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Homeland Security

United States  
Coast Guard



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**MAR 12 2015**

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From: K. P. MCAVOY, CAPT  
COMDT (CG-CVC)

CG-CVC Policy Letter  
No.11-11, CH 1

To: Distribution

Subj: ENGINEER OFFICER ENDORSEMENTS ON UNINSPECTED  
COMMERCIAL FISHING INDUSTRY VESSELS

Ref: (a) Title 46 United States Code (46 USC) Part F—Manning of Vessels  
(b) Title 46 United States Code (46 USC) §3302—Exemptions [from Inspection]  
(c) Title 46 Code of Federal Regulations (46 CFR) Subchapter B—Merchant  
Marine Officers and Seamen  
(d) USCG Marine Safety Manual, Volume III, Marine Industry Personnel  
(e) Guidelines for Approval of Training Courses and Programs, NVIC 03-14  
(f) CGMS DTG 061640Z DEC 13, SUBJ: ENGINEER OFFICER  
ENDORSEMENTS ON UNINSPECTED COMMERCIAL FISHING  
VESSELS

1. **PURPOSE.** The purpose of this policy letter change is to summarize and reiterate references (a) – (f) as they pertain to Engineer Officer Endorsements on certain Uninspected Commercial Fishing Industry Vessels. Because references (c) and (d) were recently updated and reference (e) was recently published, clarifying how those changes may impact previous policies in this area is essential. This policy letter continues to be intended for use by the commercial fishing industry in making manning decisions, and by Coast Guard Officers in Charge, Marine Inspection (OCMI) in verifying compliance with the applicable requirements.

2. **ACTION.** All OCMI's and the National Maritime Center (NMC) shall be guided by the information in this policy letter. OCMI's shall bring this letter to the attention of appropriate individuals in the commercial fishing industry. Internet release is authorized.

3. **DIRECTIVES AFFECTED.** CG-543 Policy Letter 11-11, dated October 07, 2011 is updated by this change.

4. MAJOR CHANGES.

a. CG-543 Policy Letter 11-11 is now identified as a "CVC" Policy Letter 11-11, CH 1, to reflect the new internal organizational construct of headquarters offices.

b. Changes to reference (c) that became effective on 24 March 2014, and changes to reference (d) that became effective on 30 July 2014, have been incorporated into this Policy Letter. The Policy Letter now reflects the most up to date regulatory cites and language that resulted from those changes.

c. Paragraph 5 "BACKGROUND" is updated to reflect recent developments and efforts by industry to comply with engineer officer manning requirements.

d. Paragraph 6 "DISCUSSION" has been revised for better clarification.

e. Paragraph 7 "IMPLEMENTATION" is modified and changes the date to implement enforcement of the requirements for appropriately-endorsed engineering officers on uninspected commercial fishing vessels to October 15, 2015. Additionally, guidance on deferring implementation of enforcement has been moved into Enclosure (2).

f. Enclosure (1), Section (3) (e) adds an additional paragraph within the "Answer" that further discusses watch requirements on vessels without specified watches.

5. BACKGROUND. The regulations in reference (c) contain details on qualifications and manning requirements for Engineer Officers on uninspected vessels. Misinterpretations of engineer officer manning requirements have resulted in inconsistencies in compliance among commercial fishing industry vessels. Marine casualty investigations, such as the one into the loss of the ALASKA RANGER, determined that engineers were not properly credentialed to serve in their assigned positions.

