46 CFR Subchapter M Questions Received

How to read this document

* Organized by question number, subpart or specific cite, question, priority, and date answered

* Questions are categorized and listed in the following order:
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Subpart C - Uninspected Towing Vessels

**** If you have questions regarding Subchapter M, please send them to AskSubM@uscg.mil.**
Please also include a part, cite or Federal Register page (e.g. for preamble) if applicable.

Revision Date: 31Aug 2016

Inspection of Towing Vessels - Questions Received

General

Number	Question/Comment	Priority	Date Answered
G-001	When will we have an inspection form to use as a checklist to assist industry to prepare for inspections?	1	
G-002	What will the User Fees be for the TSMS option?	1	
G-003	What about grandfathering?	1	
G-004	Will guidance be consistent from Coast Guard zone to Coast Guard zone?	1	
G-005	Will manning be different between Coast Guard zones or will it change every three years upon a change in CG personnel?	1	
G-006	Will the CG have adequate resources?	2	
G-007	Do you anticipate an 840 book or some other?	2	
G-008	Will industry representatives be allowed to train along with USCG personnel when preparing for vessel inspections? Similar to classes we attending at York Town and Paducah.	2	
G-009	What will be required for a Permit to Proceed, CG-835s for TSMS vesels?	2	
G-010	When does SECTOR UMR anticipate having qualified Inspectors, and how many will be on staff?	2	
G-011	Has there been and discussion about developing a stream line inspection program similar the TBSIP currently in effect?	2	
G-012	Can a vessel initiate a major conversion, return to service, then return to the shipyard to complete the conversion?	2	
G-013	How does the CG envision MISLE entry for vessels utilizing the TSMS option? Will this only occur afte CG has come on board? Where will vessel history be captured?	2	
G-014	Of the issues identified in the meeting between AWO and the implementation board, which have been resolved?	3	
G-015	What are the rules concerning exclusive vs. non-exclusive auditors/surveys, contractors, subsidiary companies, partnerships, etc.?	3	
G-016	What documentation is required to be provided to the Coast Guard post survey, exam, audit and in what format?	3	
G-017	Are we required, or is there an expectation that we need to submit our process inspections, checklists, job aids, etc. to the Coast Guard for approval?	3	

G-018	Are the classification societies required to provide lists of their surveyors and auditors as is required of the yet to be approved third-parties in Part 139?	3	
G-019	For those companies with extremely large fleets, will there be a process in place to request an earlier start to COI issuance? There are some companies that may have a challenge meeting COI issuance in four years due to the size of their fleets, and operations (grain harvest).	3	
G-020	Will the CG refrain from issuing more than 25% COI under the TSMS and CG option?	3	
G-021	Will the CG allow TPOs to authorize temp or minor repairs without marine inspector involvement?	3	
G-022	When can the field expect user fee updates to assist in determining which option operators will choose?	3	
G-023	How do we manage internal concern about moving regs/guidance away from the OCMI having discretionary authority and pushing that to TPOs (manning, PTPs, etc.)?	3	
G-024	How long will an inspected vessel exam take?	3	
G-025	Is the Coast Guard coordinating internally on consistency with inspections?	3	
G-026	Would I have to get an exclusion for an extra person on the COI?	3	
G-027	How will "persons in addition to crew" be determined on the COI since many existing towing vessels will not have a documented stability test to determine total persons allowed?	3	
G-028	Per 46 CFR 136.172, Sub C is still applicable until the vessel is certificated or 20 July 2018, whichever is earliest. This contradicts published information that states requirements of 46 CFR 144.320 are applicable now.	3	
G-029	Will there be training that will be open for industry to attend?	3	
G-030	Will CG inspectors be required to attend UWILD examinations if approved via TSMS? Per 137.335(b) an application must be submitted to the OCMO at least 90 days prior to. Why is the application required if already approved within the TSMS?	3	

Inspection of Towing Vessels - Questions Received

Final Rule Preamble

Number	Preamble Page	Question/Comment	Priority	Date Answered
P-001	40031	When will the USCG “additional guidance” be issued and how will that occur?	1	
P-002	40013	If I'm conducting a crew change and receiving monetary benefits, would that be considered a passenger-for-hire situation?	3	

Inspection of Towing Vessels - Questions Received

Part 1 - Marine Safety Functions

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered

Inspection of Towing Vessels - Questions Received

Part 2 - Vessel Inspections

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
2-001	2.01-15	2.01-15 points readers to appropriate inspection subchapters for guidance on reporting alterations or repairs to the OCMI. Inspection subchapters then have specific language (31.10-25 for example) about the requirement to have modifications approved prior to making the modifications. There is no language directing operators/masters to notify TPOs or OCMIs when modifications are made, although modifications are identified at the annual inspections/surveys. Is this the intended posture - a review of changes after the modifications?	3	

