



# Circular

Ref: 21/13

DECEMBER 2013

## OUTLINE

- The Alternative Planning Criteria (APC) for non-tank vessels visiting Western Alaska are now published at <http://www.ak-mprn.org/>
- Alaska Chadux's federal VRP subscription programme will expire on 30 January 2014 and not 30 December 2013 as previously stated
- The 30 January 2014 for VRP compliance will not be extended by US Coast Guard (USCG)
- USCG may issue, at their discretion, a six month Interim Operating Authorization (IOA) where vessel operators have submitted sufficient initial compliance information
- This circular refers to Circulars 12/13, 14/13, 18/13 and 19/13 advising Members that non-tank vessel owners are required to submit VRPs to USCG by 30 January 2014

## TO THE MEMBERS

Dear Sirs

### **USCG FINAL RULE ON NON-TANK VESSEL RESPONSE PLANS**

- **Special implementation in Alaska**
- **Implementation date unchanged but 6-month "Interim Operating Authorization" granted as necessary**

Members are referred to Circulars No. 12/13, 14/13, 18/13 and 19/13 in which members were advised that non-tank vessel owners are required to submit Vessel Response Plans (VRPs) to the Coast Guard by 30th January 2014. For the purposes of these plans, non-tank owners are required to pre-contract with Qualified Individuals (QIs), Oil Spill Response Companies (OSROs), Dispersant service providers and salvage marine fire-fighter companies (SMFF). This Circular addresses latest developments relating to implementation of the Final Rule in Alaska and the adjusted implementation date nationwide.

### **Non-Tank VRP Final Rule - Special Implementation in Alaska**

For the purpose of complying with federal requirements on VRP, non-tank vessels trading to Alaska must enrol with the Alaska Maritime Prevention and Response Network from 30 January 2014. The Alternative Planning Criteria (APC) for non-tank vessels for Western Alaska has now been published by the Alaska Maritime Prevention and Response Network and can be viewed at <http://www.ak-mprn.org/>.

At the present time some non-tank vessel members may have a federal VRP subscription programme with an Alaskan Oil Spill Response Company, namely Alaska Chadux. Alaska Chadux advised (see <http://www.chadux.com/>) that this subscription programme, in its current form, will not meet the requirements of the USCG's non-tank VRP Final Rule when it comes into force on 30 January 2014. Alaska Chadux's subscription programme was to end on 30 December 2013. In order to facilitate smooth transition, Chadux announced that they would be extending the subscription programme until 30 January 2014 at no additional cost. According to Chadux, enrollment in the Network's APC for non-tank vessels will allow access to the Network's prevention and response programs, including access to Chadux's resources.

Details of non-tank vessels enrolment options can be found at [http://www.ak-mprn.org/pdfs/2014\\_NTV\\_Rate\\_sheet\\_v3\\_122413.pdf](http://www.ak-mprn.org/pdfs/2014_NTV_Rate_sheet_v3_122413.pdf). It is understood that Enrolment shall begin not later than 30 December 2013.

Members are reminded that Contingency Planning requirements under Alaskan State law remain unchanged.

Non-Tank VRP Final Rule - Implementation Date of 30 January 2014 unchanged, but 6-month "Interim Operating Authorization" granted as necessary

As mentioned in earlier Circulars, the US non-tank final rule will come into force on 30 January 2014. The US Coast Guard recently published a statement reminding non-tank shipowners of this date and confirming that there would be no extension of the deadline. However, the Coast Guard, recognising that time may be limited for plan holders and preparers to complete all elements of their NTVRPs, has decided that it will issue 6-month Interim Operating Authorization (IOA) letters, as necessary. In order to meet the requirements to receive an IOA letter, vessels must submit a plan containing the minimum following information to COMDT (CG-CVC) at the following address - Inspections and Compliance Directorate Contact: VRP Program - 2703 Martin Luther King Jr Ave SE STOP 7501 Washington, DC 20593-750. Phone: (202) 372-1226. E-Mail: [vrp@uscg.mil](mailto:vrp@uscg.mil)

- (1) identification of a qualified individual (QI) and alternate QI;
  - (2) identification of an OSRO by contract or written consent as appropriate;
  - (3) identification of a salvage and marine firefighting provider and submission of a salvage contract and funding agreement or written consent agreement as appropriate;
- and
- (4) signed certification statement as required by 33 CFR 155.5023(b).

If the plan is not fully compliant with other Sub-part J requirements, i.e., pre-fire plan or vessel specific information, the certification statement should identify those plan elements that are incomplete.

(For Sub-part J see: <https://www.federalregister.gov/articles/2013/09/30/2013-22059/nontank-vessel-response-plans-and-other-response-plan-requirements#h-46>)

Members are strongly advised to liaise with their plan preparers in order to make sure that they are in compliance by 30 January 2014.

Yours faithfully

## **THE MANAGERS**

### **CONTACT**

- Members requiring further details should contact Dr. Chao Wu ([chao.wu@thomasmiller.com](mailto:chao.wu@thomasmiller.com)/+44 20 7204 2157)