DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
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IN REPLY REFER TO

OPNAVINST 4740.2F
N86

10 JUL 1997

OPNAV INSTRUCTION 4740.2F

From: Chief of Naval Operations

Subj: SALVAGE AND RECOVERY PROGRAM

Ref: (a) OPNAVINST 3150.27A
(b) OPNAVINST 8027.1G
(c) OPNAVINST 5100.8G
(d) OPNAVINST 5090.1B (NOTAL)
(e) OPNAVINST 4441.12B (NOTAL)
(f) OPNAVINST 3040.5C (NOTAL)
(g) NWP 37A and Navy Addendum thereto (NOTAL)

Encl: (1) Definitions of Types of Salvage and Recovery Operations And Command Relationships

1. Purpose

a. To revise policy for the Department of the Navy's salvage and recovery programs, and to reassign responsibilities previously assigned to the Chief of Naval Material.

b. To provide implementation procedures for salvage and recovery operations involving U.S. government and privately owned ships, cargo, aircraft, and other objects, such as space vehicles, nose cones, and weapons.

c. To assign to appropriate commanders within the naval establishment the responsibilities for effecting this policy.

d. This is a major revision and should be read in its entirety.

2. Cancellation. OPNAVINST 4740.2E and report symbol OPNAV 4740-2.

3. Scope. The policies, responsibilities, and procedures given here apply to all salvage and recovery operations conducted by the Department of the Navy.

4. Background. The basis for the Navy's Salvage Program stems from Public Law 513 (80th Congress, 2nd Session, 10 U.S.C. 7361, et seq) (commonly referred to as the Salvage Facilities Act) which authorizes the Secretary of the Navy to provide, by contract or otherwise, necessary salvage facilities for both public and private vessels upon such terms and conditions as he may, in his discretion, determine to be in the best interests of the United States. It further authorizes the Secretary to settle any claim for salvage services rendered by the Navy to other than U.S. naval vessels. The Salvage Facilities Act allows for the maintenance of a national salvage capability in the event of war or national emergency. To this end, the Navy, in peacetime, shall have a nucleus of ships and personnel trained in combat salvage which can be expanded in time of war or national emergency. Salvage operations pose unique tasks which require specialized equipment and systems as well as highly trained personnel. These operations may range from routine dive tasks at shallow depths to more demanding missions such as refloating sunken or stranded ships, raising submarines, clearing wrecks and recovering objects from the deepest depths of the oceans.

The accomplishment of these tasks requires that the Navy:

a. Maintain adequate Navy salvage and recovery facilities to meet the Navy's own peacetime needs.

b. Maintain a school for training divers and salvors.

c. Maintain realistic plans for expansion of the Navy salvage and rescue tow facilities through government and civilian augmentation in time of war or emergency.

5. Information

a. Reference (a) defines the Navy Diving Program, and shall be adhered to for all salvage and recovery operations which require Navy divers.

b. Operational safety, material, administrative and readiness inspections of salvage and recovery commands shall be aggressively pursued and shall include evaluations of systems, procedures, and personnel proficiency.

c. Reference (b) defines Explosive Ordnance Disposal (EOD) responsibilities.

d. Reference (c) assigns training and support area responsibilities for the Navy Safety and Occupational Health Program.

e. Reference (d) defines the Navy Environmental and Natural Resources Program, and provides guidance on response to oil and hazardous substance (OHS) releases incident to salvage operations.

f. Enclosure (1) defines the types of salvage and recovery operations, and gives guidance on the operational control of these operations.

6. Policy. The principal consideration when conducting salvage and recovery operations is mission accomplishment in a safe, efficient and environmentally responsive manner. The successful conduct of these operations is dependent on the availability of experienced personnel. Responding to casualties in peacetime provides critical experience that can enhance wartime readiness. In consideration thereof, it is Department of Navy policy to respond to all U.S. government requests for salvage and recovery assistance with Navy assets. Should those assets not be available or practical to meet the requirements of a particular operation, then contract civilian assets may be employed. The authority granted the Navy under the Salvage Facilities Act to salvage other than Navy shipping and to settle any claim for such salvage does not imply a Navy commitment to maintain salvage facilities in excess of Navy requirements. It is, however, Department of the Navy policy to assist, within existing capability, in the salvage of other than public ships or recovery of aircraft when such assistance is requested and where adequate privately owned salvage facilities do not exist or are.not reasonably available.

