

**COMPLIANCE WITH FEDERAL (USCG) REQUIREMENTS IN ALASKA**

There are not sufficient oil spill response capabilities available to satisfy the national response planning standards in the remote geographic areas of Alaska.

Therefore, vessels (tank/nontank) calling **or** operating and transiting within 200 nm (US Exclusive Economic Zone - EEZ) of Alaska when bound to or departing from a port or place in the US (not on innocent passage) must submit Alternate Planning Criteria (APC). *The APC must be accepted or approved by the USCG.* Vessel owner/operators may enroll in an existing accepted/approved APC or submit their own.

Is your vessel calling a port in Alaska **or** bound to or departing from another port or place in the US?

If **YES**, then you require APC and must follow this checklist (see below). YES ☐

If **NO**, then your vessel is on *innocent passage* and this part of the checklist does **NOT** apply. NO ☐

**WESTERN
ALASKA (WAK)
AND PRINCE
WILLIAM SOUND**

Those vessel owners/operators who have not submitted and obtained approval of their own APC **must** enroll their vessel(s), both Tank and Nontank, in an APC approved by the USCG. There are currently two options to choose from either option 1A or 1B as described below based on your vessel(s) operations. We recommend choosing only one as that is all that is required for the sake of compliance.

[WAK and PWS Map of Subareas](#)

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1 A Enroll in APC with **1-CALL ALASKA** a partnership between National Response Corporation (NRCC) and Resolve Marine Group (RMG). **The 1-Call Alaska APC has been accepted by the USCG and is valid through July 1, 2021.** *Coverage is currently available for **NONTANK** vessels **only** transiting all subareas in WAK as well as the Prince William Sound (PWS) COTP Zone.*

Complete the NRCC Alaska Coverage Addendum to enroll vessels available at: <http://1callalaska.com> and return to: 1CallAlaska@nrcc.com. 1-Call Alaska will issue a Spill Response Contract Certification listing enrolled vessels. An invoice for the annual per vessel fee will be issued when a vessel transits and requires coverage.

The current fee schedule can be found at: <https://1callalaska.com/wp-content/uploads/2018/06/1-Call-Alaska-Rate-Sheet-06.26.2018.pdf>

Coverage is NOT currently available for TANK vessels.

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1 B Enroll in APC with the **Alaska Maritime Prevention & Response Network (AK-MPRN)** also known as the **NETWORK**. *Coverage available for both TANK and NONTANK vessels. Network NONTANK coverage includes all subareas in the WAK and Prince William Sound COTP Zones.*

Complete the online enrollment process (tank/nontank) available 24/7 at: www.ak-mprn.org and return the signed enrollment agreement to enrollment@ak-mprn.org for processing. The Network will issue a *Certificate of Participation*. An invoice for the 12-month per vessel fee will be issued only when a vessel transits and requires coverage or as requested.

The current fee schedule for tank and nontank vessels can be found at: <http://www.ak-mprn.org/resources/enrollment-fees>

*Network TANK coverage includes all the WAK COTP Zone, excluding Cook Inlet. It also does **not** include Prince William Sound. Tank vessels operating in Cook Inlet or Prince William Sound will need to enroll with a local OSRO for coverage and USCG approval in these areas.*

For general inquiries on the Network APC programs, please contact admin@ak-mprn.org or visit www.ak-mprn.org.

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2	<p>Maintain a copy of the APC <i>Certificate of Participation (Network)</i> or the <i>Spill Response Contract Certification (1-Call Alaska)</i>, appropriate operating procedures / vessel master's checklist (tank/nontank), and copy of the USCG approved APC with its accompanying approval letter on board the vessel with the VRP/NTVRP from the chosen APC provider either 1-Call Alaska or the Network.</p> <p>With the exception of the <i>Certificate of Participation (Network)</i> or the <i>Spill Response Contract Certification (1-Call Alaska)</i>, The above documents are available for download from each of the APC provider's websites:</p> <p>1-Call Alaska - https://1callalaska.com/vessel-enrollment/documents/ The Network - http://www.ak-mprn.org/resources/documents</p>	<input type="checkbox"/>	
3	<p>Ensure vessel Master strictly adheres to the applicable APC operating procedures / vessel master's checklist (tank/nontank) when in the WAK or Prince William Sound (PWS) COTP Zones as appropriate provided by the chosen APC provider either 1-Call Alaska or the Network.</p> <p><i>These operating procedures include strict vessel routing and communication requirements that must be followed by vessels enrolled in either of the respective APCs.</i></p>	<input type="checkbox"/>	
4	<p>Provide a copy of the APC <i>Certificate of Participation (Network)</i> or the <i>Spill Response Contract Certification (1-Call Alaska)</i> and Chadux coverage (<i>tank vessels only – see below</i>) to your assigned Client Specialist at O'Brien's as soon as possible.</p> <p><i>This will allow us to request USCG HQ update and re-issue your Approval/IOA with authorization for the WAK and PWS COTP Zones as appropriate.</i></p>	<input type="checkbox"/>	
IMO ATBAs	<p>The IMO Maritime Safety Committee per IMO SN.1/Circ.331 adopted five "Areas to Be Avoided" (ATBA) in the Aleutian Islands to reduce the risk of a marine casualty and resulting pollution. <i>These new ATBAs came into effect on January 1, 2016. All approved APC have incorporated the ATBAs in their operating procedures / vessel master's checklist.</i></p> <p>IMO Areas to Be Avoided – Aleutian Islands</p> <p>ATBA Coordinates and Map</p>		
NOTE	<p>The USCG is actively monitoring vessel AIS data provided by the APC providers to verify compliance and will take enforcement actions on vessels not authorized to transit the WAK COTP Zone or those deviating from the APC operating procedures / vessel master's checklist without notifying them in advance.</p>		

