EVALUATION OF A REQUEST FOR EXEMPTION FROM THE STCW

This enclosure includes seven scenarios representing typical situations where an OCMI may be requested to permit a vessel to operate on waters beyond the Boundary Line without the crew being required to comply with the STCW. In reviewing the proposed operation, the OCMI should assess the potential risk involved if the vessel is permitted to operate with a crew that has not met the exacting standards of the STCW. If granted, a waiver may include the requirements for crew certification, a waiver of general training requirements such as basic safety training, or both. These scenarios are guides only; each case must be evaluated on its merits.

Scenario 1. An appropriately sized towing vessel proceeds a short distance beyond the Boundary Line as a one-time instance to meet and escort an incoming vessel through a heavily transited waterway where a traffic separation scheme exists.

Factors to consider

a. Length of operation - As the vessel will only be transiting a short distance beyond the boundary line, the additional risk is acceptable.
b. Frequency – Since this will be a single occurrence, the risk is acceptable provided the weather is reasonably good.
c. Control over traffic- Control over traffic is reasonably good due to the presence of a traffic separation scheme.
d. Traffic volume – Volume is typically heavy which increases risk, but the risk is acceptable due to the traffic separation scheme.
e. Size of vessel – The vessel is suitable for the job and therefore poses no identifiable risk due to its size provided the weather is reasonably good.
f. Nature of operation – Escort service is of lower risk than active towing since the vessel retains full maneuvering options and flexibility should weather become untenable.

THEREFORE: This voyage is of limited duration and distance, the vessel is small and maneuverable, and the voyage is not a routine occurrence. Even though the area in question has heavy traffic, the overall risk probably does not justify imposing STCW requirements.

Scenario 2. An oil spill response vessel proceeds 15 miles to sea to carry out clean-up operations around a sunken vessel.

Factors to Consider

a. Length and Duration - Overall duration may be several days thereby increasing risk.
b. Frequency of the operation - The voyage is unique, not routine; ongoing risk is limited.
c. Control - The vessel will be operating in a safety zone with on-going surveillance of the area by Coast Guard cutters. A high degree of control limits the risk.
d. Volume and nature of normal traffic - The presence of the safety zone and Coast Guard surveillance reduces the risk of collision from normal traffic.

e. Size of the vessel - The vessel is appropriately sized for the expected sea and weather conditions and maintained in a seaworthy state thereby reducing risk from the elements.
f. Nature of operation - The operation cannot be delayed to recruit crew members who hold STCW certifications without severe risk to the environment due to the uncontrolled spread of oil from the sunken vessel.

THEREFORE: This voyage is of extended duration but moderate distance, the vessel is appropriately sized to the expected environmental conditions, it is a one-time, emergency operation with a high-degree of control being exercised. The overall risk probably does not justify imposing STCW requirements.

Scenario 3. A vessel proceeds on a weekly, routine voyage from a major port towing a dump scow to an offshore dumping area that is fifty miles offshore and then returns to the same port of departure.

Factors to Consider

a. Length and Duration - The duration of the operation will be close to 24 hours and the voyage will be in waters far removed from inland waters, both of which situations increase risk.
b. Frequency of the operation - The voyage is routine causing increased long-term risk.
c. Control - The vessel will be operating in-and-out of a major port along with no oversight or control of transiting vessels thereby increasing exposure to collision.
d. Volume and nature of normal traffic - A heavy volume of traffic may be expected because this is a major port. Risk is increased.
e. Size of the vessel - The vessel is appropriately sized and powered for the expected sea and weather conditions and the towing operation. The vessel is maintained in a seaworthy state thereby reducing risk from the elements or from mechanical breakdown.
f. Nature of operation - This is a routine operation that can be deferred if necessary; however, the vessel will be engaged in towing which will reduce maneuverability. Risk from the weather is minimized, while risk from maneuvering restrictions is enhanced.