7. Procedure

a. Requests for Salvage and Recovery Assistance

(1) Requests for salvage and recovery assistance from within the Naval Establishment shall be directed for operating forces to the cognizant Fleet Commander in Chief and for all

other activities through the chain of command to Chief of Naval Operations (CNO) (N312). Requests should be made by message and provide the information identified in the appropriate Fleet Commander in Chief's or Type Commander's instruction. As a minimum, CNO, Commander, Naval Sea Systems Command (COMNAVSEASYSCOM), and the cognizant Fleet Commander in Chief, numbered Fleet Commanders, and Naval Surface Force Commanders will be included as information addressees.

(2) Requests for assistance from other federal agencies and/or commercial interests shall be directed to CNO (N312). Insofar as practical, requests shall be made by message or letter with COMNAVSEASYSCOM and appropriate Fleet Commander in Chief as information addressees.

(3) Technical advice/assistance with respect to the conduct of salvage and recovery operations and information on the general capabilities of both Navy and commercial assets may be obtained directly from COMNAVSEASYSCOM.

b. Commercial Salvage Assistance in Remote Areas. Fleet units operating in remote areas may occasionally require salvage assistance that may be available only from foreign commercial sources. Foreign salvors generally operate under the so-called "Lloyds Open Form (LOF) Contract." Alternative agreements can be made at the naval headquarters-salvor home office level. However, lacking specific instructions to the contrary, the commercial on-scene salvor will likely require signature on a LOF by the local commander/commanding officer prior to commencing work. The local commander/commanding officer neither has contracting authority nor is he or she empowered to commit the U.S. Government to arbitration in foreign courts, or posting of security and provision of a lien, all of which are elements of the LOF. Consequently, when employment of foreign salvors appears probable or imminent, the local commander must advise CNO, Judge Advocate General, Office of General Counsel, and COMNAVSEASYSCOM, as well as the appropriate operational chain of command, by the most expeditious means possible, of the complete circumstances. Specific guidance and authorization, if necessary will be provided the local commander/commanding officer while appropriate arrangements are being made with the salvor's home office.

8. Responsibilities

a. The CNO will:

(1) Through the Director, Surface Warfare (N86):

(a) On behalf of the Secretary of the Navy, carry out the responsibilities of the Salvage Facilities Act.

(b) Provide policy interpretation on all matters relating to the Navy Salvage Program.

(c) Establish the operational requirements for Navy salvage, underwater search and recovery operations.

(d) Coordinate the efforts of commands assigned responsibilities by this instruction.

(e) Be responsible for coordinating the salvage and recovery program within the Department of the Navy and between other Department of Defense offices, other federal agencies and foreign governments.

(f) Coordinate submarine salvage requirements with Director, Undersea Warfare Division (N87).

(2) Through the Director, Submarine Warfare (N87):

(a) Establish the operational requirements for Navy diving.

(b) Establish policy and procedures for employment of manned deep submergence underwater search, location and recovery operations.

(c) Be responsible for coordinating manned deep submergence underwater search and recovery, and all diving within the Department of the Navy and between other Department of Defense offices, other federal agencies and foreign governments.

(3) Through the Director, Air Warfare (N88) establish the operational requirements for aircraft recovery.

(4) Through the Deputy Chief of Naval Operations (Plans, Policy and Operations) (N3/N5) coordinate and assign tasking for

all requests for Navy salvage and recovery assistance.

(5) Through Deputy Chief of Naval Operations (Logistics) (N4) establish operational requirements and policy for response to Oil and Hazardous Substance (OHS) releases incident to salvage operations.

b. Fleet Commanders in Chief shall:

(1) Implement the policy and procedures contained here for subordinate commands.

