



# Vessel & Facility Compliance News

April 2003 Edition

*Recent Trends in USCG Regulations*

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**Profile of Commander Stephen J. Ohnstad,  
Captain of the Port and Commanding Officer  
U.S. Coast Guard Marine Safety Office, Juneau, Alaska**

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Commander Stephen J. Ohnstad, Commanding Officer of Marine Safety Office Juneau, Alaska, is a native of Seattle, Washington and graduated from the U.S. Coast Guard Academy in New London, Connecticut in 1981.

Commander Ohnstad's career has included assignments as Executive Officer and Chief, Inspection Department at Marine Safety Office Morgan City, LA, as a senior/supervisory marine inspector at Marine Safety Office Puget Sound, as Senior Maritime Lecturer at the World Maritime University in Malmo, Sweden, as Staff Engineer at the Marine Technical and Hazardous Materials Branch of Coast Guard Headquarters, as Supervisor of the Icebreaker Shipbuilding Detachment, San Diego, California, as Chief of the Inspection and Technical Departments at Resident Inspector Office Tacoma, Washington, and as an Assistant Engineer aboard the Coast Guard Cutter BOUTWELL .



Commander Ohnstad holds a Master of Science Degree in Fire Protection Engineering from Worcester Polytechnic Institute in Worcester, Massachusetts. He is also a registered professional engineer in Washington State, and holds a Second Assistant Engineer's license for merchant vessels of unlimited horsepower.

Commander Ohnstad's military awards include two Coast Guard Commendation Medals, two Coast Guard Achievement Medals, a Navy Achievement Medal, and various unit awards and service ribbons. He has announced that he will be retiring in June.

Commander Ohnstad is happily married to the former Janet Kamps of Seattle, Washington. They have four children: Hannah, Benjamin, Amelia and Peter.

### Barge and Towing Vessel Safety

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The USCG MSO New Orleans recently issued the following Marine Safety Bulletin:

Several recent marine casualties involving damage and subsequent sinking of towing vessels during high water conditions have prompted the issuance of this bulletin. Area rivers continue to be at elevated stages with commensurate strong currents. Mariners are advised to exercise extreme caution, particularly during fleeting operations and transits involving narrow passage such as bridges. The following is a brief summary of two recent casualties.

A 68 foot, 600 horsepower tug was moving a loaded hopper barge on the Mississippi River from one tier in a fleet downstream to another tier. As the operator was maneuvering in approach the river current took control of the barge. The barge broke away and pushed the tug against the tier, causing it to capsize. Although all personnel aboard the tug escaped safely, the tug sank in an estimated 30 seconds. It was the operators' first experience with high water.

On the Atchafalaya River, a 55 foot, 1,000 horsepower tug was pushing a loaded deck barge downstream through a swing bridge. Although the exact cause remains under investigation, the barge struck the bridge, causing the barge to heel sharply and breaking a face wire. The subsequent relative motion of the two vessels tripped the tug. All personnel narrowly escaped to the water before the tug sank very quickly. Fortunately, a recreational fishing vessel was nearby and successfully rescued the crew.

The Mississippi River, between miles 88 and 240, above Head of Passes, is a Regulated Navigation Area subject to the provisions of 33 CFR 165.803. Towing vessel and barge fleet operators are reminded to

review these requirements as well as any applicable provisions of the Army Corps of Engineers. Coast Guard personnel are conducting fleet inspections and verifying compliance with all applicable requirements. For additional information please contact the Marine Safety Office Waterways Management Branch at (504) 589-6261.

### **MSO Morgan City Maritime Security Brochure**

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The Morgan City MSO has developed a Maritime Security Brochure that explains how to report suspicious activity to the government. The focus of this brochure is on maritime domain awareness; however, the information contained in the brochure can be used for reporting suspicious activity occurring anywhere and at any time. The brochure can be downloaded from RCP's website [here](#) through the Response Planning Gateway.

