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MAJOR ISSUES OF THE MONTH

USA, EPA - National Pollutant Discharge Elimination System

EPA has done in recent years a lot of work concerning Pollutant Discharge Elimination. Currently work for the Vessel General Permit (for vessels above 79 feet) is in the draft stage however a [recent update](#) has been released on the subject.

Briefly EPA is about to issue a Vessel General Permit (VGP) regarding 28 kinds of potential pollutants from each vessel. Each company operating vessels in US area has to accommodate controls for all these pollution sources. Final regulations are about to be published soon and a final date of December 19th 2008 has been

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released for implementation, however we have to watch out for updates as soon as they become available.

IMO CONTACT POINTS UPDATE

IMO - MSC-MEPC.6/Circ.4 (ANNEX 2 for SOPEP / SMPEP)

IMO has issued the latest ([SOPEP Contact points updated as of 30/9/2008](#)) List Of National Operational Contact Points Responsible For The Receipt, Transmission And Processing Of Urgent Reports On Incidents Involving Harmful Substances, Including Oil From Ships To Coastal States. This information enables compliance with Regulation 37 of MARPOL Annex 1 and Regulation 17 of MARPOL Annex II which, inter alia, require that the shipboard marine pollution emergency plans for oil (SOPEP) and/or noxious liquid substances (SMEP) shall contain a list of authorities or persons to be contacted in the event of a pollution incident involving such substances.

IMO NEWS

IMO – World Maritime Day

The IMO issued a [news release](#) noting commemoration of World Maritime Day. This year's theme is IMO: 60 years in the service of shipping, in recognition of the 60th anniversary of the adoption of the IMO Convention.

IMO – Newsletter

The IMO issued the latest edition of the [IMO News](#). This edition includes articles on the following topics, among others: reducing GHG emissions from ships; the Wreck Removal Convention; and summaries of recent sessions of various IMO committees.

IMO – AFS Convention enters into force

The IMO issued a [news release](#) reminding the maritime community that the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (AFS Convention) enters into force on 17 September 2008. Organotin compounds may not be applied to the hulls of ships subject to the Convention. Ships that already have organotin coatings must either have the coating removed or have a sealant applied over the coating so that it may not leach into the water.

IMO – Bunker delivery notes and fuel oil samplings

The IMO issued a circular ([MEPC.1/Circ.623](#)) forwarding a communication received from the Government of the United Kingdom concerning notes of protest related to bunker delivery notes and fuel oil samplings under MARPOL Annex VI received by the UK Maritime and Coastguard Agency (MCA) from January 2008 to June 2008.

IMO – Casualty Investigation Code

The IMO issued a circular ([MSC-MEPC.3/Circ.2](#)) forwarding the Casualty Investigation Code adopted by the Maritime Safety Committee and the Marine Environment Protection Committee. The Code officially comes into effect on 1 January 2010, but members are invited to start implementing the Code immediately on a voluntary basis.

IMO – Invitation to report disposal at sea of wastes and other matter

The IMO, on behalf of the London Convention, issued a circular ([LC-LP.1/Circ.22](#)) inviting Parties to the Convention to report on the activities of the Party related to disposal at sea of wastes and other matter for 2007.

IMO – Fixed aerosol fire-extinguishing systems

The IMO issued a corrigendum to its earlier circular ([MSC.1/Circ.1270/Corr.1](#)) regarding guidelines for the approval of fixed aerosol fire-extinguishing systems equivalent to fixed gas fire-extinguishing systems.

NATIONAL ADMINISTRATION AND PORT STATE CONTROL NEWS

Australia, AMSA – Bunkers Convention

The Australian Maritime Safety Authority (AMSA) issued a notice ([Marine Notice 16/2008](#)) stating that the Government of Australia has enacted legislation to give effect to the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001. Subordinate legislation will now be prepared. Once that is completed, the Government will formally ratify the Convention, which is expected to enter into force for

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Australia in early 2009.

Australia, AMSA – MARPOL Annex IV – sewage

The Australian Maritime Safety Authority (AMSA) issued a notice ([Marine Notice 17/2008](#)) reminding owners, operators, and masters that the requirements of MARPOL Annex IV relating to prevention of pollution by sewage from ships comes into effect on 27 September 2008 for all ships engaged on international voyages of 400 gross tonnage and above and ships of less than 400 gross tonnage certified to carry more than 15 persons.

Australia, AMSA – Accession to Oil Spill Protocol

The Australian Maritime Safety Authority (AMSA) issued a [media release](#) stating that Australia has adopted legislation to accede to the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage. The Protocol increases the maximum amount of compensation from covered oil spills to \$1.3 billion.

European Commission – Estonia and UK lagging on port security legislation

The European Commission (EC) issued a [press release](#) stating that it decided to refer to the Court of Justice the matter of proceedings against Estonia and the United Kingdom for failing to transpose the European legislation on enhancing port security into national law within the set time limit. In both member states, the definitive transposition measures are in preparation but have not yet been finally adopted.

