

DELAWARE RIVER AREA LOCAL DOWNTIME POLICY

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I. CBP OUTAGES

A. ACE OUTAGE

Currently, CBP requires filers to submit paper when ACE is down. CBP may be able to access other systems to review bill of lading detail in order to release cargo during outages. Unless otherwise indicated, email will be the method for all “manual” information delivery.

CBP can station an officer at certain terminals when in crisis mode to prevent gate-outs on a case-by-case basis.

Depending on the length of the outage, filers might opt to wait until the system is operational. The following procedures apply to time-sensitive transactions.

Note: CBP must seek to standardize port-level procedures to the extent possible as carriers, agents, brokers, and service centers touch all ports in the country. It would be extremely difficult to effectively operate if each port had different rules for trade downtime (i.e. paper only in one port, email in another, etc.).

1. For manifests/entries already on file

- a. For cargo not yet released, brokers will print and deliver copies of 3461s, 7512s, and other relevant documents to the CBP Custom House drop box or via email to phl-entry-branch@cbp.dhs.gov.
- b. CBP will sign forms and return them to the broker via email or fax. If volumes are high, brokers may wish to physically retrieve copies from the Custom House.
- c. Filers should indicate with a note on the form whether they will send a runner to pick up the forms or if they want files returned by email or fax.
- d. Brokers will provide copies to agents, lines, terminals.
- e. Once ACE is operational, CBP will enter information.
- f. For cargo released prior to an outage but remaining on hold, the agent or broker will present printed reports to CBP as proof of entry/release as needed.
- g. CBP will deliver hold removals and other relevant information to the contact person listed on the paperwork. That person will pass on the information to others who need to know.

- h. As CBP completes exams at the terminal, CBP will notify the terminal operator. [Note: CBP needs to find another way to alert all parties – not just the terminal.]
- CBP will email if possible.
 - As a backup, CBP will fax information.
 - If email and fax are not available, CBP will verbally inform the parties of cargo status.
- i. Once ACE is operational, CBP will enter information.

2. For manifests/entries not yet filed

- a. Agents and lines will deliver hard-copy manifests by courier or email.
- b. Brokers will provide paper copies of 3461s, 7512s, and other relevant documents.
- c. CBP Advanced Targeting Unit (ATU) will review the manifests and alert the lines or agents via phone or email what containers are on hold. If CBP determines the downtime will last less than 48 hours, the lines or agents may decide to wait until the system is operational.
- d. If a manifest is on file, the broker will file a paper entry. CBP will stamp/sign the 3461 or 7512 and send it back to broker to confirm the release of the cargo.
- e. If an exam is required, CBP will indicate the type of hold on the 3461 accordingly and sent it back to the broker.
- When the broker receives the signed/stamped 3461 indicating a hold, (s)he will notify the agent/line and terminal operator that an inspection is to take place.
 - After the exam is complete, CBP will notify the terminal in writing (possibly a spreadsheet if there are many bills/containers) that CBP cleared the cargo to move. The terminal will update/confirm in its operating system that the inspection is completed.
- f. The processes are the same for containerized and non-containerized cargo.

3. For stow plans

Carriers/agents on TRACS can print stow plans for delivery to CBP, if needed.

Carriers/agents using other systems must consult their service providers.

Filers must email stow plans to ATU at philadelphiaatu@cbp.dhs.gov. Carriers/agents will be responsible to file electronically once the system is operational.

If CBP determines the outage will last less than 48 hours, carriers/agents may decide to wait until the system is operational.

B. ADVANCED PASSENGER INFORMATION SYSTEM

CBP officers do not have access to the Coast Guard Ship Arrival Notification System, which is the source of APIS crew data, however CBP has an officer stationed with the Coast Guard. In the event of an outage, CBP will likely rely on its relationship with the Coast Guard to gather crew data.

Lines/agents must submit paper crew manifests to CBP. Send paper crew manifests via email to philadelphiaatu@cbp.dhs.gov, and CBP will acknowledge via email.

If CBP cannot connect to APIS, it can utilize a Cargo Systems Messaging Service (CSMS) in a widespread outage. CBP will issue a Pipeline if it is a more localized outage.

C. PARTNER GOVERNMENT AGENCIES

In the event of a PGA outage, CBP will issue a CSMS with PGA instructions.

D. EMAIL

If email is down, communications will take place via telephone calls or fax at 215-597-6855.

E. POWER FAILURE

If the Custom House is without power, CBP will either work remotely or physically move to the airport or cargo city. Unless there's an intensive hold, it shouldn't affect too much in the short term. In the case of intensive holds, CBP will continue to utilize electronic means at the remote location.