#### **Operations Manual Up-To-Date?**

**RCP has the tools and expertise to develop comprehensive procedures that you need to protect your people, facilities, and environment. [Click Here](#)**

### **New Notice Of Arrival (NOA) Requirements For Tank Barges Carrying Certain Dangerous Cargos**

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The Coast Guard has amended Title 33, Part 160, Subpart C, of the Code of Federal Regulations (CFR), to require notification of the National Vessel Movement Center (NVMC) at least 24 hours before moving barges carrying any of the following Certain Dangerous Cargoes (CDC) in bulk:

Acetone cyanohydrin	Ethylene Cyanohydrin
Acetylaldehyde	Ethylene Dibromide
Allyl Alcohol	Ethylene Oxide
Anhydrous Ammonia	Methane (LNG)
Butadiene	Methylacetylene-propadiene mixture
Butane	Methacrylonitrile
Butylene	Methyl Bromide

589-6261 or at fax number (504) 589-6218 and indicate the company name, a point of contact, and which of the cargoes you move. This is a one-time call request not associated with any specific voyage of a particular CDC.

### Final rule - Security Requirements for Offerors and Transporters of Hazardous Materials

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The Research and Special Programs Administration is establishing new requirements to enhance the security of hazardous materials transported in commerce. Shippers and carriers of certain highly hazardous materials must develop and implement security plans. In addition, all shippers and carriers of hazardous materials must assure that their employee training includes a security component. This final rule is effective March 25, 2003.

By September 25, 2003, each person who offers for transportation in commerce or transports in commerce one or more of the following hazardous materials must develop and adhere to a security plan for hazardous materials that conforms to the requirements of 49 CFR 172 Subpart I:

1. A highway route-controlled quantity of a Class 7 (radioactive) material, as defined in § 173.403 of this subchapter, in a motor vehicle, rail car, or freight container;
2. More than 25 kg (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container;
3. More than one L (1.06 qt) per package of a material poisonous by inhalation, as defined in § 171.8 of this subchapter, that meets the criteria for Hazard Zone A, as specified in § 173.116(a) or 173.133(a) of this subchapter;
4. A shipment of a quantity of hazardous materials in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids;
5. A shipment in other than a bulk packaging of 2,268 kg (5,000 pounds) gross weight or more of one class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required for that class under the provisions of subpart F of this part;
6. A select agent or toxin regulated by the Centers for Disease Control and Prevention under 42 CFR part 73; or
7. A quantity of hazardous material that requires placarding under the provisions of subpart F of this part.

FOR FURTHER INFORMATION CONTACT: Susan Gorsky, (202) 366-8553, Office of Hazardous Materials Standards, Research and Special Programs Administration. The complete rule can be downloaded from RCP's website [here](#) through the Response Planning Gateway.

### Maritime Transportation Security Act of 2002

Are you aware of the latest requirements for marine facilities outlined in the NAVIGATION AND VESSEL INSPECTION CIRCULAR (NAVIC) 11-02? [Click Here.](#)

### Offshore Crane Operations and Safety Conference 2003

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The safe operation of offshore cranes is a critical issue for the petroleum exploration and production industry. API is hosting the "Offshore Crane Operations and Safety Conference 2003" at the Lafayette Hilton on June 24-25, 2003. The event is co-sponsored by MMS, OOC, IADC, OMSA, NOIA, and ASME. At

the conference, you can gather information and technical support about conducting offshore activities safely, while networking with all your colleagues from the offshore crane industry.

The two-day program features speakers from government and the energy industry who have access to up-the-minute information on operational and regulatory issues. Several panels will address:

- Safety through equipment design and through training
- Best practices in crane inspection and maintenance
- Cargo handling and rigging
- Rental crane and temporary crane service
- Regulatory enforcement and new initiatives.
- International crane operations and safety issues

To register, go to [www.cvent.com/l.asp?code=yyzlcczinnlivdblibriqtpiilziz6f86](http://www.cvent.com/l.asp?code=yyzlcczinnlivdblibriqtpiilziz6f86). Exhibits and sponsorship opportunities are still available.

