



MAY 29, 2012

CIRCULAR NO. 14/12

TO MEMBERS OF THE ASSOCIATION

Dear Member:

ALASKA ALTERNATIVE PLANNING CRITERIA (APC)

As from 14 May 2012, the US Coast Guard (USCG) will require compliance with new Alternative Planning Criteria (APC) for certain vessels operating in Western Alaska.

Historically, it has not been possible for tank owners operating in Western Alaska carrying oil to comply fully with the vessel response planning requirements of the Oil Pollution Act 1990. In consequence, the USCG allowed waivers in respect of these requirements. However, in 2010, the USCG announced that shipowners would be required to fully comply with these regulations or adhere to approved Alternative Planning Criteria. On May 2011, the Alaska Marine Exchange published proposals for new Alternative Planning Criteria (<http://www.ak-mprn.org/pdfs/WA-APC-T-2011.pdf>). The criteria have now been finalized.

Accordingly, with effect from May 14, 2012, oil tank vessel owners and owners of vessels carrying oil as secondary cargo¹ in certain areas of Western Alaska while going to or from a port in the United States will be required to comply with the new requirements. These areas are the areas of Western Alaska outside Cook Inlet and Prince William Sound regions and within 200 miles of the US coastline.

The new requirements

In order to meet the new requirements owners will be required to obtain a Certificate of Participation from Alaska Maritime Prevention and Response Network and to contract with the OSRO, Alaska Chadux. Evidence that these requirements have been met must be included in the relevant Vessel Response Plan.

Alaska Maritime Prevention and Response Network (AMPRN)

AMPRN was established to administer the operational and equipment procurement requirements of the APC. Full details of how to obtain a Certificate of Participation are to be found on the AMPRN website (www.ak-mprn.org). The fees charged by AMPRN are USD 6,000 per vessel per calendar year for oil tankers and USD 1,800 per vessel per calendar year for vessels carrying oil as a secondary cargo.

Alaska Chadux

A copy of the Alaska Chadux contract can be obtained from Mr J Allen (jallen@chadux.com). However, Members should note that the contract does not comply with International Group (IG) guidelines on vessel response plans and therefore the liabilities under the contract are not fully

¹ Oil as defined under OPA '90 carried in bulk as non-primary cargo on any type of vessel, i.e. oil intended for carriage as cargo from one port to another for reward, not for use onboard the vessel for its own machinery.

covered under standard P&I insurance. It is possible for Members to gain access to additional cover and those wishing for such cover are advised to contact the Club.

The USCG has published FAQs (a set of Frequently Asked Questions) which can be seen via the following link: (<http://homeport.uscg.mil/anchorage>). These are also attached for ease of reference.

Members are also asked to note that it is only necessary for owners to enroll with AMPRN when their existing Interim Operating Authorization (IOA) obtained from the USCG headquarters expires.

Yours faithfully,


Joseph E.M. Hughes, Chairman & CEO
Shipowners Claims Bureau, Inc., Managers for
THE AMERICAN CLUB

Western Alaska Tank Vessel APC FAQ's Sheet

1. What do I need to send to Coast Guard Headquarters in order to get an approved Geographic Specific Appendix for Western Alaska?

a. E-mail yrp@uscg.mil:

- Certificate of Participation from the Alaska Maritime Prevention & Response Network (the Network).
- OSRO contract/agreement or other approved means with Alaska Chadux Corporation

2. What exactly is acceptable for the following condition on page 10 of the APC:

“Prior to conducting a transfer to a vessel or facility the vessel will verify with the receiving facility that an oil spill recovery barge, containment boom, deployment vessel(s) and personnel are immediately available to be deployed in the event of an oil spill.”

Compliance with the above can be verified by:

- Mooring up and completing the transfer at a facility regulated under Title 33 Code of Federal Regulations Part 154; and
- Completing a Declaration of Inspection with the facility.
- Any lightering to another vessel will require prior approval by COTP Western Alaska as stated in Section 6(a).

