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Electronic Notices of Arrival and Departure

On January 30, 2015, Federal Register Vol. 80, No. 20, Part IV was published outlining the Final Rule regarding vessel requirements for notices of arrival (NOA), and Automatic Identification Systems. This final rule amends the applicability of NOA requirements to include additional vessels (commercial vessels 300 gross tons or less coming from a foreign port or place), sets forth a mandatory method or electronic NOAD submission, and modifies related reporting content, timeframes, and procedures. This final rule also extends the applicability of AIS requirements beyond VTS areas—to all U.S. navigable waters—and to non-VTS users.

For the majority of our foreign vessel clients with vessels calling the United States, there are no significant changes affecting the current requirements for vessels filing NOAs. Please note the following summary of current requirements:

- If your voyage time is 96 hours or more, the eNOA must be submitted at least 96 hours before entering the port of destination.
- If your voyage is less than 96 hours, the eNOA must be submitted before departure, but at least 24 hours before entering the port or place of destination.
- Changes to the eNOA must be submitted if the time of arrival changes by +/- six hours.
- An original eNOA must be submitted for each U.S. port on a voyage. Resubmitting an eNOA by changing the arrival port and ETA does not constitute a properly submitted eNOA.
- Only electronic submission is accepted. Electronic submission may be via the NVMC website (www.nvmc.uscg.gov); as an Extensible Markup Language (XML) attachment; or as a Microsoft InfoPath attachment.
- eNODs are only required when a vessel is departing a U.S. port bound for a non-U.S. port. The eNOD must be submitted at least one hour prior to departing berth at the vessel's last U.S. port.
- There is no distinction between foreign to U.S. reporting requirements and U.S. to U.S. reporting requirements.



In This Issue:

| | |
|-----------------------------------|----------|
| Electronic Notices of Arrival and | 1 |
| USCG COC Exams | 2 |
| AMS Acceptance | 3 |
| VGP Annual Report | 4 |

Ships Transiting Western Alaska

The Coast Guard Captain of the Port Western Alaska issued Marine Safety Information Bulletin (MSIB) 01-15 on January 13, 2015. The MSIB details an enforcement change for vessels transiting Western Alaska waters. On January 1, 2015, the Coast Guard began issuing civil penalties to operators of non-tank vessels over 400 gross tons whose ships transit the Western Alaska COTP Zone without Vessel Response Plans (VRPs) or with VRPs that do not contain Geographic Specific Appendices for Western Alaska. Previously, the Coast Guard was only issuing warnings. Over 400 warnings were issued during calendar year 2014. Multiple fines may be issued to a vessel on a single voyage. Fines for each violation may be as much as \$11,000

Certificate of Compliance Exams (cont)

the vessel is calling. (Nearly all COC exams in the Ports of New York and Los Angeles-Long Beach are conducted at anchorage.) The local agent will advise if such restrictions are in place. If inspection at anchorage or lay-berth is required, the local agent will make necessary arrangements, including lay-berth, launch hire, and other items required for the COC exam. If an owners' Agent is not being appointed for a port call, it is important to notify the Charterers' Agent as soon as possible that a COC exam is required in order that the Charterers' Agent make the necessary arrangements. Charterers' Agents normally require that funds be advanced to cover expenses incurred for Owners' items related to the COC exam.

If a vessel is equipped with a cargo pump room, the USCG requires that a certified Marine Chemist attend at the time of the exam to certify the pump room as gas free / safe for work. At some ports, the chemist will attend before the USCG arrives. In these cases, it is important that pump room conditions at the time the chemist certificate is issued not be changed prior to the arrival of the USCG. This includes closing doors or turning off of fans. If pump room conditions change between the departure of the chemist and the arrival of the USCG, the exam may be delayed until the chemist can return to re-certify the pump room as gas free / safe for work. If the vessel is equipped with a cargo pump room, the Master should request the local agent to arrange for the chemist's attendance. Typically, marine chemist attendance is not required for ballast pump rooms.

A COC exam basically a normal Port State Control / ISPS exam with an emphasis placed on cargo systems. Cargo system items that will be tested include emergency cargo pump shutdowns, Inert Gas System operation and alarms, ODME operation, oxygen analyzer calibration and testing, and cargo tank high level and overflow alarms.

CSI personnel are available to attend COC and other USCG exams to assist the Master and crew with preparations and to be on hand during the actual inspection. Please contact us for further information and for pre-arrival guidance and checklists.

