

Client Alert 28-2012

November 8, 2012

GOVERNMENT INITIATED UNANNOUNCED EXERCISES (GIUE) *** TANK VESSEL CLIENTS ONLY ***

On October 30, 2012 the U.S. Coast Guard Sector New Orleans issued a **MARINE SAFETY INFORMATION BULLETIN** announcing their intention to conduct **GOVERNMENT INITIATED UNANNOUNCED EXERCISES (GIUE)**. As per 33 CFR Part 155.1060 below, any U.S. Coast Guard Captain of the Port (COTP) / Sector has the authority to require a TANK vessel to participate in such an exercise.

33 CFR 155.1060 (c) & (d): - Exercises - Vessels

(c) A vessel owner or operator shall participate in unannounced exercises, as directed by the Coast Guard COTP. The objectives of the unannounced exercises will be to evaluate notifications and equipment deployment for responses to average most probable discharge** spill scenarios outlined in vessel response plans. The unannounced exercises will be limited to four per area per year, an area being that geographic area for which a separate and distinct Area Contingency Plan has been prepared, as described in the Oil Pollution Act of 1990. After participating in an unannounced exercise directed by a COTP, the owner or operator will not be required to participate in another unannounced exercise for at least 3 years from the date of the exercise.

** an average most probable discharge (AMPD) is defined as *"a discharge of the lesser of 50 barrels of oil or 1 percent of the cargo from the vessel during cargo oil transfer operations to or from the vessel."*

The exercise will most likely occur when the vessel is alongside a terminal. The U.S. Coast Guard has advised that one of their representatives will arrive on scene (presumably onboard the vessel) and present a scenario.

ECM has contacted LCDR Hannah, Incident Management Division at Sector New Orleans who advised that their office has not conducted any exercises to date and that they have no exercises scheduled at this time. The intent of the exercise, according to LCDR Hannah, is to test the interaction between the vessel, QI, and OSRO. He did say that the expectation is for the OSRO to mobilize equipment and boom, however, if all went well, the exercise would probably end at that point to save expenses related to actual equipment deployment.

*** ACTION REQUIRED ***

1. We are asking our clients to ensure that their tank vessels are made aware of the potential to be involved in a U.S. Coast Guard initiated GIUE. While the possibility of being asked to participate in an exercise exists in any U.S. Coast Guard Captain of the Port (COTP) / Sector, at this time the likelihood seems to be higher for vessels calling ports in Sector New Orleans.
2. Please instruct your vessels to immediately contact ECM via our 24-hour contact number(s) located in Chapter 5.2 of the ECM prepared Tank Vessel Response Plan (TVRP) should they be boarded by the U.S. Coast Guard and presented with an oil spill exercise scenario. Once notified, ECM will assist the Master with fulfilling the requirements of the exercise.

Since the exercise has the potential to involve the mobilization and deployment of actual response equipment, the plan holder will be liable for expenses incurred. ECM will of course make every effort to minimize the cost involved.

You may contact us at ecm@ecmmaritime.com should you have any questions.

