

Good evening Senator Harrigan, Chairman of the Committee on Government Services, Consumer and Veterans Affairs, other members of the Committee, other Senators present, members of the Legislative staff, ladies and gentlemen present and in the viewing and listening audience. The Coast Guard would like to take this opportunity to discuss enforcement of federal requirements for passenger vessels that transit between St. Thomas and St. John, along with any other vessel that is required to hold a valid Certificate of Inspection and is subject to inspection under 46 U.S. Code 3301. We will also briefly discuss the recent history of three specific vessels and their current status.

First, the Coast Guard would like to address the regulations applicable to passenger vessels, e.g. vehicle ferries. 46 U.S. Code 3301 – Vessels subject to inspection, states that passenger vessels, along with 14 other categories of vessels, are subject to inspection. The vehicle ferries that transit between St. Thomas and St. John are inspected under 46 Code of Federal Regulations (CFR) Subchapter “T”- Small Passenger Vessels (Under 100 Gross Tons). Subchapter “T” applies to each vessel of less than 100 gross tons that carries 150 or less passengers, or has overnight accommodations for 49 or less passengers. Subchapter “T” addresses requirements ranging from the required number of life jackets to the required fire protection for certain spaces on the vessel. Subchapter “T” also addresses the period of validity for a Certificate of Inspection and how often a dry dock inspection is required. Coast Guard Marine Inspectors ensure Subchapter “T” vessels are held to these standards during each inspection. Per 46 CFR 176.107, a Certificate of Inspection is valid for 5 years and must have an annual inspection within the three months before or after each anniversary date of the Certificate of Inspection. That means that a vessel has six months to schedule and successfully

complete an annual inspection, per 46 CFR 176.500. A Certificate of Inspection may be suspended and withdrawn or revoked by the cognizant Officer in Charge Marine Inspections (OCMI) at any time for noncompliance with the regulatory requirements. Vessels are also required to have a dry dock and internal structural examination completed within established intervals per 46 CFR 176.600. If a vessel does not complete their required dry docking and receive a credit dry dock, the Certificate of Inspection becomes invalid and the vessel is prohibited to carry passengers until a successful inspection is completed.

Vessels are required to contact the local Coast Guard cognizant OCMI to schedule an inspection at a time and place that both the vessel and the Coast Guard Marine Inspector can successfully complete the exam. A vessel's anniversary date and dry dock dates are located on the vessel's Certificate of Inspection. Prior to an inspection there are resources available on the Coast Guard's public website to help prepare a vessel owner for what he or she can expect during a Coast Guard inspection. CG-840 Inspection Books are used by Marine Inspectors during the course of their inspections and vessel operators are encouraged to use the Inspection Book in preparation for applicable Coast Guard inspections. CG-840 Inspection Books are in no way an all inclusive reference document nor do they alter the regulatory requirements in any way. Furthermore, Coast Guard Sector Prevention departments are available for owners & operators to call, email, or personally visit with questions regarding the regulations/requirements.

Second, we would like to briefly address the current situation with the vehicle ferries. The vehicle ferries that transit between St. Thomas and St. John are equally held to the standards mentioned above. Although we will not be going into detail about all the

requirements identified by the Coast Guard Marine Inspectors during the annual inspection of the CAPT VIC and the dry dock exam of the GENERAL II, we will touch on a few of the most significant requirements that caused both vessels to have operating restrictions placed on them.

The GENERAL II had an annual inspection completed on April 29, 2016. It was already overdue for an annual inspection which was due April 21, 2016 which is a violation of inspection regulations. As stated earlier the vessel did not request any extension or alternative arrangement from the Coast Guard to prevent failing to meet the requirement. During that exam, Coast Guard Marine Inspectors discovered, amongst other items, numerous fractures (cracks) and areas of wastage (excessively rusted steel) on the vessel's ramp that is used to load heavy vehicles onto the vehicle ferry. Working with the operator and realizing the critical role that the GENERAL II plays within the community, the vessel was issued a requirement to effect permanent repairs and was allowed to continue operating until its scheduled dry dock in June. The ramp was to be repaired or replaced prior to receiving credit for a dry dock inspection. The GENERAL II entered its dry dock period on June 29, 2016. During a dry dock exam, Coast Guard Marine Inspectors utilized Navigation and Vessel Inspection Circular (NVIC) 7-68 to evaluate and implement industry recognized best practices in the inspection and repair of steel hulled vessels. Although the GENERAL II made a number of repairs to its hull during the dry dock, the ramp was not replaced, nor attempted to be repaired in any way, even after being identified and discussed with the vessel owner during the vessel's annual inspection in April. Therefore, the vessel did not receive a credit for a successfully completed dry dock inspection and was not allowed to return to service. As of this

writing, the Coast Guard has approved temporary repairs on the vehicle ramp to allow the GENERAL II to return to full service until a replacement ramp can be completed. Coast Guard Marine Inspectors continue to work with the operator of the GENERAL II to provide oversight for repairs on the vehicle ramp.

The CAPT VIC scheduled its annual inspection for June 29, 2016. It had a window of opportunity from January 2, 2016, until July 2, 2016, to schedule and complete its annual inspection. The vessel waited until June 29, 2016 to be inspected and the CAPT VIC failed its annual inspection. Due to its failure the vessel was restricted from carrying passengers when Coast Guard Marine Inspectors discovered, amongst other items, that the fixed carbon dioxide system, vital to the vessel's ability to fight fires, had not been serviced in over two years, the vessel's bilge pump system, vital to the vessel's ability to prevent flooding, was not working, and the vehicle ramp was severely wasted with excessive fractures (cracks). The CO2 fixed fire system and bilge pump system are vital life saving systems required for the carriage of passengers. When these systems are deficient or discovered in poor condition they create a hazardous condition and are required to be reported to the Coast Guard, neither was reported. The Coast Guard was fully aware that the Annual St. John Carnival was underway and the ferry traffic was being heavily impacted since the GENERAL II scheduled its dry dock during this time and was not operating. Coast Guard Marine Inspectors spent several late nights working with vessel representatives to resolve the situation. To assist with the Carnival traffic, the Coast Guard made an assessment of the vessel's condition and determined the CAPT VIC could return to service with operational restrictions. In the interest of safety, the Coast Guard imposed one restriction that is still currently in place, a weight

restriction on the vessel's ramp until repairs can be made. The CAPT VIC has been given until September 1, 2016 to replace the ramp. The Coast Guard is currently working with the vessel representatives to oversee the completion of this project.

Recently the owner/operators of the ISLAND VIC took the vessel out of service on their own accord for maintenance, and the Coast Guard worked with local officials and vehicle ferry operators to allow essential vehicles of not more than 20 Tons to transit from St. Thomas and St. John on the CAPT VIC until the ISLAND VIC was repaired. Essential vehicles included trash, gas, fuel, sewage, and food vehicles. The ISLAND VIC is currently back in service, therefore the CAPT VIC has been returned to its original weight restrictions.

Lastly the Coast Guard's priorities are to safeguard the lives of the people who utilize these vessels, ensure the safety of the maritime transportation system and help facilitate safe maritime commerce in the U.S. Virgin Islands. Coast Guard Marine Inspectors remain committed to performing any required inspections in a timely manner to ensure the vessels are structurally sound and meet the regulatory standards for a certificated vessel to safely transport passengers and vehicles.