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Thomas A. Allegretti
President & CEO

August 29, 2016

RADM Paul F. Thomas
Assistant Commandant for Prevention Policy
U.S. Coast Guard
2703 Martin Luther King Jr. Ave. SE
Washington, DC 20593-7213

Dear Admiral Thomas:

We respectfully submit the AWO Responsible Carrier Program for acceptance as a Towing Safety Management System pursuant to §138.225 (a) of the towing vessel inspection regulations under 46 CFR Subchapter M. Attached please find a copy of the RCP; a copy of the June 2015 letter from the Coast Guard's Office of Commercial Vessel Compliance stating that the RCP is substantively equivalent to the International Safety Management Code; and a crosswalk document that illustrates the equivalence between the RCP and ISM Code, as codified in U.S. domestic regulation at CFR Part 96.

AWO believes strongly that Coast Guard acceptance of the RCP – the most widely used safety management system in the tugboat, towboat, and barge industry – as a TSMS is in the mutual interest of the Coast Guard and our industry and essential to the effective implementation of Subchapter M. We deeply appreciate your leadership in recognizing and reiterating the importance of working together to achieve this common goal. We are also grateful for the time and energies of the CG-CVC and Towing Vessel National Center of Expertise staff who have participated in and assisted our efforts to improve and strengthen the RCP over the past two years.

As the enclosed crosswalk document indicates, our assessment that the RCP is substantively equivalent to the ISM Code is based on the provisions of RCP section II, Management and Administration. As recommended by the Task Force on the Future of AWO Safety Leadership in 2011 and endorsed by the AWO Executive Committee in August 2016, we propose to sunset the specific requirements of RCP sections III and IV (Equipment and Inspection) and section V (Human Factors) that will be superseded by Subchapter M on July 20, 2018, when the majority of the requirements of Parts 140 through 144 of Subchapter M take effect. Where the requirements of RCP sections III, IV and V exceed the requirements of Subchapter M, we propose to incorporate these requirements into RCP section II, Management and Administration. This approach is consistent with the ISM Code, which does not include specific equipment or human factors requirements.

As the Coast Guard promulgates policy guidance on third party organizations and the TSMS option, we will also work with your staff to identify revisions to the RCP Addenda as needed to reflect the impact of Subchapter M on audit protocols and processes, including the utilization of auditors overseen by Coast Guard-approved TPOs and the issuance of TSMS Certificates.

AWO is committed to continuously improving the RCP and to ensuring that it is, and remains, a best-in-class safety management system. To that end, we will continue to engage the Coast Guard in future efforts to enhance the RCP and promote safety and environmental stewardship in the tugboat, towboat and barge industry.

Thank you very much for your consideration. Please let me know if you have any questions or if there is additional information we can provide to facilitate your review and acceptance of the RCP as a TSMS.

Sincerely,


Thomas A. Allegretti
President & CEO

Responsible Carrier Program

Effective January 1, 2016



The American
Waterways Operators



Disclaimer

The AWO Responsible Carrier Program is intended to improve marine safety and environmental protection in the tugboat, towboat and barge industry. The program aims to accomplish this objective by establishing preferred industry operating principles and practices as voluntary standards of conduct for tugboat and towboat companies. While the standards outlined in the Responsible Carrier Program meet or exceed current governmental standards for the operation of barges and towing vessels, they do not necessarily constitute an exhaustive catalogue of all potential safety practices that any particular company should undertake. Each company must determine for itself its own operational needs and the range of safety measures necessary to protect its employees, the public, and the environment. The program is not intended to supplant any existing safety procedures that a company may have in place in excess of the standards outlined herein. Finally, while the objective of the Responsible Carrier Program is to enhance safety and environmental protection in the tugboat and towboat industry, no program can be considered a panacea that will completely eliminate injuries, accidents or pollution incidents. The pursuit of better, safer operations through continuous improvement must always be the industry's goal.

Table of Contents

I.	Introduction.....	I-1
II.	Management/Administration	II-1
III.	Equipment/Inspection (Inland)	III-1
IV.	Equipment/Inspection (Coastal).....	IV-1
V.	Human Factors	V-1
VI.	Addenda Introduction	VI-1
	A. Dispute Resolution Policy.....	A-1
	B. Audit Recertification Protocol	B-1
	C. Audit Issues	C-1
	D. Auditor Issues	D-1
	E. Accreditation Board Issues.....	E-1
	F. Auditor Disciplinary Procedure	F-1

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I. Introduction

On December 7, 1994, the Board of Directors of the American Waterways Operators (AWO) unanimously approved the establishment of the AWO Responsible Carrier Program as a code of practice for association member companies. The Board's historic vote marked the culmination of an intensive, eight-month effort to develop the outlines of a new, industry-driven safety program for the tugboat and towboat industry. In voting to adopt the Responsible Carrier Program, however, the Board did more than signal its approval of the code of practice and its endorsement of the process that produced it. Perhaps more significantly, the Board directed that a new process begin to help the newly developed safety program take root in the industry and to ensure that the program's goals of a better, safer, and more responsible industry are realized. To that end, the Board set January 1, 1998, as the target date to bring all AWO member companies into compliance with the Responsible Carrier Program.

Background and Purpose

Development of the Responsible Carrier Program began in April 1994, when the Board of Directors authorized the establishment of a specially-selected task force of senior industry executives. Comprised of 13 members representing a broad cross section of AWO's diverse membership – inland, coastal, and harbor operators; dry and liquid carriers; large and small companies drawn from each of the association's five regions— the working group was tasked with developing a series of "recommended positions, practices, and standards aimed at enhancing the safety of the barge and towing industry." This work stemmed from the directive of the association's newly-approved strategic plan, *AWO 2000*, that AWO "improve industry safety and environmental protection by establishing preferred industry operating principles and practices," and from the process of industry self-examination which began in the wake of the September 1993 derailment of the Amtrak *Sunset Limited*.

Throughout the spring and summer of 1994, the working group labored to fulfill the Board's mandate and to develop the outlines of a new, industry-specific safety program for the tugboat and towboat industry. By late September, the framework of the program had emerged, and a draft document was shared with all AWO members, including shipyard and affiliate members, for review and comment. Throughout the month of October, regional briefing sessions were held in Greenville, Mississippi; New York, New York; St. Louis, Missouri; and Seattle, Washington, to subject the draft program to the critical review of AWO members in all regions of the country. Armed with this feedback, the working group reconvened in early November to consider the input received from the membership, to revise the document as necessary, and to develop final recommendations for consideration by the AWO Executive Committee and Board of Directors. On November 3, the Responsible Carrier Program was approved by the AWO Executive Committee. The Committee-approved changes to the content of the draft program, as well as its recommendations for implementation and use of the new safety program, were shared with all AWO members in mid-November. On December 7, following a final briefing and discussion session on the content of the program held December 6, AWO's Board of Directors voted unanimously to adopt the Responsible Carrier Program as a code of practice for AWO member companies.

The Responsible Carrier Program

The program approved by the Board of Directors has three principal parts — management and administration, equipment and inspection, and human factors—reflecting the role that each of these components plays in ensuring safe and efficient vessel operations. The program is intended to serve as a template for AWO member companies to use in developing company-specific safety programs that are consistent with applicable law and regulation, that incorporate sound operating principles and practices not currently required by law or regulation, and that are practical and flexible enough to reflect a company's unique operational needs. The three sections of the program are meant to be used in conjunction with one another; the policies and procedures called for in the management and administration section, for example, should reflect the recommended principles and practices outlined in the equipment and inspection and human factors sections, as well as the variables of a company's trade, area of operations, size and organizational structure.

The Responsible Carrier Program does not attempt to catalogue or to duplicate that which is already required by federal law or regulation. (For clarity, references to applicable law and regulation are included in several areas of the document.) Rather, the program seeks to complement and build upon existing law and regulation and to identify sound operating principles and practices that will enhance the safety of a company's operations, with or without governmental action in these areas. The program is intended to be a practical one. It takes its inspiration not from a government-prescribed standard or from a deep-sea, ship-focused model, but from the experience of the tugboat and towboat industry itself. The practices and principles outlined herein are, in large measure, based on principles of safe and sound operation that many companies in the industry have already voluntarily embraced. This program aims to build upon that foundation by extending those practices and principles throughout the industry as a whole.

It is not the aim of the Responsible Carrier Program to homogenize industry operations, however; the industry is far too diverse for such a simplistic approach. Rather, the program aims to combine a set of common principles and practices that can be observed by a company regardless of its trade or its size, with an emphasis on company-specific policies and procedures which may vary significantly both between and among industry sectors. The policies and procedures developed by a small inland grain carrier will inevitably differ from those of a large coastal oil transporter; indeed, the policies developed by one carrier will likely differ even from those of a similarly situated company. The Responsible Carrier Program is rooted in the premise that common principles of safe operation, and industry practices that are recognized as sound standards industry-wide, can and must coexist with the operational diversity that has long been a hallmark of the U.S. tugboat, towboat and barge industry.

Implementation and Use

In approving the establishment of the Responsible Carrier Program, AWO's Board of Directors recognized that developing a comprehensive plan for implementation and use of the new safety program would be critical to achieving the program's objectives. *AWO 2000* directed the association to "improve industry safety and environmental protection by establishing preferred industry operating principles and practices," but the mere development of such a program would

not by itself achieve these crucial goals. To make real gains in marine safety and environmental protection, the Board recognized that the next step for the association must be to put the Responsible Carrier Program in place and to help all AWO members integrate the program into their own companies' operations.

The Board set January 1, 1998, as the target date to bring all AWO member companies into compliance with the Responsible Carrier Program. To assist AWO members in meeting this target, the Board directed that the development of an implementation and assistance program aimed at giving all AWO members the tools they needed to adopt the Responsible Carrier Program commence immediately following Board approval of the program. Development of such a program, which included the identification or development of sample policies and procedures, identification of industry training resources, and a series of regional implementation seminars, then began, and a detailed implementation plan was presented to the AWO membership and Board of Directors at the association's April 1995 Annual Meeting. The Board also recognized the importance of monitoring the implementation process closely to ensure continued progress toward universal member adoption of the program and to identify any difficulties requiring modification, either of the document itself or of the implementation program. To that end, the Board received regular reports on the implementation process at each of its meetings between 1995 and 1998.

Third-Party Audit

In December 1995, AWO's Board of Directors established the Responsible Carrier Program Audit Task Force. The mission of this member task force was to consider the need for, and value of, an external audit program for the Responsible Carrier Program. In October 1996, the Board approved the recommendation of the Audit Task Force that an audit program be established for the Responsible Carrier Program. The Board concluded that not only would an external audit advance the objectives of marine safety and environmental protection, but that it would significantly increase the external credibility of the Responsible Carrier Program and facilitate the attainment of other important benefits, such as charterer acceptance, recognition from federal and state regulators, and lower insurance premiums. It became increasingly clear to the task force and to the Board of Directors that some form of audit would be required by regulators, shippers, and insurers as a condition of conferring many of the tangible benefits of the RCP on individual members. Given these conclusions, the Board established a Technical Subcommittee to develop the details of a future Responsible Carrier Program audit.