3. How do I submit my notice of transit to enter COTP Western Alaska zone?

a. At least 96 hours prior to arrival in the Exclusive Economic Zone (EEZ; 200 miles offshore), e-mail Sector Anchorage at SectorAnchorageArrivals@uscg.mil and the Network at operations@ak-mprn.org the following information:

- Date and time of planned transit and port calls
- Planned north or south transit of the Aleutian Chain
- Vessel contact information

- Commitment to comply with WA-APC-T criteria

- b. COTP Western Alaska will accept notification by the Network on behalf of the vessel.

4. *Is this notice of transit different from the Advanced Notice of Arrival (ANOVA)?*

- a. Yes. This notice is provided advising the vessel will enter the COTP Western Alaska zone, and should be submitted 96 hours prior to entering the EEZ, even if the vessel is not making a port call within COTP zone Western Alaska. Vessels making a port call shall still submit an ANOVA to the National Vessel Movement Center (NVMC) in accordance with 33 CFR 160, Subpart C.

5. *If my vessel is making a port call in COTP zone Western Alaska and has submitted an ANOVA to the NVMC is a notice of transit still required?*

- a. Yes, the notice of transit is critical to ensure proper tracking of vessels covered under this APC.

6. *Are there any additional notifications I need to make?*

- a. Yes. The following circumstances require additional notifications to the COTP Western Alaska:
 - Deviations from the reduced risk routes identified in WA-APC-T should be made to COTP Western Alaska by calling the Sector Anchorage Command Center, (907) 271-6700 or via e-mail to SectorAnchorage@uscg.mil. This notification should be made prior to deviating from the approved route in the APC.
 - Any vessel wanting to conduct offshore lightering operations needs to submit a Lightering Plan to SectorAnchorageArrivals@uscg.mil for approval at least 48 hours in advance to lightering operations.
 - Any marine casualty or hazardous condition needs to be reported immediately to COTP Western Alaska by calling the Sector Anchorage Command Center, (907) 271-6700. Initial notification via email is not acceptable.

7. I already have an Interim Operating Authorization (IOA) from Coast Guard Headquarters is that still valid?

- a. Yes. All IOA's issued by Coast Guard Headquarters are still valid until their current expiration.

8. What are the future plans for WA-APC-T?

- a. Within 6 months, the Network will provide a status update to COTP Western Alaska and the Alaska Department of Environmental Conservation, as well as a 5 year "build out" plan.
- b. Within 6 months, there will be an implementation of a Vessel Traffic Management System (VTMS). This VTMS will be used in monitoring vessels' routes, notifying the Coast Guard of any unauthorized deviations. Deviations without required notifications will be considered for Enforcement action.

9. What is considered a suitable escort towing vessel as stated on Page 10 of the APC?

- a. Depending on the location of the transfer, a suitable towing vessel is one normally used during mooring operations in the port in which you are transferring, i.e. Dutch Harbor. A separate towing vessel is not required to be contracted with if one is not currently located in the port to which the vessel is heading.

10. Are foreign tank vessel's operating solely in Cook Inlet required to comply with this APC?

- a. No, tank vessels operating solely in Cook Inlet are required to obtain a CISPRI contract for the duration of their voyage and submit their CISPRI contract, along with their VRP to the vrp@uscg.mil email at CG Headquarters where they will be given a GSA approval for the duration of their voyage for Cook Inlet only.
- b. Vessels must remain within the approved CISPRI route per their contract. Vessels wishing to operate outside the approved CISPRI route must obtain a Certificate of Participation from the Alaska Maritime Prevention & Response Network and a Chadux contract.

11. Can operators comply with the following provision in the APC: "access to Tier 3 offshore, open ocean and nearshore response capabilities from out of region when these capabilities are not available in the area of coverage."

- a. Yes, the Alaska Maritime Prevention & Response Network has provided the Coast Guard with verification this provision can be met.