

ECM MARITIME SERVICES, LLC 2021 IMT TTX PROGRAM



Central Europe
October 6, 2021



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ECM MARITIME SERVICES
An ECM Group Company

Your ECM Team

- **Scott May**
 - Sr Vice President, overseeing the Plans Department. Over 20 years of experience with both the regulatory (response plan) as well as spill management facets of OPA 90.
- **Brendan Keavney**
 - Manager. Recently joined ECM's Plans and Exercise Departments. He has several years' experience in response, training, regulatory compliance, and business development. He has served over 12 years as a U.S. Army Reserve officer.
- **Stephen Edinger**
 - Manager. Joined ECM 10 years ago after overseeing California's Office of Spill Prevention and Response (OSPR). He manages ECM's California operations and our Exercise Department.

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Today's Agenda

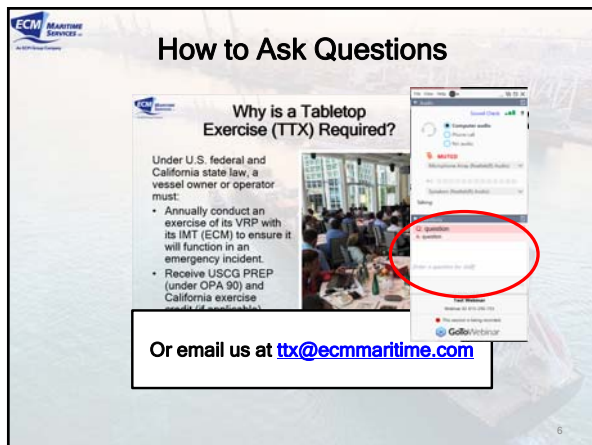
Begin	Running Time	Agenda
0:00	1:15	Interactive IMT TTX
1:15	1:30	Break
1:30	2:00	IMT TTX Continues
2:00	3:00	Regulatory Update
3:00		Closing Remarks

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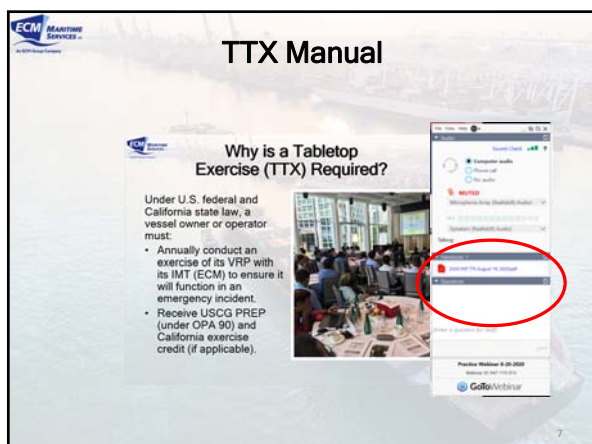
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Administrative Issues



Company Name


If you are representing more than one company, please make sure to notify ECM at txx@ecmmaritime.com so that all your companies get exercise credit.

8

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Administrative Issues



Post-Drill Documents

- Debrief Report
- Certificate
- Self-Certification Letter template
- PREP Core Components
- California Drill Credit Letter will be emailed to you once the materials are ready.

9


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ECM MARITIME SERVICES
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Why is a Tabletop Exercise (TTX) Required?

Under U.S. federal and California state law, a vessel owner or operator must:


- Annually conduct an exercise of its VRP with its IMT (ECM) to ensure it will function in an emergency incident.
- Receive USCG PREP (under OPA 90) and California exercise credit (if applicable).




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California Drill Credit Letters



- ECM conducted a large scale exercise with OSPR in Long Beach on September 2, 2021
- Drill credit letters from California Department of Fish and Wildlife (OSPR) will be forwarded once received



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IMT TTX Topics

Actions taken by the vessel *Actions taken by the ECM as your QI* *Actions taken by your Crisis Management Team* *On-going response issues*

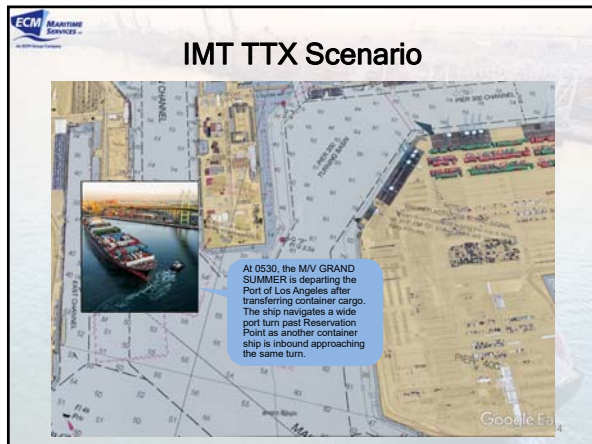


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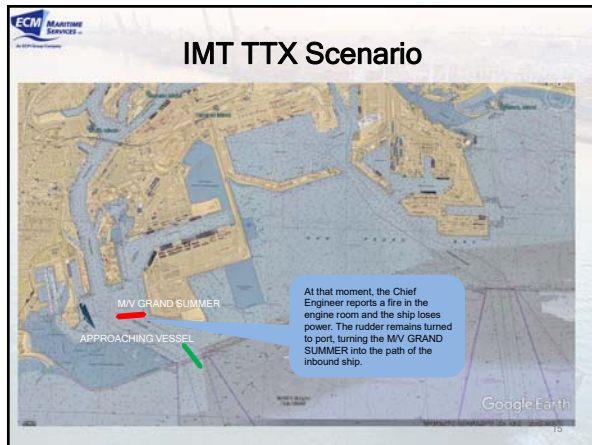
Incident Location - Port of Los Angeles



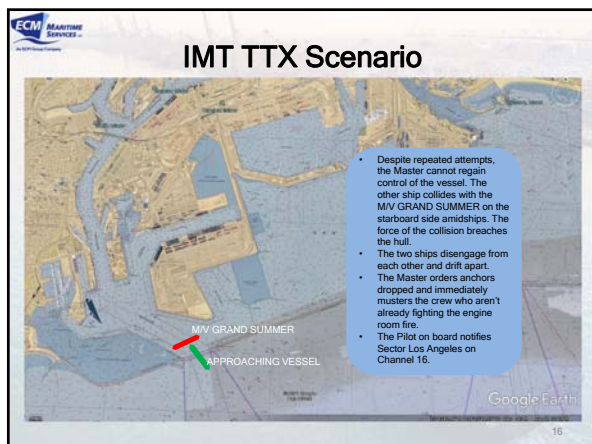
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IMT TTX Scenario

- The Master orders anchors dropped, immediately musters the crew, and initiates emergency response procedures including:
 - Activating the vessel's response plan
 - Conducting a damage assessment
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- An AB reports that the Bosun lost his footing, fell onto a hatch cover, suffered a head injury, and is unconscious.

MV GRAND SUMMER
APPROACHING VESSEL

Google Earth

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IMT TTX Scenario - Hull Breached

MV GRAND SUMMER collision damage

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IMT TTX Scenario

What is the first notification the Master should make?

Call the QI (ECM)!


QI makes all required notifications

QI starts response activities

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Consequences of Improper Notifications




- QI/ECM response may be delayed.
- Third parties (e.g., agents, pilots) may activate non-contracted resources
- USCG could assume responsibility
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Master's Initial Notification to QI (ECM)



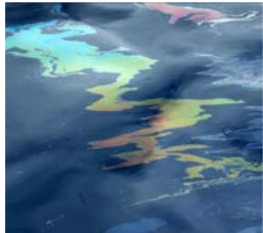
QI confirms actual spill and requests the following:

- Incident time and location
- Vessel name and IMO number
- Personnel injuries, fire or other emergencies
- On-scene weather
- Spill source identified
- Type of oil?

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Master's Initial Notification to QI (ECM)




QI requests additional information:

- Capacity of damaged tanks
- If oil is in the water. If so, how large is the spill?
- Vessel's condition
- Who else has been contacted
- Master's contact information?