The Responsible Carrier Program Audit Task Force Technical Subcommittee first met in January 1997 and began the challenge of developing an audit program that increases industry safety, provides recognition for responsible operators, generates greater industry credibility in the public forum, and recognizes the diverse needs of AWO's members. In August 1997 the task force recommended that all members of AWO achieve audited compliance with the Responsible Carrier Program by January 1, 2000, or within two years of joining the association, whichever was later. In October 1997, in response to the recommendation by the task force, the AWO Board of Directors voted to approve the establishment of a third-party audit program for the Responsible Carrier Program, including the creation of a Responsible Carrier Program Accreditation Board responsible for the selection, orientation, oversight and recertification of

AWO-certified auditors. The Accreditation Board also plays a role in clarifying or interpreting the audit guidelines and in considering and recommending changes to the audit program as appropriate. The establishment of an audit program was an extraordinarily important step for the Responsible Carrier Program, AWO and the entire industry.

Condition of Membership

In a move that fundamentally changed the face of AWO, in April 1998, the membership voted to change the association's *Constitution and Bylaws* to require carrier members to demonstrate a "good faith commitment" to achieve compliance with the AWO Responsible Carrier Program, and undergo an AWO-certified audit of their program by January 1, 2000, or within two years of joining the association, whichever is later. In 2004, the Board of Directors voted to reduce the timeframe requirement to within one year of joining the association.) No longer was it enough to simply operate a towing company and pay dues to belong to AWO. Now, members had to commit to operating their companies to operate safely and responsibly by implementing the Responsible Carrier Program, and then demonstrate their implementation by undergoing a comprehensive third-party audit conducted by professional, experienced and knowledgeable auditors. In 2008, the Board of Directors voted to recommend to the full membership that the "good faith commitment" clause be deleted and to require members to achieve compliance within one year.

On January 1, 2000, 100 percent of AWO's carrier members were in audited compliance with the Responsible Carrier Program. Thirteen member companies chose not to comply with this condition of membership and thus, their memberships in AWO were terminated.

Responsible Carrier Program as Towing Safety Management System under Subchapter M

In December 2003, the AWO Board of Directors voted to pursue a towing vessel inspection system that builds upon the Responsible Carrier Program in concert with the U.S. Coast Guard. Congress, in the Coast Guard and Maritime Transportation Act of 2004, added towing vessels to the list of vessels subject to inspection and authorized the Coast Guard to establish a safety management system appropriate for towing vessels.

The towing vessel inspection notice of proposed rulemaking was published in August 2011, proposing to establish a new Subchapter M of Title 46 of the Code of Federal Regulations containing requirements for towing vessel operations, lifesaving, firefighting, machinery and electrical systems and equipment, and construction and arrangements. The rule proposes two compliance options: implementation of a Towing Safety Management System (TSMS) audited by a Coast Guard-approved third party, or annual Coast Guard inspection.

As the publication of the towing vessel inspection final rule approaches, AWO's goal is to position the RCP for acceptance by the Coast Guard as a TSMS under Subchapter M. To that end, in 2012 the AWO Board of Directors voted to transfer authority for the training and certification of RCP auditors to a third-party organization. The transition took place over 2013 and the RCP addenda were revised to reflect the changes to the audit protocol and role of the

third-party organization. At the same time, the RCP Accreditation Board became the RCP Standards Board to reflect its changed function.

As part of the effort to secure Coast Guard acceptance of the RCP as a TSMS, and ensure that the RCP continues to provide a high level of value to AWO members as the industry-leading safety management system, the AWO Executive Committee endorsed the formation of a working group to undertake a gap analysis. Its charter requires the AWO RCP Gap Analysis Working Group to compare and make recommendations to align the requirements of the RCP with the requirements of the International Safety Management Code, which was identified in the Subchapter M proposal as an approved safety management system, and examine the value of additional changes based on other safety management systems and customer vetting standards.

With the endorsement and participation of the Coast Guard, the RCP Gap Analysis Working Group first met in June 2014, and in October 2014 proposed to the AWO Board of Directors changes to the RCP to position it for Coast Guard acceptance as a TSMS. The Board approved the changes and subsequently approved an implementation date of January 1, 2016. In June 2015, AWO received notification from the Coast Guard of their intent to accept the RCP as a Towing Safety Management System under Subchapter M. The working group continues to consider changes to enhance the value of the RCP by making it a compliance tool for Subchapter M and by drawing on other safety programs to make it a best-in-class safety management system.

Conclusion

AWO members recognize that the process of enhancing marine safety and environmental protection is, and must be, a continuum. The Board votes to establish the Responsible Carrier Program and to require compliance with the RCP as a condition of membership in AWO were milestones on a journey that continues. The members of AWO are committed to making the Responsible Carrier Program a living document and a continuing process: incorporating lessons learned and new technological developments into the program; considering, debating, and adopting suggestions to improve, strengthen, and build upon the program; and maintaining a constant fix on the underlying objective of improving industry safety and environmental protection.

There are many parties with a role to play in building a better, safer tugboat, towboat and barge industry, but the primary responsibility for making industry operations safer unquestionably lies with the industry itself. The AWO Responsible Carrier Program is a tangible manifestation of the association's acceptance of that responsibility, and its deep commitment to carrying it out.

II. Management and Administration

Each towing company should develop and document written policies and procedures covering, at a minimum, those items outlined below. Companies should abide by these policies in conducting their operations and should ensure that their employees are aware of, and trained in, those policies and procedures which affect their job responsibilities. Companies should develop a mission statement expressing their commitment to abide by their established policies and procedures and to ensure employee awareness and knowledge thereof.

All AWO carrier members, as a baseline, should be in compliance with all applicable federal laws and regulations concerning marine safety and environmental protection. All company policies and procedures should be consistent with applicable law and regulation and with the guidelines provided in the Equipment and Inspection and Human Factors sections of the AWO Responsible Carrier Program. Required procedures are to be documented and implemented. Parenthetical items preceded by "e.g.," (or "for example") may not be applicable in all situations and are intended to serve only as examples of the types of items which company policies and procedures may address.

A. Functional Requirements

1. Procedures to systematically assess and manage identified risks to onboard personnel, vessels, and the environment. The procedures shall address:
 - a) Risk discovery
 - b) Risk evaluation
 - c) Risk control measures to establish appropriate safeguards to reduce risk to an appropriate level
 - d) Procedures to identify, assess, and manage the risk of hazards introduced by new or non-routine changes to: equipment, staffing (ashore or afloat), or procedures
2. Policy and/or procedure to ensure compliance with applicable federal laws and regulations concerning marine safety and environmental protection
3. Procedures to ensure document control, updating and distribution of relevant materials
4. Incident reporting and investigation procedures, to include:
 - a) Personal injury
 - b) Oil or hazardous substance spill
 - c) Vessel accident
 - d) Bridge, lock, or dock allision
 - e) Grounding
 - f) Other company-specific reporting procedures

5. Near Miss procedures, to include reporting, investigation and corrective and preventive action
6. Corrective and preventive action procedures that apply to findings from internal and external incident investigations and audits, employee and customer suggestions, and management review, to include:
 - a) Method for identifying non-conformities
 - b) Follow-up time frame for initiating corrective action
 - c) Method of tracking initiation and completion of corrective action, including assigned responsibility
 - d) Lessons Learned procedures, to include communication procedures for disseminating lessons learned
7. Performance measurement procedures, including number and rate of:
 - a) Manhours
 - b) Fatalities
 - c) Recordable injuries
 - d) Lost time injuries
 - e) Falls overboard
 - f) Spills (number and volume)

B. Vessel Operating Policies and Procedures

1. Company-specific vessel operating procedures (will depend on trade)
 - a) Bridge transit procedure
 - b) Voyage planning procedures
2. Vessel-specific operating procedures (will depend on vessel size, cargo, trade, etc.)
3. Procedures for making horsepower/tow size decisions
4. Procedures to ensure proper and valid documentation carried aboard vessels, including a list of documentation to be carried
5. Fuel transfer procedures
6. List of critical or essential equipment and systems, the sudden failure of which may place the vessel, crew or environment into a hazardous situation, or procedures to identify such equipment and systems
7. Vessel maintenance procedures, including:

- a) Persons responsible for maintenance
 - b) Maintenance schedules
 - c) Qualifications and training requirements for persons responsible for maintenance
 - d) Procedures to correct deficiencies identified during maintenance (**see II.A.6 above**)
 - e) Maintenance record retention procedure
 - f) Risk assessment and approvals required before critical equipment or systems are shut down, bypassed, or taken out of service for maintenance (see II.B.6 above)
8. Vessel inspection procedures, including:
- a) Persons responsible for conducting in-house inspections
 - b) Frequency of inspections
 - c) Qualifications and training requirements for persons responsible for conducting in-house inspections
 - d) Procedures to correct deficiencies identified during inspections (**see II.A.6 above**)
 - e) Inspection record retention program
9. Cargo handling procedures
- a) Benzene procedure
 - b) Vapor control procedures
 - c) Cargoes requiring special handling (e.g., anhydrous ammonia, hydrogen sulfide, etc.)
10. Lightering procedures (where applicable)
11. Procedures for identifying critical stores and supplies or list of critical stores and supplies

C. Safety Policy and Procedures

1. Company safety policy
- a) Accountability and commitment to safety
 - b) Hearing conservation
2. Company safety rules, including:
- a) Painting in enclosed spaces
 - b) Non-skid surfaces
 - c) Flammable and combustible liquids
3. Personal protective equipment policy, including:

- a) Use (including respiratory protection and fall arrest protection)
 - b) Inspection
 - c) Maintenance
 - d) Replacement
- 4. Reporting of safety deficiencies and/or nonconformities
 - 5. Confined space entry
 - 6. Safety training, safety drills and safety meetings (including station bill)
 - a) Topics to be covered (e.g., first aid, CPR, firefighting, emergency boat operation, use of life rafts, survival suits, etc.)
 - b) Frequency
 - 7. Safe use of equipment
 - a) Deck machinery
 - b) Rigging
 - c) Welding and/or cutting equipment
 - d) Hand tools
 - e) Ladders
 - f) Abrasive wheel machinery
 - 8. Cargo knowledge (may include material safety data sheets)
 - 9. Hazard communication procedures (29 CFR 1910.1200)
 - 10. Blood borne pathogens
 - 11. Fall overboard prevention