ENFORCEMENT	<p>The USCG has been actively enforcing these requirements for TANK vessels for some time and issued the bulletin below advising that they are actively enforcing the same for NONTANK vessels. <i>The USCG has been issuing civil penalties for non-compliance since January 1, 2015.</i></p> <p>MSIB 01-15 dated January 13, 2015</p>	
ADDITIONAL REQUIREMENTS FOR TANK VESSELS	<p>For TANK vessels operating in the WAK COTP Zone covered by the Network - owners/operators must enroll with Alaska Chadux in addition to enrollment with the Network. A certificate from Alaska Chadux is required for USCG approval of WAK COTP.</p> <p><i>While local OSRO coverage from the Alaska Chadux Corporation (Chadux) is included in the Network APC for NONTANK vessels, it is NOT for TANK vessels.</i></p>	
1	<p>Contact Alaska Chadux Corporation to obtain coverage for <i>TANK</i> vessel operations/transit within the WAK COTP Zone.</p> <p>Chadux (admin@chadux.com) +1 907 348 2365 (www.chadux.com)</p> <p><i>NONTANK Vessels may disregard this step.</i></p>	<input type="checkbox"/>



SOUTHEAST ALASKA (SEAK)	For those vessel owner/operators who have not submitted and obtained approval of their own APC, the following additional actions are required for TANK and NONTANK vessels in order to comply with federal (USCG) requirements when operating or transiting in Southeast Alaska:	
1	Obtain a contract with the local Oil Spill Removal Organization (OSRO): SEAPRO (info@seapro.org) +1 907 225 7002 (http://www.SEAPRO.org)	<input type="checkbox"/>
2	Provide evidence of local OSRO coverage to your O'Brien's assigned Client Specialist.	<input type="checkbox"/>
3	O'Brien's submits an APC request to Sector Juneau (COTP SEAK) in accordance with CG-543 Policy Letter dated August 12, 2009. (<i>Not required for Nontank vessels</i>)	<input type="checkbox"/>
4	O'Brien's submits a plan revision to add the SEAK COTP Zone to USCG HQ for review and requests issuance of an updated approval letter.	<input type="checkbox"/>
5	USCG HQ issues authorization to operate in the SEAK COTP Zone upon receiving concurrence from Sector Juneau that the APC submission is acceptable. (<i>Concurrence from SEAK is not required for Nontank vessels</i>).	<input type="checkbox"/>
<i>While the USCG has a 90-day regulatory review period for APC, it is recommended that vessel owner/operators commence this process at least 30 days in advance of a vessel's intended operations in the SEAK COTP Zone to ensure the vessel will obtain authorization prior to arrival.</i>		
TANK VESSELS	All TANK vessels calling the SEAK COTP Zone will need to adhere to the guidelines established in MSIB 01-10 issued by COTP SEAK as conditions of APC approval:	
1	No transfer operations outside of 12 miles.	<input type="checkbox"/>
2	Have a contract in place with the local OSRO.	<input type="checkbox"/>
3	Have a 72-hour response agreement with an OSRO classified with offshore and open-ocean capability. <i>Those that have MSRC or NRCC listed in the VRP meet this requirement.</i>	<input type="checkbox"/>
4	Carry 10 bales of sorbent pads in addition to other required oil spill equipment.	<input type="checkbox"/>
5	Submit a 96-hour Advance Notice of Arrival prior to entering COTP SEAK.	<input type="checkbox"/>
6	Provide immediate notification of marine casualties within 200 miles of shore to COTP SEAK.	<input type="checkbox"/>
7	No servicing or repairs while underway outside of 12 miles that affect propulsion, other than emergencies, without prior notification to COTP SEAK.	<input type="checkbox"/>

