

TOWING SAFETY ADVISORY COMMITTEE

DEPARTMENT OF TRANSPORTATION

UNITED STATES COAST GUARD

Minutes of Meeting held
Thursday, March 15, 2001
U.S. Coast Guard Headquarters
Washington, DC

ATTENDEES

Coast Guard Staff:

CAPT Peter A. Richardson; Chief, Office of Operating and Environmental Standards;
Executive Director
Mr. Gerald P. Miantie; Office of Operating and Environmental Standards; (G-MSO)
Assistant Executive Director
CDR Brian Peter; Office of Operating and Environmental Standards
LCDR Lance A. Lindsay; Office of Operating and Environmental Standards
LCDR Luke Harden; Office of Operating and Environmental Standards
LCDR Mary Jager; Office of Investigations and Analysis (G-MOA)
Mr. James Law; Office of Investigations and Analysis
Mr. Robert Spears; Office of Standards Evaluation and Development (G-MSR)
Mr. Jorge Arroyo; Office of Vessel Traffic Management (G-MWV)
Lt. Scott Calhoun; Office of Design and Engineering Standards (G-MSE)

Committee Members :

Mr. Jeff Parker; Vessel Operations Manager, Allied Transportation Company; Chairman
Ms. Cathy S. Hammond; President, Inland Marine Service
Mr. Mario A. Muñoz; Director of Loss Control, Cooper/T.Smith Corp.
Ms. Diane Goncalves; Government Relations Rep., Transportation Institute
Mr. James G. Daley; Operations Manager (Contracts), Crowley Marine Services
Ms. Jennifer A. Kelly; Senior Vice President, American Waterways Operators
Mr. James C. DeSimone; Vice President, Great Lakes Towing
Mr. Rex H. Woodward; President, Premier Marine, Inc.
Mr. Donald C. McCrory; Executive Director, Port of Memphis
Mr. Donald J. Zimmerman Sr.; General Superintendent, J. Ray McDermott, Inc.
Ms Marina V. Secchitano; Regional Director, Inland Boatman's Union of the Pacific
Mr. Gerard Maurice; President, SunSet Marine
Ms Laurie Frost Wilson; of Counsel, Robins, Kaplan, Miller & Cerisi, LLP
Mr. Vinay S. Patwardhan; President, Chartrex Shipping Limited
Mr. Steven A. Zeringue; Inland Vetting Specialist, SeaRiver Maritime, Inc.

The Coast Guard hosted a public meeting of the Towing Safety Advisory Committee (TSAC) at USCG Headquarters, Washington, DC on March 14, 2001 (*Enclosure 1*). The session followed a one-day meeting of the working groups, at which the Committee discussed the License Implementation, and Fire Suppression and Voyage Planning rulemakings. (*Enclosure 2*).

Introduction and Welcome

TSAC Chairman, Mr. Jeff Parker, opened the meeting by calling for introductions from all participants and enumerating the nature of votes to be taken during the meeting on finished work products and potential taskings. He complemented Captain Richardson for his work on behalf of the Committee and his staff on their efforts of having a full membership slate approved, and noted with regret that both RADM North and Captain Richardson will be retiring this year. He also praised the Working Groups efforts toward developing implementation policy for the rulemaking on Licensing and Manning for Officers of Towing Vessels and assured everyone that the Committee will be closely monitoring its implementation. He commented on the other two major concerns in the towing industry, namely the Fire Suppression and Voyage Planning rulemaking, and crew alertness.

Captain Richardson's opening remarks included the fact that RADM North, during his tenure as sponsor of TSAC, has been impressed with its professionalism and confidence as a Federal Advisory Committee. He announced that the new Assistant Commandant for Marine Safety and Environmental Protection would be RADM Paul Pluta, who is the current Eighth District Commander. He informed the Committee of several top Marine Safety issues that include effective Port State control of sub-standard foreign vessels, an improved method of processing marine safety data (the MISLE system), and an upcoming initiative to improve mariner recruitment, training, and retention that includes a national conference on May 24, 2001, at the U.S. Merchant Marine Academy. He praised the members who persevered with Committee business even though their terms had expired, and challenged the Committee, now at full strength, to focus on the important issues that face the industry today, while harmonizing the Committee's efforts with the G-M business plan.

Existing Business

◆ Ms. Jennifer Kelly, Chair of the Licensing Implementation Working Group, announced that the group was established in the spring of 2000 and had worked very closely with the Coast Guard to implement these new regulations in such a way that enables them to fulfill their promise of improved safety in the industry. She presented the group's report (*Enclosure 3*), which contains the key points of Grandfathering, Proficiency Demonstration, Designated Examiner Liability, and the Towing Officers/Assessment Record (TOAR). The Working Group amended its draft report to include advice that the Coast Guard incorporate a change in the implementing NVIC to authorize an officer of

towing vessels to operate in the pilotage waters of the Lower Mississippi River without having to obtain a Western Rivers endorsement. It was noted that the third Interim Rule would solicit public comment on this issue as well.

Moved/Seconded/Carried (M/S/C) that the Committee accept the Working Group report.

◆ Ms. Laurie Frost Wilson, Chair of the Fire Suppression and Voyage Planning Working Group, announced that the Supplemental Notice of Proposed Rulemaking on fire suppression and voyage planning for towing vessels was published on Nov. 8, 2000, with significant departure from the NPRM and in a different direction from TSAC's former recommendations. The original deadline for comments had been Mar. 8, 2001, but was extended to May 8, 2001 to give TSAC an opportunity to focus on the issues and submit its own comments to the docket. She then discussed the voyage-planning portion of the subject (*Enclosure 4*). Key points in the report include Applicability; Categories of Information; Whether it Must be a Written Document; Definition of "Voyage"; Consideration of "Environmentally Sensitive Areas"; Definition of "Substantial Deviation"; and Voyages of 12 hours or More. There ensued a lengthy discussion focusing on applicability to inland towing and the format of the voyage plan. Mr. Patwardhan desired to go on record that he supports a written voyage plan document. A vote was carried 9 to 6 in favor of TSAC's accepting and forwarding the Working Group's recommendations. Ms. Wilson gave an outline of the Fire Suppression issues and announced that the next Working Group meeting, to produce draft comments for TSAC's approval and submission to the docket, is scheduled for Wednesday April 4, 2001. Public participation was solicited for that meeting.

◆ Mr. Bob Gauvin, Project Manager for a Container Securing rulemaking, reported that he met in September 1999 with the TSAC Working Group on Cargo Securing matters. He reported that the Coast Guard recently received a draft report (*Enclosure 5*) from the group's Chairman, Mr. David St. Amand, on how the Coast Guard should proceed with the proposed rulemaking. The Working Group's main accomplishment in the report was a recommendation to develop a non-regulatory approach for U.S. domestic vessels that would direct owners of these vessels to develop, document, train, audit and review, and update the plan to ensure safe securing of these cargoes. M/S/C that the report be accepted and submitted to the docket.

Project Updates

◆ LCDR Mary Jager reported on the International Maritime Information Safety System (IMISS). This is a voluntary system designed to capture precursor and human element incidents, structured to let individuals tell their story, but is not a replacement for any mandatory recording requirements and does not provide immunity. The reason behind the model system is the establishment of an orderly method to collect data on shipboard problems and near-miss situations in an attempt prevent future accidents before they happen. This is a proactive initiative on the part of the Coast Guard and the maritime industry which, with assistance from other agencies, will hopefully reap the benefits of operational cost reductions and lives saved. The concept is to capture and process pertinent information and distribute it back to industry. The data center has a privacy

wall to safeguard the reports' specific private or sensitive information. Once that is stripped away, industry experts analyze the remaining data, gather safety information, and disseminate the results to companies, agencies and mariners, most likely by means of newsletters or the Internet. Keys for success are strong industry participation and a method to protect the industry from litigation and enforcement actions.

A legislation proposal is presently on its way through the system to Congress. NASA currently has the prototype and is refining the form. A secure-based operating fund is IMISS's biggest obstacle because it's not a federal function and the Coast Guard is precluded from funding it.

◆ LCDR Luke Harden reported that the draft implementing NVIC (*Enclosure 6*) for the towing vessel licensing rulemaking meets most of the requirements that were previously cited during the Working Group's presentation. The document is about nine pages long with separate enclosures for questions and answers, two evaluator sheets, and towing officers' assessment records developed by the Working Group. There are still outstanding issues regarding the lower Mississippi River, the Harbor Assist license and Limited Licenses. The Coast Guard will be requesting comments from the public on these items. The NVIC will be published soon after the third Interim Rule.