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VRP Activation



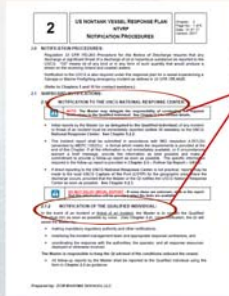
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VRP Notification Procedures



2. Qualified Individual:
(See Chapter 5.2)

3. USCG National Response Center:
(See Chapter 9.2.2)

4. State and Boundary State Agencies:
(See Chapter 9.2.4 & 9.2.5)

5. Local USCG Captain of the Port:
(See Chapter 9.2.3)

6. OSRO:
(See Chapter 9.3)

7. Owner / Operator / Manager:
(See Chapter 10.4)

8. P&I Club, Hull Underwriter:
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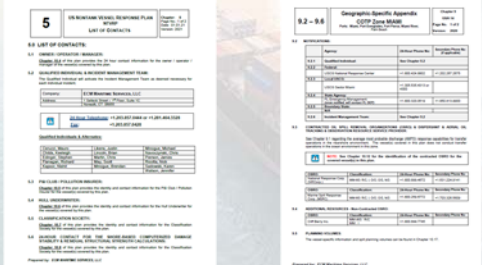
9. Damage Stability / Class Society:
(See Chapter 10.7 & 10.8)

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Master's Contact Information

Chapter 5 of NTVRP **Chapter 9.2 of NTVRP (GSAs)**



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IMT TTX Topics

Actions taken by the vessel

Actions taken by the ECM as your QI

Actions taken by your Crisis Management Team

On-going response issues

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Initial Spill Notifications

M/V GRAND SUMMER allision occurs

Master of GRAND SUMMER Calls ECM (QI) under USCG VRP requirements

Who does the QI immediately notify?

ECM calls USCG NRC, State of California OSPR, local USCG Sector Los Angeles/Long Beach

Who else should the QI notify?

DPA, P&I Club, SMFF, OSRO

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ECM's Initial Actions

- Make required notifications
- Mobilize our IMT to the spill
- Establish coordinated response with USCG and State of California OSPR
- Establish an Incident Command Post (ICP)
- Provide initial briefing at ICP
- Use the Incident Command System for response

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Incident Command System (ICS)

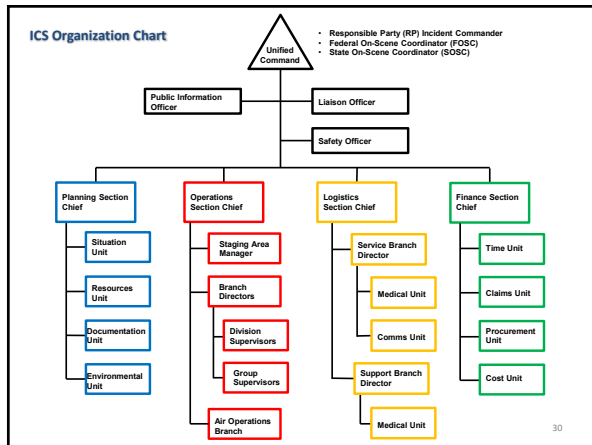



Under U.S. federal and state law, all oil and hazardous substance spills must be managed in a unified manner by the USCG, affected state(s), responsible party QI (ECM) and local government (if applicable) using the ICS. This management structure uses a Unified Command (UC).

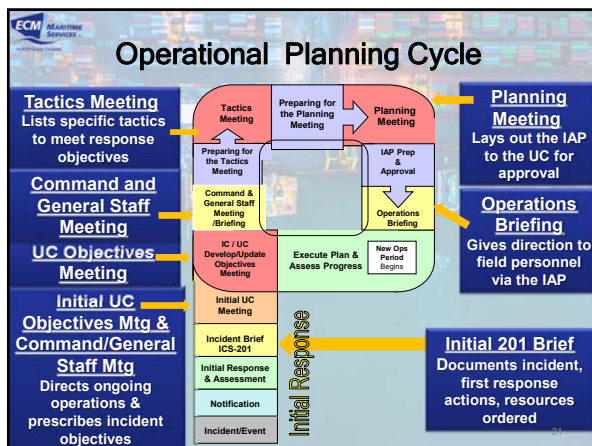
- ICS is based on the principle of "management by objective"
- **No response objective No response action.**

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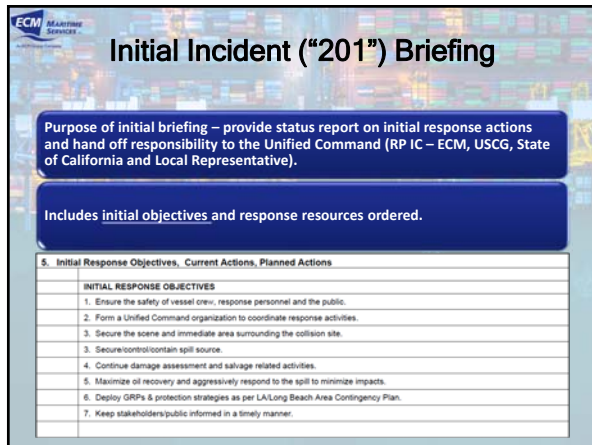
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State of California Expectations




- Make immediate notifications.
- Begin containment, cleanup and removal actions as soon as possible.
- Manage the spill until State and Federal agencies arrive.
- Form a Unified Command.
- Arrange for payment of the spill response.
- Never misreport an oil spill.

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Initial Spill Response Resources



First response assets on-scene in first 2 - 4 hours:

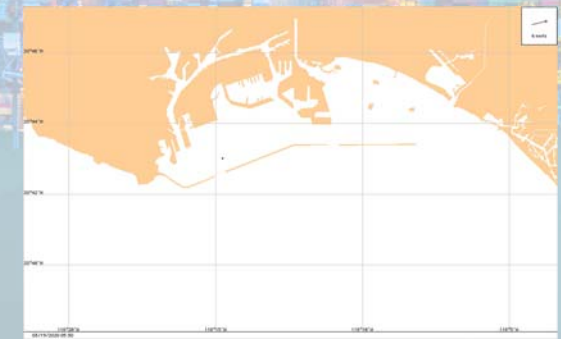
- 7 skimmers
- 26,940' containment boom
- Personnel
- Response Boats
- Response Trailer
- Portable barge
- Tugs (2)

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Trajectory of Fuel Oil Spill in First 48 Hours



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USCG Sector Los Angeles/Long Beach Area Contingency Plan (ACP)

Establishes USCG and state spill response policies & procedures

Identifies geographic specific response strategies to protect environmentally sensitive areas

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Impacted Areas

Inner Harbor

Long Beach Container Terminal

Long Beach Fuel Pier

Google Earth

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Initial Overflight

Legend

- USCG Observations
- Observer On/Off/Downing
- Aircraft Flightpath

Area of overlap and other ships

Area of descent with associated routes and other ships

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SMFF - Notification and Information Needs

QI Immediately notifies SMFF provider so a remote assessment can be done with the Master

SMFF provider needs technical information from the vessel Master or owner/operator including:

- Trim and stability booklet
- Capacity/general arrangement plans
- Ship model, if available
- Vessel loading condition (e.g., cargo, ballast tanks)
- Vessel draft readings
- On-site weather

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Salvage and Marine Firefighting (SMFF) Services

Assessment & Survey

- Notification/consultation
- On-site assessment
- Hull survey

Stabilization

- Emergency towing
- Salvage plan
- Emergency transfer & lightering
- Diving services/support

Other

- Special operations, subsurface removal, heavy lift (if applicable)

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Salvage Plan

Damage assessment underway:

- Vessel is stable in current position
- Breach in hull

Damage plan underway:

• Safety Plan	Environmental conditions
• Refloat Plan	Tow plan
• Engineering assessment	Dive plan
• Temporary repair plan	

CAPACITY PLAN WITH DWT SCALE

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Grand Summer Salvage Plan

- Conduct lightering from #5 & #6 starboard fuel oil tanks
- Conduct dive assessment
- Evaluate topside damage
- Develop temporary repair and patching plan



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Command Post and OSRO Activities



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IMT TTX Topics

<i>Actions taken by the vessel</i>	<i>Actions taken by the ECM as your QI</i>	<i>Actions taken by your Crisis Management Team</i>	<i>On-going response issues</i>
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An Oilfield Services Company

Crisis Management Team Actions

- Assemble Crisis Management Team (CMT).
- Set up emergency operations center, designate roles to interface with Owner, Charterers, Class, P&I, H&M and media. Provide QI with all details.
- Status of oil outflow?
 - What is the Master doing to control the spill source? Internal transfer to minimize loss of oil.
- Activate Ship Emergency Response Service (e.g., ABS RRDA, LRS ERS, Class NK SERS) and advise Master.
 - Keep QI and SMFF provider informed.
- Has an initial Remote Assessment and Consultation been done by the Salvage and Marine Firefighting (SMFF) provider?
 - Information provided by vessel Master is critical to stability calculations.

