

RCP Transition FAQs:

What is the difference between the mid-period audit and the 5-year recertification audit?

The mid-period audit is not a full recertification audit, but rather a review of the effectiveness of the safety management system and a check of documentation. The paragraph below, from RCP Addendum C, explains the process in more detail:

“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.”

AWO will send a confirmation letter to the company, noting successful completion of the mid-period audit, but not a new certificate.

If our vessels are ISM-compliant, do we still have to have an RCP audit?

No. The ability to use the ISM Code to meet your RCP compliance requirement will not change after January 1. If your entire fleet is covered by ISM, then you do not need to have any additional RCP audits completed. However, if only a portion of your fleet is ISM- certified, then you will need to have external RCP vessel audits completed for those vessels that are not covered by an ISM Safety Management Certificate. To use ISM for your RCP requirement, you need to send a letter to AWO stating that you wish to do so, and certifying that your SMS includes all requirements that are unique to the RCP. Include a copy of your ISM certificate and endorsements, and then send us a copy of your annual Document of Compliance each year.

Where can I find the most recent version of the RCP document?

The most recent version of the RCP document can be found on the AWO website at <http://www.americanwaterways.com/sites/default/files/RCP%20document%20final%20Effective%202016.pdf>. If you have downloaded a previous version of the document, the RCP requirements have not changed, but the current version provides additional clarification of the audit process and procedures in the addendum. The new RCP requirements go into effect on **January 1, 2016**. Until that date, the previous version of the RCP will also remain available on the AWO website.

We strongly encourage all AWO members to download and review the new RCP document as part of your preparation for implementation of the new RCP requirements.

What does the January 1, 2016 implementation date mean for my company?

On January 1, 2016, all AWO carrier members must have policies and procedures in place to meet the new RCP requirements approved by the AWO Board of Directors in October 2014. In addition, carrier members must maintain records to show they are following these policies and procedures. At your first RCP audit after January 1, 2016, the auditor will be checking for documentation that these new policies and procedures are in place and being followed.

What is the “100 Percent Vessel Audit Requirement” and what steps do I need to take to comply?

All AWO carrier members are required to have 100 percent of their towing vessels audited within a five-year period. After the initial audit, each vessel must be audited at least once every five years. January 1, 2021, is the deadline for all carrier members to complete the 100 percent vessel audit requirement. The first step for carrier members is to contact a TVIB-certified RCP auditor and schedule vessel audits for a convenient time.

As a minimum requirement, 10 percent of your vessels must be audited by the time of your next RCP management audit, whether it is a recertification or a mid-period audit. However, AWO strongly encourages carrier members to have approximately 20 percent of their vessels audited each year, in order to spread the audits out more evenly.

Why are we making all these changes now?

These changes to the RCP are a critical piece of our industry’s safety leadership. In particular, it is clear that the approved RCP changes provide the opportunity for the Coast Guard to approve RCP as a TSMS. These changes put us in an excellent position, on the verge of a final Subchapter M rule, with RCP poised to be accepted as a TSMS. In addition to our positioning the RCP for acceptance as a TSMS, making these changes now allows time for AWO members to implement these procedures before they are required by Subchapter M. This will help ease the transition to becoming an inspected industry as we move forward.

What’s in it for me?

Changes to the RCP will help AWO members in several ways. First and foremost, by helping you keep your people safe. That is always the primary goal of the RCP. Additionally these changes are designed to facilitate compliance with Subchapter M when it is implemented by incorporating some of the requirements into the RCP. Finally, by being accepted as a TSMS, the RCP will provide allow members to take advantage of the benefits of using a TSMS that have been incorporated into Subchapter M and providing an alternative to using ISM.

When will these changes be effective?

The AWO Board has approved January 1, 2016 as the effective date for the changes.

If my recertification is due in early 2016, to what standard will I be audited?

You will be audited using the checklist in effect when the audit is initiated. If you initiate your audit in December 2015, then your auditor will use the current checklist. If you initiate in January 2016, then your auditor will use the new checklist.

My company is ISM certified, do I need to do RCP audits in addition to my ISM audits?

No. The ability to use ISM to meet your RCP compliance requirement will not change. If your entire fleet is covered by ISM, then you do not need to have any additional RCP audits completed. However, if only a portion of your fleet is ISM certified, then you would need to have vessel-audits completed for those vessels that are not covered by an ISM Safety Management Certificate.

To use ISM for your RCP requirement, you need to send a letter to AWO stating that you wish to do so, and certifying that your SMS includes all requirements that are unique to the RCP [LINK: <http://www.americanwaterways.com/sites/default/files/legacy/commitment-safety/RCP%20Requirements%20Not%20In%20ISM.pdf>]. Include a copy of your ISM certificate and endorsements, and then send us a copy of your annual DOC each year.

How has the audit process changed?

Depending on when you had your last RCP audit, you may notice some changes in the process. Specifically, RCP auditors are now trained and certified by a third party organization, The Towing Vessel Inspection Bureau [LINK: www.theTVIB.org]. You still contact an auditor directly to schedule your audit, and the list of certified auditors and all the auditing documents are available on the TVIB website. The audit checklists have been revised to clarify the requirements and provide more detail on the expectations for each RCP requirement.

How far in advance should I initiate my audit?

AWO recommends that you contract with an auditor at least **90 days** in advance of your audit due date. The audit agreement should provide for all field audit work to be completed, audit reports prepared and provided by the auditor to the carrier member at least 30 days prior to the recertification date. This timeframe should normally provide the carrier with sufficient time to correct any nonconformities the auditor discovered, the auditor would have time to verify the corrective actions taken by the operator, and still leave sufficient time for letters to be drafted and be processed by TVIB to AWO, in advance of the recertification deadline.

What happens if I don't schedule in advance?

If you do not leave sufficient time, you may not be able to get an audit completed in time to maintain your RCP certification.

Are there available training opportunities? How can I be ready?

Having your safety management system in good order, being attentive to the maintenance of your vessels and being scrupulous about documentation are at the top of the list of the most important things you can do to position your company to implement Subchapter M without pain. And, implementing these Coast Guard-endorsed changes to the RCP is essential to making sure that your safety management system is Subchapter M-ready.

AWO 21 directs us to lead and support members in your safety journey, and we take that support mission seriously. AWO will be providing a variety of educational opportunities over the coming months and we urge you to take advantage of them all. We think you will find that they are a very cost-effective way to get up to speed and a real benefit of your membership. These include:

- Webinar series led by knowledgeable AWO members, providing focused look at each of the changes to the RCP. [LINK: <http://www.americanwaterways.com/webinars>]
- The summer safety committee meeting in Memphis was an interactive, member-led workshop focused on implementation of the RCP changes. The meeting included panel discussions, presentations, Q&A sessions, best practices and hands-on activities. Materials from the workshop are available in the member section of the AWO website. [LINK: <http://www.americanwaterways.com/member/presentations>]
- Materials on AWO website [LINK: <http://www.americanwaterways.com/rcp-transition>]: Here you will find a one-pager on each new requirement, including what should be included in a compliant policy, the questions developed in concert with TVIB that will be used to audit the requirements and other supporting documents.

What if I have specific questions about the changes?

In addition to the resources mentioned above, we will also be continuing to post more information and tools for you on this website and updating the FAQs. And you are always welcome to contact AWO directly with any questions you have.

Questions should be directed to:

Holly E.M. Riester
Director – Safety & Environmental Stewardship
The American Waterways Operators
(703) 841-9300, Extension 253
hriester@americanwaterways.com