



# Vessel Agent's Handbook

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Cancelled: 01 July 2019

This publication is provided in continuing partnership with Vessel Agents in the Sector Columbia River Area of Responsibility and is not intended to be all-inclusive. Any suggestions for improvement can be sent to the Chief Inspections Division at MSU Portland.

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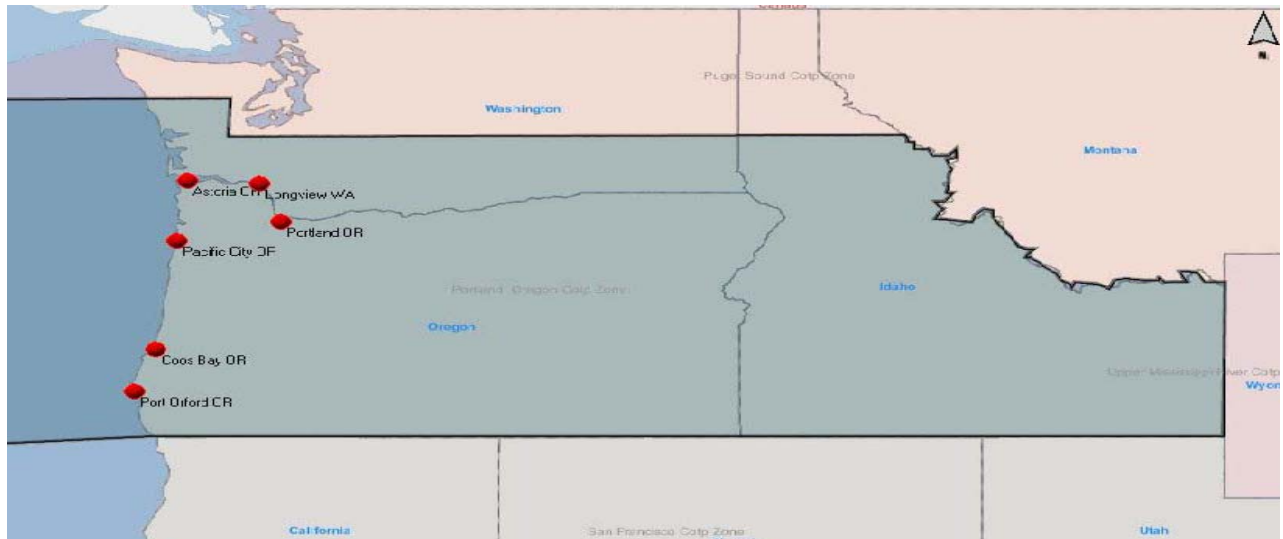
## Contact Numbers

Website: <https://homeport.uscg.mil/portland>

### **EMERGENCIES OR AFTER HOURS**

#### **Sector Columbia River (Oregon, Southern Washington, Idaho)**

<b>WARRENTON, OR</b>	Phone	E-Mail
24/7 Command Center	(503) 861-6212	SMB-ColumbiariverCC@uscg.mil



### **MONDAY - FRIDAY (7:00 AM to 3:00 PM.)**

<b>PORTLAND, OR</b>	Phone	E-Mail
Port State Control	(503) 240-9339	<a href="mailto:psc-pdx@uscg.mil">psc-pdx@uscg.mil</a>
US Vessel Inspections	(503) 240-9374	<a href="mailto:d13-sg-m-msuportlandusvessel@uscg.mil">d13-sg-m-msuportlandusvessel@uscg.mil</a>
Investigations	(503) 240-9309	<a href="mailto:pdxio@uscg.mil">pdxio@uscg.mil</a>
Marine Environmental Response	(503) 240-9370	<a href="mailto:pdximd@uscg.mil">pdximd@uscg.mil</a>
Facilities	(503) 240-9333	<a href="mailto:msupdxwwm@uscg.mil">msupdxwwm@uscg.mil</a>
Waterways Management	(503) 240-9319	<a href="mailto:msupdxwwm@uscg.mil">msupdxwwm@uscg.mil</a>
MSU Portland General Info	(503) 240-9310	

### **MONDAY - FRIDAY (7:00 AM to 3:00 PM.)**

<b>Detached Units</b>	Phone	E-mail
Coos Bay	(541) 756-9627	
Astoria	(503) 861-6124	

## Contact Numbers

### Other Federal Numbers

<b>COFR National Pollution Fund Center</b> (Mon-Fri 7:00am-4:00Pm EST Sun & Sat Closed)	
Phone	(202) 795-6130
E-COFR Website	<a href="https://npfc.uscg.mil/cofr/default.aspx">https://npfc.uscg.mil/cofr/default.aspx</a>
NPFC Website	<a href="http://www.uscg.mil/hq/npfc/cofr.htm">http://www.uscg.mil/hq/npfc/cofr.htm</a>

<b>National Vessel Documentation Center</b> 9:00 a.m. to 3:00 p.m. (Monday, Tuesday, Wednesday and Friday EST) **Phones are not manned on Thursdays**	
Phone	(800) 779-8362 (304) 271-2400
Fax	(304) 271-2405
Website	<a href="http://www.uscg.mil/hq/g-m/vdoc/nvdc.htm">http://www.uscg.mil/hq/g-m/vdoc/nvdc.htm</a>

<b>Oil/Hazmat Spills National Response Center</b>	
Phone	(800) 424-8802 (202) 267-2675
Fax	(202) 267-1322
Website	<a href="http://www.nrc.uscg.mil/ContactUs.aspx">http://www.nrc.uscg.mil/ContactUs.aspx</a>

<b>Vessel Response Plans</b>	
VRP Status Board	<a href="#">Homeport/VRP Search</a>
Vessel Response Plan Program	<a href="http://www.uscg.mil/vrp/">http://www.uscg.mil/vrp/</a>

<b>User Fees</b>	
Status questions Phone	(800) 941-3337 Fax: (757)523-6734
Website	<a href="http://www.fincen.uscg.mil/VIF.htm">http://www.fincen.uscg.mil/VIF.htm</a>

<b>EPA Vessel General Permit</b>	
Electronic Notice of Intent Website	<a href="https://www.epa.gov/npdes/electronic-notice-intent-enoi">https://www.epa.gov/npdes/electronic-notice-intent-enoi</a>
EPA Vessel General Permit Website	<a href="https://www.epa.gov/npdes/vessels-incident-discharge-permitting-3">https://www.epa.gov/npdes/vessels-incident-discharge-permitting-3</a>

## **Port State Information Exchange System (PSIX)**

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PSIX is a database run by the Coast Guard that provides interested parties with commercial vessel information and can be accessed via Internet at <http://cgmix.uscg.mil/psix>.

The information contained in PSIX represents a **weekly** snapshot of Freedom of Information Act (FOIA) data compiled within the MISLE database. Information on unclosed cases or cases pending further action is considered privileged information and is precluded from the PSIX system.

In addition, the Paris and Tokyo MOU's operate separate databases that can be useful in determining information about a vessel arriving to a U.S. Port for the first time. Access is free to both sites. For the Paris MOU you just have to register to receive you user ID and password, this website can be accessed at <http://www.equasis.org/>. The Tokyo MOU does not require registration and can be accessed at <http://www.tokyo-mou.org>.

## **Advance Notice of Arrival**

The owner, agent, Master, operator or person in charge must submit notices of arrival consistent with the requirements in 33 CFR Subpart C (<https://www.gpo.gov/fdsys/pkg/CFR-2015-title33-vol2/pdf/CFR-2015-title33-vol2-part160-subpartC.pdf>).

### **Which vessels need to submit an advance notice of arrival?**

- All U.S. and foreign vessels bound for or departing from ports and places in the United States.

### **Exemptions to the requirements of 33 CFR Subpart C:**

- A passenger or offshore supply vessel when employed in the exploration for or in the removal of oil, gas, or mineral resources on the continental shelf.
- An oil spill response vessel (OSRV) when engaged in actual spill response operations or during spill response exercises.
- A United States or Canadian vessel engaged in the salvaging operations of any property wrecked, or rendering aid and assistance to any vessels wrecked, disabled, or in distress, in waters specified in Article II of the 1908 Treaty of Extradition, Wrecking and Salvage (35 Stat. 2035; Treaty Series 502).

Unless carrying Certain Dangerous Cargo or controlling another vessel carrying certain dangerous cargo the following vessels are also exempt:

- A foreign vessel 300 gross tons or less not engaged in commercial service.
- A U.S. vessel 300 gross tons or less, engaged in commercial service not coming from a foreign port or place.
- Vessels operating exclusively within the Sector Columbia River Captain of the Port Zone.
- Public Vessels.
- A U.S. towing vessel and a U.S. barge operating solely between ports or places of the contiguous 48 states, Alaska and the District of Columbia.
- Except for a tank vessel, a U.S. vessel operating solely between ports or places of the United States on the Great Lakes.
- A U.S. towing vessel and a U.S. barge operating solely between ports or places of the contiguous 48 states, Alaska, and the District of Columbia.

These exceptions and exemptions are applicable to the Sector Columbia River Captain of the Port Zone. For applicability of other areas of the United States and Territories see 33 CFR 160.204. The listed exempted vessels still need to comply with the requirements for reporting notice of hazardous conditions found in 33 CFR 160.216.

## Advance Notice of Arrival

Methods of Submitting an NOA		
<b>e-NOA</b>	<a href="http://www.nvmc.uscg.gov">www.nvmc.uscg.gov</a> <a href="http://www.nvmc.uscg.gov/">http://www.nvmc.uscg.gov/</a>	NVMC workbook for both online and offline submittal
<b>Email</b>	<a href="mailto:enoad@nvmc.uscg.gov">enoad@nvmc.uscg.gov</a>	XML Spreadsheet
<b>Telephone</b>	1-800-708-9823 1-304-264-2502	For areas without Internet access
<b>Fax</b>	1-800-547-8724 1-304-264-2684	For areas without Internet access

Note: If you have a copy of the NOAD Workbook on your computer, please verify you are using the most recent version by viewing the version number and date of your workbook against the version number and date of the NOAD workbook provided online.

### **Information Required on an NOA:**

The Coast Guard and Customs and Border Protection (CBP) require vessels to submit crew, passenger, vessel, voyage and cargo information for safety and security purposes and for the enforcement of U.S. immigration, import, and export laws, prior to arrival in a U.S port or place. More information on the system, including online forms, can be found on the Coast Guard's National Vessel Movement Center website at <http://www.nvmc.uscg.gov>.

#### Table 160.206 – NOA Information Items

<https://www.gpo.gov/fdsys/pkg/CFR-2015-title33-vol2/pdf/CFR-2015-title33-vol2-sec160-206.pdf>

Required information	Vessels neither car-carrying CDC nor controlling another vessel carrying CDC	Vessels carrying CDC or controlling another vessel carrying CDC
<b>(1) Vessel Information:</b>		
(i) Name;	X	X
(ii) Name of the registered owner;	X	X
(iii) Country of registry;	X	X
(iv) Call sign;	X	X
(v) International Maritime Organization (IMO) international number or, if vessel does not have an assigned IMO international number, substitute with official number;	X	X
(vi) Name of the operator;	X	X
(vii) Name of charter;	X	X
(viii) Name of classification society or recognized organization;	X	X
(ix) Maritime Mobile Service Identity (MMSI) number, if applicable;	X	X
(x) Whether the vessel is 300 gross tons or less (yes or no); and	X	X
(xi) USCG Vessel Response Plan Control Number, if applicable	X	X
<b>(2) Voyage Information:</b>		
(i) Names of last five foreign ports or places visited;	X	X
(ii) Dates of arrival and departure for last five foreign ports or places visited;	X	X
(iii) For the port or place of the United States to be visited, list the name of the receiving facility, the port or place, the city, and the state;	X	X
(iv) For the port or place of the United States to be visited, the estimated date and time of arrival;	X	X



# Advance Notice of Arrival

Table 160.206 – NOA Information Items - Continued

Required information	Vessels neither carrying CDC nor controlling another vessel carrying CDC	Vessels carrying CDC or controlling another vessel carrying CDC
(v) For the port or place in the United States to be visited, the estimated date and time of departure;	X	X
(vi) The location (port or place and country) or position (latitude and longitude or waterway and mile marker) of the vessel at the time of reporting;	X	X
(vii) The name and telephone number of a 24-hour point of contact;	X	X
(viii) Whether the vessel's voyage time is less than 24 hours (yes or no);	X	X
(ix) Last port or place of departure; and	X	X
(x) Dates of arrival and departure for last port or place of departure.	X	X
<b>(3) Cargo Information:</b>		
(i) A general description of cargo, other than CDC, on board the vessel (e.g., grain, container, oil, etc.);	X	X
(ii) Name of each CDC carried, including cargo UN number, if applicable; and	-----	X
(iii) Amount of each CDC carried.	-----	X
<b>(4) Information for each Crewmember On Board:</b>		
(i) Full name;	X	X
(ii) Date of birth;	X	X
(iii) Nationality;	X	X
(iv) Passport* or mariner's document number (type of identification and number);	X	X
(v) Position or duties on the vessel; and	X	X
(vi) Where the crewmember embarked (list port or place and country).	X	X
<b>(5) Information for each Person On Board in Addition to Crew:</b>		
(i) Full name;	X	X
(ii) Date of birth;	X	X
(iii) Nationality;	X	X
(iv) Passport number, * and	X	X
(v) Where the person embarked (list port or place and country).	X	X
<b>(6) Operational condition of equipment required by 33 CFR part 164 (see note to table).</b>	X	X
<b>(7) International Safety Management (ISM) Code Notice:</b>		
(i) The date of expiration for the company's Document of Compliance certificate that covers the vessel;	X	X
(ii) The date of expiration for the vessel's Safety Management Certificate; and	X	X
(iii) The name of the Flag Administration, or the recognized organization(s) representing the vessel Flag Administration, that issued those certificates.	X	X
<b>(8) International Ship and Port Facility Security Code (ISPS) Notice:</b>		
(i) The date of issuance for the vessel's International Ship Security Certificate (ISSC), if any;	X	X
(ii) Whether the ISSC, if any, is an initial Interim ISSC, subsequent and consecutive Interim ISSC, or final ISSC;	X	X
(iii) Declaration that the approved ship security plan, if any, is being implemented;	X	X
(iv) If a subsequent and consecutive Interim ISSC, the reasons therefore;	X	X
(v) The name and 24-hour contact information for the Company Security Officer; and	X	X
(vi) The name of the Flag Administration or the recognized security organization(s) representing the vessel Flag Administration that issued the ISSC.	X	X

NOTE TO TABLE 160.206. For items with an asterisk (\*), see paragraph (b) of [33 CFR 160.206](#). Submitting a response for item 6 indicating that navigation equipment is not operating properly does not serve as notice to the District Commander, Captain of the Port, or Vessel Traffic Center, under 33 CFR 164.53.

