

For CG-82 use only	Requestor: H. CG&MT	DHS review required?
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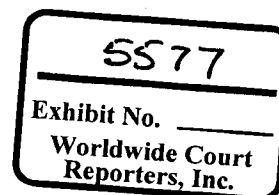
INSPECTION DETAILS FOR MODUS

QUESTION: What is involved in an inspection of a MODU? Do you visit it? How many inspectors do you bring? What do you check? What is involved?

ANSWER: A MODU may not commence drilling operations on the U.S. Outer Continental Shelf (OCS) without first satisfactorily completing a Coast Guard Certificate of Compliance (COC) Examination (for foreign flagged MODUs) or a satisfactory inspection resulting in issuance of a Certificate of Inspection (COI) (for U.S. flagged MODUs). Coast Guard Marine Inspectors visit every MODU required to maintain a COC or COI in order to physically conduct the examination/inspection. Coast Guard inspection teams typically consist of 3 to 4 Marine Inspectors, and the average MODU examination can take between six to eight hours; fewer available inspectors will result in longer examination time.

The Coast Guard uses job aids (CG-840 booklets) to inspect the MODU in accordance with applicable U.S. and international regulations. These job aids consist of a list of items that may be inspected or checked during the course of an inspection to ensure all of the critical items detailed in the regulations referenced below are examined. Inspectors use the job aid for both U.S. and foreign MODUs; however, the use of the job aid and scope of the inspections for each will differ as described in 1) and 2) below.

- 1) A U.S. flag MODU is inspected and certified in accordance with Title 46 CFR, Subchapter I-A (Parts 107 – 109). Note a foreign MODU may be inspected under the design and equipment standards in 46 CFR Part 108 when the foreign MODU is not constructed in accordance with equivalent national standards or the IMO MODU Code. Such a foreign MODU will be inspected in similar fashion to a U.S. flagged MODU. Coast Guard Marine Inspectors will conduct a detailed inspection and document check that addresses the relevant portions of the job aid. If discrepancies exist, the inspector will require corrective action. Upon successful completion of the inspection, the Coast Guard will issue a Certificate of Inspection to the U.S. flag MODU authorizing it to engage in OCS activities.
- 2) A foreign MODU may receive a Certificate of Compliance from the Coast Guard if the foreign flag's national MODU safety and operating requirements provide a level of safety equivalent to U.S. regulations. The scope of the examination is not as detailed as the inspection done for U.S. MODUs that receive a Certificate of Inspection. Though there is greater reliance on certificates issued by the recognized organizations on behalf of the MODU's flag state based on detailed surveys, the Coast Guard Marine Inspector will still conduct an inspection in accordance with applicable job aids. Notwithstanding these certificates certain tests and inspections are common for foreign MODUs: fire drill; abandon ship drill; examination of safety training records; a complete deck walk; emergency lighting testing; electrical safety in the hazardous area exams; checks of lifesaving and firefighting equipment. If a potential problem is uncovered on a foreign MODU, inspectors will expand the examination into the potential problem noted to determine whether a discrepancy exists and to require corrective action. Upon successful completion of the inspection, the Coast Guard will issue a Certificate of Compliance to the MODU authorizing it to engage in Outer Continental Shelf (U.S.) activities.



Congressional Staff, DHS, OMB & Other Misc Q&As

#Q&As-03095

The attached USCG Navigation and Vessel Inspection Circular (NVIC) 3-88 provides more detailed information on the scope of MODU inspections.

Congressional Staff, DHS, OMB & Other Misc Q&As

#Q&As-03095

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NOTES/REFERENCE MATERIALS:

Place information below that you wish all levels of review to be aware of.
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Directorate/Program Notes:

CG-82 Notes (why changes were made to question):

CLEARANCE SHEET (click to annotate clearance)

Referenced materials

Navigation and Vessel Inspection Circular (NVIC) 3-88	<u>Attachment</u>
	Link
	Link

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THE DIFFERENCE BETWEEN U.S. AND FOREIGN FLAG INSPECTION

QUESTION: What is the difference between U.S. and foreign flag inspections (equivalency standard)?

ANSWER: The primary difference between Coast Guard inspections of a U.S. flagged vessel versus a foreign flagged vessel (including Mobile Offshore Drilling Units (MODU)) is: for U.S. flagged vessels, the Coast Guard is responsible for carrying out the inspections, tests, and surveys required to issue the statutory certificate; and for foreign vessels, the flag State or Recognized Organization, working on behalf of the flag State is responsible for carrying out the inspections, tests, and surveys required to issue the statutory certificates.