D. Security Policy and/or Procedures

E. Environmental Policy and/or Procedures

- 1. Company environmental policy
- 2. Garbage disposal requirements, procedures and documentation
- 3. Handling of waste oil, oily bilge slops, and used filters
- 4. Hazardous waste disposal and handling
- 5. Sanitary systems and handling of sewage

F. Emergency Response Procedures

1. Personal injury response
2. Spill response plan and/or contingency plan
3. Vessel accident response
4. Onboard emergency response training and drill procedures
 - a) Subject matter
 - b) Frequency
 - c) Documentation
5. Operator incapacitation procedure

G. Audit and Review Procedures

1. Internal audits
 - a) The internal auditing procedures must:
 - 1) Periodically evaluate the effectiveness of the safety management system
 - 2) Review the safety management system in accordance with the established procedures of the company, when needed
 - 3) Require reporting of non-conformities
 - 4) Be included in the corrective action procedure (see II.A.6 above)
 - 5) Include a management review
 - b) Types and frequency of internal audits:
 - 1) Internal audits must be carried out annually, and initiated by the anniversary date of the last internal audit, for all towing vessels and managing offices (all offices with management oversight of towing vessels). Audits can be conducted up to three months before the anniversary of the original audit and will maintain the original anniversary date.
 - 2) Factors for determining selection of personnel responsible for conducting internal audits, to include:
 - i. Qualifications and training requirements
 - ii. Requirement that personnel are independent of the area being audited (as practicable)

2. External Audits:

a) Types and frequency of external audits:

- 1) External audits are to be carried out once for each vessel, during a period not to exceed five years after the initial audit, and for each managing office, twice during a period not to exceed five years after the initial audit, and no more than three months prior to the anniversary of the initial audit. One audit should take place around the midpoint of the audit cycle, in the 27-33 month time frame.

Internal	Annual	Each boat.	Initiated by anniversary of last audit. Maintain original anniversary date.
		Each managing office.	
External	Once in 5 years	Each boat.	Not to exceed 5 years. Up to 3 months before anniversary of last audit.
	Twice in 5 years	Each managing office.	Not to exceed 5 years. Up to 3 months before anniversary of last audit. Mid-period audit at 27-33 months.

H. Vendor Safety

Procedures for evaluation of subcontractors and vendors providing towing and vessel assist services on their ability to provide an acceptable level of safety, including:

1. Preference when assigning towing, vessel assist services and/or fleeting services to vendors that have a documented, and third-party audited, safety management system, and,
2. For vendors providing towing, vessel assist services and/or fleeting services that maintain a routine and reoccurring business relationship with the member company, but do not participate in an audited safety management system such as the RCP or ISM, procedures to ensure that those vendors maintain an acceptable level of safety through at least one of the following:
 - a) On-site inspection of vessels and facilities
 - b) Pre-qualification through interview and completion of a safety assessment checklist with vendor safety/operations personnel

I. Organization and Levels of Authority

1. Depict company organization and document authority and general responsibilities of individuals at different levels, including vessel master and crew and shoreside personnel. For vessel master and crew, clearly communicate that:
 - a) The safety of the towing vessel is the responsibility of the master and includes:
 - 1) Adherence to the provisions of the Certificate of Inspection (COI)
 - 2) Compliance with applicable regulations
 - 3) Compliance with the safety management system applicable to the vessel
 - 4) Review the safety management system applicable to the vessel and report non-conformities to shore-based management
 - 5) Supervision of all persons onboard in carrying out their assigned duties
 - b) The authority of the master includes:
 - 1) If the master believes it is unsafe for the vessel to proceed, that an operation endangers the vessel or crew, or that an unsafe condition exists, the master must ensure that adequate corrective action is taken and must not proceed until it is safe to do so.
 - 2) Nothing in the safety management system applicable to the vessel shall be misinterpreted in a manner that limits the master or mate (pilot) of their own responsibility taking such steps as he/she deems necessary and prudent to assist vessels in distress or for other emergency conditions.
 - 3) The master has the ability to request the company's help when necessary
 - c) The safety of the towing vessel is also the responsibility of the crew and includes:
 - 1) Compliance with the safety management system
 - 2) Compliance with applicable regulations
 - 3) Report unsafe conditions to the master and take action to prevent accidents
2. Designation of a person(s) ashore having direct access to the highest level of management (Designated Person)

J. Personnel Policies or Procedures (may be a policy or procedure unless specified)

1. Hiring
2. Physical exams/or physical standards
3. Drug and alcohol policy (46 CFR 16, 33 CFR 95)

4. Proficiency evaluation
5. Orientation and training, including:
 - a) Who is trained
 - b) Subjects in which training is given
 - c) Frequency of training
6. Personnel development
 - a) Deck personnel
 - b) Tankermen
 - c) Engineers
 - d) Wheelhouse personnel
7. Prescription medication notification
8. Personal hygiene
9. Sanitation and safe food handling
10. Disciplinary Action

III. Equipment and Inspection (Inland)

A. Hull

Documentation of each inspection item listed below should be maintained for reporting or examination by appropriate company or third-party personnel. (Note: annual inspection requirements are not intended to preclude routine walk-through inspections conducted by vessel personnel. Such inspections are an important component of sound vessel maintenance and should be encouraged.)

1. Drydock period (routine hull inspection)
 - a) Recommended as needed; maximum 36 months
2. Watertight closures (doors, hatches, airports, windows, etc.)
 - a) If vessel has watertight closures, they should be inspected annually, with particular attention to main or freeboard deck closures.
3. Other openings (ventilators, air pipes, tank vents, etc.)
 - a) Inspection annually for water or weather tightness and structural integrity
4. Rails, ladders, bulwarks, lighting, walking surfaces, chain guards, and handrails
 - a) Inspection annually for wastage, weakness, and personnel safety considerations
 - b) Safety chains along outboard sides of main deck
5. Emergency walkways and hatchways a) Inspection annually
6. Piping systems and tanks
 - a) Piping diagrams should be kept aboard the vessel and piping systems identified by color-coding, numbering, lettering, etc.
 - b) Inspection annually
7. Freeing ports and scuppers (if applicable)
 - a) Survey and inspection annually while underway to note satisfactory drainage of main deck for seaworthiness

B. Machinery

1. Each company should develop a vessel maintenance program as outlined in the Management and Administration section of the AWO Responsible Carrier Program. At a minimum, this program should cover the following:
 - a) Propulsion system (all major propulsion machinery, including engines, reduction gears, clutches, controls, shafting, bearings, and other items prone to wear)
 - b) Steering system (all components)
 - c) Miscellaneous auxiliary systems
 - d) Electrical systems (should be labeled)
2. Maintenance records should be kept on all systems identified above. Records should contain sufficient information to develop a program for overhauls, repairs, and preventative maintenance, and indicate part replacement dates and test dates. Logs should be kept indicating any maintenance or inspections performed.
3. Company maintenance procedures should include lock-out/tag-out.
4. Guards should be placed around any exposed moving parts (e.g., shafts, belts, pulleys, etc.)
5. Alarms and Gauges
 - a) Alarms

Vessel should have the following alarms or have individuals assigned responsibility to monitor and document the following in accordance with company procedures:

 - (1) Main engine water temperature
 - (2) Main engine lube oil pressure
 - (3) Bilge alarm
 - (4) Generator water temperature
 - (5) Generator lube oil pressure
 - (6) Hydraulic steering fluid level In addition:
 - (7) Vessel should have general alarm audible in all compartments. (46 CFR 27.201)
 - (8) General alarm shall be tested weekly. Other alarms should be tested quarterly.
 - b) Gauges

Vessel should have the following gauges or have individuals assigned responsibility to monitor and document the following in accordance with company procedures:

- (1) Main engine water temperature
- (2) Main engine lube oil pressure
- (3) Generator water temperature
- (4) Generator lube oil pressure
- (5) Main engine tachometer
- (6) Hydraulic steering fluid level (sight glass)

C. Firefighting and Lifesaving Equipment

A check-off report should be turned in or a log entry made at least quarterly verifying that the following required firefighting and lifesaving equipment is present and in proper working order:

1. Coast Guard-approved life preservers (46 CFR 25.25-5)
2. Coast Guard-approved ring buoy (46 CFR 25.25-5(d))
3. Coast Guard-approved work vests (46 CFR 26.30-5) (46 CFR 26.30-10)
4. Coast Guard-approved hand-portable fire extinguishers and semi-portable fire extinguishing systems (46 CFR 25.30) Other equipment and items carried (and addressed in check-off report or log entry) should include the following:
5. Fire hydrants with hose and nozzle
6. Flare kits (if applicable)
7. Fire axe
8. First aid kit or trauma kit (properly stocked and maintained)
9. Smoke alarms to protect all accommodation spaces
10. Emergency lighting
11. Fire detection system to detect engine room fires (46 CFR 27.203)
12. Remote engine fuel shutoff valve (46 CFR 27.207)
13. Heat or flame detector in galley as required by regulation
14. Remote manual engine shutdown as required by regulation
15. Remote starter for fire pump as required by regulation

16. Posted safety notices, placards and warning signs as required by regulation
17. Placarded storage area appropriate for flammable products as required by regulation

D. Navigation and Communication Equipment

A check-off report should be turned in or a log entry made at least quarterly verifying that all required navigation and communication equipment is present and in proper working order:

1. Copy of Navigation Rules (33 CFR 88.05)
2. Radiotelephone log (where applicable) (47 CFR 80.405, 80.409(e) and (f))
3. VHF radio (33 CFR 26.03)
4. Valid FCC radio station license (47 CFR 80.25) posted near radio
5. Navigation lights (33 USC 2023(a))
6. Whistle and bell (33 CFR 86.05) (COLREGS Rule 33)
7. Sound signal device (33 USC 2033(b)) (COLREGS Rule 33) Other equipment and items carried (and addressed in check-off report or log entry) should include the following:
 8. Additional VHF radio capable of connection to battery backup
 9. Swing meter or magnetic compass, depending on area of operations (33 CFR 164.72(a)(4))
 10. Two radars (if only one radar is carried, need documented procedures to address radar failure) (one radar 33 CFR 164.72(a)(1))
 11. Navigation charts or maps (33 CFR 164.72(b)(1))
 12. Tide and Current Tables (where applicable) (33 CFR 164.72(b)(3))
 13. Coast Pilot (where applicable) (33 CFR 164.72(b)(3))
 14. Notice to Mariners (33 CFR 164.72(b)(3))
 15. Search light (33 CFR 164.72(a)(2))
 16. Defroster or de-icer (where applicable)

17. VTS Manual (where applicable)
18. Backup marine radio or telephone communications (33 CFR 164.72(a)(3))
19. Loran or satellite navigation receiver (where applicable) (33 CFR 164.01, 33 CFR 164.41)
20. Public address system and/or internal communication system as required by regulation

E. Boat and Barge Rigging

Each company operating inland towing vessels should:

1. Establish documented procedures for safe use of wires, ropes, chains, shackles, ratchets, and winches
2. Identify minimum rigging requirements for each vessel according to service
3. Formulate an inspection and replacement program for rigging
4. Establish minimum specifications for each element of rigging

F. Environmental Controls:

The following requirements are prescribed by regulation:

1. Fuel oil and bulk lubricating oil containment (33 CFR 155.320)
2. Bilge slop containment (33 CFR 155.330)
3. Oily water separator equipment (33 CFR 155.380) (where applicable)
4. Placard prohibiting discharge of oil (33 CFR 155.450)
5. MARPOL placard (33 CFR 151.59)
6. Certified marine sanitation device (33 CFR 159.7)
7. Fuel oil transfer procedures (33 CFR 155.720)

In addition, each towing vessel should have the following:

8. Oil spill contingency plan outlining procedures to be followed in the event of a

fuel spill from the towing vessel

9. Containment around fueling stations
10. Spill kit

IV. Equipment and Inspection (Coastal)

A. Hull

Documentation of each inspection item listed below should be maintained for reporting or examination by appropriate company or third-party personnel. (Note: Annual inspection requirements are not intended to preclude routine walk-through inspections conducted by vessel personnel. Such inspections are an important component of sound vessel maintenance and should be encouraged.)