Inspection of Towing Vessels - Questions Received

Part 15 - Manning Requirements

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
15-001	15.535(b)	Does the requirement for towing vessels 8 meters or more in length to be under the direction and control of a person holding an MMC endorsed as master or mate (pilot) of towing vessels or as master or mate of vessels greater than 200 gross register tons, holding a completed TOAR, apply to vessels operating exclusively within a worksite?	3	
15-002	15	Is there a rule change planned for manning since towing vessel manning was covered under uninspected vessels?	3	
15-003	15	Will there be a discussion on expanding the AB manning exclusion on the inland rivers to include operations on other waters?	3	

Inspection of Towing Vessels - Questions Received

Part 136 - Certification

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
136-001	136.202	How is the annual percentage of towing vessels required to have COIs defined for a company with subsidiary companies? Can a company accelerate the pace of obtaining COIs for its towing vessels if it chooses to?	1	
136-002	136.210(a)(2)(ii)	What is the extent of modifications to the vessel that vessel operators must describe?	1	
136-003	136	How much hull plating can be replaced before it becomes a major conversion? Cabin refurbishment?	1	
136-004	136	What constitutes a major conversion?	1	
136-005	136	There was some discussion within AWO that it was unclear whether or not a routine repowering of a vessel would be considered a major overhaul. AWO was to meet with the CG to get clarification. Has anything come back from HQ regarding that meeting?	1	
136-006	136	What length will be used for the vessels, the COD length or a tape measured length?	1	
136-007	136	How will worksites be determined?	1	
136-008	136	Due to the inclusion of major conversion as a factor in our definition of “New Vessel”, we have received several questions from the industry concerning “What constitutes a major conversion?” Commenter’s also requested clarification on associated items such as repowering of a vessel, hull plating replacement, cabin refurbishment and, in general, the extent of modifications to the vessel that operators must describe?	2	
136-009	136.105(a)(3)	Provide more information about the exemption for workboats operating exclusively within worksites.	2	
136-010	136.105(a)(8	How does the exemption for a propulsion unit used for the purpose of propelling or controlling the direction of a barge affect bow thrusters that are controlled from a towing vessel?	3	
136-011	136.210(b)(2)	What other form(s) of objective evidence will the Coast Guard accept as an alternative to a survey report issued by a TPO? Can an internal survey report meet this requirement, for those companies that have chosen to demonstrate vessel compliance through an internal survey program?	3	
136-012	136.212	The Coast Guard must distinguish the scope of inspections for certification for towing vessels utilizing the TSMS option from towing vessels utilizing the Coast Guard option. COI inspections for towing vessels utilizing the TSMS option should be streamlined, shorter and narrower in scope. o Inspection user fees, while not addressed in the final rule, should also be distinguished and should be less for vessels utilizing the TSMS option so as not to disincentivize it.	3	

136-013	136.240(a)(2) and (c)	The Coast Guard should clarify that the TSMS does not need to be overly explicit in its description of the non-compliant condition of the vessel and the necessary conditions to proceed (e.g., the TSMS could lay out decision making factors to consider when determining whether the vessel can safely proceed, as opposed to identifying multiple hypothetical mishaps and actions to take when they occur), and direct OCMIs not to routinely require inspections of vessels utilizing the TSMS option prior to their proceeding, to ensure that there is a benefit to utilizing the TSMS option.	3	
136-014	136.110	46 CFR 136.110 – Definitions; Operating station means a steering station on the vessel, or the barge being towed or pushed, from which the vessel is normally navigated. - What does …. or the barge being towed or pushed,….. mean? Note: 46 CFR 2.01–7 Classes of vessels (including motorboats) examined or inspected and certificated. (b)(1) A U.S.-flag towing vessel is subject to inspection and certifying regulations in subchapter M of this chapter except: (viii) A propulsion unit used for the purpose of propelling or controlling the direction of a barge where the unit is controlled from the barge, is not normally manned, and is not utilized as an independent vessel.	3	
136-015	136.172	ClassNK envisions continuing vessel attendances for as-yet uninspected tugboats – what are the USCG expectations for TPOs in this situation after 20-JULY-2018?	3	
136-016	136	With regard to our fleet boats, what will be considered “Limited Geographic Area”?	3	
136-017	136	Are assistance and salvage towing limited to recreational vessels?	3	
136-018	136	Is a fleet boat exempt from Sub Chapter M?	3	
136-019	136	Will there be additional restrictions on local CG offices on Limited Geographic Areas?	3	
136-020	136	Clarify how the term "salvage" is defined	3	
136-021	136	For contracted workboat (exempt vessels), who is responsible for gaining approval for a work site?	3	
136-022	136	what will a vessel undergoing repairs after a casualty fall under? New install, replacement in kind, or major conversion? Depending on age of the vessel, this could impact owners as insurance will cover cost of original equipment.	3	
136-023	136	How will the date for next drydock be determined when generating a COI? (initially: what date is placed on the COI for next drydock)	3	
136-024	136	What does it mean to extend the life of the vessel?	3	
136-025	136	What is the life expectancy of a vessel?	3	
136-026	136	What are the standards for major conversion determinations?	3	
136-027	136	May a drydock and internal structure exam attendance today be used as objective evidence for a vessel two or three years from now for the initial COI?	3	