THEREFORE: The vessel is adequate for the expected environmental conditions and the operation; however this is fairly frequent operation in waters subject to extensive maritime traffic, and occurs with a vessel limited in maneuverability by a tow. Under these conditions, the risk is such that the requirements of the STCW should not be waived.

Scenario 4. A towing vessel of 178 GRT proceeds with a 5,000 GRT tank barge in tow on a voyage from New York to Miami.

Factors to Consider

The towing vessel is less than 200 GRT and has been accepted as meeting the STCW without imposing further requirements. A non-self-propelled vessel is not subject to the STCW.

Scenario 5. A towing vessel of 219 GRT proceeds on a voyage without a tow from Norfolk to Boston.

Factors to Consider

a. Length and Duration - This is an extended voyage both in duration and time. Risk is increased due to possible unexpected weather changes or mechanical breakdown.
b. Frequency of operation - This is a one-time operation where on-going risk is reduced.
c. Control - The vessel will be in traffic separation schemes for only short periods. While these occur at critical parts of the voyage, most of the voyage will be under conditions where no control exists. Risk is increased.
d. Volume and nature of normal traffic - The vessel will encounter traffic bound from/to Chesapeake Bay, the Delaware River, New York, and Boston with enhanced risk of collision. Many of these vessels will be carrying hazardous cargoes that further increase the risk.
e. Size of the vessel - The vessel is seaworthy, well maintained, and suited to the voyage thereby reducing risk.
f. Nature of the operation - This is a routine operation that can be delayed if necessary to recruit mariners holding STCW certificates. Risk is reduced when the vessel is crewed with mariners who have met the STCW's requirements.

THEREFORE: The overall risk, particularly from the length of the voyage and the expected traffic requires that the vessel fully comply with the STCW.

Scenario 6. A small passenger vessel inspected under subchapter T or K makes a coastwise voyage from Maine to Florida in the fall for change of employment.

Factors to Consider

Even though this is a routine voyage of extended duration that crosses numerous areas where large vessels, sometimes carrying hazardous cargo, may be encountered, small passenger vessels inspected under subchapters T and K have been exempted from full compliance with the STCW. If the vessel were inspected under subchapter H, then the risks are such that full compliance would be required.

Scenario 7. A self-propelled dredge routinely gets underway, proceeds to sea a short distance beyond the Boundary Line to dump spoil, and returns to the same port.

Factors to Consider

a. Length and Duration - These are short voyages both in length and duration which minimize risk; however, as either length or duration increase, risk escalates.
b. Frequency of operation - These are frequent voyages and, therefore, increase risk.
c. Control - The vessel will be operating in areas subject to heavy traffic. If a traffic separation scheme or other vessel traffic services are present, risk will be significantly reduced.
d. Volume and nature of normal traffic - The amount of traffic that the vessel will encounter is dependent on the size of the port A high volume of traffic increases risks. Also, the

OCMI must consider the general nature of the cargoes being carried by other vessels as well as their size. In a port where the dredge can reasonably be expected to frequently encounter large tank ships, risk is significantly increased. In another port where, the dredge will only encounter small, highly maneuverable vessels, risk is reduced.
e. Size of the vessel - The vessel is seaworthy, well maintained, Coast Guard inspected and certificated for the route, and suited to the voyage thereby reducing risk.
f. Nature of the operation - This is a routine operation that can be delayed if necessary to recruit mariners holding STCW certificates. Risk is reduced when the vessel is crewed with mariners who have met the STCW's requirements.

THEREFORE: The latter scenario is not clear cut and requires a close evaluation by the OCMI of the risks. A voyage of one mile beyond the Boundary Line on a voyage from a port routinely used by small vessels, even if the voyages to the dump site occurred routinely, would probably not warrant imposition of the STCW. The same voyages occurring from a major port where large vessels carrying dangerous cargoes regularly navigate would be cause for requiring STCW qualifications.