



## Subchapter M TPO/Class Quarterly Meeting

17 June 2021, 1:00 P.M. CDT

Meeting Minutes



I. Opening: The meeting was called to order at 1:00 P.M. CST by CDR Andrew Bender, TVNCOE.

II. Present: TVNCOE, CVC-1, CVC-4, CG LANT and PAC AREA, CGD7, D8, D9, D13, D17 and representatives from ABS, EDT, QMII, and TVIB.

III. Agenda Topics and Discussion (Past Business):

a. Fleet Status:

1. 235 TSMs/DOCs issued (-4 over three months).
2. 3672 vessels covered by TSMs/DOCs (+53 over three months).
3. 3109 total COIs: +288 COIs over three months (67/33 TSM Option). Single vessel companies at 51.3% (+10.6% over three months), while multi-vessel companies at 60.0% (+6.6% over three months).
4. 228 in COI draft/awaiting review status.

IV. Agenda Topics and Discussion (New Business)

a. Policy Updates and Guidance:

1. [CVC PL 19-01 \(CH1\)](#): *Harbor Assist beyond the Boundary Line* (No further discussion requested.)
2. [CVC PL 21-03](#): *Use of Doubler Plates on Sub M Towing Vessels*

A TPO requested clarification regarding Section 5.b.ii., specifically the point that for a new doubler plate repair to be deemed permanent, requires, at a minimum, a certified non-destructive testing Level II inspector to inspect the weld. Additionally, the TPO requested details regarding the testing of doublers in non-strength areas.

CG Answer: Per NVIC 7-68 page 26...When welds are checked by a non-destructive testing method, such as radiography, the question often arises as to the proper standard to apply for a rejection or acceptance criterion. Slugged welds, of course, give a gross defect indication and there is no question as to the non-suitability of such a weld. Other welding defects such as slag inclusions, porosity and subsurface cracks require some judgement as to what constitutes an unacceptable weld. There is no simple answer. In some cases, such as a main strength highly stressed joint, a very rigid standard would be proper. In other cases, an evaluation of the design and the type of stress applied might indicate a large margin of safety exists and the acceptance criteria can safely be set lower. The following information sources offer guidance:

- SSC-177 "Guide for Interpretation of NDT of Welds in Ship Hull Structures" prepared by the Ship Structures Committee
- IIW Pamphlet "Radiographs of Welds"
- ABS circular No. 145, Guide for the Radiographic Inspection of Welds
- ABS Circular No. 40, Magnetic Particle Inspection
- SSC-177 applies only to hull welding and therefore the requirements are not as stringent as for pressure vessels.

A welded doubler plate is not, in general, considered suitable as a permanent repair measure for the main hull girder. Per CG-CVC Policy Letter 21-03, no new doublers should not be installed unless they are in accordance with NVIC 7-68.

3. COI Phase-in 835Vs.

TPO requested to assist their clients regarding COI phase-in requirements. CG responded that we support TPO assistance; however, the owner or managing operator (OMO) remains responsible for ensuring compliance with COI phase-in of their vessels in accordance with 46 CFR 136.202. If an OMO requests the CG to coordinate their fleet information with a TPO and use a TSMS certificate as the fleet list, it is not unreasonable for the CG marine inspector to honor that request.

b. TPO Oversight Coordinators (OC)s :

1. CVC expectations of CVC-4, TVNCOE, and TPO OC roles and responsibilities.

CG Answer: CVC-4 and the TVNCOE will jointly perform oversight of the Sub M program for vessels enrolled in the TSMS option. You can expect CVC-4 and TVNCOE personnel to conduct VCAs and observations in addition to the mid-period and renewal assessments. TVNCOE will continue to be the TPO approval entity.

TPO OCs, as an expansion of the CG's oversight program, will manage the alternate inspection programs in their AOR, engage with ROs/TPOs, understand operations in AOR, and ensure alternate inspection programs are functioning according to Flag's expectation. TPOs should expect to see the TPO OCs in the field and onboard vessels.

TPO requested that TPO OCs contact the TPO's headquarters' office directly to enable the TPO to coordinate communications with any local surveyors/ auditors. TPO also noted concerns with the incoming field TPO OCs' ability to provide consistent application of Subchapter M oversight, and highlighted the existing strong rapport between TPOs and the TVNCOE. CG responded that TPO OCs are expected to meet with TPOs operating in their OCMI zones, and should be observing management and/or vessel audits as available; and, if their actions are of concern, the TPOs should reach out to the TVNCOE for discussion.

2. Expectations of the auditor during an observation or Vertical Contract audit? Will TPO OCs follow [CVC-WI-008\(1\) Vertical Contract Audits](#) and [CVC-FM-007\(1\) Vertical Contract Audit Job Aid](#)?

CG Answer: We expect the auditors to perform the function they are onboard to perform IAW TPO procedures. If CG is performing a VCA, there will be a form filled out and provided to the auditor upon completion of the audit. If an observation is being conducted, informal feedback may be provided.

TPO OCs will not be the CG members performing VCAs for the foreseeable future. VCA auditors will be following WI-008 and internal policy and will be filling out FM-007 and providing to the auditor at conclusion of audit.

- c. Handrail heights on Sub M vessels.

CG Answer: CG-CVC noted the difference in towing vessel operations throughout the nation, and the need to defer to the discretion of the OCMI regarding whether a vessel's set-up (handrails, bulwarks, and/or hand grabs) provides adequate safety for the vessel's crew and passengers in accordance with 46 CFR 144.800.