**Acquiring a dock facility?**

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### **Chemical Transportation Advisory Committee Meeting**

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The Chemical Transportation Advisory Committee (CTAC) and its Hazardous Cargo Transportation Security Subcommittee will meet to discuss various issues relating to the marine transportation of hazardous materials in bulk. CTAC will meet on Thursday, April 17, 2003, from 9 a.m. to 3:30 p.m. The Subcommittee on Hazardous Cargo Transportation Security will meet on Monday, April 14, 2003, from 1 p.m. to 4 p.m., Tuesday, April 15, 2003, from 8 a.m. to 4 p.m., Wednesday, April 16, 2003, from 8 a.m. to 4 p.m. CTAC will meet at U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC, in room 2415. The Subcommittee on Hazardous Cargo Transportation Security will meet at Department of Transportation Headquarters, Nassif Building, 400 7th Street, SW., Washington, DC, in room 6244. These meetings will be open to the public, and may close early if all business is finished. Written material and requests to make oral presentations should reach the Coast Guard on or before April 7, 2003. Send written material and requests to make oral presentations to Commander James M. Michalowski, Executive Director of CTAC, Commandant (G-MSO-3), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, on or before April 7, 2003.

**FOR FURTHER INFORMATION CONTACT:** Commander James M. Michalowski, Executive Director of CTAC, or Ms. Sara Ju, Assistant to the Executive Director, telephone 202-267-1217, fax 202-267-4570.

#### **Agenda of Subcommittee Meeting on April 14-16, 2003**

1. Introduction of Subcommittee members and attendees.
2. Discussion of inland vessel tracking system.
3. Discussion of security communications.
4. Discussion of security training.

5. Discussion of security drills and exercises.
6. Discussion of outreach initiatives concerning U.S. Coast Guard security regulations.

Agenda of CTAC Meeting on Thursday, April 17, 2003

1. Introduction of Committee members and attendees.
2. Status reports from the Charter Revision and Outreach Workgroups.
3. Status report from the Hazardous Cargo Transportation Security Subcommittee.
4. Presentation by the American Chemistry Council on their security initiatives.
5. Presentation by the Coast Guard's Office of Port, Vessel, and Facility Security (G-MPS).
6. Presentation by the Coast Guard's Office of Response on the development of the Comprehensive Hazardous Chemical Spill Response Guide.
7. Presentation by the Coast Guard's Office of Standards Evaluation and Development on the Coast Guard's regulatory process.
8. Update of Coast Guard Regulatory Projects and IMO Activities.

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#### **St. Lawrence Seaway Open. Various Requirements Announced**

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The Great Lakes St. Lawrence Seaway System announce that it would open the 2003 navigation season on March 31. It was also announced that the United States Soo Locks would open March 25. Vessel transits will be subject to weather and ice conditions. Navigation may be restricted to daylight hours in some areas until lighted navigation aids have been installed.

The Seaway entities also announce that, for this navigation season, the clearance date for the Montreal / Lake Ontario Section has been designated as 2400 hours December 20, 2003. The closing date will be no later than December 24, provided that weather and ice conditions permit.

The "clearance date" is the date by which vessels must report at the applicable calling-in point referred to in subsection 97(3), Part X, of the *Seaway Handbook*, for the final transit of the Montreal / Lake Ontario Section of the Seaway.

In the Montreal / Lake Ontario Section, the draft will be 79.2 dm (26'0") until the South Shore Canal is ice free at which time the draft will be increased to 80 dm (26'3"), this will occur no later than April 15. Draft of 80 dm (26'3") will be in effect in the Welland Canal for the full season.