To be in compliance with the regulations, some commercial fishing vessels, such as certain fish processors and fish tenders, may need more than one credentialed engineer officer employed on board a vessel if there are watch requirements. Since the original CG-543 Policy Letter 11-11 was published, there have been frequent discussions between the Coast Guard and industry concerning engineer officer requirements and vessel owners/operators have been proactive in trying to find and hire engineer officers. Their efforts include, but are not limited to; nationwide advertising in industry related magazines and websites, establishing relationships with state Maritime Academies, use of recruiters, manning booths at job fairs, and using higher pay scales to help recruit engineers and incentivize personnel to attain mariner credentials. Despite these efforts, owner/operators still find themselves at a disadvantage, due in part to the seasonal nature of fishing, when competing for engineer officers with larger shipping companies that have year-round operations. The general consensus of the industry is that they need to develop personnel that are already within their own workforce for credentialed engineer

officer positions. To that end, industry representatives and local training organizations have held periodic meetings, primarily in the Pacific NW, to develop courses of action to create the necessary pool of engineers. Options being pursued include; the creation of Coast Guard approved training courses that can be taken in lieu of exams, use of professional trainers to provide practical hands-on instruction, and distribution of officer endorsement training manuals. Other sectors of the industry, in different geographical regions, have also been in touch with local community colleges and professional training organizations and are pursuing like goals using similar options. Some commercial fishing industry groups continue to indicate that an extended implementation period is essential due to the continued shortage of credentialed engineers and the need to train/grow new engineers from within, for their fleets.

6. DISCUSSION. There have been misinterpretations of 46 CFR 15.820(c) in regards to who must hold an appropriately-endorsed Merchant Mariner Credential (MMC) authorizing service as a chief engineer on uninspected commercial fishing industry vessels. Such misinterpretations are rooted in use of the phrase "...individual engaged or employed to perform the duties of chief engineer..." The various grades and types of endorsements acceptable for engineers employed on uninspected commercial fishing industry vessels can be confusing, particularly when attempting to cross-reference the requirements in reference (a) or the regulations in reference (c). Enclosure (1) provides guidance on the application, terms of reference, and answers to common questions regarding this issue.

This policy letter does not discuss STCW endorsements in detail because 46 CFR 11.301(i) exempts fishing vessels, including fishing vessels which also operate as fish processing vessels or fish tender vessels. However, vessels that are used exclusively for fish processing are required to meet STCW and all mariners required to hold merchant mariner credentials must also have the appropriate STCW endorsements.

Additionally, this policy letter does not address requirements for engineers for every combination of situations, vessel locations, or modes of operation. In those instances where operational circumstances are not specifically addressed in this policy letter, OCMI's should exercise their discretion in relation to specific requirements and special operating conditions with vessel owners/operators.

7. IMPLEMENTATION. Reference (f) extended the date to implement enforcement of the requirements for appropriately-endorsed engineering officers on uninspected commercial fishing vessels from January 1, 2014 to January 1, 2015. Based on feedback received in response to reference (f), this policy letter further extends the date to implement enforcement of the requirements for appropriately-endorsed engineering officers on uninspected commercial fishing vessels until October 15, 2015 which will coincide with the requirement for mandatory dockside safety examinations.

Where an owner/operator or company has established a training program designed to bring company operations into compliance with the prescribed regulations on engineer

officer endorsements, and as expanded upon in this policy, the OCMI may defer, on a case-by-case basis, strict enforcement of the provisions of the regulations beyond October 15, 2015 to allow the company training program to achieve its purpose. Enclosure (2) provides guidance on implementation and compliance plans for Owner/Operators with Mariners in Approved Training Programs.

8. **DISCLAIMER.** This guidance is not a substitute for applicable legal requirements, nor is it itself a rule. It is not intended to nor does it impose legally-binding requirements on any party. It represents the Coast Guard's current thinking on this topic and makes no substantive change in existing law or policy. You can use an alternative approach if the approach satisfies the requirements of the applicable statutes and regulations. If you want to discuss an alternative approach (you are not required to do so), you may contact the Office of Commercial Vessel Compliance. The points of contact regarding engineer officer endorsements and credentialing on uninspected commercial fishing industry vessels are Mr. Jack Kemerer, Chief of the Fishing Vessel Division and Mr. Luke Harden, Chief of Mariner Credentialing Program Policy Division. Mr. Kemerer may be reached at (202) 372-1249, or Jack.A.Kemerer@uscg.mil. Mr. Harden is available at (202) 372-2357, or MMCPolicy@uscg.mil.