LCDR Harden stated that the only outstanding issue with the rulemaking is Assessment Criteria. He noted that these criteria are necessary to ensure the tasks or skills called for have been performed properly, completely, and uniformly. They also provide the license candidate with an idea of the type and extent of information (s)he needs to know when going through the training process. TSAC is being asked to develop these assessment criteria. Until such time, company policy and good marine and industry practice should prevail. Additionally, the Coast Guard has adopted a process in the license program that will allow a smoother transition from towing vessels to larger vessels outside of the towing industry.

Ms. Kelly remarked that the Working Group is not recommending the development of assessment criteria at this time, allowing their other contributions to the licensing system a time to work. This would give companies the chance to develop their own details and evaluate the need for a standard set of measures. Mr. Harden announced that, although the Coast Guard realizes that assessment criteria cannot be developed in time for the rule's implementation, the November 1999 rule requirements for them still stand. Some discussion ensued on the subject concentrating on the need for the criteria and concern for the level of detail, with the Chairman suggesting any work that might be authorized today be deferred until the next meeting after the Working Group decides on its direction. The Committee will consider a relative draft Task Statement later in the meeting.

◆ Mr. Jorge Arroyo reported on the Automatic Identification System (AIS) which is a "black box" technology that has advanced significantly since its inception. The main unit will be located on a vessel and receives GPS and other data from both shipboard and land-based systems. A CPU then compiles the data and transmits them to shore facilities and other vessels. When AIS came out in 1996 and was utilized on a tanker in Prince William Sound, communication was just a one-way system, but it now has changed into a global communication system. The equipment can handle 2000 reports per minute

updating on a real time basis, usually within seconds. Examples of the type of information that the AIS box will process include: vessel identity, position, navigating status, heading, heel, pitch and roll. Having such valuable data will benefit “own ship” awareness as well as making it available for other vessels in the proximity. The New Orleans Vessel Traffic Service Center has been conducting tests with 50 units released for use during the past two years to test the capability of the system through multiple communication zones. The regulatory process has not been completed, but the Coast Guard hopes to have it published by the summer of 2001 and will propose to phase-in the system within VTS areas as those locations establish AIS capabilities. These systems should function worldwide as they are designed to operate according to international standards.

◆ Mr. James Law presented results of recently compiled and analyzed data collected over an eight year period relating to various Eighth Coast Guard District oil spills. This information was presented as several categories of mystery spills, fishing vessels, tow and tug boats, and the number of yearly spills attributed to each category. The source for this data is the Coast Guard’s Marine Investigation module of the Marine Safety Information System (MSIS).

◆ LT Scott Calhoun updated the Committee on current C.G./IMO initiatives regarding Crew Alertness citing that a Crew Endurance Management program has measurable success in improving crew alertness and endurance, and with resultant increases in productivity and safety. The two most important features about this program are that it can be implemented at low cost within existing regulations, and that the Coast Guard has made it practical, usable and readily available to the entire maritime community. Examples of endurance factors are physical conditioning, stress, sleep, diet, and motion sickness. Primary concern centers on wheelhouse personnel’s Circadian rhythms, adaptability to night operations, and cumulative effects over weeks of service aboard the vessel. Concern is also expressed for the remainder of the crew’s long hours and shifting work schedules. The key is to manage these risk factors.

The Coast Guard Research and Development Center is conducting several on-going projects into both deep-sea and towing operations. Included in these projects are the measurement and analysis of current watch and work schedules, education of the proper company managers on areas of concern, and making changes to the system. The researchers then repeat the process to assess the effectiveness of these modifications and make further adjustments to enhance alertness. An industry Crew Endurance Management Working Group proposed changes for the crew that made significant improvement in endurance, such as: modified work schedules with a one-hour time difference in the amount of time on watch and off watch, changing diet of the crew, locating an exercise machine in the pilot house, installing black out curtains in crew state rooms, increasing illumination in lounge and galley areas, and adding recreation and leisure activities aboard the vessel.

The Coast Guard should have all the deliverables from these projects completed by May 2002. Participating companies are going to continue with education programs and continue to implement Crew Endurance Management. A Crew Alertness Campaign begins in April 2001 to maintain open communication with industry by methods such as

sponsoring conferences and seminars to discuss issues and solutions and publishing management of endurance risk factors guide books for specific industry areas. Under the campaign, the Coast Guard is assembling a total package of aids for the use of the mariner including a CD ROM collection of slides to conduct training, computer based training assistance, and a decision support system.

Old Business/ New Business

◆ Crew Alertness Proposed Task Statement Task # 01-01 (***Enclosure 7***).

The statement gives a background on the subject relative to Prevention Through People initiatives, the three studies conducted by the Coast Guard R&D Center and several alertness initiatives. The goal is to establish a Crew Alertness Working Group, very critical to this process, to address the work identified in the statement, render non-regulatory solutions, and be available for any future activities, as this should be an on-going issue.

M/S/C that TSAC accept this task statement. Mr. Rex Woodward will chair the Working Group.

◆ Assessment Criteria Proposed Task Statement. Task 01-02 (***Enclosure 8***).

The Chairman proposed that the Committee move forward slowly with this particular project. M/S/C that TSAC accept this task statement. Ms Jennifer Kelly and the Licensing Implementation Working Group will convene with G-MSO and the NMC to look at the scope of the process to bring back to the next TSAC meeting their findings related to how the group proposes to proceed, the estimated length of the project, what additional resources might be required, and perhaps an indication of what the final product may look like.

Public Comment

◆ Captain David Whitehurst , Gulf Coast Mariners Association GCMA), addressed the Committee on the need for mandatory work log sheets and the need to enforce violations of work-hour limitation rules. He also spoke on a concern with pilot visibility problems resulting from pushing barges with stacked hatch covers.

◆ Captain Richard Block, also with GCMA, presented his opinion regarding the need to make towing vessels inspected vessels, citing examples of Coast Guard boardings where deficiencies were discovered and reported to the master, but lacked the regulatory authority to prevent the vessel from proceeding.

◆ John King, Operations Manager for Gulf Coast Transit, addressed the Committee concerning his company's opinion on the Fire Suppression rulemaking issue, asking the Coast Guard to review existing and potential fixed suppression systems and develop rules specific to towing vessels. Also, he supports voyage planning, but believes the list of items to be vague, and that the rule duplicates requirements found elsewhere in regulation.

Conclusion

Ms. Kelly read the Summary of Action Items (Enclosure 9).

Ms. Secchitano asked for clarification on the proper procedure for obtaining mariner payroll records, possible TSAC jurisdiction on Coast Guard/Employer relations, and Coast Guard investigation into the stability of towing vessels. Captain Richardson suggested that the cognizant OCMI be consulted on these matters.

The fall meeting will be held in September at Coast Guard Headquarters. Setting the actual date was postponed until availability of the meeting room could be confirmed.

(Signed) P. A. Richardson

Captain Peter A. Richardson
Executive Director

5/10/01

Date

(Signed) Jeff E. Parker

Mr. Jeff Parker
Chairman

5-22-01

Date

- Encl:
- (1) Agenda, 3/15/00, Public Meeting
 - (2) Agenda, 3/14/00, Working Group Activities
 - (3) Report of the Licensing Implementation Working Group (Summary of Recommendations)
 - (4) Report of the Working Group Fire Suppression and Voyage Planning (Recommendations for TSAC Comments to the SNPRM Docket)
 - (5) Final Report of the Cargo Securing Working Group
 - (6) Draft NVIC on Licensing and Manning for Officers of Towing Vessels
 - (7) Task Statement #01-01 – Assessment Criteria For Officers of Towing Vessels
 - (8) Task Statement #01-02 - Towing Vessel Crew Alertness
 - (9) TSAC Action Items

0800	<u>Introduction & Welcome</u>	
	<ul style="list-style-type: none"> • TSAC Chair's Remarks 	Mr. Parker
0830	<ul style="list-style-type: none"> • Executive Director's Remarks <u>Existing Business/Reports</u>	CAPT Richardson
	Licensing Implementation	Ms. Kelly
	1. Fire Suppression and Voyage Planning	Mr. Parker
	2. Cargo Securing	Mr. Parker
0915	<u>Break</u>	
0945	<u>Project Updates</u>	
	1. International Maritime Information Safety System (IMISS)	LCDR Mary Jager
	2. Licensing and Manning for Officers of Towing Vessels	LCDR Luke Harden
	3. Fire Suppression and Voyage Planning	Mr Spears/Mr. Eberly
	4. Current C.G./IMO Initiatives Regarding Crew Alertness	LT Scott Calhoun
	5. Automatic Identification System (AIS)	Mr. Jorge Arroyo
	6. Recently Compiled Data and Analyses for Towing Industry	Mr. James Law
1100	<u>Old Business/ New Business</u>	Mr. Parker
	<ul style="list-style-type: none"> • Task Statement 01-01: Crew Alertness • Task Statement 01-02: Towing Vessel Assessment Criteria 	
1115	<u>Public Comment</u>	
1145	<u>Summary of Action Items</u>	Ms. Kelly
1155	<u>Schedule Next Meeting Date</u>	Mr. Parker
1200	<u>Adjourn</u>	Mr. Parker

