

Form Approved
OMB-1625-0011

NO PRIVATE AID TO NAVIGATION MAY BE AUTHORIZED UNLESS A COMPLETED APPLICATON FORM HAS BEEN RECEIVED (14 U.S.C. 83; 33 C.F.R. 66.01-5)

1. ACTION REQUESTED FOR PRIVATE AIDS TO NAVIGATION: A. [X] ESTABLISH AND MAINTAIN B. [ ] DISCONTINUE C. [ ] CHANGE D. [ ] TRANSFER OWNERSHIP

2. DATE ACTION TO START

3. AIDS WILL BE OPERATED: A. [X] THROUGHOUT THE YEAR B. [ ] TEMPORARILY UNTIL _____ C. [ ] ANNUALLY _____ TO _____

4. NECESSITY FOR AID *(Continue in Block 8)*
Demarcation of EPA Superfund cleanup area

5. GENERAL LOCALITY
Willamette River

6. CORPS OF ENGINEERS AUTHORIZED THIS STRUCTURE OR BUOY BY
[X] PERMIT OR [ ] LETTER *(file and date)* Nationwide Permit #1

FOR DISTRICT COMMANDERS ONLY | **7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS**

LIGHT LIST NUMBER OR PAGE	NAME OF AID	NO. OR LTR. (7a)	LIGHT PER. (7b)	LIGHT FLASH LGTH. (7c)	LIGHT COLOR (7d)	POSITION (7e)	DEPTH OF WATER (7f)	CANDLE POWER (7g)	HT. ABOVE WATER (7h)	STRUCTURE TYPE, COLOR, AND HEIGHT ABOVE GROUND (7i)	REMARKS *(See Instructions)* (7j)
		G1				See memo Figure 3			30"	SparBuoy/white/30"	30"ODX6"ID 53"HT Type 450
		G2				See memo Figure 3			30"	SparBuoy/white/30"	30"ODX6"ID 53"HT Type 450
		G3				See memo Figure 3			30"	SparBuoy/white/30"	30"ODX6"ID 53"HT Type 450
		G4				See memo Figure 3			30"	SparBuoy/white/30"	30"ODX6"ID 53"HT Type 450

8. ADDITIONAL COMMENTS

9a. NAME AND ADDRESS OF PERSON IN DIRECT CHARGE OF AID
Robert Wyatt, 220 NW Second Avenue
Portland, Oregon, 97109

9b. TELEPHONE NO.
(503) 860-3451

10a. NAME AND ADDRESS OF PERSON OR CORPORATION AT WHOSE EXPENSE
Robert Wyatt
NW Natural
220 NW Second Avenue
Portland, OR 97109

10b. THE APPLICANT AGREES TO SAVE THE COAST GUARD HARMLESS WITH RESPECT TO ANY CLAIM OR CLAIMS THAT MAY RESULT ARISING FROM THE ALLEGED NEGLIGENCE OF THE MAINTENANCE OR OPERATION OF THE APPROVED AID(S).

10c. DATE

10d. SIGNATURE AND TITLE OF OFFICIAL SIGNING

FOR USE BY DISTRICT COMMANDER

SERIAL NO.

CLASSIFICATION OF AIDS

RECD.

CHART

L. N. M.

DATE APPROVED

SIGNATURE *(By direction)*

PREVIOUS EDITIONS ARE OBSOLETE

Reset

FEDERAL REGULATIONS CONCERNING PRIVATE AIDS TO NAVIGATION, 33 CFR 86

§ 66.01-1 Basic provisions.

(a) No person, public body or instrumentality not under the control of the Commandant, exclusive of the Armed Forces, shall establish and maintain, discontinue, change or transfer ownership of any aid to maritime navigation, without first obtaining permission to do so from the Commandant.

(b) For the purposes of this subpart, the term private aids to navigation includes all marine aids to navigation operated in the navigable waters of the United States other than those operated by the Federal Government (Part 62 of this subchapter) or those operated in State waters for private aids to navigation (Subpart 66.05).

(c) Coast Guard authorization of a private aid to navigation does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other Federal, State or local laws or regulations.

(d) With the exception of shore based radar stations, operation of electronic aids to navigation as private aids will not be authorized.