## **Advance Notice of Arrival**

### **When to submit a Notice of Arrival:**

<b>If your voyage time is—</b>	<b>Then you must submit an NOA—</b>
96 hours or more	At least 96 hours before arriving at the port or place of destination
Less than 96 hours	Before departure but at least 24 hours before arriving at the port or place of destination.

<b>Vessel —</b>	<b>Then you must submit an NOA—</b>
Towing vessels, when in control of a vessel carrying CDC and operating solely between ports or places of the contiguous 48 states, Alaska, and the District of Columbia	At least 12 hours before arriving at the port or place of destination
U.S. vessels 300 gross tons or less, arriving from a foreign port or place, and whose voyage time is less than 24 hours	At least 60 minutes before departure from the foreign port or place

### **When to submit an UPDATE to the Notice of Arrival:**

<b>If your remaining voyage time is—</b>	<b>Then you must submit updates to an NOA—</b>
96 hours or more;	As soon as practicable, but at least 24 hours before arriving at the port or place of destination;
Less than 96 hours but not less than 24 hours; or	As soon as practicable, but at least 24 hours before arriving at the port or place of destination; or
Less than 24 hours	As soon as practicable, but at least 12 hours before arriving at the port or place of destination.

# **Advance Notice of Arrival**

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## **Tips on Filling Out the Notice of Arrival**

### Contact Information:

If you have any questions regarding the submittal of a Notice of Arrival, the NVMC provides assistance 24 hours per day, 7 days a week, and 365 days a year. The NVMC contact information is as follows:

- Web address: <http://www.nvmc.uscg.gov/>
- E-mail address: [SANS@nvmc.uscg.gov](mailto:SANS@nvmc.uscg.gov)
- Toll-free telephone number: 1.800.708.9823
- NVMC local telephone number: 304.264.2502
- Toll-free fax number: 1.800.547.8724
- NVMC local fax number: 304.264.2684

### Important Information for U.S. to U.S. Departures/Arrivals

Submitting a U.S. to U.S. departure notice does not constitute the submission of a U.S. to U.S. arrival notice. A U.S. to U.S. arrival notice must be submitted regardless of U.S. to U.S. departure notice submission.

### Charterer Information Requirement:

Effective September 18, 2002 it is required that the charter of the vessel be included in the NOA. The following definitions of a charter were taken from the Federal Register:

<b>Charterer</b>	Means the person or organization that contract for the majority of the carrying capacity of a ship for the transportation of cargo to a stated port for a specified period. This includes "time charterers" and "voyage charterers".
<b>Time charterer</b>	Means the party who hires a vessel for a specific amount of time. The owner and his crew manage the vessel, but the charterer selects the ports of destination.
<b>Voyage charterer</b>	Means the party who hires a vessel for a single voyage. The owner and his crew manage the vessel, but the charterer elects the ports of destination.

Operational Condition of Equipment: Refers to the equipment listed in 33 CFR Part 164.

24 hour point of contact information: Use Vessel Agent name and contact number.

Last 5 Ports of Call: Use only previous FOREIGN ports.

## **Advance Notice of Arrival**

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### **How a Notice of Arrival is Processed**

All arrivals are downloaded from the National Vessel Movement Center throughout the day and will be processed when received. Depending on the time of day the Notice of Vessel Arrival is submitted it can take 6 to 24 hours to process.

For calls that require immediate action you may use our 24-hour line at Sector Columbia River Command Center, (503) 861-6212.

**VESSELS THAT FAIL TO COMPLY WITH THE TIME SUBMISSION REQUIREMENTS MAY BE SUBJECT TO A DELAY OF ENTRY IN ORDER TO FULFILL THOSE REQUIREMENTS.**

After receipt of a notice of arrival the vessel's history is reviewed and the vessel is assigned a Priority status using the ISPS/MTSA Security Compliance Table on page D4-13 and PSC Safety and Environmental Protection Table on page D4-17 Boarding Decision/Boarding Location Reference Tables in the Marine Safety Manual Vol II. This Commandant Instruction Manual can be viewed or downloaded at [http://www.uscg.mil/directives/cim/16000-16999/CIM\\_16000\\_7B.pdf](http://www.uscg.mil/directives/cim/16000-16999/CIM_16000_7B.pdf)

### **Handling of an Incomplete Notice of Arrival**

NVMC sends an **Incomplete Notice** e-mail message if information is missing from the NOA/D. This message contains information in the **Additional Comments** section regarding which data is needed to complete the NOA/D, along with the information contained in the **Receipt of Notice** e-mail message. The missing data must be provided as soon as possible to ensure the vessel is not delayed or denied entry into a port. The 96 hour requirement is not met until submitted with all required information.

## **Submission of Cargo Declaration (Customs Form 1302.2)**

<b>Submission Time for Cargo Declaration (Customs Form 1302.2)</b>	
<b>Vessel Type</b>	<b>Submission Time</b>
All vessel required to submit a NOA	See Advance Notice of Arrival section.
Exceptions:  (1) Vessels carrying bulk cargo  (2) Vessels carrying break bulk cargo operating under a USCS exemption granted under 19 CFR 4.7(b)(4)(ii) may, during the effective period of the USCS exemption	Before departure but not less than 24 hours before entering the U.S. Port or place of destination

The Coast Guard requires the vessel's cargo manifest contain the information described in 19 CFR 4.7(a). This is in addition to the information required in [33CFR160.206](#), and will consist of the information contained in the cargo declaration Customs Form 1302. Cargo manifest information is necessary to assess vessels entering U.S. ports for potential threats to national security and to appropriately respond to those threats. The Coast Guard does not have the capability to receive and process the cargo manifest information. US Customs and Border Protection, however, does have an existing capability to receive, process, and share the information with the Coast Guard. The cargo manifest information is to be submitted electronically to US CBP through the Sea Automated Manifest System (AMS) at least 96 hours before the vessel arrives at a U.S. port, while all other required NOA information is to be submitted to the National Vessel Movement Center. A single electronic submission of the cargo manifest information (Customs Form 1302) to US CBP will satisfy the requirements of both agencies for submission of that data.

To transmit information electronically to CBP, a submitter must be able to use Sea AMS. To enroll in Sea AMS, a submitter must first call CBP at 503-240-6700 or send a letter to the following address requesting participation in the Sea AMS program: Customs & Border Protection, Client Representative Branch, 7501 Boston Blvd. Rm. 211, Springfield, VA 22153. Upon receiving an inquiry, a CBP client representative will be assigned to work with the submitter. This representative will serve as a technical advisor establishing a Sea AMS interface. Establishing an interface for participation can require as little as two weeks or up to several months, depending on the particular method chosen. This 90-day period should provide sufficient time for submitters to either enroll in Sea AMS or find a submission agent who is already able to use Sea AMS.

AMS will allow participants to transmit manifest information electronically 96 hours prior to vessel arrival. There are four methods of transmitting data to AMS: (1) Establish a direct connection with CBP; (2) use a service provider; (3) use a port authority; or (4) purchase software from a vendor. For general information related to AMS, visit the CBP Automated Commercial System Web site at:

[http://www.cbp.gov/xp/cgov/trade/automated/automated\\_systems/rail\\_sea/sea\\_features.xml](http://www.cbp.gov/xp/cgov/trade/automated/automated_systems/rail_sea/sea_features.xml)

## **Submission of Cargo Declaration (Customs Form 1302.2)**

### **Definitions for Certain Dangerous Cargoes 33 CFR 160.204 (excerpt)**

**Carried in Bulk** means a commodity that is loaded or carried on board the vessel without containers or labels and received and handled without mark or count.

**Certain Dangerous Cargo** includes the following:

- Division 1.1 or 1.2 (explosive) materials as defined in 49 CFR 173.50. A Permit from the COTP is required to load or offload these commodities.
- Division 1.5D blasting agents which a permit is required under 176.415, or for which a Research and Special Programs Administration exemption.
- Division 2.3 “poisonous gas”, as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation” as defined in 49 CFR 171.8, and that is in a quantity in excess of 1 metric ton per vessel.
- Division 5.1 oxidizing materials for which a COTP permit is required under 49 CFR 176.415 or for which a permit is required as a condition of a Research and Special Programs Administration exemption.
- A liquid material that has a primary or subsidiary classification of Division 6.1 “poisonous material” as listed in 49 CFR 172.101 that is also a “material poisonous by inhalation,” as defined in 49 CFR 171.8 and that is in a bulk packaging, or that is in a quantity in excess of 20 metric tons per vessel when not in a bulk packaging.
- Class 7, “highway route controlled quantity” radioactive material or “fissile material, controlled shipment,” as defined in 49 CFR 173.403.
- Bulk liquefied chlorine gas and Bulk liquefied gas cargo that is flammable and/or toxic and carried under 46 CFR 154.7.
- The following bulk liquids:
  - Acetone cyanohydrin
  - Allyl alcohol
  - Chlorosulfonic acid
  - Crotonaldehyde
  - Ethylene chlorohydrin
  - Ethylene dibromide
  - Methacrylonitrile
  - Oleum (fuming sulfuric acid)

## **Required Charts and Publications**

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33 CFR 164.33(a)(1) requires each vessel to have currently corrected marine charts of large enough scale detailing the area transited. The Charts & Pubs Table (p.14) lists U.S. Charts, and acceptable foreign equivalents, for Washington and Oregon. This table is current as of March 16, 2016. In accordance with Navigation and Vessel Inspection Circular No. 01-16, electronic charts and publications in lieu of paper charts, maps and publications is now authorized.

Electronic Charting System Carriage: Vessels may use electronic charts provided they are official charts issued by or on the authority of a Government, authorized hydrographic office, or other relevant government institution.

For vessels using official electronic charts as the primary means of navigation, an independent redundant arrangement is required in order to meet the equivalency, and must either be:

- An equivalent system to the following requirements and connected to a back-up power supply separate and independent from the primary system:
  - A Radio Technical Commission for Maritime Services (RTCM) class ‘A’ ECS to meet the chart carriage requirements for vessels not on international voyages.
  - An RTCM class ‘B’ or ‘C’ ECS to meet the chart carriage requirements for vessels operating not more than 12 nautical miles from the territorial sea baseline.
  - An RTCM class ‘D’ is not equivalent to paper marine charts and therefore does not meet the chart carriage requirements prescribed in Titles 33 and 46 of the C.F.R.

Or

- A full folio of official paper charts in accordance with 33 C.F.R. part 164 for the intended voyage.

33 CFR 164.33(a)(2) requires each vessel to have a currently corrected copy or applicable extract for the U.S. Coast Pilot and Coast Guard Light List. An electronic version is acceptable. The volumes applicable to Washington and Oregon and foreign equivalents that are also acceptable can be found on the table on page 14.

33 CFR 164.33(a)(3) requires each vessel to have a current copy or applicable extract of the Tide Tables and Tidal Current Tables, published by NOS, for the area transited. An electronic version is acceptable.

Currently corrected means correct with all changes “reasonably available to the vessel...” For U.S. Coast Pilot and Coast Guard Light List, any currently corrected edition within three (3) years is acceptable. Tide and tidal current tables must be for the current year. For foreign equivalents, which are typically published less often, it is up to the boarding officer to use his/her best judgment. Electronic versions are acceptable.

## **Required Charts and Publications**

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### **ENFORCEMENT ACTIONS:**

All chart and publication deficiencies shall be written, “Correct Prior to Departure”. The following guidance may be used to determine other appropriate action:

If there are no other deficiencies, the corrections are made prior to departure, and there is no history of similar violation within the previous three (3) years by the vessel, operator, or owner, no further action will be taken.

If the vessel, operator, or owner has a history or similar violations within the previous three years, a Letter of Warning (LOW) may be offered. If a LOW is offered but refused, civil penalty will be initiated.

If the vessel, operator, or owner has a history of similar violations within the previous twelve (12) months, civil penalty action may be initiated.

Violations of the navigation safety regulations in 33 CFR Part 164 are not presently covered by the Notice of Violation (NOV) “Ticket” program. For all Civil Penalties a Letter of Undertaking (LOU) or Surety Bond will be required for the maximum amount of the penalty.



## Required Charts and Publications

### List of Charts and Publications for Washington and Oregon

The most recent edition of charts and publications listed in the U.S. Notice to Mariners is required to be on board:

[http://msi.nga.mil/NGAPortal/MSI.portal?\\_nfpb=true&\\_pageLabel=msi\\_portal\\_page\\_61](http://msi.nga.mil/NGAPortal/MSI.portal?_nfpb=true&_pageLabel=msi_portal_page_61)

The following website lists businesses where charts and publications can be purchased:

<http://www.nauticalcharts.noaa.gov/staff/charts.htm>

<b>Charts &amp; Pubs Table</b>	
<b>CHARTS WASHINGTON</b>	
18500	COLUMBIA RIVER TO DESTRUCTION ISLAND
18502	GRAYS HARBOR; WESTHAVEN COVE
18504	WILLAPA BAY; TOKE PT.
18520	YAQUINA HEAD TO COLUMBIA RIVER; NETARTS BAY
<b>CHARTS OREGON &amp; WASHINGTON</b>	
18521	COLUMBIA RIVER PACIFIC OCEAN TO HARRINGTON POINT; ILWACO HARBOR
18523	COLUMBIA RIVER HARRINGTON POINT TO CRIMS ISLAND
18524	COLUMBIA RIVER CRIMS ISLAND TO SAINT HELENS
18525	COLUMBIA RIVER SAINT HELENS TO VANCOUVER
18526	PORT OF PORTLAND, VANCOUVER, MULTINOMAH CHANNEL - SOUTHERN PART
18531	COLUMBIA RIVER VANCOUVER TO BONNEVILLE
18527	WILLAMETTE RIVER-SWAN ISLAND BASIN
18528	WILLAMETTE RIVER TO WALNUT EDDY
<b>CHARTS OREGON</b>	
18556	NAHALEM RIVER
18558	TILLAMOOK BAY
18561	APPROACHES TO YAQUINA BAY; DEPOE BAY
18520	YAQUINA HEAD TO COLUMBIA RIVER; NETARTS BAY
18561	APPROACHES TO YAQUINA BAY; DEPOE BAY
18580	CAPE BLANCO TO YAQUINA HEAD
18581	YAQUINA BAY AND RIVER; CONTINUATION OF YAQUINA RIVER
18583	SIUSLAW RIVER
18584	UMPQUA RIVER PACIFIC OCEAN TO READSPORT
18587	COOS BAY
18526	PORT OF PORTLAND, PORT OF VANCOUVER
<b>PUBLICATIONS</b>	
Coast Pilot #7	
Sailing Directions NP# 8	
Light List Volume VI or List of Lights Volume G - NP80	
Tide Tables Vol. VI	
International/Inland Navigation Rules	
International Code of Signals	

Refer to the Lower Columbia River Harbor Safety Plan (HSP) for additional guidelines on required charts and publications:

[http://lcrhsc.org/documents/2016\\_Final\\_Updates\\_HSP/LCR\\_HSP\\_Required\\_Charts\\_and\\_Publications\\_Guidelines\\_2016\\_Edition.pdf](http://lcrhsc.org/documents/2016_Final_Updates_HSP/LCR_HSP_Required_Charts_and_Publications_Guidelines_2016_Edition.pdf)

## **Required Tests and Drills Prior to Entering Port**

**PRE-ARRIVAL TESTS 33 CFR 164.25(a):** The following tests are required to be conducted no more than Twelve (12) hours prior to entering U.S. navigable waters and logged in the vessel's log. A log entry of "Test conducted in accordance with 33 CFR 164.25" is not acceptable unless used in conjunction with a check off sheet.

