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JUL 15 2008

MEMORANDUM

From: 
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(COMDT) CG-5433

Reply to: CG-5433
Attn of: Jack Kemerer
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To: CGD SEVEN (dp)

Thru: CG LANTAREA (Ap)

Subj: NMFS OBSERVERS AND VALISE PACKED LIFERAFTS

Ref: (a) CGD SEVEN (dp) Memorandum 16711 of 3 June 2008
(b) NOAA Fisheries and USCG Memorandum of Agreement on Observer Safety dtd 21 December 2004
(c) Requirements for Commercial Fishing Industry Vessels, 46 CFR Part 28
(d) Implementation of Lifesaving Equipment Requirements for Commercial Fishing Vessels, NVIC 1-92 and Change 1
(e) COMDT (G-MVI-4) Letter 16711.10 of 18 December 1993

1. Issue. The NMFS Observer Program Managers and USCG District Prevention and CFVS Program Managers have requested interpretation and guidance on the use of valise-packed inflatable liferafts by NMFS observers, such as in reference (a). This is particularly applicable when an observer embarks on a fishing vessel that has an installed inflatable liferaft with sufficient capacity to accommodate only the crew of the vessel. The question then is whether or not the carriage of a valise-packed liferaft in addition to the currently installed liferaft provides an acceptable safety equipment level and such carriage is consistent with the intent and letter of the requirements set forth in 46 CFR Part 28.

2. Discussion.

a. References (b) through (e) state and discuss safety and survival equipment requirements regarding commercial fishing vessels. On smaller vessels, the installed liferaft often only has the capacity to accommodate the crew and not the NMFS observer. These may be four-man, non-SOLAS, but Coast Guard-approved liferafts. In these instances, NMFS has provided the observer with a valise-packed liferaft to ensure there is survival craft capacity for the observer. This action has been accepted by the Coast Guard as meeting the equipment requirements. There has been no change to the Coast Guard's acceptance of a NMFS observer bringing aboard a valise-packed liferaft that is Coast Guard-approved to meet the aggregate survival craft capacity to accommodate the total number of individuals on board the vessel.

b. In order for the observer's valise-packed liferaft to be acceptable for use and meet the survival equipment requirements onboard a commercial fishing vessel, the valise liferaft must be Coast Guard approved, as must the vessel's installed liferaft. A valise-packed liferaft will carry a 160.051/...series Coast Guard approval number. A valise-packed liferaft is not a SOLAS-approved liferaft, but is Coast Guard-approved for domestic service. The liferaft must also be fitted with a service pack appropriate to the area in which the vessel will be operating.

- c. Service pack types for non-SOLAS liferafts and valise-packed liferafts include:
- "Ocean Service" or "Ocean Service (A)" – for operating beyond 50 miles of the coastline;
 - "Limited Service" or "Limited Service (B)" – for operating between 20-50 miles of the coastline, cold waters; or
 - "Coastal Service" – for operating between 20-50 miles of the coastline in warm waters, or beyond the Boundary Line between 12-20 miles of the coastline in cold waters.

Note: the above service pack and liferaft requirements apply to documented vessels and undocumented vessels with more than 16 individuals on board.

d. The intent of the regulations and the guidance provide in NVIC 1-92 is that each vessel must have one or more inflatable liferafts of a combined capacity large enough to accommodate every person on board, and its service pack type based on the vessel's operating area. Liferafts placed on a vessel after September 15, 1991 must be of a type approved by the Commandant. Coast Guard-approved SOLAS liferafts are for six persons or greater and will carry approval numbers in the 160.151/...series. Survival equipment packs on SOLAS liferafts are marked "SOLAS A" for Ocean Service and "SOLAS B" for Limited Service. SOLAS liferafts must be stowed so as to float free and automatically inflate in the event the vessel sinks. Coast Guard-approved Non-SOLAS liferafts, including valise-packed liferafts, for domestic service are for four persons or greater and will carry approval numbers in the 160.051/...series. The survival equipment packs installed on Non-SOLAS liferafts are as listed in paragraph 2.c. Non-SOLAS liferafts must be kept readily accessible for launching or be stowed so as to float free in the event the vessel sinks. A valise-packed liferaft that is placed in the wheelhouse or ready room can be considered readily accessible for launching if it is kept where it can be reached immediately without constraint and its access is not blocked in any way.

3. Action. The interpretations discussed above regarding carriage of valise-packed inflatable liferafts by NMFS observers whenever they embark on a commercial fishing vessel should be distributed to all units and personnel who are involved with examining commercial fishing vessels and enforcing safety regulations applicable to such vessels. Specifically, examiners and boarding personnel must understand the following:

- a. A valise-packed inflatable liferaft may be carried in addition to the vessel's installed liferaft to meet the aggregate capacity to accommodate the total number of individuals on board the vessel when the addition of a NMFS observer on board the vessel causes the number of persons to exceed the capacity of the vessel's liferaft.
- b. A valise-packed inflatable liferaft, when carried aboard a vessel by a NMFS observer, must be Coast Guard-approved, have a 160.051/...series approval number, and be fitted with the appropriate survival equipment pack for the area in which the vessel will be operating.
- c. A valise-packed inflatable liferaft, when carried aboard a vessel by a NMFS observer, must be placed or stowed where it is unobstructed and readily accessible for launching in an emergency.

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NOAA NMFS Observer Program Manager