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Crisis Management Team Actions

- Status of SMFF response?
 - Are they communicating with the vessel and CMT?
 - Are they being provided all necessary information? Who is coordinating operational and contracting issues with the SMFF? With H&M?
 - The QI will coordinate these issues with the SMFF provider and the company.
- Contact media representative, set up webpage and phone number(s) to address concerns from crew's family and public.
 - Develop initial press statement.
 - Develop/distribute statement to Company staff for press inquiries.
 - Provide a copy to QI to review prior to release.

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Crisis Management Team Actions



Drug and Alcohol Testing

- What is the timeframe to conduct alcohol testing and obtain drug samples?
 - 2 hours and 32 hours, respectively.
- Can the Master do drug sampling or is outside assistance required?
 - Agent's role? QI's role?

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Crisis Management Team Actions Required Reports From Master

Required Reporting

- IMO report
 - Must be submitted to Flag
- USCG Form CG-2692 (new)
 - ECM recommends P&I attorney review CG-2692 before submission to USCG.
 - 5 days to submit




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Owner/Operator On-Site Attendance Considerations



- Is the company sending someone to the U.S.?
 - If so, what is their role - technical support, project management, media, incident response, etc.?
- Stay away from the incident command post (ICP) unless you want to engage press - they WILL want to talk to you.
- Your presence in the ICP might raise a question about who is in charge - the vessel owner/operator or QI?
- Appropriate to provide on-site technical support to the Master without becoming directly involved in spill response activities.

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USCG Notice of Designation



U.S. COAST GUARD

Commanding Officer
U.S. Coast Guard Sector
Los Angeles Long Beach
9080 S. Normandie Avenue
Long Beach, CA 90801
Primary Phone: 310-521-3000

“M/V GRAND SUMMER is designated as the source pursuant to the Oil Pollution Act of 1990”

“You are liable for removal costs and damages, as specified in 33 USC 2702.”


“You must advertise the procedures by which persons that have claims for removal costs and damages may submit their claims to you.”

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USCG Captain of the Port Order/Incident Issues

- Activate the Vessel Response Plan including salvage and marine firefighting (SMFF) resources.
- Provide the Captain of the Port with continual updates of the vessel's condition and provide stability calculations ASAP.
- Conduct routine soundings of all tanks and internal structures to monitor further damage and oil loss.
- Conduct an underwater hull survey and provide report to USCG.




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USCG Captain of the Port Order/Incident Issues

- Vessel is **NOT** allowed to move without approval of the Captain of the Port.
- All repairs and/or modifications to the vessel must be completed to the satisfaction of Class and a survey report submitted to the Captain of the Port for review.
- Salvor must submit a proposed repair/salvage/transit plan to USCG for approval prior to vessel movement.
- Los Angeles ship channel is closed to marine traffic.





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P&I Club Initial Roles

- Ensure all notifications and required activations completed
- Assist the vessel and crew
- Address 3rd party claims - establish procedure
- Conduct a thorough investigation
- Support their clients throughout the process

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Social Media Recommendations

Social media from both local citizens and from crew members play an important part in the response.

It is important to control the flow of information, so we are sure the proper information is going out.

Remind crew of social media policy

A media consultant can respond to media questions and monitor what is going on in the media – including social media.

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Social Media Recommendations

Don't release/post photos or videos on any social media platforms.

Don't discuss the response and/or incident on any media platform.

- Direct all questions from the media or public to the JIC, once it is formed.
- Contact your immediate supervisor or JIC if you have any questions.

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Crisis Media Recommendations

- Have a designated media representative BEFORE THE INCIDENT. The following materials should be available for release:
 - Company History & Mission Statement
 - Executive Profiles
 - Drug and Alcohol Policies
 - Commendations for Days Without Incident
 - Safety & Security Management Profiles and Performance

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Crisis Media Recommendations

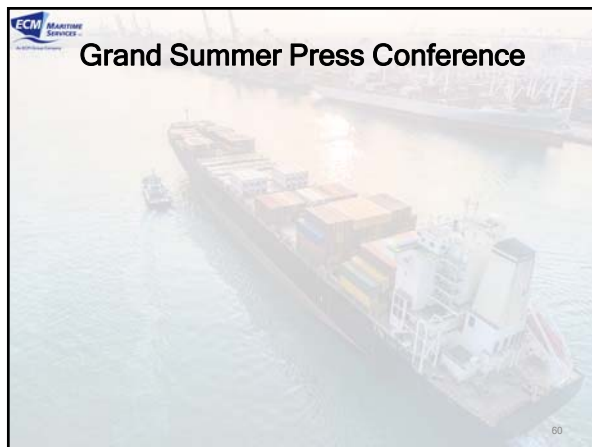
- Press Conference/TV Interviews:
 - Sharp dress and appearance
 - Be well rested
 - Be animated and attentive to the interviewer
 - Answer questions and present message within 30 seconds.



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Grand Summer Press Conference




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IMT TTX Topics

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USCG & State Investigation

The flowchart consists of four blue boxes connected by arrows from left to right. The first box states that USCG and State investigations are separate from spill response activities. The second box states the investigation goal is to determine the cause of the incident to prevent future occurrences, also noting the goal is to determine if there is a criminal element. The third box states that USCG and State investigation teams will board the vessel as soon as practical to begin evidence collection. The fourth box lists evidence collection items: written statements from Master and crew, crew interviews, ship records (logs, VDR data, maintenance records), and oil samples from fuel oil and/or cargo tanks. Below the flowchart is a small image of a control panel.

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Wildlife

Two blue boxes contain text. The left box says: "Recovering and rehabilitating injured wildlife is specialized and labor intensive. It requires experts in the field." The right box says: "Animal survival rates have increased up to 90% when animals are recovered early." Below the text are three small images: a person in a lab coat working with a blue animal, a person in a field with a dog, and a person holding a turtle.

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Natural Resource Damage Assessment (NRDA) - What is it?

The slide features a central graphic with four blue boxes containing text. The top-left box: "NRDA – Regulatory approach that places a monetary value on the environmental damages from a spill." The top-right box: "NRDA is a high priority for states and U.S. government." The bottom-left box: "NRDA monetary damages equal total costs of environmental losses (i.e., wildlife, habitat, public access) until the environment is fully recovered." The bottom-right box: "Very expensive and often exceeds spill cleanup costs." To the right of the text is a small diagram titled "Setting & Recovering Costs: Natural Resource Damage Assessment" showing a flow from assessment to recovery. A small image of a ship is in the background.

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**End of Formal Presentation.
Thank you!**

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Welcome From ECM's President Michael Minogue

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How to Ask Questions

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TTX Manual

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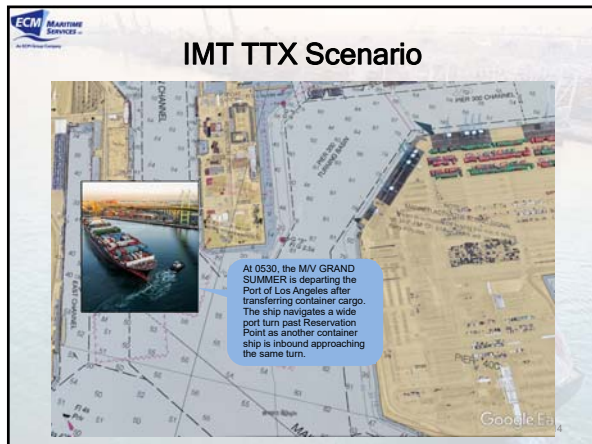