- Primary/secondary steering gear:
  - Visual inspection of steering gear and its connecting linkage.
  - Each remote steering gear control system.
  - Each steering position located on the navigating bridge.
  - The main steering gear from the alternated power supply, if installed.
  - Each rudder angle indicator in relation to the actual position of the rudder.
  - Each remote steering gear control system power failure alarm.
  - Each remote steering gear power unit failure alarm.
  - The full movement of the rudder to the required capabilities of the steering gear.
- All internal vessel control communications and vessel control alarms.
- Standby or emergency generator for as long as necessary to show proper functions, including steady state temperature and pressure readings.
- Storage batteries for emergency lighting and power systems in vessel control and propulsion machinery spaces.
- Main propulsion machinery, ahead and astern.

**EMERGENCY STEERING DRILL 33 CFR 164.25(d):** An emergency steering drill must be conducted within 48 hours prior to entry and logged in the vessels logbook, unless the drill is conducted and logged on a regular basis at least once every three months. This drill must include at a minimum the following:

- Operation of the main steering gear from within the steering gear compartment.
- Operation of the means of communications between the navigating bridge and the steering compartment.
- Operation of the alternative power supply for the steering gear if the vessel is so equipped.

## **Reporting Non-Operating Navigation Equipment**

**REFERENCE:** Reporting Non-Operating Equipment 33 CFR 164.53

**POLICY:** Upon receiving a written request, the Captain of the Port (COTP) may authorize a deviation from any rule in 33 CFR Part 164.

If the vessel's radar, radio navigation receivers, gyrocompass, echo depth sounding device, AIS, Electronic Position Fixing Device, ARPA, or primary steering gear stops operating properly, it must be reported to the COTP as soon as possible. **See Enclosure 5 for LOD request form.**

A Letter of Deviation (LOD) is not a detention; however, the vessel must request a separate LOD to depart the port if the equipment is not repaired. The vessel must follow any restrictions or provisions established on the LOD while transiting within the port. Repairs must be completed prior to departure. Proof of completed repairs must be submitted to the COTP. **Departure LOD's are only granted in extraordinary cases.**

For transit or departure LOD's where the vessel's Next Port of Call is a U.S. port, a separate LOD must be requested from that COTP(s) zone. Each Captain of the Port will determine what level of restrictions will be placed on a vessel's Letter of Deviation on a case-by-case basis.

If equipment becomes inoperable during a voyage, the vessel may continue to the next port of call subject to the directions of the COTP.

**ENFORCEMENT ACTION:** Violations of the above regulations are subject to a potential civil penalty of up to \$40,000 for each violation.

### **VERIFICATION OF REPAIRS**

LOD's may be cleared by one of the following methods:

- On board verification of repairs by a Coast Guard marine inspector, vessels flag administrator, or an authorized surveyor acting on behalf of the flag administration.
- Independent third party verification by an FCC licensed repair technician.

A Class report, technician's report, or any other documentation attesting to corrective action may be submitted via email or fax listed below. Additional information may be requested.

<b>AFTER HOURS</b>	<b>Phone</b>	<b>Fax</b>	<b>Email</b>
Sector Columbia River Command Center	(503) 861-6212	(503) 861-6355	<a href="mailto:columbiarivercc@uscg.mil">columbiarivercc@uscg.mil</a>
<b>MONDAY - FRIDAY (7:00 AM to 3:30 PM)</b>			
MSU Portland Port State Control	(503) 240-9339		<a href="mailto:pse-pdx@uscg.mil">pse-pdx@uscg.mil</a>

After verification of repairs, the vessel agent will be notified that the vessel may depart. Since the vessel was not detained and because the LOD expired upon arrival at the destination, there is no formal release letter.

## **Items That Will Prevent a Vessel from Entering Port**

If the vessel does not have the following required items, a Captain of the Port Order may be issued ordering the vessel to remain outside U.S. waters until proof of compliance is provided.

These items are not all inclusive. There will be instances in which the circumstances or situation onboard the vessel must be evaluated to determine if further restrictions may apply. These situations will be evaluated on a case-by-case basis:

- **Vessel Response Plans:** Vessel Response Plans are required for each vessel that is constructed or adapted to carry, or that carries, oil in bulk as cargo or as residue. It applies to all U.S. and foreign flag vessels operating or transferring oil in a port or place subject to the jurisdiction of the United States. Requirements and exceptions are outlined in 33 CFR 155, Subpart D. A Coast Guard letter of approval must be obtained by submitting such plan for revision 60 days before the intended handle, store, transport, transfer or lighter of oil in areas subject to the jurisdiction of the United States.
- **Non-Tank Vessel Response Plans:** Title 33, Code of Federal Regulations (CFR), Part 155, Subpart J established requirements for oil spill response plans for non-tank vessels. The development of a non-tank vessel response plan prepares the vessel's crew and ship management to respond to an oil spill. The specific criteria for response resources and their arrival times are not performance standards; they are planning criteria based upon a set of assumptions that may not exist during an actual oil spill incident.

Non-tank vessels subject to 33CFR 155 Subpart J may not operate upon the navigable waters of the United States unless in compliance with a vessel response plan (VRP) approved under §155.5065. Additionally, vessels may not continue to operate on the navigable waters of the United States if (1) The Coast Guard determines that the response resources identified in the vessel's certification statement do not meet the requirements of this subpart; (2) The contracts or agreements required in §§155.5050 and 155.5052 and the vessel's certification statement are no longer valid; (3) The vessel is not operating in compliance with the submitted VRP; or (4) The period of the VRP authorization has expired. Additional information pertaining to non-tank vessel response plan requirements can be found in 33CFR155 Subpart J.

### **OPERATIONAL CONTROL MEASURES WILL BE PLACED ON ANY VESSEL FOUND TO BE NON-COMPLIANT BY THE COTP.**

#### How does a non-tank vessel comply?

NTVRPs must be prepared and submitted by owners and operators. Each plan must meet the self-executing elements of 33 USC 1321(j)(5)(F):

- Consistent with National Contingency Plan and Area Contingency Plan;
- Identify a Qualified Individual (QI)
- Ensure by contract or other approved means approved by the President the availability of private personnel and equipment necessary to remove to the max extent practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge; and
- Describe training, equipment testing, periodic unannounced drills, and response actions of crew.

## **Items That Will Prevent a Vessel from Entering Port**

- **Certificate of Financial Responsibility (COFR):** Code of Federal Regulations, Title 33, Part 138, requires that the owner or operator of a U.S. or foreign flag vessel meeting the applicable criteria (33 CFR 138.15) must obtain a proper COFR. This certificate is evidence that suitable financial responsibility is maintained in order to cover for any liability arising from Section 1002 of the Oil Pollution Act of 1990 (OPA 90) and/or Section 107 (a) (1) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). All U and foreign flag vessels over 300 gross tons, including non-self propelled barges, carrying oil as cargo or fuel and carrying hazardous substances are required to provide a COFR while destined for a place subject to the jurisdiction of the United States. It also defines “oil as fuel” as any oil or hazardous substance used or capable of being used to produce heat or power by burning, including power to operate equipment. In order to obtain a COFR you must contact the Certificate of Financial Responsibility desk at (703) 872-6130, fax (703)-872-6123, or visit <https://npfc.uscg.mil/cofr/default.aspx> for further information and application requirements.
- **International Safety Management (ISM) Certificates:** Compliance is mandatory for the following vessels over 500 gross tons:
  - Oil tankers;
  - Chemical tankers;
  - Gas carriers;
  - Bulk carriers, and cargo high-speed craft;
  - All other cargo ships; and
  - Passenger ships, including high-speed craft ; carrying more than 12 passengers on an International voyage, regardless of GT

Vessels that do not provide ISM certificate information on the Notice of Arrival (NOA) form will be denied entry into U.S. Ports until such time as adequate proof is provided to the Captain of the Port that the vessel has achieved compliance (i.e. proof indicating that the ship’ has been certified, and a Document of Compliance and Safety Management Certificated has been issued by the Administration or authorized classification society). If a ship is discovered without ISM Code Certificates, the following enforcement actions may be taken:

- The vessel may be denied entry or detained if in port.
  - Cargo operations may be prohibited or suspended, as applicable.
  - Civil penalty action may be commenced.
  - The Captain of the Port (COTP)/Officer in Charge Marine Inspection (OCMI) will investigate the situation to determine whether there has been a violation under Title 18, United States Code, Section 1001 with respect to the ship knowingly and willfully providing false information regarding the ISM Code compliance status in its Notice of Arrival. If this is the case, the person providing the false information may be subject to criminal prosecution and subject to fines and/or imprisonment for up to five years.
  - The vessel’s flag state and classification society shall be notified.
  - An expanded PSC examination will be conducted on a vessel found inport with no ISM certificates. If the only deficiency identified is related to the ISM Code certificates, and a surety bond or letter of undertaking has been filed to cover the amount equal to the maximum civil penalty that may be assessed, the ship may be allowed to conduct cargo operations and may be issued a COTP Order directing the vessel to depart. In addition, the COTP/OCMI shall inform the master that the ship will be denied entry into all U.S. ports until adequate proof of compliance with the ISM Code is provided to the cognizant COTP/OCMI.
- **International Ship Security Certificate (ISSC):** The following types of ships engaged on international voyages are required to adhere to the International Ship & Port Facility Security Code (ISPS). This code applies to Passenger ships including high-speed passenger craft, cargo ships including high-speed craft of 500 GT and upwards. An International Ship Security Certificate shall be issued to a vessel that verifies that the security system and any associated security equipment of the ship fully complies with the applicable requirements in chapter 19.2 of the ISPS Code. The International Ship Security Certificate shall be issued for a period specified by the Administration, which shall not exceed five years.

## **Hazardous Material Training Requirements**

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**APPLICABILITY:** Applies to foreign and domestic shippers and their employees on vessels carrying Hazardous Material (Hazmat) under 49 Code of Federal Regulations (CFR) or the International Maritime Dangerous Goods (IMDG) Code while in the ports or navigable waters of the United States.

**WHO NEEDS HAZMAT TRAINING:** Only the licensed Deck Officers (excluding pilots) will be required to receive the training required by 49 CFR 172.702. Deck Officers that hold STCW 95 certificates that have been issued within the last three years will be considered meeting the requirement of 49 CFR 172.702.

**RECURRENT TRAINING REQUIREMENTS:** Every three years a Hazmat employee shall receive the training required by 49 CFR 172.702.

**WHO MAY GIVE TRAINING:** Employers have the option to decide how to train their employees. Training may be “in house”, provided by the HAZMAT employer, or may be obtained through other public or private sources.

49 CFR 172.704 also allows training based on accepted international standards such as the International Maritime Dangerous Goods (IMDG) Code to be accepted as a substitute for the training required by Hazardous Materials Regulations.

**RECORDS REQUIRED ON BOARD VESSEL:** The vessel operator is required to maintain records certifying each HAZMAT employee’s current training. Records must include all HAZMAT training received during the past three years. These records must be retained by the employer for the duration of the employee’s employment and for 90 days thereafter. The training record for each HAZMAT employee shall include:

- The HAZMAT employee’s name;
- Completion date of most recent training;
- A copy or location of the training materials, or a description of the training given;
- Name and address of the person providing training; and
- Certification that the HAZMAT employee has been trained and tested.

In accordance with 49 CFR 176.13(c), the record of training for a hazmat employee who is a crewmember of a vessel must be kept on board while the crewmember is in service on board that vessel.

### **ENFORCEMENT ACTIONS:**

If discovered that there are no employees on board with documentation of HAZMAT training and the vessel is carrying hazardous material, the vessel may not conduct cargo operations. In addition, the COTP/OCMI will inform the master that the ship may not be allowed to conduct cargo operations in U.S. ports until adequate proof of compliance with the Hazmat training under 49 CFR 172.702 is provided to the cognizant COTP/OCMI.

If it is discovered that there are no employees on board with documentation of HAZMAT training after vessel cargo operations have been performed, a deficiency will be issued to the vessel to provide training prior to next U.S. port of call.

If discovered that one of the deck officers has current HAZMAT training, (i.e. received training within the last three years), cargo operations may be permitted.

Violations are subject to a potential civil penalty of up to \$40,000 for each violation.

## **Anchoring, Mooring, and Anchorage Permits**

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**Please refer to the Lower Columbia River Harbor Safety Plan (HSP) Anchorage Guidelines. An in-depth guide is included in the HSP for each anchorage available in the Columbia River.**

**For a direct link go to:**

[http://lcrhsc.org/documents/2016\\_Finalized\\_Chapters\\_HSP/CR\\_HSP\\_Anchorage\\_Guidelines.pdf](http://lcrhsc.org/documents/2016_Finalized_Chapters_HSP/CR_HSP_Anchorage_Guidelines.pdf)

## **Reporting of Hazardous Conditions**

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For the Sector Columbia River COTP, any of the required notifications may be made 24 hours a day by calling Sector Columbia River Command Center (503-861-6212). In addition, reports may be made by contacting the Coast Guard on VHF radio Channel 16.

There are several Federal regulations that require reports to the U.S. Coast Guard:

### **Reporting Non-Operating Navigation Equipment (33 CFR 164.53):**

If the vessel's radar, radio navigation receivers, gyrocompass, echo depth sounding device, or primary steering gear stops operating properly, the person directing the movement of the vessel must report or cause to be reported that it is not operating properly to the nearest Captain of the Port.

### **Notice of Hazardous Conditions (33 CFR 160.215):**

Whenever there is a hazardous condition either aboard a vessel or caused by a vessel or its operation, the owner, agent, master, operator or person in charge **shall immediately notify** the nearest Coast Guard Sector. (Compliance with this section does not relieve responsibility for the written report required by 46 CFR 4.05-10.)