This guidance has been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, and are categorically excluded (CE) under current USCG CE # 33 from further environmental analysis, in accordance with Section 2.B.2. and Figure 2-1 of the National Environmental Policy Act Implementing Procedures and Policy for Considering Environmental Impacts, COMDTINST M16475.1 (series). Because this guidance implements, without substantive change, the applicable Commandant Instruction or other federal agency regulations, procedures, manuals, and other guidance documents, Coast Guard categorical exclusion #33 is appropriate. The guidance will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions; or inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment.

This is not a significant guidance document. It does not lead to an annual effect of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights or obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 13422.

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Enclosure: (1) Information Regarding Engineer Officer Endorsements on  
Uninspected Commercial Fishing Industry Vessels

Subj: ENGINEER OFFICER ENDORSEMENTS ON  
UNINSPECTED COMMERCIAL FISHING INDUSTRY VESSELS

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(2) Implementation Guidance for Owner/Operators and Companies with  
Mariners in Approved Training Programs

# Information Regarding Engineer Officer Endorsements on Uninspected Commercial Fishing Industry Vessels

## (1) SYNOPSIS

This document is organized in a series of common questions regarding engineering endorsements on uninspected fishing industry vessels. Each question is followed by an answer and explanation of the requirements. Definitions and references are also provided.

## (2) TERMS OF REFERENCE

Assistant engineer means a qualified officer in the engine department other than the chief engineer.

*Reference: 46 CFR 10.107*

Chief engineer means the senior engineer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the vessel.

*Reference: 46 CFR 10.107*

Endorsement is a statement of a mariner's qualifications and includes only those endorsements listed in 46 CFR 10.109.

*Reference: 46 CFR 10.107*

Near-coastal means ocean waters not more than 200 miles offshore from the U.S. and its possessions. This would also include those near-coastal waters identified by another Administration when the U.S. has entered into a treaty or an agreement with that country respecting the recognition of the U.S. near-coastal endorsement.

*Reference: 46 CFR 10.107*

Officer endorsement means an annotation on a merchant mariner credential (MMC) that allows a mariner to serve in the capacities listed in 46 CFR 10.109.

*Reference: 46 CFR 10.107*

Seagoing vessel means a ship that operates beyond the boundary line specified in 46 CFR part 7.

*Reference: 46 CFR 10.107*

Ship means a vessel using any mode of propulsion, including sail and auxiliary sail.

*Reference: 46 CFR 10.107*

Uninspected refers to a vessel that is not required to be inspected by the Coast Guard for issuance of a Certificate of Inspection. Uninspected vessels may include vessels that are issued a certificate by the American Bureau of Shipping (ABS) or that are examined by the Coast Guard or others for issuance of a Certificate of Compliance.

*Reference: 46 CFR 2.01-5 and 46 CFR 2.01-7*

## Information Regarding Engineer Officer Endorsements on Uninspected Commercial Fishing Industry Vessels

**Watch** - The Coast Guard interprets the term *watch* to be the direct performance of vessel operations, whether deck or engine, where such operations would routinely be controlled and performed in a scheduled and fixed rotation. The performance of maintenance or work necessary to the vessel's safe operation on a daily basis does not in itself constitute the establishment of a watch.

*Reference: 46 CFR 15.705*

### (3) **FREQUENTLY ASKED QUESTIONS ON ENGINEERING ENDORSEMENTS**

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(a): Which uninspected fishing industry vessels are required to have a credentialed chief engineer?

**Answer:**

46 CFR 15.820(c) states: "An individual engaged or employed to perform the duties of chief engineer on a mechanically propelled, uninspected, seagoing, documented vessel of 200 GRT or more must hold an appropriately-endorsed MMC authorizing service as a chief engineer." Therefore this applies to all mechanically propelled, seagoing, uninspected fishing industry vessels of 200 GRT or more on which any individual onboard has some responsibility for mechanical propulsion. Virtually every vessel has someone onboard with responsibility for mechanical propulsion, as discussed below.

