

29 January 2014



## TO ALL MEMBERS

**The Britannia Steam Ship  
Insurance Association Limited**

*Managers*

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Dear Sirs

### **US Vessel Response Plans - Non-Tank Final Rule - Update**

- **Alaska – Alternative Planning Criteria (non-tank vessels) – P&I Club cover**
- **Pacific Region - Alternative Planning Criteria (D14 Remote Zone)**

### **Alaska Maritime Prevention and Response Network**

Members are referred to the Club's circular dated 24 January 2014 and, in particular, the vessel response planning requirements for Western Alaska, which at present require shipowners to enrol with the Alaska Maritime Prevention and Response Network ("the Network"). In that circular, the attention of Members was drawn to the fact that the terms of the Network's enrolment agreement do not conform with International Group Guidelines on Vessel Response Plans.

We have been informed that a further change will be made to the Network's enrolment agreement to make specific reference to Alaska Chadux in tick box 3. The enrolment agreement can be viewed by following the link [www.ak-mprn.org](http://www.ak-mprn.org) and clicking on "Enrolment". However, concerns remain about tick box 3 which, even if amended to refer to Alaska Chadux, still continues to refer to unidentified resources. The box currently reads as follows:

"I/we affirm that our Qualified Individual is duly authorized to execute and enter into a response action contract for oil spill response resources, as set forth in the APC NTV, on behalf of Planholder in the event requested to do so by Planholder or designated Federal On Scene Coordinator."

The Alternative Planning Criteria for non-tank vessels (APC NTV) currently only refers to Alaska Chadux as its one resource. However, the Network has stated its intention to add other resources which are, as yet, unidentified and for which the owner's QI may be required to enter into a

contract as described above. This would be without any prior opportunity for the owner to review the contracts of any other such resources. It is therefore impossible to ascertain the risk of the contractual terms falling outside the scope of Club cover.

There seems little likelihood that the Network will clarify the position prior to 30 January 2014, the deadline for submission of NTVRPs. Members, therefore, have no option but to enrol with the Network.

#### **Alaska - position with regard to P&I Club cover**

As stated in the Club's circular dated 24 January 2014, the terms of the Alaska Chadux non-member contract do not conform with International Group (IG) guidelines and there is the potential that shipowners may be exposed to risks falling outside the scope of Club cover. Moreover, because of the possibility that the Network will later include additional response resources in their APC, which also may not conform with IG guidelines, there is an additional risk that liabilities will fall outside Club cover.

As such, additional insurance may be needed. Those Members wishing to obtain further details of the insurance are advised to contact the Managers.

#### **Alternative Planning Criteria for the Pacific Region (D14 Remote Zone)**

The US Coast Guard has revised its guidance on D14 Remote Zone. Reference to the names of the OSROs in Guam have been deleted. In place of the names of OSROs, there is reference to an OSRO that meets the interim APC measures for Guam/CNMI. As stated in the previous circular, Members whose vessels may be calling at Guam or ports in the Commonwealth of Northern Marianas islands should contact the US Coast Guard or their plan writers. However, the Club remains ready to answer questions concerning the relevant OSRO contracts if necessary.

Yours faithfully  
Tindall Riley (Britannia) Ltd  
Managers

**This circular should not be placed in the Binder**