**Hazardous condition is defined in 33 CFR 160.203** as any condition that may adversely affect the safety of any vessel, bridge, structure, or shore area or the environmental quality of any port, harbor, or navigable waterway of the United States. It may, but need not, involve collision, allusion, fire, explosion, grounding, leaking, damage, injury or illness of a person aboard, or manning-shortage.

### **Report of Accident to Aid to Navigation (46 CFR 4.05-20):**

Whenever a vessel collides with a buoy, or other aid to navigation under the jurisdiction of the Coast Guard, or is connected with any such collision, it shall be the duty of the person in charge of such vessel to report the accident to the Sector Columbia River Command Center (503-861-6212).



## **Marine Casualties**

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Federal regulations(46 CFR § 4.05-1) require that immediately after the addressing safety concerns, the owner, agent, master, operator, or person in charge, shall notify the nearest Sector Office, Marine Inspection Office or Coast Guard Group Office whenever a vessel is involved in a marine casualty (See Marine Casualties Table on next page). If the vessel remains in U.S. waters, voyage records shall be retained for a minimum of 30 days, if the vessel departs U.S. waters, the voyage records must be retained for at least 30 days after the return of the vessel to a U.S. port.

In addition to the immediate notice a written report required for all vessel casualties and personnel injuries shall be made on Form CG-2692 Report of Marine Casualty, Injury, or Death no later than five (5) days after the incident. This report will provide sufficient details to allow an understanding of both the nature of the casualty and the circumstances or cause(s) thereof.

Forms and reports should be sent to [pdxio@uscg.mil](mailto:pdxio@uscg.mil) or faxed to (503) 240-9345.

If the marine casualty is determined to be a “Serious marine incident” as defined by 46 CFR § 4.03-2 additional action is required. 46 CFR § 4.06 requires the marine employer to conduct chemical testing within two hours for alcohol<sup>1</sup> and no later than 32 hours for drugs for all individuals directly involved in a serious marine incident. CG form 2692-B must be submitted (in addition to CG-2692) outlining the results of the DOT collected specimens. The responsibility for the testing falls on the marine employer. Please review 46 CFR § 4.06 for further requirements.

### **ENFORCEMENT ACTION:**

If a marine casualty does occur and is not reported to the Coast Guard immediately as required by 46 CFR § 4.05-1. The owner, agent, master, operator, or person in charge may be liable for up to \$35,000.00 in Civil Penalty fines.

If the owner, agent, master, operator, or person in charge fails to submit the CG-2692 within 5 days as described in 46 CFR § 4.05-10 it may be liable for up to \$27,500.00 in civil penalty fines.

Questions concerning these regulations may be made to Sector Columbia River Command Center at (503) 861-6212.

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<sup>1</sup> If safety concerns prevent alcohol testing from being conducted within 2 hours of the occurrence of the incident, then alcohol testing must be completed as soon as the safety concerns are addressed. After 8 hours have passed, testing is no longer required.

# Marine Casualties

<u>MARINE CASUALTIES</u>
<p><b>WHAT ARE MARINE REPORTABLE CASUALTIES?</b>  <b>Reference: 46 C.F.R. § 4.05-1, NVIC 01-15</b></p>
<p>An unintended grounding, or an unintended strike (collision with) a bridge or pier.</p>
<p>An unintended grounding or an intended strike of a bridge or pier that creates a hazard to navigation, the environment or the safety of a vessel.</p>
<p>A loss of main propulsion, primary steering, or any associated component or control system that reduces the maneuverability of the vessel.</p> <ul style="list-style-type: none"> <li>* Loss means unexpectedly, even momentarily.</li> <li>* These components are the ones that the vessel routinely needs to operate.</li> <li>* <b>Reduces the maneuverability of the vessel</b> – Interpreted as an occurrence that renders a vessel incapable of maintaining safe speed and steerage for the prevailing or anticipated conditions (e.g., weather, other vessel traffic, tidal influences) and/or adversely impacts specific vessel operations (e.g., mooring, towing, anchoring, and dynamic positioning).</li> </ul>
<p>An occurrence materially and adversely affecting the vessel’s seaworthiness or fitness for service or route, including but not limited to fire, flooding, or failure or damage to fixed fire extinguishing systems, lifesaving equipment, auxiliary power-generating equipment, or bilge-pumping systems.</p> <ul style="list-style-type: none"> <li>* Materially or Adversely = A physical condition that requires a “work around.”</li> </ul> <p>Seaworthy is properly equipped and constructed for the conditions reasonably expected to be encountered.</p>
<p>A loss of life.</p>
<p>An injury that requires professional medical treatment (treatment beyond first aid) and, if the person is engaged or employed on board a vessel in commercial service, that renders the individual unfit to perform his or her routine duties.</p> <ul style="list-style-type: none"> <li>* Pain or sickness caused strictly by an illness, including but not limited to communicable illnesses (e.g., colds and flu), allergic reactions (e.g., food allergies, insect and jelly fish stings), food poisoning, heart attack, stroke, or other pre-existing medical condition, is not considered an injury and does not fall within the definition of this regulation.</li> </ul>
<p>An occurrence causing property damage in excess of \$25,000, this damage including the cost of labor and material to restore the property to its condition before the occurrence, but not including the cost of salvage, cleaning, gas-freeing, dry docking or demurrage.</p>

## Reporting Oil Spills

Sector Columbia River will respond aggressively to all reports of potential or actual discharges of oil or hazardous materials in U.S. navigable waters. Our main goal is to eliminate sources of discharge and avoid further damage to our fragile ecosystem. As required by law, any oil or hazardous material discharge/release must be immediately reported to the National Response Center (NRC).

Procedures for the notice of discharge (33CFR153.203)

Any person in charge of a vessel or an onshore or offshore facility shall, as soon as they have knowledge of any discharge of oil or a hazardous substance from such vessel or facility in violation of the Federal Water Pollution Control Act, immediately notify the NRC toll free at 800-424-8802. In the event that the NRC cannot be reached report the spill to Sector Columbia River Command Center.

Definitions:

*Vessel* means every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water other than a public vessel.

*Public vessel* means a vessel owned or bare-boat chartered and operated by the United States, or by a State or political subdivision thereof, or by a foreign nation, except when such vessel is engaged in commerce.

*Oil* means oil of any kind or in any form, including but not limited to petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil.

*Hazardous substance* means any substance designated by the EPA pursuant to section 311(b)(2) of the Federal Water Pollution Control Act.

Cleanup efforts for spilled products are required by law to be assumed by the “Responsible Party (RP)”; the response will be monitored or directed as needed by the Federal On-Scene Coordinator. If the RP takes improper or no action towards successfully cleaning/completing a discharge, the U.S. Coast Guard will assume/complete the cleanup efforts and will later bill the RP for all incurred cleanup cost.

<b>AFTER HOURS</b>	
<b>National Response Center</b>	
Phone	(800) 424-8802 (202) 267-2675
Fax	(202) 267-1322
Website	<a href="http://www.nrc.uscg.mil/Default.aspx">http://www.nrc.uscg.mil/Default.aspx</a>
<b>Sector Columbia River Command Center</b>	(503) 861-6211
<b>Fax</b>	(503) 861-6360

## **Requirements for Oil and Hazardous Materials in Bulk Transfers**

### **Bunkering:**

Regulations outlining bunkering and fueling operations for vessels and shore facilities are very stringent. Requirements for conducting such operations are outlined in 33 Code of Federal Regulations, Part 154, 155 and 156. The vessel and facility must have designated persons in charge present during the entire transfer operation.

### **Transfer Procedures:**

Proper transfer procedures (33 CFR 155.720) must be prepared and are required to be used while transferring oil products and hazardous materials in bulk. Such transfer procedures must be available for Coast Guard inspection. In addition, a proper Declaration of Inspection (DOI), following the parameters set for in 33 CFR 156.150 must be completed by the designated persons in charge conducting the transfer.

### **Fixed and Mobile Facilities:**

Each mobile or fixed facility providing services must be authorized by the U.S. Coast Guard and pertinent local authorities in order to conduct such bulk transfers. Upon Coast Guard request, the Operations Manual and approved Facility Response Plan must be provided by both fixed and mobile facilities.

### **Advance Notice of Transfer:**

The Captain of the Port has invoked the provisions of [title 33, of the Code of Federal Regulations, part 156, section 118](#) requiring all marine transportation-related facility operators to give advance notice of transfers at least 4 hours prior to scheduled operations. This requirement applies to both fixed and mobile facilities, to cargo as well as bunkering operations, as defined in 33 CFR 156.

*Notice should include the following information:*

- Name of facility and vessels involved;
- Date, time, and location of the intended transfer;
- Type and approximate amount of product that will be transferred;
- Contact name and phone number.

Required notification must be emailed to [D13-SMB-MSUPortlandFac@uscg.mil](mailto:D13-SMB-MSUPortlandFac@uscg.mil).

### **LIGHTERING**

Lightering is addressed in the Lower Columbia Region Harbor Safety Plan, which can be accessed via the following website:

[http://lcrhsc.org/documents/2016\\_Finalized\\_Chapters\\_HSP/CR\\_HSP\\_Anchorage\\_Guidelines.pdf](http://lcrhsc.org/documents/2016_Finalized_Chapters_HSP/CR_HSP_Anchorage_Guidelines.pdf)

## **Explosive Handling Permits**

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**APPLICABILITY:** Explosive Handling Permits are required to be submitted and approved by the Captain of the Port prior to loading, offloading, or handling the following products:

- Any high explosive that is classed as a 1.1 in accordance with 49 CFR 173.50.
- Any high explosive that is classed as a 1.2 in accordance with 49 CFR 173.50.
- The following Ammonium Nitrate products that are classed as a 5.1 in accordance with 49 CFR 173.127:
  - Ammonium Nitrate UN 1942, ammonium nitrate fertilizer containing more than 60 percent Ammonium Nitrate.
  - Ammonium Nitrate Fertilizer UN 2070, or division 1.5 compatibility group D Materials packaged in a paper bag, a burlap bag, or other non rigid combustible packaging, or any rigid packaging with combustible inside packaging.
  - Any other ammonium nitrate or ammonium nitrate fertilizer not listed in 49 CFR 176.410 (a) or (b) except ammonium nitrate fertilizer, Class 9, UN 2071.

### **GENERAL PERMIT REQUIREMENTS:**

- A notice of arrival for vessels carrying certain dangerous cargo must be submitted to Sector Columbia River at least 96 hours in advance of its arrival (33 CFR 160.212).
- An application to handle hazardous materials (CG-4260) can be downloaded from [http://www.uscg.mil/forms/cg/CG\\_4260.pdf](http://www.uscg.mil/forms/cg/CG_4260.pdf) or by contacting the MSU Portland Facility Inspections department at 503-240-9333. The application must be properly completed and submitted by the Vessel and Terminal Owner/Operator to MSU Portland, at least 24 hours prior to handling of the products, for review and approval (33 CFR 126.17-126.19).
- A Dangerous Cargo Manifest, Stowage Plan, and Bill of Lading for the products must be submitted with the permit application to the Sector Columbia River, ensuring vessel stowage is acceptable prior to any explosives/ammonium nitrate being handled in the port (COTP policy).
- Prior to a vessel offloading 1.1/1.2 explosive a Coast Guard Boarding Team will conduct an examination to ensure the vessel meets all conditions & regulations. For 1.5 explosive & ammonium nitrate such an exam may be required.

**The CG Permit will be signed and returned to the Vessel and Terminal Owner/Operator by the COTP or one of his Representatives. All conditions set forth by the COTP on the permit must be obeyed. Sector Columbia River shall be notified immediately of any changes in quantity, times, dates, or of any matters that might affect the safe handling of the cargo covered by the permit.**

## **Annual/Semi-Annual Control Verification Exams (Passenger Vessel)**

Foreign passenger vessels that embark passengers at U.S. ports or that visit U.S. ports with U.S. citizens embarked as passengers are required to recertify on an annual basis. An annual examination must be completed before the expiration of the vessel's current Certificate of Compliance if the vessel wishes to depart from a U.S. port.

It is recommended that owner or operator to schedule the examination at least 30 days prior to the desired inspection date and should take approximately five to eight hours depending on the vessel size and number of PSCOs available, provided there are no major nonconformities.

### Periodic Foreign Passenger Vessel Examination:

In order for a foreign passenger vessel's COC to remain valid, the Coast Guard must perform examinations of reduced scope at periodic intervals until the certificate is due for its annual renewal. The frequency of periodic exams is determined by compliance history. Generally, periodic COC exams should be conducted on a semi-annual basis. A semi-annual examination is overdue when more than 7 months have passed since the annual COC examination.

### Control Verification Examinations:

Control verification examinations are conducted on foreign flag passenger ships that embark passengers in the United States for the purpose of ensuring compliance with applicable safety provisions found in SOLAS, International Load Line Convention, International Labor Convention, MARPOL, and all applicable United States regulations.

### Quarterly Exam:

When a vessel has a history of being detained by the Coast Guard, additional oversight for compliance through quarterly exams may be applicable. A quarterly examination (as applicable) is overdue when more than 1 month has passed since the nominal quarterly control verification examination date (i.e. 3, 6, and 9 months following the last annual COC examination).

## **Tank Vessel Examination (Oil/Chemical/Gas)**

### **Oil Product Carriers:**

Certificates of Compliance (COC) are issued to foreign tank vessels entering territorial waters of the United States. Each vessel shall undergo a full safety examination at its initial U.S. port of call and at least annually thereafter. The purpose of this inspection is to ensure compliance with applicable safety provisions found in SOLAS, International Loadline Convention, International Labor Convention, MARPOL, and all applicable United States regulations.

### **Chemical and Gas Carriers:**

Foreign tank vessels transporting chemicals and gas products must hold a valid Certificate of Compliance (COC) issued by the U.S. Coast Guard in order to conduct transfer operations within territorial waters. Along with the COC, a Chemical Tanker Vessel Information Sheet will list the cargoes the vessel is prohibited from carrying in U.S. waters.

Chemical Tanker who's flag state is not party to MARPOL will not be issued a COC for the Carriage of Chemicals unless a Subchapter "O" Endorsement has been issued by Commanding Officer, Marine Safety Center (Washington, D.C.) after reviewing the vessel plans and relevant IMO certificates. However, a COC may be issued to carry oil products if the International Oil Pollution Certificate is endorsed for the carriage of oil.

