



Office of
Deputy Commissioner
of Maritime Affairs

THE REPUBLIC OF LIBERIA

Bureau Of Maritime Affairs

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21 February 2005

MARINE OPERATIONS NOTE: 2/2005

RE: Nontank Vessel Response Plans for the United States

Dear Owner/Operator:

By August 8, 2005 all self propelled vessels, 400 gross tons or greater, other than tank vessels, that carry oil of any kind as fuel for main propulsion and operate on the navigable waters of the United States will need to have either:

- A USCG approved Vessel Response Plan,
- A valid USCG authorization letter, or
- A valid USCG interim authorization letter.

The U.S. Coast Guard recently published guidance for operators of nontank vessels regarding the preparation and submission of plans in Navigation and Vessel Inspection Circular (NVIC) 01-05. NVIC 01-05 is provided pending entry into force of regulations and is available at the following link: <http://www.uscg.mil/hq/g-m/nvic/NVIC%2001-05.doc.pdf>.

Because it may be unable to review and approve vessel response plans for all of the vessels which must comply by August 9, 2005, the USCG may issue a letter authorizing a vessel to operate without an approved response plan, however the submitted response plan must:

- Be consistent with the U.S. National Contingency Plan and Area Contingency Plans;
- Identify the qualified individual in the US having full authority to implement removal actions, and require immediate communications between that individual and the appropriate U.S Federal Official and the person providing personnel and equipment pursuant to the next paragraph;
- Identify and ensure by contract or other means approved by the USCG the availability of private personnel and equipment to respond, to the maximum extent practicable to a worst case discharge (including a discharge resulting from a fire or explosion) or a substantial threat of such a discharge;
- Be updated periodically; and
- Be submitted for approval of each significant change.

Additional details are provided in NVIC 01-05.

Some of the information that is to be included in the US nontank vessel response plan under NVIC 01-05 is already required in existing SOPEP/SMPEPs under the International Convention MARPOL 73/78. NVIC 01-05 does not state that the response plan must be a separate stand alone plan. Therefore, it may be possible to combine the US nontank vessel response plan in the SOPEP/SMPEP.

If a vessel operator decides to submit a combined SOPEP or SMPEP and NVIC 01-05 response plan, it is recommended that the plan contain a table which will cross reference the location of information.

For more information please contact Timothy M. Keegan at +1 703 251 2409 or email: safety@liscr.com.

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