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Note: The regulatory text of Title 46 CFR Chapter I, Subchapter B, referenced throughout this Policy Letter uses the term "gross tons." In each relevant instance this term refers to the gross tonnage under the Regulatory Measurement System (GRT), if assigned, and that vessels without an assigned GRT use their gross tonnage under the Convention Measurement System (GT ITC) to apply provisions dependent on "gross tons."

**Discussion** of the term "engaged or employed to perform the duties of chief engineer."

The term "engaged or employed to perform the duties of chief engineer." has been misinterpreted by some to imply that they may hire less qualified persons in lieu of appropriately credentialed engineers if they do not believe the engineer duties onboard a vessel are great enough to warrant a chief engineer [Paragraph (g) contains a list of appropriate endorsements] . However, this interpretation is inconsistent with the definition of "Chief engineer" given in the regulations (46 CFR 10.107) which describes the chief engineer as "the senior engineer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the vessel" It is hard to imagine a mechanically propelled fishing industry vessel on which no one is "responsible for mechanical propulsion" while underway. Even small vessels with outboard engines have someone responsible for mechanical propulsion of the vessel. Because the duties associated with this responsibility generally require a greater level of skill and experience as vessel size increases, the regulations set the threshold "of 200 GRT or more" as the vessel size at which credentialing is required.

## Information Regarding Engineer Officer Endorsements on Uninspected Commercial Fishing Industry Vessels

46 USC 8304(c) is the statutory authority for this regulation and likewise sets the threshold "of 200 gross tons or over" as the vessel size at which chief engineers, as well as masters, mates, and assistant engineers shall be licensed as such for service on certain uninspected vessels.

**Note:** Designating the mariner who is responsible for the mechanical propulsion of the vessel as anything other than Chief Engineer does not change the credentialing requirements. It is the responsibility of the owner, charterer, managing operator, master, or person in charge or command of the vessel to ensure that appropriate personnel are carried to meet the requirements of the applicable navigation and shipping laws and regulations (46 CFR 15.105).

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**(b):** Which uninspected fishing industry vessels have specified watch divisions?

**Answer:**

Uninspected fishing vessels generally have no specified engineer watch division. Certain uninspected fish processing vessels and fish tender vessels have specified engineer watch divisions as discussed in paragraphs (c) and (d), below.

**Note:** A vessel required to have three watch divisions requires at least 3 engineer officers to perform those watches. Likewise, a vessel required to have two watch divisions requires at least 2 engineer officers to perform those watches. Vessels with no specified watch division may require more than one engineering officer depending upon the length of voyage and degree of automation of the engine room. Regardless of the existence of specified watch divisions, masters are responsible for meeting all applicable work restrictions and rest requirements.

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**(c):** Which fish processing vessels have specified watch divisions?

**Answer:**

Certain fish processing vessels are subject to various provisions of 46 U.S.C. 8104 concerning watches. As described in 46 CFR 15.705(e):

(1) For fish processing vessels that entered into service before January 1, 1988, the following watch requirements apply to the officers and deck crew:

- (i) If more than 5,000 GRT—three watches.
- (ii) If more than 1,600 GRT and not more than 5,000 GRT—two watches.
- (iii) If not more than 1,600 GRT—no watch division specified; or

(2) For fish processing vessels that entered into service after December 31, 1987, the following watch requirements apply to the officers and deck crew:

- (i) If more than 5,000 GRT—three watches.
- (ii) If not more than 5,000 GRT and having more than 16 individuals onboard, primarily employed in the preparation of fish or fish products—two watches.



## Information Regarding Engineer Officer Endorsements on Uninspected Commercial Fishing Industry Vessels

(iii) If not more than 5,000 GRT and having not more than 16 individuals onboard, primarily employed in the preparation of fish or fish products—no watch division specified.