Inspection of Towing Vessels - Questions Received

Part 137 - Vessel Compliance

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
137-001	137.130(b)	The Coast Guard should clarify what is meant by TPO oversight of the internal survey program,	1	
137-002	137.130(b)	What is USCG interpretation for TPO oversight for an internal survey program?	1	
137-003	137.200	46 CFR 137.205 External survey program or 46 CFR 137.210 Internal survey program. Survey program requires annual surveys of 46 CFR 137.220 in its entirety. And; 46 CFR 138.315 External audits for a TSMS certificate. External audits for obtaining and renewing a TSMS certificate are conducted through a TPO and must include both management and vessels as follows….. TSMS option requires annual internal audits for all offices and vessels. TSMS requires development, implementation and certification for all company assets. **The TSMS option seems comparatively burdensome; it entails more resources, more cost, more time commitment and provides many more requirements to fail than the USCG option.**	1	
137-004	137	When can we start getting credit for drydock and ISEs?	1	
137-005	137	What will be the differences between the CG option and the TSMS COI inspections?	2	
137-006	137	If the CG isn't available to conduct a COI, can the vessel continue to operate?	2	
137-007	137.202(a)	Can an internal survey report meet this requirement, for those companies that have chosen to demonstrate vessel compliance through an internal survey program?	2	
137-008	137.205(a)(3)	Why does the annual survey need to be conducted within three months of the anniversary date of the COI?	2	
137-009	137.215(4)	How is the surveyor to know whether or not unapproved modifications have been made?	2	
137-010	137.220(j)(3)	The requirement for charts or maps to be “up to date” appears to conflict with the allowance under §164.72(b)(1) towing vessels may carry current editions or currently corrected editions of required charts. The Coast Guard should clarify that currently corrected editions will continue to be acceptable.	2	
137-011	137.120(b)	(b) Non-conformities and deficiencies must be corrected in a timely manner. Does USCG have any interpretation for what a timely manner is? ClassNK intends to use IMO Resolution A.1071(28) and IACS PR09 which state that Nonconformities must be corrected and possible subsequent audits must be scheduled within three months.	2	
137-012	137.220(a)	The TSMS survey item seems more appropriately validated during the audit process rather than during a survey?	2	
137-013	137	During the examination for certification, do you anticipate a vessel having to get underway to conduct emergency exercises?	2	
137-014	137	Dry cargo operations are very fast paced with very limited time in port. Very often it is less than 24 hours. Realistically, how much lead time will be needed to schedule an inspection?	2	

137-015	137	How will the Coast Guard document deficiencies, nonconformities or require corrections? IAW with Sub Chapter M, vessel are now subject to inspection, but do not have COIs.	2	
137-016	137	Does a vessel ever have to have an external survey?	3	
137-017	137	TPO auditors that discover a major non-conformity are required to report them to the OCMI within 24 hours? If the company reports a major non-conformity to the CG, does this relieve the TPO reporting requirement?	3	
137-018	137	What oversight is anticipated for TPO oversight of companies utilizing the internal survey option?	3	
137-019	137	Will CG require a format for submissions of survey reports?	3	
137-020	137	Will CG require a format for submissions of audit reports?	3	
137-021	137.202	What must occur prior to a TSMS vessel receiving its initial COI?	3	
137-022	137	How early can I do a drydock before I get a COI?	3	
137-023	137	Will there be standardized inspection forms for drydock?	3	
137-024	137	What will an initial survey consist of?	3	
137-025	137	What are the expectations and standards for the drydock and internal structure exams?	3	

Inspection of Towing Vessels - Questions Received

Part 138 - TSMS

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
138-001	138.225(c)	Why require the submission of documentation of the initial audit and one full audit cycle when the TSMS Certificate verifies TSMS compliance?	1	
138-002	138.315(a)	What must a TPO do before issuing a TSMS certificate?	1	
138-003	138.310(3)	The requirement for internal auditors to have no responsibility for the development or implementation of the TSMS is unclear, unnecessarily restrictive, and differs from the ISM approach. Does it apply to both internal management and vessel auditors?	2	
138-004	138.505(c)	Why must the TSMS address the means to be used to submit external audit results electronically if they are being submitted by the TPO conducting the external audit?	2	
138-005	Subparts C and D	Provide further clarification on the differences between the role of auditors and the role of surveyors?	2	
138-006	138.505(c)	Section (c) seems to have been written for a situation whereby an “operating company” would be submitting electronic records of their external audit reports. Does the USCG want TPOs to submit their client’s external audit reports? If so what are the requirements to do this electronically? How will this be communicated to TPOs?	2	
138-007	138	When will RCP be accepted as a TSMS?	2	
138-008	138.305(f)	Why must a copy of the TSMS certificate be maintained on each towing vessel that is covered by the TSMS certificate?	2	
138-009	138.310(4)	How will the Coast Guard determine whether independence is impracticable?	3	
138-010	138.315(b)(3)	Why must vessels be selected for external audits randomly, if all vessels covered by the TSMS certificate must be audited?	3	
138-011	138.410(c)	The Coast Guard should clarify that auditors are not required to witness training, including drills, unless it is necessary to verify TSMS effectiveness.	3	
138-012	138.5	The Coast Guard should clarify that external audits should not be delayed so that a Coast Guard representative can accompany the auditor.	3	

