



GALLAGHER MARINE SYSTEMS, LLC



THE CLIPPER

2010, 3RD QUARTER

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SALVAGE & MARINE FIREFIGHTING PREPARATIONS

GMS Plans Department Coordinating with USCG & Industry



This summer, Gallagher Marine Systems has been working tirelessly to ensure we are ready to assist our compliance partners in meeting the new Salvage and Marine Firefighting requirements. These requirements, which currently apply only to Tank vessels, are described in 33 CFR Part 155 Subpart I – Salvage and Marine Firefighting (SMFF).

USCG Headquarters began accepting revised VRPs on 1 September 2010, and all VRPs must be revised before 22 February 2011. A large focus of our attention has been revising our Core Vessel Response Plan (VRP). Assistant Plans Manager, Andrea Presutti, successfully updated the GMS VRP to meet the SMFF, Aerial Tracking & Dispersant Application requirements. In doing so, GMS has obtained preliminary approval from USCG

Headquarters for our newly revised Core plan. Recognizing that creating a mock plan which did not include real data might result in a revised plan that could not actually meet the new requirements, Ms. Presutti used real information provided by ship operator Maersk Line, Ltd. and SMFF provider Donjon-Smit as the foundation of the revised VRP. As a result of close coordination between GMS, USCG Headquarters, Maersk Line, Ltd., and Donjon-Smit, GMS is ready to begin revising all of the VRPs that we maintain. Our work done over the summer taught us that the VRP resubmission process will require continued close coordination between GMS, you – our compliance partners, and the SMFF providers. The GMS Plans Department looks forward to a busy autumn spent resubmitting all of our VRPs. However, we cannot begin until we receive the required information from Planholders and SMFF providers. **We encourage all VRP Planholders to review our latest advisories on this topic, and take the steps necessary to begin the resubmission process. You should start this by: Auditing the four SMFF providers using the *GMS Salvage and Marine Fire fighting Resource Capability Analysis*; choosing an SMFF provider; and working closely with that provider to gather all of the data and documents necessary to provide to GMS so we can resubmit your VRP.** Thank you to all Planholders who have already started this process!

If you have not received our advisories about the SMFF requirements, or if you have any other questions, please contact us at info@chgms.com

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DRILLS & TRAINING

Drill Scheduling:

GMS is currently scheduling drills for the remainder of the year for all clients. The following timeframes are currently available if you would like to finalize a date for your annual Table Top Exercise (TTX);

- Week of October 4th
- Week of October 25th
- Week of November 1st
- Week of November 23 – 24th
- Week of November 29th
- December 6 -23rd

To schedule your annual TTX please contact our Drills and Training Manager at kperry@chgms.com with a copy to our general email account info@chgms.com

Focus Training Seminars (FTS):

Our non-tank vessel clients can fulfill their annual drill requirements via the GMS Focus Training Seminar (FTS). The FTS also includes a North American Regulatory Update, an opportunity to network with other industry members and meet guest lecturers which GMS brings to our seminars.

Our current schedule of Focus Training Seminars is below.

- **Tokyo, Japan – 14 October 2010 (Thursday)** –Proctored by GMS – Thomas Wiker and David Barry
- **Taipei, Taiwan - 18 October 2010 (Monday)** –Proctored by GMS – Thomas Wiker.
- **Busan, Korea – 21 October 2010 (Thursday)** – Proctored by GMS – Thomas Wiker and David Barry.
- **Hong Kong, China – 05 November 2010 (Friday)** –Proctored by GMS – Kuldeep Singh.
- **Singapore – 12 November 2010(Friday)** –Proctored by GMS – Kuldeep Singh.
- **Athens, Greece - 17 November 2010 (Wednesday)** – Proctored by GMS - Thomas Wiker and Kevin Perry.
- **London Symposium – 22 November 2010 (Monday)** – Numerous guest speakers from maritime agencies.
- **London FTS – 23 November 2010 (Tuesday)** –Proctored by GMS – Thomas Wiker
- **London Tanker Case Study - Proctored by GMS - Kuldeep Singh and Kevin Perry**

Please note that our final Focus Training Seminar (FTS) for Nontank Vessel Contingency Plan and California planholders will be held on Tuesday morning, 23 November in London. This will include our annual Tanker Case Study. We will then hold a North American Regulatory update on the afternoon of 23 November for both Tanker and Nontanker planholders.