COMPLIANCE WITH STATE REQUIREMENTS IN ALASKA

All vessels calling Alaskan ports or Alaska waters (0-3 nm) must also have an active Alaska Oil Discharge Prevention and Contingency Plan (AK ODPCP) and an AK Certificate of Financial Responsibility (AK COFR) issued by the Alaska Department of Environmental Conservation (ADEC).		
<i>For an AK ODPCP to be approved by ADEC a contract with a local OSRO is also required.</i>		
NONTANK VESSELS	O'Brien's is designated as a Response Plan Facilitator (RPF) and Incident Management Team (IMT) in the state of Alaska. This allows us to make arrangements for local OSRO coverage and apply for your AK ODPCP using a streamlined process. We can also assist in arranging the AK COFR.	
1	Coverage with the appropriate local OSRO (Region 1 – SEAPRO / Regions 2-9 Chadux). <i>Must be renewed each calendar year for your plan to remain active.</i>	<input type="checkbox"/>
2	Nontank Streamlined Alaska Oil Discharge Prevention and Contingency Plan (AK ODPCP) <i>Must be submitted at least 5 business days prior to operating in AK waters.</i>	<input type="checkbox"/>
3	Alaska Certificate of Financial Responsibility (AK COFR) <i>Applications must be received by ADEC at least 15 calendar days prior to operating in AK waters. Letter of Unanticipated Circumstances is required if less than 15 calendar days.</i>	<input type="checkbox"/>
For more information or assistance in arranging compliance with the items listed above please contact us at:		alaska@wittobriens.com
EXCEPTION	For vessels, NONTANK and TANK , calling Red Dog (Kivalina), AK, all operations are conducted <u>outside of 3nm</u> and therefore compliance with AK State requirements are not required. Only compliance with the federal (USCG) requirements described in this checklist apply which includes APC enrollment and local OSRO coverage.	



TANK VESSELS	While similar requirements apply to TANK vessels operating in AK, there is no streamlined process for obtaining an approved AK ODPCP. <i>For a TANK vessel, the process for Owner/Operators to obtain their own approved AK ODPCP from ADEC is very time consuming (180+ days) and very expensive (\$100K+).</i>	
	Most TANK vessels calling or operating in AK waters do so on "Spot Charter." ADEC allows charterers who hold a valid AK ODPCP to spot charter vessels to their terminal facilities by issuing a conditional and temporary (2-3 week) "Spot Charter Approval."	
<i>Note: TANK vessels on "Spot Charter" are subject to specific communication schedules, notification requirements and navigational routing as prescribed in the chartering agreement. These additional voyage specific requirements can cause confusion for Masters as they often require a deviation from the procedures described in the USCG approved VRP.</i>		
CHARTERER'S REQUIRED ACTIONS	The Charterer, as the state contingency plan holder, assumes the responsibility for the vessel satisfying the State of Alaska compliance requirements and the costs of these arrangements are typically addressed in the chartering agreement with the Owners.	
1	The Charterer obtains "Spot Charter" approval from ADEC	<input type="checkbox"/>
2	The Charterer obtains AK COFR from ADEC	<input type="checkbox"/>
3	The Charterer obtains local OSRO coverage for operations through their existing relationship with a local OSRO	<input type="checkbox"/>
<i>These approvals, coverages and documents are conditional and ONLY remain valid for the specified time period which is routinely only a 2-3-week window suitable for a single voyage.</i>		
OPERATOR'S REQUIRED ACTIONS	The Operator must coordinate and confirm the above arrangements are in place with the Charterer and/or Owners directly. <i>O'Brien's is NOT involved in arranging compliance with the State of AK requirements for TANK vessels on "Spot Charter."</i>	
1	Confirm State of AK requirements have been or are being satisfied by the Charterer/Owner.	<input type="checkbox"/>
2	Obtain and provide evidence of local OSRO coverage to your assigned O'Brien's Client Specialist to submit to USCG HQ.	<input type="checkbox"/>
3	Depending upon the classification of the identified local OSRO, the Operator may also be required to enroll in APC as described on page 1 of this checklist.	<input type="checkbox"/>
O'BRIEN'S REQUIRED ACTIONS	The following actions will be taken on the USCG (Federal) Plan Holder's or Operator's behalf by O'Brien's:	
1	O'Brien's revises Appendix B to include the conditional local OSRO details.	<input type="checkbox"/>
2	O'Brien's submits a VRP revision to USCG with evidence of the local OSRO coverage.	<input type="checkbox"/>
3	O'Brien's forwards the updated USCG (Federal) VRP Approval Letter or Interim Operation Authorization (IOA) upon issuance from USCG HQ.	<input type="checkbox"/>

TANK VESSEL COVERAGE AREAS	Tank vessels that are approved for transit and operation in Cook Inlet through coverage with CISPRI, or for Prince William Sound through coverage with Alyeska/SERVs, are <i>not</i> automatically approved for transiting other areas of the WAK COTP unless separate coverage is in place with The Network and Alaska Chadux.
	If the tank vessel will be transiting within the WAK COTP en route to Cook Inlet or Prince William Sound, additional coverage and USCG approval is needed. See the section above on Compliance with Federal (USCG) Requirements above. Transit Area Map of WAK and PWS COTP Zones