



Maritime Developments Advisory

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U.S. Radiation Monitoring of Shipping Traffic Arriving in the United States After Operating Near Japan

New Development

The powerful earthquake and devastating tsunami in Japan on March 11, 2011, which crippled nuclear power plants on Japan's east coast, have caused a growing concern over the potential radioactive contamination of vessels sailing in the vicinity of Japan. In the aftermath of the tragedy, on March 22, 2011, the U.S. Customs and Border Protection ("CBP") and the U.S. Coast Guard ("USCG") published a joint notice addressing the potential radiation risk and advising of monitoring protocols that have been established for the arrival of vessels in the United States after having been possibly exposed to the radiation leaking from the damaged Fukushima nuclear power plant in Japan. In addition, on March 17, 2011, the U.S. Maritime Administration ("MarAd") issued Advisory # 2011-02 to mariners regarding vessels sailing to or from Japan or operating in the vicinity of the location of the nuclear power plants.

Background

There remain concerns about vessels sailing to and from Japan or anywhere within a 50-mile range of the Japanese nuclear power plants leaking radiation, and many governments are taking steps to monitor or screen vessels arriving at their ports. The U.S. govern-

ment has determined that the radiation levels outside a zone of 50 miles from the Fukushima power plant do not pose a hazard to human health and does not expect to see harmful levels of radiation reach the United States from the damaged Japanese nuclear power plants. After MarAd issued its Advisory, the USCG issued a precautionary Navigational Warning on March 18, 2011 advising vessels to avoid transiting within 50 miles of the Fukushima nuclear power plant and has implemented additional protocols for vessels sailing within 50 miles of the reactors in order to ensure the safety of the U.S. population.

Vessels Arriving at U.S. Ports from Japan

In response to the attacks on the U.S. on 9/11, the CBP began using radiation detection technology at ports of entry and equipped personnel with personal radiation devices to identify any potential health risks. The CBP has not changed its standard of screening protocols for radiation detection in the aftermath of the earthquake and tsunami, but the USCG will perform additional screening of the vessels transiting within the 50-mile area prior to entry into a U.S. port. The USCG has also issued field guidance to all Sectors related to the potential radiation and directed field personnel to monitor

vessel traffic arriving from Japan. CBP has provided similar field guidance and instruction to its personnel. In accordance with these instructions, vessels having transited within 50 miles of the damaged Japanese nuclear power plants will be met by port directors at the vessel's first port of call in the United States where a sample of the cargo will be screened as it is offloaded and a radiation assessment of the vessel will be performed.

Any cargo arriving from Japan and having produced a radiation detection alert during screening will be referred for a secondary screening. During the secondary screening, officers will work with technical experts to determine if the radiation levels are legitimate and pose a health risk. If the levels are in any way unsafe, then the carrier will be notified and appropriate measures taken.

MarAd Advisory

MarAd suggests that vessels sailing to, from, or around Japan stay a minimum of 50 miles away from

the damaged Fukushima nuclear power plant. MarAd also suggests that vessels track wind patterns and weather conditions and keep informed of any information being provided by the Japanese government. Should a vessel transit within 50 miles of the power plant, the Master of the vessel should submit to the cognizant Captain of the Port the transit information, including date and total time in the area, using the comment block on the 96-hour advanced notice of arrival.

Conclusion

Vessel owners and operators should continue to closely monitor the situation in Japan and follow the guidance of the Japanese and U.S. governments and the governments of the countries in which their vessels will call. As the situation develops in Japan, the U.S. procedures for radiation screening may change. The USCG, CBP, and MarAd indicated that they will continue to issue communications regarding the situation, which will be available on their websites.

For Additional Information

If you have questions or desire assistance, please contact:

Jeanne M. Grasso
202.772.5927
Grasso@BlankRome.com

Jonathan K. Waldron
202.772.5964
Waldron@BlankRome.com

Tara Leiter
202.772.5849
Leiter@BlankRome.com