Passenger Vessel Industry Day 2013
Meeting Summary

Passenger vessel industry day was held on March 20th, 2013, at UMASS Dartmouth Advanced Technology & Manufacturing Center in Fall River, MA. More than 100 people were in attendance for the event this year. That is an outstanding turnout and we thank all of you for taking time out of your busy spring schedules! The overall response to this event was worthwhile and valuable.

The following numbered items provide a brief summary of the different topics covered during the meeting. Although we attempted to answer each question during the meeting, we left with a few unanswered questions. The answers to those questions can be found within this meeting summary. Additionally, contact information for presenters on each topic is provided on the last page. If you forgot a handout or would like to view any of the presentations given, all of the information presented may be found on the Homeport website. Go to homeport.uscg.mil and click “Port Directory” at the top of the page. From the “Select Coast Guard Unit” drop down menu select “Southeastern New England (Providence)”. When the page loads, scroll down and select “Domestic Vessel Inspections”, then select “Passenger Vessel Industry Day 2013”.

1. Introductions/Logistics:
   - Mr. Carl Moberg briefly discussed the schedule of events for the day, housekeeping items, the area of emphasis for this year’s meeting, and facilitated introductions for everyone in attendance.
   - Gave update on stability letters; 179 vessels are completed and less than 50 vessels are still pending.

2. Welcome: Sector Commander and Officer in Charge Marine Inspections (OCMI) - CAPT Verne Gifford and CDR Paul Lattanzi:
   - Sector Commander, CAPT Verne Gifford, mentioned sequestration will not affect inspections. Discussed incoming/outgoing members including the new Captain of the Port, CAPT John Kondratowicz, as of April 12, 2013.
   - Officer in Charge Marine Inspection (OCMI), CDR Paul Lattanzi, will continue to serve as the OCMI until 2014. CDR Lattanzi emphasized his open door policy and encouraged mariners to call if they have any questions or issues.
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3. Marine inspection updates: CDR John Humpage
   • Please see “Regulation Updates” handout.

4. Small Passenger Vessel General Permit (VGP) - CWO Scott Harroun
   • Reviewed VGP applicability and requirements.
   • Current edition of VGP is dated December 18, 2013.
   • The EPA has since released the final VGP that will go into effect December 19, 2013. The permit can be accessed at the EPA website: http://www.epa.gov/npdes/pubs/vgp_permit2013.pdf
   • Extension of sVGP effective date was granted for December 19, 2014.
   • Go to http://cfpub.epa.gov/npdes/vessels/vgpermit.cfm for more information.

5. Drug and Alcohol Program Requirements - LTJG Dana Tomc
   • Please see “Drug and Alcohol Program” handout.
   • Reviewed alcohol and drug testing requirements following a Serious Marine Incident (SMI). Alcohol testing devices used must be currently listed on either the Conforming Products List published periodically in the Federal Register by National Highway Traffic Safety Administration (NHTSA) in accordance with 46 CFR 4.06-15. The most currents lists were published June 14, 2012; 77 FR 14581 and 14582; Docket No. NHTSA-2012-0061 and NHTSA-2012-0062.
   • 2013 Random Testing rate is 25%.
   • Medicinal and recreational marijuana is not permitted regardless of new state laws; crewmembers’ drug testing results will still be verified as a positive.

6. No-sail Deficiencies - CWO Dan Kinville
   • Reviewed possible no-sail deficiencies.
   • Discussed considerations when issuing a CG-835 including likelihood of a catastrophic failure, if the risk can be mitigated, what regulations apply, and the impact upon the mariner.
   • Reminded mariners that a CG-835 may be reconsidered and to use the appeal process, if necessary.

7. Vessel Logs - LT Derek Gibson
   • Reviewed required log entries for T, K, and H vessels. Please see applicable vessel log handout.

8. New to Zone Inspections - LCDR Paul Mangini
   • Reminded mariners to notify nearest CG Inspection Office prior to beginning operation in a new OCMI zone.
   • Route, stability criteria, performance capabilities, and weather limitations are factors taken into consideration when granted the ability to operate in a different OCMI zone.
9. Waterways Management Updates - Mr. Ed LeBlanc
   • Reviewed marine events for 2013.
   • Discussed New Brenton point anchorage and the proposed Block Island Sound Wind Farm.