(2) Schedule and conduct operations within asset availability or as assigned by higher authority. Fleet asset utilization will be given priority in any salvage and recovery operation. If required resources are not available within the Fleet, the cognizant Fleet Commander shall refer the requirement to CNO (N312).

c. COMNAVSEASYSCOM shall:

(1) Implement the policy and procedures contained here for subordinate commands.

(2) Execute the following specific responsibilities:

(a) Provide technical direction and guidance for the Navy Salvage and Recovery Program.

(b) Maintain contracts for commercial sources to supplement the Navy's salvage, search and recovery capabilities, or to be utilized when fleet assets are not available.

(c) Consider, ascertain, adjust, determine, comprise or settle and receive payment of any salvage claim.

(d) Provide for procurement, maintenance and distribution of salvage and related pollution abatement material to the Emergency Ship Salvage Material (ESSM) Bases. Equipment distribution outside the Continental United States (CONUS) areas will be coordinated with the Fleet Commanders in Chief.

(e) Upon request, and consistent with asset availability, provide Fleet Commanders in Chief with equipment

and systems to assist in the accomplishment of salvage and recovery missions from the ESSM system.

(f) Per reference (e), develop and maintain current Allowance Equipage Lists (AELs) for all commands which have a requirement for salvage and recovery equipment.

(g) Act as the Navy representative for salvage and recovery technical matters with other Department of Defense and federal agencies. Provide information to CNO on matters which impact on Navy programs. CNO is to be consulted on all matters which vary from established naval policy.

(h) Be responsible for the development of salvage, search and recovery systems and equipment, consistent with operational requirements.

(i) In coordination with CNO and Fleet Commanders in Chief, develop and maintain emergency contingency plans for expanding the Navy's salvage and rescue towing capability.

(j) Assume responsibility for any salvage or recovery operation when so assigned, upon agreement with the Fleet Commander in Chief concerned, or when directed by CNO.

(k) Through the Deputy Commander for Nuclear Propulsion (NAVSEA 08), provide technical assistance for salvage or recovery operations involving nuclear powered ships.

(l) Coordinate salvage and recovery services and provide information, liaison and financial advice to the organization responsible for the loss of the object being sought or salvaged, whenever these operations are undertaken by the Navy organization or under Navy contract.

(m) Maintain familiarity with the commercial salvage industry and its capabilities; evaluate the capability of the industry to meet the requirements of national defense; enter into and administer contracts with private enterprise for salvage, search and recovery services to public and private vessels and aircraft; train commercial contractors through employment in salvage operations; and process and settle claims for salvage, search, and recovery services rendered by naval activities to other than Navy activities.

(n) Serve as the Navy Technical Agent for all matters pertaining to the employment of salvage, search, and recovery systems and equipment.

(o) Consistent with reference (d), provide capability for response to OHS releases on the open ocean and/or incident to salvage operations.

d. The Chief of Naval Education and Training shall, in coordination with COMNAVSEASYSCOM, develop training plans and curricula for salvage, search and recovery equipment and systems.

9. Funding

a. Fleet Commanders in Chief have the mission responsibility to fund operation and maintenance costs of salvage and recovery assets (ships, boats, aircraft and equipment) and other assets, including associated base operation and incidental support, which are used in salvage or recovery operations that are assigned to the Fleets and which involve the salvage or recovery of naval (Navy and Marine Corps) assets. Expendable items used during the course of salvage and recovery operations will be funded by COMNAVSEASYSCOM or the Naval Air Systems Command, as appropriate.

b. COMNAVSEASYSCOM has the mission responsibility to control funds for:

(1) Contracts for commercial salvage and recovery equipment and services to supplement Fleet salvage capabilities.

(2) Operation and maintenance costs for the salvage and recovery equipment and systems assigned to the ESSM System and offshore pollution abatement equipment.

(3) Salvage and recovery services requested by other military services and government agencies or commercial interests on a reimbursable basis except when otherwise directed by CNO.

(4) Finance ship salvage and recovery services as follows:

(a) Fund contractor salvage, search, and recovery services.

(b) Fund operation and maintenance costs for the ESSM System and offshore pollution abatement equipment.

