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16 Jun 10

MEMORANDUM

From:  J. A. Watson, RADM
FOSC BP DEEPWATER HORIZON OIL
SPILL

To: NIC

Subj: FOSC DETERMINATION UNDER 46 U.S.C. § 55113 CONCERNING OIL SPILL
RESPONSE VESSELS CAPABLE OF SKIMMING OIL

1. Pursuant to my authority contained in 46 U.S.C. § 55113, I have determined that an adequate number of oil spill response vessels (OSRVs), as defined by 46 U.S.C. § 2101(20a), documented under the laws of the United States and capable of skimming oil cannot be employed in a timely manner to recover the oil released from the BP Deepwater Horizon spill.
2. Oil currently discharges into the Gulf of Mexico at unprecedented levels. There are simply not enough U.S. OSRVs capable of skimming oil available to keep up with the pace at which oil flows from the well. Until the flow is stopped, therefore, it is my opinion that domestic **and** foreign OSRVs capable of skimming oil are needed to provide adequate and timely protection to the Gulf Coast.
3. This determination applies only to OSRVs capable of skimming. No foreign OSRV may avail itself of any privileges conveyed by this determination unless its country has accorded to vessels of the U.S. the same privileges.
4. Respectfully request that U.S. Customs and Border Protection be notified of this determination.

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