

TUGBOAT SAFETY & STABILITY CONCERNS
NTSB MARINE CASUALTY REPORT RELEASED
NEW RULE ON POST-ACCIDENT DRUG TESTING

FATIGUE CAUSES COLLISION
NEW MARINE CASUALTY REPORTING FORMS
ADVISORY ON RANDOM CHEMICAL TESTING PROGRAMS



Issue No. 94
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VESSEL SAFETY PROGRAM

DEVELOPMENT OF AN ENHANCED OVERSIGHT PROGRAM AND VOLUNTARY SAFETY GUIDELINES FOR COMMERCIAL FISHING INDUSTRY VESSELS

USCG Marine Safety Info Bulletin, 7/20/2016

The Coast Guard is suspending development of an Alternate Safety Compliance Program (ASCP) and will instead develop an Enhanced Oversight Program (EOP) for commercial fishing vessels (CFVs) by January 1, 2017. The EOP will use existing Coast Guard authorities to provide greater safety for older CFVs (see below). In addition, the Coast Guard will publish additional Voluntary Safety Guidelines by January 1, 2017, which offer suggested measures to increase CFV safety on older vessels. The Coast Guard will provide sufficient notice prior to resuming any future development of an ASCP.

Enhanced Oversight Program

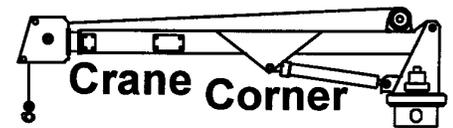
As defined in the Coast Guard Authorization Act of 2010 and the Coast Guard and Marine Transportation Act of 2012, an ASCP would pose requirements on older non-classed fishing vessels beyond those just recently published in a notice of proposed rulemaking (NPRM) on June 21, 2016. Moreover, an ASCP would itself be subject to a rulemaking effort. Therefore, the Coast Guard is developing an EOP by January 1, 2017. The EOP will draw upon existing Captain of the Port authorities, can be prescribed by policy, and will build upon the existing CFV safety examination regime in Subchapter C of 46 CFR Chapter I. The EOP will focus on vessels that may pose a greater risk of vessel and crew member loss. This includes vessels of 50 feet or more in length and 25 years or more in age that operate three nautical miles or more from the territorial sea baseline of Great Lakes coastline, operate with more than 16 persons on board, or, in the case of a fish tender, engage in the Aleutian trade. The Coast Guard will engage the Commercial Fishing Safety Advisory Committee (CFSAC) in developing the EOP and will solicit industry feedback and concerns. Further information on the EOP can be found at www.fishsafe.info or www.fishsafewest.info.

Voluntary Safety Guidelines For Older CFVs

The Coast Guard will develop Voluntary Safety Guidelines for older CFVs by January 1, 2017. These voluntary guidelines and recommended best practices will be based on analysis of casualty data from the past 10 years by the National Institute of Occupational Safety and Health. Further information can be found at www.fishsafe.info or www.fishsafewest.info.

Who should I contact if I have questions or concerns?

Coast Guard CFVS personnel will be available to meet with any fishing industry group, association, or representative to discuss and receive feedback on the safety guidelines and enhanced oversight program to be issued by January 2017. Please contact the Coast Guard Office of Commercial Vessel Compliance, Fishing Vessels Division (CG-CVC-3) at 202-372-1249 or by email at CGCVC@uscg.mil. You may also contact your local Coast Guard District Fishing Vessel Safety Coordinator or the local Coast Guard Sector Fishing Vessel Safety Examiner. The points of contact for these individuals can be found on the web site, www.fishsafe.info, at the "Locate Examiners" tab.



Contributed by Arxcis, Inc.

PLANNING LIFTS

It is better to have a short safety meeting prior to a lifting operation and to plan it properly than to have an investigation after to try and find out what went wrong. Consider the following accident:

A load on a pallet was being lowered into the hold of a ship by a pedestal crane. As it descended, a corner of the pallet became caught on a stack of previously loaded boxes. The crane operator did not immediately see this and continued to lower the load. One of the nylon web slings became slack and the eye of the sling slipped off the crane hook causing the load to become unbalanced and it fell, landing on a worker who was reaching up trying to steady the load. He was killed. What went wrong?

There were several things that contributed to this fatality. First, the operator should have used the help of a signal person. Second, there was not a working safety latch on the crane hook which is required to prevent exactly what went wrong, by keeping the sling's eyes on the hook when they become slack. And finally, no one should ever be under a load as it is being lifted by a crane. Obviously, this lift was not properly planned. It is possible that they had been "successful" before doing lifts like these, but remember: just because you get away with doing something that is unsafe doesn't make it successful. You may be planting the seeds for a tragedy later on.