§ 66.01-3 Delegation of authority to District Commanders.

(a) Pursuant to the authority in 49 CFR 1,4(g), the Commandant delegates to the District Commanders within the confines of their respective districts (see Part 3 of this Chapter for descriptions) the authority to grant permission to establish and maintain, discontinue, change or transfer ownership of private aids to maritime navigation, and otherwise administer the requirements of this subpart.

(b) The decisions of the District Commander may be appealed within 30 days from the date of decision. The decision of the Commandant in any case is final.

§ 66.01-5 Application procedure.

Application to establish and maintain, discontinue, change or transfer ownership of a private aid to navigation shall be made to the Commander of the Coast Guard District in which the private aid to navigation is or will be located. Application forms (CG-2554) will be provided upon request. The applicant shall complete all parts of the form applicable to the aid to navigation concerned, and shall forward the application in triplicate to the District Commander. The following information is required:

(a) The proposed position of the aid to navigation by two or more horizontal angles, or bearings and distance from charted landmarks. A section of chart or sketch showing the proposed location of the aid to navigation shall be included.

(b) The name and address of the person at whose expense the aid will be maintained.

(c) The name and address of the person who will maintain the aid to navigation.

(d) The time and dates during which it is proposed to operate the aid.

(e) The necessity for the aid.

(f) For lights: The color, characteristic, height above water, and descriptions of illuminating apparatus.

(g) For log signals: Type (whistle, horn, bell etc.) and characteristic.

(h) For buoys or daybeacons: Shape, color, number, or letter, depth of water in which located or height above water.

§ 66.01 - 10 Characteristics.

The characteristics of a private aid to navigation shall conform to the standard U.S. system to aids to navigation characteristics described in subpart 62.25 of Part 62 of this subchapter, except that only tungsten-incandescent light sources will be approved for electric lights.

§ 66.01 - 15 Action by Coast Guard.

(a) The District Commander receiving the application will review it for completeness and will assign the aid one of the following classifications:

Class I: Aids to navigation on marine structures of other works which the owners are legally obligated to establish, maintain and operate as prescribed by the Coast Guard.

Class II: Aids to navigation exclusive of Class I located in waters used by general navigation.

Class III: Aids to navigation exclusive of Class I located in waters not ordinarily used by general navigation.

(b) Upon approval by the District Commander, a signed copy of the application will be returned to the applicant.

§ 66.01 - 20 Inspection.

All classes of private aids to navigation shall be maintained in proper operating condition. They are subject to inspection by the Coast Guard at any time and without prior notice.

§ 66.01 - 25 Discontinuance and removal.

(a) No person, public body or instrumentality shall change, move or discontinue any authorized private aid to navigation required by statue or regulations (Class I § 66.01-15) without first obtaining permission to do so from the District Commander.

(b) Any authorized private aid to navigation not required by statue or regulation (Classes II and III, § 66.01-15) may be discontinued and removed by the owner after 30 days' notice to the District Commander to whom the original request for authorization for establishment of the aid was submitted.

(c) Private aids to navigation which have been authorized pursuant to this part shall be discontinued and removed without expense to the United States by the person, public body or instrumentality establishing or maintaining such aids when so directed by the District Commander.

§ 66.01-30 Corps of Engineers' approval.

(a) Before any private aid to navigation consisting of a fixed structure is placed in the navigable waters of the United States, authorization to erect such structure shall first be obtained from the District Engineer, U.S. Army Corps of Engineers in whose district the aid will be located.

(b) The application to establish any private aid to navigation consisting of a fixed structure shall show evidence of the required permit having been issued by the Corps of Engineers.

§ 66.01-35 Marking of structures and floating obstructions.

Any structure, mooring, mooring buoy, or dam, in or over the navigable waters of the United States shall display the lights and other signals for the protection of maritime navigation as may be prescribed by the Commandant. The prescribed lights and signals shall be installed, maintained and operated by and at the expense of the owner, or operator. After obtaining such approval or a statement of no objection from the Corps of Engineers as is required by law, the owner or operator shall apply in accordance with § 66.01-5 to the District Commander having jurisdiction over the waters in which the structure or floating obstruction will be located for a determination of the lights and other signals to be displayed. This requirement includes the temporary lights and signals to be displayed during the construction of a structure. If no regulation exists prescribing the lights or other signals required to mark any work or obstruction, each case shall be considered individually by the District Commander, who will prescribe such lights and signals as he considers necessary for the safety of navigation.

