

Salvage and Marine Firefighting Requirement Vessel Response Plans for Oil, Final Rule



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Salvage and Marine Firefighting Requirement, Vessel Response Plans for Oil, Final Rule 33 CFR Part 155

- The Oil Pollution Act of 1990 mandated that tank vessel owners ensure the availability of adequate response resources to respond to a vessel's worst-case discharge, including fire and explosion.
- The VRP regulations published in 1996 were not specific for salvage and marine firefighting requirements.
- Following a long history of public meetings, and regulatory postponements, on December 31, 2008, the Coast Guard issued the final Salvage and Marine Firefighting Regulation.



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What were you doing on.....

- June 19, 1992 – NPRM, *Vessel Response Plans*
- January 12, 1996 – Final Rule, *Vessel Response Plans*
 - Weak on salvage/marine firefighting
- August 5, 1997 – Public workshop held to address issues related to *salvage and marine firefighting response capabilities*
 - Three issues Coast Guard needed to address in rule:
 - Define capabilities that are necessary in the plan
 - Establish how quickly resources need to be on scene
 - Determine what constitutes adequate resources
- February 12, 1998 – Notice of Suspension
 - 24-hour heavy lift
 - Moved implementation date from Feb. 18, 1998 to Feb 12, 2001



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What were you doing on.....

- January 17, 2001 – 2nd Notice of Suspension
 - Moved implementation date to Feb 12, 2004
- May 10, 2002 – NPRM, Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil
- January 23, 2004 – 3rd Notice of Suspension
 - Moved implementation date to Feb 12, 2007
- February 9, 2007 – 4th Notice of Suspension
 - Moved implementation date to Feb 12, 2009
- December 31, 2008

Current implementation date
February 22, 2010



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Salvage and Marine Firefighting Requirement, Vessel Response Plans for Oil, Final Rule Regulatory Intent

- “These revisions clarify the salvage and marine firefighting services that must be identified in vessel response plans and set new response time requirements for each of the required salvage and marine firefighting services. The changes ensure that the appropriate salvage and marine firefighting resources are identified and available for responding to incidents up to and including the worst case discharge scenario.”



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Salvage and Marine Firefighting Requirement, Vessel Response Plans for Oil, Final Rule Regulatory Intent

- “This rule is intended to increase resource providers’ capabilities to the level necessary to handle emergency incidents prior to deterioration into worst case discharge scenarios; it will also increase the response capabilities necessary to keep ports and waterways open in a worst case discharge scenario, which might include a national security event.”



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Salvage and Marine Firefighting Requirement, Vessel Response Plans for Oil, Final Rule Applicability

- 33 CFR 155.4015: If the vessel carries group I-IV oils, and is required by 33 CFR155.1015 to have a vessel response plan (VRP).
- Generally, any vessel that carries oil as cargo needs a VRP.
- February 22, 2011 these new Salvage & Marine Firefighting requirements will need to be included in VRPs.



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FOCUS ON RESOURCE AVAILABILITY

- ✧ Defines salvage and marine firefighting services / resources.
- ✧ Establishes planning timeframes for response.
- ✧ Provides criteria for determining resource provider adequacy.

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SALVAGE AND MARINE FIREFIGHTING SERVICES:

SALVAGE:

- Assessment and Survey
- Stabilization
- Specialized Salvage Operations

MARINE FIREFIGHTING

- Assessment and Planning
- Fire Suppression



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Table 155.4030(b)

Salvage and Marine Firefighting Service Timeframes:

Salvage:	NEAR	OFFSHORE
	(HOURS)	(HOURS)
▪ Assessment and Survey		
▪ REMOTE ASSESSMENT AND CONSULTATION	1	1
▪ BEGIN ASSESSMENT OF STRUCTURAL STABILITY	3	3
▪ ON-SITE SALVAGE ASSESSMENT	6	12
▪ ASSESSMENT OF STRUCTURAL STABILITY	12	18
▪ HULL AND BOTTOM SURVEY	12	16

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Table 155.4030(b)

Salvage:	NEAR	OFFSHORE
	(HOURS)	(HOURS)
■ Stabilization		
▪ EMERGENCY TOWING	12	18
▪ SALVAGE PLAN	16	22
▪ EXTERNAL EMERGENCY TRANSFER	18	24
▪ EMERGENCY LIGHTERING	18	24
▪ OTHER REFLOATING METHODS	18	24
▪ MAKING TEMPORARY REPAIRS	18	24
▪ DIVING SERVICES SUPPORT	18	24

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Table 155.4030(b)

Salvage:	NEAR	OFFSHORE
Specialized Salvage Operations	(HOURS)	(HOURS)
▪ SPECIAL SALVAGE OPERATIONS PLAN	18	24
▪ SUBSURFACE PRODUCT REMOVAL	72	84
▪ HEAVY LIFT	ESTIMATED	ESTIMATED