Gas carriers along with the COC will be issued a Subchapter "O" endorsement with a list of cargoes authorized to be transported. U.S. port entry approval will be given by Commanding Officer, Marine Safety Center (Washington, D.C.) after reviewing the vessel plans and relevant IMO certificates. Once that plan review is complete the vessel must notify the Officer in Charge Marine Inspection for the port where the vessel is to be inspected **at least seven (7) days before the vessel arrives** and arrange the exact time and other details of the examination. The seven day notification procedure is required by law if subject vessel is due for an initial or reissuance of a Certificate of Compliance.

### **Procedures for applying for a Subchapter "O" endorsement:**

- Procedures for Gas Tankers can be found on the CG Homeport website.
- Procedures for Chemical Tanker not party to MARPOL can be found in 46 CFR 153.9(b).

### **Cargo Operations permitted with an expired COC – Oil Tanker, Chemical and Gas**

At the discretion of, and with the prior approval from the local OCMI/COTP, tankers with expired COC's (renewal or mid-period) that are not more than three months past due, and with no indications that the vessel is not in compliance with applicable laws and regulations, should not be restricted from commencing cargo operations prior to an examination. However, the COC **must be completed prior to departure**. Vessels that are more than three months beyond the due date of their COC will continue to be boarded prior to commencement of cargo operations.

# **Tank Vessel Examination (Oil/Chemical/Gas)**

## **Scheduling Certificate of Compliance Exams:**

**COC – Oil Tanker:** The Code of Federal Regulations does not provide a required advance notification for vessel with an expired COC, other than the 96-hour notice of arrival required by 33 CFR 160.207. **However, local policy implemented by the Officer in Charge Marine Inspection (OCMI) strongly recommends that inspections be scheduled at least 7 days in advance.**

**COC – Chemical/Gas:** Vessel owners, operators and agents are required by 46 CFR 153.809(a) or 46 CFR 154.151(b) to provide an advance notice of arrival at least 7 days in advance, to advise the OCMI/COTP that the vessel is due for a COC.

## **Ballast Tank Exams:**

Ballast Tank examinations are no longer conducted on a routine basis. If during the examination it is determined by the marine inspector that a ballast tank must be entered a Marine Chemist Certificate will be required prior to entry by Coast Guard Personnel.

## **Marine Chemist certification of Confined Spaces:**

During annual and biennial Certificate of Compliance (COC) examinations, a Marine Chemist must certify that the following compartments are “SAFE FOR WORKERS” prior to entry of Coast Guard personnel:

- Cargo pump room,
- Ballast pump room containing cargo stripping pumps, or
- Compressor room on vessels carrying bulk liquefied gas.

All cargo transfer equipment listed in these spaces must remain secured until the Coast Guard inspector has completed the exam. The Coast Guard inspector will notify the vessel master when this equipment can be restarted. In accordance with NFPA 306, the Marine Chemist will perform the following tasks:

- Whenever possible, physically enter each compartment or space to conduct a visual inspection;
- Determine three previous cargoes carried;
- Verify that any pipelines that could release hazardous material into spaces are secured and tagged in such a manner to prevent accidental operation;
- Test spaces for oxygen (19.5 percent minimum, 22 percent maximum);
- Test spaces for flammable gases (must be below 10 percent lower explosive limit), and
- Test spaces for toxic substances (must be within permissible concentrations).

Upon being issued by the Marine Chemist and signed by the ship’s representative, the certificate is valid for 24 hours if conditions remain the same. The certificate should state the conditions under which the Marine Chemist should be consulted or recalled. The certificate should also list any conditions that must be maintained by the “competent person” to ensure validity of the certificate. These conditions might include:

- Types of additional tests/inspections;
- Frequency of further tests/
- Required qualifications, and
- Other pertinent instructions.

To limit potential problems, it is recommended that the Marine Chemist issue the certificate the day of the Coast Guard exam. For all offshore examinations the certificate must be issued the day of the exam. A Directory of Marine Chemist can be found at <http://www.marinechemist.org>.



## **User Fee – Foreign Tank Vessel Exams**

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**46 CFR 2.10-125** *the following pertains strictly to foreign vessels.*

### **Foreign Vessels Subject To User Fees:**

Foreign vessels receiving Certificate of Compliance letters. (Note: Vessels of foreign nations not party to SOLAS, and vessels to which SOLAS does not apply, are subject to the same inspection requirements as U.S. vessels and therefore are subject to fees)

### **Foreign Vessels Not Subject To User Fees:**

Foreign Passenger Vessels undergoing Control Verification examinations and Foreign Freight Vessels undergoing Freight Vessel examinations or other Port State Control examinations are not covered by this rulemaking.

### **Fee:**

Foreign tank ships are issued a Certificate of Compliance, which is valid for two years. These tank ships are also examined annually, at which time the vessel's COC is endorsed. The fee for each of these examinations is \$1,100.00 regardless of the size of vessel. Follow up visits necessary for corrections of deficiencies related to the above examinations are included in the fees established for COC examinations.

### **Payment Procedure:**

The fee may be paid by the vessel owner, the vessel operator, or some other designated vessel representative (e.g. the vessel's agent); however, the primary responsibility for payment of the fees resides with the vessel owner. Payment for the examination must be received before any examination services will be provided. Payment must be in the form of a check or money order, in U.S. Currency drawn on a U.S. bank, and made payable to the U.S. Treasury.

If desired, vessel owners and operators may pay examination fees for several different vessels under the same transaction, provided that the vessel name and vessel identification number (VIN) of each vessel for which a payment is being made accompanies the payment. The present system has no provisions for prepayment of future year examinations for foreign vessels. The vessel's name and the VIN must accompany all payments.

Address to Send Fees:

US Coast Guard Vessel Inspection  
P.O. Box 531030  
Atlanta, GA 30353-1030

If a foreign vessel has not paid its examination fee and the examination is imminent, the appropriate fee may be sent via overnight or next day service to the following address.

Bank of America  
Lockbox Number 531030 (COI)  
1075 Loop Road  
Atlanta, GA 30337-6002

In such instances, the OCMI may authorize the examination to be initiated only after first sighting the express mailing receipt and a copy of the check or money order, made out for the proper fee amount. Fees will not be accepted at U.S. Coast Guard units.

## **User Fee – Foreign Tank Vessel Exams**

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### **Notification Letters:**

Foreign commercial vessels will not receive a user fee notification letter.

### **Refunds:**

There are no provisions for user fee refunds.

### **Utilization of Fees:**

The fees do not go to the U.S. Coast Guard. Instead, fees will be deposited in the General Fund of the Treasury as offsetting receipts of the Department of Transportation and ascribed to Coast Guard activities.

### **Fee Tracking System:**

The U.S. Coast Guard has developed a collection system in the MISLE. BANK OF AMERICA will process payments received, and within 24 hours of receipt of payment, will credit all payments to the appropriate vessels within MISLE. For more specific information regarding the user fee payment process, vessel owners can call (757) 523-6958, email [FIN-DG-COUSERFEES@uscg.mil](mailto:FIN-DG-COUSERFEES@uscg.mil), or visit the FINCEN website: <https://www.fincen.uscg.mil/VIF.htm>

### **Enforcement Actions:**

As noted in the final rule preamble, it is not uncommon for a foreign vessel to arrive in a U.S. port with an expired TVE or LOC. Therefore, in order to meet the requirement set forth in 46 CFR 2.10-20(a), foreign vessel representatives (owners, operators, masters, and agents) need to plan accordingly. Remember, if there is no evidence of user fee payment, U.S. Coast Guard examinations will not be conducted and no cargo operations will be authorized. Last minute scheduling of TVE/LOC examinations may cause delays to vessel operations.

### **Penalties For Failure To Pay Fee:**

Section 2110 of Title 46 U.S.C. authorizes a civil penalty of up to \$5,000 for failure to pay fees. Each District Commander or OCMI may request the Secretary of the Treasury (U.S. Customs) or the authorized representative thereof, to withhold or revoke the clearance required by 46 U.S.C. app. 91 of a vessel for which a fee or charge established under this part has not been paid or until a bond is posted for the payment. The U.S. Coast Guard may assess additional charges to anyone to recover collection and enforcement costs associated with delinquent payments of, or failure to pay, a fee. The Coast Guard will treat checks returned due to insufficient funds, account closed, or any other such reason, as a delinquent payment and will seek to recover appropriate collection.

## **Safety and Security Zones**

### **Security Zones for Vessels Carrying Hazardous Cargo**

The Coast Guard has established moving security zones around any vessel carrying hazardous cargo, as determined by the COTP. The security zones will help ensure the security of the vessels themselves as well as the maritime public due to the hazardous nature of the cargo on board.

*§ 165.1335 Security Zone; Vessels Carrying Hazardous Cargo, Sector Columbia River Captain of the Port Zone.*

(a) Location. The following area is a security zone: All waters within 500 yards, in all directions, of any vessel carrying hazardous cargo, as determined by the Captain of the Port (COTP) Columbia River, while such a vessel is located in the Sector Columbia River COTP Zone as defined in 33 CFR 3.65-15 and the COTP Columbia River determines that a security zone is necessary and enforcement of the security zone is practicable.

(b) Regulations. (1) In accordance with the general regulations in 33 CFR part 165, Subpart D, no person or vessel may enter or remain in a security zone created by this section without the permission of the COTP Columbia River or his/her designated representative. Designated representatives are Coast Guard personnel authorized by the COTP Columbia River to grant persons or vessels permission to enter or remain in a security zone created by this section. Subpart D of 33 CFR part 165 contains additional provisions applicable to a security zone created by this section.

(2) To request permission to enter a security zone created by this section, contact Coast Guard Sector Columbia River at telephone number 503-861-6212 or via VHF channel 16 (156.8 MHz) or VHF channel 22 (157.1 MHz).

(c) Notification. When a security zone is created by this section, one or more Coast Guard vessels will be present to enforce the security zone and the COTP Columbia River will issue a local broadcast notice to mariners.

### **Security & Safety Zones for Large Passenger Vessel Protection**

In order to maintain an increased maritime security posture, the Coast Guard has established regulations for the security and safety of large passenger vessels in the navigable waters of the Portland, OR Captain of the Port zone. This security and safety zone, when enforced by the Captain of the Port Portland, will provide for the regulation of vessel traffic in the vicinity of large passenger vessels in the navigable waters of the United States.

*§ 165.1318 Security and Safety Zone Regulations, Large Passenger Vessel Protection, Portland, OR Captain of the Port Zone*

(a) Notice of enforcement or suspension of enforcement. The large passenger vessel security and safety zone established by this section will be enforced only upon notice by the Captain of the Port Portland. Captain of the Port Portland will cause notice of the enforcement of the large passenger vessel security and safety zone to be made by all appropriate means to effect the widest publicity among the affected segments of the public including publication in the Federal Register as practicable, in accordance with 33 CFR 165.7(a). Such means of notification may also include but are not limited to, Broadcast Notice to Mariners or Local Notice to Mariners. The Captain of the Port Portland will issue a Broadcast Notice to Mariners and Local Notice to Mariners notifying the public when enforcement of the large passenger vessel security and safety zone is suspended.

## **Safety and Security Zones**

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(b) Definitions. As used in this section—

Federal Law Enforcement Officer means any employee or agent of the United States government who has the authority to carry firearms and make warrantless arrests and whose duties involve the enforcement of criminal laws of the United States.

Large Passenger Vessel means any vessel over 100 feet in length (33 meters) carrying passengers for hire including, but not limited to, cruise ships, auto ferries, passenger ferries, and excursion vessels.

Large passenger vessel security and safety zone is a regulated area of water, established by this section, surrounding large passenger vessels for a 500 yard radius that is necessary to provide for the security and safety of these vessels.

Navigable waters of the United States means those waters defined as such in 33 CFR part 2.

Navigation Rules means the Navigation Rules, International-Inland.

Official Patrol means those persons designated by the Captain of the Port to monitor a large passenger vessel security and safety zone, permit entry into the zone, give legally enforceable orders to persons or vessels within the zone and take other actions authorized by the Captain of the Port. Persons authorized as Federal Law Enforcement Officers to enforce this section are designated as the Official Patrol.

Oregon Law Enforcement Officer means any Oregon Peace Officer as defined in Oregon Revised Statutes section 161.015.

Public vessel means vessels owned, chartered, or operated by the United States, or by a State or political subdivision thereof.

Washington Law Enforcement Officer means any General Authority Washington Peace Officer, Limited Authority Washington Peace Officer, or Specially Commissioned Washington Peace Officer as defined in Revised Code of Washington section 10.93.020.

(c) Security and safety zone. There is established a large passenger vessel security and safety zone extending for a 500 yard radius around all large passenger vessels in the navigable waters of the United States, in Portland, OR at the Columbia River Bar “C” buoy and extending eastward on the Columbia River to Kennewick, WA and upriver through Lewiston, ID on the Snake River.

(d) Compliance. The large passenger vessel security and safety zone established by this section remains in effect around large passenger vessels at all times, whether the large passenger vessel is underway, anchored, or moored. Upon notice of enforcement by the Captain of the Port Portland, the Coast Guard will enforce the large passenger vessel security and safety zone in accordance with rules set out in this section. Upon notice of suspension of enforcement by the Captain of the Port Portland, all persons and vessels are authorized to enter, transit, and exit the large passenger vessel security and safety zone, consistent with the Navigation Rules.

(e) Navigation Rules. The Navigation Rules shall apply at all times within a large passenger vessel security and safety zone.

(f) Restrictions based on distance from large passenger vessel. When within a large passenger vessel security and safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course and shall proceed as directed by the on-scene official patrol or large passenger vessel master. No vessel or person is allowed within 100 yards of a large passenger vessel that is underway or at anchor, unless authorized by the on-scene official patrol or large passenger vessel master.

(g) Requesting authorization to operate within 100 yards of large passenger vessel. To request authorization to operate within 100 yards of a large passenger vessel that is underway or at anchor, contact the on-scene official patrol or large passenger vessel master on VHF-FM channel 16 or 13.

(h) Maneuver-restricted vessels. When conditions permit, the on-scene official patrol or large passenger vessel master should:

## **Safety and Security Zones**

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- (1) Permit vessels constrained by their navigational draft or restricted in their ability to maneuver to pass within 100 yards of a large passenger vessel in order to ensure a safe passage in accordance with the Navigation Rules; and
- (2) Permit commercial vessels anchored in a designated anchorage area to remain at anchor within 100 yards of a passing large passenger vessel; and
- (3) Permit vessels that must transit via a navigable channel or waterway to pass within 100 yards of an anchored large passenger vessel.
  - (i) Stationary vessels. When a large passenger vessel approaches within 100 yards of any vessel that is moored or anchored, the stationary vessel must stay moored or anchored while it remains within the large passenger vessel's security and safety zone unless it is either ordered by, or given permission by the Captain of the Port Portland, his designated representative or the on-scene official patrol to do otherwise.
  - (j) Exemption. Public vessels as defined in paragraph (b) of this section are exempt from complying with paragraphs (c), (d), (f), (g), (h), and (i), of this section.
  - (k) Enforcement. Any Coast Guard commissioned, warrant or petty officer may enforce the rules in this section. In the navigable waters of the United States to which this section applies, when immediate action is required and representatives of the Coast Guard are not present or not present in sufficient force to provide effective enforcement of this section in the vicinity of a large passenger vessel, any Federal Law Enforcement Officer, Oregon Law Enforcement Officer or Washington Law Enforcement Officer may enforce the rules contained in this section pursuant to 33 CFR 6.04-11. In addition, the Captain of the Port may be assisted by other federal, state or local agencies in enforcing this section.
  - (l) Waiver. The Captain of the Port Portland may waive any of the requirements of this section for any vessel or class of vessels upon finding that a vessel or class of vessels, operational conditions or other circumstances are such that application of this section is unnecessary or impractical for the purpose of port security, safety or environmental safety.

