



DEPARTMENT OF THE NAVY  
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OPNAVINST 4740.2G  
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OPNAV INSTRUCTION 4740.2G

From: Chief of Naval Operations

Subj: SALVAGE AND RECOVERY PROGRAM

Ref: (a) SECNAVINST 4740.1B  
(b) JOINT PUB 3-26  
(c) OPNAVINST 3150.27B  
(d) OPNAVINST 5100.8G  
(e) OPNAVINST 5090.1B  
(f) OPNAVINST 3750.6R CH-2

1. Purpose

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

b. To provide implementation policy for salvage and recovery services provided to foreign governments and other parties, as appropriate.

c. To assign responsibilities to appropriate commanders for executing this policy.

d. This instruction has been completely revised and should be read in its entirety.

2. Cancellation. OPNAVINST 4740.2F.

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 Navy's Salvage Program stems from 10 U.S.C. §7361-7364 (Salvage Facilities Act) which authorizes the Secretary of the Navy to provide necessary salvage facilities for public and private vessels and to settle claims for salvage services rendered by the Navy. This authority allows for the

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maintenance of a national salvage capability for use in peacetime, war, or national emergency. To this end, the Navy, in cooperation with the Military Sealift Command, shall maintain a core nucleus of ships and personnel trained in salvage and ocean towing 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 and emergency vessel tows, to dive tasks at shallow depths, to more demanding missions such as refloating sunken or stranded ships, raising submarines, clearing wrecks from obstructed waterways, oil pollution response, and recovering objects from the deepest depths of the oceans. For the remainder of this instruction, the term "salvage" is meant to be inclusive of these capabilities. The accomplishment of these tasks requires that the Navy:

- a. Maintain adequate Navy salvage and recovery facilities and capability 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 and capability through government and civilian augmentation in time of war or emergency.

#### 5. Information

- a. Reference (a) delegates Secretary of the Navy authority to provide, by contract or otherwise, necessary salvage facilities for public and private vessels.
- b. Reference (b) provides joint doctrine to guide the Armed Forces in the conduct of homeland security operations to include legal authorities; joint force, multinational, and interagency relationships; command and control; and planning and execution.
- c. Reference (c) defines the Navy Diving Program and shall be adhered to for all salvage and recovery operations which require Navy divers.
- d. Reference (d) assigns training and support area responsibilities for the Navy Safety and Occupational Health Program.

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e. Reference (e) 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. Reference (f) establishes the naval aviation safety program and provides guidance with respect to recovery of aircraft wreckage in support of a mishap investigation.

## 6. Policy

a. The Department of the Navy, in cooperation with the Military Sealift Command, maintains a core level of organic naval forces and assets necessary to accomplish required salvage, towing, and recovery actions per established directives for peacetime and wartime missions. In addition, the Department of the Navy shall maintain commercial worldwide salvage and recovery contracts to allow for flexibility and expansion of salvage forces to meet emergent mission requirements. The authority of the Salvage Facilities Act, as delegated within the U.S. Navy by reference (a), 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.

b. Appropriate requests from federal and civil authorities for salvage and recovery assistance will be evaluated for accomplishment with Navy assets. If such assets are not readily available or are beyond mission capability, commercial salvage and recovery contracts may be used. Requests from non-federal or civil authorities for salvage assistance of other than public vessels or aircraft shall be evaluated per reference (b). The Navy's longstanding policy to not compete with commercial salvors dictates that a determination must be made that the salvage response is urgent and that adequate commercial/private salvage services or facilities are not reasonably available to render similar services within the requisite time frame.

c. The principal consideration when conducting salvage and recovery operations is mission accomplishment in a safe, efficient, and environmentally responsible manner. The success of these operations is dependent on the availability of experienced personnel. Responding to casualties in peacetime provides critical experience that enhances wartime readiness.

(1) All diving operations by qualified personnel shall be per reference (c), the U.S. Navy Diving Program.