§ 66.01-40 Exemptions.

(a) Nothing in the preceding sections of this subpart shall be construed to interfere with or nullify the requirements of existing laws and regulations pertaining to the marking of vessels and other obstructions sunk in the navigable waters of the United States (Part 64 of this subchapter), the marking of artificial islands and structures which are erected on or over the seabed and subsoil of the outer Continental Shelf (Part 67 of this subchapter), or the lighting of bridges over navigable waters of the United States (Part 68 of this subchapter).

(b) Persons marking structures pursuant to Part 64 or Part 58 of this subchapter are exempted from the provisions of § 66.01-5 and 66.01-35.

§ 66.01-45 Penalties.

Any person, public body or instrumentality, excluding the Armed Forces, who shall establish, erect or maintain any aid to maritime navigation without first obtaining authority to do so from the Coast Guard or who shall violate the regulations relative thereto issued in this part, is subject to the provision of 14 U.S.C. 83. Any owner or operator of a fixed structure, excluding an agency of the United States, who violates any of the rules or regulations prescribed with respect to lights and other signals for fixed structures, is subject to the provision of 14 U.S.C. 85.

§ 66.01-50 Protection of private aids to navigation.

Private aids to navigation lawfully maintained under these regulations are entitled to same protection against interference or obstruction as is afforded by law to Coast Guard aids to navigation (Part 70 of this subchapter). If interference or obstruction occurs, a prompt report containing all the evidence available should be made to the Commander of the Coast Guard District in which the aids are located.

§ 66.01-55 Transfer of ownership.

(a) When any private aid to navigation authorized by the District Commander, or the essential real estate or facility with which the aid is associated, is sold or transferred, both parties to the transaction shall submit application (§ 66.01-5) to the Commander of the Coast Guard District in which the aid is located requesting authority to transfer responsibility for maintenance of the aid.

(b) The party relinquishing responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG-2554) both the discontinuance and the change of ownership of the aid sold or transferred.

(c) The party accepting responsibility for maintenance of the private aid to navigation shall indicate on the application form (CG-2554) both the establishment and the change of ownership of the aid sold or transferred.

(d) In the event the new owner of the essential real estate or facility with which the aid is associated refuses to accept responsibility for maintenance of the aid, the former owner shall be required to remove the aid without expense to the United States. This requirement shall not apply in the case of any authorized private aid to navigation required by statute or regulation (Class I, § 66.01-15) which shall be maintained by the new owner until the conditions which made the aid necessary have been eliminated.

REMARKS

As described in the attached cover letter accompanying this application, the proposed buoys locations (outside the navigation channel) will served to demarcate the location of an engineered clean pilot cap and notify vessel operators that this area should not be disturbed. The pilot cap was placed as part of an EPA Superfund cleanup action at the NW Natural "Gasco" site.

Any questions regarding this application should be forwarded to Ryan Barth of Anchor Environmental, L.L.C. at rbarth@anchorenv.com or (206) 287-9130.

DATE	REFERENCE	ACTION AND REMARKS

	J	F	M	A	M	J	J	A	S	O	N	D

NAME OF AID	LIGHT LIST NO.	PAGE

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U. S. COAST GUARD

PRIVATE AIDS TO NAVIGATION APPLICATION

INSTRUCTIONS

1. The rules, regulations, and procedures pertaining to private aids to navigation are set forth in the copy of Code of Federal Regulations; Title 33, Chapter 1, Part 66, on the back of this page.

2. Three copies of the application for private aids shall be forwarded to the Commander of the Coast Guard District in which the aids will be located 30 days in advance of the proposed action. Sections of charts or sketches showing the work proposed shall accompany each application.

3. When making application for private aids to mark structures and mooring buoys in navigable waters or to mark the excavating or depositing of material therein, evidence is required of the authorization obtained from Corps of Engineers, Department of the Army, for such work. (Code of Federal Regulations; Title 33, Part 209.120.)

