



HQ H312773  
August 3, 2020

VES-3-02-OT:RR:BSTC:CCR H312773 AMW

CATEGORY: Carriers

Mr. John Giffin, Esq.  
Keesel, Young & Logan  
400 Oceangate  
Long Beach, California 90802

RE: Revocation of Ruling Letter HQ H309672 (July 15, 2020)

Dear Mr. Giffin:

This letter is to inform you that pursuant to 19 C.F.R. § 177.12(b) this office is revoking HQ H309672 (July 15, 2020) effective immediately. In H309672, this office determined that your proposal to use a non-coastwise-qualified vessel to install wind turbine generator (“WTG”) units would not violate the Jones Act, 46 U.S.C. § 55102, and the Passenger Vessel Services Act (“PVSA”), 46 U.S.C. § 55103, based on your assertion that the wind farm installation was within the “territorial waters” of the United States. After reviewing your request, this office discovered that you did not provide this office the exact coordinates of the installation. Without the exact coordinates of this installation, CBP cannot determine whether this operation will be conducted within the three-mile territorial limit and, therefore, whether the Outer Continental Shelf Lands Act of 1953 (“OCSLA”) applies this operation. Accordingly, it is in the best interest of U.S. Customs and Border Protection to revoke HQ H309672 until the coordinates of the installation can be established.

If you have any further questions, you may contact me at (202) 325-0030.

Sincerely,

Lisa L. Burley  
Chief/Supervisory Attorney-Advisor  
Cargo Security, Carriers and Restricted Merchandise Branch  
Office of Trade, Regulations and Rulings  
U.S. Customs and Border Protection