



The London P&I Club

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TO ALL MEMBERS

Dear Sirs

US Vessel Response Plans – Contingency Plans Washington State – Alaska – Non tank final rule

This Circular provides a further update to earlier Circulars on this subject, in particular on achieving compliance by the 30 January deadline and of special circumstances prevailing in the States of Washington and Alaska.

NTVRP Implementation Date - 30 January 2014

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 said 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

- (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 is lacking, 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 recommended to liaise closely with their plan writers to ensure compliance is achieved by 30 January.

Washington State – Contingency Plan requirements

We refer to our Circular No 5.480 of 12 November 2013. As stated in that Circular every tank vessel and every other vessel over 300 gt is required under State law to file a contingency plan prior to entry into the waters of Washington State and that instead of filing his own plan an owner can subscribe to an umbrella oil spill contingency plan.

Since publishing the Circular, Washington State Maritime Co-operative (WSMC) has changed its enrolment agreement and the version with footer WSMC Enrolment Agreement – December 2013 conforms with the International Group's guidelines on vessel response plans. In addition, with effect from 1 January 2014, WSMC will become a member of the Marine Preservation Association (MPA) thus providing access to the resources of Marine Spill Response Corporation (MSRC). It should be noted that WSMC's contract using the National Response Corporation (NRC) as the primary response contractor to provide the spill response resources to meet requirements of Washington State law will end on 31 December 2013.

Members trading to Washington State (with the exception of the Columbia River) now have two options for coverage:

Washington State Maritime Cooperative (WSMC)

By signing the WSMC enrolment agreement with footer WSMC/MSRC Enrolment Agreement – December 2013 the owner agrees not only to the terms of the WSMC enrolment agreement but also to the terms and conditions of WSMC Member MSRC Service Agreement. This agreement with footer WSMC Member MSRC Service Agreement – December 16, 2013 has also been found to conform with IG guidelines on Vessel Response Plans. In the case of a spill WSMC will use the resources of MSRC as its Primary Response Contractor except in the areas of Grays Harbor and San Juan Islands when the resources of [Global Diving and Salvage](#) and [Islands' Oil Spill Association \(IOSA\)](#) will be used.

Further details can be obtained by using the following link: <http://www.wsmcoop.org/> or for the Enrolment Agreement [WSMC Enrolment Agreement](#)

National Response Corporation (NRC)

As mentioned in our earlier circular NRC now has in place its own Washington State Contingency Plan (NRC Covered Vessels Washington State Contingency Plan) which has received the approval of the Washington State Department of Ecology. From 1 November 2013, tank and non-tank owners are able to meet the requirements of Washington State law by signing a contract and addendum with NRC. The NRC Covered Vessels Washington State Contingency Plan does conform with IG guidelines. Those owners who have already signed a contract with NRC for the purposes of federal response need only sign the addendum with footer NRC Covered Vessels Washington State Contingency Plan – November 2013.

Further details can be obtained by using the following link: <http://nrcwaplan.nrcc.com/>.

Emergency Response Towing Vessel (ERTV)

The position with regard to the ERTV remains unchanged from Circular No. 5.480 of 12 November 2013. Members should note that, irrespective of whether the NRC Covered Vessels Washington State Contingency Plan or the WSMC enrolment agreement are used, it will still be necessary, prior to entry into Washington State waters with the exception of the Columbia River, to enrol with the Emergency Response Towing Vessel (ERTV) for the services of the tug stationed at Neah Bay. For further details please refer to the earlier circular and the following link: <http://marexps.com/>.

US Federal Response Plans for non-tank vessels

Alaska

The Alternative Planning Criteria for non-tank vessels for Western Alaska has now been published and can be viewed by clicking on the link "www.ak-mprn.org". Non-tank vessels trading to Alaska in order to fulfil federal requirements must enrol with Alaska Maritime Prevention and Response Network. The Network expects to begin processing enrolment applications no later than 30 December 2013.

At the present time some non-tank members have a subscription programme with the Oil Spill Response Company, Alaska Chadux. Alaska Chadux say that this federal VRP Subscription Programme, in its current form will not meet the requirements of the non-tank final rule when it comes into force on 30 January 2014. Originally Chadux said that their subscription programme would end on 31 December 2013. On 23 December 2013, they announced that they would be extending the programme until 30 January 2014 at no additional cost.

See <http://www.chadux.com/>

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

Yours faithfully
A BILBROUGH & CO LTD
(MANAGERS)