



İstanbul :

Sayı  
Our Reference: 3325

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Konu  
Subject :

**Amerika Deniz Ticaret Odası Temmuz 2015 Raporu Hk.**  
Sirküler No: 612 / 2015

Sayın Üyemiz,

**İlgi:** Uluslararası Deniz Ticaret Odası'ndan (ICS) alınan 04.08.2015 tarih ve ICS(15)39 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 edilmektedir. Amerika Deniz Ticaret Odası'nın en son aylık raporu aşağıdaki hususları içermektedir:**

1. Kısa süre önce önerilen ABD enerji ihracatı yasası ve ABD ham petrol ihracatına ilişkin yasağın kaldırılması ihtimali hakkındaki bir rapor CSA Temmuz 2015 raporunda yer almaktadır. Buna göre, ABD ham petrol ihracatı üzerindeki yasağın kaldırılmasını içeren yasa tasarısı komiteden güçlükle geçebilmiştir. Ancak anılan tasarının Senatodan iki tarafı da temsil eden bir esas dahilinde geçmesini sağlamak için bunu savunan pek çok çalışma yapılması gerekecek, bu da en sonunda Başkan'a tasarısının kanunlaştırılması gerektiği işaretini verecektir. ABD Temsilciler Meclisi Sözcüsünün ham petrol ihracatları üzerindeki yasağın kaldırılmasına olan desteğini açıklaması da diğer bir olumlu husustur.
2. Ulusal kuruluşların kendi üye şirketleri ile paylaşmayı isteyebilecekleri balast suyu yönetimi sisteminin güncel durumu hakkında ABD onayına sunulan bilgi ve tavsiyeler.

Anılan Rapor ayrıca, ABD Sahil Güvenlik Komutanlığı'na sunulması gereken kaza raporlarıyla ilgili gelişmeleri ve buzul balinalarının korunmasına yardımcı olmak için ABD doğu sahilinde kurulan zorunlu raporlama sistemleriyle ilgili bir bilgi talebini de kapsamaktadır.

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 Konsej Başkanı
- Meclis Başkanlık Divanı
- Yönetim Kurulu Başkanı ve Üyeleri
- Sn. Erol YÜCEL  
TOBB Türkiye Denizcilik Meclisi Bşk.

# International Chamber of Shipping

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4 August 2015

ICS(15)39

**TO: ALL FULL AND ASSOCIATE MEMBERS**

**Copy: Shipping Policy Committee  
Marine Committee  
Construction & Equipment Sub-Committee  
Environment Sub-Committee**

## US DEVELOPMENTS - JULY 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 July 2015 which includes *inter alia*:

1. A report on recently proposed U.S. energy export legislation and the possible, eventual, lifting of the ban on the export of U.S crude; and
2. Information and advice about the current status of ballast water treatment systems that have been submitted for U.S. approval, which national associations may wish to share with member companies.

The report also covers developments with respect to casualty reports that must be submitted to the U.S. Coast Guard, and a request for input with respect to current mandatory reporting systems established on the U.S. east coast to help protect right whales.

Simon Bennett  
Director Policy and External Relations



## MONTHLY REPORT FOR THE INTERNATIONAL CHAMBER OF SHIPPING

FOR JULY 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.

### Energy Export Legislation

The House held a hearing in mid-July on HR 702 which is a very short and straight forward bill that would prohibit the imposition of restrictions on the export of crude oil from the US. The bill has significant bi-partisan support in the House although it is worth noting that the bill has been referred to both the House Energy and Commerce Committee (likely to support strongly) and the House Foreign Affairs Committee (likely to cause substantial debate in this committee) and both committees will have to agree to markup and report out to the House for floor debate and vote. No hearings have yet been scheduled on this bill.

The Senate Energy and Natural Resources Committee, under the leadership of Chairman Murkowski and Ranking Member Cantwell, passed the Offshore Production and Energizing National Security (OPENS) Act which includes text to lift the current ban on export of crude oil from the United States. The bill narrowly passed out of committee but much advocacy work will need to be accomplished to secure passage in the Senate on a bi-partisan basis ultimately signaling to the President that the bill should be enacted. On another positive note, the Speaker of the US House of Representatives has announced his support for lifting the ban on crude oil exports; however, it is not yet known which of the two vehicles (Senate or House) will pass the Senate and House and be presented to the President for signature.

### USCG Type Approval Status

In mid-July, the USCG published a listing of the 24 ballast water management system manufacturers that have filed letters of intent with the USCG to seek US type approval. This listing can be downloaded at [https://homeport.uscg.mil/cgi-bin/st/portal/uscg\\_docs/MyCG/Editorial/20150716/LOI\\_16Jul2015.pdf?id=fd0258361221cfb0ec6ef7ad85de3c2aa7d7d286](https://homeport.uscg.mil/cgi-bin/st/portal/uscg_docs/MyCG/Editorial/20150716/LOI_16Jul2015.pdf?id=fd0258361221cfb0ec6ef7ad85de3c2aa7d7d286)

As can be noted when reviewing this document, there is no additional information on where each manufacturer stands in the certified lab testing process although based on our most recent communications with USCG and certain manufacturers, we understand that three systems (all using UV treatment technology) have filed completed test packages with the USCG. As we have discussed in previous meetings and documents, the USCG has not yet made a decision on the validity of efficacy measurement protocols for UV based systems thus there is still no relative certainty as to when the USCG will



updated as new information becomes available.

