

## Subchapter M: The Clock is Ticking

Compiled by Marine Log Staff



While it's been almost two years since the U.S. Coast Guard's 46 CFR Subchapter M entered into effect and established an inspection regime for towing vessels, most existing vessels won't have to meet its requirements until this summer—July 20, 2018. And it will actually be phased in over a six-year period for existing vessels. With a few exceptions, Subchapter M impacts nearly 6,000 vessels,

applying to towing vessels 26 feet in length and above and to those even smaller than 26 feet if they are used to move barges that carry oil or hazardous cargoes.

Towing vessel companies that must comply with Subchapter M will have two options to meet the requirements: (1) They can schedule a traditional annual Coast Guard inspection; or (2) Use what many say is the more preferable option, the development of a Towing

Safety Management System (TSMS). The TSMS describes the operator's procedures for ensuring compliance with the applicable vessel and personnel requirements. TSMS compliance is verified by a Third Party Organization (TPO) and documented through the issuance of TSMS Certificates. Towing vessel operators would undergo audits and surveys from Coast Guard-approved TPOs.

In accordance with 46 CFR 139.110, classification societies that are recognized and/or authorized meet the requirements of a TPO. These classification societies are approved by regulation to perform certain work as a TPO without further Coast Guard approval. The class societies that may perform the functions of a TPO include: ABS, DNV GL, LR, BV, RINA, ClassNK, and IRS.

ABS, for example, recently signed a contract with Cenac Marine Services, Houma, LA, to support the towing vessel operator's efforts in complying with Subchapter M.

"Tugboat owners and operators are urgently seeking and evaluating options for Subchapter M compliance," says ABS Americas Division President Jamie Smith. "With the Certification of Inspection date rapidly approaching, ABS is guiding owners to find the right compliance solution – suited for

### Coast Guard Approved Subchapter M Third Party Organizations (TPOs)

(Non-class societies, approved IAW 46 CFR 139.115)

The following companies have been approved by the U.S. Coast Guard as Subchapter M Third Party Organizations (TPOs). They can audit Towing Safety Management Systems (TSMS), issue TSMS certificates to an owner or operator, survey towing vessels to verify compliance with Subchapter M, and issue survey reports detailing the results of towing vessel surveys.

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**Towing Vessel Inspection Bureau**  
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their unique needs – while also considering operational demands.”

The recently signed contract establishes ABS as Cenac's sole TPO, providing oversight of their Internal Survey program and additional support with ABS surveyors when required.

“Cenac Marine Services' diligence in researching and aligning ourselves with other industry leading companies, has lead us to enter into a partnership with ABS to ensure that our safety and maintenance standards are in complete compliance with USCG Subchapter M requirements,” says Cenac Marine Services owner Arlen “Benny” Cenac Jr.

In addition, ABS can also administer audits for the Responsible Carrier Program (RCP) – a USCG approved TSMS option on behalf of Inland Waterways Operators.

Organizations other than recognized and/or authorized classification societies that conduct TPO functions for towing vessels must be Coast Guard approved.

Thus far, there are nine such organizations. They include: **American Global Maritime**, Houston, TX; **Decatur Marine Audit & Survey**, Vienna, VA; **Meridian Global Consulting**, Mobile, AL; **Marine Compliance**, Humble, TX; **Quality Maritime Training**, Jacksonville, FL; **Sabine Surveyors**,

**Metairie, LA; Tompkins Consulting**, Arlington, VA; **Towing Vessel Inspection Bureau**, Channelview, TX; and **Wavecrest Offshore Solutions**, Katy, TX. You can see the accompanying table on page 15 for more details.

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*Operators will have two ways to meet requirements: Coast Guard Inspection or TSMS compliance.*

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#### Don't Wait Until The Last Minute

In a blog post titled, “Don't wait to schedule your towing vessel's initial COI inspection,” CAPT Matt Edwards, Chief, Commercial Vessel Compliance, U.S. Coast Guard, warned operators not to wait until the last minute in order to avoid delays in obtaining their Certificate of Inspection (COI).

Writes CAPT Edwards, “On July 20, 2018, towing vessel owners and operators will

be responsible for ensuring that their vessels comply with the provisions of 46 CFR Subchapter M.

“As per 46 CFR 136.202, vessels are required to obtain a Certificate of Inspection (COI) over a four-year phase in period ending on July 20, 2022. With nearly 5,700 towing vessels obtaining a COI during this phase in period, coordination between owners and operators, Third Party Organizations, and the Coast Guard Officers in Charge, Marine Inspection (OCMI) is necessary to reduce delays to the towing industry. If you have not already done so, I highly encourage you to make contact now with the local OCMI(s) that will be conducting the vessel's initial COI inspection to schedule an inspection date through July 19, 2022. ... When scheduling a date, please indicate whether the vessel will be using the Coast Guard or TSMS option.

“At least 90 days in advance of the proposed inspection date, please confirm your vessel will be available. Finally, at least 30 days before the scheduled inspection date, in accordance with 46 CFR 136.210, provide the OCMI with CG-Form 3752, Application for Inspection for a U.S. Vessel, indicating if the Coast Guard or TSMS option will be used to document compliance.”

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