0900	<u>Introduction & Welcome</u> <ul style="list-style-type: none">• Review of Meeting Schedule and Objectives	Mr. Parker
0930	<u>Status of Working Group Activities</u>	WG Chairs
1000	<u>Licensing Implementation Working Group</u> <ul style="list-style-type: none">• Review of Working Group Recommendations• Status Report on NVIC and Rulemaking• Question and Answer Session	Mr. Parker Ms. Kelly LCDR Harden All
1200	<u>Lunch</u>	
1300	<u>Working Group Meetings</u> <ul style="list-style-type: none">• Fire Suppression and Voyage Planning	All
1430	<u>Discussion of New Taskings</u> <ul style="list-style-type: none">• Crew Alertness• Assessment Criteria	All
1500	<u>Summary of Working Groups</u>	WG Chairs
1530	<u>Adjourn</u>	Mr. Parker

TSAC Licensing Implementation Working Group
Summary of Recommendations by Issue Category

March 6, 2001

Enclosure 3(a)

Grandfathering/Phase-in Issues

1. Existing OUTV licenseholder:
 - Will receive Master of Towing Vessels license at next scheduled license renewal after *May 21, 2001*.
 - New license will carry same route endorsements/geographic operating authority as old license.
 - Previous documentation requirements for renewal of an OUTV license will apply.
2. Existing license as Master or Mate of Steam or Motor Vessels Greater than 200 gross tons:
 - Individual with OUTV endorsement will receive a Master of Towing Vessels endorsement (no tonnage restriction) at next renewal after *May 21, 2001*.
 - Individual without OUTV endorsement but with at least 90 days of towing vessel operating experience will receive a Master of Towing Vessels endorsement (no tonnage restriction) at next renewal after *May 21, 2001*.
3. Existing license as Master of Steam or Motor Vessels Less than 200 gross tons:
 - Individual with OUTV endorsement will receive a Master of Towing Vessels license (no tonnage restrictions) at next renewal after *May 21, 2001*.
 - Individual without OUTV endorsement but with at least 90 days of towing vessel operating experience may: 1) receive a Master of Towing Vessels license, limited to the tonnage of the current license; or, 2) *receive a Master of Towing Vessels license with no tonnage restriction, if he or she has 24 months of towing vessel experience and passes the OUTV exam.*
4. Individuals currently preparing to obtain a wheelhouse license:
 - Individuals whose service began prior to *May 21, 2001*, may qualify for a Master of Towing Vessels license under the previous OUTV licensing rules until *May 21, 2004*.
 - Individuals whose service begins after *May 21, 2001*, must qualify for a Master of Towing Vessels license under the new towing vessel officer licensing rules.

Demonstration of Proficiency

To advance from Apprentice Mate/Steersman to Mate/Pilot, an individual must:

- Accrue 12 months of service time while holding an Apprentice Mate/Steersman license;
AND,
- Demonstrate proficiency by means of EITHER:

1. A Coast Guard-approved training course/steersman program; OR,
2. Observation and assessment by a Designated Examiner, documented by completion of a Towing Officers' Assessment Record (TOAR).

Option 1: Coast Guard-Approved Training Course/Steersman Program

1. Must meet the requirements of 46 CFR 10.465(g):
 - Formal instruction;
 - Practical demonstration of proficiency either on board a towing vessel or at a shoreside training facility before a designated examiner;
 - Must cover:
 - *Shipboard management and training;
 - *Seamanship;
 - *Navigation;
 - *Watchkeeping;
 - *Radar;
 - *Meteorology;
 - *Maneuvering and handling of towing vessels;
 - *Engine room basics; and,
 - *Emergency procedures.
2. Must be approved by the National Maritime Center pursuant to Navigation and Vessel Inspection Circular (NVIC) 5-95.

Option 2: Assessment by Designated Examiner, Documented by TOAR

1. Observation/assessment may take place over time (e.g., the 12 months of an individual's service as Apprentice Mate/Steersman). A compressed "check ride" is not necessary (or necessarily desirable).
2. Designated Examiner may be a towing vessel officer or other individual who meets the following qualification requirements:
 - Hold an active license equal or superior to the one for which assessment is performed; and,
 - *Possess experience in the performance of the task being assessed; and,*
 - *EITHER Possess 180 days of experience conducting the training or assessment of mates (pilots) or apprentice mates (steersmen). This evidence can be in the form of a letter from a company or training school stating that the individual has conducted on-the-job training as part of a Coast Guard-approved course or a recognized safety management system such as the AWO Responsible Carrier Program or the International Safety Management Code; or,*
 - Have received formal instruction in observation and assessment techniques.
3. Designated Examiner Liability: Same approach as vessel inspection. Designated examiner attests to an individual's proficiency to perform required tasks at the time his or her

observation is made. Designated Examiner makes no warranty regarding the individual's ability to perform these tasks in the future.

4. Towing Officers' Assessment Record (TOAR):

- *Sample TOARs* (developed by TSAC) should be published as an addendum to the forthcoming NVIC. A TOAR that conforms to the sample will not require National Maritime Center approval. If a company or provider of training and assessment services would like to use a TOAR that is substantively different from the sample, it must be submitted to the National Maritime Center for approval. *This does not preclude the addition of supplemental items to the approved TOAR to address company-specific requirements; however, such items will not be considered by the Coast Guard in approving an individual's application for a license.*
- *The working group has developed four sample TOARs (attached).*
 - *The Western Rivers TOAR should be completed by applicants seeking a license as Mate or Pilot of Towing Vessels endorsed for Western Rivers operations.*
 - *The Great Lakes/Inland TOAR should be completed by applicants seeking a license as Mate or Pilot of Towing Vessels endorsed for Great Lakes/Inland operations.*
 - *The Near Coastal/Ocean TOAR should be completed by applicants seeking a license endorsed for Near Coastal or Oceans operations. Applicants who complete the Near Coastal/Oceans TOAR should not have to complete the Great Lakes/Inland TOAR in order to operate on Great Lakes/Inland routes.*
 - *The Limited TOAR should be completed by applicants seeking a Limited Local Area license.*
- *Elements common to all four TOARs have an X in the box marked "Common Element." An individual seeking a new route endorsement on his or her license should not have to re-do those portions of the TOAR already completed.*
- *An individual seeking authorization for service on the Lower Mississippi River above mile 304.1 (Old River Locks) should be required to obtain a Western Rivers endorsement and complete the Western Rivers TOAR. An individual with a Near Coastal, Oceans, or Great Lakes/Inland endorsement seeking authorization to operate on the Lower Mississippi River below mile 304.1 should not be required to obtain a Western Rivers endorsement or complete the Western Rivers TOAR.*
- Officers in Near Coastal/Oceans service may use a single document to satisfy the requirements for an STCW Training Record Book and the Towing Officers' Assessment Record.
- The working group recognizes that companies and other providers of training and assessment services may find it useful to develop performance criteria for use in assessing a candidate's competency in the tasks specified in the TOAR. Given the magnitude of the task and the many additional elements that have already been added to the licensing process by means of this rulemaking, the working group has not recommended the development of a single set of standard assessment criteria at this time. **If subsequent experience** indicates that the development of standard assessment criteria would add significant value to the licensing process, we *recommend that the Coast Guard return to TSAC and seek the committee's assistance in conducting this work.*

Documentation Requirements for License Renewal

- The same documentation requirements currently in effect for renewal of an OUTV license should be maintained under the new licensing rules for towing vessel officers.
- *An individual who has maintained recency of service (as currently defined in the regulations) and has not had his or her license suspended or revoked should not have to undergo a practical demonstration of proficiency in order to renew his or her license. This should be clarified in the forthcoming revised interim rule as well as in the NVIC.*

Harbor Assist/Limited Local Area Licenses

The following recommendations should be reflected in the revised interim rule as well as in the forthcoming NVIC:

- As previously recommended by TSAC, there should be a single (optional) licensing track to meet the unique needs of coastal harbor tug operators, inland fleet boat operators, and other limited operations. The Harbor Assist and Limited Local Area licensing tracks should be combined into a single “Limited” licensing progression: Apprentice Mate/Steersman (Limited), Mate/Pilot (Limited), and Master (Limited).
- Reflecting the reduced scope of this license, the total time required to achieve a Master (Limited) license should be 36 months (as compared to 48 months for an unlimited Master of Towing Vessels license).
- The scope of this license should be defined so as to encompass either coastal ship assist or inland fleeting operations within a limited geographic area.
- A candidate for a Mate or Pilot (Limited) license should be required to complete the *Limited* TOAR.
- To accommodate the unique circumstances of dayboats (vessels operated for 12 hours a day or less, requiring only one licensed operator aboard), the regulations should be amended to allow an individual with a Mate or Pilot of Towing Vessels (unlimited) license to serve as the master of a towing vessel engaged in such limited operations.

