

SUMMARY

This quarterly report is the 67th in a series concerning safety and environmental protection matters related to ports and shipping. Highlights include:

1. The 76th session of the Maritime Safety Committee (MSC 76) of the International Maritime Organization (IMO) was held at IMO Headquarters in London from December 2-13, 2002. Among its significant actions the MSC: (a) reached agreement on a number of key issues regarding the amendments on maritime security to the International Convention for the Safety of Life at Sea (SOLAS Convention) and regarding the new International Ship and Port Facility (ISPS) Code, leaving only a few outstanding issues to be resolved at the concurrently meeting International Conference on Maritime Security; (b) unanimously adopted amendments to the SOLAS Convention concerning such matters as access to cargo spaces and associated technical specifications, fire protection for the carriage of dangerous goods, radar transponders for liferafts on ro/ro passenger ships, and water level detectors for bulk carriers; (c) approved amendments to the 1988 Protocol relating to the International Convention on Load Lines regarding hatch covers, minimum bow height, and reserve buoyancy to improve bulk carrier safety; and (d) approved the reports of a number of technical subcommittees. (Item 1-B)
2. The Conference of Contracting Governments to the International Convention for the Safety of Life at Sea (SOLAS Conference) was held under the auspices of the IMO in London from December 9-13, 2002. The objective of the Conference was to enhance maritime security through the adoption of amendments to the SOLAS Convention and the adoption of the ISPS Code. The Conference adopted a number of amendments to the SOLAS Convention, the most important of which incorporates the new ISPS Code. The ISPS Code contains detailed security-related requirements for governments, port authorities, and shipping companies in a mandatory section, together with a series guidelines about how to meet requirements in a second, non-mandatory section. The Conference also adopted a series of resolutions designed to add weight to the amendments, encourage the application of the measures to ships and port facilities not covered by the ISPS Code, and pave the way for future work on maritime security. (Item 1-C)
3. On November 25, 2002, President George W. Bush signed into law the Homeland Security Act of 2002 (Public Law 107-296). The Act restructures and strengthens the Executive Branch of the Federal Government to better meet the threat to the U.S. homeland posed by terrorism. In establishing the new Department of Homeland Security (DHS), the Act for the first time creates a federal department whose primary mission will be to help prevent, protect against, and respond to acts of terrorism on U.S. soil. (Item 2-A)
4. On February 28, 2003, the U.S. Environmental Protection Agency (EPA) published a final rule (40 CFR parts 9 and 94) establishing near-term Tier 1 emission standards for new marine diesel engines installed on vessels flagged or registered in the United States with a displacement at or above 30 liters per cylinder. These standards are equivalent to the internationally negotiated standards of the IMO for oxides of nitrogen and will be

enforceable under U.S. law for new engines built on or after January 1, 2004. The certification and compliance program for these standards is similar to the internationally negotiated program but contains additional provisions that reflect the requirements of the Clean Air Act. These standards will apply until EPA adopts a second tier of standards in a future rulemaking. In developing the future rulemaking, which will be completed no later than April 27, 2007, EPA will consider the state of technology that may permit deeper emission reductions and the status of international action at the IMO for more stringent standards. EPA will also consider the application of such a second tier of standards to engines on foreign vessels that enter U.S. ports. (Item 3-E)

5. The U.S. Coast Guard has published Navigation and Vessel Inspection Circular (NVIC) No. 11-02 dated January 13, 2003, and titled *Recommended Security Guidelines for Facilities*. Until final regulations regarding facility security are published, this NVIC may be used as a benchmark to develop and implement security measures and activities in anticipation of evolving domestic and international security regimes. This Circular is structured in a similar manner to the recently adopted IMO International Ship and Port Facility Security (ISPS) Code. It establishes guidelines for developing security plans and implementing security measures and procedures. (Item 4-D)

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