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NOT KEEPING THE WATCH

Dennis L. Bryant, *Maritime Reporter & Engineering News*, June 2016

Some of the first things that mariners learn are how to keep the watch and the importance of keeping the watch. The rest of the crew trusts their lives to you keeping a proper watch, as does the ship owner and the cargo owner. Other ships in your vicinity trust that you are keeping a proper watch. Perhaps most importantly, the public trusts that you are keeping a proper watch, because your failure to do so has the potential to harm persons, property, and the environment.

Lack of training and knowledge

There are several variations on how to keep a proper watch, but all involve training, knowledge, skill, and attention to detail. On rare occasions, an individual without adequate training and knowledge comes into the position of keeping the watch. This can occur when the individual's training and experience records have been falsified or the system has just failed.

Lack of skill

Sometimes, an individual without the necessary skill is assigned to keep the watch. These instances can be more difficult to detect as the individual has the necessary training and knowledge to do the job, but lacks the skill to meaningfully apply that training and knowledge to the task at hand. This can occur, for example, when a highly capable chief mate is promoted to master, but lacks the skill set to handle the new job, a situation sometimes referred to as the Peter Principle. Unfortunately, these situations, while fraught with potential misfortune for all involved, can be difficult to detect.

Lack of attention to detail

The most common circumstance in which an individual fails to keep a proper watch is due to lack of attention to detail. This can occur and has occurred for many reasons and in a plethora of situations. A few examples follow:

- Health
- Drug abuse (legal and illegal)
- Alcohol abuse
- Stress
- Fatigue
- Distraction
- Complacency

Conclusion

While the incidents described above can be depressing for mariners to read, it must be acknowledged that the vast, vast majority of watches are kept properly. Proper watchkeeping is so common that it does not attract attention and is seldom recognized. A mariner can keep the watch properly for twenty years, yet one instance of not keeping the watch may end a career. Life at sea, as with many professions entailing great responsibility, is rewarding, but also unforgiving.

USCG – INSPECTION OF TOWING VESSELS

Bryant's Maritime Blog, 6/20/2016

The US Coast Guard promulgated a final rule, effective 20 July 2016, implementing the regulations addressing inspection of US towing vessels. With limited exceptions, their regulations apply to all US towing vessels with a length of 26 feet or more and to all US towing vessels regardless of length moving a barge carrying oil or hazardous material in bulk. The vast majority of these regulations will constitute the new Subchapter M of Title 46, Code of Federal Regulations. A portion of the regulations, focused on inspection and certification, will enter into effect immediately, although enforcement will be delayed. The remainder, addressing hardware issues such as lifesaving, fire protection, and construction and arrangement, will come into effect on 20 July 2018. 81 Fed. Reg. 40003 (6/20/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-06-20/pdf/2016-12857.pdf>]. *Note: This is a major rulemaking and will have a profound and long-term impact on the US towing industry.*

US COAST GUARD: WHAT TO REPORT AND WHEN

Captain Richard Madden, *www.maritimeexecutive.com*, 7/3/2016

Had a bad day? You know you need to give the nearest US Coast Guard OCMI (Officer in Charge of Marine Inspection) or COTP (Captain of the Port) a call. Where do you start?

Fortunately for those who have not had to make such reports in the past, the US Coast Guard has provided guidance. Navigation and Vessel Inspection Circular (NVIC) 01-15 lays out the requirements for reportable incidents in accordance with 46 CFR Part 4. There are very specific reports—both immediately (generally by voice) and then written within five days.

Many a company has failed to adequately provide the immediate notification, which can lead to fines. As the fines are up to \$32,500, this is sure to quickly gain the attention of company management. Vessel personnel can expect rapid modification of procedures for reporting of incidents when fines are levied.

Immediate does not mean instantaneous, however. It means “as soon as reasonably practicable without delay.” In other words, take care of what needs to be taken care of to ensure the safety of crew, vessel and other safety concerns before stopping to call the nearest US Coast Guard Command Center. It is highly recommended that the command center is utilized for these notifications instead of contacting a particular inspector, as it provides the opportunity for the fastest response.

In the event that the nearest US Coast Guard OCMI or command center cannot be reached by telephone or radio, the National Response Center is certainly an option. In a pinch, ensuring a message is left or a particular inspector is contacted should fulfill the reporting requirements. Just remember that you may be judged on how thorough your efforts were to make that initial voice report.

And the 2692 (the written report) has changed rather significantly. The current 2692, 2692A and 2692B can continue to be used until midnight on December 31, 2016. As many in the industry have these saved on board or on their personal equipment, ensuring an overlap is an excellent idea. Be aware that the changes are coming.

Having to file a US Coast Guard 2692 or make the initial voice reports is not the end of the world. We may not relish the idea of the Coast Guard or company investigating the incident, but it is part of being a professional mariner. Trying to sweep an incident under the rug will rarely work out well.

Let's be safe out there.