TPO noted that a CG district provided handrail/bulwark height guidance to their respective marine inspection units; however, didn't feel expectations were clearly communicated to TPOs. CG's answer is that TPOs can always reach out to CG District ITV Coordinator(s) for further clarity on any topic as needed.

- d. Annual survey window for internal survey programs and CG's expectation for TPOs to issue non-conformities (NCs) for failure to meet the deadline? If "some" TPOs don't track, how can TPOs be expected to issue NCs regarding the same?

CG Answer: In accordance with 46 CFR 137.130 and [CG-CVC Policy Letter 17-04](#) (page 9-10), "An internal survey program must be conducted with the oversight of a TPO". The Policy Letter states, "The TPO has the latitude to determine how they will conduct oversight of a company's internal survey program. TPOs overseeing internal survey programs as specified in 137.130(b) may attend surveys to confirm the vessel's condition and survey methods used by the towing company...The TPO that oversees an internal survey program must verify that the vessel's structure, stability, and essential systems comply with the applicable requirements for Subchapter M for the intended route and service. Surveys conducted under the internal survey program are required to be documented by the owner or managing operator in a report that meets §137.135. Internal survey reports must be maintained as objective evidence of compliance with §137.210 and should be submitted by the owner or managing operator to the TPO responsible for oversight of internal survey programs." That said, in order for a TPO to provide sufficient oversight of the internal survey program, the CG's expectation is that TPOs should ensure the OMO is meeting the annual survey requirements through tracking of said surveys. If TPOs observe non-compliance with Subchapter M and aren't issuing NCs, they aren't fulfilling their oversight functions.

TPO agreed with CG's message regarding tracking of annual surveys; however, noted concerns regarding consistent interpretation/application of oversight of internal survey programs and highlighted those not participating in this meeting may not "get the message". CG responded that all TPOs will be held to the same standard regardless of attendance of the meeting.

- e. Will the CG provide guidance on the transfer of TSMS Certification between TPOs?

CG Answer: CG is researching, but, in the interim, the TVNCOE requests a copy of the valid TSMS from the "gaining TPO" and a letter from the OMO documenting the changeover to the new or "gaining TPO". In addition, any outstanding nonconformities or deficiencies should be sent from the "losing TPO" to the "gaining TPO".

TPO noted that they have a means to ensure outstanding deficiencies and nonconformities are properly managed and carried over during the transfer process; however, have concerns depending on the "losing TPO" for the material. CG responded that we understand the concern, but our expectation of the "losing TPO" stands. If a "losing TPO" fails to provide said documentation, the "gaining TPO" should notify the TVNCOE for further discussion.

- f. What's required for the conversion of non-tank (voids) spaces into ballast tanks?

CG Answer: For any vessel that would like to have their vessel re-evaluated for changes that would affect the design, stability, and structure (in this case adding ballast tanks) they should first consult the local OCMI and the CG's Marine Safety Center. No further discussion requested.

- g. How does the CG define "occasional towing"?

CG Answer: "Occasional towing" is not defined in Subchapter M, and the USCG has provided a task statement to the Towing Safety Advisory Council to ensure all equities are addressed before creating any additional policy on this matter. No further discussion requested.

- h. Progress of mid-period management audits. Completed (110), in window (18), remaining (57), overdue (0) = 185 total.

CG requested TPO feedback on current state of SMS reviews (management and vessel audits). One TPO responded that management buy-in is increasing with their clients.

- i. [TVNCOE website](#) and [TVNCOE Online Training](#).

CG comment: The TVNCOE has trainings scheduled for July and Sept and encourage TPOs, industry, and CG personnel to review the online training modules and to schedule live training with the NCOE as needed.

- j. Will the next TPO Quarterly be in person or a call-in?

CG Answer: CG-CVC will be hosting a Sub M TPO meeting in Houston in early September which will serve as the Quarterly. Details to follow. No further discussion requested.

- k. General TPO feedback/concerns/Poll Everywhere.

TPO asked about the CG's expectation for TPO approval renewal (many are due for renewal in 2022). CG answered that guidance is being developed.

TPO inquired about TPO oversight of vessel modifications (for internal and external survey programs), specifically for non-classed vessels going foreign. CG answered that the OMO should refer to 46 CFR 144.135 and ensure outreach to the cognizant OCMI to determine whether Table 144.135 is applicable.

TPO asked for clarification of the external vessel audit cycle for TSMS Option vessels. CG responded that, in accordance with 46 CFR 138.315, (1) An external audit must be conducted prior to the issuance of the initial COI for vessels subject to an OMO's TSMS that have been owned or operated for six or more months prior to receiving the initial COI, and (2) An external audit must be conducted no later than six months after the issuance of the initial COI for vessels subject to the OMO's TSMS that have been owned or operated for fewer than six months prior to receiving the initial COI. In accordance with [CG-CVC Policy Letter 18-01](#), random vessel audits are not required for the Subchapter M phase-in period, but will be required upon renewal of a company's TSMS or by July 2022, whichever is first. This involves a single random audit conducted on all vessels during the 5-year period of validity of the TSMS Certificate.

TPO noted concerns regarding a lack of participation at TPO Quarterlies by many TPOs. CG noted that discussion during TPO Quarterlies (captured by the meeting minutes) is expected to be understood/applied by all Subchapter M TPOs, whether they attend the Meeting or not.

- V. Adjournment: This meeting was adjourned at 2:12 P.M. by CDR Andrew Bender  
Minutes approved by: *A.R. Bender*