(c) Initially finance out-of-pocket expenses incurred in the opening phases of salvage, search and recovery operations undertaken by Navy organizations or under a Navy contract.

(d) Obtain reimbursement for the salvage, and search and recovery services from the organization desiring the object being sought, salvaged, or recovered, except when otherwise determined by CNO. Normally no reimbursement will be sought from the Fleet Commanders in Chief for Navy surface ship or submarine salvage operations or aircraft recovery operations.

c. The Naval Air Systems Command has the responsibility to fund recovery services provided in connection with the recovery of Navy and Marine Corps aircraft and their ordnance/cargo. Funds will be provided to COMNAVSEASYSCOM from the Naval Air Systems Command as necessary for these services.

d. Other federal agencies or commercial interests requesting salvage and recovery operations within the scope of this instruction ordinarily must arrange for a citation of funds, cash deposit, or "promise to pay" prior to the commencement of any operation. This rule is subject to exception for underwater salvage related to cases of personnel in distress.

10. Restrictions. This instruction is issued to provide operational information and implies no conclusions regarding the scope of the law of salvage or legal rights and obligations arising thereunder. Neither is it intended to apply to the property of a foreign government, unless a request for assistance from the personnel manning the craft or other authorized representatives of that government has first been received. In the event of a salvage operation combined with a nuclear reactor or radiological accident, the provisions of reference (f) supersede this instruction where conflict may exist. Personnel Search and Rescue (SAR) operations shall be conducted per reference (g).

G. L. MAXWELL
Captain, U.S. Navy
Deputy Director, Surface Warfare

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DEFINITIONS OF TYPES OF SALVAGE AND RECOVERY OPERATIONS AND COMMAND RELATIONSHIPS

1. Definitions

a. Rescue and Assistance. Rescue and assistance comprises those measures administered to a ship which is still afloat and is either in distress or in danger of a distress situation. Rescue and assistance can best be administered by salvage ships (ARS) or towing ships (T-ATF, yard tugs), but may also be provided by any ship able to tow or to supply a fire and rescue party. Rescue and assistance is considered salvage work when the effort is directed at saving the distressed ship and/or its cargo. Typical examples are rescue towing, off-ship fire fighting, or emergency repairs (such as clearing a fouled propeller or rudder) at sea. Personnel Search and Rescue (SAR) work is not considered salvage, except where it is accompanied by the saving of property, e.g., a rescue tow where the entire ship is saved incident to the saving of personnel. In such cases, the rules governing salvage apply. Rescue towing and off-ship fire fighting are normally conducted under the operational control of the Fleet Commander in Chief. In those instances when the Commander Naval Sea Systems Command (COMNAVSEASYSCOM) (SEA 00C) is assigned responsibility for the supervision of salvage operations, operational control of contract salvage ships so engaged will be exercised by the Supervisor of Salvage. SAR operations are conducted in accordance with reference (g).

b. Salvage. The saving of distressed or sunken ships and craft, and their cargoes, or the removal of ships or craft as obstacles to safe navigation. The following types of salvage will almost always require salvage ships, salvage craft, specialized equipment and diving personnel.

(1) Afloat Salvage. Afloat salvage comprises those measures administered to assist a ship damaged or disabled at sea by collision, fire, storm, mechanical failure, or enemy action where the situation is so grave, or potentially so, as to require the services of trained salvage personnel and special salvage equipment. Afloat salvage is conducted under the supervision of the Fleet Commander in Chief, except that, in those instances when the COMNAVSEASYSCOM is assigned responsibility for the supervision of salvage operations, operational control of

contract salvage ships so engaged will be exercised by the Supervisor of Salvage.

(2) Offshore Salvage. Offshore salvage involves re-floating stranded or sunken ships in exposed locations along the coast, or on reefs or islands. Ships aground on beaches or reefs are subjected to extreme structural stresses. Their salvage is nearly always difficult, dangerous, and of an urgent nature because conditions of wind and sea combine to cause further damage which makes salvage progressively more difficult, unless immediate and correct action is taken. This type of salvage requires trained personnel and special salvage equipment. Offshore salvage is conducted under the operational control of the Fleet Commander in Chief, except that, in those instances when COMNAVSEASYSCOM is assigned responsibility for the supervision of salvage operations, operational control of contract salvage ships so engaged will be exercised by the Supervisor of Salvage.