138-013	138.215(h)	Also 33 CFR 96.240 **The language in the preceding standards should be corrected**, it is functionally inaccurate. The USCG should not further the requirement that audits (internal/external) and management review are inherently connected based on the ISM Code, the USCG should correct this verbiage in both CFR cites; The ISM Code clearly separates the two. “1.4 Functional requirements for a Safety Management System; Every Company should develop, implement and maintain a Safety Management System which includes the following functional requirements: .6 procedures for internal audits **and** management reviews.” Most ISM Code compliant SMSs use the ISO 9001 (2008:5.6/2015:9.3) requirements for Management Review. These are much more extensive than simply reviewing audit reports.	3	
138-014	138	Does an ISM vessel require a TSMS certificate? What is required of an ISM vessel under subchapter M?	3	
138-015	138	If AWO RCP is accepted as equivalent to ISM Code, what additional elements would need to be added to RCP to make it meet Subchapter M requirements for a TSMS?	3	
138-016	138	What is the status of Dave Phillips' RCP gap analysis?	3	
138-017	138	Can a company choose to use the ISM as their TSMS for compliance with Subchapter M, and have a non-class TPO perform their audits and surveys? Expanded: Can a company use the ISM as their TSMS and not get the ISM certs associated, use the ISM as the framework for their TSMS instead of RCP and have their audits conducted by a TPO that is class or non-class?	3	
138-018	138	Will the Coast Guard have a policy regarding whether a TSMS certificate can be issued if a vessel has non-conformities or do they have to wait until all are cleared?	3	
138-019	138	Who does the TSMS certificate get issued to if the owner is not the operator?	3	
138-020	138	Will deficiencies identified as part of the TSMS show up on PSIX?	3	

Inspection of Towing Vessels - Questions Received

Part 139 - TPOs

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
139-001	§139.120(d)	What will be considered an equivalent quality standard to ISO? What objective evidence of an equivalent quality standard will be acceptable?	1	
139-002	§139.130	Do auditors and surveyors require some kind of approval?	1	
139-003	§139.130(b)(5)	Can other types of auditing in addition to the ISM or RCP (e.g., internal auditing) be considered required audit experience?	1	
139-004	§139.130(c)(2)(i) and (ii)	Must an engineer be licensed in order to meet the qualifications? Are there other definitions of “other relevant marine experience” that the Coast Guard will consider, and if so, what are they?	1	
139-005		Independence considerations regarding TPO auditors - payment structures, towing companies on board, QI as TPO?	1	
139-006		Oversight of repairs - TPO roles and responsibilities	1	
139-007	139.130	What are the qualifications for an internal surveyor?	1	
139-008	139	Will TPOs have to understand blue water vs brown water?	1	
139-009	139	Class societies seem to be given authority to function as a TPO without further approval	1	
139-010	139	Would there be a conflict of interest if a company that provides QI, VRP and incident management services was also an approved TPO? If so, in what capacities could these organizations serve?	2	
139-011	139	How many TPOs will there be and will TVIB be a TPO?	2	
139-012	139	Where the regulation references auditing, is it appropriate to substitute ISO 9001:2015 for 2008?	3	
139-013	139	Does TVIB having supporting organizations as members paying dues to TVIB present a problem?	3	
139-014	139	Does TVIB having supporting organizations as board members on the TVIB Board of Directors present a problem?	3	
139-015	139	Does TVIB need to obtain CG acceptance of their TSMS course to meet auditor minimum training requirements, or is reference in our TPO application as part of our required training for certification by TVIB sufficient?	3	
139-016	139	Will CG allow auditors that TPO approves for vessel audits perform vessel audits if they do not have management audit experience? "TVIB certified vessel auditor"	3	
139-017	139	Will CG recognize TVIB auditor certification for proof of experience vs. Subchapter M reference 2 management audits and 6 vessel audits in last 5 years?	3	

139-018	139	Are there any limitations on an individual that has been recognized by the TPO as being competent as both a surveyor and auditor, from performing both the survey and audit of a vessel at the same time, during the same visit to a vessel?	3	
139-019	139	The TPO application requires a description of the apprentice program for less experienced auditors and surveyors being developed by the TPO. Is work performed by an apprentice auditor and or surveyors under the direction of an experienced auditor or surveyor acceptable for the portion of the audit or survey conducted by the apprentice?	3	
139-020	139	Would current checklists used by TVIB auditors for performing RCP audits, be acceptable documentation of the type checklist we intend to use for TSMS audits, given that we don't know exactly what modifications might be requirred for Subchapter M audits and surveys?	3	
139-021	139	Will the CG accept ISM lead auditor training for the requirement for TSMS training in 139.130(b)(4)?	3	
139-022	139	Are the recognized classification societies required to provide further information to the Coast Guard to begin work?	3	

