

February 17, 2015

MarComInt File No. **15-006**

Regulatory Compliance Survey
as of February 17, 2015

M/V Pro Assist III

Purpose: On February 17, 2015, the undersigned, at the request of and for the account of American Tugs Inc., conducted a regulatory compliance survey of the M/V Pro Assist III, O.N. 257007, in Las Mares, PR, for the purpose of evaluating the current level of compliance on the vessel with regard to U.S. Coast Guard regulations.

Scope: This survey involved an evaluation of the vessel's compliance with federal regulations. Applicable Codes of Federal Regulation were used along with U.S. Coast Guard Uninspected Towing Vessel Exam checklist.

Attending: Captain Pedro Rivera – representing American Tugs, Inc.

Vessel Particulars:

Name -	Pro Assist III
Official number –	257007
Hull material –	Steel
Dimensions –	111.3' X 27.5' X 10.7
Owner/Operator-	Pro Assist III, Inc.
Built –	1949/Nashville, TN
Gross tons -	148 GRT/241 GIT - 100 NRT/72 NTI
Horse power -	Reported - 3000
Fuel capacity -	Reported – 25000 gals.
Ballast water -	municipal only, does not exchange water with the sea.

Certificates and Expiration Dates:

Certificate of Documentation -	Expires: 8/31/2015
Certificate of Inspection -	Uninspected
FCC Station ID/MMSI 367555530	Expires: 10/11/2022

Certificates and Expiration Dates:

Life Raft Service	Expires:	10/13/2015
Life Raft Hydrostatic Release	Expires:	5/2016
EPIRB NOAA Registration	Expires:	2/26/2015
EPIRB Battery Service	Expires:	5/2018
EPIRB Hydrostatic Release	Expires:	5/2016

General Description: The vessel is a typical towing vessel which engages in harbor/ship assist and escort.

Regulatory Summary: The regulations that may apply to uninspected towing vessels range from vessel documentation, navigation lights, fire extinguishing equipment, oil pollution, navigation-safety equipment, and towing vessel fire detection/ suppression equipment. These regulations are found in many different sections of the CFR.

Note: The items listed with Citations and Deficiencies reflect actual non-compliance items with currently existing regulations applicable to the subject vessel, and/or applicable regulations that could not be verified at the time of survey.

Citation:

1. 47 CFR 80.409(f)(3)

Deficiencies:

1. Radiotelephony stations subject to the Bridge-to-Bridge Act must record entries indicated by paragraphs (e)(1), (3), (5) (6), (7), (10), and (11) ... (1) A summary of all distress and urgency communications affecting the station's own ship, all distress alerts relayed by the station's own ship, and all distress call acknowledgements and other communications received from search and rescue authorities. (3) The time of any inadvertent transmissions of distress, urgency and safety signals including the time and method of cancellation. (5) A daily statement about the condition of the required radiotelephone equipment, as determined by either normal communication or test communication. (6) A weekly entry that: (i) The proper

functioning of digital selective calling (DSC) equipment has been verified by actual communications or a test call; (ii) The portable survival craft radio gear and radar transponders have been tested; and (iii) The EPIRBs have been inspected. (7) An entry at least once every 30 days that the batteries or other reserve power sources have been checked and are functioning properly. (10) When the master is notified about improperly operating radiotelephone equipment. An appropriate log entry of these actions shall be made. The FCC Station Log was on board, but the required information described above was not maintained.

2. 33 CFR 83.01(g)

2. The operator of each self-propelled vessel 12 meters or more in length shall carry on board and maintain for ready reference a copy of these Rules. At the time of survey, a current edition of the Rules was not board the vessel.

3. 33 CFR 164.72(b)(2)(ii)

3. A currently corrected edition of, or an applicable currently corrected extract from, each of the following publications for the area to be transited: Coast Guard Light List; (B) Notices to Mariners published by the National Imagery and Mapping Agency, or LNM's published by the Coast Guard; (C) Tidal-current tables published by private entities using data provided by the NOS, ...: (D) Tide tables published by private entities using data provided by the NOS; and (E) U.S. Coast Pilot. The above General Publications on board the vessel at the time of survey were uncorrected 2013 editions.

4. 33 CFR 16472(a)(5)

4. By August 2, 2001, an echo depth-sounding device readable from the vessel's main steering station, unless the vessel engages in towing exclusively on Western Rivers. The vessel was not equipped with the required echo depth sounding device at the time of survey.