(3) Harbor Salvage. Harbor salvage is the salvage of ships and work of a salvage nature in harbors or protected waters. Time is generally not the important factor that it is in offshore salvage. However, a ship located in a navigable channel, alongside a pier, or in a mooring area will normally receive priority attention. Harbor salvage is conducted under the operational control of the commander having cognizance of the port. The work may be undertaken by personnel and ships for the Naval Surface Force, or as supplied by the Supervisor of Salvage, or by local forces supplied through the local salvage officer or, in minor cases, from the assets within the port, as discussed in the appropriate fleet guide (H.O. publication 900 series).

(4) Combat Salvage. Combat salvage may include elements of any of the foregoing types of salvage, as follows:

(a) Rescue Salvage. Ships incapacitated or damaged in a combat zone require expeditious rescue towing to a safe haven. Such towing may be performed by fleet tugs (T-ATF) and/or salvage ships (ARS) organic to the task force or, in an emergency, by combatant ships until the arrival of auxiliary type ships. Ships damaged and/or on fire in a combat zone may require off-ship fire fighting and damage control assistance to prevent further damage or total loss. Fleet tugs and salvage ships are specially equipped to provide these services, and in time of war,

may also carry detachments of personnel from mobile fire fighting teams specially trained for such emergencies.

(b) Amphibious Salvage. Amphibious salvage is normally conducted to clear landing beaches and boat lanes of landing craft and amphibious vehicles. In most cases, salvage efforts are effected immediately by the naval beach party and other salvage units. Distressed ships would require salvage efforts beyond the capability of the naval beach party. For that reason, auxiliary ships such as a T-ATF are frequently assigned to amphibious task forces. Special warfare team personnel, trained in the use of explosives and diving, would be employed to assist in post-assault beach clearance operations.

(c) Harbor and River Clearance. Harbor and river clearance is basically harbor salvage and comprises the work of clearing blocking ships, sabotaged ships, damaged bridges, locks, and demolished port facilities left by an enemy in order to preclude or restrict the use of harbor or access channel. This work may occur in captured harbors or as an ongoing effort to keep a harbor or channel from being blocked due to enemy interdiction. Harbor and river clearance work requires close liaison with the commander charged with the operation of port facilities and incoming cargo operation. This will generally require close liaison with Army port construction engineer battalions, and local Military Sealift Command (MSC) representatives, especially in the establishment of priority lists concerning which channels and cargo berths have priority in the clearance program. The Fleet Commander in Chief furnishes personnel specially trained for such work. These personnel may employ lift craft organic to the Mobile Diving and Salvage Unit (MDSU) or may commandeer local cranes, barges, etc., to accomplish the work.

(5) Submarine Salvage. Submarine salvage is a very specialized class of salvage and may be classed under either harbor salvage or offshore salvage, depending on the circumstances. Submarine rescue, which is a responsibility of the Submarine Force Commander, should not be confused with ordinary submarine salvage, which is the responsibility of the Fleet Commander in Chief. Submarine rescue demands instant reaction. At times, the best method of rescuing personnel may be

to raise the submarine by introducing air into its hull by means of the submarine's salvage air system. Ordinarily, submarine salvage is not time-critical, and warrants careful planning and a specially constituted force of ships. This work is undertaken by the Fleet Commander in Chief, using ARS, lift craft and/or pontoons, and other special equipment available through contracts maintained by the Supervisor of Salvage. The Supervisor of Salvage will not be required to create and maintain a major inventory of equipment solely for the salvage of submarines. Provision of material and equipment required for the salvage of submarines will be considered a unique operation to be dealt with on a case basis.

