

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2009-0757]

RIN 1625-AA00

Regulated Navigation Area and Safety Zone, Chicago Sanitary
and Ship Canal, Romeoville, IL.

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone encompassing all waters of the Chicago Sanitary and Ship Canal located between mile marker 296.0 (approximately 958 feet south of the Romeo Road Bridge) and mile marker 296.7 (aerial pipeline located approximately 0.51 miles north east of Romeo Road Bridge). The zone will be enforced on a daily basis from 8:00 a.m. until 8:00 p.m. starting on August 12, 2009 through August 14, 2009. This action is necessary to ensure safety of life on the navigable waters of the United States immediately prior to, during, and after operational and safety tests conducted by the U.S. Army Corps of Engineers (USACE) of the electric dispersal barriers located in Romeoville, IL. During the enforcement period, no person or vessel may enter the safety zone without the permission

of the Captain of the Port Lake Michigan.

DATES: The regulations in 33 CFR 165.T09-1247 (74 FR 6352) will be enforced August 12, 2009 through August 14, 2009, from 8:00 a.m. until 8:00 p.m. on each day. The Captain of the Port Lake Michigan may temporarily or permanently suspend enforcement of this safety zone at any time, and if possible, plans to temporarily suspend enforcement each day of enforcement from 1:00 p.m. to 3:00 p.m. so that vessel traffic may pass.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email LT Glenn Goetchius, Ninth Coast Guard District Legal Division, Cleveland, OH at (216) 902-6012, email Glenn.H.Goetchius@uscg.mil.

SUPPLEMENTARY INFORMATION:

The Coast Guard will enforce the safety zone for the Chicago Sanitary and Ship Canal, Romeoville, IL, associated with the USACE electric dispersal barriers (a/k/a the Fish Barrier) on August 12, 2009 from 8:00 a.m. until 8:00 p.m.; on August 13, 2009 from 8:00 a.m. until 8:00 p.m.; on August 14, 2009 from 8:00 a.m. until 8:00 p.m.. The safety zone was created by temporary regulations at 33 CFR 165.T09-1247, which were published in the February 9, 2009 issue of the Federal Register 74 FR 6352 (Docket Number USCG-2008-1247).

The Captain of the Port may temporarily or permanently suspend enforcement of the safety zone or may permit vessels

to enter the safety zone. On each day of enforcement, the Captain of the Port intends to temporarily suspend enforcement of the safety zone from 1:00 p.m. to 3:00 p.m. so that vessel traffic may pass. However, this temporary suspension is subject to the operational and technological constraints imposed by the USACE tests. Therefore, the periods of suspension may not be possible at all or may be implemented during other time periods.

All vessels must obtain permission from the Captain of the Port or her on-scene representative to enter, move within or exit the safety zone. Vessels and persons granted permission to enter the safety zone shall obey all lawful orders or directions of the Captain of the Port or a designated on-scene representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

If any vessels are allowed to pass through the safety zone or enforcement of the zone is temporarily suspended, the regulations found in 33 CFR 165.T09-1247 (74 FR 6352) concerning the Regulated Navigation Area from mile marker 295.0 to mile marker 297.5 of the Chicago Sanitary and Ship Canal, Romeoville, IL, are still in effect.

The "on-scene representative" of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port

to act on her behalf. The on-scene representative of the Captain of the Port will be aboard a Coast Guard, Coast Guard Auxiliary, or other designated vessel.

This notice is issued under authority of 33 CFR 165.T09-1247 Regulated Navigation Area and Safety Zone, Chicago Sanitary and Ship Canal, Romeoville, IL, and 5 U.S.C. 552(a). In addition to this notice, the Coast Guard will provide the maritime community with advance notification of these enforcement periods via broadcast Notice to Mariners and/or Local Notice to Mariners. The Captain of the Port will issue a Broadcast Notice to Mariners notifying the public when enforcement of the safety zone established by this section is suspended. The Captain of the Port may be contacted via U.S. Coast Guard Sector Lake Michigan on channel 16, VHF-FM.

DATED: 11 AUG 2009



L. BARNDT
Captain, U.S. Coast Guard
Captain of the Port Sector Lake Michigan