## **Appeal Procedures**

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### **46CFR1.03-20 Appeals from decision or actions of an OCMI**

Any person directly affected by a decision or action of an OCMI may, after requesting reconsideration of the decision or action by the cognizant OCMI, make a formal appeal of that decision or action, via the office of the cognizant OCMI, to the District Commander of the district in which the office of the cognizant OCMI is located in accordance with the procedures contained in §1.03-15 of this subpart.

### **46CFR 1.03-25 Appeals from decision or action of a District Commander**

Any person directly affected by a decision or action of a District Commander made pursuant to 1.03-20 of this subpart, may make a formal appeal of that decision or action, via the office of the cognizant District Commander, to the Commandant, in accordance with the procedures contained in 1.03-15 of this subpart.

### **46CFR 1.03-15 General**

(a) Any person directly affected by a decision or action taken under this chapter or under chapter III of this title, by or on behalf of the Coast Guard, except for matter covered by subpart J of part 5 of this chapter dealing with suspension and revocation hearings, shall follow the procedures contained in this section when requesting that the decision or action be reviewed, set aside or revised.

(b) When requesting that a decision or action be reconsidered or reviewed, as may be required by this subpart, such request must be made within 30 day after the decision is rendered or the action is taken.

(c) When making a formal appeal of a decision or action, as permitted by this subpart, such appeal must be submitted in writing and received by the authority to whom the appeal is required to be made within 30 day after the decision or action being appealed, or within 30 day after the last administrative action required by this subpart. Upon written request and for good cause, the 30-day time limit may be extended by the authority to which the appeal is required to be made.

(d) A formal appeal must contain a description of the decision or action being appealed and the appellant's reason(s) why the decision or action should be set aside or revised.

(e) When considering the appeal, the Commandant or a District Commander may stay the effect of a decision or action being appealed pending determination of the appeal being appealed pending determination of the appeal.

(f) While a request for reconsideration or review or a formal appeal is pending, the original decision or action remains in effect, unless otherwise stated under paragraph (e) or this section.

(g) The Commandant may delegate authority to act on administrative appeals under this subpart to the Commandant for Marine Safety and Environmental Protection, Commander Sector Columbia River, and appropriate office chiefs within the Sector Columbia River Marine Safety, and Environmental Protection.

(h) Formal appeals made to the Commandant shall be addressed to:

- (1) Commandant (CG-CVC) for appeals involving vessel inspection issues, load line issues, and vessel manning issues;

## **Appeal Procedures**

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(i) Failure to submit a formal appeal in accordance with the procedures and time limits contained in this subpart results in the decision or action becoming final agency action.

(j) Any decision made by the Commandant or by Deputy for Operations Policy and Capabilities, or by an office chief pursuant to the authority delegated by the Commandant is final agency action on the appeal.

**Written appeals to be address to:**

Officer in Charge Marine Inspection

MSU Portland Oregon

6767 N. Basin Ave.

Portland, OR 97229

Phone: 503-240-9374

## Guidance for ISM Certificates

**Reference:** (a) Navigation and Vessel Inspection Circular No. 4-98  
 (b) 33 CFR 160.206  
 (c) 33 CFR96

**DISCUSSION:** The objectives of the International Safety Management (ISM) Code are to ensure the safety at sea, prevent the occurrence of human injury or loss of life, and avoid environmental and property damage. The ISM Code seeks to address the issues of human error and human omissions. ISM Code requires owners of ships, or other organizations such as managers, who have assumed responsibility for ship operations to implement a Safety Management System (SMS) for their companies and ships. The objectives of 33 CFR Part 96 will be explained in this guide.

General Applicability: ISM Code is mandatory for the following ships engaged on international voyages:

- Passenger ships, including high-speed passenger craft.
- Oil tankers, chemical tankers, gas carriers, bulk carriers, and cargo high-speed craft of 500 gross tons or more.
- Other cargo ships and self-propelled mobile offshore drilling units (MODUs) of 500 gross tons or more.

The requirements of SOLAS Chapter IX and the ISM Code do not apply to government-operated ships used for non-commercial purposes.

<u>Term used in U.S. law/Regulations</u>	<u>Is equivalent to</u>	<u>Term used in SOLAS Chapter IX</u>
Vessel Transporting More Than 12 Passengers		Passenger Ship
Tanker		Oil Tanker, Chemical Tanker, Gas Carrier
Bulk Freight Vessel		Bulk Carrier
Freight Vessel		Cargo Ship

Only those ships, which meet any of the following three definitions, will be considered a “bulk carrier” for purposes of compliance with the ISM Code.

**General bulk carrier** — ship which is:

- Constructed with a single deck;
- Constructed with a top-side tanks and hopper side tanks in cargo spaces; and
- Intended primarily to carry dry cargo in bulk.

**Ore carrier** — ship which is:

- A single deck ship;
- Constructed with two longitudinal bulkheads;
- Constructed with a double bottom throughout the cargo region; and
- Intended for the carriage of ore cargoes



## **Guidance for ISM Certificates**

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**Combination carrier** — ship which is a tanker designed to carry oil or alternatively solid cargoes in bulk (SOLAS 74, Chap. 11-2, regulation 3.27)

Key elements of the Safety Management System (SMS) include documented company guidelines establishing:

- A company safety and environmental protection policy;
- Instructions and procedures to ensure vessels are operated in accordance with relevant flag state and international regulations;
- Defined levels of authority and lines of communications between, and amongst, shore and shipboard personnel;
- Procedures for reporting accidents and non-conformities with the provisions of the ISM Code;
- Procedures for preparing for and responding to emergencies; and
- Procedures for internal audits and management reviews.

The implementation of a SMS requires a company to document its management procedures to ensure that conditions, activities, and tasks, both ashore and on board, affecting safety and environmental protection are planned, organized, executed and checked in accordance with statutory and company requirements.

The documents used to describe and implement the SMS may be referred to as the “Safety Management Manual.” Companies are required to establish and maintain procedures for the control of their SMS documentation. These controls shall ensure that:

- Valid documents are available at all relevant locations (including the ships);
- Changes to documents are reviewed and approved by authorized personnel;
- Obsolete documents are promptly removed.

Certification of a SMS for a ship requires two determinations to be made by the ship’s flag state:

- 1) The company responsible for the ship has implemented a SMS that complies with the requirements of the ISM Code and
- 2) The ship is being operated in accordance with the approved SMS. Upon approval of its SMS, a company is issued a Document of Compliance (DOC) certificate. Individual ships that have been found to be operating in accordance with the approved SMS are issued a Safety Management Certificate (SMC). For a ship to be in compliance with SOLAS Chapter IX and ISM Code, it must be operated by a company holding a valid DOC, a copy of which is required to be maintained on the ship, and must hold a valid SMC.

**Document of Compliance (DOC):** DOC is issued to an owner or manager following an audit of their company’s safety management system. The audit determines whether the SMS complies with the requirements of the ISM Code. DOC is valid for the types of ships on which the company’s initial verification was based. It should be issued for no more than 5 years and is subject to annual verifications, which should be recorded through an endorsement on the DOC within a three-month window of each anniversary of the issue date.

## **Guidance for ISM Certificates**

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**Safety Management Certificate (SMC):** The SMC is issued to a ship following an initial verification that its SMC is in compliance with the requirements of the ISM Code, that the DOC of the responsible company is applicable to that ship type and that the SMS has been effectively implemented and is in use. SMS is valid for five years and requires an intermediate endorsement at two and a half years.

U.S. Coast Guard required ISM Code certification information to be included in a ship's advance notice of arrival under 33 CFR 160.206. This became effective on January 26, 1999, for those ships, which must comply with the ISM Code by July 1, 1998. Therefore, prior to entry, these foreign vessels must provide date of issuance of their DOC and SMC and the name of the flag Administration, or the recognized organization(s) acting on its behalf that issued the certificates.

If the information indicates compliance with SOLAS Chapter IX and ISM Code, the COTP/OCMI shall evaluate the vessel on the PSC Boarding Priority Matrix and conduct a PSC boarding when necessary.

- If the information indicates non-compliance with SOLAS Chapter IX and the ISM Code, the COTP shall issue a COTP Order denying entry of the vessel until such time as adequate proof is provided to the cognizant OCMI/COTP that the vessel has achieved compliance (e.g. proof indicating that the ship's SMS has been certified, and DOC and SMC have been issued by the Administration or authorized society.)
- If information is not available to indicate compliance (e.g. the vessel does not provide any information on its ISM Compliance status), the vessel will be assigned a Priority I boarding status and conduct a PSC examination at sea, termination of cargo operations and possible COTP Order against the vessel to depart U.S. waters until compliant with ISM Code.

**Ship Discovered in Port without ISM Code Certificates.** The following enforcement actions shall be taken if ships are found to be without the certificates required by SOLAS Chapter IX and the ISM Code:

- The vessel shall be detained under SOLAS Regulation I/19 for non-compliance with SOLAS Chapter IX.
- Cargo operations may be prohibited or suspended, as applicable.
- Civil penalty action shall be commenced.
- The COTP/OCMI will investigate the situation to determine whether there has been a violation under 18 USC 1001 with respect to the ship knowingly and willfully providing false information regarding its ISM Code compliance status in its advance notice of arrival. If this is the case, the people providing the false information may be subject to criminal prosecution and subject to fines and/or imprisonment for up to five years.
- The vessels flag state and classification society shall be notified.

## Guidance for ISM Certificates

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- An expanded PSC exam shall be conducted against the vessel. If only deficiencies identified relate to the ISM Code certificates and a bond or other surety has been filed to cover the amount equal to the maximum civil penalty that may be assessed, the ship may be allowed to conduct cargo operations, released from detention and issued a COTP order directing the vessel to depart. In addition, the COTP/OCMI shall inform the master that the ship will be denied entry into all U.S. ports until adequate proof of compliance with the ISM Code is provided to the cognizant COTP/OCMI.

The notice of arrival requirements state that vessels required to meet Chapter IX (ISM Code regulations) of the International Convention for the Safety of life at Sea (SOLAS) 1974 must provide their ISM certification status by message to the U.S. Coast Guard, at least 24 hours prior to entering a U.S. port or place. It should be noted that passenger vessel that are below 500 gross tons, carrying more than 12 passengers, and engaged on a foreign voyage are not covered by this rule, even though these passenger vessels under 500 gross tons will be required to be certificated to ISM Code requirements of SOLAS and 33 CFR part 96.

**PURPOSE:** The purpose of this rule is to permit the Coast Guard to enforce the requirements of 33 CFR 96.390, which prohibits a vessel from operating in U.S. waters without having on board a valid copy of a company's Document of Compliance certificate and a valid original of the vessel's Safety Management Certificate. Collecting a vessel's certification status before arrival in port is vital to determining appropriate enforcement actions by Coast Guard officials at U.S. ports.

An affected vessel that does not have the ISM Code certificates on board will be denied entry into an U.S. port or place. The Coast Guard is required to enforce 46 CFR 3204 (c) constantly, not just on the effective date of the ISM Code. To ensure compliance before operation in U.S. waters, the Coast Guard must verify ISM Code certification on any new vessel, vessel whose owner or management company changes, vessels with name changes, or other changes which would affect their original ISM Code certification and safety management systems. Also, vessels can have certificates invalidated and terminated by Flag States if found in non-compliance at re-issuance of the certificate or during interim audits and endorsements of certificates. As these requirements will be in constant dynamic alteration, the Coast Guard must keep apprised of a vessel's compliance status on a visit-by-visit notification for U.S. port entry.

A vessel that has the proper ISM Code certificates will be boarded annually under existing standards of the U.S. Port State Control program. If during the boarding the vessel is found to have valid certificates but has not properly implemented or maintained its safety management system, the vessel will be detained in port until corrections are made to the system.

## **Force Majeure**

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**General:** Force Majeure is a doctrine of international law, which confers limited legal immunity upon vessels that are forced to seek refuge or repairs within the jurisdiction of another nation due to uncontrollable external forces or conditions. This limited immunity prohibits coastal state enforcement of its laws that were breached due to the vessel's entry under force majeure.

**Definition:** Emergency entry, or force majeure, is defined as an overwhelming force or condition of such severity that it threatens loss of the vessel, cargo or crew unless immediate corrective action is taken. Force majeure is based upon the historical premise in international law that, if a vessel is compelled to move into the waters of a foreign state by some uncontrolled external force, then the vessel should be excused from compliance with domestic laws, which prohibit such entry.

**Burden of proof:** The burden of proof that a vessel has a valid claim of force majeure rests with the vessel, its master and owner. A claim of force majeure is supported only by the existence of overwhelming conditions or forces of such magnitude (e.g. severe storm, fire, disablement, mutiny) that they threaten the loss of the vessel, crew, or cargo unless immediate corrective action is taken. Conversely, an invalid claim of force majeure has no effect on the authority of the coastal state to take all appropriate law enforcement action against an entering vessel.

**COTP Authority:** Each Coast Guard COTP, and the district commander, has the authority to verify and then accept or reject claims of force majeure for the purpose of enforcing applicable laws. Even if a vessel exhibits a valid force majeure claim, the COTP may nevertheless take action to remove a hazard to life or property under the authority of the Ports and Waterways Safety Act (33 USC 1221, et seq.). For example, in the event of fire, flooding, or collision damage which may affect the safety of a vessel or its cargo the COTP would ascertain the condition of the vessel, determine the existence of any hazard to the port, and make any COTP order consistent with the right of entry under force majeure and the protection of the port. The COTP may direct the vessel to a specific location and not to the port of their choice. However, once a force majeure claim has been validated, the Coast Guard alone is the Federal agency responsible for granting or denying vessel entry.