1. Drydock period (routine hull inspection)
 - a) Recommended twice every five years; maximum 36 months
 - b) Vessels operating exclusively in coastal harbor services (i.e., not beyond the boundary line); recommended as needed; minimum once every five years with a mid-term underwater inspection between 24 and 36 months
2. Hull gaugings and ballast tank inspections
 - a) Maximum 36 months for ballast tanks and voids; Maximum five years for hull gaugings
3. Watertight closures (doors, hatches, airports, windows, etc.)
 - a) If vessel has watertight closures, they should be inspected annually, with particular attention to main or freeboard deck closures.
4. Other openings (ventilators, air pipes, tank vents, etc.)
 - a) Inspection annually for water or weather tightness and structural integrity
5. Rails, ladders, bulwarks, lighting, walking surfaces, chain guards, and handrails
 - a) Inspection annually for wastage, weakness, and personnel safety considerations
6. Emergency walkways and hatchways a) Inspection annually
7. Freeing ports and scuppers
 - a) Survey and inspection annually while at sea to note satisfactory drainage of main deck for seaworthiness
8. Piping systems and tanks

- a) Piping diagrams should be kept aboard the vessel and piping systems identified by color-coding, numbering, lettering, etc.
- b) Inspection annually

B. Machinery

1. Each company should develop a vessel maintenance program as outlined in the Management and Administration section of the AWO Responsible Carrier Program. At a minimum, this program should cover the following:
 - a) Propulsion system (all major propulsion machinery, including engines, reduction gears, clutches, controls, shafting, bearings, and other items prone to wear)
 - b) Steering system (all components)
 - c) Miscellaneous auxiliary systems
 - d) Electrical systems (should be labeled)
2. Maintenance records should be kept on all systems identified above. Records should contain sufficient information to develop a program for overhauls, repairs, and preventative maintenance, and indicate part replacement dates and test dates. Logs should be kept indicating any maintenance or inspections performed.
3. Company maintenance procedures should include lock-out/tag-out.
4. Guards should be placed around any exposed moving parts (e.g., shafts, belts, pulleys, etc.).
5. Alarms and Gauges
 - a) Alarms

Vessel should have the following alarms or have individuals assigned responsibility to monitor and document the following in accordance with company procedures:

- (1) Main engine water temperature
- (2) Main engine lube oil pressure
- (3) Bilge alarm
- (4) Generator water temperature
- (5) Generator lube oil pressure
- (6) Hydraulic steering fluid level

In addition:

- (7) Vessel should have general alarm audible in all compartments (46 CFR 27.201)
- (8) General alarm shall be tested weekly. Other alarms should be tested quarterly.

b) Gauges

Vessel should have the following gauges or have individuals assigned responsibility to monitor and document the following in accordance with company procedures:

- (1) Main engine water temperature
- (2) Main engine lube oil pressure
- (3) Generator water temperature
- (4) Generator lube oil pressure
- (5) Main engine tachometer
- (6) Hydraulic steering fluid level (sight glass)

C. Firefighting and Lifesaving Equipment

A check-off report should be turned in or a log entry made at least quarterly verifying that the following required firefighting and lifesaving equipment is present and in proper working order:

1. Coast Guard-approved life preservers (46 CFR 25.25-5)
2. Coast Guard-approved ring buoy (46 CFR 25.25-5(d))
3. Coast Guard-approved work vests (46 CFR 26.30-5) (46 CFR 26.30-10)
4. Coast Guard-approved hand-portable fire extinguishers and semi-portable fire extinguishing systems (46 CFR 25.30)

Other equipment and items carried (and addressed in check-off report or log entry) should include the following:

5. Inflatable life raft
6. Fire hydrants with hose and nozzle

7. Flare kits
8. Fire axe
9. First aid kit or trauma kit (properly stocked and maintained)
10. Smoke alarms installed to protect all accommodation spaces
11. Emergency lighting
12. Survival suits for each person on board (where applicable)
13. Fire detection system to detect engine room fires (46 CFR 27.203)
14. Remote engine fuel shutoff valve (46 CFR 27.207)
15. Heat or flame detector in galley as required by regulation
16. Remote manual engine shutdown as required by regulation
17. Remote starter for fire pump as required by regulation
18. Posted safety notices, placards and warning signs as required by regulation
19. Placarded storage area appropriate for flammable products as required by regulation
20. Externally activated fire extinguishers in engine room as required by regulation

D. Navigation and Communication Equipment

A check-off report should be turned in or a log entry made at least quarterly verifying that all required navigation and communication equipment is present and in proper working order:

1. Copy of navigation rules (33 CFR 88.05)
2. Radiotelephone log (47 CFR 80.405, 80.409(e) and (f))
3. VHF radio (33 CFR 26.03)
4. Valid FCC radio station license (47 CFR 80.25) posted near radio
5. Navigation lights (33 USC 2023(a))

6. Whistle and bell (33 CFR 86.05) (COLREGS Rule 33)
7. Sound signal device (33 USC 2033(b)) (COLREGS Rule 33)
8. Emergency position indicating radio beacon (EPIRB) (46 CFR 25.26) Other equipment/items carried (and addressed in check-off report or log entry) should include the following:
9. Additional VHF radio capable of connection to battery backup
10. Magnetic compass and backup means of determining course and direction (gyrocompass for oceangoing tugs as required by regulation) (33 CFR 164.72(a)(4))
11. Two radars (if only one radar is carried, need documented procedures to address radar failure) (one radar 33 CFR 164.72(a)(1))
12. Fathometer
13. LORAN or GPS (33 CFR 164.72(a)(6))
14. Navigation charts (33 CFR 164.72(b)(1))
15. Tide and Current Tables (33 CFR 164.72(b)(3))
16. Coast Pilot (33 CFR 164.72(b)(3))
17. Light List
18. Notice to Mariners (33 CFR 164.72(b)(3))
19. Search light (33 CFR 164.72(a)(2))
20. Rudder angle indicator
21. Defroster or de-icer (where applicable)
22. VTS Manual (where applicable)
23. Backup marine radio or telephone communications (33 CFR 164.72(a)(3))
24. Public address system and/or internal communication system as required by regulation

E. Towing Gear

1. Tow wire and towing hawser

a) General guidelines for sizing tow wires/towing hawsers

- (1) The minimum nominal breaking strength of the tow wire/towing hawser should be 2.5 times the certified or calculated bollard pull of the tug. The static bollard pull of the tug should be determined by a static bollard pull test certified by the American Bureau of Shipping or other competent organization, or calculated using the engine manufacturer's rated brake horsepower (BHP) at the maximum engine rpm times the factor 27.5 pounds per BHP.
- (2) The following minimum size tow wire/towing hawser is recommended for use with tugs of the horsepower indicated. (Note: the horsepower and diameter ranges listed are intended to serve as ranges only. A tug at the low end of a given horsepower range does not necessarily require a towing hawser sized at the low end of the diameter range, nor does a vessel at the high end of a given horsepower range necessarily require a towing hawser sized at the high end of the diameter range.)

- (a) <1000 hp: 1" diameter; breaking strength 35 tons
- (b) 1000-1500 hp: 1"-1.125" diameter; breaking strength 46 tons
- (c) 1500-2000 hp: 1"-1.25" diameter; breaking strength 68 tons
- (d) 2000-2500 hp: 1.25"-1.50" diameter; breaking strength 86 tons
- (e) 2500-3000 hp: 1.50"-1.75" diameter; breaking strength 103 tons
- (f) 3000-4000 hp: 1.75"-2" diameter; breaking strength 137 tons
- (g) 4000-5000 hp: 2"-2.25" diameter; breaking strength 172 tons
- (h) 5000-7000 hp: 2.125"-2.50" diameter; breaking strength 245 tons
- (i) 7000-10,000 hp: Special consideration (e.g., certified bollard pull/tow wire match or dual tow wire arrangement)

b) Specifications

- (1) Tow wires should have independent wire rope cores (IWRC).
- (2) Tow wires should be of improved plow steel or extra improved plow steel.
- (3) Tow wires should be heavy lubricated or galvanized at the time of

manufacture.

- (4) Tow wires should be 6 x 19 or larger (more flexible).
- (5) Soft lines used in ocean towing should be rated at 2.5 times the certified or calculated bollard pull of the tug.
- (6) The breaking strength of the wire rope or towing hawser should be certified by the manufacturer by pull-testing to destruction a portion of wire from the mill run from which it originated.

c) Terminations

The towing end of the tow wire should terminate in a spelter or thermo-set resin poured socket, or a spliced eye with thimble, and should be sized to exceed the breaking strength of the tow wire.

2. Bridles and surge gear (if used)

a) Bridles for ocean towing

- (1) Connections to the barge should be by a two-legged bridle.
- (2) The breaking strength of each leg should be at least 1.3 times that of the minimum required breaking strength of the main towing hawser.
- (3) Bridles should be Grade 2 or higher welded or forged integral stud link chain or IWRC wire rope.

b) Surge gear (if used)

- (1) Surge chains should be Grade 2 or higher welded or forged integral stud link chain.
- (2) Surge chains should be of the same grade and type and at least as large as that in the towing bridle.
- (3) Each end of the chain may have an end link or one studless link.
- (4) A synthetic shockline may be used as surge gear if rated at 1.3 times the breaking strength specified for the primary tow wire or towing hawser [see item 1.a)(1) above].

3. Associated towing gear

All associated towing gear (e.g., shackles, flounder and/or fish plates, shock hawser, and pennant) should be sufficiently sized for its intended use and should have a breaking strength of not less than 1.3 times the breaking strength specified for the primary tow line [see item 1.a)(1) above].

