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CG-543 Policy Letter
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From: Eric. P. Christensen, CAPT
COMDT (CG-543)

To: Distribution

Subj: EXISTING SYSTEMS AND EQUIPMENT ON UNINSPECTED TOWING VESSELS

Ref: (a) 46 CFR Subchapter C
(b) CG-543, Coast Guard Towing Vessel Bridging Program memo dtd 12JUN10.
(c) 46 CFR 76.15

1. Purpose. The purpose of this policy letter is to provide guidance for the inspection of existing systems and equipment, required by reference (a), on Uninspected Towing Vessels (UTVs).

2. Action. Sector Commanders and OCMIs shall direct their Marine Inspectors and Towing Vessel Examiners to use the guidance in this letter when inspecting existing systems and equipment on UTVs until final regulations for the inspection of UTVs have been promulgated.

3. Directives Affected. None.

4. Background. Many towing vessels are classified as uninspected vessels by Title 46 of the Code of Federal Regulations. Because of this, the required equipment on this class of vessel has not been previously subjected to plan review or inspection for certification by the Coast Guard.

A rulemaking project has been initiated to establish inspection for certification requirements for towing vessels. Until these regulations become final, the existing regulations in 46 CFR Subchapter C remain applicable to these vessels.

The Towing Vessel Bridging Program (TVBP) has been developed to help ease the towing vessel industry into a future inspection regime (see ref (b)). We have begun an outreach and orientation campaign that will have our newly created UTV Examiners conducting dockside exams on over 5000 vessels. We expect to encounter previously undetected deficiencies with systems and equipment regulated under ref (a).

5. Discussion. With the increased emphasis on examinations of UTVs it has come to our attention that a number of shipboard systems have not been installed in accordance with references (a) & (c) on many existing UTVs. Examples of the deficiencies include: fixed CO2 systems with no means to be activated from outside the protected space, CO2 cylinders (in systems in excess of 300 lbs) located inside the space protected, no means of dampening/closing ventilation, non-approved pressure vessels, and fire detection systems not certified by a Professional Engineer (PE) or Class Society, etc.

6. Policy. Marine Inspectors and Towing Vessel Examiners should document deficiencies of existing systems carefully so the vessel owner understands each regulatory element the system does not meet. Deficiencies shall be noted on the Uninspected Towing Vessel Examination form (UTV 001) and in the associated MISLE Activity. Generally, deficiencies shall be given a correction time frame of 30 days or

less. Owners may request in writing to extend the required compliance date (beyond 30 days) to allow sufficient time to make the required modifications.

Ref (a) outlines procedures for COTPs to follow when issuing exemptions on existing towing vessels without fire suppression equipment. COTPs shall issue exemptions sparingly keeping in mind the vessels particulars including age, route, material condition, and guidance in ref (a). Exemptions by the COTP are not authorized beyond fire suppression systems.

Consistent with previous policy for fire suppression systems, vessels that have an installed system that does not fully meet the regulatory requirements may be granted a one-time extension for up to 90 days by the COTP to meet the requirements within the specified timeframe. Extension requests in this manner may be considered for other shipboard systems beyond fire suppression systems.

Extension requests beyond 90 days shall be submitted to CG-5431 via the COTP's District Office. In the case of fire extinguishing systems, if, in the opinion of the COTP, the current fixed system is not adequate to provide protection for the machinery space or is unsafe, it may be appropriate to require an approved B-V semi-portable fire extinguisher for the protection of the engine room until the system has been modified to meet the regulations in Subchapter C. An example of an inadequate system could be one that has not been professionally installed, maintained, or routinely tested.

All requests for exemptions or extension shall be in writing from the vessel's owner. Extensions should provide an estimate of when the requirements will be met. Extension approval letters shall include wording for the potential of suspension of vessel operations or Civil Penalty action for failure to meet the requirements.

Requests for exemptions or extension, whether approved or not, shall be scanned into MISLE as part of the vessel documents. If an exemption or extension is requested and approved, the approval letter and an inspection note shall be placed in MISLE. Examples of notes include:

" THIS VESSEL HAS BEEN GRANTED AN EXEMPTION FROM INSTALLING XXXXX AS ALLOWED BY 46 CFR 27.100 AND COTP LETTER DATED XXXXXXX."

" THIS VESSEL'S XXXXXXXX SYSTEM WAS FOUND NOT TO BE IN COMPLIANCE WITH 46 CFR PART 27. THIS SYSTEM MUST BE IN COMPLIANCE NLT XXXX IN ACCORDANCE WITH COTP EXTENSION LETTER DATED XXXX."

7. Questions. Questions concerning this policy and enforcement guidance should be directed to Mr. Patrick Lee at patrick.j.lee@uscg.mil or 202-372-1135. This policy and other Towing Vessel Bridging Program documents are posted on Homeport at http://homeport.uscg.mil/USvsls.