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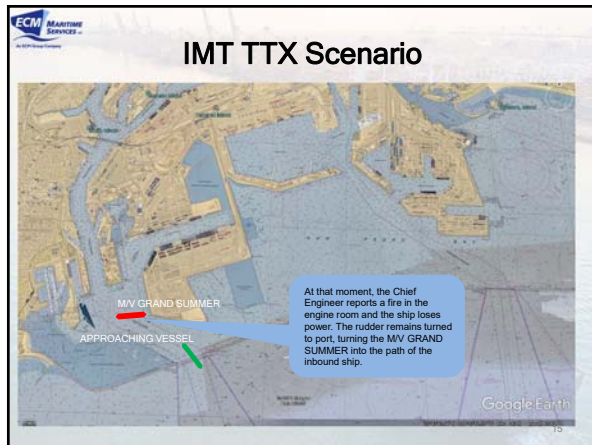
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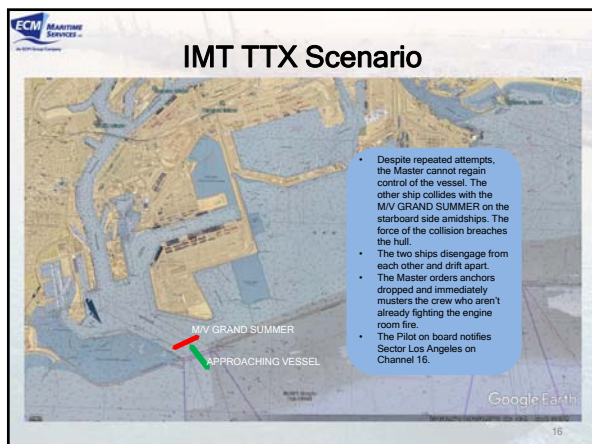
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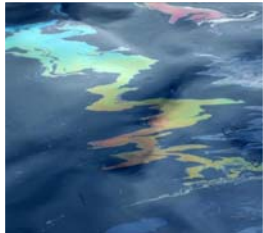
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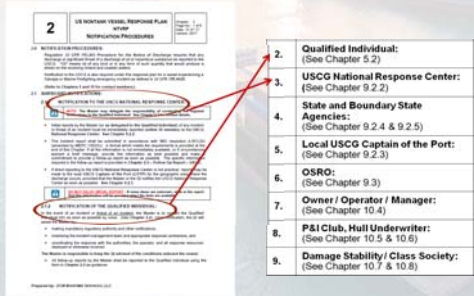
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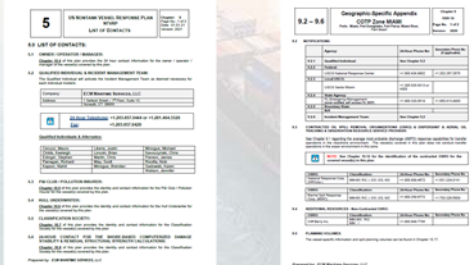
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Master's Contact Information

Chapter 5 of NTVRP **Chapter 9.2 of NTVRP (GSAs)**




5. **US MARITIME VESSEL RESPONSE PLAN**
LIST OF CONTACTS

9.2 - 9.4 **Geographic Specific Appendix**
GSA - Guam

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IMT TTX Topics

*Actions taken
by the vessel*

*Actions taken
by the ECM
as your QI*

*Actions taken
by your Crisis
Management
Team*

*On-going
response
issues*

26

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Initial Spill Notifications

**M/V GRAND
SUMMER
allision
occurs**

**Master of
GRAND
SUMMER
Calls ECM
(QI) under
USCG VRP
requirements**

**Who does the
QI immediately
notify?**

**ECM calls USCG
NRC, State of
California
OSPR, local
USCG Sector
Los
Angeles/Long
Beach**


**Who else
should the QI
notify?**

**DPA, P&I Club,
SMFF, OSRO**




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ECM's Initial Actions



- Make required notifications
- Mobilize our IMT to the spill
- Establish coordinated response with USCG and State of California OSPR
- Establish an Incident Command Post (ICP)
- Provide initial briefing at ICP
- Use the Incident Command System for response



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Incident Command System (ICS)

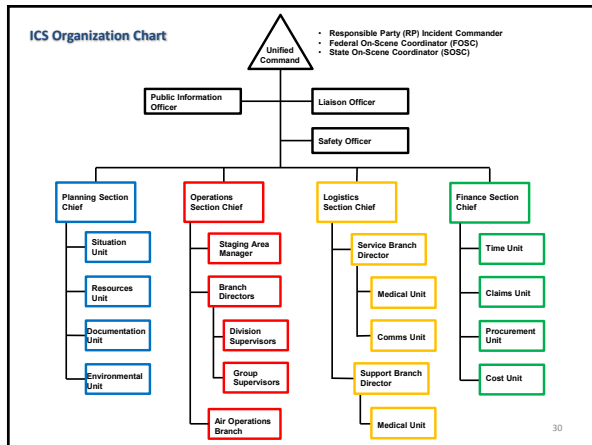



Under U.S. federal and state law, all oil and hazardous substance spills must be managed in a unified manner by the USCG, affected state(s), responsible party QI (ECM) and local government (if applicable) using the ICS. This management structure uses a Unified Command (UC).

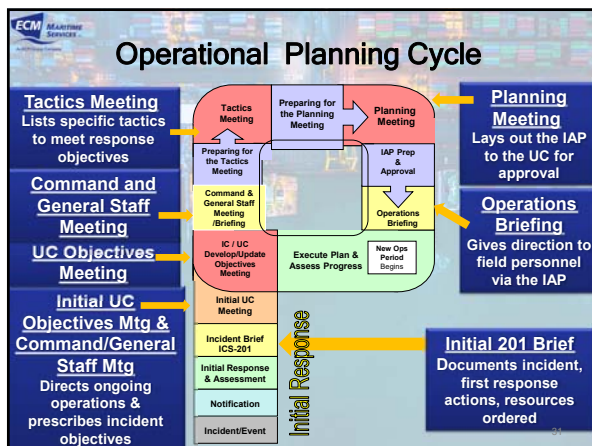
- ICS is based on the principle of "management by objective"
- **No response objective No response action.**

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Initial Incident ("201") Briefing

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Initial Incident ("201") Briefing

Purpose of initial briefing – provide status report on initial response actions and hand off responsibility to the Unified Command (RP IC – ECM, USCG, State of California and Local Representative).

Includes initial objectives and response resources ordered.

5. Initial Response Objectives, Current Actions, Planned Actions

INITIAL RESPONSE OBJECTIVES
1. Ensure the safety of vessel crew, response personnel and the public.
2. Form a Unified Command organization to coordinate response activities.
3. Secure the scene and immediate area surrounding the collision site.
3. Secure/control/contain spill source.
4. Continue damage assessment and salvage related activities.
5. Maximize oil recovery and aggressively respond to the spill to minimize impacts.
6. Deploy GRPs & protection strategies as per LA/Long Beach Area Contingency Plan.
7. Keep stakeholders/public informed in a timely manner.

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State of California Expectations

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ECM MARITIME SERVICES

State of California Expectations




- Make immediate notifications.
- Begin containment, cleanup and removal actions as soon as possible.
- Manage the spill until State and Federal agencies arrive.
- Form a Unified Command.
- Arrange for payment of the spill response.
- Never misreport an oil spill.

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ECM MARITIME SERVICES

Initial Spill Response Resources



First response assets on-scene in first 2 - 4 hours:

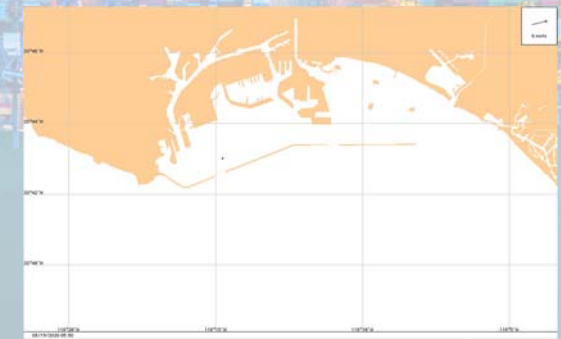
- 7 skimmers
- 26,940' containment boom
- Personnel
- Response Boats
- Response Trailer
- Portable barge
- Tugs (2)

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ECM MARITIME SERVICES

Trajectory of Fuel Oil Spill in First 48 Hours



37

37

USCG Sector Los Angeles/Long Beach Area Contingency Plan (ACP)

Establishes USCG and state spill response policies & procedures

Identifies geographic specific response strategies to protect environmentally sensitive areas

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Impacted Areas

Inner Harbor

Long Beach Container Terminal

Long Beach Fuel Pier

Google Earth

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Initial Overflight

Legend

- USCG Observations
- Observer On/Off/Steering
- Aircraft Flightpath

Area of oil spills and other sheens

Area of debris with associated evidence and other sheens

40

40

SMFF - Notification and Information Needs

QI Immediately notifies SMFF provider so a remote assessment can be done with the Master

SMFF provider needs technical information from the vessel Master or owner/operator including:

- Trim and stability booklet
- Capacity/general arrangement plans
- Ship model, if available
- Vessel loading condition (e.g., cargo, ballast tanks)
- Vessel draft readings
- On-site weather

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Salvage and Marine Firefighting (SMFF) Services

Assessment & Survey

- Notification/consultation
- On-site assessment
- Hull survey

Stabilization

- Emergency towing
- Salvage plan
- Emergency transfer & lightering
- Diving services/support

Other

- Special operations, subsurface removal, heavy lift (if applicable)

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Salvage Plan

Damage assessment underway:

- Vessel is stable in current position
- Breach in hull

Damage plan underway:

• Safety Plan	Environmental conditions
• Refloat Plan	Tow plan
• Engineering assessment	Dive plan
• Temporary repair plan	

CAPACITY PLAN WITH DWT SCALE

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Grand Summer Salvage Plan

- Conduct lightering from #5 & #6 starboard fuel oil tanks
- Conduct dive assessment
- Evaluate topside damage
- Develop temporary repair and patching plan



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Command Post and OSRO Activities



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IMT TTX Topics

<i>Actions taken by the vessel</i>	<i>Actions taken by the ECM as your QI</i>	<i>Actions taken by your Crisis Management Team</i>	<i>On-going response issues</i>
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ECM MARITIME SERVICES
An Oilfield Services Company

Crisis Management Team Actions

- Assemble Crisis Management Team (CMT).
- Set up emergency operations center, designate roles to interface with Owner, Charterers, Class, P&I, H&M and media. Provide QI with all details.
- Status of oil outflow?
 - What is the Master doing to control the spill source? Internal transfer to minimize loss of oil.
- Activate Ship Emergency Response Service (e.g., ABS RRDA, LRS ERS, Class NK SERS) and advise Master.
 - Keep QI and SMFF provider informed.
- Has an initial Remote Assessment and Consultation been done by the Salvage and Marine Firefighting (SMFF) provider?
 - Information provided by vessel Master is critical to stability calculations.

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An Oilfield Services Company

Crisis Management Team Actions

- Status of SMFF response?
 - Are they communicating with the vessel and CMT?
 - Are they being provided all necessary information? Who is coordinating operational and contracting issues with the SMFF? With H&M?
 - The QI will coordinate these issues with the SMFF provider and the company.
- Contact media representative, set up webpage and phone number(s) to address concerns from crew's family and public.
 - Develop initial press statement.
 - Develop/distribute statement to Company staff for press inquiries.
 - Provide a copy to QI to review prior to release.

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ECM MARITIME SERVICES
An Oilfield Services Company

Crisis Management Team Actions



Drug and Alcohol Testing

- What is the timeframe to conduct alcohol testing and obtain drug samples?
 - 2 hours and 32 hours, respectively.
- Can the Master do drug sampling or is outside assistance required?
 - Agent's role? QI's role?

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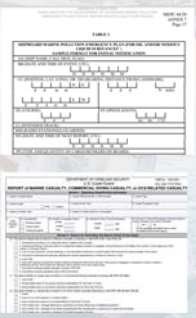
49

ECM MARITIME SERVICES
An Edgewater Company

Crisis Management Team Actions Required Reports From Master

Required Reporting

- IMO report
 - Must be submitted to Flag
- USCG Form CG-2692 (new)
 - ECM recommends P&I attorney review CG-2692 before submission to USCG.
 - 5 days to submit




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An Edgewater Company

Owner/Operator On-Site Attendance Considerations



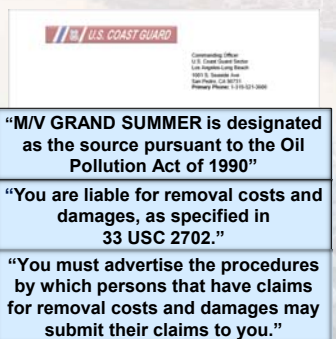
- Is the company sending someone to the U.S.?
 - If so, what is their role - technical support, project management, media, incident response, etc.?
- Stay away from the incident command post (ICP) unless you want to engage press - they WILL want to talk to you.
- Your presence in the ICP might raise a question about who is in charge - the vessel owner/operator or QI?
- Appropriate to provide on-site technical support to the Master without becoming directly involved in spill response activities.

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USCG Notice of Designation



U.S. COAST GUARD

Commanding Officer
U.S. Coast Guard Sector
Los Angeles-Los Angeles
1000 S. Normandie Blvd.
San Pedro, CA 90731
Primary Phone: 310-521-3000

"M/V GRAND SUMMER is designated as the source pursuant to the Oil Pollution Act of 1990"

"You are liable for removal costs and damages, as specified in 33 USC 2702."


"You must advertise the procedures by which persons that have claims for removal costs and damages may submit their claims to you."

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USCG Captain of the Port Order/Incident Issues

- Activate the Vessel Response Plan including salvage and marine firefighting (SMFF) resources.
- Provide the Captain of the Port with continual updates of the vessel's condition and provide stability calculations ASAP.
- Conduct routine soundings of all tanks and internal structures to monitor further damage and oil loss.
- Conduct an underwater hull survey and provide report to USCG.




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USCG Captain of the Port Order/Incident Issues

- Vessel is **NOT** allowed to move without approval of the Captain of the Port.
- All repairs and/or modifications to the vessel must be completed to the satisfaction of Class and a survey report submitted to the Captain of the Port for review.
- Salvor must submit a proposed repair/salvage/transit plan to USCG for approval prior to vessel movement.
- Los Angeles ship channel is closed to marine traffic.





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P&I Club Initial Roles

- Ensure all notifications and required activations completed
- Assist the vessel and crew
- Address 3rd party claims - establish procedure
- Conduct a thorough investigation
- Support their clients throughout the process

55

55

ECM MARITIME SERVICES

Social Media Recommendations

Social media from both local citizens and from crew members play an important part in the response.

It is important to control the flow of information, so we are sure the proper information is going out.

Remind crew of social media policy

A media consultant can respond to media questions and monitor what is going on in the media – including social media.

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ECM MARITIME SERVICES

Social Media Recommendations

Don't release/post photos or videos on any social media platforms.

Don't discuss the response and/or incident on any media platform.

- Direct all questions from the media or public to the JIC, once it is formed.
- Contact your immediate supervisor or JIC if you have any questions.

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ECM MARITIME SERVICES

Crisis Media Recommendations

- Have a designated media representative BEFORE THE INCIDENT. The following materials should be available for release:
 - Company History & Mission Statement
 - Executive Profiles
 - Drug and Alcohol Policies
 - Commendations for Days Without Incident
 - Safety & Security Management Profiles and Performance

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An ECR Group Company

Crisis Media Recommendations

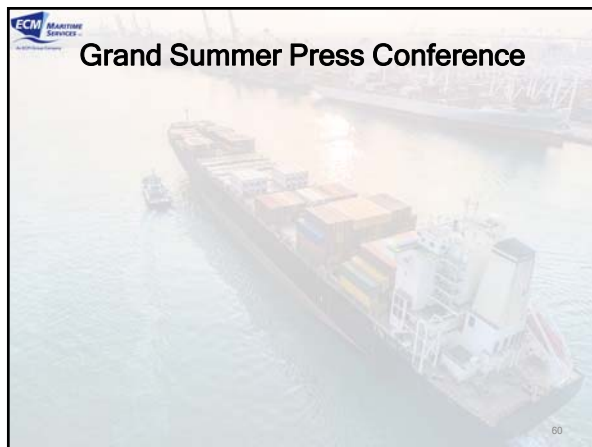
- Press Conference/TV Interviews:
 - Sharp dress and appearance
 - Be well rested
 - Be animated and attentive to the interviewer
 - Answer questions and present message within 30 seconds.



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Grand Summer Press Conference




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An ECR Group Company

IMT TTX Topics

<i>Actions taken by the vessel</i>	<i>Actions taken by the ECM as your QI</i>	<i>Actions taken by your Crisis Management Team</i>	<i>On-going response issues</i>
------------------------------------	--	---	---------------------------------



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USCG & State Investigation

The flowchart consists of four blue boxes connected by arrows from left to right. The first box states that USCG and State investigations are separate from spill response activities. The second box states the investigation goal is to determine the cause of the incident to prevent future occurrences, also to determine if there is a criminal element. The third box states that USCG and State investigation teams will board the vessel as soon as practical to begin evidence collection. The fourth box lists evidence collection items: written statements from Master and crew, crew interviews, ship records (logs, VDR data, maintenance records), and oil samples from fuel oil and/or cargo tanks. Below the flowchart is a small image of a control panel.

