

RECOMMENDED CHANGES TO SUBCHAPTER L TO SUPPORT THE DESIGN AND BUILDING OF OSVs EQUAL TO OR IN EXCESS OF 6000GT

Note to Reviewer: *The recommendations following are divided into 2 separate sections; 1) Addressing changes to existing Subchapter L and 2) Addressing additional requirements within Subchapter L to reflect elevated standards for OSVs Equal to or in Excess of 6000 GT. PLEASE NOTE that the composite of proposed recommendations below establishes a standard for design, construction and safety equal to Subchapter I standards.*

RECOMMENDED CHANGES TO EXISTING SUBCHAPTER L

§ 125.160 Definitions

Offshore Supply Vessel—Needs to be changed to new wording from Congress in the US Codes.

Persons Engaged in the Business of the Ship (PEBS) means an individual carried aboard an OSV and employed in the business of the vessel; who has contributed no consideration for carriage aboard and is paid for services aboard. Does not include the master or a member of the crew engaged in the business of the vessel. *[Note that this wording is precisely in agreement with Solas.]*

International Voyage—Wording of definition for International Voyage needs to be changed to **“International Voyage” means a voyage from a country to which the present Convention applies to a port outside such country, or conversely.** *[Note that his wording is an exact replication of the definition of an International Voyage from the Solas regulations.]*

Note to Reviewer: *Industry as a whole notes that the limitation of 36 “Offshore Workers” is a very serious limitation and problem for these vessels. It is recommended that the restriction to the number of Offshore Workers allowed to be carried be limited only by the stipulated USCG approved standard of accommodations and lifesaving equipment installed on the vessel. As well, it is suggested that a new category of Persons Engaged in the Business of the Ship be added, to delineate between a worker that is on the vessel for simple transit and one that is routinely engaged in the business of the ship, but not crew. Suggested new wording for this section is as follows:*

§ 126.170 Carriage of Offshore Workers & Persons Engaged in the Business of the Ship

- (a) Offshore workers and/or Persons Engaged in the Business of the Ship may be carried aboard an OSV in compliance with this subchapter. The maximum number of Offshore Workers and/or Persons Engaged in the Business of the Ship authorized for carriage will be endorsed on the vessel's Certificate of Inspection; but in no case will the number of

Offshore Workers and/or Persons Engaged in the Business of the Ship authorized for carriage exceed the number of berthing units and/or fixed seating, appropriate for the duration of the voyage (under Parts 127 and 133 of this subchapter).

- (b) No more than 12 "Offshore Workers" may be carried aboard an OSV certificated under this subchapter when on an international voyage, as defined in Part 125.160, unless the vessel holds a valid passenger-ship safety certificate issued in compliance with the International Convention for the Safety of Life at Sea, 1974, as amended.

Note to Reviewer: *Following are recommended additional regulations establishing higher design, construction and operating standards for >6000GT vessels. These additional regulations reflect the addition of a new Part 135 to cover these vessels. This was previously done with liftboats in Part 134, so the precedent is already set to do this.*

PART 135. ADDED PROVISIONS FOR OSV'S EQUAL TO OR GREATER THAN 6000 GT

§ 135.100 Applicability

This part, as well as parts 125 through 133 of this Subchapter, applies to each OSV equal to or greater than 6000 GT which flies the US Flag to which this Subchapter applies.

§ 135.110 Design Requirements

- a) Each OSV equal to or greater than 6000 GT shall be required to obtain and maintain a class certificate as issued by a classification society which is approved for initial issuance or renewal of a Certificate of Inspection under the Alternate Compliance Program as outlined in subpart 135.125-2 of this chapter for vessels certificated for international voyages.
- b) Each OSV equal to or greater than 6000 GT shall be required to obtain and maintain current all applicable certificates that are required by the International Convention for the Safety of Life at Sea [SOLAS] for Cargo Ships as issued by the US Flag authority or their designated representative.
- c) Each OSV equal to or greater than 6000 GT shall be required to obtain and maintain current certification as required by the International Convention for the Prevention of Pollution from Ships (MARPOL), as amended.

