

140-001

What are the PIC requirements and when will they be implemented, considering that no one other than the Master or mate/Pilot typically holds an MMC?

The Coast Guard is in the process of developing policy to address PIC requirements. We expect to publish policy shortly.

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Answered 31 Aug 2016

140-002

OSHA Coverage: Do OSHA requirements still apply to working conditions on towing vessels covered by Subchapter M of Chapter I of 46 CFR?

Yes. OSHA's requirements for these towing vessels will remain in effect until July 20, 2018, or when the vessel obtains its COI, whichever date is earlier. See 29 C.F.R. 136.172. However, the Coast Guard remains the lead agency and continues to receive reports of marine casualties for injuries, death, etc. as currently required by 46 CFR part 4. Beginning July 20, 2018 or the date of the issuance of a COI for a towing vessel, whichever comes earlier, existing towing vessels covered by Subchapter M will be "inspected vessels" within the meaning of the 1983 memorandum of understanding between the Coast Guard and OSHA and thus the working conditions of seamen on those vessels will not be covered by OSHA. Therefore, beginning on July 20, 2018, OSHA will cover seamen only on those towing vessels that will remain uninspected vessels. See 29 CFR 1936.105 for the types of towing vessels which will remain uninspected vessels.

A further delineation of the authorities of each agency and applicable requirements is provided in OSHA's Directive: CPL 02-01-047 (Effective date: 02/22/2010) - Subject: OSHA Authority Over Vessels and Facilities on or Adjacent to U.S. Navigable Waters and the Outer Continental Shelf (OCS) -

https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=DIRECTIVES&p_id=4254.

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Answered 31 Aug 2016

140-003**What is the policy regarding electronic record keeping on towing vessels covered by Subchapter M of Chapter I of 46 CFR?**

Section 140.910 is the primary 46 CFR subchapter M regulation concerning the requirements for record keeping. This section allows the towing vessel record (TVR) to be “electronic or paper.” Section 140.915(a) further specifies the list of items that are required to be recorded in “the TVR, official logbook, or in accordance with the TSMS applicable to the vessel.” Entries for this list of items serve to document events required by other sections in part 140 and other parts of subchapter M. Section 140.910(b) requires that electronic entries include specific information regarding the date, time and name of the person making the entry. Towing vessels and companies using the TSMS option should ensure that their TSMSs provide specific guidance regarding the record keeping requirements of subchapter M, regardless of the method employed. There is no requirement that the TVR or other record of events be centrally located on one system (for example, a server). However, if the TSMS specifies that various departments are responsible for maintaining required records, the responsible personnel in those departments should be able to produce the records upon request of the Coast Guard or a Third Party Organization (TPO) auditor. Also, the note to § 140.915 makes clear that this TVR electronic record keeping provision does not alter requirements outside of subchapter M that call for items to be recorded in official logbooks (discussed in § 140.905). For example, entries required by 33 CFR 151.25 must still be made in an Oil Record Book printed by the U.S. Government.

The list of items required to be recorded is significant, regardless of the inspection option chosen (TSMS or USCG). The importance of maintaining a reliable record keeping system cannot be overstated. Therefore, owners, operators, and TPOs should thoughtfully develop the system and periodically verify its compliance with subchapter M requirements.

In general, as specified in § 140.910(d), records must be maintained for at least one year following the date of the last entry.

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140-007

Can the Coast Guard clarify what an “industrial type first aid cabinet or kit” is?

The intent of the statement “industrial type first aid cabinet or kit” is to convey description of durability in rough environment and not to produce a small first aid kit during inspection that would only care for a house hold of people. Must contain proper inventory for care of all crew, while also taking into consideration of the operating conditions “take blood pressure readings, splint broken bones, and apply large bandages for serious wounds”.

§140.435 First aid equipment.

Each towing vessel must be equipped with an industrial type first aid cabinet or kit, appropriate to the size of the crew and operating conditions. Each towing vessel operating on oceans, coastwise, or Great Lakes routes must have a means to take blood pressure readings, splint broken bones, and apply large bandages for serious wounds.

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Answered 28 Dec 2016

140-018

The Coast Guard should clarify the applicability of MTSA 2002 and ensure that MTSA compliance will not result in redundant inspections on the same vessel within a 5-year window.

During the period of notification of 90 days pre-inspection, it is the responsibility of Owner/Operator and the appropriate Coast Guard Sector to coordinate safety and security inspections to minimize impact on both parties.

H.R.4954 - SAFE Port Act, Public Law No: 109-347 (10/13/2006)(Sec. 103)

Requires the Secretary of Homeland Security (Secretary) to verify, at least twice annually, the effectiveness of a vessel and facility security plan, with at least one of the inspections to be unannounced.

46 CFR 137.200 Documenting compliance for the Coast Guard inspection option.

A towing vessel subject to this subchapter and choosing the Coast Guard inspection option, or required to have the Coast Guard inspection option, must undergo an annual inspection within 3 months before or after the COI anniversary date.

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Answered 28 Dec 2016

140-025

Are Coast Guard approved Bridge Resource Management courses required for master, mate, pilot credential holders under Sub Chapter M?