5. 33 CFR 155.820

5. The vessel operator shall keep a written record available for inspection by the COTP or OCMI of: (a) The name of each person currently designated as a person in charge of transfer operations. (b) The date and result of the most recent test and inspection of each item tested or inspected as required by §156.170 of this chapter; (c) The hose information required by §154.500 (e) and (g) of this chapter unless that information is marked on the hose; and (d) The Declaration of Inspection as required by §156.150(f) of this chapter. The above records were not maintained and not available for review at the time of the survey.

6. 33 CFR 155.800

6. Hose used to transfer oil or hazardous material must meet the requirements of §154.500 of this chapter. Each hose must be marked with one of the following: (1) The name of each product for which the hose may be used; or (2) For oil products, the words "OIL SERVICE" (f) Each hose also must be marked with the following, except that the information required by paragraphs (f)(2) and (3) of this section need not be marked on the hose if it is recorded in the hose records of the vessel or facility, and the hose is marked to identify it with that information: (1) Maximum allowable

working pressure; (2) Date of manufacture; and (3) Date of the latest test required by 33 CFR 156.170. The hose assemblies reported to be used for fuel oil transfer and waste oil/slops discharge were not marked with the required information.

7. 46 CFR 25.30-05

7. All hand portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems shall be of an approved type. Two B-II portable extinguishers located in the machinery space fiddly bearing USCG approval numbers 162.028 EX 1216 when in bracket 30865 were found in brackets marked 10HB. USCG approved portable extinguishers must be located in the approved bracket as indicated on the manufacturer's label.

8. 46 CFR 25.30-05

8. All hand portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems shall be of an approved type. The B-I portable extinguisher located in the machinery space fiddly bearing USCG approval number 162.028 EX 2199 when in bracket 79456 was found in a bracket marked 20HB. USCG approved portable extinguishers must be located in the approved bracket as indicated on the manufacturer's label.

9. 46 CFR 25.30-05

9. All hand portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems shall be of an approved type. Two B-III portable extinguishers located in the machinery space bearing USCG approval

number 162.028 EX 1216 when in bracket 30937 were found in a brackets marked 15HB and 20HB. USCG approved portable extinguishers must be located in the approved bracket as indicated on the manufacturer's label.

10. 46 CFR 25.30-05

10. All hand portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems shall be of an approved type. The B-I portable extinguisher located in the machinery space bearing USCG approval number 162.028 EX 2199 when in bracket 79456 was found in a bracket marked 15HB. USCG approved portable extinguishers must be located in the approved bracket as indicated on the manufacturer's label.

11. 46 CFR 25.30-05

11. All hand portable fire extinguishers, semiportable fire extinguishing systems, and fixed fire extinguishing systems shall be of an approved type. The B-II portable extinguisher located in the compressor room bearing USCG approval number 162.028 EX 1216 when in bracket 30865 was found in a bracket marked 10HB. USCG approved portable extinguishers must be located in the approved bracket as indicated on the manufacturer's label.

12. 46 CFR 27.303

12. On towing vessels in inland service, and on towing vessels in ocean or coastal service whose construction was contracted for before August 27, 2003, *in addition* to the minimum number of hand-portable fire extinguishers required by 46 CFR 25.30, must carry the following fire-extinguishing equipment on board—
An approved B-V semi-portable fire-

extinguishing system to protect the engine room; or, a fixed fire-extinguishing system installed to protect the engine room of the vessel. The vessel was not fitted with an approved semi-portable B-V fire extinguisher to protect the engine room.

13. USCG Policy Letter CG 543 10-06

13. The vessel was fitted with a fixed CO2 hose reel/rack system that does meet the requirements of 46 CFR Part 76 and can be considered as “Excess Equipment” allowed by USCG Policy Letter CG 543 10-06 dated 28 DEC 2010. The excess equipment must be listed by an independent testing laboratory, designed, installed, tested and maintained in accordance with the equipment manufacturer’s descriptions and by relevant NFPA standards. At the time of the survey, no documentation could be produced to attest to the CO2 hose reel compliance with above mentioned descriptions and standards.

13. 46 CFR 27.203(b)

13. The fire detection system must be installed, tested, and maintained in line with the manufacturer's design manual. The installed fire detection system did not bear a service tag indicating the manufacturer’s required maintenance had been performed.

14. 46 CFR 27.207

14. Each remote valve control should be marked in clearly legible letters, at least 25 millimeters (1 inch) high, indicating the purpose of the valve and the way to operate it. The “way to operate” the valve (PULL) was not marked as required.