USCG – MARINE CASUALTY REPORTING FORMS

Bryant's Maritime Blog, 7/5/2016

The US Coast Guard issued a notice stating that, effective immediately, it is utilizing new marine casualty reporting forms. The new forms are: CG-2692 – Report of Marine Casualty, Commercial Diving Casualty, or OCS-Related Casualty; CG-2692A – Barge Addendum; CG-2692B – Report of Mandatory Chemical Testing Following a Serious Marine Incident; CG-2692C – Personnel Injury Addendum; and CG-2692D – Involved Persons and Witnesses Addendum. The previous edition of the forms may continue to be utilized until 1 January 2017.

Note: Form CG-2692C and Form CG-2692D are new. It is recommended that mariners take the time to view the notice online and play the video accompanying the notice: <http://mariners.coastguard.dodlive.mil/2016/07/01/712016-coast-guard-releases-updated-cg-2692-form-for-marine-casualty-reporting/>

USCG – USE OF ELECTRONIC CHARTS AND PUBS

Bryant's Maritime Blog, 7/26/2016

The US Coast Guard issued a notice stating that it intends to amend its recent Navigation and Vessel Inspection Circular (NVIC 01-16) regarding use of electronic charts and publications in lieu of paper charts and publications. The current version of the NVIC does not address use of certain existing equipment to replace electronic charts.



RANDOM CHEMICAL TESTING REQUIREMENTS FOR MARINE EMPLOYERS, SPONSORING ORGANIZATIONS AND MARINERS

USCG Marine Safety Advisory, 6/29/2016

The Coast Guard publishes this Marine Safety Advisory to restate and reemphasize the importance of a properly administered and applied random chemical testing program to prevent drug misuse as a causative factor in marine casualties. Marine employers, sponsoring organizations (ME/SO) and mariners subject to chemical testing are reminded of their responsibilities to ensure random chemical testing programs are both conducted in accordance with regulatory requirements and achieve their intended purpose of deterring, detecting and preventing drug abuse within the maritime industry.

The United States Maritime Transportation System supports the safety and security of our nation and promotes the quality of life enjoyed by the American people. Whether operating large cargo ships, passenger ferries of all sizes or small charter boats for pleasure, American Merchant Mariners are required to be competent, highly-skilled and free of the debilitating effects of drugs and alcohol.

To achieve this, Congress mandated the Coast Guard require chemical testing of mariners. Since 1989, the Coast Guard has enforced chemical testing of mariners per 46 CFR Part 16. These chemical testing regulations serve as the foundation guiding the maritime industry and the Coast Guard to achieve the shared goal of preventing drug use as a factor in maritime casualties.

Of special importance in 46 CFR Part 16 is the requirement for random chemical testing programs. Persons serving aboard a commercial vessel as crewmembers or performing safety sensitive functions are required to be enrolled in a random chemical drug testing program. ME/SO are required to conduct random chemical tests in a manner that is scientifically valid, spread evenly throughout the year, and achieves the goal of unpredictability as to when a test may occur. ME/SO must conduct selection at least quarterly and must update the random selection pool prior to conducting the selection. Each mariner subject to testing must have an equal chance for selection when a selection occurs. Selection for testing must be scientifically valid, using a paper or electronic random number generator. The drawing of names out of a hat for selection or other unapproved method is not authorized and its use will result in significant civil penalties upon the ME/SO. Once a selection is made, the ME/SO must plan mariner notification to account for mariner availability and test collection site readiness. Notification to the mariner must be done discreetly and in writing, with a means to document mariner acknowledgement of notification. Mariners are required to cooperate in the testing process and to proceed immediately to the testing location when instructed to do so by the ME/SO. Failure of an ME/SO to conduct their random chemical testing program as described above, or failure of a mariner to cooperate in the process, undermines the integrity of the random chemical testing process. If the ME/SO or mariner is using the services of a Third Party Administrator or Consortium to assist in complying with the regulations, it is imperative the ME/SO or mariner closely follow existing agreements and notification processes to ensure the integrity of the random testing process and avoid invalidation of a testing event. This is especially so for individual owner/operators who must exercise additional care to comply with the intent of the regulations.

Non-compliance by ME/SO or mariners may result in civil penalties of up to \$7,500 per day, per violation. Mariner non-compliance also includes suspension or revocation of their mariner credential. The Coast Guard strongly recommends marine employers, sponsoring organizations and mariners administer and conduct their random testing programs in compliance with regulatory requirements.

This Safety Advisory was developed by the Office of Investigations and Casualty Analysis. Any questions or comments should be sent to send to: HQS-PF-flr-CG-INV@uscg.mil or DAPI@uscg.mil.

