

Wednesday 17th February, 2021

CIRCULAR 041/2021

UPDATE: OSRO REQUIREMENTS FOR BUNKERING AT COMMON ZONE

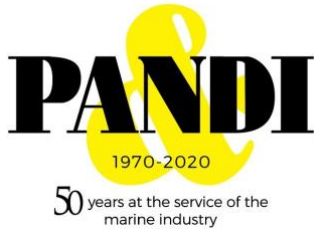
Dear All,

As you may recall, after receiving various enquiries triggered by an OSRO provider (who approached various Owners informing about additional Oil Spill Response requirements imposed by Argentine Coast Guard when receiving bunkers at Zona Comun, off La Plata) we informed in our Circular 039/2020 the terms of Coast Guard's letter which seemed to ratify that any vessel receiving bunkers at Zona Comun (whether tanker or not) should have in place preventive arrangements to respond to any oil spill within 60 minutes of occurrence (commonly referred as an "OSRO Certificate").

However, following the concern of various actors in the industry, it seemed the position was unclear, ie. if such requirements were being enforced in practice or had not been implemented until further notice.

The issue was discussed again with the Argentine Coast Guard, who has now confirmed that: (1) those tankers carrying hydrocarbons or other harmful substances which are already sailing / operating in Argentinean with a valid "OSRO certificate" **do not require any additional response services for bunkering at Zona Comun**; and (2) dry-cargo vessels (such as bulk carriers or containerships) **do not require such OSRO arrangement to receive bunkers at Zona Comun**.

For sake of clarity, we are enclosing a free translation of Coast Guard's letter followed by its original version.



We remain at your disposal if clarification and/or additional information is needed.

Yours Faithfully,

Sebastián A. Trigub

PANDI LIQUIDORES SRL

BUENOS AIRES, ARGENTINA

Note: this Circular updates Circular 039/2020.

updated information visit www.pandi.com.ar.

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From: **Prefectura** dpam-plns@prefectura naval.gov.ar

Date: jue, 11 feb 2021 at 9:01

Subject: RE: ENQUIRY. Ref.: OSRO Requirements for Bunkering at Zona Comun

To: sebastian.trigub@pandi.com.ar

Mr. Attorney-in-fact, Sebastian A. Trigub

Pandi Liquidadores SRL

We are glad to write you further to your Note dated 5th February 2021, requesting information related to the “Osro” situation for the Bunkering operations at Common Zone, for the compliance with the legislation in force and its regulation for the protection of the environment, insofar as the Coast Guard is concerned as Maritime Authority.

We bring to your attention that according to the provisions of the Law 24,292 “International Convention on Oil Pollution Preparedness, Response and Co-operation”, the Decree N° 962/1998 “Creation of the National System for Preparedness and Response to Oil Pollution and Other Harmful Substances and Potentially Dangerous Substances”, through Annex 18 of the Ordinance 8/98 DPAM, the shipowners and managers of tankers transporting hydrocarbons and other harmful and potentially dangerous substances are required to respond within the time and through the means specified therein (Annex 18).

Therefore, the tankers that already have a valid “OSRO” arrangement, in compliance with Ordinance 8/98, do not need any additional response service for a bunker operation at Zona Comun, neither do the vessels carrying dry cargoes.

It should be stressed that the norms referred to above, applies to vessels carrying hydrocarbons and other harmful and potentially dangerous substances.

Yours Faithfully

FRANCISCO BENISCH

Prefecto Principal

Jefe División Planes

Dirección de Protección Ambiental

PREFECTURA NAVAL ARGENTINA

Autoridad Marítima



Sebastian Trigub <sebastian.trigub@pandi.com.ar>

RE: CONSULTA. Ref.: Situación "OSRO" para las operaciones de bunkers en Zona Común

1 mensaje

Prefectura <dpam-plns@prefecturanaval.gov.ar>
Para: sebastian.trigub@pandi.com.ar

11 de febrero de 2021, 9:08

Sr. Apoderado, Sebastian A. Trigub

Pandi Liquidadores S.R.L.

Tengo el agrado de dirigirme a Usted, con relación a su Nota de fecha 5 de febrero del corriente año, por la cual solicita información referida a la situación "OSRO" para las operaciones de Bunkers en Zona Común, en lo concerniente al cumplimiento de la legislación vigente y su reglamentación en materia de protección ambiental, habida cuenta las incumbencias que competen a la Prefectura Naval Argentina como Autoridad Marítima.

Sobre el particular, llevo a su conocimiento que atento a lo establecido en la Ley N° 24.292 "Convenio Internacional sobre Cooperación, Preparación y Lucha Contra la Contaminación por Hidrocarburos", en el Decreto N° 962/1998 "Creación del Sistema Nacional de Preparación y Lucha contra la Contaminación por Hidrocarburos y Otras Sustancias Nocivas y Sustancias Potencialmente Peligrosas", a través del Anexo 18 de la Ordenanza N°: 8/98 – DPAM, se exige la respuesta ante un incidente contaminante a las Empresas propietarias o Armadoras de Buques Tanque que transportan Hidrocarburos, sustancias nocivas y otras sustancias potencialmente peligrosas, las que deben responder en los tiempos y con los medios requeridos en el Anexo referenciado.

Ante lo cual, los buques tanques con un "OSRO", vigente en cumplimiento a la Ordenanza N°: 8/98, en una operación de Bunkers en Zona Común, no requieren de un servicio de respuesta adicional, como así tampoco los buques que transporten cargas secas.

Cabe aclarar que la normativa referenciada, se aplica a los buques que transportan Hidrocarburos y Otras Sustancias Nocivas y Sustancias Potencialmente Peligrosas.

Atte.

FRANCISCO BENISCH**Prefecto Principal****Jefe División Planes****Dirección de Protección Ambiental****PREFECTURA NAVAL ARGENTINA****Autoridad Marítima****Av. Eduardo Madero 235 - Piso 4 Of. 4.48****Buenos Aires (1106) - Argentina****+54 11 4318 7400 Ext. 2465**