II. BROKER/IMPORTER SYSTEM OUTAGE

A. BROKER ABI¹

- a. Broker will submit formal notices of downtime to the port director and the client representative.
- b. Broker will print CBP forms (e.g., 3461, 7512) to get CBP signatures to release cargo or move it in-bond.
- c. Broker will deliver hardcopies to CBP via courier or email to phi-entry-branch@cbp.dhs.gov.
- d. CBP will manually post releases and other disposition codes.
- e. Agents and terminals will check releases via normal channels.

B. EMAIL

¹ Some brokers can use service providers' ABI systems. In those instances, there is no need for further procedures.

- a. If brokers cannot access its cloud based or redundant email server, it will notify concerned parties (e.g., CBP, agents, terminals, customers, etc.) via telephone in the event their email systems are not operational.
- b. Brokers will telephone CBP with information or courier documents that they normally would email.
- c. Verbal information to the terminals would be fine in most cases.

C. POWER FAILURE

Brokers that cannot transfer operations to alternate locations will notify the CBP port director and client representatives and other partners via phone of any impediment to operations.

III. TERMINAL OPERATOR SYSTEM OUTAGE

A. ACE ACCESS

- a. Terminals will request EDI manifests from the carriers and will rely on the carriers to sign into the terminal operating systems to control the CBP disposition code 1C (entered and released) messages.
- b. Terminals can also check statuses and print reports as needed through the Maritime Exchange TRACS system.
- c. Upon request, the Exchange will email CBP status notifications by disposition codes as it receives them from CBP.

Terminals already set up for this feature can request the Exchange to add additional disposition codes they may not be receiving.

B. EMAIL

- a. Terminal operators will notify the trade via the Maritime Exchange MOL Participants broadcast email.
- b. They could also broadcast the email outage to the trade via an external email or depend on the email sender to receive back an undeliverable notice that their email did not reach the terminal.
- c. Verbal releases from the broker to the terminals would be fine in this scenario with blanket approval arranged with CBP.

C. POWER FAILURE

- a. Terminal operators will notify the trade via the Maritime Exchange MOL Participants broadcast email and other providers in the event a power failure limits their operations.
- b. Terminal power back-ups focus on gate operations for continuity purposes. Some systems would stay running, some not. Power without communication might be a

shutdown event. Work arounds could include use of paper documents, spreadsheets, etc. Terminal operations will depend on the severity/duration of the outage.

IV. CARRIER SYSTEM OUTAGE

A. ACE ACCESS

Many carriers calling Delaware River ports depend on agents to work through communication issues.

When a carrier's Standard Carrier Alpha Code (SCAC) code is set-up by CBP, the transmissions are set up through the carrier's system, a service center, or port authority system. CBP has the ability to set up the carrier for multiple service providers. Agents/carriers will ask CBP to set up SCACs with multiple service providers to file manifests during an outage.

V. MARITIME EXCHANGE OUTAGE

The Exchange will notify participants of any system failure as soon as information becomes available. Whenever possible, the Exchange will indicate an approximate restoration time.

Unless otherwise indicated, the Exchange operations center phone number (215-925-1524) and email address (ops@mxops.org) remain the same during system downtimes.

A. MARITIME ON-LINE (TRACS, STOW PLAN, NOA/D ON-LINE, AND AIS)

1. If the primary data center is down

- a. The Exchange will migrate operations to the backup facility in Wilmington within four hours.
- b. The Exchange will notify participants via email to connect to the backup portal at https://www.maritimedelriv2.com/mol_app.
- c. The Exchange will notify participants via email when operations have resumed at the primary data center.

2. If both the primary and backup data centers are down

- a. The Exchange will notify the participants of the outage via an external email system and include an anticipated recovery time.
- b. The Exchange will notify participants via email when operations have resumed at the primary data center.

B. TRACS AND STOW PLAN²

The Exchange will notify the port director and client representative of any system outages.

² When both primary and backup systems are down.

Upon request by the Maritime Exchange, CBP will issue a CSMS to notify the trade of problems with instructions for submission of new manifests and updates to manifests already in ACE. Local CBP has the ability to input manifest vessel arrivals. To sign up for CBP's CSMS, visit: https://csms.cbp.gov/csms.asp?display_page=1.

If necessary, the Exchange will provide alternate contact methods, email addresses, and phone numbers.

C. MQ (Message Queueing – Communications with CBP Data Center)

- a. If the Exchange cannot connect to MQ, but MQ is active, the Exchange will email participants within the hour that TRACS is available for input, but it will not send or receive data until it restores connections.
- b. The Exchange will notify participants when it restores connections.