More information on all of the above seminars will be distributed in mid September. If you should have any questions, please direct them to our general email account: info@chgms.com

DRILLS & TRAINING (CONTINUED)

California Table Top Exercise Requirements:

As a reminder, under Title 14 820.01(d) of the California Code of Regulations, all California Planholders are required to provide advance notification to the California Office of Spill Prevention & Response (CA OSPR) 30-days prior to their Table Top Exercise (TTX) being conducted. If your company currently has vessels trading to California, these vessels (Tanker or Nontanker) must have an approved California Contingency Plan (C-plan) onboard. C-plans are required to be exercised once per year. These exercises must be performed with your Spill Management Team (Gallagher Marine Systems). Once GMS schedules your drill, the GMS Drills & Training team automatically submits the aforementioned advance notice to the CA OSPR on your behalf. Therefore, it is important to schedule your annual drill more than 30-days in advance so that GMS has enough time to submit the required advance notification form to CA OSPR. PLEASE NOTE that, if California OSPR does not receive the advance 30-day notice, the Planholder will not be allowed to receive credit for their annual drill and their plan will be non-compliant. Therefore, it is imperative that a drill date is fixed with a minimum of 30 days advance notice.



GBLT Shipmanagement Pte Ltd.'s Crisis Team responds to a simulated oil spill incident during their 2010 Spill Management Team Table Top Exercise

OIL SPILL EXERCISES

GMS Staff are often asked about the oil spill exercises required of vessel personnel. Following is a review of the exercise program mandated by the Oil Pollution Act of 1990.

There are two categories of exercises—Internal Exercises and External Exercises. *Internal exercises* are those that are conducted wholly within the Planholder's organization. While the *internal exercises* include personnel such as the Qualified Individual, Spill Management Team, and OSRO, they typically do not involve other members of the response community. Following is a list of *internal exercises*:

- ◆ Qualified Individual notification exercises:
- ◆ Emergency procedures exercises for vessels and barges;
- ◆ Emergency procedures exercises for facilities (optional);
- ◆ Spill Management Team Tabletop Exercises (TTX); and
- ◆ Equipment deployment exercises.

Of these internal exercises, this article will deal only with the Qualified Individual and Emergency Procedures exercises.

Qualified Individual Notification Exercises

The purpose of the Qualified Individual Notification Exercise is to ensure that the Qualified Individual can be reached in a spill response emergency to carry out his or her required duties. The Qualified Individual Notification Exercise is simply a communications check between the Master and the Qualified Individual. GMS requires that your Masters contact the Qualified Individual via our 24-hour emergency phone number listed in the Plan as this is the same method that will be used in a real emergency. This exercise is to be conducted quarterly whenever the vessel is operating in or sailing to U.S. ports. If the vessel does not usually operate in U.S. water, the exercise should be conducted upon entry into U.S. waters, not to exceed four times per year. The Qualified Individual notification exercise should be conducted between 12.00 hours UTC and 00.00 hours UTC.



Emergency Procedures Exercises



The purpose of the Emergency Procedures Exercise is to ensure that personnel are capable of conducting the initial actions necessary to mitigate the effects of a spill, fire or collision. Since vessels do not always sail with the same crews, it is important that each vessel conducts this exercise quarterly to ensure that the personnel on board are familiar with their respective responsibilities and procedures when dealing with a spill, fire or collision.

Both the Qualified Individual Notification Exercise and the Emergency Procedures Exercise are self-grading and self-certifying which means that an entry into the ship's log of a successful exercise is all that is required to meet the regulatory record keeping requirements. Qualified Individuals on watch are reporting requests from vessel masters to provide a written confirmation of the Qualified Individual Notification Exercise. Please note that the **regulations do not require written confirmation from the QI that the Qualified Individual Notification Exercise was performed. To prevent the Master from assuming a written confirmation is an acceptable means, GMS does NOT supply written confirmations of the Qualified Individual Notification Exercise.**

ENVIRONMENTAL COMPLIANCE PROGRAMS

ARE YOUR VESSEL'S COMPLIANT?



The marine industry is being subjected to ever-increasing scrutiny regarding its environmental compliance practices and policies. An industry which has historically been relatively clean, is gaining an unsavory reputation as not being environmentally responsible because a few well publicized cases of willful neglect.

Considering ton-mile of cargo moved, the marine industry should by far be the cleanest mode of transport when it comes to environmental preservation. However, public perception is to the contrary. Phrases such as “magic pipe” and “creative record keeping” have gained a lot of mileage with the critics who say the industry needs more environmental policing. In some regulatory and Port State Control circles, there is a belief that operators and crew would bend the rules and commit environmental “crimes” just to save a few dollars. In reality, not many connected with shipping would willfully act to hurt the environment. The overwhelming majority of us are responsible “international” citizens who value the environment as much, if not more, than the next person.

GMS has had extensive exposure to environmental compliance programs. Our perspective of the problems associated with compliance programs and related issues, is based on a much broader exposure as compared to the experience of one individual company. We have closely worked with several shipping companies to develop, maintain, enhance and audit their programs, sometimes on a voluntary basis. Due to our experience with several companies, we are well aware of “best industry practices” that surpass regulations and requirements and which demonstrates due diligence and enhanced environmental responsibility on the part of the company adopting such practices.