Effective March 31, 2003, The St. Lawrence Seaway Management Corporation will implement mandatory carriage of AIS in Seaway waters. The carriage requirements for AIS equipment will be as follows:

1. Each of the following vessels must use an Automatic Identification System (AIS) transponder to

transit the Seaway:

- a. each commercial vessel that requires pre-clearance in accordance with Section 22 of the Seaway Practices and Procedures and has a 300 gross tonnage or greater, has a Length Over All (LOA) over 20 meters, or carries more than 50 passengers for hire; and
  - b. each dredge, floating plant, or towing vessel over 8 meters in length, except only each lead unit of combined and multiple units (tugs and tows).
2. Each vessel listed in paragraph (a) of this section must meet the following requirements to transit the Seaway:
    - a. International Maritime Organization (IMO) Resolution MSC.74(69), Annex 3, Recommendation on Performance Standards for a Universal Shipborne AIS, as amended;
    - b. International Telecommunication Union, ITU-R Recommendation M.1371-1: 2000, Technical Characteristics For A Universal Shipborne AIS Using Time Division Multiple Access In The VHF Maritime Mobile Band, as amended;
    - c. International Electrotechnical Commission, IEC 61993-2 Ed.1, Maritime Navigation and Radio Communication Equipment and Systems -AIS - Part 2: Class A Shipborne Equipment of the Universal AIS - Operational and Performance Requirements, Methods of Test and Required Test Results, as amended;
    - d. International Maritime Organization (IMO) Guidelines for Installation of Shipborne Automatic Identification System (AIS), NAV 48/18, 6 January 2003, as amended, and for ocean vessels only, with a pilot plug, as specified in Section 3.2 of those Guidelines, installed close to the primary conning position in the navigation bridge and a standard 120 Volt, AC, 3-prong power receptacle (NEMA 5-15R) accessible for the pilot's laptop computer; and
    - e. Computation of AIS position reports using differential GPS corrections from the U.S. and Canadian Coast Guards' maritime Differential Global Positioning System radiobeacon services; or
    - f. The use of a temporary unit meeting the requirements of sub-paragraphs 2 a) through e) of this section is permissible; or
    - g. For each vessel less with LOA less than 30 meters, the use of portable AIS compatible with the requirements of subparagraphs 2 a) through c) and subparagraph e) of this section is permissible.

In addition the St. Lawrence Seaway Management Corporation has issued several other Seaway Notices for the new season. Topics include Mooring and Casting Off in Locks, Reporting Dangerous Cargo, Pre-entry Information Required From Foreign Flagged Vessels, Tie-up Service Available at Lock Approach Walls, Water Ballast management, and Communications. All notices are available on the Worldwide Web at [www.greatlakes-seaway.com/en/navigation/seaway\\_notices.html](http://www.greatlakes-seaway.com/en/navigation/seaway_notices.html).

### **CG Implements Security Measures for Merchant Mariner Documents**

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The Coast Guard has implemented more thorough criminal record reviews for people seeking Merchant Mariner Documents (MMDs), and is now issuing the credentials on a more tamper-resistant and accountable card. The new security measures are part of the Coast Guard's overall efforts to improve port, waterway, and maritime security.

The new MMDs will be similar in appearance to the old cards but include several improvements for increased security including features to deter counterfeiting.

Mariners with new applications or renewal requests already submitted will automatically be processed under the new system and will be notified if any additional information is needed. Mariners should know that while application procedures are essentially the same, mariners must now appear in person at a Coast Guard Regional Exam Center (REC) to prove their identity and provide fingerprints at some point in the process before receiving their new MMD. RECs, which issue MMDs, have been given guidance on

prioritizing requests to ensure the fastest possible processing for mariners with a critical need for an MMD such as those directly involved in military loadouts and those actively engaged in sailing.

The change to a more tamper-resistant card will provide both U.S. and foreign officials with greater confidence that the credentials are genuine, and ensure that any expired or fraudulent cards will be more easily spotted. Changes to the MMDs complement recent modernization and security changes made to Coast Guard issued merchant mariner licenses.

**Air Permit Needs?**

Are you planning to expand or acquire? Air permit applications can be complex and consuming. RCP has the expertise to navigate through the application process, develop compliance assurance systems, and submit reports. [Click Here](#)

If you have a regulatory-issue meeting planned, [let us know](#), and we'll announce it in both our Vessel and Facility Newsletter and our DOT Pipeline Newsletter.

Yours,

W. R. (Bill) Byrd, PE

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