

# U.S. Coast Guard and Maritime Administration

MARAD-2020-0127

## Blue Marlin Offshore Port Project Deepwater Port Act and Licensing Process

### WHAT IS THE DEEPWATER PORT ACT?

- Establishes a licensing system for ownership, construction, operation, and eventual decommissioning of deepwater ports located beyond the State seaward boundaries of a State that are used to import or export oil or natural gas to or from the U.S.
- Deepwater ports are licensed by the Maritime Administration (MARAD).
- Mandates compliance with the National Environmental Policy Act (NEPA).

### DEEPWATER PORT LICENSING PROCESS

The Secretary of Transportation delegated the responsibility for processing deepwater port applications to MARAD and the U.S. Coast Guard (USCG). The Secretary of Transportation delegated to the Maritime Administrator the authority to issue, transfer, amend, or reinstate a license for the construction and operation of a deepwater port. The Maritime Administrator may approve, approve with conditions, or disapprove a deepwater port.

- All necessary information and analyses to meet Federal and State environmental requirements is incorporated into one NEPA document.
- License review process includes a series of statutory deadlines, totaling a maximum of 356 days, from the date the application is filed
- Final public license application hearing must occur no later than 240 days after the publication of the Notice of Application in the Federal Register.
- Deepwater Port Act requires at least one public license application hearing in each adjacent coastal State for each application.
- Federal agencies and the Governor(s) of the adjacent coastal State(s) have 45 days after the final public license application hearing to make their final comments on the application. Governor(s) may approve; approve with conditions; or disapprove the application.
- The Maritime Administrator has a total of 90 days to issue a Record of Decision after the final public license application hearing.

### WHAT IS THE INDEPENDENT RISK ASSESSMENT (IRA)?

- USCG works with local stakeholders and the applicant to conduct an independent risk assessment (IRA).
- Purpose of the IRA is to identify credible accidental and intentional scenarios that could lead to the release of oil during port operations, determine worst-case consequences, and identify any other maritime safety/security issues that should be addressed.



U.S. Department of Transportation  
**Maritime Administration**