

## ENFORCEMENT GUIDANCE

R 261320Z APR 05 ZUI ASN-A00116000017 ZYB  
FM COMDT COGARD WASHINGTON DC//G-MOC//  
TO AIG 4956

INFO COMLANTAREA COGARD PORTSMOUTH VA  
COMPACAREA COGARD ALAMEDA CA  
COGARD MSC WASHINGTON DC

BT

UNCLAS //N16703//

SUBJ: FIRE SUPPRESSION EQUIPMENT ON TOWING VESSELS

A. MY R 251652Z APR 05

B. 46 CFR PART 27.

C. [WWW.USCG.MIL/HQ/G-M/MSE4/REGTOW.HTM](http://WWW.USCG.MIL/HQ/G-M/MSE4/REGTOW.HTM)

1. CANCEL REF(A).

2. PURPOSE. THIS MESSAGE PROVIDES ENFORCEMENT GUIDANCE REGARDING THE FIRE SUPPRESSION EQUIPMENT REQUIREMENTS OF REF(B) WHICH COME INTO EFFECT ON 29APR05. ALTHOUGH TOWING VESSELS HAVE BEEN ADDED TO THE LIST OF VESSELS SUBJECT TO INSPECTION FOR CERTIFICATION, WE DO NOT YET HAVE REGULATIONS TO CARRY OUT THIS PROGRAM.

3. BECAUSE WE DO NOT YET HAVE APPLICABLE REGULATIONS FOR TOWING VESSELS AS INSPECTED VESSELS, FIRE SUPPRESSION EQUIPMENT ON TOWING VESSELS DOES NOT RECEIVE COAST GUARD PLAN REVIEW.

4. APPLICABILITY AND COTP EXEMPTIONS (46 CFR 27.100). THE REGULATION APPLIES TO ALL TOWING VESSELS, WHETHER OR NOT THE TOWING VESSEL IS ACTUALLY ENGAGED IN PUSHING, PULLING OR HAULING ALONGSIDE, UNLESS THE TOWING VESSEL MEETS A SPECIFIED EXEMPTION. COTP SHALL ISSUE EXEMPTIONS SPARINGLY KEEPING IN MIND THE TOWING VESSEL'S PARTICULARS INCLUDING AGE; ROUTE; MATERIAL CONDITION, INCLUDING EXTENT OF COMBUSTIBLES ONBOARD; AND GOOD MARINE PRACTICE. VESSEL MANAGEMENT MUST MAKE A WRITTEN APPLICATION FOR AN EXEMPTION. PRIOR TO GRANTING AN EXEMPTION FOR A GIVEN VESSEL, UNIT PERSONNEL SHALL EXAMINE THE TOWING VESSEL FOR COMPLIANCE WITH ALL APPLICABLE TOWING VESSEL REQUIREMENTS. IF THE COTP GRANTS AN EXEMPTION, THE UNITS SHALL ISSUE AN EXEMPTION LETTER TO THE APPLICANT AND DOCUMENT THE EXEMPTION IN MISLE (IN VESSEL DOCUMENTS AND VESSEL NOTES). A COPY OF THE EXEMPTION LETTER SHALL BE PLACED ON THE VESSEL. APPEALS OF EXEMPTION DENIALS SHALL BE PROCESSED USING NORMAL APPEAL PROCEDURES AS PROVIDED IN 46 CFR PART 1.

5. HOSE AND NOZZLES (46 CFR 27.301). HOSE NEED NOT BE UL 19 FIRE HOSE. NON-COLLAPSIBLE HOSE IS ACCEPTABLE. NOZZLES NEED NOT BE A TYPE APPROVED BY THE COAST GUARD.

6. SEMI-PORTABLE FIRE EXTINGUISHERS (46 CFR 27.303). FOAM, CO2, AND DRY CHEMICAL AGENTS ARE AUTHORIZED AND THE MINIMUM APPROVED SIZES OF EACH AGENT ARE IDENTIFIED IN REF(C).

7. OPTIONAL FIXED FIRE EXTINGUISHING SYSTEM (46 CFR 27.303). EXISTING SYSTEMS MAY BE ACCEPTABLE SUBJECT TO THE PROVISIONS STIPULATED IN REF(C).

8. WEBSITE. REF(C) IS A WEBSITE MAINTAINED BY G-MSE-4 THAT PROVIDES ADDITIONAL INFORMATION ON SUBPART C AND PART 27 IN GENERAL. G-MSE-4 POC IS MR. RANDALL EBERLY, (202) 267-1861.

## **ENFORCEMENT GUIDANCE**

9. EXAMINATION GUIDANCE. VERIFY COMPLIANCE WITH THE REQUIREMENTS OF REF(B) AS PART OF OTHER TOWING VESSEL EXAMINATION ACTIVITY. DO NOT CONDUCT UNSCHEDULED EXAMINATIONS EXPRESSLY TO DETERMINE COMPLIANCE WITH REF(B).

10. ENFORCEMENT. IN THE EVENT THAT A TOWING VESSEL DOES NOT COMPLY AND/OR HAS MADE NO ARRANGEMENTS TO HAVE FIRE SUPPRESSION EQUIPMENT INSTALLED, COTPS SHOULD CONSIDER SUSPENDING VESSEL OPERATIONS AS PROVIDED IN 33 CFR 160, SUBPART B. COTPS MAY GRANT EXTENSIONS TO AN INDIVIDUAL VESSEL TO INSTALL FIRE SUPPRESSION EQUIPMENT ON ORDER PROVIDED VESSEL MANAGEMENT PERSONNEL SUBMIT A WRITTEN APPLICATION FOR AN EXTENSION. A STATEMENT, OR OTHER WRITTEN EVIDENCE SUCH AS AN INVOICE, FROM THE EQUIPMENT SUPPLIER OR VENDOR, MUST ACCOMPANY THIS APPLICATION. THE STATEMENT OR INVOICE MUST SHOW EVIDENCE THAT THE COMPANY PURCHASED THE EQUIPMENT AND PROVIDE AN ESTIMATED INSTALLATION DATE. IF GRANTING AN EXTENSION, DOCUMENT IT IN WRITING TO THE APPLICANT AS WELL AS IN MISLE. THE LETTER TO THE APPLICANT SHOULD INCLUDE WORDS INDICATING POTENTIAL CIVIL PENALTY ACTION WILL ENSUE IF THE REQUIRED FIRE SUPPRESSION EQUIPMENT IS NOT INSTALLED PRIOR TO THE EXPIRATION OF THE EXTENSION AND THE POTENTIAL FOR SUSPENSION OF VESSEL OPERATIONS. COTPS MAY GRANT A ONE TIME EXTENSION FOR UP TO 90 DAYS. APPLICANTS SEEKING EXTENSIONS BEYOND 90 DAYS SHALL SUBMIT THEIR APPLICATION TO G-MOC FOR APPROVAL VIA THE COTP'S CHAIN OF COMMAND. DISTRICT AND AREA OFFICES SHALL REVIEW AND ENDORSE THE APPLICATION WITH THEIR RECOMMENDATION FOR DENIAL OR APPROVAL.

11. QUESTIONS ON ENFORCEMENT SHOULD BE DIRECTED TO MR. SCOTT KUHANECK, (202) 267-0240 OR TKUHANECK(AT)COMDT.USCG.MIL.

12. INTERNET RELEASE AUTHORIZED.

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