NTSB – FATIGUE-INDUCED COLLISION

Bryant's Maritime Blog, 7/19/2016

The National Transportation Safety Board (NTSB) issued the report of its investigation of the collision between the Coast Guard patrol boat USCGC Key Largo and the fishing vessel Sea Shepherd near Vieques Island on 23 September 2014 with the subsequent sinking of the fishing vessel. There were no injuries. The investigation determined that the probable cause of the collision was the failure of the patrol boat's officer of the deck (OOD) to detect and avoid the fishing vessel, most likely because he had fallen asleep prior to the collision, having had only 3.5 hours of sleep in the prior 24 hours. Contributing to the collision was the failure of the OOD to report to the commanding officer his unfitness for duty due to lack of sleep. The report also noted that the Coast Guard had developed a Crew Endurance Management (CEM) program to address fatigue, but that the program had not been implemented.

46 RESCUED FROM SINKING BOAT OFF ALASKA

NPFVOA, 8/17/2016

On July 26, 2016, the F/V Alaska Juris, owned by Fishing Company of Alaska (FCA), started taking on water while fishing off the Aleutian Chain. The crew donned their immersion suits, got into liferafts, and abandoned the ship. The Captain sent out a mayday call.

Four good Samaritan vessels arrived on the scene and all crew members were rescued with no injuries reported. The vessel could not be located the next day.

NOAA UPDATES UNALASKA BAY CHARTS

Jim Paulin, The Bristol Bay Times, 8/26/2016

The seafloor of Unalaska Bay is being mapped for the first time since 1935, and the technology's more thorough now, using electronic devices instead of a couple of people in a rowboat dropping a weighted rope to the bottom a hundred feet apart.

NOAA is conducting the hydrographic survey, using four 28-foot long aluminum boats to map 38 square miles. The new information aims to update nautical charts, in hopes of preventing another mishap like last summer's incident involving Shell's offshore oil support ship Fennica, which hit a high point underwater not identified on a chart between the Unalaska Airport and Hog Island. The old-school method of measuring depths always left gaps, missing high or low points in between the manual depth measurements.

FUEL SAFE

MAKE A PLAN

Department of Ecology, July 2016

Regulations in Washington State require vessels to have a written pre-load plan prior to fueling. This plan must be discussed with the fuel dock or fuel barge Person in Charge (PIC) at the pre-transfer conference. A pre-load plan covers important issues for safe fueling. It ensures that all crew members involved in the fueling are aware of which tanks will be filled and the order in which they will be filled. It also informs the fuel dock or fuel barge PIC of how many tanks will be topped off and whether transfer rate slowdowns will be needed.

A pre-load plan must include the following:

- Name and capacity of tanks receiving fuel.
- Level and type of liquid in each tank before fueling.
- Planned final level and planned final percent of each tank being filled.
- Order in which tanks will be filled (provides the crew insight into which valves will be opened and which tanks will be sounded next).
- Procedures to monitor all fuel tank levels and valve settings (provides the crew insight into who is doing what).

A sample of a pre-load plan can be found at <https://fortress.wa.gov/ecy/publications/publications/ecy05051.pdf>

US DEPARTMENT OF LABOR ANNOUNCES NEW RULES TO ADJUST CIVIL PENALTY AMOUNTS

OSHA News Release, 6/30/2016

WASHINGTON – In 2015, Congress passed the Federal Civil Penalties Inflation Adjustment Act Improvements Act to advance the effectiveness of civil monetary penalties and to maintain their deterrent effect. The new law directs agencies to adjust their penalties for inflation each year using a much more straightforward method than previously available, and requires agencies to publish “catch up” rules this summer to make up for lost time since the last adjustments.

As a result, the US Department of Labor announced two interim final rules to adjust its penalties for inflation based on the last time each penalty was increased.

“Civil penalties should be a credible deterrent that influences behavior far and wide,” said US Secretary of Labor Thomas E. Perez. “Adjusting our penalties to keep pace with the cost of living can lead to significant benefits for workers and can level the playing field for responsible employers who should not have to compete with those who don’t follow the law.”

The first rule will cover the vast majority of penalties assessed by the Department’s Employee Benefits Security Administration, Mine Safety and Health Administration, Occupational Safety and Health Administration, Office of Workers’ Compensation Programs, and Wage and Hour Division. The second rule will be issued jointly with the Department of Homeland Security to adjust penalties associated with the H-2B temporary guest worker program.

Under the 2015 law, agencies were directed to publish interim final rules by July 1, 2016. The department will accept public comments for 45 days to inform the publication of any final rule.

The new method will adjust penalties for inflation, though the amount of the increase is capped at 150 percent of the existing penalty amount. The baseline is the last increase other than for inflation. The new civil penalty amounts are applicable only to civil penalties assessed after Aug. 1, 2016, whose associated violations occurred after Nov. 2, 2015.

