



Subchapter M TPO/Class Quarterly Meeting – 20 June 2019

Meeting Minutes



- I. Opening: The meeting was called to order at 12:05 P.M. CST by CDR Andrew Bender, TVNCOE.
- II. Present: TVNCOE and CVC-1 staff and representatives from ABS, ClassNK, Meridian, TVIB, Wavecrest, Sabine, and EDT.
- III. Agenda Topics and Discussion (Past Business):

- a. CVC Policy Letter 17-10: companies are using as leverage for deferment of NCs/deficiencies, which is not the intent of 17-10.

No comments except for request of specific example. NCOE passed that none had been provided, but that a company's TSMS can't be written to defer compliance. Specifically, Policy Letter 17-10, 4. C. states, "The Coast Guard's expectation is that owners and/or managing operators will actively identify non-conformities and document the items in accordance with their approved TSMS. The TPOs will then verify the non-conformities are properly addressed as well as independently verify the vessel and company are in compliance with the regulations. When a non-conformity is found, the TPOs should ensure that corrective measures have been taken, the issue is resolved in a timely manner, and the appropriate documentation is maintained." No other comments.

- b. External management/vessel audit results are due within 30 days of audit completion per 46 CFR 138.505.

No comments.

- c. Surveyor representing company for an internal survey program cannot also complete external vessel audit on behalf of the TPO.

No comments.

- d. The internal survey cycle may not exceed one year per 137.210(b), while the external survey cycle may be completed three months either side of the COI anniversary date per 137.205(a)(3).

ABS and TVIB voiced concerns regarding the Coast Guard's interpretation (above) of internal survey requirements; specifically, that they are required to be completed in one year. ABS noted that the last line of 137.210(b) states, "...unless otherwise prescribed", which they view as further flexibility in the rule. They believe that a company that completes the survey as a single event may use the same timing requirements as the external survey program – which is also an accepted Coast Guard practice for all other fleets regarding the spacing of annual vessel inspections. ABS also noted that because

their customers complete their surveys as one event, “schedule creep” will be inevitable – resulting in an earlier survey completion date each year. TVIB noted that because their clients also complete internal surveys as a single event, and the regulation only directs companies surveying items on a schedule over time to complete the cycle in one year, that their clients may also meet the time requirement of the external survey program. CVC and TVNCOE further reviewed the regulation and preamble text (pages 40026 and 40027), discussed the same, and maintain position as stated above. **Open issue.**

- e. Internal management audits require audits of all vessels per 138.310(b).

Sabine noted that they have a client that wanted to strictly conduct remote vessel audits annually and Sabine did not concur with that approach. Coast Guard concurred that Sabine’s comments were reasonable. No additional comments.

- f. If a major nonconformity is discovered by auditor they have 24 hours to report to OCMI per 138.410(f); if unsafe condition discovered by surveyor, company shall report to OCMI per 137.215(d).

TVIB commented that Policy 17-10, 6.e. may conflict with the above requirement. TVNCOE has reviewed the same and finds that 17-10 does not appear to conflict, but rather adds a notification layer for the company to notify the TPO in addition to the regulatory requirements. **Open issue.**

- g. If a TPO adds or removes auditors or surveyors, they are required to submit the updated list and supporting documentation to the TVNCOE per 139.135.

No comments.

- h. Steel repair discussion.

TVNCOE noted that steel repairs questions continue to come up, and that NVIC 7-68 remains the recommended guidance. CVC-1 added that they are looking to review TSAC report regarding the same. No additional comments.

IV. Agenda Topics and Discussion (New Business):

- a. Policy Updates (No comments)
1. CG-ENG policy letter 01-19 released (Sub M Fire Pump Policy)
 2. CVC WI(010)(2) OCMI Special Consideration (Update)
 3. WI 013 Initial Towing Vessel COI Inspection under TSMS Option, Laid up, and Keel Laid guidance is being worked

- b. Fleet Status (No comments)
 - 1. 219 TSMS/DOCs issued
 - 2. 3250 vessels covered by TSMs/DOCs
 - 3. 750 COIs issued (75/25 TSMS Option)
 - 4. Nearly 1200 vessels have COIs or are in the COI processing queue (or approximately 22.5% of Sub M fleet)
 - 5. Next year's challenge

- c. Poll Everywhere

TVNCOE noted that although agenda input was requested from TPOs two weeks in advance of the scheduled meeting, none responded. As a result, introduced concept to use Poll Everywhere, a web-based portal that allows anonymous comments by users. Attendees asked to email TVNCOE (LCDR Charles Mellor) if they are interested in adding this anonymous option to increase participation by TPOs that may be unwilling to publically voice concerns/questions.

- d. 2nd Annual Oversight Conference: 4 Sept @ U.S. Coast Guard Sector Houston/Galveston (tentatively scheduled)

The Oversight Conference will likely take the place of the next quarterly meeting (September 2019).

- e. General TPO feedback/concerns (No comments)

- V. Adjournment: The meeting was adjourned at 12:45 P.M. CST by CDR Andrew Bender. The next quarterly meeting, tentatively scheduled for 19 September, will likely be replaced by the aforementioned Oversight Conference.

Minutes approved by: Andrew Bender, CDR