As authorized by 46 U.S.C. 3316, the Coast Guard may accept certain flag State statutory certificates issued to vessels by authorized classification societies or Recognized Organizations (RO), like the American Bureau of Shipping. The Coast Guard reserves the responsibility for issuing the Certificate of Inspection (COI). However, a RO may participate in the plan review and inspections necessary for issuance of this certificate. Whenever the Coast Guard allows a RO to perform any flag State duties on its behalf, the Coast Guard involvement consists primarily of liaison with the RO, policy determinations and oversight with respect to work the Coast Guard delegates to class societies pursuant to 46 U.S.C. 3316, and work the Coast Guard accepts pursuant to its authority under the Outer Continental Shelf (OCS) Lands Act, 43 U.S.C. 1331 *et. seq.*

Statutory certificates are issued by the flag State to document the vessel meets the requirements of domestic and international standards pertaining to the relevant convention. Statutory certificates, such as the Coast Guard issued COI, allow a U.S. vessel to operate. International statutory certificates like the Mobile Offshore Drilling Unit (MODU) Safety Certificate, demonstrates the MODU meets the statutory requirements of the IMO MODU Code.

The Coast Guard does not perform flag State level inspections on foreign flagged vessels if the vessel's flag State has an inspection and certification program approximating that of the United States, or if the flag State performs the necessary work to issue all of the applicable IMO Convention certificates to the vessel. The United States is signatory to these IMO Conventions and recognizes the flag State involvement through Port State Control (PSC); this is written in law (see 46 U.S. Code Sections 3303, 3505 and 3711 and 43 U.S. Code Section 1348). In these instances, the Coast Guard will conduct PSC examinations on the foreign freight vessel, foreign passenger vessel, foreign tank vessel, and/or foreign MODU to verify compliance with domestic laws, regulations and International Conventions. PSC examinations satisfy these statutory examination requirements. PSC is not intended to be analogous to an inspection for certification of a U.S. vessel. Rather, it provides an examination of sufficient breadth and depth to indicate that a vessel's major systems are in compliance with applicable international standards and domestic requirements, and the crew training and performance, such as lifesaving and firefighting drills, meet the relevant standards.

The scope of Coast Guard PSC exams for all of these vessels exceeds current international guidelines for PSC. Coast Guard PSC exams include inspection and equipment tests and emergency drill requirements far beyond those required by other PSC regimes. The Coast Guard never delegates PSC responsibilities

to an RO.

When a PSC exam reveals questionable equipment, systems, or crew competency issues, the Coast Guard expands the exam as necessary to determine whether a deficiency exists. The scope of the expanded exam is not limited, and the inspector may require additional tests, inspections, or crew drills to the extent deemed necessary to determine whether or not a deficiency exists. When deficiencies exist, the Coast Guard documents these deficiencies on a "PSC Report of Inspections and/or Deficiencies" (Form CG-5437 A/B), and mandates correction of the deficiencies. Depending on the severity of the deficiencies, the Coast Guard may detain a vessel or curtail vessel operations as appropriate until the deficiencies are corrected.

In addition to the "PSC Report of Inspections and/or Deficiencies," the Coast Guard issues a Certificate of Compliance (COC) to Gas and Chemical Carriers, Oil Tankers, Passenger Ships, and MODUs after a satisfactory PSC exam. A COC documents that a foreign vessel has been examined by the Coast Guard and it meets the regulatory requirements to operate in U.S. waters, including the U.S. Outer Continental Shelf.

PSC exams are also conducted on Foreign Freight vessels, but the Coast Guard does not issue a COC upon completion of a satisfactory exam as this certificate is not applicable to freight vessels (as mandated by the aforementioned regulations). The "PSC Report of Inspection and/or Deficiencies" is issued to document a PSC exam was completed on a Foreign Freight vessel.

Attachments:

- A. "Side-by-side Coast Guard inspection comparison matrix"-U.S. flagged and foreign flagged vessels
- [Attachment A](#)
- B. Acronym List for "side-by-side Coast Guard inspection comparison matrix." [Attachment B](#)

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Congressional Staff, DHS, OMB & Other Misc Q&As

#Q&As-03367

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FREQUENCY OF HEALTH AND SAFETY INSPECTIONS

QUESTION: How often are health and safety inspections conducted on U.S. flagged and foreign flagged oil rigs and vessels?

ANSWER: The following table provides the frequency of Coast Guard safety inspection/examination on the three classes of units operating on the U.S. OCS: floating facilities, MODUs, and vessels.

Unit	U.S.	Foreign
Floating Facility	Every two years with a mid-period ¹⁾ inspection	Every two years with a mid-period examination
MODU	Every two years with a mid-period ¹⁾ inspection	Every two years with a mid-period examination
Vessel	Every two years with a mid-period ¹⁾ inspection	Frequency dependent upon Port State Control (PSC) targeting ²⁾ when the vessel visits a U.S. port.

1. An mid-period inspection or examination is typically conducted between the 10th and 14th month following the Inspection for Certification or Certificate of Compliance examination. The mid-period inspection/examination is mandatory for U.S. units and mandatory for foreign units that are continuing operations on the U.S. OCS. A mid-period differs from the biennial in that the Coast Guard endorses the previously-issued certificate instead of issuing a new certificate.
2. A poor performance record (owner, operator, flag, classification society, or vessel history) can lead to more frequent examinations upon arrival in port. If a vessel has not visited the U.S. in the past year, the Coast Guard will automatically conduct a PSC examination of the vessel upon arrival in port (there is an exception to this for quality vessels recognized by the QUALSHIP 21 program).

MODU and floating facility inspections would include verifying compliance with 33 CFR Part 142 Workplace Safety and Health.

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