



IADC VICTORY IN US PORT SECURITY BILL

On 13 October, **President Bush** signed into law the SAFE Port Act, which mandates that the **US Coast Guard** complete a rulemaking within 180 days to require foreign-flagged vessels and their crews to conform to the same notification procedures as US-flagged vessels. Advocates of US cabotage laws (the "Jones Act") had attempted to effectively exclude such vessels from operating on the US OCS. However, with a concerted campaign led by IADC, API, **Halliburton** and foreign offshore supply vessel interests, that effort was thwarted. The result is that the Coast Guard is now charged with finishing a rulemaking it published for comment in 1999 to bring domestic and foreign vessels under similar regulatory regimes insofar as identifying their presence in US waters and their crews' nationalities. The act also mandates much-needed changes to the Transportation Worker Identification Credential (TWIC) program that had been sought by IADC, including concurrent processing of applications for Merchant Mariner Documents and TWICs by Coast Guard and TSA, new hire provisions for TWICs, and validation of TWIC-reader functionality prior to mandating their deployment on ships.

EU REVIEWING MARITIME SAFETY

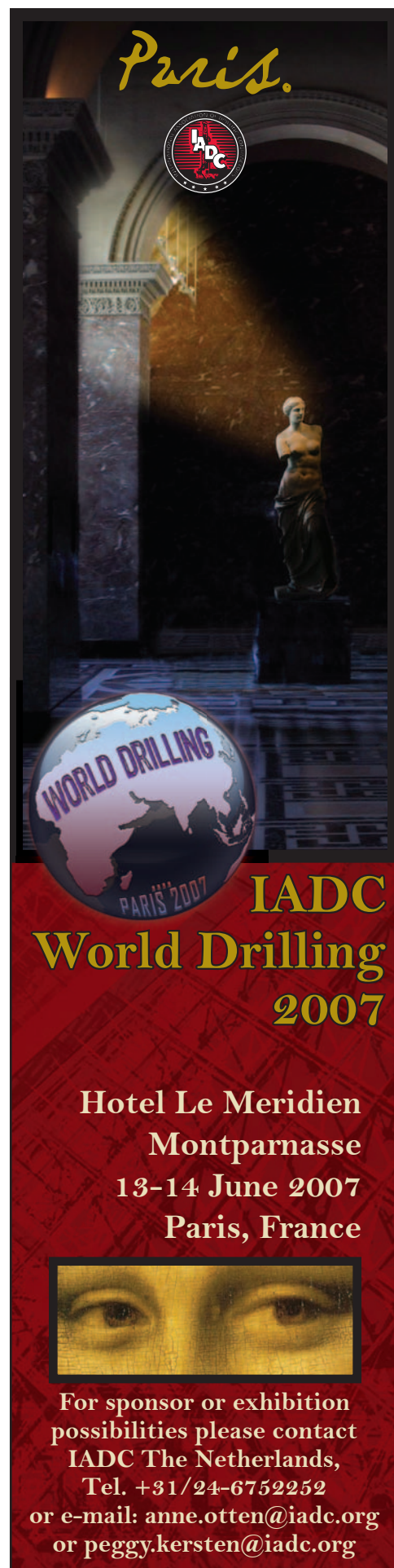
As part of a scheduled review of existing EU Directives, the **European Commission** is revisiting the general issue of maritime transportation safety. A question has been raised by the rapporteur examining the subject as to why the E&P sector — including offshore drilling rigs — is currently excluded from the existing maritime directive. IADC in the 1990s worked with the **E&P Forum** and the **Danish and Norwegian Shipowners Associations** to achieve the exclusion, successfully arguing that offshore rigs would be adequately regulated under other EU Directives, chiefly the Working Time Directive. IADC, **UKOOA** and **OGP** (E&P Forum's predecessor) are working to educate the rapporteur about the justification for the exclusion and why it should be maintained. It's expected that he will reverse himself, or be reversed, since removing the exclusion would be inconsistent with IMO regulations and the Working Time Directive.

VESSEL OPERATIONAL DISCHARGES IN US CHALLENGED

On 18 September, the US District Court for the Northern District of California ruled that the **Environmental Protection Agency** must begin regulating operational discharges from ships under the Clean Water Act. The case was initially brought by a coalition of West Coast environmental groups that were later joined by 6 Great Lakes states, which sought to compel the EPA to regulate ballast water discharges. At issue is the blanket exemption of discharges incidental to the normal operation of a vessel. By vacating the exemption on 30 September 2008, **Judge Susan Illston's** ruling gives the EPA until that date to develop and implement a program for permitting operational discharges from vessels, including MODUs. Illston acknowledged that her order may have a "dramatic effect" on the shipping industry and the EPA but did not acknowledge that it would also have a similarly dramatic effect on state environmental agencies, which could be forced to issue permits authorizing routine operational discharges from ships — covering not only ballast water discharges but everything from metals released from sacrificial anodes to wet exhausts on recreational boat outboard motors. EPA is expected to appeal.

IADC REPRESENTATIVE NAMED TO US ONGSCC

Jim Gormanson, **Noble Drilling Services** director of compliance, has been named IADC's primary representative to the **Oil and Natural Gas Security Coordinating Council** (ONGSCC). The council was formed by the **US Department of Homeland Security** after the 9/11 terrorist attacks to coordinate appropriate security information and responses within the industry and national security agencies. The ONGSCC is comprised of trade associations representing large, medium and small producers; drilling contractors (IADC); service and supply companies; pipelines and refiners. The next meeting of the ONGSCC will be held 14 November in Arlington, Va. ♠



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