U.S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: G-MOC-3
Phone: (202) 267-0478
Fax: (202) 267-0506
Email: kvazquez@comdt.uscg.mil

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MOC Policy Letter 04-08

From: J. A. SERVIDIO
COMDT (G-MOC)

To: Distribution

Subj: UNSERVICEABLE SURVIVAL CRAFT ON COMMERCIAL FISHING VESSELS

Ref: (a) 46 C.F.R. §28.140 –Operational readiness, maintenance, and inspection of lifesaving equipment.
(b) 46 C.F.R. §28.65 –Termination of unsafe operations.

1. Purpose. This letter provides guidance for determining when a survival craft on a commercial fishing vessel (CFV) is deemed unserviceable.

2. Discussion.

a. Reference (a) states the master or individual in charge of a vessel must ensure that each item of lifesaving equipment must be in good working order, ready for immediate use, and readily accessible before the vessel leaves port and at all times when the vessel is operating. Except for an inflatable liferaft or an inflatable buoyant apparatus less than two years of age, each liferaft must be maintained and inspected annually.

b. The survival craft, like all lifesaving equipment, is required to be in serviceable condition. If it is not serviced as required, it is the same as having no survival equipment at all. A liferaft that has not been serviced within the required timeframe will be considered an especially hazardous condition and the CFV could receive a violation and possibly have its voyage terminated.

c. Several Coast Guard Districts developed grace periods to the regulatory servicing requirement. These District policies vary from 2 years past the servicing date, to no extension of the 12-month servicing date.

d. Although not required, hydrostatic release units for survival craft are often included in the design of a float free arrangement and each hydrostatic release unit used in a float-free arrangement must be approved under 46 CFR 160.062. This part specifies a 12-month interval between periodic servicing tests for a hydrostatic release unit and sets two years after installation as the service life of a disposable hydrostatic release unit. Service or replacement of hydrostatic release units is normally accomplished at the same time as the survival craft servicing. A hydrostatic release unit that is unserviceable makes a survival

craft unserviceable, if the survival craft is dependant on that release to float-free.

3. Action. After research and in consultation with the Commercial Fishing Industry Vessel Safety Advisory Committee the following determination is to be used to identify when a CFV survival craft is considered to be in an unserviceable condition and supercedes previously established grace periods:

   a. The following will be considered an "especially hazardous condition" for a CFV:

      (1) A survival craft on the vessel that is five (5) months past due for its one year survey date (17 months from date of service);

      (2) A hydrostatic release unit on a vessel that is five (5) months past due for its one year service date (17 months from date of service); or

      (3) A disposable hydrostatic release unit on a vessel that is five (5) months past due for its two years service date (29 months from date of service).

   b. There is no requirement to use a hydrostatic release unit in a float-free arrangement. If one is used, it must be approved. Removal of a hydrostatic release unit overdue for service or replacement could be acceptable if ensuing arrangement still allows the survival craft to float free, per intended installation design.

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