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(2) Salvage and Recovery Operations are inherently dangerous. Requirements set forth in reference (d) shall be followed to ensure safety of salvage and recovery operations. Strict attention to risk assessment and mitigation is imperative.

(3) The possibility of release of oil and hazardous materials during salvage and recovery operations is ever present. Therefore, the requirements of reference (e), Navy Environmental and Natural Resources Program, shall be adhered to and fully implemented at all stages of any operation.

## 7. Procedures

a. Technical Assistance and Advice. With respect to the conduct of salvage and recovery operations, including information on the general capabilities of both U.S. Navy and commercial assets, information may be obtained directly from Commander, Naval Sea Systems Command (NAVSEA) (00C) the Office of Supervisor of Salvage and Diving, Director of Ocean Engineering.

b. Emergent/Urgent Salvage and Calls of Distress. No portion of this instruction shall limit or interfere with the responsibility of commanding officers or ship's masters to provide assistance to persons, ships, and aircraft in distress as specified under U.S. Navy Regulations and as agreed to in international conventions.

### c. Requests for U.S. Navy Salvage and Recovery Assistance

(1) Naval Operating Forces. Salvage and recovery of fleet assets, including assigned Marine Corps assets (landing craft, aircraft, etc.), is the responsibility of the numbered fleets. When fleet resources are not readily available or mission capability is exceeded, then requests for assistance shall be directed to the cognizant Fleet Commander. Request should be made by the most expeditious means available and followed by a Naval Message. The request shall be submitted per local Fleet Commander Type Commander Directives and shall include CNO (N30N), CNO (N857), CNO (N873), NAVSEA (00C), Fleet Forces Command, Fleet Commanders, Military Sealift Command, Military Sealift Fleet Support Command, Naval Surface Force Commanders, Navy Expeditionary Combat Command, and other appropriate info addressees. Aircraft recovery in support of mishap investigations will be conducted per reference (f). Requests for assistance in salvage and recovery operations that

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exceed fleet resource availability or mission capability shall be directed to CNO (N3ON), info Naval Air Systems Command, CNO (N432), CNO (N88), and NAVSEA (00C). See paragraph 9(c) for further guidance.

(2) Other Navy/Military Requests. All other requests from within the DOD shall be directed through the appropriate chain of command from a numbered fleet to CNO (N3ON) for consideration. Request should be made by the most expeditious means available and followed by a message or letter. Include NAVSEA (00C) as an info addressee.

(3) Federal Agencies and Civil Authorities. Requests for assistance shall be made per reference (b). All requests received by local commanders from federal agencies/civil authorities will be forwarded through the chain of command by the most expeditious means available and followed by a message or letter. Include NAVSEA (00C) as an info addressee. National Response Framework (NRF), Memorandum of Understanding (MOU)/Memorandum of Agreement (MOA), Interagency Agreements (IA), Emergency Plans (EP), and Contingency Plans (CP) are agreements and plans that aid in defining the scope of support and roles and responsibilities of participants, but do not pre-approve support. Actions taken under an existing Immediate Response Authority are the only exceptions. However, commanders must report and gain approval from cognizant authority at the earliest possible opportunity. NAVSEA (00C) will info CNO (N3ON) whenever Navy assets are being utilized to execute a MOU under their cognizance. In addition, new NAVSEA MOUs will be coordinated with CNO (N3ON).

(4) Private/Commercial Interests. Requests for salvage/recovery assistance from private/commercial entities will not normally be approved when the possibility of saving lives does not exist in order to preclude competition with commercial enterprises. Assistance would only be considered following a determination that the salvage response is urgent and that adequate commercial/private salvage services or facilities are not reasonably available to render similar services within the requisite time frame. The Navy recognizes that the sea has always been considered a fit and final resting place and will generally not conduct operations with the sole purpose of recovering remains. Contact CNO (N3ON) and NAVSEA (00C) for guidance and assistance.

