

# SALVAGE OPERATIONS IN MEXICO

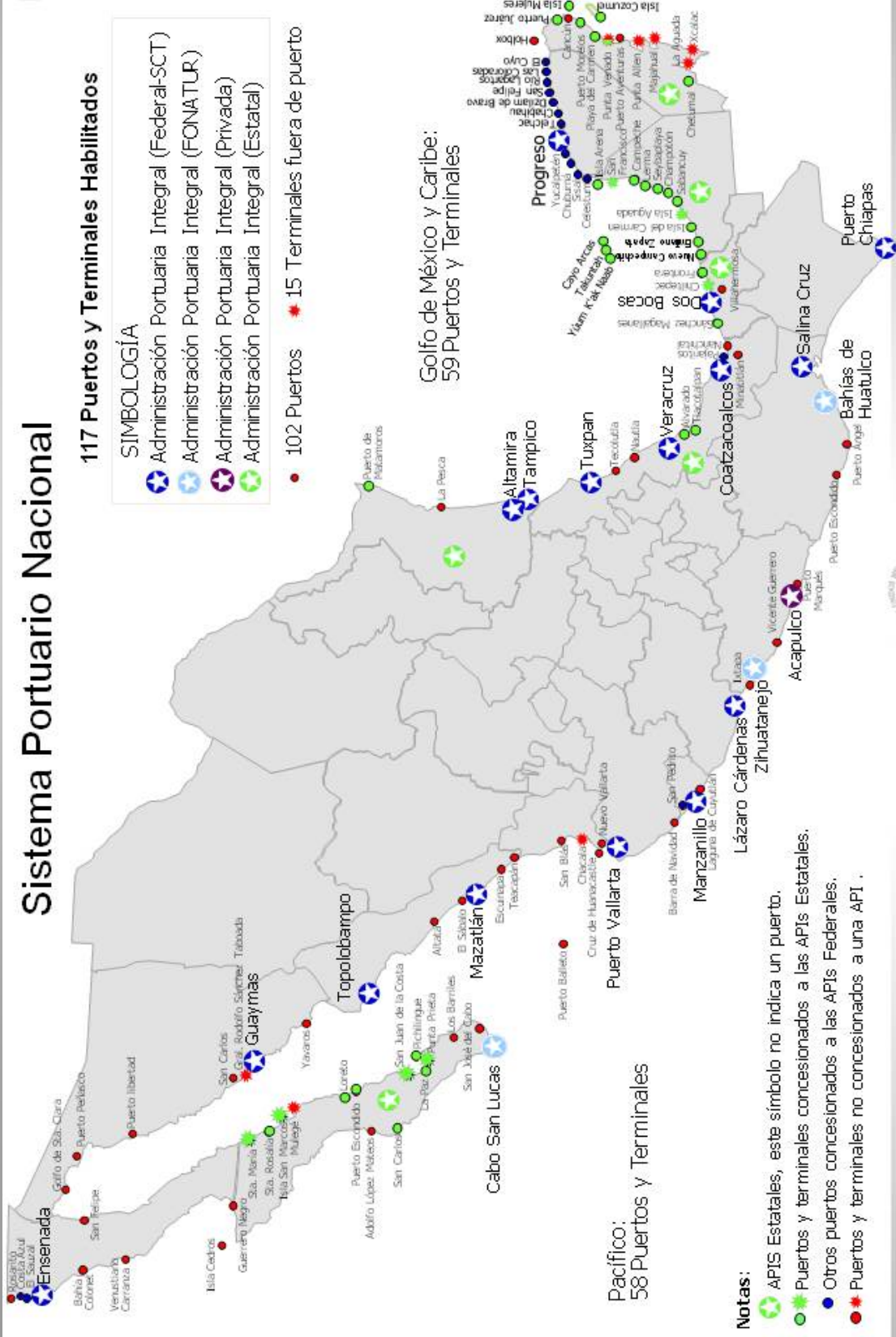
*J. Walter Pinedo Rivas*



**ASA OAS-CIP**  
**Marine Salvage Workshop**  
**Miami, FL: June 13-15, 2016**



# Mexican Littoral and Main Ports

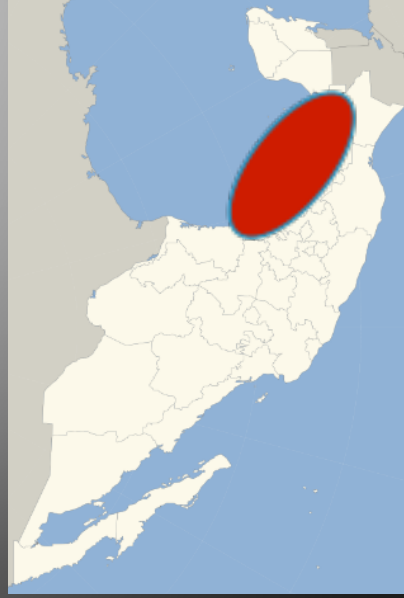
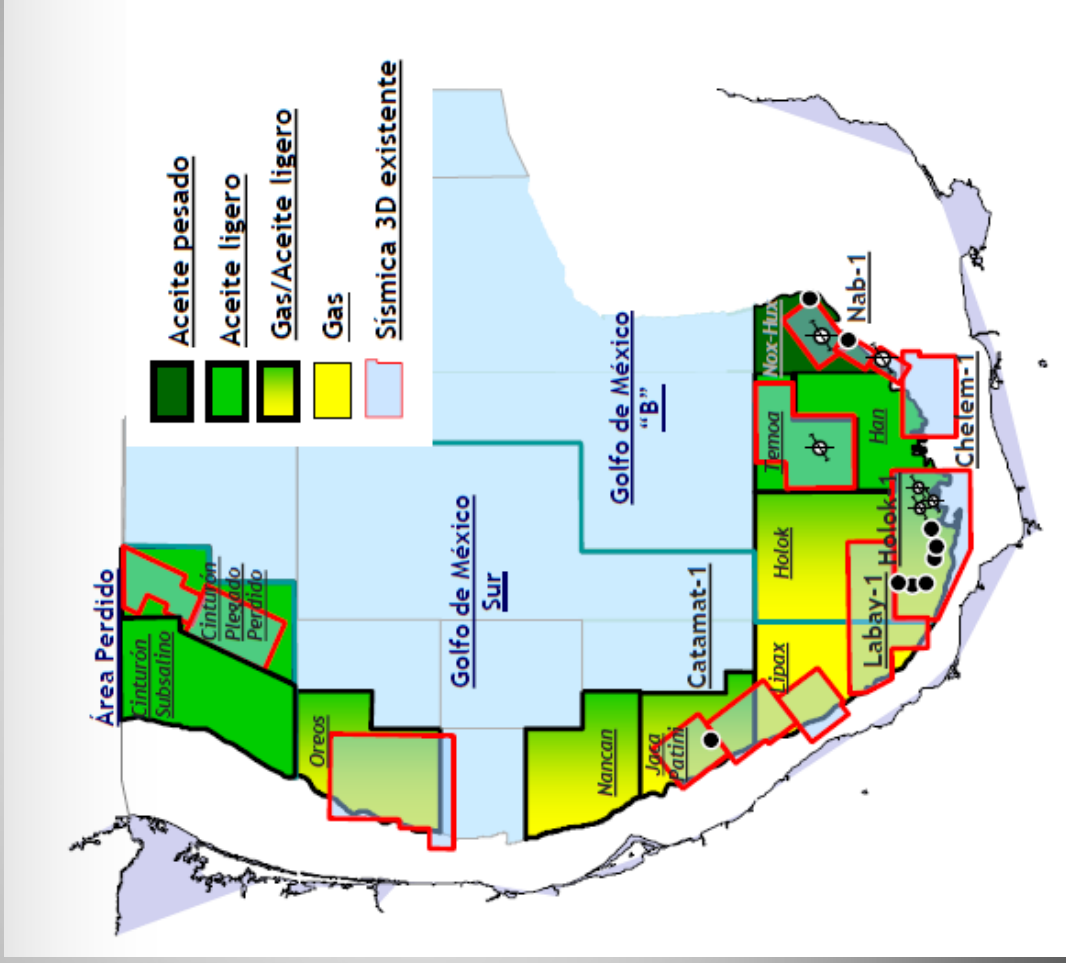


# Mexican Reef Areas



1. West Coast & Gulf of California
2. Archipelago of Revillagigedo
3. Islas Marias
4. South Pacific
5. Gulf of Mexico
6. Caribbean Sea

# Area of Influence of Pemex



SALVAGE OPERATIONS IN MEXICO  
 MIAMI, FLORIDA – JUNE 15, 2016

# Navigation and Maritime Commerce Law and its Regulations



1. Harbor Master to coordinate salvage operations.
2. Ministry of the Navy to assist in the rescue of persons at sea.
3. Right of retention of salvaged property granted to Salvors.
4. International contract forms acceptable.
5. Foreign flag vessels may be exempted from Temporary Navigation Permit in cases of public interest.