D. NOA/D ON-LINE

- 1. If the USCG NVMC system is down, the Exchange will notify participants via email.**
- 2. If internal email services are down preventing submission of the offline spreadsheet:**
 - a. The Exchange will notify the participants of the outage via external email system and include an anticipated recovery time if available. Depending on the nature of the outage, the Exchange will provide an alternate external email address for participants to submit NOAD spreadsheets for processing.
 - b. The Exchange will inform users that the USCG web portal is available for online data entry and submissions.
 - c. The Exchange will notify participants when it restores connections.

E. EMAIL

- a. If the email system is unavailable, the Exchange will notify MOL participants via an external email broadcast system with instructions to contact the Exchange via phone.
- b. If the Exchange anticipates an extended outage, instructions will include alternate email addresses.
- c. The Maritime Exchange automated outbound email messages will be queued for delivery when it restores the email system.
- d. The Exchange will notify participants when it restores email connections.

VI. COAST GUARD OUTAGE

A. NVMC OUTAGE

1. Primary Submission of eNOAD

Submit eNOAD information via the web portal at: <https://enoad.nvmc.uscg.gov/>. This website is not an email but rather an online system that vessel captains, companies, and shore side entities can access and submit information.

2. Secondary Mode of Submission of eNOAD

If an emergency prohibits a vessel from submitting its NOAD through the eNOAD website, the CG will continue to accept other electronic methods of submission. The NVMC will reasonably determine submissions on a case-by-case and limited basis, in times of:

- No connectivity to email or internet if using the eNOAD website or NVMC web service, or;
- When experiencing technical difficulties with an onboard computer or communications system through which the eNOAD can be generated and transmitted, and;
- When no shore side support from a managing/operating company of the vessel or contracted 3rd party is available to generate and transmit the necessary eNOAD information in the accepted format and method on behalf of the vessel. [Note: This would allow the Maritime Exchange to submit eNOAD information in email form if the vessel experiencing connectivity issues is preventing the use of the eNOAD system], or;
- Due to emergency situations beyond the control of the vessel and its representatives.

Send email submissions to enoad@nvmc.uscg.gov. The Official NVMC XLS workbooks for submitting NOADs must be utilized and can be found on the NVMC website at <https://www.nvmc.uscg.gov/nvmc/> under the downloads tab. [Note: Filers cannot submit NOAD information directly to the Coast Guard Captain of the Port (COTP). Filers are to submit NOADs to the NVMC].

An alternate NVMC email address is sans@nvmc.uscg.gov, but only use this email for all general correspondence, questions, and other correspondence. Filers should not use it for submission of any form of NOAD.

In the event of a NVMC outage, Sector Delaware Bay Vessel Duty Officer (VDO) can utilize the following modes to pull NOAD information:

- Primary: Marine Information for Safety and Law Enforcement system (MISLE)
- Secondary: <https://sans.osc.uscg.mil>
- Tertiary: <https://dhssans.nvmc.uscg.gov> (Access Account required)

If all modes to pull the NOAD data fail, the VDO shall reach out to NVMC for data via phone/email.

The NVMC may use information provided by the Maritime Exchange, vessel agents, or from the vessel to supplement information sent to the NVMC. However, the NVMC must receive all NOAD information prior to any clearances given.

NVMC Contact Information

Telephone 1-800-708-9823 or 1-304-264-2502

B. SECTOR DELAWARE BAY OUTAGE

The Sector has contingencies in place to execute all Coast Guard missions in the event of main power grid loss.

In the event of an outage at Sector Delaware Bay, the VDO may move to a remote location, possibly utilize cell phones locally, or have duties absorbed by another CG unit with connectivity.

Sector Delaware Bay Contact Information

Port State Control Vessel Duty Officer - Hours 0730-1600, Telephone 215-271-4887

Port State Control Vessel Duty Officer - 24/7, Telephone 267-707-3245

Sector Command Center - 2/47, Telephone 215-271-4940

Duty Marine Inspector - 24/7, Telephone 215-908-9999

VII. ADDITIONAL NOTES

- CBP advises the trade to print hardcopies of documents prior to an approaching hurricane or other event.
- Ports that are Centers of Excellence and Expertise (CEEs) are good CBP contacts. CBP established the centers to increase uniformity of practices across ports of entry, facilitate the timely resolution of trade compliance issues nationwide, and further strengthen critical agency knowledge on key industry practices. If there is a localized outage/issue, these centers have personnel located nationwide that could assist in getting cargo examined, or communicating the status as seen in ACE.

The directory for the centers is available at <https://www.cbp.gov/trade/centers-excellence-and-expertise-information/cee-directory>.