



Ship Type: All Trade Area: USA

Bulletin 486 - 09/06 - Notice of Arrival (NOA) regulation - USA

The United States Coast Guard (USCG) has issued a policy letter on Notice of Arrival regulations, reporting problems with the definition of ‘port or place of destination’, currently defined as ‘any port or place in which a vessel is bound to anchor or moor’. The cause of the problem lies in the specific definition of a port, which from a legal perspective is reportedly very difficult to clearly define.

The policy letter provides more background information including examples of how confusion has occurred amongst representatives from the maritime industry as well as USCG operational units. The policy letter can be accessed through a link at the bottom of this bulletin. The below guidance is offered in the policy letter to eliminate a recurring problem associated with application of the Notice of Arrival (NOA) regulation, reference (a).

Guidance:

- a. A ship submitting a NOA when moving within ports or places of a COTP zone (i.e. a ship carrying certain dangerous cargoes (CDCs)) should only do so if the ship is actually moving from one port to another port. Moving from one dock to another dock, one berth to another berth, or one anchorage to another anchorage within one port is not considered a transit from a ‘port or place’ to a different ‘port or place’ and therefore, no NOA is required. Making this clarification does not pose additional risk since the Coast Guard has already vetted the ship, its cargo, and its crew through the Intelligence Coordination Center (ICC), CBP, and other agencies, prior to its initial arrival.
- b. This clarification reduces the public burden since movement on and off berth within a port is sometimes spontaneous. Requiring a ship to notify the Coast Guard 24 hours prior to that type of movement is impractical, hindering transportation and mobility in the port. If those responsible for the ship are uncertain whether the movement is to a different port (e.g. Houston to Galveston, Los Angeles to Long Beach), they should contact the cognizant COTP and request clarification.
- c. The regulation specifies that a port or place of destination is where a ship is bound to anchor or moor. Without amending regulatory language, this definition should not be applied to a sea buoy or pilot station. Requiring arriving ships to submit the NOA based on arrival at a sea buoy or pilot station is not consistent with the CFR. All NOAs to US ports or places should address where the ship is bound to anchor or moor.



Use the following link to view the full policy letter:

[http://www.ukpandi.com/ukpandi/resource.nsf/Files/LPBulletin486/\\$FILE/LPBulletin486.pdf](http://www.ukpandi.com/ukpandi/resource.nsf/Files/LPBulletin486/$FILE/LPBulletin486.pdf)

Source of information: United States Coast Guard (USCG)
www.uscg.mil

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