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# Navigation and Maritime Commerce Law and its Regulations



- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972
- International Convention on Salvage, 1989
- 1996 London Protocol



# What happens if...



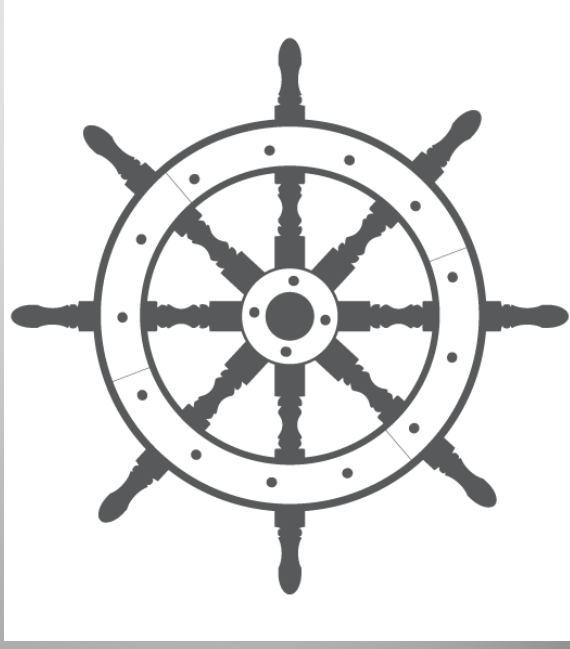
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# Governmental Agencies Involved

Ministry of the Navy

Mexican Customs

Federal District  
Attorney



Ministry of Labor

Ministry of  
Communications and  
Transport (SCT)

Petróleos Mexicanos  
(PEMEX)

Ministry of the Environment  
(SEMARNAT): Profepa and Asea



# “Dream Salvage Team”

## Local Agent

- Experienced in clearing foreign flag vessels and equipment;
- Customs law issues;
- Experienced in dealing with Pemex;
- Good relationship with local federal authorities;
- Honest;
- Pro-active;
- Fluent in English;
- Team mentality.



## Local Maritime Lawyer

Experienced in Maritime incidents:

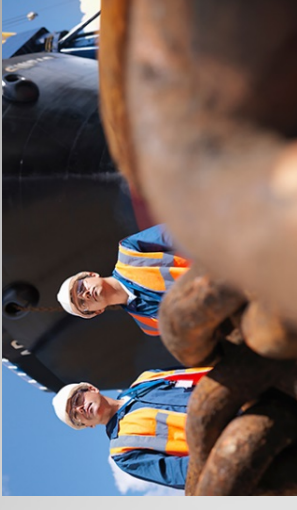
- Criminal;
- Immigration;
- Customs;
- Shipping;
- Environmental;
- Pemex and Mexican federal agencies in general;
- Team mentality.



# “Dream Salvage Team”

## Local Technical Expert

- Experienced in maritime incidents;
- Good reputation with Mexican Federal Agencies and Pemex;
- Pro-active;
- Honest;
- Team mentality.



## Spokesperson

- Fluent in Spanish;
- Technical knowledge;
- Team mentality;
- Availability 24/7;
- Familiarity with the media;
- Must have the ability to convey the message in few words.



## Owners' Representative

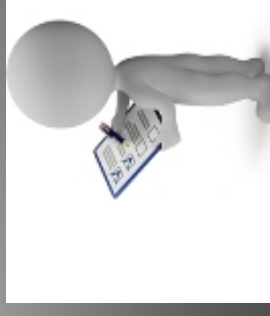
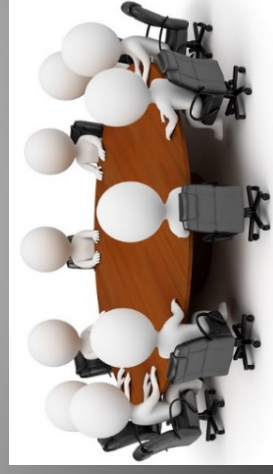
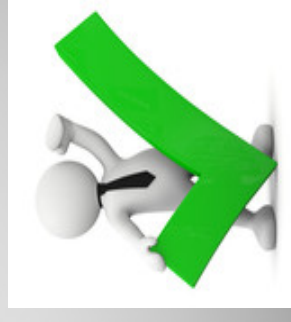
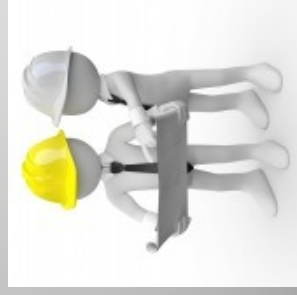
- Availability 24/7;
- Familiar with dealing with Pemex and Mexican Federal Agencies;
- Team mentality.



