



GMS

Gallagher Marine Systems

29 September 2013
Client Advisory – #15-13
Nontank Vessel Response Plan (NTVRP)
Final Rule Published

Overview:

This client advisory provides an update regarding the final rule pertaining to the Nontank Vessel Response Plan (NTVRP) requirements.

Background:

The Coast Guard Maritime Transportation Act of 2004 amended the Federal Water Pollution Control Act and required owner/operators of nontank vessels to prepare and submit, by 9 August 2005, plans for responding to a worst case discharge and to a substantial threat of such a discharge of oil from their vessels.

- A nontank vessel is described as a self-propelled vessel of 400 gross tons or greater that operates on the navigable waters of the U.S., carries oil of any kind as fuel for main propulsion, and is not a tank vessel.

On 23 June 2008, the USCG published a Federal Register Notice informing nontank vessel owner/operators that they would begin actively enforcing the 2004 Act by screening all nontank vessels, prior to their port arrival, for plan submission. However, up until now, the USCG had not published the final NTVRP rule.

Update:

On 30 September 2013, the final NTVRP rule (Attached to this advisory) will be published in the Federal Register. The Final Rule has an effective date of 30 October 2013. Based on our sources, we (informally) understand that NTVRPs will need to be revised and resubmitted to the USCG no later than four months later (i.e. on/about 1 March 2014). We will confirm the resubmission timeline in our forthcoming advisory.

The revision and resubmission of NTVRPs is required to address differences between the originally proposed NTVRP regulations and the requirements set forth in the final rule. Most notably, nontank vessels will be required to comply with Salvage and Marine Firefighting (SMFF) and Dispersant and Aerial Tracking (CAPS) requirements.

GMS Compliance Partner Actions:

At the moment, you do not need to take any action. GMS is currently reviewing the final rule. Upon completion, GMS will circulate a detailed advisory about the new requirements. Our forthcoming advisory will provide you with guidance for compliance with the final rule inclusive of: a timeline for ensuring compliance by the implementation date, a detailed list of required documents and data, and more. We anticipate circulating our next advisory this week. In the meantime, please contact us at info@chgms.com if you have any questions.

END OF ADVISORY

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