Note: 46 CFR 15.705(e) confirms that for some uninspected fishing vessels there is “no watch division specified.”

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**(d):** Which uninspected fish tender vessels have specified watch divisions?

**Answer:**

In accordance with 46 USC 8104 (o), uninspected fish tender vessels of not more than 500 GRT engaged in the Aleutian trade are required to have the officers and crewmembers divided, when at sea, into either 2 or 3 watches, depending on when it was purchased and/or first operated as a fish tender vessel.

A division of 3 watches is required unless the vessel:

- (A) before September 8, 1990, operated in that trade; or
- (B) before September 8, 1990, was purchased to be used in that trade; and before June 1, 1992, entered into service in that trade.

Uninspected fish tender vessels falling into either category (A) or (B) are required to have credentialed officers and crewmembers divided into at least 2 watches.

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**(e):** Do fishing industry vessels without specified watch divisions have to carry assistant engineers?

**Answer:**

A vessel for which the regulations do not specify a division of watches should establish watches as necessary to perform vessel operations. The establishment of adequate watches is the responsibility of the vessel's master as stated in 46 CFR 15.705 (a). Ensuring that the master has appropriate personnel to fulfill that duty is the responsibility of the owner, charterer, managing operator, master, or person in charge or command of the vessel in accordance with 46 CFR 15.103.

46 CFR 15.825 states: “An individual in charge of an engineering watch on a mechanically propelled, seagoing, documented vessel of 200 GRT or more, other than an individual described in §15.820, must hold an appropriately-endorsed license or MMC authorizing service as an assistant engineer.”

Additionally, a vessel may have an engine room, such as one that can be monitored from the bridge/pilothouse, which does not necessitate an engineering watch or does not require that it be manned 24 hours a day. If a single engineer is carried on a mechanically propelled, seagoing, documented fishing industry vessel of 200 GRT or more, he/she must hold an endorsement authorizing service as the Chief Engineer on the vessel (see part (g) below for a list of appropriate endorsements).

## Information Regarding Engineer Officer Endorsements on Uninspected Commercial Fishing Industry Vessels

If the chief engineer goes to sleep and leaves another crew member in charge of engine operations, where such operations would routinely be controlled and performed in the engine room, this other crewmember becomes the individual in charge of the engineering watch. His or her actual status as "assistant engineer" and the requirement to hold an endorsement as assistant engineer does not diminish even if his/her standing orders are to notify the chief engineer upon the slightest change of watch conditions which could impact the safety of the vessel.

Under 46 CFR 15.825(b), The Officer in Charge, Marine Inspection (OCMI) determines the minimum number of credentialed engineers required for the safe operation of inspected vessels. For uninspected vessels however, it is the responsibility of the master to establish adequate watches. Thus, after examining to his/her satisfaction the operation of the vessel, the master may determine that no engineer officer watch division is necessary. What constitutes a watch is defined in 46 CFR 15.705(a). There may be a circumstance, during a boarding, dockside examination or an after-accident investigation, where, regardless of the fact that there is no published watch division, that it is found, for all practical purposes, that a watch division is being employed. In that situation, if properly credentialed engineers were not being used, the company/vessel owner may have to explain to the satisfaction of the local OCMI how they were not in violation of 46 USC 8304. Additionally, in such a situation, the decision by the master that a watch division was not needed, nor established, may also be called into question.

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**(f):** On which vessels is a designated duty engineer (DDE) acceptable?

**Answer:**

Designated duty engineers may fill the position of chief engineer or assistant engineer on uninspected fishing industry vessels of not more than 500 gross tons, within any limitations on the endorsement.

As stated in 46 CFR 15.915 (a):

A designated duty engineer license or endorsement authorizes service as chief or assistant engineer on vessels of not more than 500 gross tons in the following manner:

- (1) A designated duty engineer limited to vessels of less than 1,000 horsepower or less than 4,000 horsepower may serve only on near coastal, Great Lakes, or inland waters;
- (2) A designated duty engineer with no horsepower limitations may serve on any waters.