10. Investigations Updates - LT Kelli Dougherty
   • Reviewed reporting requirements.
   • Reminded mariners of inspection dates and to notify CG Marine Inspector if making repairs/alterations to hull, machinery, or equipment that affects vessel safety.

11. Marine Causalities: LCDR Keith Hanley
   • Displayed statistics showing trends of reportable marine casualties in First CG District for T, K, and H boats.
   • Casualties related to Main Diesel Engines accounted for a notable number of reportable marine casualties.

12. Regional Exam Center (REC) Updates - Mr. Nick Petronzio
   • Reviewed the REC and National Maritime Center (NMC) functions.
   • All mariners must have TWIC at least once and only need to renew if needed.
   • Encouraged mariners to call if having any licensing issues.

13. Closing Remarks - CDR Lattanzi
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Your “questions and concerns”, our action items:

1. What are the requirements for a fire suppression system for old vs. new T-boats?

ANS: All new T-boats must comply with current regulations for fire protection equipment which can be found in 46 CFR Part 181 Subpart D. An old T-boat may comply with fire protection regulations applicable to it on March 10, 1996. However old T-boats must come into compliance with new fire protection regulations if there are new installations or if the vessel’s hull, machinery space boundary bulkhead or deck is constructed of wood or FRP. (Note: an Old T-boat is a vessel where initial construction began and was issued an initial COI was issued before March 11, 1996 and no major conversion occurred since.)

Required locations for a fixed fire extinguishing system under new T regulations are listed in 46 CFR 181.400. Locations required to have fixed fire fighting under Old T regulations are listed in 46 CFR 181.200 (10-1-94 Edition).

2. Will the wintergreen scent for the CO2 systems be mixed with the CO2 or a separate system to add the scent when activated?

ANS: The Final Rule for Carbon Dioxide Fire Suppression Systems on Commercial Vessels issued in Federal Register Vol. 77, No. 110 on June 7, 2012, requires odorizing units. The odorizer will inject a wintergreen scent that will linger as long as harmful amounts of the discharged gas are present. In the Final Rule, the text includes commenter’s questions regarding the topic. One commenter asked if the intention was to require adding wintergreen scent directly to the carbon dioxide gas stored in system cylinders. The response in the Federal Register states that this is not their intent however if it ever becomes feasible to odorize CO2 directly in the cylinder that it would be considered for approval as a regulatory equivalent to the required odorizing unit.

3. Will the new CO2 system regulations also apply to commercial fishing vessels?

ANS: Final Rule for Carbon Dioxide Fire Suppression Systems on Commercial Vessels issued in Federal Register Vol. 77, No. 110 on June 7, 2012 does not require odorizers for commercial fishing vessels. However 46 CFR 28.852(2)(iv) will be added to require markings on control cabinets or spaces containing valves or manifolds for fire extinguishing systems onboard Commercial Fishing Vessels.

4. How can we utilize an emergency replacement crew as it relates to Drug and Alcohol Program requirements?

ANS: In order to use an emergency crew, you must ensure crewmembers are in compliance with all drug and alcohol program requirements. You may use a “crew sharing” agreement with the current employer which should include proof of pre-employment testing, EAP compliance, and an agreement to share drug testing
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results for any positives or drug testing violations. An example of a “crew sharing” agreement may be found at www.northstartflotilla.com → UPV Program → “Sharing of Crew members in the Maritime Industry”.

5. How does sVGP affect my selection of bottom paint? Does the PARI Form cover it?

ANS: As the new permit is unavailable, the content required to be captured on the PARI form is unknown.

From section 2.2.4 of the draft sVGP, Anti-Fouling Hull Coatings: All anti-fouling hull coatings subject to registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (see 40 CFR 152.15) must be registered, sold or distributed, applied, maintained, and removed in a manner consistent with applicable requirements on the coatings’ FIFRA label.

For anti-fouling hull coatings not subject to FIFRA registration (i.e. not produced for sale and distribution in the United States), hull coatings must not contain any biocides or toxic materials banned for use in the United States (including those on EPA’s List of Banned or Severely Restricted Pesticides). This requirement applies to all vessels, including those registered and painted outside the United States.

At the time of initial application or scheduled reapplication of anti-fouling coatings, you must give consideration, as appropriate for vessel class and vessel operations, to the use of hull coatings with the lowest effective biocide release rates, rapidly biodegradable components (once separated from the hull surface), or non-biocidal alternatives, such as silicone coatings.