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Table 155.4030(b)

Marine Firefighting:	PIER	NEAR	OFFSHORE
	(HOURS)	(HOURS)	(HOURS)
▪ Assessment and Planning			
▪ REMOTE ASSESSMENT & CONSULTATION	1	1	1
▪ ON-SITE FIRE ASSESSMENT	2	6	12
▪ Fire Suppression			
▪ EXTERNAL FIREFIGHTING TEAMS	4	8	12
▪ EXTERNAL VESSEL FIREFIGHTING SYSTEMS	4	12	18

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No USCG Resource Classification
System

15 Resource Selection Criteria:

1. Currently working in response service needed
2. Has documented history of participation in successful salvage and/or marine firefighting operations, including equipment deployment
3. Owns or has contracts for equipment needed to perform response services
4. Has personnel with documented training certification and degree experience
5. Has 24-hour availability of personnel and equipment and history of response times compatible with the regulation



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No USCG Resource Classification
System

15 Resource Selection Criteria:

6. Has on-going continuous training program
7. Has successful record of participation in drills and exercises
8. Has salvage and marine firefighting plans used and approved during real incidents
9. Has membership in relevant national and/or international organizations
10. Has insurance that covers the salvage and/or marine firefighting services which they intend to provide



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No USCG Resource Classification System

15 Resource Selection Criteria:

11. Has sufficient up front capital to support an operation
12. Has equipment and experience to work in the specific regional geographic environments where the vessel operates
13. Has the logistical and transportation support capability required to sustain operations
14. Has the capability to implement the necessary engineering, administrative and personal protective equipment controls to safeguard the health and safety of their workers
15. Has familiarity with the salvage and marine firefighting protocol contained in the local ACPs for each COTP area for which they are contracted



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Contracts & Funding Agreement

Contract or other approved means must include a written funding agreement.

Funding agreement ensures that responses are not delayed due to negotiations. The regulation provides a definition of a funding agreement.

The Coast Guard is willing to consider the Lloyd's Open Form in lieu of a funding agreement. If an LOF is used in place of a funding agreement, it must be identified in & submitted with the entire contract between the primary resource provider & the vessel owner or operator as part of the vessel response plan approval. The LOF must be signed by both parties at the time of submission to the Coast Guard.

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SALVAGE - VRP CHANGES

1. VRP Shipboard Spill Mitigation information must be provided to SMFF resource providers.
2. SMFF resource providers must be integrated into the response organization in the plan.
3. Additional vessel specific information is necessary in order to select adequate resource providers.
4. Additional geographic specific information is necessary in order to identify adequate resource providers to handle vessel risks in COTP zones.
5. Planned response resources must be capable of reaching incidents within response timeframes.
(San Juan nearshore and offshore areas are measured from Lat/Long 18-27.35N, 66-07.00W.)



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MARINE FIREFIGHTING - VRP CHANGES

1. Marine firefighting pre-fire plans (Either NFPA 1405 or SOLAS Fire Control Plan) must be attached to the Vessel Response Plan.
2. Marine firefighting pre-fire plan distribution.
3. Statement that marine firefighting pre-fire plans have been provided to all firefighting resource providers listed.
4. Statement that certifications of marine firefighting pre-fire plan acceptability have been obtained from firefighting service resource providers.
5. Additional Vessel Specific Appendix Information.



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SERVICE WAIVER TIME PERIODS

Remote salvage assessment & consultation	0 years
Remote firefighting assessment & consultation	0 years
On-site salvage & firefighting assessment	1 year
Hull and bottom survey	2 years
Salvage stabilization services	3 years
Fire suppression services	4 years
Specialized salvage operations	5 years