The rules published under the 2015 law will modernize some penalties that have long lost ground to inflation:

- OSHA’s maximum penalties, which have not been raised since 1990, will increase by 78 percent. The top penalty for serious violations will rise from \$7,000 to \$12,471. The maximum penalty for willful or repeated violations will increase from \$70,000 to \$124,709.
- OWCP’s penalty for failure to report termination of payments made under the Longshore and Harbor Workers’ Compensation Act, has only increased \$10 since 1927, and will rise from \$110 to \$275.
- WHD’s penalty for willful violations of the minimum wage and overtime provisions of the Fair Labor Standards Act will increase from \$1,100 to \$1,894.

A Fact Sheet on the Labor Department’s interim rule is available here: <https://www.dol.gov/sites/default/files/2016-inflation-factsheet.pdf>

Type of Violation	Current Max. Penalty	New Max. Penalty
Serious Other-Than-Serious Posting Requirements	\$7,000 per violation	\$12,471 per violation
Failure to Abate	\$7,000 per violation beyond the abatement date	\$12,471 per day beyond the abatement date
Willful or Repeated	\$70,000 per violation	\$124,709 per violation

OTHER NEWS

NTSB RELEASES SAFER SEAS DIGEST 2015

NTSB News Release, 8/17/2016

WASHINGTON — The National Transportation Safety Board released its annual compendium of marine accidents and the lessons learned from them.

Safer Seas Digest 2015, available in print and on the NTSB’s website, ntsb.gov, examines 29 major marine casualty investigations the agency closed in 2015.

“*Safer Seas Digest 2015* represents our continuing commitment to sharing the lessons that we learn through our investigations,” said NTSB Chairman Christopher A. Hart. “Many marine accidents can be prevented when crews know of and respond to safety issues early and when crews work together effectively in the event of a crisis.”

The 72-page report lists some of the lessons learned from the investigations, such as better voyage planning, the need for effective communications and recognizing the peril of crew fatigue.

The report can be found online at <http://go.usa.gov/xDC7Y>.

THE ‘SURVIVAL CRAFT’ THAT ISN’T

John M. Cullather, 6/17/2016



A boat that sank in the Chesapeake Bay had 23 people, including students, aboard. They all were safely rescued by a waterman. (Maryland State Trooper 4/Courtesy of Maryland Natural Resources Police)

A photograph accompanying the Metro article “Chesapeake Bay Boater Rescues 23 on School Trip” illustrated a disaster that was narrowly avoided. Twenty-three people, including 14 fourth-graders, were on a small passenger vessel that sank in the Chesapeake Bay and were forced to sit on the vessel’s canopy to stay out of the cold water before being rescued by a good Samaritan. The doughnut-shaped device shown floating near the vessel is what the Coast Guard calls a “survival craft.” These craft do not provide out-of-water protection for anyone. Imagine 23 people clinging to that device had the vessel sunk in deeper water.

This type of survival craft was scheduled to be phased out and replaced before Feb. 26 with devices that would keep passengers out of the water. However, Rep. Duncan D. Hunter (R-Calif.), at the behest of the passenger-vessel industry, inserted a provision in the Coast Guard Authorization Act of 2015, which became law Feb. 8, repealing this phase-out.

This type of accident has happened before. In December 1993, the small passenger vessel *El Toro* foundered on the Chesapeake Bay with 23 people on board. Three people died from hypothermia. The National Transportation Safety Board recommended that the Coast Guard “require that out-of-the-water survival craft for all passengers and crew be provided on board small passenger vessels on all routes.” It has been 104 years since the sinking of the *Titanic*, and we still don’t have survival craft on all passenger vessels to keep people out of the water in a maritime disaster.

I worked on US maritime policy for the House of Representatives for more than 33 years. This is the first time that I recall Congress stepping in to lower safety standards.

OTHER NEWS

TUGBOAT SAFETY, STABILITY HAVEN'T CAUGHT UP TO TECHNOLOGY

Kirk Moore, www.workboat.com, 5/25/2016

Tugboat designers must step up their attention to safety and stability – going beyond even what present regulations require – to keep pace with burgeoning horsepower and technology demands, master tug designer Robert G. Allan said at the opening session of the 24th International Tug, Salvage and OSV Convention in Boston.

Allan pointed to the Jan. 17, 2015 sinking in China of a new tugboat, the 98', 368-GT *Wan Shen Zhou 67*, during sea trials in the Yangtze River that left 22 dead. Chinese authorities have said an inexperienced captain, a turning maneuver and down flooding of the engine room were factors, but investigations continue.

"It's not a single failure, but multiple failures. On that day everything went wrong," said Govinder Singh Chopra of Sea Tech Solutions Ltd., Singapore. "This was our design, and 22 lives were lost."

"How does our industry reach a state where that can happen?" Allan asked standing next to a screen image of rescuers around the capsized hull. "It's certainly the worst accident in modern tug history."