Some ports and harbors are impaired by copper. These waters include Shelter Island Yacht Basin in San Diego, California and waters in and around the ports of Los Angeles/Long Beach. A complete list of such waters may be found at www.epa.gov/npdes/vessels. When vessels spend considerable time in these waters (defined as spending more than 30 days per year), or use these waters as their home port (i.e. house boats, ferries or rescue vessels), vessel owner/operators shall consider using antifouling coatings that rely on a rapidly biodegradable biocide or another alternative rather than copper based coatings. If after consideration of alternative biocides, vessel operators continue to use copper based antifoulant paints, they must document in their recordkeeping documentation how this decision was reached.

The discharge of Tributyltin (TBT) or any other organotin compound is prohibited by this permit. Therefore, vessel operators covered by this permit have a zero discharge standard for TBT or any other organotin compound. You may not use an antifouling coating containing TBT or any other organotin compound. If the vessel has previously been covered with a hull coating containing TBT or any other organotin compound, vessels must be effectively overcoated so that no TBT or other organotin leaches from the vessel hull or the TBT or other organotin coating must have been removed from the vessel’s hull.
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What does all of that mean? It means that when buying anti-foul paint several different products should be reviewed and select one that is the least toxic that meets the need. Copper ablative paints should be avoided and cannot be used in copper impaired waters. Organotin based anti-foul paints cannot be used in the United States. Documentation about your hull paint should be maintained to show compliance.

6. Do ballast water regulations apply to tanks not in use? Would I have to comply with ballast water regulations or VGP?

ANS: Yes, and you would need to comply with both. There are exemptions, in 33 CFR 151.2015, for certain vessels operating exclusively within one OCMI zone. Currently there is no exemption in the VGP; although it is anticipated that in the new VGP the exemption will be implemented. In order to comply with the VGP you would need to implement measures to ensure that ballast is never used. Some examples would be to disconnect the tank from the ballast water system; or have the tank re-designated (this may affect tonnage).

If the ballast water regulations may affect your vessel please contact CWO Scott Harroun @ 401-435-2383 or Scott.A.Harroun@uscg.mil with your concerns.

7. Does a sea time letter serve as evidence of enrollment in a drug program for pre-employment drug testing purposes?

ANS: No marine employer shall employ an individual in a safety-sensitive position unless he/she has passed a pre-employment drug test. To waive the pre-employment drug test, you must receive proof of a negative DOT drug test within the previous six months. Alternatively, pre-employment testing may be waived if the individual has been enrolled in a random testing program for a consecutive 60 days in the previous 185 days. You should have a letter certifying this with verbiage specifically stating enrollment in a random testing program as required by 46 CFR 16.210. If the sea time letter does not explicitly state this, you may not use it to waive a pre-employment test.

8. Will the NOAA Wave buoy be coming back online?

ANS: NOAA was contacted about a report that one of its offshore buoys was not reporting wave height information. NOAA checked its buoy information reports and stated that its offshore weather buoys in our area appear to be operating properly. Should you desire to discuss further or seek additional information on this issue, the NOAA point of contact is Lieutenant Commander Brent Pounds, NOAA’s Northeast Region Navigation Manager, who may be contacted at 401-782-3252 or brent.pounds@NOAA.GOV.
9. Must I take an STCW refresher course, and is there a 2-day refresher course available?

**ANS:** The STCW renewal process may be fulfilled by showing proof of 360 days in near coastal or ocean waters. Alternatively, you may attend a STCW refresher course listed on the NMC website course [www.uscg.mil/nmc](http://www.uscg.mil/nmc).

There are 2-day refresher courses available and listed on the NMC website. Ensure the course meets the renewal requirement (Basic Safety Training).

10. Should launches have different stability criteria? Can the regulation be appealed?

**ANS:** Effective December 1, 2011, the assumed average weight per person (AAWPP) was increased to 185 lb. All inspected passenger vessels, including launches, were required to come into compliance with the new AAWPP regulations. This rule was scrutinized by public comment for several years before it became a final rule and was implemented as a regulation. A change in nationwide policy as it pertains to launches is not being considered at this time and is unlikely. However, on a case by case basis the local OCMI may review a vessel for special consideration if an equivalent level of safety can be demonstrated.
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Additional Information to Pass:

1. Since our Industry Day, the US Coast Guard issued 78 Federal Register 19725 on April 2, 2013 seeking comments on its merchant mariner medical evaluation program. Congress directed the US Coast Guard to submit an assessment of the program and alternatives. This shall include an analysis of how a system similar to the Federal Motor Carrier Safety Administration and Federal Aviation Administration could be applied to issuance of merchant mariners’ documents. Comments must be submitted by May 2, 2013.