(6) Cargo Salvage. Cargo salvage comprises the saving or retrieval of cargo from a distressed or sunken ship or aircraft. This may include specific items of cargo, such as the ship's safe, classified documents, special recording devices, such as the flight recorder on an aircraft, or it may involve bulk and general cargo. Cargo salvage is also considered to include ammunition or weapons, either in or lost from a ship or aircraft, as well as lost weapons, such as missiles or torpedoes, whether fired operationally or lost on a test range. In cases where ammunition or weapons are involved, the rendering safe and/or disposal of these items shall be accomplished by qualified explosive ordnance disposal personnel, under guidelines set forth in reference (b). All of the foregoing is governed by the general rules of salvage. The saving or retrieval of the personal effects of passengers or crews from a ship or aircraft is not considered salvage. Cargo salvage is generally under the operational control of the commander charged with the basic responsibility for salvaging the ship or aircraft involved. In some cases, the salvage operation may be assigned to any appropriate commander, including the Supervisor of Salvage, having the necessary assets to accomplish the task.

c. Recovery. Recovery is the retrieval of aircraft or aircraft components, ordnance and other valuable objects or material from the ocean or harbor bottom. Recovery operations are conducted at depths down to 20,000 feet using manned submersibles, remotely operated vehicles (ROVs), and air, mixed gas, and saturation diving support platforms. Recovery operations may involve simple tasks such as surface towed grappling, diver operations, or more complicated tasks requiring deep submergence manned submersibles or ROVs. In most cases, a

recovery will require preliminary search and location using sonar, television and visual techniques assisted by precise navigation equipment. Because of water depths and the often unique characteristics of the objects or aircraft to be recovered, these operations do require a high degree of personnel expertise and specially designed equipments and systems.

2. Operational Control of Salvage and Recovery Operations

a. Operational Commanders. When it is apparent that a Navy ship or unit in distress requires a salvage ship or salvage equipment, the operational commander of the ship or unit concerned shall immediately request salvage assistance from the cognizant Fleet Commander in Chief, and shall take initial steps to ensure the preservation of the distressed ship or unit pending arrival of the requested salvage assistance.

b. Fleet Commanders in Chief. Upon arrival of the requested salvage ship, salvage master, or equipment at the site of the casualty, operational control of the distressed ship or unit shifts from the normal operational commander to the cognizant Fleet Commander in Chief, who shall at that time become primarily responsible for the conduct of the salvage operation. Upon completion of the salvage operation and when, in the opinion of the commander possessing primary salvage responsibility, further use of the assisting salvage vessel and salvage equipment is no longer required, operational control of the salvaged Navy ship or unit shall revert to its normal operational commander. In the event the cognizant Fleet Commander in Chief does not have available the salvage ships, equipment, or personnel necessary to conduct the salvage operation, the Fleet Commander in Chief shall determine whether the required specialized capability exists elsewhere in the fleet, and if reasonably available, may arrange for employment of the required assets and, if appropriate and upon agreement, may transfer responsibility for the salvage operation to the appropriate commander. If the required resources are not available within the fleet, the cognizant fleet commander shall request that COMNAVSEASYSCOM provide assets and/or assume responsibility. Primary salvage responsibility shall be assumed by COMNAVSEASYSCOM when so directed by CNO in any case. Operational control is to remain with the appropriate Navy command in those situations in which naval assets are

embarked on contracted vessels or contract personnel are embarked on naval vessels. Responsibility terminates when the vessel or equipment is delivered to the designated port.

c. Relinquishment of Supervisory Control. When Navy facilities for the salvage of ships and recovery of aircraft other than Navy have been requested and their use authorized by competent authority, supervisory control of the effort will ordinarily remain in the Navy. A situation may arise, however, in which it may be advisable to relinquish supervisory control to an owner or underwriter's designated representative, even though Navy facilities are required. Relinquishment of supervisory control may be effected upon authorization by the cognizant naval commander or higher authority. Prompt notification should be made of such action to CNO; the cognizant Fleet Commander in Chief; numbered Fleet Commanders; Naval Surface Force Commander; COMNAVSEASYSCOM; and other interested authorities, since this may well affect the status of the Navy's claim. Relinquishment of supervisory control shall in no case be construed to affect the responsibility of commanding officers for the safety of their ships.