4. Chafing protection

- a) Protection from chafing should be provided at points where the wire

rope hawser passes over the stern bulrail or around a surface that may cause wear on the hawser during normal towing operations.

- b) Any wear points on the vessel or associated equipment contacted by wire rope as it travels during operation should be kept ground smooth. Sources of sharp bending by deformation of the surface should be eliminated or not introduced.

5. Emergency towing gear

All components of the emergency towing system should be rated with a breaking strength equal to 1.5 times the rated bollard pull of the towing vessel. Each tug or barge should be equipped with an emergency recovery system.

(Note: 33 CFR 155.230 requires that all offshore [i.e., coastal or ocean] oil barges carry an emergency tow wire or tow line, rigged and ready for use. The emergency tow wire or tow line must have the same towing characteristics, but not necessarily the same physical characteristics, as the primary tow wire or tow line. The Coast Guard has advised AWO that tow line features such as size, breaking strength, etc., are considered physical, not towing, characteristics. Hence, according to the Coast Guard, carrying an emergency tow line with a breaking strength equal to 1.5 times the rated bollard pull of the towing vessel, while the breaking strength of the primary tow line is equal to 2.5 times the rated bollard pull, as specified in item 1.a)(1) above, is not inconsistent with the requirements of 33 CFR 155.230.)

6. Wire rope records, inspection, and maintenance

Each company should develop a program to address inspection, maintenance, and replacement criteria for wire rope and synthetic hawsers used in the tow line assembly. As a minimum, the wire rope program should be consistent with the recommendations outlined in Coast Guard Navigation and Vessel Inspection Circular (NVIC) 5-92.

F. Environmental Controls

The following requirements are prescribed by regulation:

1. Fuel oil and bulk lubricating oil containment (33 CFR 155.320)
2. Bilge slop containment (33 CFR 155.330)
3. Oily water separator equipment (33 CFR 155.380)
4. Placard prohibiting discharge of oil (33 CFR 155.450)
5. MARPOL placard (33 CFR 151.59)
6. Certified marine sanitation device (33 CFR 159.7)
7. Fuel oil transfer procedures (33 CFR 155.720)

In addition, each towing vessel should have the following:

8. Oil spill contingency plan outlining procedures to be followed in the event of a fuel spill from the towing vessel
9. Containment around fueling stations
10. Spill kit

V. Human Factors

A. Manning

1. All towing companies should man their vessels for safe operation, taking into account the following criteria:
 - a) Applicable law and regulation
 - b) Number, size, and type of barges to be towed
 - c) Towing route
 - d) Safety of personnel, equipment, environment
 - e) Service in which tow is engaged
 - f) Functional duties required of crew in addition to standard navigation
 - g) Configuration of vessel superstructure and deck and engine room
 - h) Extent of automation
 - i) Size and power of equipment used
 - j) Environmental and climatic conditions (e.g., icing)
 - k) Experience of crew
2. Except in an emergency, at least one qualified wheelhouse person and one additional crewmember should be on duty at all times while the vessel is underway.

B. Watchstanding and Work Hours

Except as otherwise provided [such as 46 USC 8104(c)] (46 USC 8104(h)) provides that "an individual licensed to operate a towing vessel may not work for more than 12 hours in a consecutive 24-hour period except in an emergency."

All other crewmembers on a towing vessel should not be permitted to work more than 15 hours in any 24-hour period or more than 42 hours in a 72-hour period, except in an emergency or drill.

C. Training

Towing vessel crewmembers should receive initial training and periodic refresher

training in the following subjects. Refresher training should be conducted in accordance with company policy, but no less frequently than once every five years.

Unless required as a condition of licensure or otherwise prescribed by regulation, training courses need not be Coast Guard-approved.

The training identified below is intended to apply to any individual serving in the listed capacity aboard a towing vessel, regardless of license held. Training required as a condition of licensure (e.g., firefighting) may be used to satisfy the training specifications listed below.

1. Master (captain), relief captain, mate (pilot)
 - a) Radar training
 - b) Navigation and boat handling training or proficiency evaluation; Rules of the Road refresher training
 - c) Company policy and procedure orientation, including review of federal requirements and company policies
 - d) Marine firefighting and fire prevention
 - e) Personal safety, including:
 - (1) First aid and CPR awareness
 - (2) Confined space hazard awareness
 - (3) Injury prevention, including back training and slip, trip and fall prevention
 - (4) Fall overboard prevention
 - f) For tank barge tows:
 - (1) First responder, spill mitigation and emergency response orientation (may include HAZWOPER training)
 - (2) Benzene awareness training
 - g) Cargo knowledge and hazard awareness
 - h) Responsibility and authority of master; supervisory skills training
2. Engineer
 - a) Marine diesel school or in-house training, including equipment and process updates

- b) Company policy and procedure orientation, including review of federal requirements and company policies
- c) Marine firefighting and fire prevention
- d) Personal safety, including:
 - (1) First aid and CPR awareness
 - (2) Confined space hazard awareness
 - (3) Injury prevention, including back training and slip, trip and fall prevention
 - (4) Fall overboard prevention
 - (5) Lock-out/tag-out procedures
- e) For tank barge tows:
 - (1) First responder and spill mitigation training

3. Tankerman

- a) Tank barge safety training
 - (1) Loading and discharging operations
 - (2) Safety practices
 - (3) Environmental protection and loading procedures
 - (4) Federal regulation review and training
 - (5) First responder, spill mitigation and emergency response orientation (may include HAZWOPER training)
 - (6) Vapor recovery operations
- b) Company policy and procedure orientation, including review of federal requirements and company policies
- c) Marine firefighting and fire prevention
- d) Personal safety, including:
 - (1) First aid and CPR awareness
 - (2) Confined space hazard awareness
 - (3) Injury prevention, including back training and slip, trip and fall prevention
 - (4) Fall overboard prevention
 - (5) Cargo-specific training
- e) Vessel communications system and procedures

4. Deck crew

(Note: Experienced deckhands new to a particular company should receive, or have received, the training identified below.)

- a) Deck operations and safety training
- b) Company policy and procedure orientation, including review of federal requirements and company policies
- c) Vessel firefighting and fire prevention
- d) Personal safety, including:
 - (1) First aid and CPR awareness
 - (2) Confined space hazard awareness
 - (3) Injury prevention, including back training and slip, trip and fall prevention
 - (4) Fall overboard prevention
 - (5) Lock-out/tag-out procedures
- e) For tank barge tows:
 - (1) First responder and spill mitigation training

5. Entry-level personnel

(Note: "Entry-level" refers to individuals new to the barge and towing industry.)

- a) Company orientation, including:
 - (1) Drug and alcohol policy
 - (2) Safety as a condition of employment
 - (3) Vessel layout and deck operations
 - (4) Required safety gear
 - (5) Job responsibilities
- b) Emergency procedures orientation
 - (1) Fire
 - (2) Collision or allision
 - (3) Sinking
 - (4) Grounding
 - (5) Man overboard
 - (6) Personal injury

- c) Confined space hazard awareness
- d) Fall overboard prevention
- e) Injury prevention, including back training and slip, trip and fall prevention

VI. Introduction to Addenda

The following addenda section has been created to assist member companies, auditors and others by providing a comprehensive resource that contains relevant information on the significant policies, procedures and clarifications that govern the Responsible Carrier Program (RCP), Responsible Carrier Program Standards Board (formerly the RCP Accreditation Board), RCP Auditors, and AWO-recognized auditor training and certification organizations.

The addenda are organized into six parts:

- A. Dispute Resolution Policy
- B. Audit Certification/Recertification Protocol
- C. Audit Issues
- D. Auditor Issues
- E. RCP Standards Board
- F. Auditor Training and Certification Organizations

Addendum A. Dispute Resolution Policy

1. Disputes between an RCP auditor certified by an AWO-recognized auditor training and certification organization and an AWO member concerning the meaning, interpretation or application of the RCP will be resolved according to the policy and procedures outlined in paragraphs 4 through 8 below.
2. Disputes between an RCP auditor certified by an AWO-recognized auditor training and certification organization and an AWO member concerning the RCP audit process will be resolved first by a mediation within 30 days of the noted dispute, conducted by the AWO-recognized auditor training and certification organization that trained and certified the auditor. If an agreement cannot be reached, then the two parties may utilize the dispute resolution and appeal process outlined in sections 4 through 8 below.
3. AWO will have no role in resolving disputes between RCP auditors and AWO-recognized auditor training and certification organizations.
4. The AWO member or RCP auditor certified by an AWO-recognized auditor training and certification organization requesting a dispute resolution shall notify the AWO Safety Department, in writing, of the details of the dispute within 30 days of it becoming clear that agreement between the parties cannot be reached.
 - a) Upon receipt of a dispute resolution request, a representative of the AWO Safety Department will contact the party requesting the dispute resolution, request any additional written description of the facts that may be needed, and provide an overview of the dispute resolution process, including the parties' right to communicate directly to the RCP Standards Board in writing or in person at its next meeting.
 - b) Upon receipt of all relevant paperwork, AWO will forward copies to all members of the RCP Standards Board.
5. The RCP Standards Board will meet by conference call or in person to discuss the issue(s) in dispute, interview all the parties involved and make a decision based on its best judgment.
6. The AWO Safety Department will notify in writing the party requesting the dispute resolution, communicating the RCP Standards Board's decision and advising the party that he/she may appeal the Standards Board's decision to the AWO Executive Committee.
7. Any party wishing to appeal a decision of the RCP Standards Board must notify the AWO Safety Department of its request to appeal within 15 days of receiving notification of the RCP Standards Board's ruling.

- a) The AWO Safety Department will provide the Executive Committee with all background materials relating to the request for dispute resolution and the RCP Standards Board's decision in the Executive Committee packet prior to its next meeting.
 - b) At its first meeting following receipt of an appeal, the AWO Executive Committee will discuss the dispute and render a decision.
 - c) The AWO Safety Department will notify all parties involved of the Executive Committee's decision.
 - d) The party originally submitting the request for a dispute resolution may accept the Executive Committee's decision or proceed to the Board of Directors for a final resolution.
8. Any party wishing to proceed to the AWO Board of Directors for a final resolution will notify the AWO Safety Department within seven days of notification of the Executive Committee's decision.
- a) The AWO Safety Department will provide the AWO Board of Directors all background materials relating to the request for dispute resolution and the Executive Committee's decision in the Board packet prior to its next meeting.
 - b) At its first meeting following receipt of an appeal, the AWO Board of Directors will discuss the dispute and render a final decision.