The most important information to be gained from this listing is that a large number of systems which have received type approval from other nations are still not on this list. It is thus recommended that any evaluations being taken by shipowners on ballast water management system purchases should take into account the status of a particular system being assessed and whether the manufacturer has filed a LOI with the USCG. Discussions with manufacturers should necessarily include a discussion on whether that manufacturer intends to pursue a US type approval certification (if it is not already on the list) and when/if that can be expected to occur.

### **USCG Marine Casualty Reporting NVIC 01-15**

This NVIC contains new guidance to give clarity to the industry and provide conformity among the USCG as a whole on incidents that are reportable to the USCG and may need a formal filing (Form 2692) and those which require investigations. In a conversation with Capt. Jason Neubauer early this summer, he mentioned that this NVIC is probably needed more to help the USCG than the industry. He hopes that this NVIC would be a tool to show USCG personnel that have misinterpreted casualty reporting and caused companies undue headaches in the past.

This NVIC defines terms and interpretations used in casualty reporting including injury and first aid, environmental incidents and vessel casualties with more detail on USCG reporting expectations. There is a considerable amount of detail in the 19 pages, with a few items as noted below:

- Vessels are not required to report an injury to shipyard or harbor workers or longshoreman that occur onboard unless the accident resulted from either a vessel casualty or a vessel equipment casualty.
- The Coast Guard will not consider an unintended grounding to be a reportable marine casualty under 46 CFR Part 4.05 if the grounding can be classified as a "bump and go." Initial notifications of "bump and go" groundings must still be made to the appropriate Coast Guard Command Center. A Coast Guard Prevention Officer shall review each reported "bump and go" grounding in order to confirm that it meets the criteria to be excluded from the grounding casualty reporting requirements under 46 CFR 4.05.

As hopeful as we can be that this NVIC will eventually provide some continuity among COTP's, avoid unnecessary fines or delays and eliminate over reporting to USCG; we recommend erring on the side of caution when in doubt as to whether an event is "reportable" and call the USCG to avoid any issues or fines after the fact. It is notable that to the best of our knowledge no one has ever been fined for reporting an event that was later deemed to be non-reportable. A copy of the NVIC may be downloaded at [http://www.uscg.mil/hq/cg5/nvic/pdf/2015/navic-01-15 Marine Casualty Reporting20150721.pdf](http://www.uscg.mil/hq/cg5/nvic/pdf/2015/navic-01-15%20Marine%20Casualty%20Reporting20150721.pdf)

### **National Maritime Intelligence/Integration Office Alerts, Warnings, and Notifications Working Group Meeting held July 22, 2015**

CSA attended the Maritime Alerts, Warnings, and Notifications (AWN) industry meeting on July 22, 2015 at the Department of Transportation headquarters. CSA has been participating as one of three domestic maritime industry



and including USCG, State Department, U.S. Navy, MARAD, Maritime Labor and maritime industry associations.

The meeting brought stakeholders together to discuss opportunities and difficulties involved in streamlining the AWN for more timely and pertinent information to the shipping companies and their vessels. Participants provided feedback to Government stakeholders through working groups and presentations on current state of AWN and expectations for the outcome of this working group. This information will be used to edit and finalize the MARAD AWN program. While it appears that this system is more oriented toward US flag vessels, there is likely some application to all vessels in US waters, which will be determined at a later date.

**Request for Mariner Input by NOAA on Mandatory Ship Reporting (MSR) Systems on the East Coast of the US**

Well over a decade ago, the US Coast Guard and the National Oceanic and Atmospheric Administration (NOAA) implemented a mandatory ship reporting system to provide the US government and industry an information sharing tool to advise vessels on known locations of North Atlantic Right Whales in specific areas (Whalesouth, Whalesnorth). This reporting system was agreed by IMO and became operational in July 1999.

NOAA is now soliciting input from the maritime industry afloat on the benefits received from this reporting system versus the efforts required onboard to submit the required report. Generally information about the ship strike mitigation program and the MSR can be reviewed at NOAA's ship strike site at <http://www.fisheries.noaa.gov/pr/shipstrike/msr.htm>

For those not familiar with the program, the MSR requires vessels over 300 gross tons entering the two areas designated on the second document (Whalesnorth year round and Whalesouth from 15 November to 16 April) to send a message in the format indicated prior to entering either of the designated right whale reporting areas. This message triggers a response message back to the vessel to alert bridge personnel as to the known presence of right whales in the area. The information is updated regularly and is intended to provide the necessary intelligence to vessels as to whale location as well as to inform the decision on proceeding through a seasonal management area at the required 10 knots (or a dynamic management area with a recommended speed of 10 knots) or diverting around these designated areas and maintaining full speed.

The survey consists of 9 questions, and also allows for additional comments. Completing the survey is expected to take less than 10 minutes. The survey is voluntary and all responses are anonymous and confidential". To take the survey, log on to:

<http://marinerrightwhaleopinionsurvey.com/Survey/NMFSSMarinerSurvey.aspx>

While NOAA has made no decision as to whether to continue or modify the MSR, it should be appreciated that they are seeking input from the industry as to value of the existing program as well as inviting comments on how the system can be improved. You are urged to forward this message to vessel personnel and solicit input. Somewhat related to this initiative are other initiatives particularly on the West Coast of the US (LA/Long Beach and San Francisco) that are trying to develop management strategies to mitigate ship

of the management strategies employed in those areas as well.