Allan's company, Robert Allan Ltd., Vancouver, British Columbia, designs state-of-the-art tugboats. Allan said the escalating power requirements for harbor tugs capable of handling bigger ships are running up unanticipated hazards for operators.

By 2005, favored tugboat classes that would have 50 tons bollard pull in the mid-1990s were being supplanted by 60- to 65-ton bollard pull vessels, Allan said. "Today, 80 tons is not at all uncommon," he said.

"Typically we're putting twice as much horsepower into boats as we did 20 years ago," Allan said. "We're trying to cram this into less than 500 tons."

Allan called it "a race between technology and regulation ... this is not a fair race." The industry's demands are increasing much faster than regulatory agencies can respond.

As a result, some tugs are so powerful they can be at risk of driving themselves underwater in the wrong conditions, such as running astern, Allan said.

"There have been some pretty serious accidents," he said. "We cannot accept that operating ... with decks awash is safe."

Allan and Chopra spoke of the need for designers to step up their attention to safety and stability issues, and communicate design limitations to operators and captains.

For all the technology in the pilothouse of a modern tug, there are few warning systems that aid captains' awareness of their vessel's stability. Chopra compared that to aviation, where pilots in commercial and military aircraft have a host of warning alerts and alarms to warn them of impending stalls or handling errors.

At the least, captains could have precision inclinometers to see when angles of heel are within performance parameters, or entering danger zones, Allan said.

"It's too much to ask the (tug) master to keep track of these forces," Chopra said. "It's the designers' job to give him that information."

It's that "limiting envelope" – mechanical forces bearing on the tug under loads, angle of heel, speed, and sea conditions with modes of operation – that captains need to understand.

"If we could develop some sort of monitoring system around this limiting envelope, we would be more safe," he said.

Both designers stressed the need for a larger goal: international standards for tug safety and stability.

"Safety has to be by design," Chopra said, "but we need a homogenized, uniform standard."



OTHER NEWS

OFFSHORE SAFETY CULTURE REFORM MUST GO FURTHER

Kirk Moore, www.workboat.com, 5/25/2016

Post-Deepwater Horizon efforts to build safety culture in the offshore oil and gas industry do not go far enough, according to a report issued by the National Academies of Sciences, Engineering and Medicine.

The industry needs an "independent organization dedicated to safety and environmental protection, with no advocacy role," asserts the report, titled "Strengthening the Safety Culture of the Offshore Oil and Gas Industry."

The American Petroleum Institute created the Center for Offshore Safety immediately after the 2010 Macondo well blowout to develop and promote safety improvements. The center "could be made independent of API to serve this purpose, with membership in the center as a requirement for all organizations working in the offshore oil and gas industry," the report said. The breadth and diversity of the industry is one reason safety culture varies widely.

The industry is still evolving into a safety culture, researchers found.

"As with many industries, however, a blaming culture still exists in the offshore industry, as well as a lack of systems thinking that results in focusing on the immediate proximal causes of a safety failure (such as human error) rather than system causes, including culture," the authors added.

Leading a list of detailed recommendations for industry and regulators, the report calls for the industry to basically get together and decide what is right for safety. "Historically, the industry has not offered its vision for the type of regulatory system it supports," the report says. "The industry should begin with a vision statement and a strategy for safety leadership. This vision should include a description of the regulatory system that best enables the accomplishment of these objectives, encourages continuous improvement, and enhances safety culture."

OSHA'S NEW RULE ON POST-ACCIDENT DRUG TESTING

Ken George, August 2016

OSHA has created a new regulation that will restrict blanket post-accident drug testing. OSHA maintains that drug testing policies should *limit post-incident testing to situations in which employee drug use is likely to have contributed to the incident, and for which the drug test can accurately identify impairment caused by drug use*. Employers need not specifically suspect drug or alcohol use or impairment before testing, but there should be a reasonable possibility that use by the reporting employee was a contributing factor to the reported injury or illness in order for an employer to require drug testing.

The final rule does not ban drug testing of employees. However, the final rule does prohibit employers from using drug testing (or the threat of drug testing) as a form of adverse action against employees who report injuries or illnesses. To strike the appropriate balance here, drug testing policies should limit post-incident testing to situations in which employee drug use is likely to have contributed to the incident, and for which the drug test can accurately identify impairment caused by drug use.

For example, it would likely not be reasonable to drug test an employee who reports a bee sting, a repetitive strain injury, or an injury caused by a lack of machine guarding or a machine or tool malfunction. Such a policy is likely only to deter reporting without contributing to the employer's understanding of why the injury occurred, or in any other way contributing to workplace safety.

It should be noted that OSHA is also targeting employer safety incentives in an effort to address the perceived problem of underreporting employee injuries and illnesses. The preamble to the amended rule states: "OSHA does not intend the final rule to categorically ban all incentive programs. However, programs must be structured in such a way as to encourage safety in the workplace without discouraging the reporting of injuries and illnesses."

