



İstanbul :

Sayı  
Our Reference: 2025

13.05.2015

Konu  
Subject :**Amerika Deniz Ticaret Odası Nisan Ayı Raporu Hk.**

Sirküler No: 367/2015

Sayın Üyemiz,

**İlgi:** Uluslararası Deniz Ticaret Odası'ndan (ICS) alınan 06.05.2015 tarih ve ICS(15)25 sayılı yazı ve Eki.**İlgi yazıda, ICS Üyeleri, Amerika Deniz Ticaret Odası'ndan (Chamber of Shipping of America - CSA) alınan, yazı Ekindeki raporu dikkate almaya davet edilmektedirler.**

Amerika Deniz Ticaret Odası'nın en son aylık raporu ekte sunulmaktadır. Rapor aşağıdaki hususları içermektedir:

1. ABD Sahil Güvenlik Komutanlığı'nın (USCG) Müdahale Uygulamasına Ulusal Hazırlık (National Preparedness for Response Exercise Program-PREP) Programı ile ilgili olarak önerilen kuralları hakkında CSA'nın yaptığı yorumlardan bir özet. CSA'nın görüşleri temel olarak aşağıdaki hususları kapsamaktadır: makul, etkili ve verimli bir döküntü müdahale tatbikat programı; eğitim ve tatbikat sıklığının orijinal PREP ana esaslarında kararlaştırılanın ötesinde genişletilmesi ihtiyacının ele alınması; döküntü müdahalesi ile ilgili tüm haberleşmeler için havuz ve koordinatör olarak Nitelikli Bireylerin (QI) ve Olay Müdahale Ekibi'nin (Incident Response Team – ICT) desteklenmesi.
2. Ulusal Okyanus ve Atmosfer Yönetimi (National Oceanic and Atmospheric Administration - NOAA), San Francisco yakınlarında gemilerin balinalara çarpma risklerini azaltmak için, 1 Mayıs - 15 Kasım 2015 tarihleri arasında geçerli olacak olan ihtiyari bir gemi hızı sınırlamasını (VSR) yayınlamıştır. CSA, VSR'ye uyumun talep edildiği bir NOAA yazısını yinelemektedir.

Bilgilerinizi arz ve rica ederiz.

Saygılarımızla,

Murat TUNCER  
Genel Sekreter**EKLER:**

Ek-1: İlgi yazı ve Eki

**DAĞITIM:****Gereği:**

- Tüm Üyelerimiz (Web Sayfasında)
- Türk Armatörler Birliği
- S/S Gemi Armatörleri Motorlu Taş. Koop.
- Vapur Donatanları ve Acenteleri Derneği
- 22,24,25,27,28,29 No.'lu Meslek Komite Bkş.
- İMEAK DTO Şubeleri
- Türk Uzakyol Gemi Kaptanları Derneği
- Gemi Sahibi Firmalar

**Bilgi:**

- Ulaştırma, Denizcilik ve Haberleşme Bakanlığı  
Deniz ve İçsular Düzenleme Genel Müdürlüğü
- Sn. Sefer KALKAVAN  
TOBB DTO'ları Konsey Başkanı
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6 May 2015

ICS(15)25

**TO: ALL FULL AND ASSOCIATE MEMBERS**

**Copy: Shipping Policy Committee  
Marine Committee  
Environment Sub-Committee**

## **US DEVELOPMENTS - APRIL 2015**

***Action required: To note the attached report from the Chamber of Shipping of America (CSA).***

**Attached at Annex A**, please find the monthly report from CSA for April 2015.

The report contains:

1. An extract from CSA comments to the U.S. Coast Guard (USCG) on its proposed National Preparedness for Response Exercise Program (PREP) guidelines. Key points made within the CSA comments include: support for a reasonable, effective and efficient programme of spill response drills; questioning of need to expand the frequency of exercises and drills beyond what was agreed in the original PREP guidelines; and, support for the QI and Incident Response Team (ICT) as the repository and coordinator for all communications relevant to spill response.
2. News that the National Oceanic and Atmospheric Administration (NOAA) has issued a voluntary vessel speed restriction (VSR) in the approaches to San Francisco, effective from 1 May to 15 November 2015, to mitigate the risk of ship strikes against whales. CSA reproduces the letter from the NOAA in which the request to comply with the VSR is made.

Joe Francombe  
Policy Officer



**MONTHLY REPORT FOR THE INTERNATIONAL CHAMBER OF SHIPPING**  
**FOR APRIL 2015**

**NOTE TO THE READER:** References to the Federal Register may be found at <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>. Please note new address and format for Federal Register retrieval due to upgrade in US government website.

References to legislation may be found at <http://thomas.loc.gov/> by entering the bill number (HR 802, S 2841) in the "search bill text" block found at the center of the page.

**National Preparedness for Response Exercise Program (PREP) Guidelines –  
CSA Comments to the Docket USCG-2011-1178**

In late April, CSA submitted comments to the USCG on their proposed PREP Guidelines. The PREP guidelines are meant to supplement the regulatory requirements relating to spill planning and exercise requirements. Relevant portions of our comments are provided below. Additional comments on specific portions of the guidelines were also included but are too lengthy for inclusion here. A copy of the full comment letter is available from [kmetcalf@knowships.org](mailto:kmetcalf@knowships.org)

**[START QUOTE]** Fundamental to our members' approaches to vessel operations is the basic tenet that one casualty is one casualty too many but where a casualty does occur, timely and effective response to mitigate the impacts of this casualty are paramount. This fundamental principle is particularly true when a casualty occurs which results in a release of oil to the marine environment.