62

Wildlife

Two blue boxes contain text. The left box says: "Recovering and rehabilitating injured wildlife is specialized and labor intensive. It requires experts in the field." The right box says: "Animal survival rates have increased up to 90% when animals are recovered early." Below the text are three small images: a person in a lab coat working with a blue animal, a person on a boat with a net, and a person holding a turtle.

63

Natural Resource Damage Assessment (NRDA) - What is it?

The diagram features a central graphic of a ship and a smaller inset diagram titled "Setting & Restoring the Natural Resource Damage Assessment". The inset diagram shows a flow from "1. Assessment" to "2. Assessment and Plan" to "3. Response". Three blue boxes provide key information: NRDA is a regulatory approach that places a monetary value on environmental damages; NRDA is a high priority for states and the U.S. government; NRDA monetary damages equal total costs of environmental losses until the environment is fully recovered. Three grey boxes provide additional details: NRDA is very expensive and often exceeds spill cleanup costs; it may take 10 years or more to settle.

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An ECH Group Company

IMT TTX Topics

Actions taken by the vessel *Actions taken by the ECM as your QI* *Actions taken by your Crisis Management Team* *On-going response issues*

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**End of Formal Presentation.
Thank you!**

66



1




2



3

USCG Vessel Response Plan Submission and Review Timelines

- New VRP submissions = 60 days
- Vessel addition/additional operating area to an existing VRP = 30 days before
- Plans and revisions are reviewed in the order in which they are received.
- USCG COFR = 21 days



4

USCG Vessel Response Plan Submission and Review Timelines




- Imperative to notify ECM of urgent ETAs when adding vessels
- Expedited requests are **not** accepted by the USCG
- A One Time Waiver (OTW) can be used if USCG VRP approval is not issued prior to arrival

5

Electronic Copies

- The USCG allows electronic copies of VRPs, including USCG approved SOPEP/SMPEPs to be kept by all parties and on vessels
- Panama Canal Authority allows vessels and owners to maintain electronic copy of the PCSOPEP
- ECM will provide the California IRAM electronically but as per California regulations a hard copy must be maintained onboard




6

How to Locate USCG VRP Approval Letters

USCG's Homeport Website:
<https://homeport.uscg.mil/missions/vrp-status-board>
Search by Vessel Name or IMO #



7



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Alternative Planning Criteria (APC)

Refer to ECM GD - 05

8

APCs: Western Alaska, Guam, & American Samoa



Western Alaska American Samoa

Guam

9

Western Alaska APC

Vessels operating in or transiting through Western Alaska COTP zone must be covered by an Approved APC



- Vessels operating within 200 nm of the shoreline and not in innocent passage must comply.
- Limiting latitude 47° 50' N
- There are currently 2 USCG approved APCs for Western Alaska

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Western Alaska APC Providers

ALASKA CHADUX NETWORK (ACN)
 COVERS TANK AND NONTANK VESSELS
 INCLUDES ENTIRE WESTERN ALASKA COTP ZONE
 ADDITIONAL INFORMATION AVAILABLE AT WWW.ALASKAOSRO.ORG

1-CALL ALASKA
 COVERS TANK AND NONTANK VESSELS
 INCLUDES ENTIRE WESTERN ALASKA COTP ZONE
 ADDITIONAL INFORMATION AVAILABLE AT WWW.1CALLALASKA.COM


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Western Alaska APC

Vessels enrolled in an APC must also:

- Adhere to the APC OPERATING PROCEDURES
- Obtain USCG approval for any deviation from prescribed routing measures
- Make timely notification of hazardous situation onboard and/or significant speed reduction



NOTE: IMO Areas To Be Avoided (ATBA) involving the Aleutian Islands apply to all vessels even those in innocent passage



12

Guam & American Samoa APC

- TVs & NTVs must arrange a contract with a local oil spill removal organization (OSRO)
- Adhere to any instruction from the local USCG regarding port conditions upon entry
- Obtain VRP approval letter with Guam and/or American Samoa included

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Required Exercises – OPA 90 & California Regulations

Refer to ECM GD - 11

14

SMFF Exercises

SMFF regulations have 3 specific exercises that impact Plan Holders or Vessels:

- 1

Remote Assessment and Consultation (RAC) exercise* initiated by the vessel.
- 2

Annual shored-based salvage management team exercise.
- 3

Annual shore-based marine firefighting management team exercise.

*Refer to ECM Client Alert 24-2018


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RAC Exercises

Who must conduct a RAC Exercise?

- One vessel per planholder must conduct a RAC Exercise once every three years
- Contact your SMFF provider directly for details on conducting the RAC exercise
- Chapter 7.2.6 of the VRP provides an overview of this exercise

NOTE: The RAC exercise may be conducted outside U.S. waters, if desired



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Vessel Required Exercises

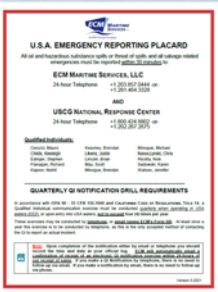
Vessels that are covered in a VRP and/or a California Oil Spill Contingency Plan must conduct the following exercises:

- 1** Quarterly Qualified Individual Exercise
- 2** Quarterly Onboard Emergency Procedures
- 3** SMFF Remote Assessment & Consultation (RAC) Exercise (previously covered)

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ECM Emergency Placard


- ECM Placard indicates Qualified Individual (QI) names
- To be used in the event of any emergency, not just oil spills
- Summary of QI Notification Requirements
- Must be posted on the bridge when operating in US waters



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ECM Emergency Placard Download

- Go to www.ecmmaritime.com
- Click on Notification Placard and Publications
- Download the latest placard



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California Update

Refer to ECM GD-04

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CA Enhanced Oil Spill Penalties


Beginning in 2021, enhanced penalties for:

1. Failure to follow orders during an oil spill.
2. Failure to notify the Coast Guard that a vessel is disabled within one hour and vessel spills oil into marine waters.
3. Knowingly cause or should have known actions could cause an oil spill.
4. Knowingly fail to begin clean-up, abatement, or removal of spilled oil.

Enhanced penalties (if convicted) include:

- \$10,000 to \$1,000,000 for each violation for each day.
- Additional fine of \$1,000 for each gallon of oil spilled in excess of 1,000 gallons.





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CA Unannounced Notification Exercise

- CA Inspectors actively conduct unannounced exercises
- CA Inspectors may provide the master with a pollution scenario to test the master's knowledge of the notification procedures
- Masters should contact ECM immediately for assistance with this exercise
- Required notifications must be completed within 30 minutes
- ECM, once notified, will conduct the required notifications.



22

CA New SMT Regulations



23

CA SMT Requirements

All planholders must identify a certified SMT

Requirements for certification include:

- Minimum number of personnel
- Training of the SMT
- Meet California arrival time requirements
- Conducting oil spill exercises in California



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CA Response Plan Requirements

Tank and nontank vessels must have an approved California Contingency Plan

-Must apply at least **five (5) working days** prior to entering California

• Tank and nontank vessels must have a valid California COFR

-Must apply at least **ten (10) calendar days** prior entering California



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California COFR Requirements

California COFRs are valid for two (2) years

- California COFR applicants are required to submit each vessel's renewed P&I Certificate of Entry/proof of pollution insurance each year to maintain validity
- Failure to do so will result in your COFR(s) being revoked

Note: Non-tank vessel COFR fees increased on October 1, 2021. See Client Alert 14-2021



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Southbound Santa Barbara Channel Transits and Port Hueneme Calls

Southbound Santa Barbara Channel

- NRC (fees apply) requires 24 hour notification
- MSRC (no charge) does not require notification

Port Hueneme

- NRC & MSRC provide Port Hueneme coverage (fees apply)
- Both NRC & MSRC require notification 24 hours in advance


*Please ensure your vessel Masters are only contacting their contracted OSRO



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Ballast Water Exchanges Pacific Coast Region (PCR)

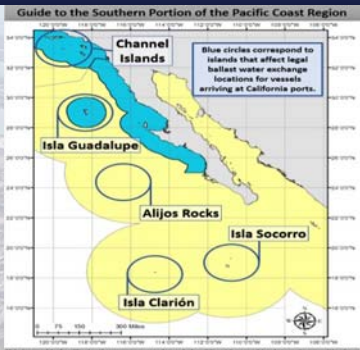
- Arrivals from outside PCR
 - Exchange > 200 NM, 2000 M depth
- Arrivals from within PCR:
 - Ballast water from within PCR – Exchange > 50 NM, 200 M depth
 - Ballast water from outside PCR - Exchange > 200 NM, 2000 M depth



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PCR - Ballast Water Exchanges

Guide to the Southern Portion of the Pacific Coast Region



Blue circles correspond to islands that affect legal ballast water exchange locations for vessels arriving at California ports.