Alternative Management Systems for the Treatment of Ballast Water in U.S Waters

The USCG has accepted some Ballast Water Treatment Systems that have been approved by foreign administrations as Alternative Management Systems for use in U.S. Waters. A list of these AMSs can be found on the USCG Homeport Website. While all are accepted for the treatment of brackish and deep ocean ballast water, not all are accepted for freshwater ballast. Before using an AMS in U.S waters,



IMPORTANT NUMBERS

National Response Center:
(202) 267-2675

National Vessel Movement Center:
(304) 264-2502

MTSA / ISPS Help Desk:
(877) 687-2243

CSI 24 Hour Emergency and other Inquiries:
(912) 233-8181

Port State Control Reminder:

SOLAS Chapter II-2, Regulation 15 / 2.5 "every oil fuel pipe which, if damaged, would allow oil to escape from a storage, settling, or daily service tank situated above the double bottom, shall be fitted with a cock or valve directly on the tank capable of being closed from a safe position outside the space concerned in the event of a fire occurring in the space in which the tanks are situated." During USCG Port State Control inspections, inspectors will inspect engine room quick closing valves to ensure that none are blocked, wired, or otherwise prevented from operating properly. Vessels found with a blocked quick closing valve are subject to immediate and undisputable SOLAS Detention.



Reminder

On Sunday March 8, 2015, CSI's local time will change from U.S. Eastern Standard Time (UTC -5) to U.S. Eastern Daylight time (UTC -4.) CSI's regular office hours are Monday through Friday, 0830-1700. Our telephone number, 912-233-8181 is monitored 24 hours a day, with after hours monitoring for emergencies and notification drills. Vessels are reminded that when planning and conducting quarterly QI Notification Drills, one yearly QI Notification drill is to be conducted outside of our office hours. At this time, emailed QI Notification Drills are not accepted for drill credit. Please use the 24 Hour number for all drills.

Penalty Policy for ECA Violations

The U.S. Environmental Protection Agency recently issued its policy for enforcing, calculating and assessing civil penalties for violation of the fuel sulfur standards applicable to ships operating in the North American and Caribbean Emission Control Areas (ECAs). In addition to violations of the 0.1% fuel sulfur limits which came into effect on January 1, 2015, the Penalty Policy addresses MARPOL Annex VI violations which may be detected during ship inspections. The Policy may be obtained from the EPA's website or by contacting CSI.

Alternative Management Systems (Cont.)

Master's should ensure their AMS is accepted for the type of ballast water to be discharged.

Recently, one of our client vessels took on ballast water in the Oregon waters of the Columbia River for an intra-port shift. The freshwater ballast was taken on through the AMS, with the intent of discharging back into the Columbia River after loading. During a routine inspection by the Oregon Department of Environmental Quality (DEQ), this was noted by the DEQ inspector. A check of the AMS indicated it was not accepted for the processing of freshwater. Accordingly, the vessel was unable to discharge the freshwater ballast back into the Columbia River, since it was up taken through the AMS. Had the vessel not used the AMS and taken on the ballast directly into its ballast tanks, it could have discharged directly back into the waters of the Columbia River; however, due to the biocide treatment, it could no longer be discharged into the Columbia River. The vessel was required to discharge the ballast water ashore at considerable expense to the owners.

VGP Annual Report for All Vessels Due by February 28, 2015

In Section 4.4.1 of the U.S. Environmental Protection Agency (EPA) rules for the 2013 Vessel General Permit for Discharges Incidental to the Normal Operations of Vessels (VGP), for each vessel that had an EPA Notice of Intent (NOI) form, the owners/operator is required to submit an Annual Report to the EPA detailing vessel specific ballast arrangements, gray water treatment/monitoring, Environmentally Acceptable Lubricants (EALs) for each vessel. The owners/operator must also report of all instances of noncompliance, if any that occurred during this past year. If analytical monitoring was conducted during this past year, as required by the EPA 2013 VGP Final Rule this information must be submitted in the annual report as well. This 2015 Annual Report, which covers from December 19, 2013 to December 31, 2014 must be completed and submitted by February 28, 2015.

The details of the EPA 2013 VGP Final Rule can be located online at: http://water.epa.gov/polwaste/npdes/vessels/upload/vgp_permit2013.pdf

For some vessel operators who seldom navigate the EPA VGP website at www.water.epa.gov/polwaste/npdes/vessels you may find the website somewhat difficult to maneuver. In many of the fields the information must be exact and the registered operator must change their passwords every 90 days.