Inspection of Towing Vessels - Questions Received

Part 140 - Operations

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
140-001	140	With regard to the PIC designation for engineers, most engineers do not hold a MMC an engineer. Historically, the company has issued a letter designation that lists all engineers with the company as PICs.	1	
140-002	140	Do we have to follow OSHA requirements?	1	
140-003	§140.400	The Coast Guard should confirm that these records may be maintained electronically.	3	
140-004	§140.405(b)(10)	Is the Coast Guard's intention to require more or less than what is currently conceived in a station bill?	3	
140-005	§140.420(e)	Clarify whether the requirement to follow instruction conducted in an electronic format with a discussion and demonstration is applicable to all training requirements, or only to the instruction required under §140.420.	3	
140-006	§140.430	How does this change impact Policy Letter 10-06?	3	
140-007	§140.435	Can the Coast Guard clarify what an "industrial type first aid cabinet or kit" is?	3	
140-008	§140.500(a)	The Coast Guard should clarify that the health and safety plan may be incorporated into a vessel operator's TSMS.	3	
140-009	§140.505(a)	The Coast Guard should clarify that this is not an affirmative requirement for companies to obtain and maintain crewmembers' medical records, and specify how long medical records that are kept by the company must be maintained.	3	
140-010	§140.505(b)	Can the Coast Guard clarify what is meant by "in a manner that minimizes risk of injury or death"?	3	
140-011	§140.505(e)	Does "sanitary condition" refer to a standard?	3	
140-012	§140.515(c)	The Coast Guard should allow companies to train crewmembers prior to their use of equipment as an alternative to within five days of employment.	3	
140-013	§140.515(d)	The Coast Guard should clarify the requirement to provide annual refresher training. Must refresher training be given on each of the subjects identified in 140.515(a) every year?	3	
140-014	§140.610(c), (d), and (f)	The Coast Guard should clarify that these requirements apply to hatches, openings, and doors that are designed to be watertight or weathertight. The Coast Guard should explain the applicability of these requirements to doors or bulkheads that were designed to be watertight but have not been operated that way.	3	

140-015	§140.630	The Coast Guard should clarify that the lookout requirements are not meant to differ from the requirements of the Inland Rules of the Road.	3	
140-016	§140.645	The Coast Guard should clarify that navigation safety training is a one-time training for crewmembers with navigation-related duties.	3	
140-017	§140.645(c)	Is an apprentice mate deemed to have met the training requirements?	3	
140-018	§140.660(a)	The Coast Guard should clarify the applicability of MTSA 2002 and ensure that MTSA compliance will not result in redundant inspections on the same vessel within a 5-year window.	3	
140-019	§140.725(b)	Confirm that this requirement is intended to apply to vessels that are towing ahead, not towing astern.	3	
140-020	§140.801	The Coast Guard should clarify that the frequency and methodology of towing gear checks may be outlined in a vessel operator's TSMS are not required each watch.	3	
140-021	§140.820(b)	The recommendations of TSAC's Towing Gear Subcommittee should be considered an acceptable alternative. What is meant by a "spring line"?	3	
140-022	140	Does the Health and Safety Plan have to be approved?	3	
140-023	46 CFR 140	Within a TSMS, are operators permitted to specify their own electronic record keeping methods that are "functionally equivalent" to signatures?	3	
140-024	46 CFR 140.910 & 915(b)	If an official logbook is not required, and an electronic TVR or other TSMS solution is used, must the electronic record have the capacity to record strikethroughs, deletions, name of person making the change, date and time IAW 140.915(b)	3	
140-025	46 CFR 140.645	Are Coast Guard approved Bridge Resource Management courses required for master, mate, pilot credential holders under Sub Chaper M?	3	
140-026	140	Are vessels in compliance with the River Rules exempt from general alarm and other Sub Chapter M requirements not found in the River Rules?	3	
140-027	140	Is a navigation assessment required if the vessel is pushed up against the bank and are getting back underway?	3	
140-028	33 CFR 164.80	When are new tests/inspections required?	3	
140-029	140.610(e)	Whenever downstreaming operations are taking place, Sub M states that main deck doors have to be closed. This may be overly restrictive.	3	

Inspection of Towing Vessels - Questions Received

Part 141 - Lifesaving

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
141-001	141.225(d)	The OCMI should not routinely require specialized or additional lifesaving equipment. Vessel operators who use the TSMS option should specify what specialized or additional equipment is needed in their TSMS and have it approved by a TPO.	3	
141-002	141.375	Using flares as visual distress signals is problematic for vessels on the Western Rivers that operate in urban areas for security, safety, and environmental reasons, and training is impracticable. Is it possible for vessel operators utilizing the TSMS option to use alternative means to comply with this requirement?	3	
141-003	141.33	The Coast Guard should clarify how skiffs may be used in combination with other survival craft in order to meet the requirements of §141.305.	3	
141-004	141	If I'm reading correctly, Type I PFDs have to have a light and whistle, and Type II, III or V (work vest) is only required to have a light. Our man overboard transmitters that are attached to our work vest are water activated. Could these be considered an alternative for the lights? The lights would be one more thing to get snagged.	3	
141-005	141	Vessels that operate on inland rivers are required to carry 3 day and 3 night visual distress signals. If we opt to carry signals that are approved as both day and night signals, would we need to carry 3 or 6?	3	
141-006	141	The requirement for reflective material on lifejackets does not also include the vessel name, correct?	3	
141-007	141	Is a skiff required to hold the entire crew compliment?	3	
141-008	141	Are liferings with linebags required?	3	
141-009	141	Should lifeboat requirements apply to brown water vessels? Had there been an incident where crewmembers lost their lives because they were unable to get off the boat?	3	