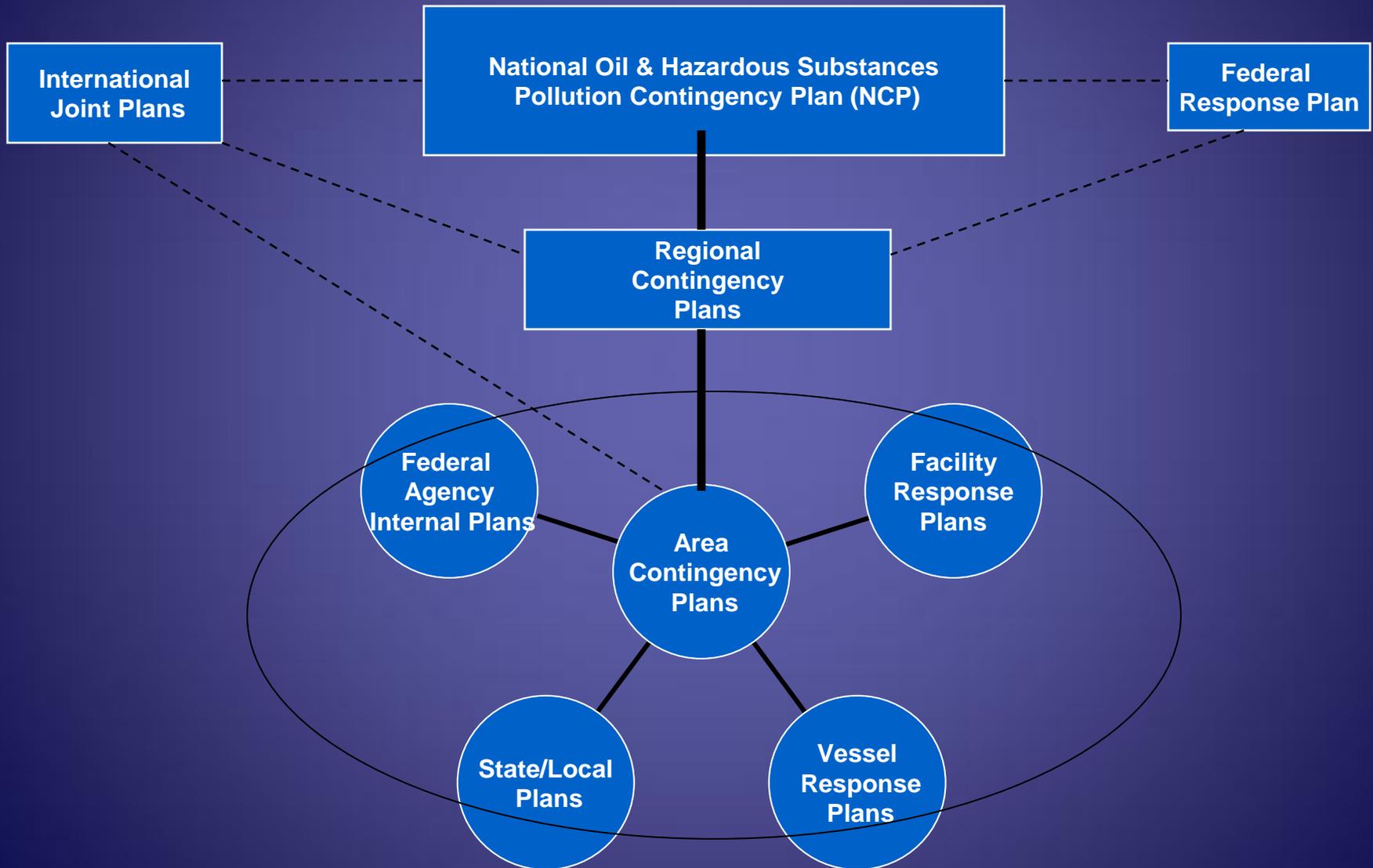
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RELATIONSHIP BETWEEN THE ACP AND VRP

The information contained in the Vessel Response Plan (VRP) must be consistent with applicable Area Contingency Plans (ACPs) and the National Oil and Hazardous Substances Pollution Contingency Plan as found in 155.1030(h).

Relationship of Plans



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RELATIONSHIP BETWEEN THE ACP AND VRP

- Response Coordination
- Resource Identification
- Responder Adequacy
- OCONUS COTP City
- Pier Locations
- Drills and Exercises
- Waivers
- Chaffee Amendment



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CHAFFEE AMENDMENT

The named resource provider(s) contained in an approved VRP must be utilized during the response unless a change is authorized in advance by the Federal On-Scene Coordinator (FOSC).

The ``Chaffee Amendment," section 1144 of the Coast Guard Authorization Act of 1996

An ``owner or operator may deviate from the applicable response plan if the President or the FOSC determines that deviation from the response plan would provide for a more expeditious or effective response to the spill or mitigation of its environmental effects."

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Best Practices:

- In the course of developing a guidance document to accompany this rule, the Coast Guard is developing some suggestions for industry **Best Practices** that will be posted on the VRP Section of Homeport:
 - REGIONAL COORDINATION OF EMERGENCY TOWING SERVICE COVERAGE DUE TO POTENTIAL SHORTFALLS
 - RESOURCE IDENTIFICATION IN THE RRI (RESPONSE RESOURCE INVENTORY) TO SUPPORT SELECTION, WAIVER ISSUANCE AND RESPONSE
 - ESTABLISHMENT OF BASIC ORDERING AGREEMENTS



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Local Implications

- Coast Guard's intent is to keep commerce moving
- Vessels Calling on port must submit updates and receive interim authorization prior to entrance
- Coast Guard has been reviewing updates since Sep 1, 2010

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Resources available on Homeport
www.homeport.uscg.mil/northernnewengland

- Today's Presentation
- Salvage and Marine Firefighting Requirements; Vessel Response Plans for Oil; Final Rule
- Navigation and Vessel Inspection Circular (NVIC) 2-10; Guidance for Implementation and Enforcement of the Salvage and Marine Firefighting Regulations for Vessel Response Plans