4. The applicant shall complete all of Blocks 1, 2, 3, 4, 5, 9 and 10 for all new applications. When an aid is being discontinued, Block 3 need not be completed. Block 6 shall be completed whenever authorization is required to be obtained from Corps of Engineers (See Instruction No. 3). Columns of Block 7 will be completed as follows:

a. Unlighted buoys - 7a, 7e, 7f, and 7j.
b. Lighted buoys - 7a, 7b, 7c, 7d, 7e, 7f, 7g, 7h, and 7j.
c. Daybeacons - 7a, 7e, 7f (if applicable), 7h, 7i, and 7j.
d. Light on a structure - 7a, 7b, 7c, 7d, 7e, 7f (if applicable), 7g, 7h, 7i, and 7j.

When an aid is being changed, Block 8 shall be used to describe the nature of the change.

5. The required information for each column includes the following:

(7a) Proposed number or letter to be assigned to the aid.
(7b) Period of light (time in seconds for one complete cycle).
(7c) Flash length in seconds. For complex or multiple flashes, explain in column (7j).
(7d) Color of light.
(7e) Position by two or more horizontal angles, or bearing and distance from a prominent charted landmark. If a prominent charted landmark is not available, show latitude and longitude as precisely as the chart permits.
(7f) Depth of water at buoy or structure (if marine site). All depths are measured from mean low water except on Great Lakes where depths are measured from low water datum.
(7g) Candlepower, if known; otherwise, include the following information in column (7j); lens size, lamp voltage and amperage if electric, or details of other illuminant to be used.
(7h) Height of light or unlighted structure above water. Height is measured from mean high water except in the Great Lakes where heights are measured from low water datum shown on U.S. Lake Survey Charts. The height of a light on a buoy is measured from the water line.
(7i) Include details of structure (type, color).
(7j) Used for the following specific information, plus any other useful details: a. buoys - size, shape, color, and reflective material used; b. structures - daymark shape and color; c. fog signal on a buoy or structure - type and model, audible range, and characteristic (number of strokes or blasts, period and blast length).

6. This form may be used to cover more than one aid in the same geographic area. Draw a line between each aid as indicated in example. Attach separate sheet if additional space is required.

7. Attach a section of chart showing the proposed location of the aid(s) to navigation.

8. a. After receipt of the approved form the applicant will advise the District Commander by telegram or other rapid means of communications when the work authorized is actually accomplished.

b. If the aids have not been installed within one year of the approval date, the approved application is automatically cancelled.

c. Any discrepancy in the operation of the aid(s) at any time shall be reported to the Disctrict Commander by telegram or other rapid means of communication in order that Notices to Mariners may be issued. A discrepancy exists whenever the aid is not as described in the approved application, i.e., lack of signal, incorrect light characteristic, or improper color, shape of position of shore structure or buoy. The correction of the discrepancy will also be reported by the same method.

9. All classes of private aids to navigation shall be maintained in proper condition. They are subject to inspection by the Coast Guard at any time and without prior notice to the maintainer.

7. APPLICANT WILL FILL IN APPLICABLE REMAINING COLUMNS

FOR DISTRICT COMMANDERS ONLY		EXAMPLE OF USE OF APPLICATION										
LIGHT LIST NUMBER OR PAGE	NAME OF AID	NO. OR LTR. (7a)	LIGHT			POSITION (7e)	DEPTH OF WATER (7f)	CAN-DLE POWER (7g)	HT. ABOVE WATER (7h)	STRUCTURE	REMARKS *(See Instructions)* (7j)
			PER. (7b)	FLASH LGTH. (7c)	COLOR (7d)					TYPE, COLOR, AND HEIGHT (7i)	
		1	4s	0.4s	WHITE	205°T, 3540 yds from tank, Bayview, VA.	9 Ft.	20	6 Ft.		5' Lighted buoy - black
		2				200°T, 3425 yds from tank, Bayview, VA.	7 Ft.				Nun buoy - Red White reflector
		3				210°T, 2810 yds from tank, Bayview, VA.	2 Ft.		7 Ft.	Single pile	2' square daymark - black
		5	2.5s	0.5s	WHITE	218.5°T, 330 yds from tank, Bayview, VA.	8 Ft.	20	13 Ft.	5 - pile	3' square daymark - black

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