15. USCG Policy Letter CG-543 10-06

15. Generally, any Coast Guard type-approved equipment may be carried as "excess" provided it is maintained in accordance with the equipment manufacturer's recommendations and/or appropriate national industry consensus standard(s). Example: Coast Guard approved visual distress signals that are not required to be carried on board UTVs. USCG approved Visual Distress Signals were found expired 6/14 and should be removed from the vessel.

16. 33 CFR 155.750

16. (a) The transfer procedures required by §155.720 must contain, either in the order listed or by use of a cross-reference index page: (1) A list of each product transferred to or from the vessel, including the following information: (i) Generic or chemical name; and (iii) Applicability of transfer procedures; (2) A description of each transfer system on the vessel including: (i) A line diagram of the vessel's transfer piping, including the location of each valve, pump, control device, vent, and overflow; 3) The number of persons required to be on duty during transfer operations; (4) The duties by title of each officer, person in charge, tankerman, deckhand, and any other person required for each transfer operation; (5) Procedures and duty assignments for tending the vessel's moorings during the transfer of oil or hazardous material. The fuel transfer procedures did not contain the above required information.

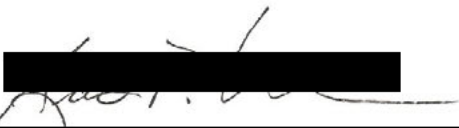
Surveyor's Notes: The items listed with Citations and Deficiencies reflect actual non-compliance items with currently existing regulations applicable to the subject vessel. The items listed in the Notes section are items that may be brought into question by certain enforcement personnel, or are recommendations.

Notes: None.

Surveyor Certification: I hereby certify that the statements and opinions expressed in this report are correct to the best of my knowledge and belief, and that my analysis, opinions and conclusions were developed using the latest reference material available.

Survey made, signed, and submitted without prejudice to rights and/or interests of whom it may concern.

MARITIME COMPLIANCE INTERNATIONAL, LLC



James P. Nagle
Maritime Compliance Specialist
On behalf of,
Maritime Compliance International, LLC



August 22, 2016

MarComInt File No. **16-056**

Regulatory Compliance Survey
as of August 22, 2016

M/V Proassist III

Purpose: On August 22, 2016, the undersigned, at the request of and for the account of American Tugs, Inc., conducted a regulatory compliance survey of the M/V Proassist III, O.N. 257007, in Las Mareas, Puerto Rico for the purpose of evaluating the current level of compliance on the vessel with regard to U.S Coast Guard regulations.

Scope: This survey involved an evaluation of the vessel's compliance with federal regulations. Applicable Codes of Federal Regulation and Coast Guard uninspected towing vessel exam form.

Attending: Captain Pedro Rivera Jr. – representing American Tugs, Inc.

Vessel Particulars:

Name -	Proassist III
Official number –	257007
Hull material –	Steel
Dimensions –	111.3.' X 27.5' X 10.7'
Owner/Operator-	Proassist III Inc.
Built –	1949/Nashville, TN
Gross tons -	148 GRT/241 GIT-100 NRT/72 NTI
Horse power -	Reported - 3000
Fuel capacity -	Reported – 25,000 gals.
Ballast water -	municipal only, does not exchange water with the sea.

Certificates and Expiration Dates:

Certificate of Documentation -	Expires: August 31, 2017 Operational Endorsement: Coastwise No restrictions
Certificate of Inspection -	uninspected
FCC Station ID/MMSI -	367555530 Expires: October 11, 2022
Life Raft Inspection -	Expires: October 2016
Life Raft Hydrostatic release -	Expires: August 2018
EPIRB battery -	Expires: May 2018
EPIRB Hydrostatic release -	Expires: August 2018
EPIRB Registration -	Expires: March 2017

General Description: This vessel operates as a typical tug boat which engages in harbor/ship assist and escort.

Regulatory Summary: The regulations that may apply to uninspected towing vessels range from vessel documentation, navigation lights, fire extinguishing equipment, oil pollution, navigation-safety equipment, and towing vessel fire detection/suppression equipment. These regulations are found in many different sections of the CFR.

Note: The items listed with Citations and Deficiencies reflect actual non-compliance items with currently existing regulations applicable to the subject vessel, and/or applicable regulations that could not be verified at the time of survey.