**Note 1:** Any credentialed assistant engineer (limited or unlimited) wishing to serve as a Designated Duty Engineer must have an additional endorsement for DDE.

**Note 2:** There is no exception here for periodically unattended machinery spaces. Also, the fact that DDEs are authorized to serve as assistant engineers undermines the idea that their only purpose is as sole engineer for vessels with periodically unattended machinery

## Information Regarding Engineer Officer Endorsements on Uninspected Commercial Fishing Industry Vessels

spaces. DDE is simply an engineering endorsement to be used on smaller vessels, and therefore requiring lesser service and testing requirements than required for engineer watchstanders on vessels greater than 500 gross tons. The officer endorsement for DDE listed in 46 CFR 10.109(a)(27) is different than the STCW endorsement for a designated duty engineer in a periodically unmanned engine room listed in 46 CFR 10.109(d)(6). Unlike the STCW endorsement, it has no special relationship to periodically unattended engine rooms. Outside of 46 CFR 10.107 and §10.109, the term is nowhere used in conjunction with periodically unattended engine rooms anywhere in the Code of Federal Regulations or the United States Code.

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**(g):** What endorsements are acceptable for service as the credentialed Chief Engineer officer on an uninspected fishing industry vessel.

**Answer:** The engineer holding any of the following credentials is eligible to sail as Chief Engineer on an uninspected fishing industry vessel within the limitations (horsepower [power rating], tonnage, propulsion mode, route, grade, or type of vessel) of the credential.

Chief engineer  
Chief engineer (limited)  
Designated duty engineer  
Chief engineer uninspected fishing industry vessels

See Marine Safety Manual Vol. III, Part C, Chapter 2, FIGURE C2-1: "Engineering Equivalents" Analysis is based on the service and testing requirements for engineering endorsements.
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### **Chief engineer**

Allows the holder to serve within any horsepower limitations on vessels of any gross tons, on all waters.

### **Chief engineer (limited)**

Allows the holder to serve within any horsepower limitations on vessels of any gross tons on inland waters and of not more than 1,600 gross tons in ocean, near coastal or Great Lakes service in the following manner:

- (1) Chief engineer (limited—near coastal) may serve on near coastal waters.  
-46 CFR 11.501(b)

### **Designated duty engineer**

Allows the holder to serve within stated horsepower limitations on vessels of less than 500 GRT in the following manner:

- (1) Designated duty engineers limited to vessels of less than 1,000 horsepower or 4,000 horsepower may serve only on near coastal or inland waters;
- (2) Designated duty engineers-unlimited may serve on any waters.  
-46 CFR 11.501(c)

### **Chief engineer uninspected fishing industry vessels (UFIV)**

Allows the holder to serve as chief engineer of uninspected fishing industry vessels; it is issued for ocean waters and with horsepower limitations. -46 CFR 11.530

## Information Regarding Engineer Officer Endorsements on Uninspected Commercial Fishing Industry Vessels

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**h):** What endorsements are acceptable for service as a credentialed Assistant Engineer officer on an uninspected fishing industry vessel?

**Answer:**

The engineer holding any of the following credentials is eligible to sail as Assistant Engineer on an uninspected fishing industry vessel within the limitations (horsepower [power rating], tonnage, propulsion mode, route, grade, or type of vessel) of the license.

- Chief engineer\*
- First assistant engineer
- Second assistant engineer
- Third assistant engineer
- Chief engineer (limited)\*
- Assistant engineer (limited)
- Designated duty engineer\*
- Chief engineer uninspected fishing industry vessels\*
- Assistant engineer uninspected fishing industry vessels

*\*described in (g)*

**First assistant engineer**

**Second assistant engineer**

**Third assistant engineer**

These allow the holder to serve within any horsepower limitations on vessels of any gross tons on all waters.

**Assistant engineer (limited)**

Allows the holder to serve within any horsepower limitations on vessels of any gross tons, on inland waters and of less than 1,600 gross tons in ocean service.