Towing Officer Assessment Record: Western Rivers

Enclosure 3(b)

NAME: _____

LICENSE NO.: _____

Considered Competent

Task No.	Common Element	Task or Duty	DE's Initials	Date
A. Vessel Familiarization				
A.1.	X	Locate and demonstrate use of fire-fighting equipment		
A.2.	X	Locate and demonstrate use of life-saving equipment		
A.3.		Identify and describe:		
A.3.a.	X	a. main engine/propulsion system		
A.3.b.	X	b. steering system		
A.3.c.	X	c. auxiliary systems		
A.4.	X	Describe and follow vessel fuel transfer procedures		
A.5.	X	Identify physical characteristics of vessel and tow		
A.6.	X	Conduct safety orientations for new crewmembers		
A.7.	X	Use vessel's internal communications system or equipment		
B. Navigation and Piloting				
B.1.	X	Describe the effect of tide or current on vessel's position		
B.2.	X	Allow for draft and clearances in navigation of vessel		
B.3.	X	Conduct pre-voyage tests and inspections per 33 CFR 164.80		
B.4.	X	Describe and comply with VTS reporting requirements		
B.5.	X	Communicate using VHF radio		
B.6.	X	Provide radio/whistle notice of getting underway		
B.7.	X	Make security calls		
B.8.	X	Initiate appropriate actions in reduced visibility		
B.9.		Identify and maintain required charts or maps and publications		
B.10.		Use required charts or maps and publications		
B.11.		Determine vessel position on chart or map		
C. Watchstanding				
C.1.	X	Operate and use all electronic equipment in pilothouse		
C.2.	X	Use compass or swing meter (as applicable)		
C.3.	X	Make appropriate entries in logbook		
C.4.	X	Maintain proper lookout		
C.5.	X	Communicate navigation and vessel status information to the relieving watch officer		

D.		Maneuvering		
D.1	X	Maneuver light boat		
D.2	X	Maneuver tow in high wind		
D.3	X	Make tow		
D.4	X	Break tow		
D.5		Get underway, pushing ahead		
D.6		Get underway, towing alongside		
D.7		Maneuver loaded tow in narrow channels		
D.8		Maneuver empty tow in narrow channels		
D.9		Maneuver tow around sharp bends and turns		
D.10.		Maneuver tow with following current		
D.11.		Maneuver tow against current		
D.12		Maneuver through bridge		
D.13		Maneuver in high water		
D.14.		Maneuver in low water		
D.15.		Flank		
D.16.		Enter lock with upstream approach		
D.17.		Enter lock with downstream approach		
D.18.		Leave lock with upstream departure		
D.19.		Leave lock with downstream departure		
D.19.		Land upstream		
D.20.		Land downstream		
D.21.		Moor to piling, cell, or dock		
E.		Rules of the Road		
E.1.		Apply the Rules of the Road in the following situations:		
E.1.a.	X	a. Meeting while pushing ahead, and/or		
	X	Meeting while towing astern		
E.1.b	X	b. Crossing while pushing ahead, and/or		
	X	Crossing while towing astern		
E.1.c	X	c. Overtaking another vessel while pushing ahead, and/or		
	X	Overtaking another vessel while towing astern		
E.1.d	X	d. Being stand-on vessel		
E.1.e	X	e. Being give-way vessel		
E.1.f	X	f. Operating in restricted visibility		
E.1.g	X	g. Properly lighting towing vessel and tow while pushing ahead, and/or		
	X	Properly lighting towing vessel and tow while towing astern		
E.1.h.	X	h. Provide proper sound and light signals (passing, fog, danger, etc.)		
E.2.		Apply Rules of the Road regarding passing upbound and downbound traffic		

F.		Safety and Emergency Response		
		Describe procedures to be followed in response to:		
F.1.a.	X	a. Steering failure		
F.1.b.	X	b. Loss of electrical power		
F.1.c.	X	c. Loss of propulsion		
F.1.d.	X	d. Collision/allision		
F.1.e.	X	e. Grounding		
F.1.f.	X	f. Personnel injury		
F.1.g.	X	g. Oil or hazardous substance spill		
F.2.	X	Conduct man overboard drill		
F.3.	X	Conduct fire drill and instruction per 46 CFR 27.355		
F.4.	X	Describe procedures for abandoning ship		
F.5.	X	Describe procedures for use of general alarm		
F.6.	X	Describe procedures for use of all on-board safety equipment		
G.		Environmental Protection		
G.1.		Describe procedures for disposal of:		
G.1.a.	X	a. Garbage		
G.1.b.	X	b. Sewage		
G.1.c.	X	c. Bilge slops		
G.1.d.	X	d. Regulated waste		

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Towing Officer Assessment Record: Great Lakes/Inland

Enclosure 3(c)

NAME: _____

LICENSE NO.: _____

Considered Competent

Task No.	Common Element	Task or Duty	DE's Initials	Date
A. Vessel Familiarization				
A.1.	X	Locate and demonstrate use of fire-fighting equipment		
A.2.	X	Locate and demonstrate use of life-saving equipment		
A.3.		Identify and describe:		
A.3.a.	X	a. main engine/propulsion system		
A.3.b.	X	b. steering system		
A.3.c.	X	c. auxiliary systems		
A.4.	X	Describe and follow vessel fuel transfer procedures		
A.5.	X	Identify physical characteristics of vessel and tow		
A.6.	X	Conduct safety orientations for new crewmembers		
A.7.	X	Use vessel's internal communications system or equipment		
B. Navigation and Piloting				
B.1.	X	Describe the effect of tide or current on vessel's position		
B.2.	X	Allow for draft and clearances in navigation of vessel		
B.3.	X	Conduct pre-voyage tests and inspections per 33 CFR 164.80		
B.4.	X	Describe and comply with VTS reporting requirements		
B.5.	X	Communicate using VHF radio		
B.6.	X	Provide radio/whistle notice of getting underway		
B.7.	X	Make security calls		
B.8.	X	Initiate appropriate actions in reduced visibility		
B.9.		Identify and maintain required charts or maps and publications		
B.10.		Use required charts or maps and publications		
B.11.		Determine vessel position on chart or map		
B.12.		Maintain heading using magnetic compass		
B.13.		Incorporate information on forecast weather conditions in preparation for voyage		
C. Watchstanding				
C.1.	X	Operate and use all electronic equipment in pilothouse		
C.2.	X	Use compass or swing meter (as applicable)		
C.3.	X	Make appropriate entries in logbook		

C.4.	X	Maintain proper lookout		
C.5.	X	Communicate navigation and vessel status information to the relieving watch officer		
D.		Maneuvering		
D.1	X	Maneuver light boat		
D.2	X	Maneuver tow in high wind		
D.3	X	Make tow		
D.4	X	Break tow		
D.5		Get underway, pushing ahead		
D.6		Get underway, towing alongside		
D.7		Maneuver loaded tow in narrow channels		
D.8		Maneuver empty tow in narrow channels		
D.9		Maneuver tow around sharp bends and turns		
D.10.		Maneuver tow with following current		
D.11.		Maneuver tow against current		
D.12		Maneuver in channel with deep-draft traffic		
D.13		Maneuver through bridge		
D.14.		Land with current		
D.15.		Land against current		
D.16.		Moor to piling, cell, or dock		
E.		Rules of the Road		
E.1.		Apply the Rules of the Road in the following situations:		
E.1.a.	X	a. Meeting while pushing ahead, <i>and/or</i>		
	X	Meeting while towing astern		
E.1.b	X	b. Crossing while pushing ahead, <i>and/or</i>		
	X	Crossing while towing astern		
E.1.c	X	c. Overtaking another vessel while pushing ahead, <i>and/or</i>		
	X	Overtaking another vessel while towing astern		
E.1.d	X	d. Being stand-on vessel		
E.1.e	X	e. Being give-way vessel		
E.1.f	X	f. Operating in restricted visibility		
E.1.g	X	g. Properly lighting towing vessel and tow while pushing ahead, <i>and/or</i>		
	X	Properly lighting towing vessel and tow while towing astern		
E.1.h.	X	h. Provide proper sound and light signals (passing, fog, danger, etc.)		
F.		Safety and Emergency Response		
F.1.		Describe procedures to be followed in response to:		
F.1.a.	X	a. Steering failure		
F.1.b	X	b. Loss of electrical power		
F.1.c.	X	c. Loss of propulsion		

