

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: G-PCV-1
Phone: (202) 267-0492
Fax: (202) 267-4394
Email: jhannon@comdt.uscg.mil

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NVIC 5-99 CH 1

NAVIGATION AND VESSEL INSPECTION CIRCULAR 5-99, CHANGE 1

Subj: GUIDANCE REGARDING VOLUNTARY COMPLIANCE WITH THE INTERNATIONAL MANAGEMENT CODE FOR THE SAFE OPERATION OF SHIPS AND FOR POLLUTION PREVENTION (INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE)

- 1) PURPOSE: This Circular revises Navigation and Vessel Inspection Circular (NVIC) 5-99 to amend the guidance provided for the voluntary certification of U. S. vessels and their companies' safety management systems in compliance with Title 33, Code of Federal Regulations (CFR), Part 96. Specifically, this Circular provides additional guidance for the administration of the safety management system on vessels in Reduced Operating Status. These changes reflect the need to provide guidance that speaks to the unique intermittent operations of these vessels.
- 2) DIRECTIVES AFFECTED
 - a. None.
- 3) APPLICATION: This guidance applies to the following categories of vessels:
 - a. Vessels in Reduced Operating Status

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A																										
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NON-STANDARD DISTRIBUTION: (See page 6)

NAVIGATION AND VESSEL INSPECTION CIRCULAR 5-99, CH1

4) BACKGROUND:

- a. In 1999, the Coast Guard developed and published NVIC 5-99 to provide guidance to vessels that were exempt from compliance with Title 33, Code of Federal Regulations, Part 96, but opted to comply on a voluntary basis.
- b. Public Vessels such as those in the Ready Reserve Fleets are included in this voluntary category. The reduced manning and activation/deactivation cycles of operation that characterize the vessels in this fleet have made consistent oversight and compliance with the Safety Management vessels problematic for Coast Guard, Maritime Administration (MARAD) and Military Sealift Command (MSC) personnel, as well as Operators/Managers and Recognized Organizations involved in the administration of the Safety Management System.

5) DISCUSSION.

- a. Vessels in extended periods of deactivation and minimally manned, or completely unmanned, face unique challenges in fully implementing the requirements of the Safety Management System, as the coordination, communications and training functions, among others, cannot be performed with the crew makeup and operations in effect during those periods.
- b. NVIC 5-99 Enclosure 1, 2(c)(5) discussed government vessels placed in unmanned storage conditions and required guidelines for the company's full implementation of safety managements systems when the vessels were broken out of storage. The corresponding activities for recertification of the ISM system after periods of deactivation were not discussed in NVIC 5-99, resulting in differing expectations of what needed to be done for the parties involved.
- c. This update provides uniform guidance for the audits and audit timelines for vessels in Reduced Operating Status, with consideration of the limitations of their operating schedules, to provide a realistic and achievable schedule to achieve full compliance with their SMS.

6) ACTION

- 1) Insert Enclosure (4) to NVIC 5-99
- 2) Add (4) Audit Scope and Procedures for Vessels in Reduced Operating Status to the enclosures list on Page 4 in NVIC 5-99



C. E. BONE
Rear Admiral, U.S. Coast Guard
Assistant Commandant for Prevention

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AUDIT SCOPE AND PROCEDURES FOR VESSELS IN REDUCED OPERATING STATUS

- A. Schedule and Procedures: The following audit schedule and procedures will be applied to Vessels in Reduced Operating Status wishing to implement a Safety Management System for ISM certification. The scope of each audit will be discussed in paragraph B, below.
- 1) Conduct an Initial audit for a vessel in Reduced Operating Status (ROS) with limited manpower on board (approximately 10 - 11 people on board). Upon successful completion of initial audit, RO to issue Voluntary Safety Management Certificate (SMC) valid for five (5) years and subject to an Intermediate audit between the 2nd and 3rd anniversary year of the Safety Management Certificate (SMC) expiration date. This certificate is also valid for a maximum of 7 days if the vessel is activated for test sea trials and repair availability initiated by the Government. An extension to this certificate may be given for up to 14 days, if accepted by the USCG.
 - 2) If the vessel is activated for a tour of duty or voyage in excess of 7 days (i.e. Full Operating Status (FOS)), the RO will be called to conduct an Interim audit prior to the vessel sailing, per the ISM Code. An Interim SMC valid for six (6) months will be issued, and the Voluntary SMC will be surrendered.
 - 3) Within four to six months for a vessel remaining in FOS, the vessel must undergo an internal audit followed by a full SMS audit. Upon successful completion of this audit, the vessel is issued the Full Term SMC.
 - 4) If the vessel is de-activated during the Full Term period and put back into ROS status, the Full Term SMC remains valid, subject to the Intermediate audit.
 - 5) If a vessel with a Full Term SMC is re-activated to FOS for a voyage in excess of 7 days, RO will be summoned to conduct an additional audit as the vessel is being crewed. This is to ensure personnel are familiar with the SMS, sighting of crew licenses, the vessel certificates are up to date, survey are completed as required, and crewmembers are familiar with their emergency stations and relative duties.
 - 6) If the vessel is de-activated to ROS prior to actual Full Term SMC issuance and returns to ROS, the Voluntary SMC is back in force with the same expiry date, and subject to the Intermediate audit.
- B. Audit Scope: Details for the scope of each audit are outlined below:
1. Scope of audit for Initial Voluntary SMC:
 - a) Masters/Sr. Officer Review;
 - b) Safety Meetings;
 - c) Drills;
 - d) Training;
 - e) Maintenance and associated records/documents; and

Enclosure 4 of NVIC-599, CH 1

- f) Non-conformities (SMS, Machinery Breakdown, Internal Audits and Document Control).
2. Scope of ISM Interim audit when vessel is activated to FOS:
- a) Copy of DOC on board;
 - b) SMS on board and being implemented fully;
 - c) Internal Audit is conducted in 3 to 4 months with Full Term audit scheduled within 6 months prior to expiration of the Interim SMC;
 - d) Master and officers becoming familiar with SMS;
 - e) Instructions given to all personnel relative to emergency prior to sailing;
 - f) SMS in working language of the crew; and
 - g) Licenses and vessel certificates valid
3. Scope of Additional Audit when vessel re-activated with Full Term SMC:
- a) Same as item 2, above; and
 - b) SMC endorsed by auditor for additional audit.

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