-46 CFR 11.501(b)

**Assistant engineer uninspected fishing industry vessels**

Allows the holder to serve within any horsepower limitations on uninspected fishing industry vessels. -46 CFR 11.530

## **Implementation Guidance for Owner/Operators and Companies with Mariners in Approved Training Programs**

### **(1) GENERAL DISCUSSION:**

The OCMI may use a wide range of enforcement options when faced with a violation of regulations. Typical enforcement postures start with education and outreach prior to moving to more punitive enforcement postures. Where an owner/operator or company has established a training program designed to bring company operations into compliance with the prescribed regulations on engineer officer endorsements, the OCMI may defer, on a case-by-case basis, strict enforcement of the provisions of the regulations beyond October 15, 2015 to allow the company training program to achieve its purpose.

Companies with established training programs that wish to be considered for deferment of the strict enforcement of the provisions of the regulations must submit a proposed compliance plan to the Cognizant OCMI well in advance of, but no later than October 15, 2015. Guidance of what proposed compliance plans should contain are outlined in paragraph (2) below.

If the submitted compliance plan is found satisfactory, the Cognizant OCMI will document the acceptance of the plan and include a clear statement regarding the duration of the deferment of enforcement for vessels named in the plan. Companies and Owners/Operators should be told to retain a copy of the approved plan on board each associated vessel and have it readily available for inspection by Coast Guard inspectors, examiners or boarding officers so as to help prevent erroneous enforcement actions.

If the submitted compliance plan is insufficient, the OCMI will return the plan to the submitter with an explanation as to why it is insufficient. After October 15, 2015 vessels found not in compliance and not having a positively endorsed compliance plan, will be considered in violation and subject to enforcement.

### **(2) COMPLIANCE PLAN SUBMISSIONS TO OCMI's, MARINER APPLICATIONS AND SEA SERVICE EQUIVALENTS:**

#### **(a) Company and Owner/Operator Procedures:**

- i. Companies and owner/operators should submit a proposed compliance plan to the Cognizant OCMI. To facilitate a timely review of the plan by the Cognizant OCMI, the proposal should be submitted well in advance of October 15, 2015.
- ii. At a minimum the proposed plan should identify/include:
  - a. The Coast Guard approved training course that will be utilized in the company owner/operators training program [In the absence of a Coast Guard approved course provide evidence that an approved

## Implementation Guidance for Owner/Operators and Companies with Mariners in Approved Training Programs

course is actively being sought and that it is currently under review by NMC IAW reference (e)],

- b. A proposed timeline that indicates expected enrollment and satisfactory completion of the training program, submission of a complete MMC application, and anticipated date for company employees to be in place aboard their vessels as credentialed engineers,
- c. A list of vessels on which the trained and credentialed engineers will be placed (e.g. names and official numbers),
- d. Specify where and how the vessel(s) operate(s) (e.g. Oceans, Near Coastal, Operates in a fleet, Operates alone, etc.),
- e. Vessel specific engineering plant design and characteristics (e.g. propulsion plant, auxiliary power, bilge and ballasting arrangements, environmental equipment, refrigeration systems, etc.). Or if the program is not specific to a fleet or company, then any course submitted for review should include all the applicable subjects contained in Table 2 to 46 CFR 11.950 'Subjects for engineer officer endorsements' for the appropriate material specific to the endorsement sought and,
- f. Number of credentialed engineering officers necessary for each specific vessel(s).

