

Policy on Vessel Detainment

In the course of investigating and responding to spills of oil or hazardous substances, it may be necessary to detain vessels. Federal authority to detain vessels for pollution response investigations in ports subject to the jurisdiction of the United States and on the navigable waters of the United States rests with the U.S. Coast Guard Captain of the Port (COTP).

The COTP is authorized to:

- a. order a vessel to operate or anchor in a particular manner if the COTP has reasonable cause to believe that the vessel does not comply with any regulation or applicable law (33 USC 1223, Ports and Waterways Safety Act);
- b. investigate any incident which affects or may affect the safety or environmental quality of the ports, harbors, or navigable waters of the United States (33 USC 1227, Ports and Waterways Safety Act); and
- c. board and inspect any vessel, except public vessels, to enforce the oil and hazardous substance liability provisions of the Federal Water Pollution Control Act (33 USC 1321, Oil Pollution Act).

Known or suspected violations of federal pollution prevention requirements by vessels should be reported to the appropriate COTP. For incidents on the Upper Mississippi River from mile 0.0 up to mile 109.9, notify the Sector Ohio Valley in Louisville, Kentucky. For incidents on the Upper Mississippi River at mile 109.9 and above, notify the Sector Upper Mississippi River in St. Louis, Missouri. See Spill Notification Call Roster pages 20-21 for contact information.