

Commenting On Line

Federal eRulemaking Portal

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Comments and related material must be submitted to the online docket on or before December 9, 2011

Please identify your comments by inserting Docket Number USCG-2006-24412 in the "docket ID" box

Commenting In Writing

Mailing Address

Docket Management Facility (M-30)
US Department of Transportation
West Building Ground Floor, RM W12-140
1200 New Jersey Avenue, SE.
Washington, DC. 20590-0001

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Public Meetings

Public Meetings are planned from 9:00 a.m. until 5:00 p.m. at the following locations:

Tuesday, October 18, 2011--Point Plaza Suites at City Center, 950 J. Clyde Morris Blvd., Newport News, VA 23601

Monday, October 24, 2011--Crowne Plaza (Downtown), 200 N. Fourth Street, St. Louis, MO 63102

Wednesday, October 26, 2011--Crowne Plaza (New Orleans-Airport), 2829 Williams Blvd., Kenner, LA 70062

Wednesday, November 16, 2011--Hotel 1000, 1000 First Avenue, Seattle, WA 98104



INSPECTION OF TOWING VESSELS

NOTICE OF PROPOSED RULE MAKING

46 CFR Subchapter M

 **Docket Number USCG-2006-24412**



CONTACTS

Project Manager

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More information and direct electronic links to the NPRM and Federal Rulemaking Portal can be found on the Towing Vessel National Center of Expertise website: www.uscg.mil/tvncoe

Why Inspect Towing Vessels?

The Coast Guard and Maritime Transportation Act of 2004 (P.L. 108-293) requires, and the NTSB recommends, that (previously uninspected towing vessels) be subject to inspection. This proposed rule is intended to implement this statutory provision.

Towing vessels are essential to America's commerce moving significant quantities of goods and providing essential services to our ports and waterways. Based on historical accident data, there are hundreds of accidents each year involving towing vessels that may result in the loss of life, injuries, oil spills, and damage to property.



Higher towing vessel safety standards and compliance would improve the safety of our ports and waterways.

Two Proposed Compliance Options

1. Towing Safety Management System (TSMS) and Third Party Organization Audits

- Enhance safe operations of towing vessels
- Internal and External Audits
- External Third Party Audits less frequent than Coast Guard option

2. USCG Inspection

- Traditional regime for ensuring safe Operations and Compliance
- Annual Coast Guard Inspections
- Flexibility and possible cost savings

Notice of Proposed Rulemaking

A Notice of Proposed Rulemaking (NPRM) is the method used by an Agency to solicit public comment when developing new regulations. This NPRM outlines a layered approach to towing vessel safety that includes the option of an audited safety management system or an annual Coast Guard inspection regime. The NPRM also outlines procedures for obtaining Certificates of Inspection issued by the Coast Guard and for Coast Guard oversight of any audit and survey processes involving third party organizations. Additionally it would establish safety regulations governing the inspection, standards, and safety management systems for towing vessels.

FAQ's

Q: When do the new regulations take effect?

A: These are proposed rules and do not yet affect towing vessels. The Coast Guard is seeking comments from the public to determine what final regulations would be.

Q: Will all towing vessels be affected by these new regulations?

A: In general the proposed regulations would apply to vessels engaged in towing that are 26 Ft. in length and greater. The regulations could potentially affect more than 5000 Towing Vessels.

Q: What does it mean to be inspected?

A: Inspected vessels must meet more rigorous safety standards. The higher safety standards include approval of (vessel) build plans, oversight of construction, increased safety equipment and more comprehensive operating requirements. Inspected vessels are issued a Certificate of Inspection and allowed to operate as a towing vessel.

Q: What is a Safety Management System?

FAQ's Continued

A: A Safety Management System is a method of establishing centrally managed policies and procedures for the safe operation and maintenance and examination of a company's vessels. It documents authorities, reporting requirements and quality procedures as well as establishes and documents internal and external auditing.

Q: Does the NPRM propose that all vessels have a Safety Management System?

A: No. The NPRM offers a safety management system as a alternative to a traditional Coast Guard Inspection regime.

Q: How was the NPRM developed?

A: The Coast Guard worked closely with the Towing Safety Advisory Committee (TSAC), which is a statutorily established federal advisory committee whose purpose is to advise the Coast Guard on matters of towing vessel safety.

Q: Is this rule making designed to put small companies out of business?

A: No, the intent is to set reasonable standards for towing vessels to enhance maritime safety by ensuring all companies and vessels comply with those standards.

Q: Does the NPRM contain proposed regulations limiting the hours of service or requiring crew endurance management?

A: At this time there is no specific proposal regarding requirements for hours of service and crew endurance management for mariners aboard towing vessels. However the Cost Guard has discussed this important issue in the Federal Register publication and invites comments to assist the Coast Guard in deciding whether to propose such requirements in the future.