# Ministry of the Navy



1. Preliminary report of the incident;
2. In case of pollution, working with the PROFEPA or ASEA;
3. Sanitization certificate;
4. Scuttling permit. No contamination certificate;
5. Periodical meetings;
6. Periodical water quality laboratory reports;



# Ministry of Labor



## 1. Verification of working conditions on board.

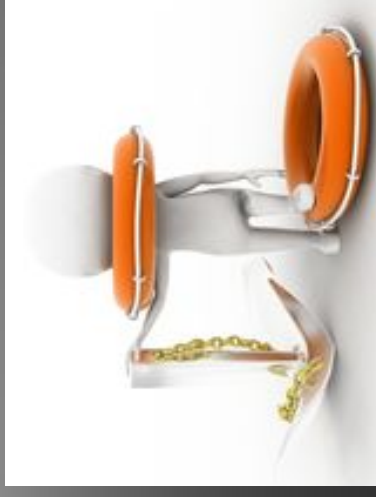
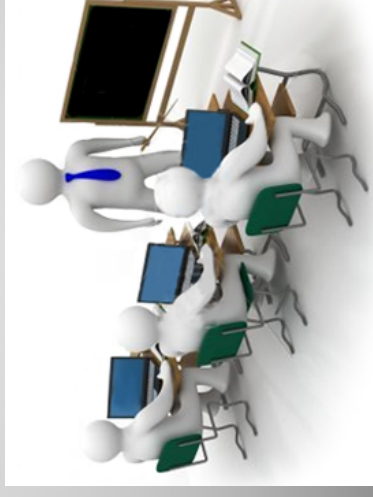


# Ministry of Communications and Transport (SCT)



## General Coordination of Ports and Merchant Marine

1. Note of Protest of the incident by the Master;
2. Ratification of Note of Protest by Master, usually after three (3) days;
3. Interrogation of Master and crew by Harbor Master;
4. Scuttling permit in coordination with the Ministry of the Navy;
5. Notice to Mariners informing the wreckage's position;



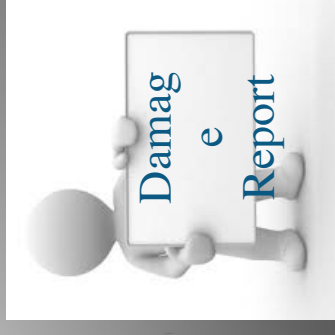
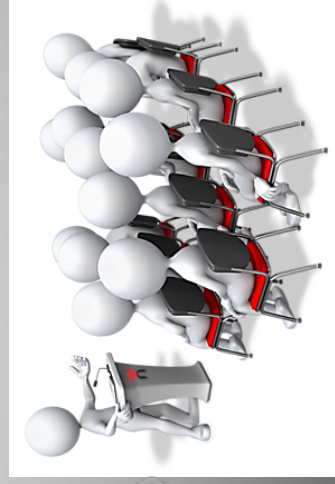
# Ministry of the Environment (SEMARNAT)



## PROFEPA (Federal Prosecutor Agency on Environmental Matters)



1. Voluntary report in the event of pollution;
2. Investigation of possible damages to the marine environment;
3. Need to provide regular reports on the salvage and/or removal operations;
4. Environmental damage report.



# Ministry of the Environment (SEMARNAT)

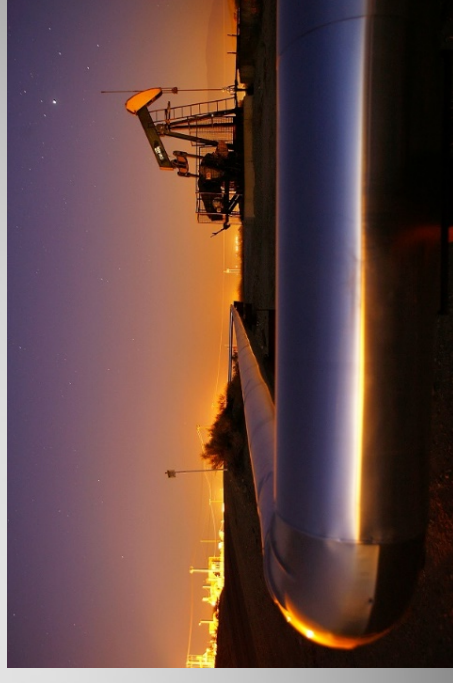


## ASEA (National Agency of Industrial Safety and the Environmental Protection of the Hydrocarbon Industry)

1. The ASEA supervise and deal with all matters related with the following activities in the energy sector in Mexico:

- Oil and Gas;
- Natural Gas;
- LPG;
- Oil and Petrochemical derivatives;