We have well qualified personnel who are certified ISO14001 auditors who have conducted scores of “forensic” audits. Such audits go well beyond the ISM/ISO audits, as besides evaluation of compliance, they are intended to discover surreptitious actions and systemic failures in the management practices on board vessels. Such lapses are not easily discovered by internal auditors due to their close association with the vessel’s crew and familiarity with their own system.

We can assist with several environmental management services which include assistance with ISO14001 implementation and certification, plan development & review, “forensic” audits and crew training, sharing of “best industry practices” and management review. We regularly travel to train crew and discuss these items during “sea staff” seminars.

If you have any interest or would like to know more about the full scope of what we can offer, please contact us at waypoints@chgms.com

ARE YOUR VESSELS REGISTERED

WITH THE STATE OF TEXAS?



The State of Texas has an enforcement agency called the Texas General Land Office (TGLO). The TGLO is tasked with a multitude of responsibilities including enforcing Texas State requirements affecting vessels trading in Texas waters. Under the TGLO's *Oil Spill Prevention and Response Program (OSPR)*, <http://www.glo.state.tx.us/oilspill/index.html>, vessels trading and/or transiting Texas waters are subject to the TGLO's jurisdiction.



The TGLO OSPR Program, funded by a tax on crude oil loaded or off-loaded in Texas ports, has many responsibilities including preventing and responding to oil spills in the marine environment; boat and harbor patrols; an active unannounced oil spill drill and audit program onboard vessels; and oil spill/incident response management. The TGLO also oversees their *On-line Vessel Database* which enables VRP & NTVRP planholders a mechanism to file their Texas-required information rather than submit a hard copy plan. Texas-required information includes vessel name, IMO, 24-hour contact information, planholder information, QI, GRT, and Flag, among other things. TGLO response personnel reference this database on a regular basis to ensure that vessels are, in fact, registered when they are trading in Texas waters. Further, in the unlikely event of an incident, the TGLO will reference their *On-line Vessel Database* in contacting the QI, researching information about the vessel and to obtain other pertinent information which will assist the TGLO in their response.

REGISTRATION INFORMATION:

Registration on the *On-line Vessel Database* is compulsory and there are penalties of up to \$125,000 for non-compliance. The TGLO has indicated that they have been and will continue to monitor compliance with this requirement via their web-based system for monitoring real-time vessel activity along Texas coastal waters.

Registration on the *On-line Vessel Database* is required of the following:

- Vessels required to have USCG-approved Vessel Response Plan and/or a SOPEP; AND
- Vessels that are operating in Texas coastal waters

If your vessels are not operating in Texas Coastal Waters, you are not required to maintain the TGLO *On-line Vessel Database*.

REGISTRATION COMPLIANCE – GMS:

As an OPA-90 compliance partner, GMS maintains information in the TGLO database for many of our clients. However, please note that access to this database is password protected. **It is worthy to note that GMS does not have the password of several of our compliance partners.** There are two potential reasons for GMS not having your company-specific TGLO password:

- 1) your company initially set the password and currently maintains the TGLO database;
- 2) your company initially set the password and no longer maintains your information in the TGLO database.

If we do not have your password, you were sent an email to that affect on 19 July 2010. You should have replied to that email to:

1. provide GMS with your password and request that we maintain the TGLO database;
2. advise GMS that you do not have the password and grant GMS permission to obtain one directly from the TGLO so GMS can maintain the database for you; or
3. confirm that you will maintain the database without the assistance of GMS.

If you received an email from GMS about this topic on/about 19 July 2010, and have not yet responded, please do so as soon as possible.

We are pleased to assist our compliance partners in meeting this requirement and remain ready to assist. Should you have any questions, please direct them to our general email (info@chgms.com) account under the subject line *TGLO Database inquiry* and a member of our staff will provide you with the necessary answers.

GMS STAFF SPOTLIGHT **EVA POMARANSKI**

Gallagher Marine Systems is proud to introduce Ms. Eva Pomaranski. Eva joined the GMS Finance Department staff at the end of September 2009 after graduating from Richard Stockton College in Pomona, New Jersey with a degree in Business Administration - Accounting. Possessing a great work ethic, Eva started working as a teenager and easily excels at new tasks. She has quickly become a key member of the GMS Spill Management Team, seizing the opportunity to be a member of the Finance Section on a major spill response within 4 months of joining the GMS team.

Ms. Pomaranski brings many strengths to the GMS team, including being bilingual in English and Polish. She enjoys learning new things and relishes the “exposure to different platforms of knowledge, such as the global economy, the environment, and regulations and policies on a federal and state level”.

In her free time, Eva enjoys camping, biking, and hiking with her dog “George”. She also likes to go kayaking, rafting, and swimming in the ocean.



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