

## Foreword

INTERTANKO published its first review of US State Oil Pollution Laws in 1993, following the implementation of the US Oil Pollution Act 1990 (OPA 90) and the Exxon Valdez spill. The OPA 90 model for ships has functioned well since 1990 with a significant reduction in the amount of oil spilled from ships. It has been instrumental in encouraging and enhancing both ship performance and oil response operations. Whilst our Members deliver the bulk of the United States liquid fuels/oil consumption, they also enjoy a highly commendable safety record, including an exceptionally low spill record over the last decade.

However, major oil spill incidents bring oil spill issues squarely back into the public eye. Whilst not a tanker spill, the spill from the Deepwater Horizon drilling rig in April 2010 has done just that. This has caused US legislators to look again at spills both from offshore installations and from ships, with a particular focus on rights to limit liability. Many US States already had oil spill laws prior to OPA 90 and these continue to be developed. Many of these, you will see, impose unlimited liability for oil spills and other additional requirements with respect to discharge of oil or e.g. clean-up response. OPA 90 does not pre-empt any state from imposing such additional liability for oil spills. We therefore felt this was an opportune time to revisit and update the US littoral state laws in place to assist our members calling at US ports.

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