As this is a new regulation, it remains to be seen exactly how it will be interpreted in real-life situations.

SEPTEMBER–DECEMBER 2016 CLASS SCHEDULE

STCW 5-DAY BASIC TRAINING (BT)

\$975 MEMBERS / \$1,075 NON-MEMBERS
Sept. 12-16, Oct. 17-21, Nov. 14-18, Nov. 28-Dec. 2

STCW BASIC TRAINING REFRESHER

\$700 MEMBERS / \$750 NON-MEMBERS
Sept. 13/15/16, Oct. 18/19/21, Nov. 14/16/18, Nov. 28/Nov. 30/ Dec. 1

MEDICAL EMERGENCIES AT SEA

\$110 MEMBERS / \$135 NON-MEMBERS
Sept. 16, Oct. 21, Nov. 14, Nov. 28, Dec. 15

2-DAY BASIC FIRE FIGHTING

\$495 MEMBERS / \$515 NON-MEMBERS
Sept. 14-15, Oct. 17-18, Nov. 15-16, Nov. 29-30

DRILL INSTRUCTOR WORKSHOP

\$110 MEMBERS / \$135 NON-MEMBERS
Sept. 16, Oct. 13, Nov. 10, Dec. 12

SHIPYARD COMPETENT PERSON

\$475 MEMBERS / \$495 NON-MEMBERS
Sept. 7-9, Oct. 5-7, Nov. 2-4, Dec. 7-9

SHIPYARD COMPETENT PERSON REFRESHER

\$185 MEMBERS / \$195 NON-MEMBERS
Sept. 9, Oct. 7, Nov. 4, Dec. 9

SAFETY EQUIPMENT & SURVIVAL PROCEDURES

\$210 MEMBERS / \$240 NON-MEMBERS
Call for Dates

4-DAY STCW MEDICAL CARE PROVIDER

\$995 MEMBERS / \$1,100 NON-MEMBERS
Dec. 5-8

24-HOUR HAZWOPER TECHNICIAN

\$375 MEMBERS / \$400 NON-MEMBERS
Sept. 12-14, Oct. 24-26, Nov. 28-30, Dec. 19-21

8-HOUR HAZWOPER REFRESHER

\$150 MEMBERS / \$175 NON-MEMBERS
ON FIRST OR LAST DAY OF 24-HOUR CLASS

SPECIMEN COLLECTION CERTIFICATION

\$100 MEMBERS / \$125 NON-MEMBERS
Sept. 15, Oct. 11, Nov. 8, Dec. 14

8-HOUR SHIPBOARD DAMAGE CONTROL

\$300 MEMBERS / \$315 NON-MEMBERS
Sept. 7

AB SEAMEN UNLIMITED

\$950 MEMBERS / \$950 NON-MEMBERS
Nov. 2-4 & 7-11

OUPV—OPERATOR OF UNINSPECTED PASSENGER VESSEL

“SIX PACK”

\$850 MEMBERS / \$850 NON-MEMBERS
CALL FOR DATES

100 TON

\$495 MEMBERS / \$495 NON-MEMBERS
CALL FOR DATES

NAVIGATION: COLLISION AVOIDANCE

\$150 MEMBERS / \$200 NON-MEMBERS
Sept. 13

HACCP

\$650 MEMBERS / \$650 NON-MEMBERS
Nov. 16-18

SAFETY BITES & MEMBER NEWS

NEW MEMBERS

NPFVOA is pleased to welcome the following new members:

Associates:

- PACIFIC PIPE & PUMP, LLC
- SILVER BAY SEAFOODS

Vessels:

- MAHELI - HELI
- RED BARON
- SEAFREEZE AMERICA

Individuals:

- Michael Terminel

CFSAC MEETING

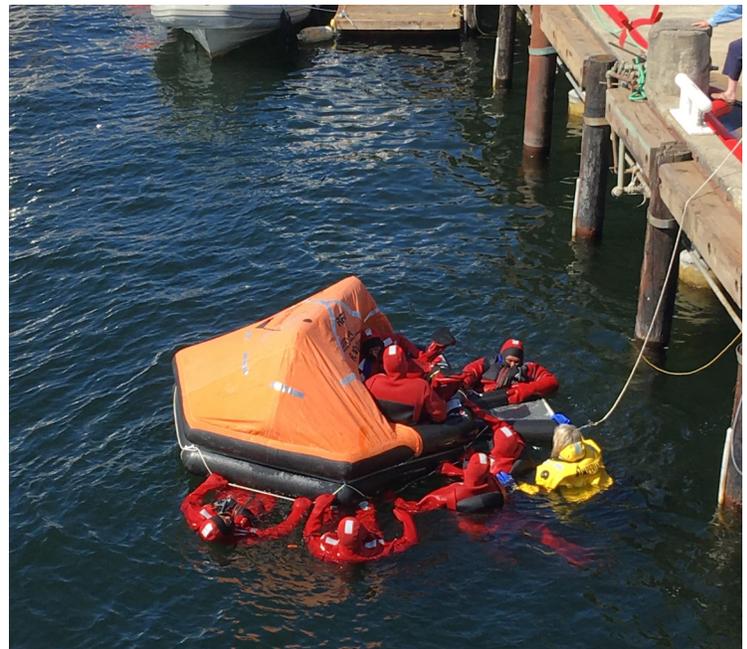
Jack Kemerer, USCG

The CFSAC meeting will be held September 27-29, 2016 in Savannah, Georgia. The meeting will address training and the Enhanced Oversight Program.

SIBERIAN SEA WATER TRAINING

NPFVOA, August 2016

Aleutian Spray Fisheries sent the crew of the Siberian Sea over to NPFVOA for an in-the-water survival training class.



NPFVOA VESSEL SAFETY PROGRAM STAFF

KAREN CONRAD – EXECUTIVE DIRECTOR

REBECCA HANRATTY – PROGRAM COORDINATOR

BRIE VENNARD – PROGRAM ASSISTANT

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For your convenience, current and past issues of our newsletter are available online at npfvoa.org.

This newsletter is published quarterly by the North Pacific Fishing Vessel Owners' Association (NPFVOA) Vessel Safety Program and is free to members. To receive a subscription, please consider joining NPFVOA by completing the membership form on the back page and mailing it to NPFVOA with the appropriate fee. Memberships are annual, and all contributions are tax deductible.

2016 BOARD OF DIRECTORS

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Vincent Maritime Services

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NPFVOA VESSEL SAFETY PROGRAM

COURSES INCLUDE:

- STCW BASIC TRAINING
- STCW BASIC TRAINING REFRESHER
- STCW 2-DAY BASIC FIREFIGHTING
- STCW MEDICAL EMERGENCIES AT SEA
- STCW PERSONAL SURVIVAL TECHNIQUES
- STCW PERSONAL SAFETY & SOCIAL RESPONSIBILITY
- STCW 32-HOUR MEDICAL CARE PROVIDER
- DRILL INSTRUCTOR WORKSHOP
- 24-HOUR HAZWOPER TECHNICIAN
- 8-HOUR HAZWOPER REFRESHER
- SPECIMEN COLLECTION CERTIFICATION
- SHIPYARD COMPETENT PERSON
- SHIPYARD COMPETENT PERSON REFRESHER
- 8-HOUR SHIPBOARD DAMAGE CONTROL
- ABLE SEAMAN
- OSHA MARINE 10-HOUR
- SHIPBOARD WATERTIGHT DOOR & HATCH TRAINING
- OSHA COMPLIANCE AT THE DOCK OR SHIPYARD
- ONBOARD DRILL INSTRUCTOR WORKSHOP
- 2-HOUR IN-THE-WATER SURVIVAL TRAINING
- CRANE OPERATIONS & MAINTENANCE
- NAVIGATION: COLLISION AVOIDANCE
- OUPV, 100-TON AND 200-TON LICENSE
- O/B FIRE TEAM TRAINING

**ADDITIONAL CUSTOM COURSES TO FIT ALL YOUR
SAFETY TRAINING NEEDS!**



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**NPFVOA VESSEL SAFETY PROGRAM
 MEMBERSHIP APPLICATION**

The **NPFVOA Vessel Safety Program** is a non-profit association dedicated to education and training in marine safety. Because safety is a concern for everyone in our industry, NPFVOA seeks membership from an expanded industry sector—commercial fishing, workboats, passenger and recreational vessels, and the businesses that support them.

Company Name: _____
Vessel Name: _____
Primary Contact Name & Title: _____
Address: _____
City, State, Zip: _____
Phone: _____
Fax: _____
Email: _____

Web Site: _____

Would you like to receive information & updates via email? Yes No

Would you like us to link to you from our web site? Yes No

Please describe the services your company provides: _____

Vessel Information	Vessel/Gear Type(s)	Target Fisheries
Length (feet): _____		
Tonnage (GRT): _____		

- Vessel (over 79 ft.) \$600 Benefits apply to all current crew members and management company.
- Vessel (60-79 ft.) \$300 Benefits apply to all current crew members and management company.
- Vessel (under 60 ft.) \$125 Benefits apply to all current crew members and management company.
- Associate \$400 Benefits apply to business personnel only; vessel crew ineligible at this level.
(Appropriate for marine support industry, e.g., law firms, ship yards, fuel suppliers, etc.)
- Individual \$75 Benefits are limited to named individual and are non-transferable
(Appropriate for crewmen and single-person business entities.)