Inspection of Towing Vessels - Questions Received

Part 142 - Fire Protection

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
142-001	142.210(b)	46 CFR 136.115 requires USCG approval to carry alternate equipment, and accordingly the owner documents this in their TSMS. If alternate arrangement is USCG-approved how do TPOs determine that? Will this information be documented on the COI?	2	
142-002	142.330	Our line haul boats (1982) have fire detection panels located at the engineering control compartment adjacent to the engine room. Will a second panel have to be installed in the wheelhouse (operating station)? 142.330(a)(3) and (8).	2	
142-003	142.225(c)	Is an aluminum storage cabinet acceptable?	3	
142-004	142.240	The list of system types should be updated to account for new technology.	3	
142-005	142.240 (c)	46 CFR 142.240 indicates that annual (portable and semi-portable) fire extinguisher inspections are carried out per NFPA 10 – "qualified service organization," but there is no requirement for fixed extinguishing systems (Halon, FM 200, CO2, or others) to be done by a qualified service organization. Was this intended? The following is required if a tank barge has internal fixed fire extinguishing capabilities. From 46 Subchapter D: "46 CFR 31.10-18 Firefighting equipment: General—TB/ALL. (a) It shall be the duty of the owner, master, or person in charge of a tank vessel to require and have performed at least once in every 12 months, the tests and inspections of all hand portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems on board, as described in paragraphs (b), (c), and (d) of this section. The owner, master, or person in charge shall keep records of such tests and inspections showing the dates when performed, the number and/or other identification of each unit tested and inspected, and the name(s) of the person(s) and/or company conducting the tests and inspections."	3	
142-006	142.330(a)(7)	Regs require the detection system be designed and installed by an appropriately certified entity. The requirements are more specific than those for verifying entities in 144.140. Specifically - a PE in 142 must have "experience in fire-detection system design" vice in 144 "not exceed the scope of his/her license." Two questions come from this language: 1) Does the system need to be designed by a PE under 142.330 or does the overall construction verification work here. 2) If the CG option is employed can a CG inspector verify the install? Believe this requirement was put in Subchapter C because there was no CG inspection, does the CG option negate that concern, what about PE or Class design verification and TPO surveys?	3	
142-007	142	How does the final rule on Harmonization of Standards for Fire Protection, Detection, and Extinguishing Equipment (published 22 July) impact the fire protection regulations in Subchapter M? What is the impact on vessels traveling exclusively on domestic rivers?	3	

142-008	142.330(a)(2)	How will engine room alarms be tested?	3	

Inspection of Towing Vessels - Questions Received

Part 143 - Machinery and Electrical

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
143-001	143.205(d)	The Coast Guard should confirm that only new installations of equipment within the ambit of Subpart B that are not replacements in kind trigger the application of Subpart C.	3	
143-002	143.210	The Coast Guard should ensure that operators of existing towing vessels understand that they may apply to the Marine Safety Center for approval of machinery or electrical systems.	3	
143-003	143.220	The Coast Guard should clarify where insulation is required.	3	
143-004	143.225	The Coast Guard should clarify that additional operating stations are not required.	3	
143-005	143.225(a)	What is meant by “monitor and control the amount of thrust,” and is it different from “indicate”?	3	
143-006	143.230(c)	The meaning of “at the machinery location” should be clarified because a literal reading may require impractical installations of gauges on, rather than near, machinery.	3	
143-007	143.245(b)	Explore an exemption from the requirement to log tests, as cruise ships have.	3	
143-008	143.265(c)	Do vent pipes need to discharge outside, or can they discharge in a contained area?	3	
143-009	143.585	The Coast Guard should clarify these requirements.	3	
143-010	143.265	All of our line boats were built before 1982. According to 143.265, J1942 only applies to vessels built after Jan 18, 2000. How would that work after a repower?	3	
143-011	143	Can companies exceed manufacturers' recommendations for overhaul hours, or replacement hours?	3	
143-012	143	For existing vessels, what does minimize shock and fire hazards for electrical systems mean? Does a vessel have to have GFCI electrical outlets?	3	
143-013	143	What are the standards for wiring on existing vessels?	3	
143-014	143	Are ABYC electrical standards applicable to towing vessels?	3	

