



Subchapter M & the Towing Vessel Bridging Program: What's Next?

By Captain Katharine Sweeney

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This time last year, the U.S. Coast Guard was busy taking comments on the proposed rulemaking for Subchapter M. A very vocal discussion ensued, with the predominant comments focused on impending requirements for rebuilding vessel electrical systems, the standard six on six off "boxed" watch schedules and whether elements of the Crew Endurance Management Systems (CEMS) should be included in the rulemaking. As of today, the industry has yet to hear of any definitive outcome of Subchapter M discussions, or plans for a final rulemaking. I had the opportunity to attend portions of the American Waterway Operators (AWO) annual convention this year and, of course, Subchapter M was a hot topic. The consensus is the next version will not be released until sometime after October 2013. As to whether it will be in a final rulemaking or a request for more comments, that's anyone's guess.



The U.S. Coast Guard Speaks

The Commander of the 13th USCG District, Rear Admiral Keith Taylor, addressed the conference and spoke at length about the Coast Guard's Towing Vessel Bridging Program. The Bridging Program originally started with Phase I Exams — "you call us, we'll come out and inspect." Passing the voluntary exam meant the vessel would receive a UTV (uninspected towing vessel) decal; good for three years. As of June 2012, Phase II of the operation started — "we'll call you." Phase II Exams focus on law enforcement and on vessels that have not been examined before. Exams also may be initiated due to the noted poor condition of the vessel. The Coast Guard will begin conducting more Phase II Exams as of January 1, 2013. Phase III Exams will entail implementation of Subchapter M once the final rule is published.

Some companies are facing the expiration of their original Phase I decal. These companies will need to call the Coast Guard to schedule another exam. While some companies have received letters that 100% of their fleet has been examined and all vessels have received decals, Admiral Taylor stressed that it will important to check the Coast Guard's database of exams. There have been many clerical errors discovered in recording the exams and issuing decals. Even if you received a letter indicating 100% compliance of your fleet, this does not necessarily indicate that the information in the Coast Guard's database matches this level of compliance.

Competent Inspectors / Fair Inspections

Clerical issues aside, the Coast Guard learned a lot from the Phase I Exams process. The goal is for the exams to be "professional, fair and consistent," Taylor said. The Coast Guard is working to develop proficiency and competency among their Marine Inspectors so they are not trapped by



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the “paradigm of the last 20, 30, 40 years of the person coming aboard in the blue coveralls with a hammer.”

Addressing this stale paradigm is important, as the traditional inspections were designed to find fault, specifically looking for deficiencies. As Safety Management Systems (SMS) are developed, these Marine Inspectors must look at the system as a whole and gauge whether it addresses the requirements. Marine Inspectors should be asking themselves: “Is there ample evidence of compliance with the system?”

AWO, RCP, SMS, TVIB – and you ...

A Safety Management System is a prerequisite for membership in the AWO and the organization’s Responsible Carrier Program (RCP) spells out what a company must include in that system. The RCP requires internal audits to be completed as well as and third party audits performed by qualified RCP auditors at predetermined intervals. Previously, the AWO provided the training for qualified candidates to become certified as RCP auditors (of which this author is one) as well as mandatory continuing education every three years. Third party audits utilize (among other things) detailed checklists, which can be found on the AWO’s website, for both the vessel audit and the audit of the company’s office(s).

What will become of the RCP is uncertain, but the AWO will phase out any direct role in auditing. It is anticipated that the AWO will “get out in front ensuring that only qualified auditors are approved to conduct RCP/Subchapter M audits.” Whether these third party audits will be structured in the same manner and use similar checklists to the RCP is [also unknown](#).

The [Towing Vessel Inspection Bureau \(TVIB\)](#) is one organization that has been created to try and get in front of the requirements for subchapter M audits. The primary purpose of the TVIB organization is to provide accreditation for third-party auditors and surveyors who work for USCG accepted organizations and conduct third-party audits and/or surveys of [towing vessels](#) in accordance with Subchapter M. The TVIB will train and accredit auditors of vessels towing along side or pushing ahead on inland waters (East, West and Gulf Coasts), as well as the Western Rivers.

The TVIB will provide and maintain an audit tool (checklist) for use by all auditors assessing compliance with Subchapter M and train auditors on how to use the tool. However, the TVIB will not conduct audits under Subchapter M itself nor will it provide day-to-day oversight of the auditors or surveyors.

While I am not aware of any other organizations attempting to discern what the qualifications for auditors will be once Subchapter M comes to fruition, it is evident that given the number of uninspected vessels out there, we will need a significant number of auditors. A structured system is paramount to ensuring proficiency and competency among auditors and to make certain audits are conducted in a professional, fair and consistent manner.

Sub M Waiting Game

It has already been a long wait for the Subchapter M final rulemaking and patience is wearing thin for many in this industry. Hopefully the final product will be worth the wait and will allow enough time to develop competent auditors and a fair and consistent auditing system.

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WORKBOATS

Master Marine Delivers Z-drive Towboat to Marquette

In July, Marquette Transportation Co. took delivery of a new 2,000-hp Z-drive towboat from Master Marine, Inc., Bayou La Batre, Ala. The 78'x 34'x11' St. Matthew was designed by Entech Designs,

New Surface Effect Ship from AMC

New surface effect ships designed and built specifically for the CTV and working vessel high speed market. Specialist aluminum boatbuilder, Aluminium Marine Consultants (AMC),

COAST GUARD

Update: Salvors to Board Grounded Transocean Winner

Final preparations are being made to put a small team of salvors on board the grounded semi-submersible oil rig Transocean Winner off the Isle of Lewis this afternoon.

Japan warns China over East China Sea

Japan summons China envoy twice in five days; rising number of Chinese ships sailing near disputed islands. Japan warned China on Tuesday that ties were deteriorating

MARITIME SAFETY

Inspectors Get Tough on ECDIS

ECDIS ACAT (Annual Competency Assurance Training): the Inspectors training in ECDIS has without doubt increased safety at sea as it highlights that not all is well, regardless of certificates held.

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Damen Upshifts in Turkey

Damen Shipyards Antalya has secured ISO 9001, ISO 14001 and OHSAS 18001 certification, an achievement that coincides with a period of rapid expansion that has seen

Semi-submersible Drilling Rig Grounds off Scotland

Severe weather has caused semi-submersible drilling rig Transocean Winner to break free from tow and run aground off the western isles of Scotland, the U.K. Maritime & Coastguard Agency (MCA) said.

Javier Swirls Toward Mexico, no Hurricane Seen

Tropical Storm Javier lost a little strength on Monday evening as it traveled towards the southern part of Mexico's Baja California peninsula, the U.S. National Hurricane Center (NHC) said.



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