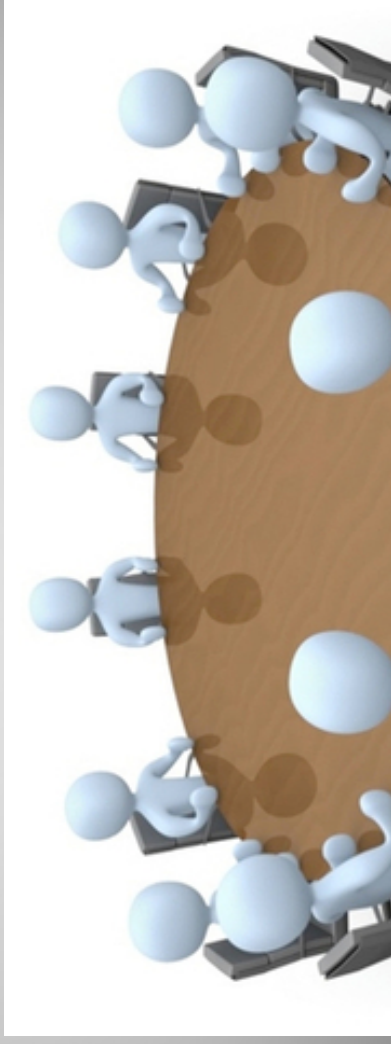
2. Root Cause Analysis (RCA).



# Petróleos Mexicanos (PEMEX)



1. Supervision of salvage operations in the area of influence of Pemex;
2. Regular progress meetings.

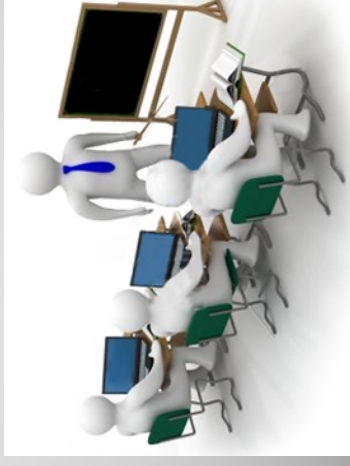




# Federal District Attorney



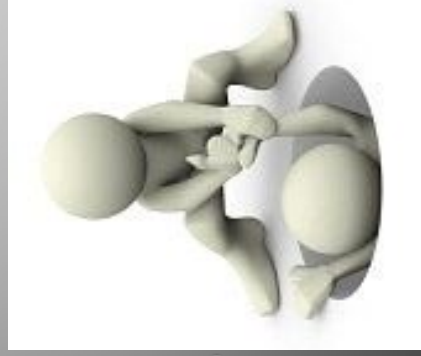
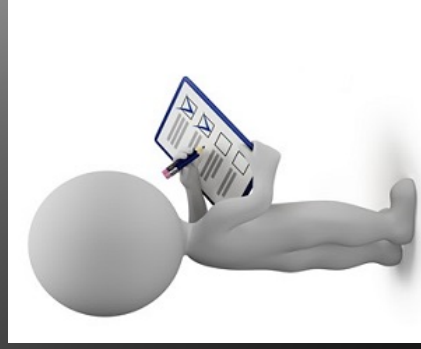
1. Criminal enquiry if loss of life and/or personal injuries and/or damages to Pemex and/or third party property are involved;
2. Interrogation of Master and vessel's crew;
3. Expedite repatriation of Master and crew after interrogation by FDA;
4. Property may be seized by the FDA pending the outcome of his investigation.



# Mexican Customs



1. Filing incident report;
2. Preliminary information of salvage operations describing foreign flag vessels and/or equipment;
3. Obtaining temporary importation permits for foreign flag vessels and/or equipment;
4. The wreckage final disposition. No sale in Mexican territory nor its destruction unless authorized in writing by Customs.



*Thank you!*

*J. Walter Pinedo Rivas*