Note to Reviewer: *It should be clearly understood that the above recommendation is that ALL applicable documents necessary for a vessel to operate Internationally must be obtained and maintained by this class of vessel. While not specifically addressed by the*

recommendation, reviewer should take particular note that the 2 following International Resolutions of particular importance must be obtained and maintained:

- (a) *MARPOL Annex 1 Resolution MEPC.141 (54), adopted on 24 March, 2006, as applicable. This is the MARPOL Protected Fuel Tank amendment, which requires that EVERY fuel tank be double skinned in a vessel that carries more than 600m³ of fuel. Any OSV of this magnitude will carry in excess of 600m³ of fuel, so every fuel tank is required to be double skinned. This is in EXCESS of OPA 90 double skin requirement, which is for Cargo Fuel only. This is of particular importance to validate that the OSV exemption from OPA 90 should remain effective for Subchapter L vessels, and to assure that these larger OSVs, while not being OPA 90 compliant, will have even more double skin protection than OPA 90 requires.*
- (b) *MSC Resolution A.673 (16) as amended by MEPC.158 (55) and MSC.236 (82), and as implemented by NVIC 03-06. This is the new NLS amendment as issued by IMO. These amendments are considered important in that these vessels will invariably carry NLS cargos. The eventual application of these requirements will be as determined by USCG in developing new policy or in expanding NVIC 03-06. While the requirement for these vessels to conform to these resolutions is enforced by 135.110 (c), it was felt that it should be emphasized to the reviewer that these recommendations had, in fact, considered this resolution as a condition of certification for these vessels.*

§ 135.115_General Marine Engineering Requirements

135.115-1 Marine engineering details.

- (a) All marine engineering details such as piping, valves, fittings, boilers, pressure vessels, etc., and their appurtenances installed on the vessel, shall be designed, constructed, and installed in accordance with the provisions of subchapter F (Marine Engineering) of this chapter.

§ 135.120_General Electrical Engineering Requirements

135.120-1 Electrical engineering details.

- (a) All electrical engineering details and installations shall be designed and installed in accordance with subchapter J (Electrical Engineering) of this chapter.

§ 135.125_Inspection of Vessels

135.125-1 Standards in inspection of hulls, boilers, and machinery.

In the inspection of hulls, boilers, and machinery of vessels, the standards established by the American Bureau of Shipping respecting material and inspection of hulls, boilers, and machinery, and the certificate of classification referring thereto,

except where otherwise provided for by the rules and regulations in this subchapter, subchapter E (Load Lines), subchapter F (Marine Engineering), subchapter J (Electrical Engineering), and subchapter W (Lifesaving Appliances and Arrangements) of this chapter, shall be accepted as standard by the inspectors.

135.125-2 Alternate compliance.

- (a) In place of compliance with other applicable provisions of this subchapter, the owner or operator of a vessel subject to plan review and inspection under this subchapter for initial issuance or renewal of a Certificate of Inspection may comply with the Alternate Compliance Program provisions of part 8 of this chapter.
- (b) For the purposes of this section, a list of authorized classification societies, including information for ordering copies of approved classification society rules and supplements, is available from Commandant (G-MSE), 2100 Second St., SW., Washington, DC 20593-0001; telephone (202) 372-1372; or fax (202) 372-1925. Approved classification society rules and supplements are incorporated by reference into 46 CFR 8.110(b).

§ 135.130 Carriage of Offshore Workers and Persons Engaged in the Business of the Ship.

- (a) Offshore Workers and/or Persons Engaged in the Business of the Ship may be carried aboard an OSV in compliance with this subchapter. The maximum number of Offshore Workers and/or Persons Engaged in the Business of the Ship authorized for carriage will be endorsed on the vessel's Certificate of Inspection; but in no case will the number of Offshore Workers and/or Persons Engaged in the Business of the Ship authorized for carriage exceed the number of berthing units and/or fixed seating, appropriate for the duration of the voyage (under Parts 127 and 133 of this subchapter) and SOLAS Chapter III as required for Cargo Ships.
- (b) No more than 12 Offshore Workers may be carried aboard an OSV certificated under this subchapter when on an international voyage, as defined in Part 125.160, unless the vessel holds a valid passenger-ship safety certificate issued in compliance with the International Convention for the Safety of Life at Sea, 1974, as amended.

§ 135.140. Lifesaving Systems

Lifesaving appliances and arrangements must comply with part 133 of this subchapter and the provisions of the International Convention for the Safety of Life at Sea [SOLAS] Chapter III as required for Cargo Ships.