Inspection of Towing Vessels - Questions Received

Part 144 - Construction and Arrangement

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered
144-001	144.305	Are stability letters to be issued? If so is that authority retained by the CG? If not, how are we documenting stability issues particularly centers of gravity? NVIC 3-89 may be a pointed to and to some extent the guidance for presenting information to operators for fishing vessels found in Enclosure 1 of NVIC 5-86 may be sources to point to or draw from.	1	
144-002	144.305	Compliance with Part 170: "each new vessel must meet the applicable stability requirements of part 170" - Policy is needed to identify what the "applicable" parts are. 1) Compliance with 170 on whole means stability assessed, tested, reviewed as we are currently doing for all subchapter S vessels except those OCMI deems sufficient (simplified stability tests for T boats) . Specifically, language in Subparts A thru D Discuss procedural issues and expressly require stability letters issued by the CG specifically, and require stability calculations and associated plans (GAs, tank sounding tables, hull lines etc.) be reviewed by the MSC. Saying M vessels must comply with 170 requires the CG will do stability review at some level. 2) If TPC does not want CG to retain authority/requirement to issue stability letters, to prevent taking review out of third party hands for those choosing a PE or Class for verification, the language could indicate compliance with Subparts E thru I, should be verified by a 144.10 entity, and then documented some how - see other comments on 144.315. 3) If TPC wishing CG to retain authority/requirements to issue stability letters, we must clarify that PEs and Class can not verify compliance with part 170/173. 3) Subpart D - Stability Instructions for Operating Personnel (the requirement for a Stability Booklet is found in this Subpart) - does not apply to many vessels and even those to whom it does apply, they can be dispensed with if sufficient information can be ID on a stability letter, LL or COI. The application or not of this part should be discussed.	1	

144-003	144.315	144.315 (a) - Two concerns here: 1) Questions may arise in how the aggregate weight change is calculated or the possibility of an exclusion of known weights, and 2) Tracking of displacement, Vertical Center and Longitudinal Center of Gravity (VCG, LCG) is not something that we spell out in this manner in other subchapters or in Subchapter S, part 170. Recommend aligning thought on this with question concerning documenting stability information. Currently, stability letters issued by the MSC (those not simplified and issued by the OCMI, and those vsls not having a load line) receive a Stability letter that records their displacement and centers of gravity, loading concerns, ballast placement, etc. If stability letters are not issued, displacement, VCG, LCG and other issues should be documented somewhere, perhaps the COI? If so, recommend under Routes and Conditions section unless MISLE would be adjusted to include some kind of stability constraint option -quick look seems to indicate it's built for cargo loading and wouldn't work well. If not on the COI, a separate document prepared by the 144.140 entity that is formatted similar to the stability letter could be required and then referenced on the COI, so MSC would do that in a stability letter, and a PE or Class could be required to produce a letter, and that letter gets referenced on the COI. 144.315 (b) is consistent with long-standing MSC policy MTN 4-95, Ch 2. Point to MSC guidance for this.	2	
144-004	144.145	Are submitters forced to go "all or nothing" when they choose their design verification method? If so, stability review issues are important to align and clarify.	2	
144-005	144.145	Verification of compliance with design standards - is it intended that there is one document that serves as a the verification. That is, does a PE, Class, or CG sign off on the vessel as a whole? Should OCMI's be seeing a comprehensive verification statement/letter? Language in paras (b) and (c) could be read to require a consolidated statement of verification. Specifically, the need to list deviations, a statement about the intended service and the identity of the individual who conducted the verification, appear to indicate there's a final approval letter or statement of some kind that covers all aspects of the vessel. Para (c) seems to say that each plan, calculation, etc., is stamped individually. It's unlikely that one PE can within the scope of his/her licenses and ethical boundaries feel responsible for all aspects of structural, stability, mechanical, electrical reviews. Is it okay for a PE to "sign off on" work conducted by other engineers that may or may not be a PE? How can the OCMI or TPO assess if the vessel had been looked at holistically if there is not a final statement?	2	
144-006	144.145(d)	When does the verified plan go to the OCMI or TPO? As they are completed or in piecemeal? Controlling this flow of plans from PEs will be vital for OCMIs trying to manage any additional workload and conduct some level of project management. For those using CG inspection option and recommend the entire package of verified plans must be presented when initiating request for COI under 136.210 (3 mos before hand). For those using CG verification option, recommend setting another 3 month window before that for review/verification of the plans, so that using the CG option would required 6 months of so, prior to COI exam. This may serve to incentivize use of TPOs and other party verifications.	2	