# **Ballast Water Management Mandatory Reporting Requirements**

## **Submitting Ballast Water Reporting Forms to NBIC**

Ships making calls at ports and places in the United States must report on one of the new Ballast Water Management Reporting Forms described below. See [33 CFR 151.2060 Reporting requirements](#) for specific information on new BW reporting and record keeping rules.

## **Does My Vessel Need to Submit a BWMR?**

Ballast Water Management Report submission is MANDATORY unless exempted -- see [33 CFR 151.2015 Exemptions](#). Ship Arrivals fall into one of 4 main populations -- READ THESE DESCRIPTIONS CAREFULLY TO KNOW HOW YOU MUST REPORT UNDER NEW REGULATIONS:

- For any vessel that is equipped with ballast water tanks and bound for ports or places in the United States: Submit a Ballast Water Management Report (BWMR) to the NBIC no later than 6 hours after arrival at the port or place of destination, or prior to departure from that port or place of destination, whichever is earlier.
- Any vessel bound for the Great Lakes from outside the EEZ (i.e., transiting the Saint Lawrence Seaway) must be aware of Transport Canada, US Coast Guard and Seaway Ballast Water Regulations. To meet US Coast Guard regulations, submit a BWMR at least 24 hours before the vessel arrives in Montreal, Quebec. Non-US/non-Canadian flag vessels may complete the St. Lawrence Seaway ballast water reporting form and submit it in accordance with the applicable Seaway notice as an alternative to this requirement. Note: the St. Lawrence Seaway ballast water reporting form is not available at the NBIC website.
- Any vessel bound for the Hudson River north of the George Washington Bridge entering from outside the EEZ: Submit the BWMR to NBIC at least 24 hours before the vessel enters New York, NY.
- IF AND ONLY IF you operate EXCLUSIVELY on voyages between ports or places within a SINGLE Captain Of The Port Zone, may you use the [Annual Ballast Water Summary Report](#). This reporting form enables you to summarize all ballast water management activities once per year. Annual Ballast Water Summary Reports describe ballast management activities for an entire calendar year and are due no later than 31 March of the following year (e.g., calendar year 2016 BW activities are reported to the NBIC not later than 31 March 2017).
- A fifth population of vessels may qualify for the Coast Guard's Equivalent Reporting Program (ERP). The ERP program is restricted to NON-SEAGOING VESSELS THAT OPERATE EXCLUSIVELY WITHIN THE US/CANADIAN EEZS, but participation requires special permission from the US Coast Guard. Single vessels must make 10 or more arrivals per month or fleets of vessels must make 50 or more arrivals per month to be considered by USCG for admission into the ERP. Applications for the ERP are available [here](#). NOTE: Until a vessel receives permission from USCG and a customized ERP BWMR reporting form from the NBIC, vessels must submit the BWMR described below.

# **Ballast Water Management Mandatory Reporting Requirements**

## **New Ballast Water Management Reporting Forms**

As of Feb 22, 2016, two BWMR forms that are available for use:

- [Web App BWMR form](#). This form allows a vessel to create a free account with the NBIC, including a user name with password protection. The Web APP BWMR form has many advantages: 1) it remembers static information (e.g., Vessel Information) and auto-populates fields when the user starts a new report for a vessel. 2) It allows ships to access previously submitted BWMRs and easily edit them to submit a corrected report. 3) Because the Web App connects to the NBIC information system with your Internet Browser, up-to-date information will be accessible to the user via type ahead pull-down menus that will significantly reduce required keystrokes. 4) If new versions of the Web App BWMR form are required, user accounts will be automatically updated with no special requirements by the user.
- [PDF BWMR form](#). The PDF form contains some pull-down menus and other features to make form completion and submission easier and allows user to choose whether to automatically submit via e-mail or directly over the Internet by clicking a button inside the form.

During Safety Exams, compliance with the Ballast Water Management Program will be checked. This will include reviewing the Ballast Water Log required by 33 CFR 151.2045, confirming that the Ballast Water Report has been sent to NBIC or SERC and by taking samples of ballast water and sediments. A copy of the Ballast Water Reporting Form can be downloaded at <http://invasions.si.edu/nbic/submit.html>

## Vessel General Permit

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### Does this permit apply to me?

The Vessel General Permit (VGP) applies to discharges incidental to the normal operation of all non-recreational, non-military vessels of 79 feet or greater in length which discharge in waters of the United States. In addition, the ballast water discharge provisions also apply to any non-recreational vessel of less than 79 feet or commercial fishing vessel of any size discharging ballast water.

### Why must I comply?

Due to a 2006 court order, all non-recreational, non-military vessels must have an NPDES permit such as the VGP before they can legally discharge (and operate) in US waters. Failure to have NPDES permit coverage may result in severe civil and criminal penalties.

### What is generally required?

The VGP requires that vessel owners and operators meet certain requirements, including seeking coverage for most vessels, assuring their discharges meet effluent limits and related requirements, corrective action process for fixing permit violations, and requirements for inspections, monitoring, recordkeeping and reporting. These requirements include:

- Submission of a Notice of Intent (NOI): If your vessel is greater than or equal to 300 gross tons or the vessel has the capacity to hold or discharge more than 8 cubic meters (2113 gallons) of ballast water, you must submit a complete and accurate NOI. See Part 1.5 or Appendix E of the VGP for more information.
- Submission of Permit Authorization and Record of Inspection (PARI): If your vessel is less than 300 gross tons and has the capacity to carry less than 8 cubic meters of ballast water, but is larger than 79 feet, you need not submit an NOI. Instead, operators of these vessels must complete a Permit Authorization and Record Inspection form (PARI) and keep a copy on board at all times. [https://www.epa.gov/sites/production/files/2015-08/documents/vgp\\_appk2013.pdf](https://www.epa.gov/sites/production/files/2015-08/documents/vgp_appk2013.pdf)
- Corrective Actions: If you violate any of the effluent limits in the VGP, if you become aware that measures in place do not control discharges as necessary to meet the water quality standards or if you or EPA determine that the pollution control measures or best management practices are not being properly operated or maintained you must conduct a corrective action assessment. This assessment will investigate the nature, cause, and potential options for eliminating the problems. Depending upon the extent of the problem, the VGP provides deadlines for resolving the issues. See Part 3 of the VGP for a full description of the corrective action process and deadlines for eliminating the problem.
- Routine Visual Inspections and Annual Inspections: You must conduct routine visual inspections at least once per week or per voyage, whichever is more frequent. These inspections include all accessible areas addressed in the permit in order to verify that effluent limits are being met. A comprehensive annual inspection must be conducted once every 12 months. The findings of each routine visual inspection and comprehensive annual inspection must be documented in the official ship logbook or as a component of other recordkeeping documentation. See Parts 4.1 and 4.2 of the VGP for specifics.

## Vessel General Permit

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- Annual Report: Every owner or operator of a vessel with an active permit must submit an Annual Report. An active permit is considered any vessel with an NOI for period of validity identified on the NOI. See Parts 4.4.1 or Appendix H of the VGP for specifics.

### What are examples of the VGP's effluent limits?

The permit contains effluent limits for different types of discharges including but not limited to ballast water, oily water separator effluent, deck runoff, bilge water, and gray water. Here are some examples of limits (see Parts 2 and 5 of the VGP for complete lists):

- Ballast water discharges - Key Ballast water requirements include:
  - All US Coast Guard's mandatory ballast water management and exchange standards.
  - Any vessel engaged in Pacific near shore voyages that carries ballast water that was taken on in areas less than 50 nautical miles from shore must conduct ballast water exchange.
  - All vessels coming from outside the US EEZ and engaged in Pacific near shore voyages declaring "No Ballast On Board" (NOBOB vessels) must conduct saltwater flushing if they will discharge in any US waters.
  - No sediment from ballast water tanks may be discharged into any US waters.
  - No vessel may discharge unexchanged or untreated ballast water into "Waters Federally protected wholly or in part for Conservation Purposes." See Part 12.1 of the VGP for a list of these waters.
- Deck Runoff and Wash down
  - Vessel owner/operators must keep their decks tidy and minimize the introduction of on-deck debris, garbage, residue and spill into deck wash down and runoff discharges.
  - Minimize deck wash downs while in port (anchored, secured, or otherwise moored)
  - If deck wash downs or above water line hull cleaning will result in a discharge, they must be conducted with non-toxic and phosphate free cleaners and detergents.
- Graywater Discharges
  - Specific treatment requirements are required for cruise ships
  - The vessel must eliminate the discharge of kitchen oils
  - Phosphate-free soaps must be used
- Bilgewater Discharges:
  - All existing US Coast Guard and EPA bilgewater requirements, and
  - Vessel operators may not use dispersants, detergents, emulsifiers, chemicals or other substances to remove the appearance of a visible sheen in their bilgewater discharges.
  - Vessels greater than 400 gross tons that regularly sail outside the territorial sea (at least once per month) shall not discharge treated bilgewater within 1 nm of shore if technologically feasible, and shall only discharge treated bilgewater within 1 and 3 nm if sailing at least 6 knots.

### Are the requirements the same across the United States?

No. The Clean Water Act allows states to provide different, more stringent requirements for discharges into their State's waters. These requirements can be found in Part 6 of the VGP and are listed by State. Part 6 should be consulted prior to entering any State's waters.

### How can I get copies of the VGP and other related information?

The Permit, Fact Sheet, Frequently Asked Questions and other information are available on EPA's webpage at <https://www.epa.gov/npdes/vessels-incident-discharge-permitting-3>.



## **Vessel General Permit**

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### **Who can you contact if you have questions?**

Please submit any additional questions to [VGPeNOI@epa.gov](mailto:VGPeNOI@epa.gov) or go to <https://www.epa.gov/npdes/contact-us-general-information-about-npdes#headquarters> to obtain a list of current EPA contacts (See Appendix B of the VGP).

EPA Region 10 covering Alaska, Oregon, Idaho and Washington:  
1200 6th Ave, Suite 900 Seattle,  
WA 98101-1128  
Phone: (206) 553-1200  
Toll Free: (800) 424-4EPA

## Emission Control Areas

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### **Introduction:**

Since January 8, 2009, U.S. & foreign flagged ships operating in the waters of the United States have been subject to MARPOL Annex VI. The sulfur content of any fuel on board ships shall not exceed 3.5%. While ships are operating within an ECA, the sulfur content of fuel oil shall not exceed 0.10%. All ships constructed on or after January 1, 2016 will be required to meet Tier 3 NOx levels. Also note that a worldwide sulfur limit of 0.50% will be in effect on and after January 1, 2020.

### **Fuel Oil Non-Availability:**

The expectation is that vessels arriving without compliant fuel oil (non-availability) will be purchasing compliant fuel oil at the first U.S. port of call where compliant fuel oil is available.

### **Where can I find guidance concerning non-availability of compliant fuel oil?**

In 2012 the EPA published an interim guidance that explains the conditions in which a vessel would need to submit a Fuel Oil Non-Availability Report and where to send it. The vessels flag administration must also be notified that the compliant fuel oil cannot be purchased. Additionally, the United States government is obligated to notify the IMO when a ship presents evidence of the non-availability of compliant fuel oil. The EPA's Interim Guidance on the Non-Availability of Compliant F/O addresses this issue and is available at: <http://www2.epa.gov/enforcement/interim-guidance-non-availability-compliant-fuel-oil-north-american-emission-control> . Page 8 of the EPA's guidance states; "Once you have entered the North American ECA, in order to avoid further violations of Annex VI fuel oil requirements..." Vessels will not be compelled to purchase compliant fuel oil, however the responsible party is subject to penalties under APPS [33 U.S.C. 1908] for each violation. Each day of a continuing violation shall constitute a separate violation.

### **By filing a Fuel Oil Non-Availability Report, will my ship be deemed to be in compliance with the MARPOL Annex VI fuel oil sulfur standard that applies in the North American ECA?**

No. The filing of a Fuel Oil Non-Availability Report does not mean your ship is deemed to be in compliance with MARPOL Annex VI. However, the United States government will take into account the information provided in your Fuel Oil Non-Availability Report, as well as all relevant circumstances, to determine the appropriate action to take, if any, in response to the MARPOL Annex VI fuel oil sulfur standard violation.



North America ECA Zones

## **ISPS Code Examination Objectives**

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The **objectives** of the International Ship and Port Facility Security (ISPS) Code are as follows:

1. To establish an international framework involving co-operation between Contracting Governments, Governments agencies local administrations and the shipping and port industries to detect security threats and take preventive measures against security incidents affecting ships or port facilities use in international trade
2. To establish the respective roles and responsibilities of the Contracting Governments, Governments agencies, local administrations and the shipping and port industries, at the national and international level, for ensuring maritime security
3. To ensure the early and efficient collection and exchange of security related information
4. To provide a methodology for security assessments so as to have in place plans and procedures to react to changing security levels, and
5. To ensure confidence that adequate and proportionate maritime security measures are in place.

In order to achieve its objectives, this Code embodies a number of **functional requirements**. These include, but not limited to:

1. Gathering and assessing information with respect to security threats and exchanging such information with appropriate Contracting Governments;
2. Requiring the maintenance of communication protocols for ships and port facilities;
3. Preventing unauthorized access to ships, port facilities and their restricted areas;
4. Preventing the introduction of unauthorized weapons, incendiary devices or explosives to ships or port facilities;
5. Providing means for raising the alarm in reaction to security threats or security incidents
6. Requiring ship and port facility security plans based upon security assessments; and
7. Requiring training, drills, and exercises to ensure familiarity with security plans and procedures.

## **Conditions of Entry (COE) Requirements**

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### **Background:**

The Maritime Transportation Security Act of 2002 (MTSA) has mandated that the United States Coast Guard evaluate the effectiveness of anti-terrorism measures in foreign ports and provides for the imposition of conditions of entry on vessels arriving to the United States from countries that do not maintain effective anti-terrorism measures (MTSA, 46 USC § 70108 - 70110).

### **Actions Required by Vessels Visiting Countries Affected:**

All vessels arriving to the United States that visited the countries listed in paragraph B of the latest [Port Security Advisory](#) during their last five port calls must take actions 1 through 5 listed below while in the countries listed in paragraph B as a condition of entry into U.S. ports:

1. Implement measures per the ship's security plan equivalent to Security Level 2;
2. Ensure that each access point to the ship is guarded and that the guards have total visibility of the exterior (both landside and waterside) of the vessel. Guards may be:
  - a. Provided by the ship's crew, however, additional crewmembers should be placed on the ship if necessary to ensure that limits on maximum hours of work are not exceeded and/or minimum hours of rest are met, or
  - b. Provided by outside security forces approved by the ship's master and Company Security Officer.
3. Attempt to execute a Declaration of Security;
4. Log all security actions in the ship's security records; and
5. Report actions taken to the applicable U.S. Coast Guard Captain of the Port prior to arrival in the U.S.

