

How can my company become a TPO?

An organization, which may include a business entity or an association, desiring to be approved as a TPO under 46 CFR part 139 must submit a written request to the Towing Vessel National Center of Expertise, 504 Broadway ST, Suite 101, Paducah, KY 42001. The organization must provide the following information:

- A description of the organization, including the ownership, structure, and organizational components;
- A general description of the clients being served or intended to be served;
- A description of the types of work performed by the organization or by the principals of the organization in the past, noting the amount and extent of such work performed within the previous 3 years;
- Objective evidence of an internal quality system based on American National Standards Institute/International Organization for Standardization/American Society of Quality Control Q9001-2000 (incorporated by reference, see § 136.112) or an equivalent quality standard;
- Organization procedures and supporting documentation that describe processes used to perform an audit and records to show system effectiveness;
- Copies of checklists, forms, or other tools to be used as guides or for recording the results of audits and/or surveys;
- Organization procedures for appeals and grievances;
- The organization's code of ethics applicable to the organization and its auditors and/or surveyors;
- A list of the organization's auditors and/or surveyors who meet the requirements of § 139.130 of subchapter M. This list must include the experience, background, and qualifications for each auditor and/or surveyor;
- A description of the organization's means of assuring continued competence of its personnel;
- The organization's procedures for terminating or removing auditors and/or surveyors;

	TPO Guide
To obtain general information regarding the Inspection of Towing Vessels Rule and apply to become a TPO, visit the following Coast Guard Towing Vessel National Center of Expertise internet website:	
www.uscg.mil/tvncoe	
Or Call 270-444-7715	

How can my company become a TPO? (continued)

- A description of the organization's means of assuring the availability of its personnel to meet the needs of the towing companies for conducting audits and surveys within the intervals established in subchapter M;
- A description of the organization's apprentice or associate program for auditors and/or surveyors;
- A statement that the Coast Guard may inspect the organization's facilities and records and may accompany auditors and/or surveyors in the performance of duties related to the requested approval;
- Disclosure of any potential conflicts of interest;
- A statement that the organization, its managers, and employees engaged in audits and/or surveys are not, and will not be involved in any activities which could result in a conflict of interest or otherwise limit the independent judgment of the auditor, surveyor, or organization; and
- Any additional information that the applicant deems pertinent.

	TPO Guide
<u>46 CFR</u> <u>Subchapter M -</u> <u>Towing Vessels</u>	
Third-Party Organizations (TPOs), Part 139	
	
	
	

The Basics

The Coast Guard has issued 46 CFR subchapter M that require owners or operators of certain commercial towing vessels to be inspected. To provide flexibility, vessel operators will have the choice of two inspection regimes:

- They may have the Coast Guard inspect their vessel as they traditionally do for other segments of the maritime industry; or
- They can develop and implement a Towing Safety Management System (TSMS) and have the audits and surveys required by this rule conducted or overseen by a TPO authorized by the Coast Guard.

Under the TSMS option, routine inspections of towing vessels will primarily be performed by TPOs, including classification societies. Subchapter M creates a framework for oversight and audits of These TPOs by the Coast Guard.

Organizations that do not need further Coast Guard approval

A recognized classification society, which has satisfied the requirements in 46 CFR 8.230, meets the requirements of a TPO for the purposes of this part and may perform the work as a third-party auditor.

An authorized classification society, which has been authorized under 46 CFR part 8, subparts C or D, meets the requirements of a TPO for the purposes of 46 CFR part 139 and may perform the work as a third-party surveyor to survey vessels subject to subchapter M.

A list of these classification societies and their authorizations can be found at:

www.uscg.mil/tvncoe.

Frequently Asked Questions

What is a TPO?

A Third-Party Organization, or TPO, is an organization approved by the Coast Guard to conduct independent verifications to assess whether towing vessels or their TSMSs comply with applicable requirements contained in Subchapter M.

When & where do I submit my application to become a TPO?

Once the Inspection of Towing Vessels final rule becomes effective, companies may submit applications to the Towing Vessel National Center of Expertise (TVNCOE) as described on the back of this brochure.

How long will the process take?

A well put together submission that covers all of the required elements described in 46 CFR 139.120 should take the TVNCOE 4-6 weeks to review an application. If the application is missing information or the information provided is not adequate, review may take longer. Once a decision is made, you will be notified in writing.

What can I do if approved?

TPOs that have Auditors and/or Surveyors may be approved to:

- (1) Conduct audits of a TSMS, and the vessels to which the TSMS applies, to verify compliance with the applicable provisions of subchapter M;
- (2) Issue TSMS certificates to the owner or managing operator who is in compliance with part 138 of subchapter M;
- (3) Conduct surveys of towing vessels to verify compliance with the applicable provisions of subchapter M; and
- (4) Issue survey reports detailing the results of surveys, carried out in compliance with part 137 of subchapter M.



How to Find Subchapter M

The Inspection of Towing Vessels final rule was published in the *Federal Register* on June 20, 2016. Here is link to an official copy: [\[link to GPO PDF\]](#). The rule's citation is 81 FR 40004. The regulations in this rule will appear in Subchapter M, Towing Vessels, in Title 46 of the Code of Federal Regulations.

A copy of the rule is also available in our online rulemaking docket. Simply search for docket number USCG-2006-24412 at www.regulations.gov.