Addendum B. Audit Certification/Recertification Protocol

1. Responsible Carrier Program (RCP) certification/recertification audits must be conducted by an RCP auditor who is certified by an AWO-recognized auditor training and certification organization and are due on the anniversary date of the acceptance of the company's new member application, or for companies joining AWO prior to January 1, 2000, the anniversary date of the completion of its initial audit.
 - a. Seasonal operators whose equipment does not operate for a portion of the year may request an adjustment of their audit due date to allow for the completion of their audit at a time when the equipment is manned and active. A request for seasonal adjustment of the audit due date must be made during the initial application process.
 - b. Any change to the audit due date for established AWO members will be on a one-time basis as determined by operational necessity such as a change in operating area or business profile. All requests for a change in audit due date must be made in writing and approved by the Responsible Carrier Program Standards Board at least 90 days prior to the existing audit due date.
2. Companies joining AWO after November 1, 2008, that cannot show documentary evidence of full compliance with a recognized safety management system for at least 12 months prior to their new member application must complete a Responsible Carrier Program management audit and an audit of at least 10 % of their vessels conducted by an RCP auditor or auditors certified by an AWO- recognized auditor training and certification organization no later than the first anniversary of the acceptance of the company's application, and two additional RCP audits by the second and third anniversaries of membership. The company must complete vessel audits on 100% of its vessels by five years from its join date. A company will remain in provisional status until the completion of its second RCP audit during this initial three-year cycle. Members that fail to complete any of the required audits by their due date will have their membership terminated.
3. A company that presents documentary evidence of full compliance with a recognized safety management system for at least 12 months prior to its new member application may undergo a Responsible Carrier Program management audit and vessel audits of at least 10% of its vessels, conducted by an RCP auditor or auditors certified by an AWO-recognized auditor training and certification organization, at any time during its first year of membership, but no later than the first anniversary of acceptance of its application for membership. Upon successful completion of this audit, the company will no longer be in provisional status.
4. Effective May 1, 2009, any company reapplying for AWO membership must show evidence of having completed an RCP management audit and vessel audits of at least 10% of its vessels prior to submitting its membership application. To complete this audit, companies will be required to show 90 days of documentary evidence of compliance with the requirements of the RCP.

5. Once a member company has completed the first audit cycle as discussed in items 1 or 2 above, Responsible Carrier Program recertification audits are due every five years on the anniversary date of the company's join date, with a mid-period management audit to be conducted between 27 and 33 months from the recertification date. 100% of a company's vessels must be audited within the five year period as well. AWO will notify member companies 180, 90, and 30 days prior to the due date for their recertification audit, 90 days before the beginning of the mid-period audit window and 30 days before the end of the mid-period window.
6. A company certified under the International Safety Management (ISM) Code, to be eligible for AWO membership, must include in its Safety Management System all requirements unique to the RCP. This must be verified through the annual third-party Document of Compliance (DOC) audit.
 - a. A company wishing to use ISM compliance to meet AWO's requirement that all members of the association must have a Safety Management System must send a letter to the AWO Safety Department stating that the company is operating in full compliance with all requirements of the ISM Code and certifying that its Safety Management System includes all requirements unique to the Responsible Carrier Program. If some portion of the company's fleet is not ISM-certified, the letter must identify the number of vessels not covered under ISM and subject to the RCP audit requirement per item (b) below. In addition, to demonstrate continued compliance with the ISM Code, a company using this option must provide AWO with a copy of its Document of Compliance annually. AWO will enter this information in its database and remind companies of the due date of their five-year renewal.
 - b. For companies participating in ISM whose entire fleet is not required to maintain Safety Management Certificates, 100 percent of those vessels without an ISM Safety Management Certificate must undergo an RCP vessel audit using the appropriate RCP vessel audit checklist at least once every five years.
7. Failure of a company to complete its required RCP audit within the time allowed results in AWO immediately removing the company's certification of RCP compliance and will result in termination of membership.
8. An RCP-certified company completing a required recertification audit up to 90 days prior to its audit due date will retain that due date even if it results in more than five years between recertification audits.
9. An AWO Provisional member that completes its initial RCP audit before the date of its first anniversary of membership will maintain the date of its anniversary of membership as its due date.
10. When a company has completed an RCP recertification or mid-period management audit (that is, when an approved auditor certified by an AWO-recognized auditor training and

certification organization has determined that the company is in full compliance with the Responsible Carrier Program, including documentation of compliance with vessel audit requirements), the auditor should immediately send a letter to the AWO-recognized auditor training and certification organization that trained and certified the auditor (as described in Addendum C paragraph 17) certifying that the company is in full compliance with the Responsible Carrier Program as of the time and date the audit was completed. The AWO-recognized auditor training and certifying organization will then forward the letter to the AWO Safety Department within two business days. Upon receipt of notification of completion of a member's annual or recertification audit, AWO will issue a new audit certificate valid for the appropriate time period. Successful completion of the mid-period management audit will be noted in the company's record in the AWO database, but a new RCP certificate will not be issued.

11. When a company has completed an RCP vessel audit or audits, the auditor should immediately send a letter to the AWO-recognized auditor training and certification organization that trained and certified the auditor (as described in Addendum C paragraph 17) certifying that the vessel or vessels is/are in full compliance with the Responsible Carrier Program as of the time and date the audit was completed. The AWO-recognized auditor training and certifying organization will maintain a record of these letters, but they need not forward results to AWO unless a vessel fails to successfully complete the audit.
 - a. A company may initiate vessel audits when it they chooses; however, once an audit is initiated (as defined as the auditor accessing the vessel) then it must be completed within 90 days.
 - b. If a vessel is unable to successfully complete an audit within the given time frame it must be taken out of service until such time as it can be brought into compliance, in order for the company to remain in compliance with the Responsible Carrier Program. If a vessel fails to pass its vessel audit, the auditor must immediately send a letter to the AWO-recognized auditor training and certification organization that trained and certified the auditor (as described in Addendum C paragraph 17) noting that the vessel or vessels is/are not in compliance with the Responsible Carrier Program as of the time and date the audit was completed. The AWO-recognized auditor training and certifying organization will notify the AWO Safety Department immediately.
12. The Responsible Carrier Program Standards Board may grant a limited extension of time beyond a company's audit due date only to allow the member company to correct equipment deficiencies necessary to complete its RCP audit, or in certain extraordinary circumstances such as weather, earthquake, or other acts of God, provided that AWO:
 - a. Receives a written request not less than two weeks prior to the audit due date from the member company's CEO or chief operating officer, explaining in detail the circumstances surrounding the request.

- b. Receives written confirmation from the company's certified RCP auditor, via the AWO-recognized auditor training and certification organization that trained and certified the auditor, that the audit has been conducted and the company will be able to complete the outstanding issues immediately.

Addendum C. Audit Issues

1. AWO members required to participate in the Responsible Carrier Program, and any AWO affiliate members participating in the RCP, will have their membership status and RCP audit due date posted on the AWO Web site. Membership status will be classified as follows:
 - a) Provisional Member – Companies that have been members of AWO for less than two years and have not yet completed their first two RCP audits. A new member that presents documentary evidence of full compliance with a recognized safety management system for at least 12 months prior to its new member application will be considered a provisional member until completion of its first RCP audit.
 - b) RCP-certified Member – Companies that have successfully completed a current Responsible Carrier Program audit conducted by an RCP auditor who is certified by an AWO-recognized auditor training and certification organization.
2. Any AWO carrier member company that resigns its membership or has its membership withdrawn after April 1, 1998 must, before rejoining the association, show satisfactory documentary evidence of having completed a full RCP audit that includes documentary evidence of 90 days of RCP compliance conducted by an RCP auditor who is certified by an AWO-recognized auditor training and certification organization no more than 30 days prior to the date of its Carrier Member application for reinstatement. Notification of completion of the audit should be immediately sent to the AWO-recognized auditor training and certification organization that trained and certified the auditor. The organization will then forward the certification of compliance to the AWO Safety Department within two business days.
3. The mid-period management audit must be conducted between 27 and 33 months after a company's join date or previous recertification date. The mid-period audit should be a review of the effectiveness of the safety management system conducted by an RCP auditor who is certified by an AWO-recognized auditor training and certification organization. Auditors should look at the previous external audit findings, internal audit reports, completion of corrective actions and related records. This audit is a verification of compliance and implementation. The expectation of compliance or non-compliance, however, is the same as for the recertification audit: compliance is required in order to maintain RCP certification. Notification of completion of the audit should be immediately sent to the AWO-recognized auditor training and certification organization that trained and certified the auditor. The organization will then forward the certification of compliance to the AWO Safety Department within two business days.
4. An RCP third-party recertification audit cannot be used to fulfill the requirement for an annual internal audit required under RCP G.1.
5. A certified RCP auditor hired, consulted, or otherwise engaged by an AWO member company to develop its Responsible Carrier Program shall not perform the initial

certification of that member's Responsible Carrier Program. Subsequent recertification audits may be performed by certified RCP auditors without regard to any previous development role.

6. If a company does not operate any towing vessels (but only barges), it must complete all applicable sections of the management section of the Responsible Carrier Program.
7. If a company's equipment is bareboat-chartered to another company, there is no requirement for the owning company to comply with any of the provisions of the Responsible Carrier Program for the bareboat chartered equipment.
8. If a company does not own or operate any equipment, but recognizes the Responsible Carrier Program in its vetting program that company itself is not a Responsible Carrier. The Responsible Carrier Program is a set of policies and procedures for companies that own and/or operate marine equipment, except as otherwise noted.
9. AWO Affiliate members that provide tankermen and/or vessel crewmembers to RCP-certified AWO carrier members are eligible for certification as Responsible Carriers, provided that those tankermen and/or crewmembers, and the company, meet all the training requirements and other applicable sections of the Responsible Carrier Program.
10. The shoreside management audit and vessel audits are not tied together and may be conducted separately.
11. One hundred percent of a company's towing vessel fleet must be audited by an auditor certified by an AWO-recognized auditor training and certification organization every five years.
12. Auditors must ascertain that all of a company's policies and procedures are supported by records that contain sufficient information to determine the means by which the company meets the requirements of the RCP. Auditors should also look for evidence that reflects a company's ongoing commitment to complying with the letter and the spirit of the RCP. The required documentary evidence that auditors will be looking for may include, but is not necessarily limited to, maintenance records, crew safety meeting records, vessel inspection checklists, and personnel training records.
13. The Responsible Carrier Program requires that all crewmembers be trained. Training programs do not have to be Coast Guard-approved, but must be formal and well-documented.
14. Masters, mates (pilots), engineers; and tankermen are required to receive training in marine firefighting and fire prevention. Deck crews are required to be trained in vessel firefighting and fire prevention. Using these broad guidelines, it is up to the company to determine the content of the training. It should be noted that the difference between marine firefighting and vessel firefighting is chiefly one of focus. Vessel firefighting should concentrate to a large degree on hands-on firefighting techniques, skills that will

be necessary for the individuals who will have the primary responsibility for the actual fighting of the fire. Marine firefighting is broader, includes greater detail and focuses on the overall firefighting response. These are skills that are essential for individuals in supervisory positions who will direct the firefighting effort. Subjects should include theory, firefighting tactics, and overarching issues such as vessel stability, personnel safety, and emergency communications. This difference recognizes the role that each crewmember must fulfill in the event of an actual emergency. Fire prevention training is required for all positions. This training can be as simple as proper storage of flammable materials, eliminating sources of ignition, and good housekeeping, especially in the galley and engine room.

