

# MTSA/ISPS POLICY ADVISORY COUNCIL

November 8, 2005

## Issue/Discussion/Decision Timelines for MTSA Required Exercises 45-04 Change 1

### FINAL

**Issue:** When should the first MTSA exercise be conducted?

**Discussion:** Vessel and facility exercises, as defined in 33 CFR 104.230, 105.220, and 106.225, must be conducted at least once each calendar year, with no more than 18 months between exercises. The regulations did not specify when the first exercise would be conducted.

Area Maritime Security Plan exercises required by 33 CFR 103.515 are to be performed at least once each calendar year, with no more than 18 months between exercises.

Realizing that some plans are approved well in advance of the actual date the vessel or facility would commence operations, additional guidance is necessary that allows a vessel or facility to have available the full 18 month time period by which to conduct the required exercises.

**Decision:** For those plans approved after July 01, 2004; an exercise must be conducted no later than 18 months from the first day of commencement of operations, otherwise referred to as the plan implementation date.

If a vessel or facility chooses to conduct an exercise at the end of the 18 month window as allowed for, the next required annual exercise compliance date *cannot* again be deferred for another 18 months. Exercises are required to be conducted once per calendar year.

An example is a facility with a plan approval or implementation date of July 1, 2004. If this facility elects to extend out the July 01, 2005 annual exercise requirement until December 31, 2005 (18 months from July 01, 2004), the next annual exercise must be conducted no later than December 31, 2006, in order to meet the once per calendar year regulatory requirement; and cannot be deferred into 2007.