F.1.d	X	d. Collision/allision		
F.1.e	X	e. Grounding		
F.1.f	X	f. Personnel injury		
F.1.g	X	g. Oil or hazardous substance spill		
F.2.	X	Conduct man overboard drill		
F.3.	X	Conduct fire drill and instruction per 46 CFR 27.355		
F.4.	X	Describe procedures for abandoning ship		
F.5.	X	Describe procedures for use of general alarm		
F.6.	X	Describe procedures for use of all on-board safety equipment		
G.		Environmental Protection		
G.1.		Describe procedures for disposal of:		
G.1.a.	X	a. Garbage		
G.1.b.	X	b. Sewage		
G.1.c.	X	c. Bilge slops		
G.1.d.	X	d. Regulated waste		

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Towing Officer Assessment Record: Near Coastal/Ocean

Enclosure 3(d)

NAME: _____

LICENSE NO.: _____

Considered Competent

Task No.	Common Element	Task or Duty	DE's Initials	Date
		Vessel Familiarization		
A.				
A.1.	X	Locate and demonstrate use of fire-fighting equipment		
A.2.	X	Locate and demonstrate use of life-saving equipment		
A.3.		Identify and describe:		
A.3.a.	X	a. main engine/propulsion system		
A.3.b.	X	b. steering system		
A.3.c.	X	c. auxiliary systems		
A.4.	X	Describe and follow vessel fuel transfer procedures		
A.5.	X	Identify physical characteristics of vessel and tow		
A.6.	X	Conduct safety orientations for new crewmembers		
A.7.	X	Use vessel's internal communication system or equipment		
A.8.		Secure vessel for sea by:		
A.8.a.		a. ensuring watertight integrity		
A.8.b.		b. stowing deck gear		
A.9.		Operate towing gear		
A.10.		Inspect towing gear		
A.11.		Describe procedures for maintaining towing gear		
		Navigation and Piloting		
B.				
B.1.	X	Describe the effect of tide or current on vessel's position		
B.2.	X	Allow for draft and clearances in navigation of vessel		
B.3.	X	Conduct pre-voyage tests and inspections per 33 CFR 164.80		
B.4.	X	Describe and comply with VTS reporting requirements		
B.5.	X	Communicate using VHF radio		
B.6.	X	Provide radio/whistle notice of getting underway		
B.7.	X	Make security calls		
B.8.	X	Initiate appropriate actions in reduced visibility		
B.9.		Identify and maintain required charts or maps and publications		
B.10.		Use required charts or maps and publications		
B.11.		Determine vessel position on chart or map		
B.12.		Plan the route on paper or electronic charts		

B.13.		Incorporate information on forecast weather and sea conditions in route planning		
B.14.		Maintain track by plotting with electronic aids		
B.15.		Maintain heading using magnetic compass and gyro, if equipped		
C.		Watchstanding		
C.1.	X	Operate and use all electronic equipment in pilothouse		
C.2.	X	Use compass or swing meter (as applicable)		
C.3.	X	Make appropriate entries in logbook		
C.4.	X	Maintain proper lookout		
C.5.	X	Communicate navigation and vessel status information to the relieving watch officer		
C.6.		Follow standing orders or master's instructions on watch		
C.7.		Monitor traffic using visual, audio and electronic aids (e.g., binoculars, VHF, sound signals, and radar)		
C.8.		Monitor movement, ride and stability of tug		
C.9.		Monitor movement, ride and stability of barge		
C.10.		Monitor status of the towing gear, including:		
C.10.a.		a. catenary		
C.10.b.		b. tow wire/hawser chafing		
C.10.c.		c. pushing gear		
C.11.		Take appropriate action in response to changing weather and sea conditions		
D.		Maneuvering		
D.1	X	Maneuver light boat		
D.2	X	Maneuver tow in high wind		
D.3	X	Make tow		
D.4	X	Break tow		
D.5		Dock and undock light boat		
D.6		Dock and sail the tow as directed by the master		
D.7.		Maneuver a tow underway		
D.7.a.		a. in port		
D.7.b.		b. at sea		
D.8.		Transition to/from towing, pushing, and/or alongside modes		
D.9		Anchor the tow (if applicable)		
E.		Rules of the Road		
E.1.		Apply the Rules of the Road in the following situations:		
E.1.a.	X	a. Meeting while pushing ahead, and/or		
	X	Meeting while towing astern		
E.1.b	X	b. Crossing while pushing ahead, and/or		
	X	Crossing while towing astern		
E.1.c	X	c. Overtaking another vessel while pushing ahead, and/or		
	X	Overtaking another vessel while towing		

		astern		
E.1.d	X	d. Being stand-on vessel		
E.1.e	X	e. Being give-way vessel		
E.1.f	X	f. Operating in restricted visibility		
E.1.g	X	g. Properly lighting towing vessel and tow while pushing ahead, and/or		
	X	Properly lighting towing vessel and tow while towing astern		
E.1.h.	X	h. Provide proper sound and light signals (passing, fog, danger, etc.)		
E.2.		Recognize and use lights and shapes		
E.3.		Transition from International (COLREGS) to Inland Rules of the Road (and vice versa)		
F.		Safety and Emergency Response		
F.1.		Describe procedures to be followed in response to:		
F.1.a.	X	a. Steering failure		
F.1.b	X	b. Loss of electrical power		
F.1.c.	X	c. Loss of propulsion		
F.1.d	X	d. Collision/allision		
F.1.e	X	e. Grounding		
F.1.f	X	f. Personnel injury		
F.1.g	X	g. Oil or hazardous substance spill		
F.2.	X	Conduct man overboard drill		
F.3.	X	Conduct fire drill and instruction per 46 CFR 27.355		
F.4.	X	Describe procedures for abandoning ship		
F.5.	X	Describe procedures for use of general alarm		
F.6.	X	Describe procedures for use of all on-board safety equipment		
F.7.		Conduct barge retrieval drill per 33 CFR 155.230(b)(2)(iv) (if applicable)		
F.8.		Conduct actual anchoring or drill per 33 CFR 155.230(b)(1)(iii) (if applicable)		
G.		Environmental Protection		
G.1.		Describe procedures for disposal of:		
G.1.a.	X	a. Garbage		
G.1.b.	X	b. Sewage		
G.1.c.	X	c. Bilge slops		
G.1.d.	X	d. Regulated waste		

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Towing Officer Assessment Record: Limited

Enclosure 3(e)

NAME: _____

LICENSE NO.: _____

Considered Competent

Task No.	Common Element	Task or Duty	DE's Initials	Date
A. Vessel Familiarization				
A.1.	X	Locate and demonstrate use of fire-fighting equipment		
A.2.	X	Locate and demonstrate use of life-saving equipment		
A.3.		Identify and describe:		
A.3.a.	X	a. main engine/propulsion system		
A.3.b.	X	b. steering system		
A.3.c.	X	c. auxiliary systems		
A.4.	X	Describe and follow vessel fuel transfer procedures		
A.5.	X	Identify physical characteristics of vessel and tow		
A.6.	X	Conduct safety orientations for new crewmembers		
A.7.	X	Use vessel's internal communications system or equipment		
B. Navigation and Piloting				
B.1.	X	Describe the effect of tide or current on vessel's position		
B.2.	X	Allow for draft and clearances in navigation of vessel		
B.3.	X	Conduct pre-voyage tests and inspections per 33 CFR 164.80		
B.4.	X	Describe and comply with VTS reporting requirements		
B.5.	X	Communicate using VHF radio		
B.6.	X	Provide radio/whistle notice of getting underway		
B.7.	X	Make security calls		
B.8.	X	Initiate appropriate actions in reduced visibility		
C. Watchstanding				
C.1.	X	Operate and use all electronic equipment in pilothouse		
C.2.	X	Use compass or swing meter (as applicable)		
C.3.	X	Make appropriate entries in logbook		
C.4.	X	Maintain proper lookout		
C.5.	X	Communicate navigation and vessel status information to the relieving watch officer		
D. Maneuvering				
D.1	X	Maneuver light boat		