15. When a company has completed a Responsible Carrier Program management audit (that is, when a certified auditor has determined that the company is in full compliance with the Responsible Carrier Program, including documentation of compliance with the vessel audit requirements), the auditor should immediately send a letter to the AWO-recognized auditor training and certification organization that trained and certified the auditor certifying that the company is in full compliance with the Responsible Carrier Program as of the time and date the audit was completed. Auditors must use the following template for their certification letter:

THIS IS TO CERTIFY that on (date), the undersigned AWO-certified Responsible Carrier Program Auditor, at the request of (AWO member), without prejudice and for interested parties, did carry out the AWO Responsible Carrier Program management audit of (company name) using the current version of the RCP and RCP Audit Checklist dated _____ and ____ respectively.

I am pleased to certify that (company name) was found to be in compliance with all applicable elements of the AWO Responsible Carrier Program as of the times and dates of the audit.

The AWO-recognized auditor training and certifying organization will then forward the letter to the AWO Safety Department within two business days. If the audit reveals nonconformities that must be corrected before the auditor can attest that the company is in full compliance with the RCP, the company should work with the auditor to correct those nonconformities.

16. For vessel audits, when a certified auditor has determined that the vessel is in full compliance with the vessel portion of the Responsible Carrier Program, the auditor should immediately send a letter to the AWO-recognized auditor training and certification organization that trained and certified the auditor certifying that the vessel is in full compliance with the Responsible Carrier Program as of the time and date the audit was completed. Auditors must use the following template for their certification letter:

THIS IS TO CERTIFY that on (date), the undersigned AWO-certified Responsible Carrier Program Auditor, at the request of (AWO member), without prejudice and for interested parties, did carry out the AWO Responsible Carrier Program vessel audit of

(vessel name or names) for (company name) using the current version of the RCP and RCP Audit Checklist dated _____ .

I am pleased to certify that (vessel name or names) was/were found to be in compliance with all applicable elements of the AWO Responsible Carrier Program as of the times and dates of the audit.

Letters of compliance for vessels do not need to be forwarded to the AWO Safety Department, however the company must maintain copies for their records and to demonstrate compliance at the mid-period and recertification external audits.

- a) If a vessel is unable to successfully complete an audit within the given time frame it must be taken out of service until such time as it can be brought into compliance, in order for the company to remain in compliance with the Responsible Carrier Program. If a vessel fails to pass its vessel audit, the auditor must immediately send a letter to the AWO-recognized auditor training and certification organization that trained and certified the auditor noting that the vessel or vessels is/are not in compliance with the Responsible Carrier Program as of the time and date the audit was completed. The AWO-recognized auditor training and certifying organization will notify the AWO Safety Department immediately.
17. Upon receipt of a properly executed audit certification letter from a certified RCP auditor attesting to the AWO member's full compliance with the Responsible Carrier Program, including documentation of compliance with vessel audit requirements, transmitted by the AWO-recognized auditor training and certification organization that trained and certified the auditor, AWO will issue a Certificate of Compliance valid for the appropriate time period. AWO will not receive a copy of the completed audit tool or other details on the status of a member's compliance.
18. AWO's certification of a member's Responsible Carrier Program is contingent on that company remaining a member in good standing of the association.
19. The member company "owns" the completed audit, and both the company and the auditor should retain copies of the documents. Copies of the audit are provided to third parties only by the audited company or by the auditor at the audited company's request. The auditor should be available to discuss the audit results with a company's customer(s) at the audited company's request.
20. A company is permitted to use a certified RCP auditor to conduct an RCP audit in conjunction with another audit (e.g., ISM), effectively undergoing both audits at the same time and minimizing attendant financial costs and staff time.

Addendum D. Auditor Issues

1. Individuals seeking to become RCP auditors are trained and certified by AWO-recognized auditor training and certification organizations. An AWO-recognized auditor training and certification organization must ensure that any individual it certifies as an AWO RCP auditor meets, at a minimum, the qualification, training and ethics requirements outlined in paragraphs 4 and 5 below. An AWO-recognized auditor training and certification organization may elect to establish higher, but not lower, standards, than those outlined below.
2. An AWO member company employee who meets the specified qualifications may apply for certification by an AWO-recognized auditor training and certification organization to conduct RCP audits of other AWO member companies, such as company vendors or outside towers, as a cost-effective way to provide smaller companies with access to the benefits of a third-party audit. To ensure the credibility of the program, “reciprocal” audits are not permitted; that is, a qualified employee of Company A may not conduct an audit of Company B if an employee of Company B had audited Company A. In addition, a company employee is not permitted to audit his own company or a parent or subsidiary thereof.
3. Certified RCP auditors are prohibited from making any reference to AWO, the RCP, or to the auditor’s status as a certified RCP auditor in connection with work performed for non-AWO members, including in certification letters, opinion letters, and/or public statements.

4. Qualifications:

Auditors must show satisfactory evidence of ALL the following:

1. High school graduation or GED.
2. Barge and towing industry, or other qualifying experience.
3. Successful completion of a recognized, in person, lead auditor training course and auditing experience of at least two years.

AND:

. Experience that includes AT LEAST TWO FROM a.), b.), and c.):

- a.) Vessel inspection or surveying experience (e.g. employment as a Coast Guard inspector, classification society surveyor, etc.);
- b.) Sailing experience in a licensed capacity;
- c.) Direct responsibility for vessel maintenance, repair, operations, etc.

OR:

At least five (5) years of acceptable professional safety practice with the following:

- Primary function with responsibility for the prevention of harm to people, property and the environment.
- Hazard recognition, evaluation and analysis, and development and implementation of controls.

Recommendations - A letter of recommendation is required from two (2) AWO member companies in a position to evaluate applicant's suitability to conduct Responsible Carrier Program audits. If an applicant is an employee of an AWO member company, a letter of recommendation from said AWO member company is not acceptable.

Certification - To achieve certification as an RCP Auditor, auditors will be required to attend all required classes and periodic recertification training presented by an AWO-recognized auditor training and certification organization.

5. As a condition of certification, all approved RCP auditors must sign and adhere to a code of ethics that promises the following:

RCP auditors must:

- Issue a letter of RCP compliance certification only to AWO member companies that, in the best professional judgment of the auditor, meet the requirements of the Responsible Carrier Program;
 - Always act in a strictly trustworthy and unbiased manner in relation to the company being audited and to AWO;
 - Not disclose the findings, or any part of an audit, to any third party without the express permission of the company audited;
 - Always act in a manner that promotes the highest professional standards and enhances the reputation of the Responsible Carrier Program and the American Waterways Operators.
6. Any violation of this code of ethics by a certified auditor will be reported to the AWO-recognized auditor training and certification organization that certified the auditor and may result in disciplinary action against the auditor up to and including the loss of certification. The disciplinary process in regards to ethical violations by an RCP auditor shall be handled by the AWO-recognized auditor training and certification organization by which the auditor was certified.
 7. The AWO-recognized auditor training and certification organization that certified an RCP auditor against whom disciplinary action is taken shall notify the RCP Standards Board in writing of the action taken.
 - a) If an AWO member company is found to have colluded with an RCP auditor who is disciplined for unethical behavior, the AWO-recognized auditor training and certification organization that disciplined the auditor shall notify the RCP Standards Board in writing and the member company will be subject to action under the AWO Constitution and Bylaws.

Addendum E. RCP Standards Board (formerly the RCP Accreditation Board)

1. The RCP Standards Board must include one AWO member representing each of the four industry sectors – Coastal, Inland Liquid, Inland Dry, and Harbor Services – and two shipper members, preferably one liquid and one dry cargo shipper. A representative of the AWO Safety Department will serve as an ex officio, nonvoting member of the board.
2. Members will serve two-year terms and may be reappointed.
3. The role of the RCP Standards Board is to make recommendations to the AWO Board of Directors on interpretations and changes to the RCP, the RCP audit process, oversight of AWO-recognized auditor training and certification organizations, and applications from organizations seeking to become AWO-recognized auditor training and certification organizations.

Addendum F. Auditor Training and Certification Organizations

1. An organization seeking AWO recognition to train and certify AWO RCP auditors must meet the following requirements:
 - a) Use the requirements and protocols outlined in the AWO RCP Addenda as the minimum requirements for auditor qualifications. The organization may improve upon current AWO requirements and protocols, including utilizing ANSI 17024 (Accreditation Program for Personnel Certification Bodies) and ANSI 19011 guidelines for management systems auditing, but may not lower the minimum requirements contained in the RCP Addenda.
 - b) Provide a description of the organization, including ownership, management and structure.
 - c) Provide a general description of the clients being served or intended to be served.
 - d) Provide a description of the types of work performed by the principals of the organization in the past, noting the amount and extent of such work performed within the previous three years.
 - e) Provide objective evidence of an internal quality system based on ANSI/American Society of Quality Control Q9001-2000 or an equivalent quality standard.
 - f) Provide curricula, organizational procedures, and supporting documentation to describe the processes used to train and certify auditors and records to show system effectiveness. Provide copies of checklists, forms, or other tools to be used in the training and certification of auditors.
 - g) Have procedures for appeals and grievances.
 - h) Have a code of ethics.
 - i) Disclose any potential conflicts of interest. Provide a statement that the organization, its managers and employees will not be involved in any activities which could result in a conflict of interest or otherwise limit their independent judgment.
 - j) Demonstrate financial viability.
 - k) Have a business continuity plan in place.
2. Application and approval process for AWO-recognized auditor training and certification organizations:

- a) An organization that meets the requirements above will not automatically be granted the authority to train and certify RCP auditors. The AWO Board of Directors, based on the recommendations of the RCP Standards Board, will retain the authority to determine whether entering into an agreement with an organization to train and certify RCP auditors serves the needs and interests of AWO, AWO members, and the AWO RCP.
 - b) An organization wishing to enter into an agreement with AWO to train and certify RCP auditors will submit an application to the RCP Standards Board that includes evidence of compliance with the requirements above.
 - c) The RCP Standards Board will make a recommendation to the AWO Board of Directors on whether to enter into an agreement with an organization that meets the above requirements to train and certify RCP auditors.
3. AWO oversight of AWO-recognized auditor training and certification organizations:
- a) AWO and the AWO-recognized auditor training and certification organization(s) will enter into a contract that will spell out all mutual obligations, rights, and responsibilities.
 - b) An AWO-recognized auditor training and certification organization will report annually to the RCP Standards Board on its activities.



