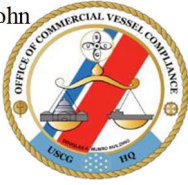


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## Subchapter M TPO/RO Quarterly Meeting

08 Sept. 2021, 1:00 P.M. EDT

Meeting Minutes



- I. Welcome: The meeting was called to order at 1:00 P.M. EDT by CDR Jamie Koppi (CVC-4).
  
- I. Present: TVNCOE, CVC, CVC-1, CVC-4, representatives from Subchapter M approved TPOs and ROs to include ABS, ITOW, Sabine Surveyors, TVIB, QMII, NKK, CG Third Party Oversight Coordinators, and Unit/District/Area Towing Vessel coordinators.
  
- II. Opening Remarks: RADM Mauger (CG-5P).  
 Subchapter M and the implementation of Safety Management Systems in the towing industry have proven to be an effective method to improve the safety culture. The USCG needs to provide oversight of the Third Party Organizations (TPO), but oversight shouldn't distract, disrupt or delay the Marine Transportation System. The collaboration between the Coast Guard and TPOs and the towing industry should raise best practices and that should improve policies through collaboration.
  
- III. CVC / TVNCOE :
  - a. CAPT M. Edwards (CVC):
    - Our success is directly tied to the success of the third party organizations.
    - The Coast Guard's new Third Party Oversight Coordinators (TPOC) are the closest touch point for the TPOs in the field. The TPOCs should share data and trends in their region that they are seeing and information from MISLE with the TPOs/ROs. Please get to know and use these individuals in their AOR. Please keep in mind that every unit has a person identified to be the liaison with TPOs regardless whether they received a TPOC or not.
    - Our oversight program is really a collaboration program between the CG and TPOs. Our job is to help you do your job. The collaboration will allow continual improvement and help you do your job. If there is a need to use the continual improvement process then we will step in and ensure that processes improve.
    - Expect to see more oversight within the Sub M community in the future. We have ended the third year of implementation and want to verify that the TPOs are performing their approved TPO functions per our expectations. This will help us determine where the CG may need to improve policies or provide additional guidance and oversight.
    - CG oversight is not meant to be burdensome, but to ensure that TPOs are acting on the CGs behalf as expected.
  
  - b. CDR Bender (TVNCOE):
    - Just over year 3 into the Sub M phase-in.
    - Continue to work with the TVNCOE.
    - Much work has been done, but there is much more work to be done.
    - These forums are very valuable. Thanks to all for participating.
    - Two new members of the TVNCOE team:
      - LT David Schneider, National Technical Advisor and

- CWO Dave Rogers.
  - TPOs/industry should look at the TPOCs as a single field contact point for TPOs vs an added layer; the OCMI should be doing the same work as before, the CG just now has billeted positions to improve consistency/continuity in how the oversight program is implemented/sustained.
  - The TVNCOE is there for everyone. The TPOs/ROs and the CG marine inspectors.
- c. CDR Koppi:
- As stated previously we will be increasing our oversight within the Sub M community. The intent is not to disrupt, but to verify that the auditors and surveyors are performing work on the CGs behalf as we expect. We plan to attend surveys and audits. We understand that timing can present a challenge, but we will make an effort to have a Flag State presence and not disrupt vessel's schedules. During observations, the CG may engage with the auditor/surveyor on an as needed basis.
  - Informal feedback will be provided to the TPO and not directly to the auditor and/or surveyor following a CG observation.
  - Vertical Contract Audits will remain a CVC/TVNCOE function.
  - TPO Questions:
    - What is the criteria for TPOCs selecting observations? With operators operating in several zones this could unevenly affect operators.
      - CVC will take for action to ensure a single operator isn't unfairly affected.
    - Vessels change schedules frequently and sometimes it affects the timeline/location of the survey/audit. ABS can still attend and there are times where the observer has asked that the survey/audit be rescheduled, so that they can attend.
      - The CG does not expect the TPO/RO or owner/operator to be delayed. If unable to work out the scheduling at the unit level, please engage with TVNCOE for assistance facilitating an acceptable resolution.
    - Who is responsible for facilitating the surveyor/auditor oversight?
      - The OCMI receives notice for audits, but not surveys. Surveys could require greater communication and there could be short notice timelines to support vessels' schedules.
      - The CG would may ask the TPO if there audits/surveys in a specific area during a specific period of time for oversight.
    - CVC: The audit notification timeline is built in for several reasons. The main one being to allow the auditor a reasonable time for audit preparation and to build an audit plan. There is an expectation that the auditor will review vessel history and the SMS to properly plan for the audit.
- d. Cyber and Sub M: Mr. John Quandt (CVC-4)
- Cyber risk is a concern across the Marine Transportation System and we must ensure that it is applied both ashore and afloat.
  - Reviewed the Cyber Risk Management Work Instruction (CVC-WI-027(2)) as

related to Sub M vessels using ISM and TSMS for their safety management system. Companies and vessels with an ISM/TSMS based SMS must have a cyber-program in their safety management program.

- TPOs/ROs are encouraged to remind their customers the importance of a cyber-program.
- e. TPO Approvals: CDR Bender
- Provided high-level approval process
  - Noted first renewals (6) due next year
  - Thanks to all the TPOs/ROs for their cooperation and communication.

#### IV. TPO/RO Panel Discussion

- a. The following successes were noted by the panel:
- We are seeing vessels are coming over from the CG option.
  - We are seeing the culture changing in the brown water industry in a positive way.
  - The best thing that we've noticed is the master's authority. This has been very well received by the masters and the vessel crews.
  - Collaboration with the TVNCOE.
  - Companies are embracing the mid-period management audits.
  - The addition of the TPOCs will provide a benefit to the overall Sub M program
- b. The following challenges were noted by the panel:
- User fees are a major concern in the industry.
  - Dry Dock facilities and availability will be an issue in the near future with no increase in facilities and an increase in regulatory demand.
  - The simple application package isn't so simple. Some OCMI's required different items for the submission, which makes it challenging to standardize our internal processes.
  - Coding of deficiencies on 835s as A or C or both. Request consistency with the coding.
  - Consistency in the application of the rules.
  - Submitting a copy of the COI to the TPO.
  - Consistent use of the Sub M FAQs.
  - Request to trust the TPOs.

#### V. Maintaining the Momentum: CAPT M. Edwards

- a. We all need to support the effort to fine tune our Sub M policies, Work Instructions, etc to ensure that we have the right guidance available for the CG and the TPOs/ROs.
- b. We are keeping tabs on the evolving technologies like automated and remotely operated vessels. This is new technology that has wide spanning implications for regulators, operators, and mariners.
- c. The Coast Guard Perspective:
- We continue to invest in training programs for marine inspectors (MI).
  - We are also investing in greater technologies for the MIs. To include iPads with CFRs and MISLE built in. This provides significantly better on-scene access to regulations and our MISLE database.
  - The CG is adding more billets in CVC, Traveling Inspectors, and the TPOCs. This will allow us to perform better and be more responsive.

#### VI. New Business:

- a. Random Audits - do the TPOs have autonomy for applying this requirement? CVC – The

criteria in your management system should define your process.

- b. Remote Inspections/surveys, how accepting is the Coast Guard on remote inspections?  
CVC – Remote surveys are not a substitute for in-person surveys. There could be a situational acceptance. Above the waterline or below the waterline. TPOs must use good judgement.

Meeting was adjourned by CDR Jamie Koppi.

Minutes approved by: 