D.2.	X	Maneuver tow in high wind		
D.3.	X	Make tow		
D.4.	X	Break tow		
D.5.		Get underway, pushing ahead		
D.6.		Get underway, towing alongside		
D.7.		Maneuver tow with following current		
D.8.		Maneuver tow against current		
D.9.		Maneuver in high water		
D.10.		Maneuver in low water		
D.11.		Land with current		
D.12.		Land against current		
D.13.		Moor to piling, cell, or dock		
E.		Rules of the Road		
E.1.		Apply the Rules of the Road in the following situations:		
E.1.a.	X	a. Meeting while pushing ahead, <i>and/or</i>		
	X	Meeting while towing astern		
E.1.b.	X	b. Crossing while pushing ahead, <i>and/or</i>		
	X	Crossing while towing astern		
E.1.c.	X	c. Overtaking another vessel while pushing ahead, <i>and/or</i>		
	X	Overtaking another vessel while towing astern		
E.1.d.	X	d. Being stand-on vessel		
E.1.e.	X	e. Being give-way vessel		
E.1.f.	X	f. Operating in restricted visibility		
E.1.g.	X	g. Properly lighting towing vessel and tow while pushing ahead, <i>and/or</i>		
	X	Properly lighting towing vessel and tow while towing astern		
E.1.h.	X	h. Provide proper sound and light signals (passing, fog, danger, etc.)		
E.2.		Apply Rules of the Road regarding passing upbound and downbound traffic (if applicable)		
F.		Safety and Emergency Response		
F.1.		Describe procedures to be followed in response to:		
F.1.a.	X	a. Steering failure		
F.1.b.	X	b. Loss of electrical power		
F.1.c.	X	c. Loss of propulsion		
F.1.d.	X	d. Collision/allision		
F.1.e.	X	e. Grounding		
F.1.f.	X	f. Personnel injury		
F.1.g.	X	g. Oil or hazardous substance spill		
F.2.	X	Conduct man overboard drill		
F.3.	X	Conduct fire drill and instruction per 46 CFR 27.355		
F.4.	X	Describe procedures for abandoning ship		

F.5.	X	Describe procedures for use of general alarm		
F.6.	X	Describe procedures for use of all on-board safety equipment		
G.		Environmental Protection		
G.1.		Describe procedures for disposal of:		
G.1.a.	X	a. Garbage		
G.1.b.	X	b. Sewage		
G.1.c.	X	c. Bilge slops		
G.1.d.	X	d. Regulated waste		

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

Designated Examiner:

Printed Name

Signature

Coast Guard License Number

TSAC Working Group on Fire Suppression and Voyage Planning

Recommendation for TSAC Comments on the Supplemental Notice of Proposed Rulemaking on Fire Suppression and Voyage Planning

The Working Group on [newly-renamed] Fire Suppression and Voyage Planning met on Wednesday, March 14, 2001, to review the provisions of the Supplemental Notice of Proposed Rulemaking, “**Fire-Suppression Systems and Voyage Planning for Towing Vessels,**” 65 Federal Register 66,941 (Nov. 8, 2000) (“SNPRM”), to develop comments for submission by the full Towing Safety Advisory Committee to the rulemaking docket. The Working Group first addressed the voyage planning provisions of the Supplemental Notice and then addressed the fire suppression portions of the proposed rule. The Working Group noted that the deadline for submission of comments on the docket has been extended to May 8, 2001 (66 Federal Register 11,241; Feb. 23, 2001) from its original date of March 8, 2001.

I. VOYAGE PLANNING

The Working Group first acknowledged that, with certain exceptions, the supplemental notice incorporated many of the suggestions made by TSAC in previous reports or input provided informally to the project managers. The Working Group did note that the SNPRM did not allow the companies as much flexibility in determining how they should implement their voyage planning requirement, in that the rulemaking appears to make consideration of all listed categories of information in proposed Section 164.80(c) mandatory. The Working Group believes that all of the categories of information should be considered even if a company recognizes that for any particular voyage some of the required considerations might not apply. This issue is discussed further below.

The Working Group discussed seven topics: (1) applicability of the voyage planning requirements to inland operators; (2) whether it should be mandatory to consider all of the categories of information included in proposed Section 164.80(c)(1) through (9); (3) whether the voyage plan must be a written document; (4) the definition of a “voyage,” particularly as applied to inland towing vessels; (5) the duty to consider “environmentally sensitive areas” in formulating a voyage plan; (6) the definition of “substantial deviation”; and (7) elimination of the 12-hour threshold for application of the voyage planning requirement. The Working Group also discussed the cost/benefit analysis on the voyage planning component of the proposed rule, but did not develop any proposed comments for submission by TSAC.

Applicability

The Working Group had a lively discussion regarding the need to apply a voyage planning requirement to inland operators. In proposed Section 164.80, the SNPRM requires the

owners, operators and masters of all towing vessels employed to tow a barge to undertake voyage planning at the start of any voyage of 12 hours or more:

(c) The owner or operator, and the master, of each towing vessel employed to tow a barge or barges must ensure the development of a voyage plan for each intended trip or voyage with the barge or barges, on the navigable waters of the United States, as defined in 33 U.S.C. 1222(5). The voyage plan must take into account all pertinent information, and be complete before the vessel embarks on a trip or voyage of more than 12 hours. The master must check the planned route for proximity to hazards and known environmentally sensitive areas (noted on charts or maps) before the trip or voyage starts. During a trip or voyage, if anyone in authority decides to deviate substantially from that route, then the master or mate must ensure the development of a plan for the new route before the vessel does deviate from the plan for the current route.

Some Working Group participants expressed the concern that the requirements of proposed Section 164.80(c) already are mandated by one regulation or another and questioned why the regulation is needed at all. At the same time, representatives of inland operators acknowledged that their companies already took most or all of the categories of information in proposed Section 164.80(c) into account. The Working Group recognized that a voyage planning requirement was going to be mandated by regulations and therefore sought comment on whether any portion of the proposed regulatory requirements were objectionable or would be unworkable as applied to inland operators.

The consensus of the Working Group was, with some further elaboration and detail provided in a NVIC as to how the voyage planning requirement should be applied on a geographic or regional basis, TSAC should continue to support applicability of the voyage planning requirement to inland operators. There was no dispute that the requirement should be applied to coastal operators.

However, the Working Group agreed that an explanation currently provided in the preamble to the SNPRM as to which vessels are excluded from the voyage planning requirement should be incorporated into the regulatory text so that conflicting interpretations by field inspectors and boarding officers may be avoided. Our recommendation is as follows:

(c) The owner or operator, and the master, of each towing vessel employed to tow a barge or barges, except a towing vessel engaged in assistance towing, pollution response, or fleet duties in limited geographical areas, must ensure the development of a voyage plan for each intended trip or voyage with the barge or barges, on the navigable waters of the United States, as defined in 33 U.S.C. 1222(5). The voyage plan must take into account all pertinent information, and be complete before the vessel embarks on a trip or voyage . . .

Section 164.80(c)(1) – (9) Categories of Information

The SNPRM provides that each voyage plan “must consider” (emphasis added):

- (1) Applicable information from up-to-date nautical charts and publications including Coast Pilot, Coast Guard Light List, and Coast Guard Local Notice to Mariners for each port of departure and for each port of call (destination);
- (2) Current and forecasted weather, including visibility, wind, and sea state from each port of departure to each port of call;
- (3) Data on tides and tidal currents for each port of departure and destination, as well as for ports of call, and on river stages, with forecasts, if applicable;
- (4) Forward and after drafts of the areas;
- (5) Appropriate pre-departure checks;
- (6) Calculated speeds and estimated times of arrival at proposed waypoints;
- (7) Communication contacts at Vessel Traffic Services (if applicable), bridges, and facilities, and port-specific requirements for VHF radio;
- (8) Any standing orders (for instance, closest points of approach, special conditions, and critical maneuvers); and
- (9) Whether the vessel has sufficient power to control the tow under all foreseeable circumstances.

The Working Group believes that the words “must consider” imply a mandatory obligation to consider and document all categories of information listed above, whether such information was relevant or not to the planned voyage. While there was much discussion about whether “must consider” means mandatory, the Working Group agreed that the intent of the regulation and the position of TSAC in not having a “one size fits all” regulation is better served by changing “must consider” to “should consider, as appropriate.” The Working Group agreed that the mandatory nature of the language requiring the owner, operator and master to prepare a voyage plan (master “must ensure the development of a voyage plan”) should be retained.

Whether the Voyage Plan Must Be a Written Document

The Working Group noted that the SNPRM does not require the preparation of a written or formal voyage plan. In this instance, the SNPRM allows each company the flexibility to determine whether some kind of written voyage plan or other documentation (such as a voyage planning checklist) is needed to ensure its ability to prove compliance with the regulatory requirement. Many participants warned that the only way to prove that the master has prepared a voyage plan is to have a written document, but other participants were comfortable with preparation of a voyage plan that is not written. The Working Group recognized that it may be

difficult after an incident already has occurred to prove the existence of a voyage plan if not in writing, but agreed that companies should decide for themselves how to best comply with the voyage planning requirement. This is in keeping with previous recommendations of the Working Group that formal written policies or documents be required. Therefore, the Working Group recommends that a requirement for a written plan not be incorporated into or subsequently adopted in this rulemaking.

