



LOUISIANA MARITIME ASSOCIATION

Date: October 29, 2013

NON-TANK VESSELS RESPONSE PLAN REQUIREMENTS NON-TANK VESSELS OF 400 GROSS TONS AND ABOVE

Key Agency: U. S. Coast Guard - Title 33, Code of Federal Regulations, Part 155, Subpart J

Effective Date: Various (see below)

1. The “Non-tank Vessel Response Plans and Other Response Plan Requirements” (NTVRP) final rule, requires vessel owners or operators of non-tank vessels 400 gross tons and above to:

a. By January 30, 2014 prepare and submit oil spill response plans for vessels operating on the navigable waters of the United States, and

b. The submission of a Vessel Response Plan (VRP) Control Number with the vessel’s advance notice of arrival. The VRP Control Number shall be submitted for both tank and non-tank vessels as part of the required notice of arrival.

2. **Plan Submission.** Since August 2008, the Coast Guard has been enforcing the statutory requirement to prepare and submit oil spill response plans for non-tank vessels 1,600 gross tons or greater and has been issuing 2-year Interim Operating Authorization (IOA) letters to demonstrate compliance. Existing IOAs will remain valid until the compliance date of January 30, 2014, or until they are replaced with a new approval letter or IOA that specifically refers to compliance with the new Subpart J regulations. Non-tank vessels with existing IOAs must resubmit their plan, with required revisions, for approval before the compliance date in order to receive a Subpart J compliant approval letter or IOA. Therefore, as reported, by 30 January, 2014 all non-tank vessels of 400 GT and above, and all non-tank vessels of 1600 GT and above with existing plans must submit a Vessel Response Plan (VRP) that:

a. includes a Salvage and Marine Firefighting (SMFF) portion.

b. Vessels carrying less than 250 barrels capacity (fuel and/or cargo) must just name an SMFF Provider in their plan.

c. Vessels carrying 250 barrels or more must have a Pre-Fire Plan as part of their response plan.

d. Vessels carrying over 2500 barrels must also sign a “Funding Agreement”. The funding agreement is pre-approved between the SMFF Provider and the Planholder.



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3. **Notice of Arrival Requirements.** The Coast Guard's electronic notice of arrival (eNOA) online form already requires a submitter to check a box when they have a non-tank VRP and provides a control number entry field when the box is checked in the affirmative. Non-tank vessels should continue to submit their VRP Control Number in this manner. At this time, no such prompt or entry field exists for tank vessels. Therefore, until an entry field is added to the eNOA submission form for tank vessels, the Coast Guard advises tank vessel owner or operators to list their tank VRP Control Numbers in the eNOA comments field.
4. The Coast Guard will enforce this new eNOA submission requirement by the following timelines:
- October 30, 2013 – Tank Vessels.
 - October 30, 2013 – Non-tank Vessels - 1,600 GT or greater (Use VRP Control Number listed in existing IOAs).
 - January 30, 2014 – Non-tank Vessels – 400 GT or more but less than 1,600 gross tons.
5. Plan submission procedures are attached.

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Attachments: Procedures for Plan Submission and Approval
“Application for Approval/Revision of Vessel Pollution Response Plans” (CG-6083)



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Procedures for Plan Submission and Approval.

(a) An owner or operator of a nontank vessel, to which this subpart applies, must submit one complete English language copy of a vessel response plan (VRP) to:

Commandant (CG–CVC), Office of Commercial Vessel Compliance,
U.S. Coast Guard
2100 2nd St. SW. Stop 7581
Washington, DC 20593–7581
Attn: Vessel Response Plan Review Team

The VRP must be submitted at least 60 days before the vessel intends to operate upon the navigable waters of the United States.

(b) The owner or operator of a nontank vessel must include a statement certifying that the VRP meets the applicable requirements of this subpart and the requirements of subparts D, E, F, and G, if applicable. The vessel owner or operator must also include a statement certifying that the vessel owner or operator has ensured the availability of, through contract or other approved means, the necessary private response resources to respond, to the maximum extent practicable, to a worst case discharge or substantial threat of such a discharge from their vessel as required under this subpart.

VRPs should be submitted electronically by using the Vessel Response Plan Electronic Submission Tool available at <https://homeport.uscg.mil/vrpexpress>.

If vessel owners or operators submit VRPs in paper format, CG Form “Application for Approval/Revision of Vessel Pollution Response Plans” (CG–6083) located at: http://www.uscg.mil/forms/CG/CG_6083.pdf meets the requirement for a VRP certification statement as required by this paragraph.

(c) If the Coast Guard determines that the VRP meets all requirements of this subpart, the Coast Guard will notify the vessel owner or operator with an approval letter. The VRP will be valid for a period of 5 years from the date of approval, conditional upon satisfactory annual updates.

(d) If the Coast Guard reviews the VRP and determines that it does not meet all of the requirements of this subpart, the Coast Guard will notify the vessel owner or operator of the VRP deficiencies. The vessel owner or operator must then resubmit a copy of the revised VRP or corrected portions of the VRP, within the time period specified in the written notice provided by the Coast Guard.