144-007	144.145(d)	What's expected of the OCMI and MSC for plan record keeping? Are they to build a vsl file? Who holds that file. MSM Vol 1 Chapter 12.E.2.b.2.d (page 12-7 of the manual) requires a large volume of plans to be maintained for vessels, although some less critical plans and notes can be culled after the one year anniversary of the project completion. For field units, they compile the vsl file and then forward to MSC. NVIC 13-83 discusses CG maintaining plans for vessels it has certified. Does 13-83 apply to M vessels, and if so how do we make that work? What's expected of OCMIs when they receive these plans? Para (e) does not require a Class to provide plans to the OCMI regardless of the . It's unclear why - to provide the CG or TPO a copy to begin a vessel file? If the vessel is not Classed does Class have an obligation to maintain a vsl file? Or is this difference because of a different level of trust in effort.	3	
144-008	144.155	Policy should allow for verification of similar vsls that can't meet the requirements in 144.155 for sistering. Recommend policy clarify, that plan extension is an option, MSC has existing guidance on both of these issues that can be pointed to. In existing policy and guidance, the term "sister" applies to stability characteristics. Plan Extension is the term used for the use of previous plans - in whole or in part for similar vsls regardless of it's sistering status. This language mixes the two and makes an inadvertent problem. It's conceivable that a towing vsl plan is verified and the vessel built in 2016 in shipyard A, the plan owners wish to build the same vsl in shipyard B or the plan owners wish to allow some other entity to use those plans to build a vessel in 2026 - 144.155 precludes "sistering" and thus requires plan verification to be repeated. Longstanding guidance has allowed plan extension to vessels built in different ship yards than the original vessel. The requirement for the same shipyard comes from the sistering policy.	3	
144-009	144.140	Who's the "Coast Guard" in this case? Language is otherwise directive to point to MSC or Commandant. Unlike other subchapters no language exists to point readers to whom.	3	
144-010	144.145	Guidance is needed for OCMIs when finding an incomplete verification or should question arise concerning the competence of a PE or Class when conducting verifications. For example, a PE gives verification for a vessel design, during initial COI exam, inspector finds concerns, either with the limited scope of plans the PE reviewed, or significant findings to indicate the design does not comply with design standards. Similarly, but less likely would be concerns with work done by Class. This might only be guidance to ensure that OCMI's aren't doing a detailed review of plans when they see them, as a way to calibrate the level of inspection that's happening. It need only be simple guidance, but current reg text appear devoid of any indication or assumption that the OCMI would ID problems. If they do, what should the OCMI do? it's typical OCMI stuff, but complicated by these verifying parties and TPO issues. Require re-verification - if so by whom the OCMI or another entity allowed by 144.140? For INV - Should OCMIs be notifying state licensing boards when there's an issue?	3	

144-011	144.104 (c)	This is the only place other than definitions that discusses applicability to major conversions - is that what's intended ? If not it can be read to mean that requirements for part 143 (Machinery and Electrical Systems and Equipment) would not apply. This however is in conflict with the definition found in 136.110 which calls a new vessel any that's undergone a major modification after July 2017. This definition is consistent with Subchapter T. The language surrounding MCon could address this needed.	3	
144-012	144.145	MSC is discussing internally, the proper terminology for plans reviewed by the MSC. Evaluating use of new term to align with regs "Verified" or existing term "Examined" which is used for reviews of things not "approved" but used to support approval of other items. Unlike other Subchapters, language does not indicate that vsl owners need approval of construction plans for their vsls, MSC holds that this review is something other than traditional plan approval. Additionally, MSC has concerns of PEs or Class stamping plans Approved, essentially under their own authority. All other instances, authority to "approve" plans has been delegated and we requrire stamps to indicate that action on our behalf.	3	
144-013	144	What percentage of wastage will be allowed, what minimum scantlings are required, what minimum plate thickness will be required?	3	
144-014	144.300(b) (2) and (3)	Guidance is needed as to what is necessary to demonstrate vessel stability if it is questioned by a TPO or the Coast Guard.	3	
144-015	144.605	Is this necessary for vessels that have installed fire protection systems, such as Sapphire, that require oxygen to operate?	3	
144-016	144.300(b) (3)	There is no mention related to re-powering a tugboat to increase bollard pull and the effects on initial stability. Intact stability requirements identify “maximum bollard pull allowable,” which is sought to be increased by increasing a vessels’ HP through re-powering. ClassNK 2016 Guidance for the Survey and Construction of Inland Waterways Ships – Part 6 – Intact Stability Chapter 2 – Intact Stability Requirements. Comment/Opinion: Class NK believes at a minimum that 46 CFR 144.300 (b) (3) should also include the term “repowering.”	3	
144-017	144	What are the vessel subdivision and watertight bulkhead requirements?	3	
144-018	144	With regard to stability, is the GICW considered “Protected” or “Partially Protected”?	3	
144-019	144.145	Will Subchapter M require a change to NVIC 10-82, which only applies to classed vessels, as it relates to ABS authority to review and approve plans on behalf of the CG?	3	
144-020	144.8	Will existing vessels who do not utilize handrails on the outer most portion of the main deck be required to add them or equivelent?	3	
144-021	144.32	what are the different requirements for watertight and weathertight integrity by route?	3	
144-022	144	Is there a standard for gaging requirements?	3	
144-023	144	What are the subdivision requirements for towing vessels? What are the scantling requirements? What will be required for electrical penetrations of watertight bulkheads on extisting vessels?	3	

144-024	144.305	What is the intent of 144.305? 144.305 states that each new vessel must meet the requirements of part 170, in addition to the requirements in table 144.305. However, the table refers to part 170 as well. Was the intent of 144.305 to state that new vessels are to meet parts 170 and 170 as defined by table 144.305? as written, all of part 170, subparts A-E is applicable to all new Sub M towing vessels. In addition, the table specifies that they are also to meet the 170.173(e)(2) for vessels of unusual form or service. Were these requirements intended to apply to Sub M towboats operating on inland waters only?	3	

Inspection of Towing Vessels - Questions Received

Part 199 - Lifesaving Systems on Certain Inspected Vessels

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered

Inspection of Towing Vessels - Questions Received

Subchapter C - Unispected Towing Vessels

Number	Subpart/ Cite	Question/Comment	Priority	Date Answered