



NTSB National Transportation Safety Board

Office of Marine Safety

Regulatory Issues

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Commercial Fishing Industry

- One of the deadliest in the world
- Highest fatality rate – 2007
- Minimal safety oversight



Regulations

- Two types of regulations:
 - Coast Guard safety
 - Vessel type
 - Build date
 - Fisheries management
 - Magnuson-Stevens Act
 - 8 regional councils
 - Fishery management plans

Vessel Types

- Fishing vessels
 - Catch fish
 - Minimal processing
- Fish tender vessels
 - Supply
 - Transport
- Fish processing vessels
 - Catch and process
 - Process from other vessels

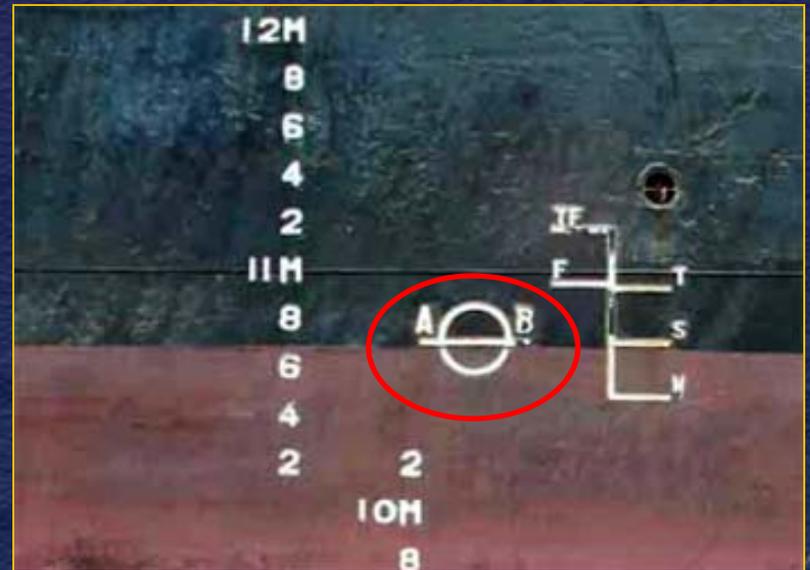
Fishing Vessels

- Typically small
- Operate near shore
- Small crews
- Uninspected
- Minimal safety requirements
- Voluntary exams



Fish Processing Vessels

- Typically large
- Remote operations
- Large crews
- Certificate of Compliance
- Load line
- Classification

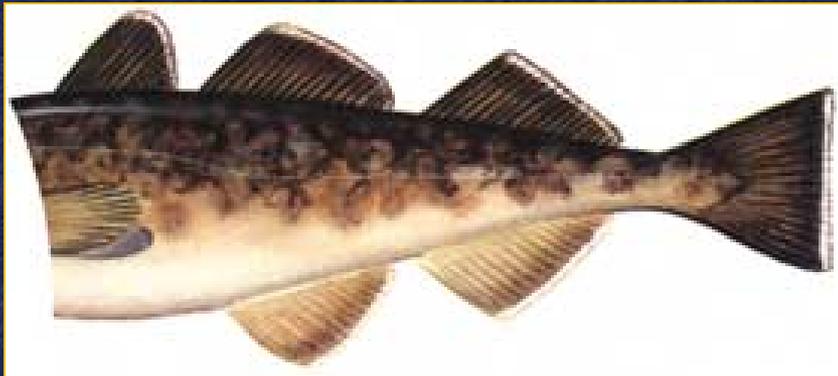


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Catching vs. Processing

- What is done after fish caught
- 8 allowed activities
- Fishing vessel



Processor



Head and Gut Fleet

- Operate in Alaska
- Historically regulated as fishing vessels
- Operational risks similar to other processors

Head and Gut Fleet Accidents

- Major accidents
 - *Arctic Rose*, 2001
 - *Galaxy*, 2002
- H&G vessels were actually processing
- Subject to additional requirements

Efforts to Regulate

- Difficult to enforce requirements
 - Age of vessels
 - Prohibitive costs
- Vessels could cease processing
 - Similar operational risks
 - No additional safety requirements
- Solution: Alternate Compliance and Safety Agreement (ACSA)

Alternate Compliance and Safety Agreement (ACSA)

- Voluntary
- ACSA standards
 - Drydocking / hull thickness gauging
 - Watertight / weathertight doors
 - Machinery maintenance
 - Stability
- *Alaska Ranger* enrolled
 - Completed drydock
 - All requirements not complete

Alternate Compliance and Safety Agreement

- ACSA implementation issues
 - Failure to follow guidance
 - Timelines not enforced
 - Personnel
- Actions since accident
 - New ACSA guidance
 - Additional personnel

Previous NTSB Actions

- 1987 safety study
 - Addressed numerous issues
 - Recommended that Coast Guard seek inspection authority
- Status of recommendation
 - Reiterated in 1987, 1988, 1990, 1991
 - Coast Guard not granted authority

Inspection of Fishing Vessels

- Inspection could provide:
 - Design
 - Construction
 - Maintenance
 - Licensing
 - Medical oversight
 - Hours of service
 - Drug and alcohol testing

Proposed Legislation

- Mandatory dockside exams
- Training and certification for masters of vessels that:
 - Operate outside 3 miles
 - Carry >16 persons
- Expanding class and load lines to certain fishing vessels

Fisheries Management

- North Pacific Fishery Management Council
- Create and amend fishery management plans
- Bering Sea Aleutian Island (BSAI) groundfish fishery

Amendment 80

- Amended BSAI groundfish plan
 - Limited access
 - Cooperatives
- National Marine Fisheries Service
 - Approved plan
 - Created implementing regulations

Amendment 80

- 28 Amendment 80 vessels
- Average age, 30 years
- No vessel replacement provisions

Amendment 80

- Owner of sunken Amendment 80 vessel sued NMFS
- District Court ruled in favor of owner
- Vessel replacement allowed for:
 - Actual total loss
 - Constructive total loss



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