Definition of “Voyage”

The Working Group agreed and recommends that a definition of a “voyage” should be included somewhere within the regulatory text. There was a significant number of questions about just what is a voyage, especially when undertaken on inland rivers where the means to differentiate between the end of one voyage and the start of another is not always obvious. The Working Group also agreed that any elaboration on a definition of “voyage” should be included in the NVIC that the Coast Guard anticipates developing next, once the rulemaking is in place.

Consideration of “Environmentally Sensitive Areas”

The SNPRM provides that the master must check the planned route for proximity to hazards and “known environmentally sensitive areas” (noted on charts or maps) before the trip or voyage starts. The Working Group is concerned that the reference to “(noted on maps and charts)” may be too vague. For instance, the Working Group understands that Area Contingency Plans developed under the Oil Pollution Act of 1990 may contain maps of environmentally sensitive areas; however, not all towing vessel operators are involved in the transportation of oil and petroleum products and therefore would have no cause to consult these maps or, in fact, have any knowledge of their existence. The Working Group recommends that only those typical nautical charts and maps that a mariner generally consults to determine the existence and location of known hazards to navigation, and which are required to be on board the vessel, must be considered by the master. By making this recommendation, the Working Group does not imply that the master should omit consideration of environmentally sensitive areas if known to that master. But this information should not be included in the “one size fits all” laundry list of information that must be considered in voyage planning unless those areas are designated on the specific maps and charts the master is required to consider.

Further, since proposed Section 164.80(c)(1) already incorporates a requirement for the master to consider applicable information from nautical charts and publications, the Working Group recommends that TSAC submit a comment suggesting that a reference to “paragraph (1) below” be added after the parenthetical “(maps and charts)” and that the language “and known environmentally sensitive areas” be deleted. This will ensure that masters are not penalized for failing to consider maps and/or charts that they did not know even existed and otherwise would have no reason to know.

Definition of “Substantial Deviation”

There was some discussion about whether additional explanation of what is considered to be a “substantial deviation,” but Working Group participants were content to leave the regulatory language as is concerning deviations and the need to prepare a new voyage plan for the deviated route.

12-hour or more voyages

In continuance of the discussion about applicability to inland operators and the definition of a “voyage,” some participants questioned the justification for applying voyage planning only to vessels on voyages of more than 12 hours. These participants suggested that some voyages even shorter in length may be considered more hazardous and risky than voyages lasting 12 hours or more. The Working Group conceded that the 12 hour threshold was not significant and was chosen merely as a means of eliminating from coverage of the rule those very short intra-harbor movements, movements by assist tugs, and tugs involved in fleeting operations.

Since there did not appear to be great resolve in retaining the 12-hour voyage threshold, the Working Group recommends that the reference to voyages over 12 hours be deleted, as follows:

§ 164.80 Tests, inspections, and voyage planning.

* * *

(c) * * * The voyage plan must take into account all pertinent information, and be complete before the vessel embarks on a trip or voyage ~~of more than 12 hours.~~

II. FIRE SUPPRESSION

[Report to be given verbally.]

WILL HOLD SEPARATE MEETING END MAR/BEGIN APRIL '01 ON BOTH

TOWING SAFETY ADVISORY COMMITTEE (TSAC)

Final Report of the Cargo Securing Working Group

February 23, 2001

1. **TASK TITLE**: Securing containers carrying dangerous materials on barges
2. **Conclusions**

The Towing Safety Advisory Committee (TSAC) accepted Task Statement 00-01 to provide input to the Coast Guard on barge industry practices relating to securing containers carrying dangerous materials on U.S. coastwise voyages. TSAC formed a working group that met with the Coast Guard technical representative on 9/15/99 and provided input on industry practices. Subsequent to the Working Group's meeting the Coast Guard issued a Notice of Proposed Rulemaking requesting input (by March 1, 2001) on five options for regulating the securing of containers on vessels in Jones Act coastwise service (see Federal Register 12/1/2000 Cargo Securing on Vessels Operating in U.S. Waters).

The working group developed the following findings and recommendations:

- Of the approximately 650 thousand plus containers (in TEUs) that are moved annually on barges in the domestic trades, an estimated 10 percent contain dangerous goods.
- The container on barge industry has experienced only a very few isolated incidents in which containers have been lost overboard. This is attributed to good industry practices, limiting exposure to severe sea conditions and learning from past experiences.
- The container barge industry has several distinct container carriage methods that precludes a "one size fits all" regulation for cargo stowage. These methods include:
 - Fully cellular – containers are loaded onboard barges that are purpose built with cell guides.
 - Roll on – Roll off – containers remain on wheeled chassis for the voyage.
 - Non-cellular – containers are loaded onto deck barges along with non-containerized cargoes.

- TSAC recommends that barge operators that carry containers should:
 - **Develop a plan** – The barge operator should develop a plan for securing containers to barges that takes into account the barges characteristics (type of loading, seakeeping/stability characteristics of the barge, etc.), the trade served (i.e., severity of sea conditions faced) and stevedoring management considerations.
 - **Document the plan** - The barge operator should document their container securing practices and include them in an industry safety program type operations manual (e.g., AWO’s Responsible Carrier Program).
 - **Train the plan** - The barge operator should train personnel responsible for stowage planning, loading and securing containers on the requirements of the Company’s policies and procedures for securing containers.
 - **Audit the plan** - The barge operator should periodically audit actual barge loadings to ensure that the plan is properly being implemented and that it remains current.
 - **Review and update the plan** - The barge operator should periodically (especially if an incident or “near miss” occurs) review the adequacy of its container securing plan. An enhancement to this process would be the establishment of an industry forum for sharing information on best practices and “lessons learned.” These forums can be in the form of meetings, teleconferences, mailings, etc. They can take place on a regional or national level. The first meeting of TSAC’s working group can serve as a model for future forums.
 - TSAC recommends a **non-regulatory approach** for securing containers on barges. Barge operators have an excellent safety record retaining containers onboard during coastwise voyages. In addition, barge operators have a strong commercial incentive not to lose containers overboard. Accordingly, TSAC feels that regulations are not required.

3. **Best Practices:**

Several best practices were identified by the working group that should be considered for inclusion by barge operators depending on barge characteristics and trade routes served. These included:

- Stowage planning – keeping heavier containers lowest in the stack, consistent with weight/stability issues; placing dangerous goods inboard and as low as possible when loading containers.
- Limiting the height of stacked containers – some carriers have established stacking limits (e.g., no more than five high if loaded) on the height of containers carried on-deck on barges. This limit will be driven by stability issues and vessel

motions (i.e., weather severity issues). This limit may be experience driven or may be developed in conjunction with a naval architect.

- Consistent lashing / tie-down equipment – The gear used for securing containers should be standardized within a company /on a given trade route / for each barge as appropriate and should be inspected at regular intervals.

 - Cellular – stacking limits and lashing requirements should be considered.

 - Ro-Ro – use of fifth wheel stands or other securing procedures should be considered.

 - non-Cellular – block stowage, deck tie-downs, athwartship alignment, etc. are approaches to consider.

- Heavy weather avoidance – Instruct crews on voyage planning and heavy weather avoidance procedures.

4. **Working Group Members :**

David G. St. Amand, Navigistics Consulting

Working Group Chairman – TSAC (former member)

Jim Greco – Columbia Coastal Transportation

Pat Haugen – Alaska Marine Line

Mike Toomey – Trailer Bridge

Jim Van der Veen – Crowley Marine Services Inc.

In addition, Bob Gauvin, the Coast Guard's Project Manager for the proposed regulations, attended the Working Group meeting. Mr. Gauvin did not participate in the development of the Working Group's findings and conclusions.

Enclosure (6)

Enclosure (6) is a forty page Draft Navigation and Vessel Inspection Circular (NVIC) on Licensing and Manning for Officers of Towing Vessels.

As of the minutes' posting date, the NVIC (No.4-01) has been signed by RADM Pluta and is available on the Internet at:

<http://www.uscg.mil/hq/g-m/nvic/>

Enclosure (6)

TOWING SAFETY ADVISORY COMMITTEE (TSAC)
TASK STATEMENT
Task # 01-01

I. TASK TITLE:

Towing Vessel Crew Alertness

II BACKGROUND:

Coast Guard analysis has identified the human element as a key factor in all high-consequence marine casualties. The Prevention Through People (PTP) program is the Coast Guard's strategy to recognize and incorporate a people-oriented systems approach in addressing critical marine safety concerns.

