

MEMBER ALERT

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OCTOBER 2, 2003

SHIPMENTS OF HAZARDOUS MATERIALS IN THE UNITED STATES

As from September 25, 2003, carriers and shippers of hazardous materials within U.S. waters are required to have in place a security plan which includes an assessment of possible transportation security risks for listed hazardous materials and appropriate measure to address the assessed risks.

The Research and Special Programs Administration's (RSPA) final rule predates the schedule for vessel and facility plans laid down by the U.S. Coast Guard in respect of other non-hazardous cargoes, which commences after December 29, 2003.

As a minimum, the security plans must include: 1) screening procedures for jobs that require access to, or handling of, hazardous materials 2) measures to prevent unauthorized persons gaining access to the hazardous materials or vessels/conveyances involved with their transportation 3) measures to address the assessed risks of transporting hazardous materials from origin to destination.

Carriers and shippers are not required to submit their security plans to the RSPA for approval, and enforcement will be limited to ensuring that security plans have been adopted. Carriers and shippers who are developing security plans for submission to the Coast Guard by December 29, 2003, may adopt such plans as appropriate to satisfy RSPA requirements. Finally, carriers and shippers who implemented security plans prior to the RSPA rule need not prepare new plans, so long as their existing plans satisfy minimum requirements.

Members engaged in the carriage of hazardous materials in the United States are asked to note the new rule and act accordingly.

For further information, please contact the Managers.....

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