Singapore, MPA – Bunker Convention

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No 26 of 2008](#)) reminding owners and operators of Singapore ships that the Bunker Convention comes into force on 21 November. Ships registered in nations party to the Convention or calling at ports of nations party to the Convention must carry Bunker Convention Certificates. Owners and operators of Singapore ships are advised to apply early for such certificates.

Singapore, MPA – MARPOL Annex I & IV issues

The Singapore Maritime and Port Authority (MPA) issued a circular ([Shipping Circular No 27/2008](#)) reminding owners and operators of Singapore ships and other members of the maritime community that Singapore laws and regulations have been amended recently to conform to changes to MARPOL Annexes I and IV regarding prevention of pollution. The Annex I amendment relates to provision by ports of reception facilities for waste from tankers while Annex IV amendment relates to discharge of sewage.

UAS, USCG – Financial responsibility under OPA 90

The US Coast Guard issued a [press release](#) stating that it amended regulations governing requirements for vessel owners and operators to establish and maintain evidence of financial responsibility under the Oil Pollution Act of 1990 (OPA 90).

USA, USCG –COFR amounts

The US Coast Guard issued a final rule ([73 Fed. Reg. 53691](#)) increasing the levels of financial responsibility that must be demonstrated by owners and operators of certain vessels operating on waters subject to the jurisdiction of the United States. The applicable amounts of the Certificates of Financial Responsibility (COFRs) are being increased to be consistent with recent statutory increases in the limits of liability. The regulatory amendment is worded so as to account for future mandated increases in liability limits. The amendments also implement changes in the Coast Guard's administration of the COFR program and clarify the current rule. Among other things, this amendment eliminates the requirement that the original of the COFR be carried onboard the vessel and increases the fees for obtaining COFRs. The changes come into effect on October 17 and vessels subject to the COFR requirement must have COFRs in the new appropriate amount not later than January 15, 2009.

USA, USCG – Clarification re reporting significant marine casualties

The US Coast Guard issued a [press release](#) providing clarification of the requirement to promptly report

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significant marine casualties to the US Coast Guard. In such cases, a verbal report (telephone or radiotelephone) is to be made to the nearest USCG Sector office or marine safety detachment as soon as immediate safety concerns have been addressed. This is to be followed up with the filing of a written report within five days of the casualty.

USA, EPA – Standards for gasoline-powered engines

The Environmental Protection Agency (EPA) issued a [news release](#) discussing air emission standards for gasoline-powered engines for marine vessels and other uses. The official text of the final rule will be published in the Federal Register soon.

ALERTS

USA, USCG – Safety Alert – Exhaust system fires

USCG issued a [Safety Alert](#) warning of the risk of exhaust system fires on vessels that have been retrofitted with turbocharged engines. When such retrofitting is done, it is important that combustible ship structures be properly insulated or shielded from the higher temperatures associated with turbochargers. The owner or operator must also submit documentation for plan review prior to such retrofitting.

USA, USCG – Marine Safety Alert – Proper manning of towing vessels

USCG issued a [Marine Safety Alert](#) reminding the towing industry of its responsibility to properly man their vessels with adequate numbers of qualified and licensed crewmembers. The alert is based on the recent casualty in the Lower Mississippi River (LMR) which appears to have involved a towboat being operated by a steersman with no licensed pilot supervisor. The basic admonition, though, is a valid point for the entire maritime industry to take to heart.

USA, USCG – Safety Alert – Counterfeit EEBDs

USCG issued a [Safety Alert](#) stating that counterfeit Unitor model UNISCAPE 15h emergency escape breathing devices (EEBDs) are being sold to ship operators and placed onboard commercial vessels. As explained in the Safety Alert, there are physical differences between the authentic and the counterfeit devices. If in doubt regarding your EEBD, contact the manufacturer.

USA, USCG – Safety Alert – Danger aloft

USCG issued a [Safety Alert](#) reminding mariners of the dangers inherent with working aloft. Vessel operators should establish clear written guidelines and procedures for working aloft and require use of safety harnesses.

VIOLATIONS & PENALTIES

UK, MCA – Asleep on the bridge

The UK Maritime and Coastguard Agency (MCA) issued a [press notice](#) stating that the company that managed a small freighter was fined £10,500 plus costs after being convicted of breaches of the Collision Regulations, the ISM Code, and the UK Carriage of Cargo regulations. The prosecution related to the 0440, January 10, 2007 grounding of the freighter on Swona Island in the Orkneys. The mate was standing watch alone and fell asleep. Investigation revealed that the ship sailed with minimal crew and that seamen were not used to stand watch so that they would be available for day-work. The master was earlier convicted of failing to keep an adequate look-out and was fined £2,500.

USA, DOJ – Foreign seafarer charged

The US Attorney for the District of Massachusetts issued a [news release](#) stating that a foreign seafarer has been charged with failing to maintain an accurate oil record book (ORB) and with making a false statement to the US Coast Guard regarding the pumping of oily wastewater overboard.

