

## **Frequently Asked Questions (FAQs)**

### **Does AWO still require carrier members to operate under a third-party audited safety management system?**

Yes. The AWO Executive Committee and Board of Directors have affirmed the longstanding requirement that carrier members must achieve and maintain third-party audited compliance with a safety management system (SMS). Previously, this meant the RCP, ISM Code or an SMS which met the minimum requirements specified in the RCP. However, with the implementation of Subchapter M, this requirement has been revised to provide additional flexibility and specify that members must achieve third-party audited compliance with an SMS that meets the minimum requirements of 46 CFR Part 138.

### **Can I continue to use the RCP as my SMS if I so choose?**

Yes. The RCP has been recognized by the Coast Guard as an existing SMS that meets the minimum requirements of 46 CFR Part 138, and AWO will actively maintain the RCP as an SMS that tugboat, towboat and barge companies of all sizes may use to develop a company-specific framework for safety and environmental policies and programs tailored to their unique operations. The program will continue to complement Subchapter M and will continue to require company safety standards that exceed federal regulatory minimums.

### **What TPOs can I use to audit my SMS?**

You may use any third-party organization approved by the Coast Guard under 46 CFR Part 139 to audit your SMS. AWO will no longer maintain an additional approval process for TPOs.

### **I am using the TSMS option to comply with Subchapter M. Do I need to undergo separate audits for compliance with Subchapter M and AWO's SMS membership requirement?**

No. A valid TSMS Certificate issued by a Coast Guard-approved TPO can be used to demonstrate compliance with the AWO SMS membership requirement.

### **How do I provide my TSMS Certificate to AWO and verify its continued validity?**

You will receive an email from AWO in early February requesting that you submit your TSMS Certificate to us so that we can update our internal database and tracking system and send courtesy reminder emails to your company regarding audit due dates. This request will be part of an upcoming survey, and you will have the option of uploading or emailing your TSMS Certificate. Going forward, AWO will ask your TPO to furnish us with newly issued or reissued TSMS Certificates and notify us following the completion of mid-period external management audits.

**If I am using the Coast Guard option for the purposes of Subchapter M, how do I maintain my status as a Responsible Carrier?**

AWO members using the Coast Guard option should submit your most recent Letter or Certificate of Compliance from a Coast Guard-approved TPO (issued after your last external management audit) to us so that we can update our internal database and tracking system. These letters or certificates will continue to be the basis for your designation as a Responsible Carrier. We will consider the completion date of your last management audit as the starting point for the five-year cycle which includes an external management audit, a mid-period external management audit between 27 and 33 months, and an external vessel audit for each vessel once in five years, conducted by a Coast Guard-approved TPO. Going forward, AWO will ask your TPO to send us Letters or Certificates of Compliance and to notify us following the completion of your mid-period external management audit in order to maintain your Responsible Carrier designation.

**I see that AWO has eliminated the requirement for annual provisional audits for new members. If I am a new member in the process of completing provisional audits, do I need to continue?**

No. If you have not completed the three-year provisional audit cycle, you do not need to continue. If you are a TSMS option user, you should submit your TSMS Certificate to AWO in order to be recognized as a Responsible Carrier, and undergo external management and vessel audits according to 46 CFR Part 138. If you are a Coast Guard option user, you should take the completion date of your last management audit and consider that the starting point for the five-year cycle which includes an external management audit, a mid-period external management audit between 27 and 33 months, and an external vessel audit for each vessel once in five years, conducted by a Coast Guard-approved TPO.

**Will I still receive an RCP Certificate of Compliance from AWO every five years?**

Yes. Congratulatory letters and compliance certificates will still be issued.

**If I am an RCP-certified affiliate member (for example, a tankering service provider), how will these changes affect me?**

If you continue to comply with the applicable portions of the RCP and undergo regular audits by a Coast Guard-approved TPO, you will continue to be recognized as a Responsible Carrier.

**Will AWO continue to remind me when I have an audit due?**

As a courtesy, AWO will continue to remind you once or twice when our records – based on your TSMS Certificate, Letter or Certificate of Compliance, or comparable instrument – indicate your company may have an SMS external management audit due.