Another basic principal related to optimizing human performance in even the simplest system is that practice makes perfect. As the system becomes more complex and multi-faceted as is the case with spill response, practice in the form of drills of all types and levels serves the critical purpose of making certain the performance of all parts of the system including individuals is optimized. With this in mind, the industry fully supports a reasonable, effective and efficient program of spill response drills of all types to ensure the critical parts of the system perform as expected and the individuals involved in the spill response team, both public and private sector, operate as a team to ensure what the public deserves – an effective and timely response during a casualty.

With this in mind, drill schedules must necessarily be tempered with the recognition that many critical components of the spill response system in both the public and private sector, have other critical missions to perform outside the spill response system, and thus any drill schedule that significantly reduces the effectiveness of those components in these other critical missions is neither reasonable or supportable.

Since the early development of OPA 90 and its implementation, it has been accepted that PREP is a critical program that outlines the course of actions a company can follow to ensure compliance with regulatory and statutory requirements which is accomplished through both internal and external exercises. In fact, every component of the spill response infrastructure, both public and private, benefits most from first insuring internal competences through, for



which facilitate training of shore side personnel and then bringing both public and private components of the spill response structure together in an exercise that insures the spill management team and Unified Command work as one.

PREP, in its original form, laid out a concise guideline that all participants could and did follow, as evidenced by spill responses to real casualties since its inception, at least as regards performance relative to vessel spills. We recognize that some of the changes contained in the proposed PREP guidelines are required by statute and regulation, e.g. salvage and marine firefighting. However, there is little or no historical evidence, at least as regards spill response relative to spills resulting from a vessel casualty, that expanding the frequency of exercises and drills beyond what was agreed in the original PREP guidelines would be productive and in fact an argument could be made such an expansion would be counterproductive by placing an undue burden on available resources.

While we will address specific provisions of the guidelines relative to drill frequencies below, we note that taken to the extreme in interpretation of some of the unclear sections, given the fact that there are 35 COTP zones and that each of these zones must conduct 4 drills per year, nationally 140 drills per year (11-12 drills per month) of varying intensity (GIUEs and/or full scale area drills with equipment deployment) will be required. Aside from overstressing the emergency response system to the point of failure, we would strongly suggest that better response preparedness is achieved by the conduct of a far fewer number of well planned, comprehensive drills with oversight and feedback to participants. It must be recognized that vessel shore side staff and ship-based crew as well as government agencies including the USCG, have other and frankly, more important responsibilities than perpetual drilling for spill response scenarios. At the frequency proposed, it is difficult to imagine how there would be sufficient time to perform these responsibilities which address the primary mission of safe and environmentally responsible transportation of cargoes.

One last fundamental principle in spill response planning is the ideal relationship among the private stakeholders. The QI and Incident Response Team (ICT) is the "hub" of the response structure and is the critical link between the vessel response plan holder, the vessel Master/crew and service providers. To avoid cross communications during an event, the ICT should be the repository and coordinator for all communications to avoid the situation where service providers are communicating directly with the vessel Master unless that communication has been properly directed by the ICT. [END QUOTE]

### **NOAA Issuance of Voluntary Vessel Speed Reductions in the Approaches to San Francisco, California (USA)**

Notwithstanding recommendations provided by a working group in 2012 to move towards dynamic management areas established by real time whale sightings, NOAA has issued a voluntary vessel speed restriction (VSR) effective from May 1, 2015 to November 15, 2015 for the San Francisco Traffic Separation Scheme (TSS) within the Cordell Bank, Gulf of the Farallones and Monterey Bay National Marine Sanctuaries to mitigate the risk of ship strikes for whales protected under the Endangered Species Act, the Marine Mammal Protection Act and the National Marine Sanctuaries Act. The recommended voluntary VSR to reduce speed to 10 knots in the above referenced areas applies to all vessels of 300 gross tons and above. Relevant portions of the letter including the request for vessel crews to report whale sighting is as follows:

to protect endangered whales that annually migrate to this area in summer and fall to feed within the sanctuaries. The combination of commercial shipping traffic, migratory whale routes and concentrations of whales in feeding areas, increases the risk of ship strikes to whales that can result in serious injury or death to whales. Between 1988 and 2012, there were 100 documented large whale ship strikes along the California coast.

NOAA's National Marine Sanctuaries is moving to this type of fixed-date voluntary VSR in order to:

- 1) Reduce vessel strikes and the lethality of strikes to threatened and endangered whales in the marine sanctuaries;
- 2) Establish predictable start and end dates for industry that bracket peak periods of whale abundance in the sanctuaries; and
- 3) Address the lack of fine scale, real-time data documenting shifting distribution and abundance of whales in the area.

NOAA is committed to the long-term protection of the nationally significant marine resources of the sanctuaries by enhancing marine safety and environmental awareness in the maritime community. During the VSR, NOAA will be monitoring AIS to assess the industry's commitment to this effort. We encourage vessel crews to report whale sightings to [whales@noaa.gov](mailto:whales@noaa.gov), or through the Whale Alert App. Your support of the voluntary 10 knot vessel speed request during whale season will help reduce strikes and protect whales within the national marine sanctuaries. **[END QUOTE]**

It is important to note NOAA's statement that it will be monitoring vessel speeds via AIS which although not stated, suggests that failure of vessels to comply with the voluntary 10 knot speed restriction may result in a formal rulemaking to make mandatory these speed restrictions at a later date in time.