



MARITIME SAFETY INFORMATION BULLETIN 02-10

December 3, 2010

IMPLEMENTATION AND ENFORCEMENT OF THE SALVAGE AND MARINE FIREFIGHTING REGULATIONS FOR VESSEL RESPONSE PLANS

The Oil Pollution Act of 1990 mandated that tank vessel owners ensure the availability of adequate response resources to respond to a vessel's worst-case discharge, including fire and explosion. Following a long history of public meetings, and regulatory postponements, on December 31, 2008, the Coast Guard issued the final Salvage and Marine Firefighting (SMFF) regulations applicable to all tank vessels required by 33 CFR 155.1015 to have a Vessel Response Plan (VRP) for vessels carrying groups I through IV petroleum oil.

On September 27, 2010 the Coast Guard published NVIC 2-10 in an effort to clarify maritime industry doubts and provide guidance to vessel owners or operators for submitting VRP updates required by reference (a) of NVIC 2-10. While the guidance contained in NVIC 2-10 may assist the industry, the public, the Coast Guard, and other Federal and State regulators in applying statutory and regulatory requirements, the guidance is not a substitute for applicable legal requirements, nor is it a regulation itself. Thus, it is not intended to, nor does it impose legally binding requirements on any party, including the Coast Guard, other agencies, or the regulated community. A complete copy of NVIC 2-10 can be viewed using the link below.

<http://www.uscg.mil/hq/cg5/nvic/pdf/2010/NVIC%2002-10.pdf>

Regulated vessel owners and operators need to submit new vessel response plans (VRPs) and update existing VRPs in accordance with the regulations found in reference (a) of NVIC 2-10. VRPs must be updated and submitted to the Coast Guard before February 22, 2011, in order for vessels to remain in compliance with references (a) and (b) of NVIC 2-10. Failure to comply with these new requirements may result in a variety of enforcement actions that could range from, but are not limited to, the denial of entry in to U.S. waters, the prohibition of cargo operations and civil penalty fines up to \$ 40,000.00 per day, per violation.

These new requirements established in reference (a) of NVIC 2-10 will enhance tank vessel SMFF capabilities, save lives and property, and help prevent the escalation of potential oil spills to worst case discharge scenarios. If you have any questions, please contact Lieutenant Commander Emily Saddler, Lieutenant Jose Ramirez or Petty Officer Martin Scheck at the number listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read "L. P. Harrison, Jr.", written over a printed name.

L. P. HARRISON, JR.
Commander, U. S. Coast Guard
Captain of the Port