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From: Commanding Officer, U. S. Coast Guard National Maritime Center
To: Distribution

Subj: EXCEPTIONS TO THE APPLICATION OF THE INTERNATIONAL CONVENTION
ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR
SEAFARERS, 1978, AS AMENDED (STCW) TO SEAGOING VESSELS

Ref: (a) International Convention on the Standards of Training, Certification and
Watchkeeping, 1978, as amended (STCW)
(b) Title 46, Code of Federal Regulations, Section 15.1101(a)(3)

1. PURPOSE. This policy letter provides guidance to U. S. Coast Guard, Officers in Charge, Marine Inspection (OCMIs) about applying the STCW to a situation where a vessel is temporarily operating on waters subject to the STCW. It addresses situations where the OCMI must review an intended voyage or operation and assess the potential risks to maritime safety and the environment to determine if the full effect of the STCW should be applied.
2. ACTION. OCMIs should be guided by the information in this policy letter in evaluating a request for a vessel to operate on waters seaward of the Boundary Line as defined in Title 46, Code of Federal Regulations, Part 7 and be exempted from the STCW. This policy letter will be distributed by electronic means only. It is available on the World Wide Web at <http://www.uscg.mil/STCW/m-policy.htm>.
3. BACKGROUND.
 - a. Reference (a) defines a *seagoing ship* as a ship "other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply." The definition of a seagoing ship provides latitude for the application of the STCW to unique operations where the vessel will be operating in waters closely adjacent to sheltered waters. For applying the definition above, the United States has defined a *seagoing vessel* in reference (b) as a "self-propelled vessel that operates beyond the Boundary Line established in 46 CFR part 7."
 - b. Compliance with the STCW improves a mariner's professional skills through requirements for a mariner to demonstrate his or her professional skills and to have formal training in the arts and skills of the mariner's profession. While completion of the STCW's requirements is not a guarantor of professional competency, the fact that the holder of an STCW certificate has completed the additional factors to qualify for the STCW certificate is an indicator that an STCW-certificated mariner will have enhanced professional skills.

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Possession of these enhanced skills can serve as an element in making risk-based assessments of the situations to which this policy letter refers.

4. DISCUSSION.

- a. Some vessels that routinely operate in inland waters may occasionally be called upon to enter waters subject to the STCW. Under the provisions of reference (a), the owner/operator may request relaxation of the STCW's requirements to temporarily permit the operation of the vessel on waters seaward of the Boundary Line without subjecting it to the full impact of the STCW. In every case, **the mariners in question must hold a license that authorizes service on the waters to be traversed.**
- b. A request for exemption must be addressed to the OCMI(s) having jurisdiction over the waters to be navigated. If the voyage or operation includes waters subject to more than one OCMI, each must agree to any relaxation of the STCW's requirements. The OCMI(s) will review the proposed voyage(s) or operation(s) to determine the extent to which the STCW shall apply. To arrive at a determination, the OCMI(s) must judge each case against the criteria below and decide on the merits of the situation keeping in mind that the purpose of the STCW is to ensure that crew members are fully trained and capable mariners.
 - (1) Length (distance) and duration of the operation. Longer voyages, either in length or time to complete, represent increased risk due to increased exposure to seas and weather, to other traffic, and in terms of increased opportunity for equipment and systems failure.
 - (2) Frequency of the operation. A single operation limits risk by reducing opportunities for casualties, equipment failures, or systems failures.
 - (3) Control that is available over other traffic on the proposed route. Traffic control lanes, regulated navigation areas, vessel traffic services, or other control measures reduce risk because they represent additional safeguards.
 - (4) Volume and nature of normal traffic on the proposed route. Areas where commercial traffic is heavy or where commercial traffic routinely includes dangerous cargoes pose greater risks by increasing the probability of incidents/accidents and increase the risk of catastrophic results in the event of a casualty.
 - (5) Size of the vessel. (Note: Cargo or miscellaneous vessels under 200 GRT (500GT) have been exempted from the full effects of the STCW and will not fall under the provisions of this document.) Larger vessels generally represent less risk than smaller

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vessels; however, advantages gained by larger size such as better sea keeping may be offset by other factors such as poor maintenance or poor material condition.

- (6) Nature of the operation. Routine operations that can be postponed due to weather represent lower risk than operations such as oil spill response that are time sensitive. Additionally, unique operations such as towing large vessels or structures may pose additional risks due to the inability to halt the operation once started.
- c. Some vessel owners/operators may have situations where the nature, timing, and/or frequency of an operation make it difficult to consult with the OCMI immediately beforehand. For those situations, the owners/operators should consult with the OCMI and establish advance arrangements that will allow the vessels to respond promptly with crew members certificated in accordance with the advance arrangements.
- d. Enclosure (1) provides examples that illustrate the application of the above concepts.

/s/
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Encl: (1) Evaluation of a request for exemption from the STCW

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