ALWAYS measure distances from outermost island, rock formation, etc.

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California BW Management Penalties

Voyages that originate <u>outside</u> Pacific Coast Region*			
Exchange in waters between 200 NM and 180 NM from land	Exchange in waters between 180 NM and 100 NM from land	Exchange in waters less than 100 NM	No exchange
Up to \$5,000 per tank	Up to \$10,000 per tank	Up to \$20,000 per tank	Up to \$27,500 per tank
Voyages that originate <u>within</u> the Pacific Coast Region*			
Exchange in waters between 50 NM and 45 NM from land	Exchange in waters between 45 NM and 25 NM from land	Exchange in waters less than 25 NM	No exchange
Up to \$5,000 per tank	Up to \$10,000 per tank	Up to \$20,000 per tank	Up to \$27,500 per tank

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California Marine Invasive Species Program (MISP) Fee

- Funds are used to prevent the spread of marine invasive species
- Currently \$1,000 per voyage
 - Voyage is arrival to a California port from outside of California waters
- Can be paid by your agent if authorized. The State of California is sending forms to vessel operators to authorize agents to pay fees
- **Payment can only be made online via the MISP portal**




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California Marine Invasive Species Program Annual Vessel Reporting Form (AVRF)

California's Marine Invasive Species Program Annual Vessel Reporting Form (AVRF) can only be submitted online, via SLC's web portal found at <https://misp.io/>. Email submissions are no longer permissible.

The process includes:

1. Registering on the website
2. Adding the vessel to your account
3. Creating an Annual Vessel Report
4. Answering 17 questions
5. Submitting the report

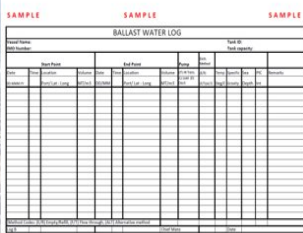
ECM can assist – see Client Alert 21-2020





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Ballast Water Log Requirements: California, Oregon, and Washington

- These states require:
 - Ballast water log/record book showing ballast activities for each ballast water tank
 - The documentation be available onboard for inspection for two years
- Oregon and Washington also require logs/records document the exact time and position of the start and stop of ballast water operations for each tank.



See ECM Client Alert 16-2019



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California Air Resources Board (CARB) Fuel Regulations

- CARB regulations remain in force until further notice
- CARB only permits the use of distillate fuel with a maximum sulfur content of 0.1% within Regulated California Waters (RCW)
- The RCW extends out to 24 miles from the coastal baseline, including islands, rocky outcrops, etc.
- Severe penalties are issued for non-compliance
- **Vessels operating emission control technologies (Scrubbers) must hold a Research Exemption prior calling California. No new exemptions are being issued.**
- Vessels using non-distillate fuels must notify CARB prior calling California



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The slide features the ECM Maritime Services logo (An ECH Group Company) in the top right. On the left, there is a circular inset image of a red buoy with a sea lion resting on it. The background is a faded aerial view of a harbor. The text "Washington Update" is prominently displayed in the center, with "Refer to ECM GD-03" below it.

Washington Update

Refer to ECM GD-03

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State of Washington No Discharge Zone (NDZ)

Effective May 10, 2018 Washington Department of Ecology (Ecology) enacted a new regulation that established a No Discharge Zone (NDZ) in the Puget Sound region

- The NDZ prohibited the release of sewage only (black water) from all vessels, whether treated or untreated

- It covers all marine waters in the Puget Sound region north to the Canadian Border

- The designation of this NDZ had been challenged in court during 2020, as the availability of adequate shore reception facilities was in question. However, on March 1, 2021 the EPA determined that adequate facilities were "*reasonably available.*"



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State of Washington SMT Regulations

Effective July 1, 2021, all vessels calling the state of Washington are required to identify an approved (oil) Spill Management Team.

ECM applied in December 2020. The Washington Department of Ecology reviewed our SMT members for:

- Experience
- Training
- Knowledge
- Availability to respond

ECM was approved in March 2021 as a Spill Management Team in the State of Washington.
No action is required by our clients.



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Emission Control Areas (ECA)

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Emission Control Area (ECA) FONAR Submission, NOx emission

Effective June 30th, 2019 the EPA stopped accepting Fuel Oil Non-Availability Reports (FONAR) via their FOND portal. Vessels are now required to notify the relevant USCG Captain of the Port (COTP). See ECM Client Alert 11-2019 for more details.

Any problems with NOx emission compliance (for Tier III engines) to be reported to the relevant COTP.




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**Emission Control Area (ECA)
EGCS (Scrubbers)**

EGCS (scrubbers) are permitted in open-loop mode in all States with the exception of Connecticut, California and Hawaii.

Vessels using EGCS must ensure that details have been uploaded by the flag administration to the IMO GISIS database before entering the ECA.

Once open-loop EGCS is used in VGP waters (3 miles), vessels must follow annual VGP sampling and analysis protocols (see ECM Client Alert 27-2018).



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**Canada
Update**

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**Canada Ballast Water Regulations
Update**

- Canada has revised their [Ballast Water Regulations \(SOR/2021-120\)](#) to include new requirements for ballast water management when proceeding to designated **Canadian Fresh Waters** for deballasting
- Requirements include ballast water exchanges plus treatment for vessels fitted with BWTS
- Designated Fresh Waters are listed in Canadian Notice TP 13617, along with **Alternate Ballast Water Exchange Areas**.

See ECM Client Alert 9-2021 for more details



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Panama Canal Update

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PCSOPEP Update

- PCSOPEPs to be submitted to the Panama Canal Authority (ACP) at least 96 hours prior to first Canal transit
- ECM automatically makes the PCSOPEP submission on your behalf - No action required by vessel or office
- Electronic Notice of Acknowledgement (NOA) issued by ACP directly to vessel, local agent & ECM prior to first Canal transit, after receipt of vessel's notice of arrival (new procedure for 2021)
- NOA valid for 4 years - ECM will resubmit PCSOPEP prior to expiration of current NOA
- New NOA will be issued prior to next Canal transit, after expiration of existing NOA


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ECM MARITIME SERVICES
An ECM Group Company

USCG Annual PSC Report 2020

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QUALSHIP 21 & E-Zero Programs



To qualify, Flag Administration must:

1. Have 3-yr detention ratio less than 1.00%
2. Be credited with 10+ PSC exams/year for last 3 yrs

Qualifying Flag Administrations (July 2021 – June 2022)

Bahamas	Greece	Norway
Bermuda	Hong Kong	Republic of Korea
Canada	Isle of Man	Saudi Arabia
Cayman Islands	Italy	Singapore
Denmark	Jamaica	Spain
France	Japan	Taiwan
Germany	Marshall Islands	United Kingdom
Gibraltar	Netherlands	

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QUALSHIP 21 Enrolment

Yearly QUALSHIP 21 Enrollment (2016-2020)

Year	Number of Foreign Vessels Enrolled	Number of Foreign Vessels Not Qualified
2016	8,366	1,493
2017	7,931	2,013
2018	8,051	2,213
2019	7,370	2,936
2020	6,959	3,263


QUALSHIP 21 Vessels by Flag Administration*

Flag Administration	Number of Vessels
Marshall Islands	1,106
Liberta*	497
Hong Kong	413
Singapore	396
Bahamas	338
Netherlands	212
Norway	205
Denmark	201
Isle of Man	200
Cayman Islands	21
Bermuda	20
United Kingdom	18
Panama*	14
Germany	10


* Flag Administrations with 20 or less ships enrolled are not listed.