In a 24-hour-business like the marine transportation industry, ensuring that operating personnel are alert and fit to perform their duties safely is a key safety issue. As an outgrowth of the PTP program, the Coast Guard is launching a Crew Alertness Campaign. The Crew Alertness Campaign is a cooperative effort designed to coordinate and promote initiatives by Coast Guard headquarters, the Coast Guard Research and Development Center, and all segments of the U.S. maritime industry to manage the factors that affect crew alertness and ensure the safety of vessel personnel, equipment, and the marine environment. This non-regulatory approach is designed to reach both onboard and shoreside personnel, and it is tailored specifically for the unique marine operational environment.

Ongoing Coast Guard research on the issues of crew alertness and crew endurance management will be important in building the knowledge base of the maritime industry on crew alertness. The Coast Guard R&D Center has three studies on crew alertness underway, including one specifically focused on inland towing vessels. These studies will be completed over the next three years. In the meantime, the Crew Alertness Campaign provides a vehicle for information sharing and education on the issue of crew alertness. In fall 2000, for example, the Coast Guard-AWO Safety Partnership created and published a brochure entitled "Stay Alert for Safety!" Separately, both organizations have developed other educational materials and are actively promoting awareness of crew endurance to the maritime industry. The Coast Guard plans to continue and build on these efforts in the coming years, cooperating with all maritime industry stakeholders to promote crew alertness in all segments of the maritime industry, both domestically and internationally.

III. PROBLEM STATEMENT:

As the federal advisory committee charged with advising the Coast Guard on matters of towing safety, the Towing Safety Advisory Committee (TSAC) has a natural interest in the issue of crew alertness. While there is no evidence from casualty analysis or near-miss reports that fatigue is a special problem in the towing industry, the consequences of having fatigued crews on towing vessels are obvious: ensuring safe towing vessel operations means ensuring alert towing vessel crews. Identifying factors that could reduce alertness during towing vessel operations, and

identifying steps that could reduce such risk are in the interest of the Coast Guard, the companies that operate towing vessels and the mariners who serve aboard them.

TASK:

1. Establish a Crew Alertness Working Group to carry out the specific tasks in this statement.
2. Prepare and submit a report to TSAC that:
 - a. Identifies alertness risk factors onboard inland, coastal, and harbor towing vessels, resulting from operational functions or environmental conditions that may have an adverse impact on the alertness of the operators;
 - b. Evaluates the criticality of these risk factors in distinct towing vessel operating environments;
 - c. Makes recommendations for measures (e.g., education, crew training, management practices, etc.) consistent with the non-regulatory philosophy of the PTP program and the Crew Alertness campaign to address these risk factors and minimize their impact on crew alertness in the towing industry; and,
 - d. Makes recommendations on the best way to communicate these recommendations to the appropriate audiences and to incorporate them in the Crew Alertness campaign.

In conducting its work, the working group may wish to review existing studies and initiatives on crew alertness/endurance from the Coast Guard and IMO.

V. ESTIMATED TIME TO COMPLETE TASK:

The estimated time to complete this task is one year. The working group should be prepared to provide an interim report at the Fall 2001 TSAC meeting and a final report at the Spring 2002 TSAC meeting.

VI. COAST GUARD TECHNICAL REPRESENTATIVES:

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VII. TSAC CONTACT:

Rex Woodward, Premier Marine

TOWING SAFETY ADVISORY COMMITTEE (TSAC)
TASK STATEMENT
Task # 01-02

DRAFT

I. TASK TITLE:

Assessment Criteria for Officers of Towing Vessels

II BACKGROUND:

On November 19, 1999, the Coast Guard published in the Federal Register an Interim Rule with request for comments on Licensing and Manning for Officers of Towing Vessels (FR 64 No. 223, 63213). This rule affects Title 46 Code of Federal Regulations (46 CFR), parts 10 and 15. The intended implementation date of this rule was published as November 20, 2000. However, the Towing Safety Advisory Committee, at its September 2000 meeting, asked the Coast Guard to delay the implementation date at least three months in order that: 1) the towing public might have more time to digest the changes taking place; 2) the Regional Exam Centers might be trained and become better prepared to put these changes into service; and 3) Coast Guard Headquarters and the National Maritime Center might have the extended opportunity to provide both factions with the necessary guidance to effect the new rules smoothly and fairly. The Coast Guard agreed with the Committee's recommendation and responded by extending the effective date of the rule six months to May 20, 2001.

IV. PROBLEM STATEMENT:

Many aspects of licensing and manning of towing vessels are changed by the provisions of this rulemaking. For example, the term and license of "Operator of Uninspected Towing Vessels" is being delineated into three distinct levels of license [Master, Mate (Pilot) and Apprentice Mate (Steersman)], and the examination will now be administered to candidates of the new license as Apprentice Mate (Steersman). Additionally, the regulations (46 CFR 10.304(h)) now require that "each applicant for a license as master or mate (pilot) of towing vessels..... shall complete a towing officers' assessment record (TOAR). The TOAR must contain, among other entries, the "criteria to use in determining that the tasks or skills have been performed properly."

Assessment criteria are necessary for use in evaluating and scoring a practical demonstration of skill. The existence and use of criteria should in no way be construed as a negative factor reflecting on the knowledge or ability of the vessel's master who may be assessing a candidate. Rather, they ensure that candidates are all evaluated fairly and consistently without regard to the whim of the evaluator. Therefore, the Coast Guard views assessment criteria as a necessary part of the TOAR package.

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V. TASK:

3. Establish a Working Group to carry out the specific tasks in this statement.
4. Review the impact of the training, assessment guidelines, and the TOAR on the industry.
5. Review casualty data (after implementing the interim rule and the subsequent Navigation and Vessel Inspection Circular) relating to towing vessels to ascertain the impact of the training, assessment and TOARs on the casualty data.
6. For every element or competency listed in each TOAR (e.g., Determine vessel position on chart or map; Maintain a proper lookout), develop:
 - a. Performance Condition that relates the circumstance or situation the candidate would find himself/herself in to perform the behavior;
 - b. One or more Performance Behavior(s) that describe(s) the general task to be assessed; and
 - c. For each Behavior, one or more Performance Standards that sets the individual steps necessary to show proficiency and the measure by which each will be assessed “passed” or “failed.”

V. ESTIMATED TIME TO COMPLETE TASK:

The new implementation date for the rulemaking is May 20, 2001. TSAC should be prepared to submit its report to the Coast Guard at the Spring 2002 Committee meeting.

VII. COAST GUARD TECHNICAL REPRESENTATIVES:

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VII. TSAC CONTACT:

tbd

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TSAC Action Items
March 15, 2001

- **Licensing:** TSAC unanimously voted to accept the recommendations of the Licensing Implementation Working Group. The committee did not vote on the working group's recommendation regarding performance evaluation criteria, given the Coast Guard's intent to task the committee with the development of such criteria.
- **Voyage Planning:** On a vote of 9 to 6, TSAC voted to approve the recommendations on voyage planning developed on March 14. Several dissenting committee members expressed concern about the applicability of the proposed regulations to river operations; one objected to the lack of a requirement for a written voyage plan.
- **Fire Suppression:** TSAC agreed to convene a working group on April 4 to continue review of the fire suppression SNPRM and develop draft comments to the docket for subsequent review by TSAC. Laurie Frost Wilson will chair the working group. The resulting draft comments will be circulated to TSAC members for an electronic vote prior to the May 8 comment deadline.
- **Cargo Securing:** TSAC unanimously voted to approve the report of the Cargo Securing Working Group. The report will be forwarded to the Coast Guard for use in its consideration of the proper approach to ensuring cargo securing safety on domestic vessels.
- **Crew Alertness:** TSAC unanimously voted to accept Task 01-01, which seeks the committee's help in identifying sources of alertness risk in towing operations and developing recommendations to reduce risk in concert with the Coast Guard's Crew Alertness Campaign. TSAC agreed to form a Prevention Through People Subcommittee to conduct this work (and subsequent related tasks as needed). Rex Woodward will chair the subcommittee.
- **Assessment Criteria:** TSAC unanimously voted to accept Task 01-02, which seeks the committee's help in the development of performance assessment criteria for use with the TSAC-developed Towing Officers' Assessment Record. As a first step, Licensing Implementation Working Group chair Jennifer Kelly will convene a meeting of the working group and the Coast Guard to scope out the task and reach agreement on the desired end product, Coast Guard support required, time required to complete the task, etc.
- **Next Meeting:** TSAC will seek to schedule its next meeting for late September 2001. The meeting will be held at Coast Guard headquarters in Washington, D.C.