

30 December 2013



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TO ALL MEMBERS

Dear Sirs

**Washington State – Contingency Plan requirements
United States Vessel Response Plans – Alaska – Implementation date for Non-Tank Vessel
Final Rule**

Washington State – Contingency Plan requirements

Reference is made to the Club's circular dated November 2013, in which Members were advised that every tank vessel and every other vessel over 300 gt is required under Washington 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.

In our November circular, we advised that the terms of the Washington State Maritime Cooperative (WSMC) enrolment agreement do not conform with IG guidelines for Vessel Response Plans. Since publishing our November circular, WSMC has changed its enrolment agreement and the revised version conforms with the International Group's guidelines on vessel response plans. This revised contract can be identified by reference to a footer "*WSMC Enrolment Agreement – December 2013.*" It should be noted that WSMC's arrangement 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.

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) as its primary response contractor.

Therefore, from 1 January 2014, Members trading to Washington State (with the exception of the Columbia River) will have two options for coverage:

1. 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](#)

2. 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 vessel 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/>

NOTE: Emergency Response Towing Vessel (ERTV)

The position with regard to the ERTV remains as per our November circular. Members should note that, irrespective of whether the NRC Covered Vessels Washington State Contingency Plan or the WSMC enrolment agreement is 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 using the following link: www.ak-mprn.org. In order for non-tank vessels trading to Alaska to fulfil US federal requirements, they must be enrolled with Alaska Maritime Prevention and Response Network.

At the present time, some non-tank Members have a subscription programme with the Oil Spill Response Company, Alaska Chadux. Alaska Chadux have informed the International Group that their 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. Alaska Chadux have announced that they will be extending their subscription 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.

NTVRP Final Rule - Implementation Date - 30 January 2014

As mentioned in earlier circulars, the US Non-Tank Vessel Response Plan 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 will 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, non-tank vessel owners must submit a plan containing the minimum following information:

- (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 fire fighting 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).

The above information should be provided to the US Coast Guard Commandant - Commercial Vessel Compliance (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

If the plan is not fully compliant with other Subpart J requirements (i.e. if pre-fire plan or vessel specific information is lacking), the certification statement should identify those plan elements that are incomplete.

For details of Subpart J see: <https://www.federalregister.gov/articles/2013/09/30/2013-22059/nontank-vessel-response-plans-and-other-response-plan-requirements>

Yours faithfully
Tindall Riley (Britannia) Ltd
Managers

This circular should not be placed in the Binder