Vessels that visited the countries listed in the latest Port Security Advisory, during their last five port calls will be boarded or examined by the Coast Guard to ensure the vessel took the required actions. Failure to properly implement the actions listed above may result in delay or denial of entry into the United States.

### **Actions Required by Vessels in U.S. Ports:**

Based on the findings of the Coast Guard boarding or examination, the vessels that visited the countries not maintaining effective anti-terrorism measures **may** be required to ensure that each access point to the ship is guarded by armed security guards and that they have total visibility of the exterior (both landside and waterside) of the vessel while in U.S. ports. The number and location of the guards must be acceptable to the cognizant U.S. Coast Guard Captain of the Port. For those vessels that have demonstrated good security compliance and can document that they took the measures called for above, the armed security guard requirement will normally be waived.

The latest Port Security Advisory can be found on the Coast Guard's [HOMEPORT](#) website at the below location:

[https://homeport.uscg.mil/mycg/portal/ep/programView.do?channelId=-18389&programId=63715&programPage=%2Fep%2Fprogram%2Feditorial.jsp&pageTypeId=13489&BV\\_SessionID=@@@@0447102773.1458173671@@@@&BV\\_EngineID=ccccadgikmki kjkcfngcfkmdfhdfgl.0](https://homeport.uscg.mil/mycg/portal/ep/programView.do?channelId=-18389&programId=63715&programPage=%2Fep%2Fprogram%2Feditorial.jsp&pageTypeId=13489&BV_SessionID=@@@@0447102773.1458173671@@@@&BV_EngineID=ccccadgikmki kjkcfngcfkmdfhdfgl.0)

## **Enclosures**

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1. Foreign Freight Vessel Examination
2. Foreign Tank Vessel Examination
3. Foreign Chemical Tanker Examination
4. Foreign Gas Carrier Examination
5. Letter of Deviation (LOD) Request Form

## Foreign Freight Vessel Examination

(Enclosure 1)

The Coast Guard is on board to conduct an examination of your vessel to ensure it complies with all applicable U.S. and International standards. If you have any outstanding conditions of class, ISM non-conformities or other known deficiencies with your vessel let the inspector know. This will prevent misunderstandings and possible delays for the vessel.

**NOTE: To expedite the inspection and to minimize delays to your vessel or cargo operations, we request one engineer and one deck officer, both with hand-held communications, to accompany our inspectors for the duration of the examination. Their undivided attention would be greatly appreciated.**

During the annual examination the following tests and examinations may be required at the discretion of the Boarding Officer; however this list is not all-inclusive:

- 1) Review of all documents:
  - a. SOLAS, LOADLINE, MARPOL certificates
  - b. Continuous Synopsis Record
  - c. Certificate of Financial Responsibility
  - d. LRIT Conformance Test Report
  - e. 406 MHz EPIRB Annual Test Report
  - f. Class certificates, most recent class society survey report
  - g. Crew STCW licenses, endorsements and medical fitness certificates
  - h. Hazmat Training records (Container Vessels Only)
  - i. Dangerous cargo manifest (if applicable)
  - j. Oil Record Book for machinery spaces & bunker delivery receipts and notes
  - k. Emissions Control Area records
  - l. Oil transfer procedures
  - m. ISM documents and manuals
  - n. Shipboard Oil Pollution Emergency Plan
  - o. Cargo Securing Manual
  - p. Stowage plan
  - q. Garbage Log & management plan
  - r. Life raft and fire fighting servicing reports
  - s. Evidence of a hydrostatic test of bunker piping
  - t. Ballast Water Management Plan/Report
  - u. Ship Security Certificate/Plan
  - v. Non Tank Vessel Response Plan
  - w. Vessel General Permit and logs
- 2) Test of all navigation equipment and examination of navigation charts and publications.
- 3) Walk through of the accommodation spaces and galley.
- 4) Operational test of:
  - a. Radar(s) /AIS
  - b. Steering gear and associated alarms in all modes of operation and from all control locations.
  - c. Main fire pump and simultaneous charging of two fire hoses, one at the bow and one on the bridge wing.
  - d. Emergency fire pump.
  - e. Bilge/Ballast pumps
  - f. Emergency generator and/or batteries.
  - g. Oily Water Separator
  - h. Fire Detection System
- 5) Examination of the Marine Sanitation Device.
- 6) Cargo deck examination, including piping, vents, flame screens, cargo hatches.
- 7) Examination of firefighting equipment.
- 8) Examination of lifesaving equipment.
- 9) Fire Drill and abandon ship drill.

(Enclosure 1)

The Coast Guard is on board to conduct an examination of your vessel to ensure it complies with all applicable U.S. and International standards. If you have any outstanding conditions of class, ISM non-conformities or other known deficiencies with your vessel let the inspector know. This will prevent misunderstandings and possible delays for the vessel.

**NOTE: To expedite the inspection and to minimize delays to your vessel or cargo operations, we request one engineer and one deck officer, both with hand-held communications, to accompany our inspectors for the duration of the examination. Their undivided attention would be greatly appreciated.**

During the annual examination the following tests and examinations may be required at the discretion of the Boarding Officer; however this list is not all-inclusive:

- 1) Review of all documents:
  - a. SOLAS, LOADLINE, MARPOL certificates
  - b. Class certificates, most recent class society survey report
  - c. Officers STCW endorsements
  - d. Oil Record Books for cargo and machinery spaces
  - e. ISM documents and manuals
  - f. Vessel Response Plan/Shipboard Oil Pollution Emergency Plan
  - g. Cargo and Ballast Systems Manual
  - h. Procedures and Arrangements Manual (NLS)
  - i. Garbage Log
  - j. Life raft and fire fighting servicing reports
  - k. Evidence of a hydrostatic test of cargo and bunker piping
  - l. Cargo and Bunkering Transfer Procedures
- 2) Test of all navigation equipment and examination of navigation charts and publications.
- 3) Walk through of the accommodation spaces, hospital and galley.
- 4) Operational test of:
  - a. Steering gear and associated alarms in all modes of operation and from all control locations
  - b. Main fire pump and simultaneous charging of two fire hoses, one at the bow and one on the bridge wing
  - c. Emergency fire pump
  - d. Deck foam system
  - e. Emergency generator and/or batteries under load
  - f. Cargo pump emergency shut-down system
  - g. Cargo tank overflow alarms
  - h. Portable instruments, oxygen, flammable gas
  - i. Inert Gas System
  - j. Oily Water Separator and Oily Discharge Monitor
- 5) Examination of the Marine Sanitation Device.
- 6) Cargo deck examination, including piping, vents, flame screens, cargo hatches and fire extinguishing systems.
- 7) Examination of firefighting equipment and personal protective equipment.
- 8) Examination of lifesaving equipment.
- 9) Fire Drill and abandon ship drill.

(Enclosure 2)

## Chemical Tanker Examination

(Enclosure 3)

The Coast Guard is on board to conduct an examination of your vessel to ensure it complies with all applicable U.S. and International standards. If you have any outstanding conditions of class, ISM non-conformities or other known deficiencies with your vessel let the inspector know. This will prevent misunderstandings and possible delays for the vessel.

**NOTE: To expedite the inspection and to minimize delays to your vessel or cargo operations, we request one engineer and one deck officer, both with hand-held communications, to accompany our inspectors for the duration of the examination. Their undivided attention would be greatly appreciated.**

During the annual examination the following tests and examinations may be required at the discretion of the Boarding Officer; however this list is not all-inclusive:

- 1) Review of all documents:
  - a. SOLAS, LOADLINE, MARPOL certificates
  - b. LRIT Conformance Test Report
  - c. Class certificates, most recent class society survey report
  - d. Officers STCW endorsements
  - e. Oil Record Books for cargo and machinery spaces
  - f. ISM documents and manuals
  - g. Vessel Response Plan/Shipboard Oil Pollution Emergency Plan
  - h. Cargo and Ballast Systems Manual
  - i. Procedures and Arrangements Manual (NLS)
  - j. Pressure settings of cargo tank pressure vacuum valves,
  - k. Garbage Log
  - l. Life raft and fire fighting servicing reports
  - m. Evidence of a hydrostatic test of cargo and bunker piping
  - n. Cargo and Bunkering Transfer Procedures
  - o. Ballast Water Management Plan
  - p. Ship Security Certificate/Plan
  - q. Vessel General Permit and logs
- 2) Test of all navigation equipment and examination of navigation charts and publications.
- 3) Walk through of the accommodation spaces, hospital and galley.
- 4) Operational test of:
  - a. Steering gear and associated alarms in all modes of operation and from all control locations
  - b. Main fire pump and simultaneous charging of two fire hoses, one at the bow and one on the bridge wing
  - c. Emergency fire pump
  - d. Bilge/Ballast pumps
  - e. Deck foam system
  - f. Emergency generator and/or batteries under load
  - g. Cargo pump emergency shut-down system
  - h. Inert Gas System
  - i. Cargo tank HI and HI-HI level alarms
  - j. Portable instruments; oxygen, flammable gas, toxic
  - k. Oily Water Separator
  - l. Oily Discharge Monitor
- 5) Examination of the Marine Sanitation Device.
- 6) Cargo deck examination, including piping, vents, flame screens, cargo hatches and fire extinguishing systems.
- 7) Examination of firefighting equipment and personal protective equipment.
- 8) Examination of lifesaving equipment.
- 9) Fire Drill and abandon ship drill.

(Enclosure 3)



The Coast Guard is on board to conduct an examination of your vessel to ensure it complies with all applicable U.S. and International standards. If you have any outstanding conditions of class, ISM non-conformities or other known deficiencies with your vessel let the inspector know. This will prevent misunderstandings and possible delays for the vessel.

**NOTE: To expedite the inspection and to minimize delays to your vessel or cargo operations, we request one engineer and one deck officer, both with hand-held communications, to accompany our inspectors for the duration of the examination. Their undivided attention would be greatly appreciated.**

During the annual examination the following tests and examinations may be required at the discretion of the Boarding Officer; however this list is not all-inclusive:

1. Review of all documents:
  - a. SOLAS, LOADLINE, MARPOL certificates
  - b. Class certificates, most recent class society survey report
  - c. Officers STCW endorsements (National, I/10 and VI/2, V/1, VI/5, etc...)
  - d. Crew STCW Endorsements (II/4 & III/4)
  - e. Ship Security Certificate/Plan
  - f. ISM documents and manuals
  - g. Non Tank Vessel Response Plan & Shipboard Oil Pollution Emergency Plan
  - h. Procedures and Arrangements Manual (NLS)
  - i. Vessel General Permit
  - j. Oil Record Books for cargo and machinery spaces
  - k. Ballast Water Management Plan
  - l. Garbage Log
  - m. Cargo and Ballast Systems Manual
  - n. LRIT Conformance Test Report
  - o. Pressure setting of cargo tank relief valves and date serviced
  - p. Evidence of a hydrostatic test of cargo and bunker piping
  - q. Cargo and Bunkering Transfer Procedures
  - r. Life raft and fire fighting servicing reports
2. Test of all navigation equipment and examination of navigation charts and publications.
3. Walk through of the accommodation spaces, hospital and galley.
4. Operational test of:
  - a. Steering gear and associated alarms in all modes of operation and from all control locations
  - b. Main fire pump and simultaneous charging of two fire hoses, one at the bow and one on the bridge wing
  - c. Emergency fire pump
  - d. Bilge/Ballast pumps
  - e. Motor room: Air lock alarm, Ventilation shut-down alarm
  - f. Emergency generator and/or batteries under load
  - g. Quick closing valves, cargo manifold, cargo tank domes
  - h. Calibration of fixed and portable gas detection. Test of oxygen meters
  - i. Cargo tank high and low pressure alarms
  - j. Cargo tank temperature alarms
  - k. Inert Gas System
  - l. Deck spray system
5. Examination of the Marine Sanitation Device.
6. Cargo deck examination, including piping, vents, flame screens, cargo hatches and fire extinguishing systems.
7. Examination of firefighting equipment and personal protective equipment.
8. Examination of lifesaving equipment.
9. Fire Drill and abandon ship drill.

(Enclosure 4)



# U. S. COAST GUARD Deviation Request



## U.S. Coast Guard Sector Columbia River COTP Zone

Phone: (503)240-9339      24 Hour Phone: (503)861-6211  
 Fax: (503)240-9369      24 Hour Fax: (503)861-6355  
 Email: [psc-pdx@uscg.mil](mailto:psc-pdx@uscg.mil)      24 Hour Email: [columbiarivercc@uscg.mil](mailto:columbiarivercc@uscg.mil)

Inbound      Outbound      Date of Request: \_\_\_\_\_

Vessel Name: \_\_\_\_\_      IMO/Official Number: \_\_\_\_\_

**Identify Inoperative Equipment**

One and only Marine Radar System**      164.37(a)	Electronic Position Fixing Device      164.41
Marine Radar Systems (1 of 2)*      164.37(a)	Speed and Distance Indicator Devices      164.40(a)
Echo Depth Sounding Device      164.35(h)	Automatic Radar Plotting Aid (ARPA)      164.38(b)
Gyro Compass and/or Repeater**      164.35(d)/(e)	Rudder Angle Indicator      164.35(f)
Automated Identification System (AIS)      164.46	AIS Pilot Plug      164.46(d)

Other (If marine radar system is inoperable, specify which system):

Indicate plan of action to repair inoperable equipment:

### Additional Vessel Details

Agency Name:	Flag:
POC:	Keel Laid Date:
Phone:	Class Society:
Fax:	Gross Tonnage:

If granted INBOUND, you must submit confirmation that the equipment has been repaired prior to departure from port.  
 If DENIED, you must submit repair confirmation prior to transiting within the Sector Columbia River COTP zone.

Generally, a copy of the technician's written repair report or a letter from the Classification Society will be accepted as satisfactory evidence that the equipment is fully operational.

**\*\*\*\*\*Coast Guard Use Only\*\*\*\*\***

Under the provisions of 33 CFR 164.53, the Captain of the Port (COTP), Sector Columbia River hereby:

GRANTS / DENIES your request for a deviation from the requirements of 33 CFR 164 for the equipment identified above.

This deviation applies to one INBOUND / OUTBOUND voyage only for Sector Columbia River COTP Zone.

**In addition, the following restrictions are placed on your transit:**

- (\*) Limited to a minimum of two mile visibility.
- (\*\*) Limited to daylight hours only and a minimum of two mile visibility.
- No shifting is permitted within port without prior authorization.
- Other:

<p><b>Granted by:</b></p>  <p>Signature: _____      Date: _____</p> <p>By direction of the Captain of the Port</p>	<p><b>Denied by:</b></p>  <p>Signature: _____      Date: _____</p> <p>By direction of the Captain of the Port</p>
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