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QUALSHIP 21 & E-Zero Programs




QUALSHIP 21 “E-Zero”



Major update to 16 year old recognition/incentive based program for foreign commercial ships

- Recognizes/incentivizes for **Environmental** Compliance, Performance & Stewardship
- Covers multiple USCG compliance areas from pollution to Right Whale
- Incorporates global performance to determine eligibility (No MARPOL Detentions worldwide)



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Public Availability to be Determined Under E.O. 1.65, § 1.07

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US Ballast Water Management UPDATE

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Compliance option with US Ballast Water Management Regulations

- The Ballast Water Management Final Rule has several options to meet the discharge standard
- A vessel does **NOT** need to install a ballast water treatment system (BWTS) if no ballast discharges occur in US territorial waters (12 mile limit)

Refer to NVIC 1-18 for a full overview



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Options for Compliance



1. No BW Discharge

2. Coast Guard Approved Ballast Water Management System

3. Discharge to Facility Onshore or to Another Vessel for Purpose of Treatment

4. Use only water from a U.S. Public Water System

Two Temporary Compliance Alternatives

1. Alternate Management System (AMS) – Temporary Designation for up to 5 years

2. Receive an Extension to Vessel's Compliance Date - extension period will vary depending upon TA system availability

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The All-Important Compliance Dates

33 CFR 151.2035(b)
Implementation Schedule for Approved Ballast Management Methods

	Vessel's Ballast Water capacity	Date Constructed (Keel laid or eqv)	Vessel Compliance Date
New vessels	All	On or after December 1, 2013	On delivery
Existing vessels	Less than 1500 m ³	Before December 1, 2013	First scheduled drydocking after January 1, 2016
	1500-5000 m ³	Before December 1, 2013	First scheduled drydocking after January 1, 2014
	Greater than 5000 m ³	Before December 1, 2013	First scheduled drydocking after January 1, 2016

Note: Purely recreational vessels are exempt

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Type Approval Status of Ballast Water Treatment Systems (BWTS)

- There are currently 44 BWTS with full USCG type approval
- There are another 4 BWTS currently under review by the USCG MSC, all of which are expected to receive full type approval within the next few months.
- Since 2012, over 60 BWTS have received AMS notation from USCG
- Vessels fitting BWTS must source a type approved unit. AMS units are not permitted unless no type approved unit is available!

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Extensions

- With 44 systems type approved by the USCG, it next to impossible to obtain extensions. An exception has been made for vessels with compliance dates between April 1, 2020 and April 1, 2021 which have faced delays in installation due to COVID 19
- When applying for a non-COVID related extension, you must have a definitive plan with P.O. and contract in place to install a BWTS
- Cost and commercial hardship are not valid grounds to seek an extension!

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Vessels Bound for US waters with Inoperative BWTS


- USCG CVC Policy Letter 18-02 issued in February 2018, to provide comprehensive guidance to vessels and USCG COTPs in such situations (Refer to ECM Client Alert 05-2018)
- It references 33 CFR 151.2040, on procedures for “Discharge of Ballast Water in Extraordinary Circumstances”
- Vessels must maintain BWTS in operational readiness at all times and test the equipment before any voyage involving a US port call
- Report inoperative BWTS asap to the relevant Captain of the Port (COTP), with details of planned remedial action

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Vessels Bound for US waters with Inoperative BWTS (cont)

- Conduct an open-sea exchange en route to the US port
- Follow COTP instructions regarding alternative methods of BW management (Do not discharge any ballast in US territorial waters without clearance from the COTP)
- Same procedure to be followed if BWTS fails inside US waters
- BWMP must contain guidance on above situation
- Instructions from different COTPs can vary considerably

Some COTPs are becoming increasingly strict and intolerant about permitting untreated BW discharges!



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Ballast Water Management Report (BWMR)

- All vessels proceeding to US ports must submit a BWMR using the current form, to the National Ballast Information Clearinghouse (NBIC). A new Ballast Water Management Reporting Form (OMB number 1625-0069, expiration date 31 July 2023) has been issued and must be used by all vessels. Earlier versions are obsolete. Refer to ECM Client Alert 15-2020
- The form can be sent through the NBIC website or via email attachment and should be submitted no later than 6 hours after arrival port
- Vessels not planning to deballast must also submit the form, with the Ballast Water History section left blank
- A pdf copy of the form is to be emailed 24 hours prior arrival to State authorities when calling at ports in California, Oregon and Washington


Note : Fill every section out accurately – a copy of your report gets forwarded to the relevant Coast Guard COTP!

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USCG Enforcement


- Coast Guard inspectors are actively verifying compliance with US regulations
- Vessels found to be discharging ballast in violation of these requirements can be penalized, detained, or both.
- Financial penalties currently average \$5,000 per violation and have been issued for up to \$38,175 under the National Invasive Species Act (NISA)

No vessel has been detained by PSC for a ballast water management violation thus far



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US BWM Standard vs. IMO BWMC




International (IMO) BWM Convention


- Entered into force on September 8, 2017
- Existing vessels will be required to install approved BWTS by the first or second IOPP renewal survey after September 8, 2019 (MEPC 71)
- Newbuild vessels (keel laid after September 8, 2017) must have an approved BWTS installed on delivery


U.S. Ballast Water Management Standard

- No change in legislation. Unaffected by IMO BWMC
- Deadlines remain as previously stated in 33 CFR 151.2035(b)



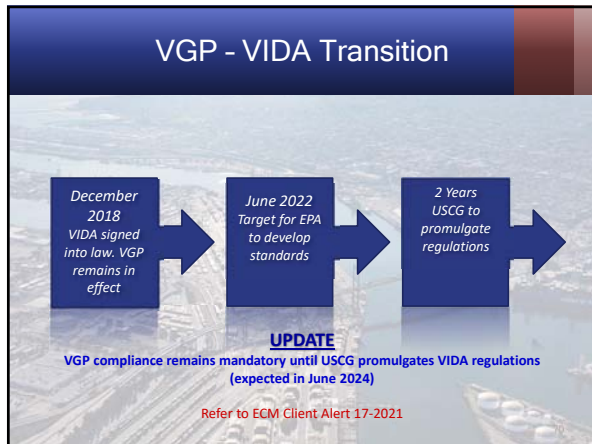
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Vessel General Permit (VGP) and Vessel Incidental Discharge Act (VIDA)

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VGP-VIDA Transition (cont.)


- All Notices of Intent remain valid.
- Area of coverage under VIDA will be extended to 12 miles
- Small vessels and fishing vessels are exempted, **except for ballast water discharges**
- VIDA will be no less stringent than the VGP
- EPA may use best management practices
- Review/revise every 5 years
- May issue emergency orders for invasive species emergencies



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New Developments Under VIDA

- Inert Gas System (IGS) Scrubber wash water may be included (tankers only)
- Enhanced ballast water management requirements for flushing empty tanks
- Vessels entering St. Lawrence River must first exchange and treat ballast. Exchange at >200 miles if arriving from outside EEZ, >50 miles from inside EEZ
- Pacific Region expanded to include EEZ around Hawaii
- Lower border of Pacific Region off US mainland moved further south, from 25N latitude to 20N



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Analytical Monitoring under VGP (Current requirement)


Ballast water

- If discharged into VGP waters through a BWTS
- Sampled during the 12-month period after first such VGP water discharge
- Analysis required on two separate occasions, at least 14 days apart
- If both results within parameters, only one analysis required per 12 months thereafter

Increased monitoring by USCG. Companies have been penalized for non-compliance

Graywater

- New build vessels with a maximum crew capacity of 15 or more
- Analyzed twice per year after first VGP water discharge
- Sampling must be at least 14 days apart




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Analytical Monitoring under VGP (Current requirement) cont.

Exhaust Gas Scrubber (EGS) wastewater:


- Vessels with an NOI and using EGS in VGP waters must analyze wastewater samples twice per year
- The two sampling events must be at least 14 days apart
- If analysis results are within specified parameters during the first year, only one sampling and analysis is required during each subsequent year



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VGP Maintenance for 2021

- Annual Report for 2021 to be submitted to EPA by **February 28, 2022**. All analytical monitoring requires Discharge Monitoring Reports (DMR)s. **Increased monitoring by USCG. Companies have been penalized for non-compliance**
- Notice of Intent (NOI) maintenance – Change of company name, vessel particulars (e.g. name, address, flag, call sign, etc.) requires NOI alterations but last drydocking date does not need to be updated
- Notice of Termination (NOT) to be filed if any vessel holding an NOI is scrapped, sold or transferred
- Drydock Report required if vessel drydocks in 2021



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THANK YOU!

Do you have
any questions?

Contact us at
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