Yes, in accordance with Standards of Training, Certification, and Watchkeeping (STCW). There is no requirement under Subchapter M.

46 CFR 11.463 General requirements for national endorsements as master, mate (pilot), and apprentice mate (steersman) of towing vessels.

(f) Deck officers who serve on the following seagoing vessels must comply with the requirements of

§11.309 (Requirements to qualify for an STCW endorsement as Officer in charge of a navigational watch (OICNW) of vessels of 500 GT or more (operational level))

and

§11.311 (Requirements to qualify for an STCW endorsement as master of vessels of 500 GT or more and less than 3,000 GT (management level))

of this subpart for the appropriate STCW endorsement:

(1) A towing vessel on an oceans voyage operating beyond near-coastal waters.

(2) A towing vessel on an international voyage.

(3) A towing vessel of 200 GRT or more on a domestic, near-coastal voyage.

(g) Endorsements as mate (pilot) or master of towing vessels may be issued with a restriction to specific types of towing vessels and/or towing operations such as articulated tug barge (ATB) vessels that do not routinely perform all of the tasks identified in the Towing Officer Assessment Record (TOAR).

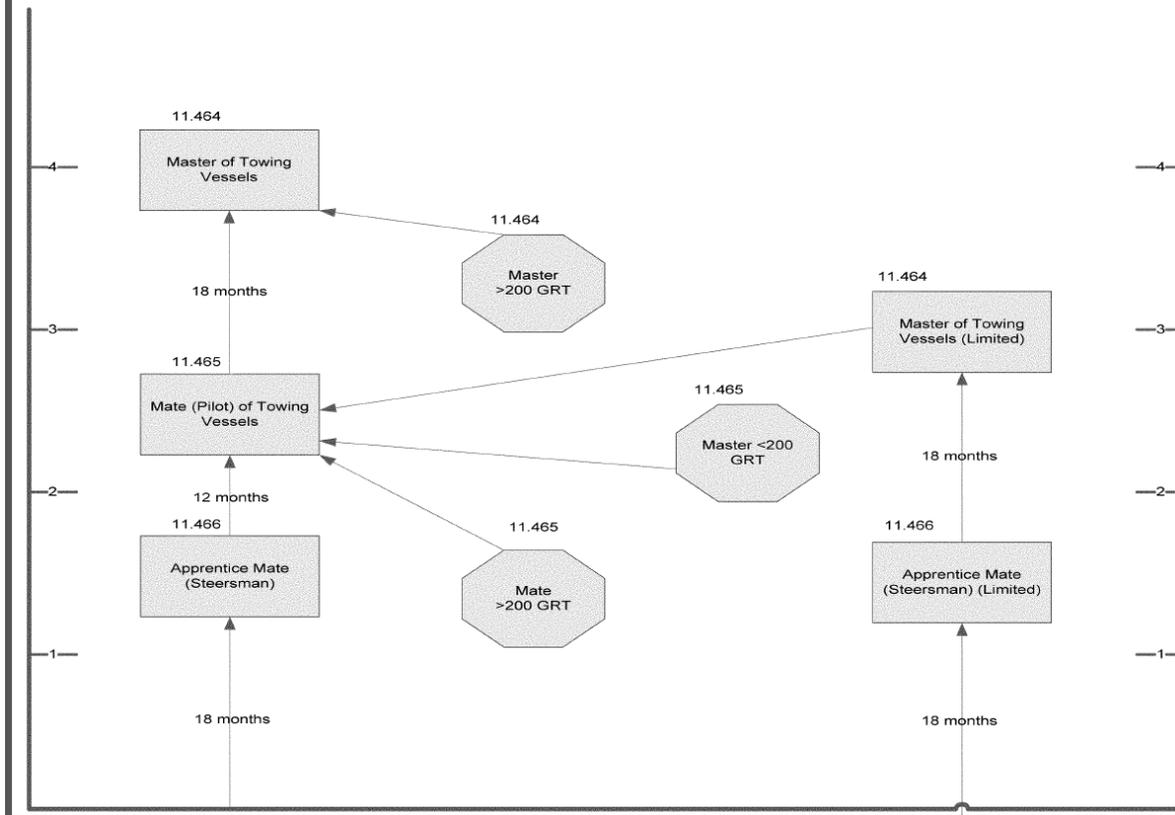
(h) Figure 11.463(h) illustrates the towing officer endorsement structure, including crossover points. The section numbers on the diagram refer to the specific requirements applicable.

46 CFR 11.321 Requirements to qualify for an STCW endorsement as officer in charge of a navigational watch (OICNW) of vessels of less than 500 GT limited to near-coastal waters (operational level).

(3) Provide evidence of having satisfactorily completed approved training in the following subject areas:

(iv) Bridge resource management;

Figure 11.463 (h) -- Structure of towing officer endorsements



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140-030

What MARSEC placards are required and are terrorist locks required on towing vessels?

MTSA 33 CFR 104 Regulated Vessel: Vessels must adhere to the requirements of 33 CFR 104.265 Security measures for access control.

Alternate Security Program (ASP) Vessel: Vessels must fully implement the ASP into the vessels operations (33 CFR 104.140 Alternative Security Programs). Please refer to vessel specific ASP for implementation guidance.

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