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(5) U.S. Naval Vessel requirements for Emergent/Urgent Salvage and Other Services

(a) In situations where commanding officers or ship's masters determine that safety of ship or personnel requires immediate salvage or towing services, and U.S. Navy assets or contracted support is not reasonably available, then arrangements for commercial services should be made on a fixed price per day or time and materials basis.

(b) In the event that required services are only available under a Standard Form of Salvage Agreement, then a notation will be made on the contract or provided on a separate addendum document stating: "I do not believe I have the authority, under U.S. law, to commit the U.S. Government to the Arbitration or Governing Law provisions of this document/contract." This notation will then be signed by the commanding officer or master of the naval vessel.

(c) Immediately notify the CNO, Judge Advocate General, Office of General Counsel, and NAVSEA (00C), info the chain of command, and include the complete circumstances surrounding the contract with the commercial salvors.

(d) Safety of ship and crew is paramount. No portion of this instruction should be construed to prohibit, restrict, or relieve the commanding officer or ship's master from taking the immediate and necessary actions to preserve safety of ship and crew.

(6) Foreign Government Requests. All requests for assistance from foreign governments will be submitted to the appropriate U.S. Embassy or State Department Office for action. The USDAO will then forward the request to the respective COCOM. Unless already outlined in MOUs or other support agreements, any salvage operations will be as directed by CNO (N3ON). Treaties and international agreements with various foreign governments exist that provide for waiver of certain maritime salvage claims by and against the United States. To ensure proper compliance with these agreements, each situation involving salvage assistance rendered to or by a foreign government must be considered carefully by appropriate Navy admiralty counsel in coordination with the Department of State.

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8. Action

## a. The CNO shall:

(1) Establish the position of Supervisor of Salvage, within NAVSEA, to execute the responsibilities outlined herein and as delegated in reference (a).

(2) Through the Deputy Chief of Naval Operations (Information, Plans, and Strategy) (CNO(N3/N5)), coordinate and assign tasking for all requests for Navy salvage and recovery assistance.

(3) Through the Head, Fleet Readiness (CNO(N43)):

(a) Provide policy and programming concerning the Navy Salvage Program consistent with the Salvage Facilities Act.

(b) Validate with appropriate resource sponsors the operational requirements for Navy salvage, underwater search, and recovery programs.

(c) Provide overall coordination of Navy commands assigned responsibilities by this instruction.

(d) Coordinate the salvage and recovery program between the Department of the Navy and other Department of Defense offices, as well as other federal agencies, civil authorities, and foreign governments.

(4) Through the Director, Expeditionary Warfare (CNO(N85)), provide policy and programming concerning the Navy Salvage Program with regard to outfitting of U.S. Navy salvage forces within the Navy Expeditionary Combat Command.

(5) Through the Director, Submarine Warfare (CNO(N87)):

(a) Establish policy and 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 operations and all diving within the Department of

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the Navy and between other Department of Defense offices, other federal agencies, and foreign governments.

(6) Through the Head, Strategic Mobility and Combat Logistics CNO (N42), provide policy and programming concerning the Navy Salvage Program with regard to the operation, maintenance, outfitting, and training of salvage ships and platforms.

(7) Through the Director, Environmental Readiness (CNO(N45)), establish operational requirements and policy for response to Oil and Hazardous Substance (OHS) releases associated with salvage incidents/operations.

b. U. S. Fleet Forces Command and Fleet Commanders shall:

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

(2) Develop salvage force level requirements to support peacetime and wartime mission assignments.

(3) Ensure assigned ship commanding officers and masters are familiar with all provisions of this instruction.

(4) Schedule and conduct salvage operations utilizing available fleet assets as assigned by higher authority. If required resources are not available within the Fleet, the cognizant Fleet Commander shall refer the requirement to CNO (N3ON).

(5) Provide assigned salvage forces with adequate resources, training, and equipment necessary to fulfill mission requirements for salvage and recovery (FFC Only).