2. As a reminder, you are required to complete all vessel inspections, such as dry-dock examinations, internal structural examinations, annual reinspections, and five-year Certificate of Inspection (COI) examinations by the required date, regardless of whether you are operating.

However, in some rare cases, such as when your vessel must be laid up or be taken out of service, you may not be able to complete the inspection within the required timeframe and may need to reschedule the inspection. To place your vessel in a laid up status or be taken out of service, you must formally submit a request to this office via phone call, email, or letter. This office will then place your vessel in a laid up status or take the vessel out of service, and work with you to reschedule the required inspection. If you do not formally request to have your vessel placed in a laid up status or be taken out of service, and you miss a required inspection, you will subject to enforcement action such as a letter of warning or a monetary fine, regardless of whether you were operating.

Requests to place a vessel in a laid up status or be taken out of service should not be used as a routine measure to avoid inspections while your vessel is “winterized.” If you wish to reschedule a required inspection to harmonize the inspection with a particular operating season, please contact this office.

For your COI to remain valid, the following required inspections must be completed on time:

1. An inspection to renew your COI must be completed before your COI’s expiration date. There is no grace period for the COI inspection. The COI issue and expiration dates are listed in the top right corner of your COI.

2. Your drydock inspection and internal structural exam must be completed by the date listed on your COI. There is no grace period for a drydock inspection or internal structural exam.

3. An annual reinspection must be completed within the three months before or after your COI anniversary date. The COI anniversary date is the day and month of each year, which corresponds to the expiration date on your COI.
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To request your vessel be placed in a laid up status or be taken out of service, to schedule an inspection, or for any questions regarding this letter, you may contact the Inspections Division at (401) 435-2335, send an email to D01-SG-EastProv-INSP-IO@uscg.mil, or submit a written request to the address listed above.

3. As of April 12, as part of a regularly scheduled Change of Command Ceremony, Captain John T. Kondratowicz relieved Captain Verne B. Gifford, Jr. of the duties and responsibilities of Sector Commander and Captain of the Port.
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Contact Information

- **24 Hour Command Center** – (508) 457-3211 (Emergency, Search and Rescue, Marine Casualty Reporting, Security Incident, or on call Inspectors / Investigators)

- **To schedule an inspection** – (401) 435-2335. Fax number (401) 435-2382

- Sector Commander and Captain of the Port (COTP) – CAPT John T. Kondratowicz (508) 457-3267 John.T.Kondratowicz@uscg.mil

- Officer in Charge, Marine Inspection (OCMI) - CDR Paul Lattanzi (401) 435-2311 Paul.R.Lattanzi@uscg.mil

- Chief, Inspection Division (CID) - LCDR John Humpage (401) 435-2350 John.P.Humpage@uscg.mil

- Chief, Vessel Inspection Branch – Mr. Carl Moberg (401) 435-2354 Carl.R.Moberg@uscg.mil

- Chief, Facility Inspection Branch (TWIC) – ENS Christie Smith (401) 435-2335 Christie.L.Smith3@uscg.mil

- District Drug and Alcohol Program Inspector (DAPI) – LTJG Dana Tomc (401) 435-2330 Dana.C.Tomc@uscg.mil

- Supervisor, Marine Safety Detachment Cape Cod – LCDR Paul Mangini (508) 968-6556 Paul.J.Mangini@uscg.mil

- Supervisor, Marine Safety Detachment New Bedford – LT Derek Gibson (508) 999-0072 Derek.M.Gibson3@uscg.mil

- Chief, Investigation Division – LT Kelli Dougherty (401) 435-2362 Kelli.M.Dougherty@uscg.mil

- Chief, Waterways Management Division – Mr. Ed LeBlanc (401) 435-2351 Edward.G.LeBlanc@uscg.mil

- Command Center Supervisor – LT Bryan Swintek (508) 457-3264 Bryan.Swintek@uscg.mil

- First District Passenger Safety Specialist – Mr. Thomas Walker (617) 223-8442 Thomas.J.Walker@uscg.mil

- Supervisor, Regional Exam Center Boston – Mr. Nicholas Petronzio (617) 223-3050 Nicholas.C.Petronzio@uscg.mil