



Ship Type: All Trade Area: USA

Bulletin 478 - 07/06 - Update: Increased Liability for Oil Spills - USA

Last week the Club published loss prevention bulletin 477, which stated that "While the law took effect immediately upon enactment by the signature of the President, the increased OPA liability limits will only apply to incidents occurring on or after the 90th day after enactment i.e., on or after the 8th October 2006".

The United States Coast Guard's National Pollution Fund Center (NPFC) has now issued a notice clarifying the dates of application of the new limits of liability under OPA 90 as follows:

- The amended limits for any tank ship are effective for an oil discharge or substantial threat of discharge that occurs on or after October 9, 2006.
- The amended limits for any other ship are effective for an oil discharge or substantial threat of discharge that occurs on or after July 11, 2006.

The NPFC further advises that the existing "Financial Responsibility for Water Pollution (Vessels)" regulations at 33 CFR part 138 will remain in effect until amended. The NPFC will provide information on the promulgation status for revised regulations on its website as available (www.uscg.mil/npfc). Members' COFR providers will no doubt advise directly on any steps required to comply with the new regulations under promulgation.

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