(6) Establish an Executive Steering Committee to address salvage and diving related mission functions including the periodic review and assessment of Navy Salvage and Diving capability and force requirements. In addition, recommend policy and specific actions in support of Navy Salvage and Diving (FFC Only).

c. NAVSEA shall:

(1) Designate a Supervisor of Salvage to execute the responsibilities outlined in the Salvage Facilities Act including providing, by contract or otherwise, necessary salvage

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facilities for both public and private vessels determined to be in the best interests of the United States. In addition, NAVSEA will maintain a national salvage capability for use in peacetime and in the event of war or national emergency.

(2) Through the Supervisor of Salvage, execute the following specific responsibilities:

(a) Carry out the delegated secretarial authority of the Salvage Facilities Act.

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

(c) Maintain commercial contracts to supplement the Navy's salvage, search, and recovery capabilities to be utilized when fleet assets are not available, or for expansion to meet peacetime and wartime mission assignments.

(d) Through the attorney assigned as Assistant Supervisor of Salvage (Admiralty), consider, ascertain, adjust, determine, compromise, settle, and receive payment for all affirmative claims on behalf of the Navy. Defensive salvage claims shall be referred to the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law).

(e) 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 areas will be coordinated with the Fleet Commanders.

(f) Upon request, and consistent with asset availability, provide Fleet Commanders with equipment and systems to assist in the accomplishment of salvage and recovery missions from the ESSM system.

(g) Maintain and operate deep ocean search and recovery assets to a maximum depth of at least 20,000 feet of water.

(h) Develop and maintain current Allowance Equipage Lists (AELs) for all commands which have a requirement for salvage and recovery equipment.

(i) Act as the Navy's Technical Authority for all technical matters concerning salvage, towing, heavy lift,

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search, and recovery. Consult and provide information to CNO on matters which impact Navy salvage and recovery programs, especially in all matters which vary from established naval policy.

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

(k) In coordination with CNO and Fleet Commanders, develop and maintain emergency contingency plans for expanding the Navy's salvage, rescue towing, and deep ocean search and recovery capability.

(l) Assume responsibility for any salvage or recovery operation when so assigned, upon agreement with the Fleet Commander concerned.

(m) Coordinate with the Deputy Commander for Nuclear Propulsion (NAVSEA 08) and provide technical assistance for salvage or recovery operations involving nuclear powered ships.

(n) 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.

(o) 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 for public and private vessels and aircraft; and process and settle claims for salvage, search, and recovery services rendered by naval activities to other than Navy activities.

(p) Consistent with reference (e), provide capability for response to OHS releases on the open ocean or incident to salvage operations.

d. Commander, Naval Education and Training Command shall: In coordination with NAVSEA (00C), Supervisor of Salvage, develop training plans and curricula to support a cadre of trained personnel for salvage, oil, and hazardous substance spill response, as well as deep ocean search and recovery operations.

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9. Funding

a. Fleet Commanders are responsible for funding all costs related to salvage or recovery of fleet assets under their cognizance. Responsibility extends to incidental costs to perform operations as well as costs of assisting assets.

b. NAVSEA. Salvage and recovery services requested by Navy commands or other services/agencies are provided on a reimbursable basis, except when otherwise directed by CNO (N3ON).

c. The Naval Air Systems Command has the responsibility to fund, as coordinated with Commander, Naval Air Forces and CNO (N432), search and recovery services in support of aircraft mishap investigations per reference (f), which have been requested by Fleet Commanders due to recovery costs exceeding available resources. Funds will be provided to NAVSEA and/or fleet commands, as necessary, for these services.

d. Other federal agencies or civil authorities 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" before the commencement of any operation.

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 there under. 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.



J. G. MORGAN, JR.  
Vice Admiral, U.S. Navy  
Deputy Chief of Naval Operations  
(Information, Plans and Strategy)

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