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www.americanwaterways.com

U.S. Department of
Homeland Security

United States
Coast Guard



Commandant (CG-CVC)
United States Coast Guard

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16712/Serial NO. 1119

JUN 01 2015

American Waterways Operators
Attn: Mrs. Jennifer A. Carpenter
801 North Quincy Street
Suite 200
Arlington, VA 22203

Dear Mrs. Carpenter:

I am writing in response to your letter dated November 7, 2014 in which you request acceptance of the American Waterways Operators (AWO) Responsible Carriers Program (RCP) as a Towing Safety Management System (TSMS) under the forthcoming towing vessel inspection regulations under 46 CFR Subchapter M.

We commend the AWO Board of Directors and the AWO membership for your commitment to safety leadership and your commitment to continuous improvement of the RCP. We understand that the RCP is the most widely used safety management system in the tugboat, towboat and barge industry and the Coast Guard shares your interest in ensuring that the RCP is accepted as a TSMS under Subchapter M. We appreciate that you invited my staff to participate in the RCP Gap Analysis Working Group assessment last year to identify changes to the RCP necessary to make it equivalent to the ISM Code and to prepare it for Coast Guard consideration as a TSMS under Subchapter M. Your Board's approval of those changes last October was a significant step forward in achieving Coast Guard acceptance of the RCP as a TSMS under Subchapter M.

While the specific requirements of Subchapter M are not final, and will not be so until the final rule is published, we have conducted a preliminary review of the RCP against the requirements of 33 CFR Part 96 (U.S. regulations implementing the ISM Code) and the Subchapter M NPRM. Based on this review, we conclude that the RCP is substantively equivalent to the ISM Code and that the revised external audit frequency comports with the requirements proposed in the Subchapter M NPRM.

When the final Subchapter M rule is published, we will work with AWO to identify any additional changes to the RCP that are needed to formally accept the RCP as a TSMS under Subchapter M. We look forward to working with you to accomplish that goal expeditiously.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. P. McAVOY", followed by a horizontal line.

K. P. McAVOY
Captain, U.S. Coast Guard
Chief, Office of Commercial Vessel Compliance
By direction

AWO Responsible Carrier Program (RCP) – International Safety Management (ISM) Code Equivalency Crosswalk

ISM Code (33 CFR Part 96)	RCP (effective 1/1/16)	Notes
<p>Subpart A - General</p> <p>§96.100 – Purpose (§96.200, §96.300) §96.110 – Who does this subpart apply to? (§96.210, §96.310)</p>	<p>I. Introduction</p>	<p>RCP Part I, Introduction, provides a detailed outline of the program’s history, purpose, implementation, and use. Compliance with RCP is a condition of AWO carrier membership.</p>
<p>Subpart B - Company and Vessel Safety Management Systems</p> <p>§96.220 – What makes up a safety management system?</p> <p>(a) The safety management system must document the responsible person's—</p> <p style="padding-left: 40px;">(1) Safety and pollution prevention policy;</p> <p style="padding-left: 40px;">(2) Functional safety and operational requirements;</p> <p style="padding-left: 40px;">(3) Recordkeeping responsibilities; and</p> <p style="padding-left: 40px;">(4) Reporting responsibilities.</p> <p>(b) A safety management system must also be consistent with the functional standards and</p>	<p>II. Management and Administration</p> <p>II.C. Safety Policy and Procedures II.E. Environmental Policy and/or Procedures</p> <p>II.A. Functional Requirements II.B. Vessel Operating Policies and Procedures</p> <p>II.I. Organization and Levels of Authority</p> <p>II.A.4. Incident reporting and investigation procedures II.A.5. Near Miss procedures, to include reporting, investigation and corrective and preventive action</p> <p>II.C. Safety Policy and Procedures II.E. Environmental Policy and/or Procedures</p>	<p>RCP Part II, Management and Administration states, “Each towing company should develop and document written policies and procedures covering, at a minimum, those items outlined below.”</p>

AWO Responsible Carrier Program (RCP) – International Safety Management (ISM) Code Equivalency Crosswalk

ISM Code (33 CFR Part 96)	RCP (effective 1/1/16)	Notes
<p>performance elements of IMO Resolution A.741(18).</p>	<p>II.A.2. Policy and/or procedure to ensure compliance with applicable federal laws and regulations concerning marine safety and environmental protection II.I. Organization and Levels of Authority II.A.4. Incident reporting and investigation procedures II.C.4. Reporting of safety deficiencies and/or nonconformities II.F. Emergency Response Procedures II.G. Audit and Review Procedures</p>	
<p>Subpart B - Company and Vessel Safety Management Systems</p> <p>§96.230 - What objectives must a safety management system meet?</p> <p>The safety management system must:</p> <p>(a) Provide for safe practices in vessel operation and a safe work environment onboard the type of vessel the system is developed for;</p> <p>(b) Establish and implement safeguards against all identified risks;</p> <p>(c) Establish and implement actions to continuously improve safety management skills of personnel ashore and aboard vessels, including preparation for emergencies related</p>	<p>II. Management and Administration</p> <p>II.C. Safety Policy and Procedures</p> <p>II.A.1. Procedures to systematically assess and manage identified risks to onboard personnel, vessels, and the environment</p> <p>II.A.5. Near Miss procedures, to include reporting, investigation and corrective and preventive action II.A.6. Corrective and preventive action procedures</p>	

AWO Responsible Carrier Program (RCP) – International Safety Management (ISM) Code Equivalency Crosswalk

ISM Code (33 CFR Part 96)	RCP (effective 1/1/16)	Notes
<p>to both safety and environmental protection; and</p> <p>(d) Ensure compliance with mandatory rules and regulations, taking into account relevant national and international regulations, standards, codes and maritime industry guidelines, when developing procedures and policies for the safety management system.</p>	<p>II.A.7. Performance measurement procedures II.F. Emergency Response Procedures</p> <p>II.A.2. Policy and/or procedure to ensure compliance with applicable federal laws and regulations concerning marine safety and environmental protection.</p>	
<p>Subpart B - Company and Vessel Safety Management Systems</p> <p>§96.240 - What functional requirements must a safety management system meet?</p> <p>The functional requirements of a safety management system must include—</p> <p>(a) A written statement from the responsible person stating the company's safety and environmental protection policy;</p> <p>(b) Instructions and procedures to provide direction for the safe operation of the vessel and protection of the environment in compliance with the applicable U.S. Code of Federal Regulations, and international conventions to which the U.S. is a party (SOLAS, MARPOL, etc.);</p> <p>(c) Documents showing the levels of authority and lines of communication between shoreside and shipboard personnel;</p>	<p>II. Management and Administration</p> <p>II.A. Functional Requirements</p> <p>II.C.1. Company safety policy II.E.1. Company environmental policy</p> <p>II.A.2. Policy and/or procedure to ensure compliance with applicable federal laws and regulations concerning marine safety and environmental protection.</p> <p>II.I. Organization and Levels of Authority</p>	

AWO Responsible Carrier Program (RCP) – International Safety Management (ISM) Code Equivalency Crosswalk

ISM Code (33 CFR Part 96)	RCP (effective 1/1/16)	Notes
<p>(d) Procedures for reporting accidents, near accidents, and non-conformities with provisions of the company's and vessel's safety management system, and the ISM Code;</p> <p>(e) Procedures to prepare for and respond to emergency situations by shoreside and shipboard personnel;</p> <p>(f) Procedures for internal audits on the operation of the company and vessel(s) safety management system; and</p> <p>(g) Procedures and processes for management review of company internal audit reports and correction of non-conformities that are reported by these or other reports.</p>	<p>II.A.4. Incident reporting and investigation procedures</p> <p>II.A.5. Near Miss procedures, to include reporting, investigation and corrective and preventive action</p> <p>II.C.4. Reporting of safety deficiencies and/or nonconformities</p> <p>II.F. Emergency Response Procedures</p> <p>II.G.1. Internal Audits</p> <p>II.A.6. Corrective and preventive action procedures that apply to findings from internal and external incident investigations and audits, employee and customer suggestions, and management review</p> <p>II.G.1.a.[Internal auditing procedure must]</p> <p style="padding-left: 20px;">3) Require reporting of non-conformities</p> <p style="padding-left: 20px;">4) Be included in the corrective action procedure</p> <p style="padding-left: 20px;">5) Include a management review</p>	
<p>Subpart B - Company and Vessel Safety Management Systems</p> <p>§96.250 – What documents and reports must a safety management system have?</p>	<p>II. Management and Administration</p>	<p>RCP Part II, Management and Administration, states, “Each towing company should develop and document written policies and procedures covering, at a minimum, those items outlined below.”</p>

AWO Responsible Carrier Program (RCP) – International Safety Management (ISM) Code Equivalency Crosswalk

ISM Code (33 CFR Part 96)	RCP (effective 1/1/16)	Notes
Types of documents and reports:		
(a) Safety and environmental policy statements	II.C.1. Company safety policy II.E.1. Company environmental policy	
(b) Company responsibilities and authority statements	II.I. Organization and Levels of Authority	
(c) Designation in writing of a person or persons to monitor the safety management system for the company and vessel(s)	II.I.2. Designation of a person(s) ashore having direct access to the highest level of management (Designated Person)	
(d) Written statements that define the Master's responsibilities and authorities	II.I.1. (a) and (b)	
(e) Written statements that the Master has overriding responsibility and authority to make vessel decisions	II.I.1. (a) and (b)	
(f) Personnel procedures and resources which are available ashore and aboard ship.	II.J. Personnel Policies or Procedures	
(g) Vessel safety and pollution prevention operation plans and instructions for key shipboard operations.	II.B. Vessel Operating Policies and Procedures II.E. Environmental Policy and/or Procedures	
(h) Emergency preparedness procedures.	II.F. Emergency Response Procedures	
(i) Reporting procedures on required actions.	II.A.4. Incident reporting and investigation procedures II.A.5. Near Miss procedures, to include reporting, investigation and corrective and preventive action	

AWO Responsible Carrier Program (RCP) – International Safety Management (ISM) Code Equivalency Crosswalk

ISM Code (33 CFR Part 96)	RCP (effective 1/1/16)	Notes
<p>(j) Vessel maintenance procedures. (These procedures verify that a company's vessel(s) is maintained in conformity with the provisions of relevant rules and regulations, with any additional requirements which may be established by the company.)</p> <p>(k) Safety management system document and data maintenance</p> <p>(l) Safety management system internal audits which verify the safety and pollution prevention activities</p>	<p>II.C.4. Reporting of safety deficiencies and/or nonconformities</p> <p>II.B.7. Vessel maintenance procedures</p> <p>II.A.3. Procedures to ensure document control, updating and distribution of relevant materials</p> <p>II.G.1. Internal Audits</p>	