### **(b) Coast Guard Procedures:**

- i. The Cognizant OCMI will review the proposed compliance plan to ensure that a Coast Guard approved course will be utilized or that there is evidence that an approved course is actively being sought and is currently under review by NMC.
- ii. The OCMI should also be convinced that the training program and the credentialing process, outlined in the proposed compliance plan, provided by the Company Owner/Operator, can realistically be completed within the deferred enforcement period granted by the OCMI.
- iii. Prior to deferring enforcement, the OCMI should be satisfied that the deferment of enforcement does not present an unacceptable risk to marine safety. At a minimum, the OCMI should evaluate the following factors when assessing the risk presented by delayed enforcement:
  - o Nature of vessel's operations;
  - o Number of persons on board when underway;
  - o Complexity and size of propulsion plant including the extent of automation;
  - o Complexity of auxiliary equipment;
  - o Characteristics of the geographic area of operation; (how far offshore, weather, isolation, etc.)

## Implementation Guidance for Owner/Operators and Companies with Mariners in Approved Training Programs

- Availability of assistance in the event of an engineering casualties (proximity to other vessels in the company's fleet);
- Determine what credentialed engineer officers will be on board the vessel;
- Qualifications of engineers who may be on board and their ability to perform regular/operational and maintenance duties, to respond in the event of an onboard emergency, their level of vessel familiarization; including safety and environmental protection functions;
- Overall material condition of the vessel.

The OCMI may, when delaying full enforcement of the regulations, place reasonable restrictions on the vessel in order to mitigate the risks identified by the evaluation of the above factors.

- iv. If the submitted compliance plan is found satisfactory, the Cognizant OCMI will document the acceptance of the plan and include a clear statement regarding the duration of the deferment of enforcement for vessels named in the plan. The plan acceptance will clearly indicate any restrictions placed on the operation of a vessel as a result of the evaluation conducted in paragraph iii above. Companies and Owners/Operators should be directed to retain a copy of the approved plan on board each associated vessel and have it readily available for inspection by Coast Guard inspectors, examiners or boarding officers so as to help prevent erroneous enforcement actions.
- v. If the submitted compliance plan is insufficient, the OCMI will return the plan to the submitter with an explanation as to why it is insufficient. After October 15, 2015 vessels found not in compliance and not having a positively endorsed compliance plan, will be considered in violation and subject to enforcement.

(c) Mariner Application Procedure:

- i. The Mariner submits a complete application package [see note below]\* for an engineering officer endorsement.
- ii. Appropriate documentary evidence of sufficient experience and training is also submitted.
- iii. Once the Mariner's application has been approved, he/she must satisfactorily complete all of the required examination modules.

\*[ **Note:** The following link will direct the OCMI or industry personnel to the National Maritime Center's "Merchant Mariners Credential Application Acceptance Checklist" and provides guidance on the entire Mariner application process:

[http://www.uscg.mil/nmc/credentials/original/pdf/original\\_officer\\_packet.pdf](http://www.uscg.mil/nmc/credentials/original/pdf/original_officer_packet.pdf)

Specific checklists for the endorsement sought can be found at:

<http://www.uscg.mil/nmc/checklists/default.asp>]

**Implementation Guidance for Owner/Operators and Companies with  
Mariners in Approved Training Programs**

**(d) National Maritime Center (NMC) Procedures/Sea Service Equivalents:**

- i. The NMC will evaluate requests for approval of training courses and programs in accordance with the established procedures contained in reference (e) and the applicable subjects contained in Table 2 to 46 CFR 11.950 'Subjects for engineer officer endorsements' specific to the endorsement training sought.
- ii. For DDE endorsements, documented engineroom sea service (see 46 CFR 11.524) will be accepted as equivalent to a QMED if it includes a statement to the effect of:  
  
"Lubricates gears, shafts, bearings, or other parts of the engine. Reads pressure and temperature gauges and record data. Performs routine maintenance and assists with more difficult or complex repairs to machinery. Inspects and maintains fishing equipment and deck machinery. Inspects and performs routine maintenance on sanitation system."
- iii. NMC will consider documented engineroom sea service (accrued prior to October 15, 2015 and used in MMC applications submitted prior to October 16, 2016) with a similar statement, described in (d) ii, as equivalent to that of an Assistant Engineer for applicants seeking Chief Engineer uninspected fishing industry vessels (UFIV) endorsements under this provision.