

March 18, 2025



United States Coast Guard
Office of Port and Facility Compliance
United States Coast Guard Headquarters
2703 Martin Luther King Avenue, SE
Washington, D.C. 20593-7501

RE: *Notice of Proposed Rulemaking – Cybersecurity in the Marine Transportation System, 90 Fed. Reg. 6298 (Jan. 17, 2025), Docket No. USCG-2022-0802.*

The American Fuel & Petrochemical Manufacturers (AFPM) submit these comments responding to the U.S. Coast Guard’s (USCG) request for comments included in the *Cybersecurity in the Marine Transportation System* Final Rule, 90 Fed. Reg. 6298 (Jan. 17, 2025). AFPM is a national trade association whose members comprise virtually all U.S. refining and petrochemical manufacturing capacity. On May 20, 2024, AFPM submitted comments on the *Cybersecurity in the Marine Transportation System* Notice of Proposed Rulemaking (NPRM), 89 Fed. Reg. 13,404 (February 22, 2024). See the previously submitted [AFPM May 20, 2024 comments](#).

While most AFPM members are primarily concerned with the cybersecurity requirements for MTSA facilities, some members have regulated vessels, and they would not object to delaying the implementation period for U.S. flagged vessels.

Additionally, AFPM’s members are concerned with many remaining ambiguities and challenges that could hamper the implementation of the rule. For example, the definitions of “Information Technology” and “Operational Technology” are so broad as to potentially negate the security benefits of the rule by encompassing equipment that is unrelated to maritime transportation. Similarly, the reporting requirements set forth in 6 CFR § 6.16-1 require further guidance. For example, 6 CFR § 6.16-1 requires an owner or operator to “immediately” notify the Federal Bureau of Investigation, the DHS Cybersecurity and Infrastructure Security Agency, and the USCG Captain of the Port – *not* NRC – of sabotage or a cybersecurity incident. This requirement is inconsistent with other regulatory programs that allow 24 to 96 hours to report and departs from how the industry has done Coast Guard incident reporting for 21 years. Moreover, the provision fails to specify which office shall be contacted and what report or information, if any, must be filed. In addition, guidance is needed to address the cybersecurity obligations of each owner and operator at co-located facilities. We understand the Coast Guard intends to publish Frequently Asked Questions (FAQs) or other guidance to address these and other issues and to ensure consistent implementation of the rule. We encourage the Coast Guard to consult AFPM’s May 20, 2024, comments and to speak with us and other industry representatives to ensure the FAQs address issues needing clarification.

Thank you for the opportunity to comment. Please contact me at jgunnulfson@afpm.org or 202-38-6429 if you need further information or have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Gunnulfson", is positioned below the "Sincerely," text.

Jeff Gunnulfson
Assistant Vice President
Security & Risk Management Issues