INCIDENT INVESTIGATION REPORTS

Australia, ATSB – Report on ship-fishing vessel collision

The Australian Transport Safety Bureau (ATSB) issued the report of its investigation ([MAIR 247](#)) of a collision between a liquefied petroleum gas (LPG) carrier and a fishing vessel on 30 November 2007 off Queensland. Neither vessel was maintaining a proper lookout and the LPG carrier failed to report the collision and made no attempt to contact the damaged fishing vessel.

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Australia, ATSB – Report on grounding

The Australian Transport Safety Bureau (ATSB) issued the report of its investigation ([MAIR 248](#)) of the grounding of a bulk carrier at Gladstone, Queensland on 2 December 2007. The ship grounded on a charted shoal while attempting to berth. The master was having difficulty with the berthing process due to tidal and wind factors. Bridge resource management principles were not being followed and the persons on the bridge lost situational awareness.

UK, MAIB – Report on deaths by asphyxiation

The UK Marine Accident Investigation Branch (MAIB) issued the report of its investigation ([Report No. 15/2008](#)) of the death by asphyxiation of two crewmembers on board a bulk carrier approaching Dover Strait on 18 January 2008. A cargo of steel turnings had been loaded, without clear notice of the specific nature of the cargo as dangerous and subject to self-heating. At some time in the past, a direct air path had been inadvertently created between the cargo hold and the forward store. When the two crewmembers entered the cargo store, they succumbed to the lack of oxygen. It has been recommended that improvements be made with regard to cargo notifications and enclosed space management.

UK, MAIB – Report on grounding

The UK Marine Accident Investigation Branch (MAIB) released the report of its investigation ([Report No. 16/2008](#)) of the grounding of a cargo vessel on the River Trent on 18 February 2008. The master was the only person on board able to control the ship's azimuth propulsion system. While steering the ship in the close quarters of the river, he lost command perspective. The MAIB reminds the industry of the importance of having sufficient trained persons on board to adequately support the missions and operations of the vessel.

UK, MAIB – Preliminary examination of fatal injury

The UK Marine Accident Investigation Branch (MAIB) issued a summary of its [preliminary examination](#) of a fatal injury that occurred on a ro-ro ship in the Thames Estuary on 9 August 2008. An electrical problem was detected in the ship's bow thruster compartment. The Electro Technical Officer was sent to the compartment to investigate and repair. A short time later, he was found pinned between a powered watertight door and its frame. The officer died of his injuries. Upon the advice of the MAIB, the ship management company has taken steps to ensure that its policy regarding normal and emergency modes of operation of powered watertight doors is understood and adhered to across its fleet.

SECURITY AND PIRACY REPORTING UPDATE

USA, MARAD – Reporting procedures for Gulf of Aden transit

The Maritime Administration (MARAD) issued an [Advisory](#) providing recommended reporting procedures for commercial vessels transiting the Gulf of Aden. Masters are asked to check in with MARLO Bahrain at least 48 hours prior to entering the suggested corridor, again upon entering the corridor, and finally when exiting the corridor.

Thailand – Joins Malacca Straits Patrols

The Singapore Ministry of Defence issued a [news release](#) stating that the Government of Thailand has signed the revised Standard Operating Procedures and Terms of Reference for the Malacca Straits Patrols Joint Coordinating Committee. Thailand will join Indonesia, Malaysia, and Singapore in the joint patrol effort.

Panama – Issuance of the Continuous Synopsis Record

The Panama Maritime Authority issued a [circular](#) updating procedures for issuance of the Continuous Synopsis Record (CSR) for Panamanian-flag vessels. Among other things, applications for a CSR must include the IMO Unique Company and Registered Owner Identification Number.

IMO – Piracy – First Quarter 2008

The IMO issued a circular ([MSC.4/Circ.121](#)) summarizing acts of piracy and armed robbery against ships reported to it during the first quarter of 2008. It received 51 such reports during this period.

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IMO – Stowaway incidents – May-July 2008

The IMO issued a circular ([FAL.2/Circ.110](#)) stating that, during the period May through July 2008, it received reports of 99 stowaway incidents involving 291 individuals.

IMO – Piracy – May

The IMO issued a circular ([MSC.4/Circ.120](#)) summarizing acts of piracy and armed robbery against ships reported to it during May 2008. It received 17 such reports during this period.

IMO – Piracy – April

The IMO issued a circular ([MSC.4/Circ.119](#)) summarizing acts of piracy and armed robbery against ships reported to it during April 2008. It received 33 such reports during this period.

IMO – Piracy – June

The IMO issued a circular ([MSC.4/Circ.122](#)) summarizing acts of piracy and armed robbery against ships reported to it during June 2008. It received 20 such reports during this period.

Piracy reporting update

Reporting of incidents

In accordance with IMO and other third parties all ships are advised to maintain anti-piracy watches and report all piratical attacks and suspicious movements of craft to the IMB Piracy Reporting Centre, Kuala Lumpur, Malaysia.

Tel ++ 60 3 2078 5763

Fax ++ 60 3 2078 5769

Telex MA 31880 IMBPCI

24 Hours Anti Piracy HELPLINE Tel: ++ 60 3 2031 0014

E-mail imbkl@icc-ccs.org.uk

To view the latest Weekly Piracy Report please see [IMB website](#).

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