

Coast Guard Requires Outer Continental Shelf Notices of Arrival



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On January 13, the Coast Guard issued its long-awaited final rule requiring the filing with the Coast Guard of advance notices of arrival for all floating facilities, mobile offshore drilling units (MODUs) and vessels engaging in U.S. outer continental shelf activities.

Although the general purpose of the requirement is national security related, comments were received during the rulemaking process to the effect that the information should also be used to help enforce the Jones Act, outer continental shelf manning requirements and other laws.

The final rule is effective on February 12, 2011. The final rule implements section 109 of the Security and Accountability for Every Port Act of 2006 (SAFE Port Act). MODUs already currently must file advance notices of arrival with the Coast Guard – the requirement is new for floating facilities and vessels and revised for MODUs. It has been estimated that there are somewhere between 80 and 150 arrivals per year affected by this final rule. Notice must be provided at least 96 hours in advance unless the voyage is of a shorter duration. Notices are also due for certain movements between outer continental shelf block areas as defined by the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE). U.S.-flag vessels are covered by the rule – although any vessel arriving from a U.S. port or place does not have to file a notice.

1 Min Read

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