



## TECHNICAL CIRCULAR No. 156 of 5<sup>th</sup> November 2013

To:	All Surveyors/Auditors
Applicable to flag:	All Flags
Subject:	<b>US VRP (Vessel Response Plan) for salvage and marine firefighting</b>
Reference	<b>USCG VRP</b>

### **US Vessel Response Plans for salvage & marine firefighting**

#### **Agreements with Salvors and Oil Spill Response Organizations (OSROs)**

Shipowners are referred to Circular in which they were advised that non-tank vessel owners are required to submit Vessel Response Plans (VRPs) to the Coast Guard by 30 January 2014. For the purposes of these plans, non-tank owners are required to pre-contract with Qualified Individuals (QIs), Oil Spill Response Organizations (OSROs), Dispersant service providers and salvors. This circular addresses the requirements for contracts with salvors.

A separate circular will be addressing the requirements to pre-contract with OSROs. The publication of the US non-tank final rule has prompted a review of the arrangements most Clubs have with the major OSROs which are also the main dispersant service providers. For the time being, shipowners are advised that they should not enter into any arrangements with these OSROs on the assumption that the current arrangements with the Clubs will continue.

#### **Non-tank vessels - Salvage Funding Agreements**

Non-tank vessel owners with a fuel and cargo capacity of 2,500 barrels or greater to carry oil (as defined) are required to enter into Funding Agreements with salvors and marine fire-fighting resources. The requirements for this category of vessels are almost identical to those for tank vessels. Shipowners are therefore referred to previous Circulars relating to tank vessels for full details of the requirements. The Funding Agreements of five salvors have been reviewed and found to conform with the International Group (IG) Salvage Guidelines on Vessel Response Plans. These agreements with footers for identification are listed below. For ease of reference the IG

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Salvage Guidelines are attached as Annex 1.

- Donjon-Smit (Tanker and Non-Tank) Version A - 4 October 2013
- Marine Response Alliance LLC Version - 16 October 2013
- Resolve Salvage & Fire (Americas) Inc Version 3 - 1 October 2013
- Svitzer USA Companies Version - 1 October 2013
- Svitzer INTL Companies Version - 1 October 2013
- T&T Salvage LLC USA Owner (Tanker and Nontank) Version - 4 October 2013
- T&T Salvage LLC Non-US Owner (Tanker and Nontank) Version - 4 October 2013

Non-tank vessel owners with a fuel and cargo capacity of less than 2,500 barrels but greater than or equal to 250 barrels are only required to identify resource providers in their VRPs and have the agreement of the salvor to list them in their plans rather than enter into a full Funding Agreement. The following such agreements have been reviewed and found to conform to the International Group (IG) Salvage Guidelines on Vessel Response Plans.

- Donjon-Smit: Consent Agreement for Vessel Response Plans - 4 October 2013
- Marine Response Alliance LLC: MPA OPA 90 & CA Certificate of Coverage (Version 2013)
- Resolve Salvage & Fire (Americas) Inc: RMG OPA 90 Certificate of Coverage - 1 October 2013
- Svitzer Written Consent - Version October 2013
- T&T Salvage LLC: OPA 90 Written Consent - 4 October 2013

Shipowners should note that, unlike the position with regard to Oil Spill Response Organizations which are classified by the USCG, it is the responsibility of the shipowner or operator to ensure that the salvor and firefighter have capability measured against 15 criteria and to certify to this effect. The criteria are listed in Annex 2.

### **Tank Vessels - Salvage Funding Agreements**

As a consequence of the requirements for non-tank shipowners to enter into Funding Agreements with salvors and marine firefighting resources, the salvors have amended their Funding Agreements (as listed above) to cover both tank and non-tank vessels. In future, tank vessel owners entering into Funding Agreements with these salvors should use these new Funding Agreements.

However, there is no necessity for tank owners to replace existing Funding Agreements by those cited above.

Shipowners are advised to consult their property underwriters with regard to selection of any particular contract/funding agreement and to check with the salvors that they are able to provide resources meeting the 15 criteria in all the geographic areas of the United States which their ships will visit. Shipowners should also note that conformity with the IG Salvage Guidelines for Salvor Funding Agreements is not an indication as

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to the acceptability of rates which have not been reviewed. These are a matter for discussion with hull underwriters.

All Clubs in the International Group of P&I Clubs have issued similar circulars.

**REFERENCES:**

- USCG - Vessel Response Plan

**ATTACHMENTS:** No.

Kindest Regards,

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