



Marine Safety Information Bulletin

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U.S. Coast Guard
Sector Ohio Valley
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NON-COMPLIANCE TREND WITH NON-TANK VESSEL RESPONSE PLAN REQUIREMENTS

Coast Guard Sector Ohio Valley issues this Marine Safety Information Bulletin (MSIB) as a reminder to vessel owners, agents, masters, operators, and persons in charge of commercial vessels operating in Sector Ohio Valley's area of responsibility. We have experienced a concerning spike in non-compliance with Non-Tank Vessel Response Plans (NTVRP) as required by Title 33, Code of Federal Regulations (CFR), Part 155. As a result, we have levied heavy civil penalties and/or ceased vessel operations. These offenses have negatively impacted vessel operations. Sector Ohio Valley strongly urges maritime community stakeholders to take appropriate steps to alleviate negative impacts for non-compliance with NTVRP requirements, specifically towing vessels greater than 400 gross tons.

Vessels that actively operate in commercial operations without a NTVRP are subjected to, but not limited to, the following penalties; vessel detainment by the United States Coast Guard (USCG), denial of entry into a U.S. port, and/or civil penalties of more than \$47,000 per day dependent upon type and scope of violation. The USCG encourages the maritime community to review the requirements and ensure their vessels meet the regulations outlined in 33 CFR Part 155 – Subpart J.

A point of confusion has arisen in terms of tonnage application for the 400 gross ton threshold. As discussed in the preamble of the regulation (**Federal Register** / Vol. 78, No. 189 / Monday, September 30, 2013 / Rules and Regulations), if a vessel is measured using "Convention (International)" tonnage and "Regulatory" tonnage, the greater of the two is used for determining applicability of NTVRP requirements.

The USCG is committed to working with maritime professionals to improve safety, maritime security, and environmental stewardship for all waterway users. For additional information concerning this Marine Safety Information Bulletin, please contact LT Nicole Emmons at (502) 779-5308.

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