Citation:

1. 33 CFR 155.820(a)
2. 33 CFR 155.740(c)

Deficiencies:

1. The vessel operator shall keep a written record available for inspection by the COTP or OCMI of: The name of each person currently designated as a person-in-charge (PIC) of transfer operations. *When asked, the captain stated he has to print a new PIC list to place on board.
2. The oil transfer procedures required by 33 CFR 155.720 must be permanently posted or available at a place where the procedures can be easily seen and used by members of the crew when engaged in transfer operations.

*The fuel transfer procedures provided by the captain were in the Safety Management System manual and are not permanently posted or at a place where they can be easily seen and used during transfers.

3. 33 CFR 155.820(d)

3. The vessel operator shall keep a written record available for inspection by the COTP or OCMI of: The Declaration of Inspection (DOI).

*The captain stated there were none on board.

4. 33 CFR 83.23

4. Equipment for sound signals (Rule 33). A vessel of 65.6 ft.-328.1 feet shall be provided with a 11.8” bell.

*The vessel’s bell is on board but was removed for painting.

5. 33 CFR 164.72(a)(5)

5. Each towing vessel must be equipped with the following navigational-safety equipment: echo depth-sounding device. By August 2, 2001, an echo depth-sounding device readable from the vessel's main steering station, unless the vessel engages in towing exclusively on Western Rivers.

*According to the captain, the echo depth-sounding device has been procured but the transducer must be installed on the hull at the next drydocking.

6. 33 CFR 164.72(a)(4)

6. The vessel must be fitted with a properly illuminated magnetic compass.

* The magnetic compass on board is not properly illuminated. The captain stated the bulb was burned out

7. 46 CFR 27.203

7. You must have a fire-detection system installed on your vessel to detect engine-room fires. Any owner of a vessel whose construction was contracted for before January 18, 2000, may use an existing engine-room-monitoring system (with fire-detection capability) instead of a fire-detection system, if the monitoring system is operable and complies with this section. You must ensure that (g) the system is certified by a Registered Professional Engineer, or by a recognized classification society (under 46 CFR part 8), to comply with paragraphs (a) through (f) of this section.

*The captain could not produce a certification letter by a Registered Professional Engineer or classification society.

8. 46 CFR 25.30-5

8. All portable fire extinguishers bearing a USCG approval number must be secured in the bracket specified on the approval label.

*Fire extinguishers located throughout the vessel were not in approved brackets.

9. USCG Policy Letter CG 543 10-06

9. The vessel was fitted with a fixed CO2 hose reel/rack system that does not meet the requirements of 46 CFR Part 76 and can be considered as "Excess Equipment" allowed by USCG Policy Letter CG 543 10-06 dated 28 DEC 2010. The excess equipment must be listed by an independent testing laboratory, designed, installed, tested and maintained in accordance with the equipment manufacture's descriptions and by relevant NFPA standards.

*At the time of the survey, there were records on board indicating inspections were conducted for fire extinguishing equipment on 24 Mar 2016 however no specific information could be located on installation and testing of the aforementioned.

Notes:

These items should be taken under consideration. Some may be called into question by examiners or auditors or are recommendations.

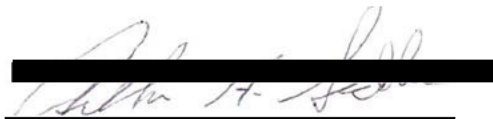
1. Alcohol strips for onboard testing expire August of 2016.
2. There is minimal non-skid paint on the main deck walking surfaces.
3. An oil leak was noted on starboard generator intake manifold.
4. There is no emergency lighting on board.

Surveyor's Notes: None.

Surveyor Certification: I hereby certify that the statements and opinions expressed in this report are correct to the best of my knowledge and belief, and that my analysis, opinions and conclusions were developed using the latest reference material available.

Survey made, signed, and submitted without prejudice to rights and/or interests of whom it may concern.

MARITIME COMPLIANCE INTERNATIONAL, LLC



Arthur H. Seddon
Maritime Compliance Specialist
Maritime Compliance International, LLC



"Guiding you on the right course."

May 26, 2017

MarComInt File No. 17-052

Regulatory Compliance Survey
as of May 26, 2017

M/V PROASSIST III

Purpose: On May 23, 2017, the undersigned, at the request of and for the account of American Tugs, Inc., 1010 Orchid Street, Apt. 1104, San Juan, Puerto Rico 00926, conducted a regulatory compliance survey of the M/V PROASSIST III, O.N. 257007, in Yabucoa, Puerto Rico, for the purpose of evaluating the current level of compliance with 46 CFR Subchapter M.

Scope: This survey involved an evaluation of the vessel's compliance with the federal regulations contained in 46 CFR Subchapter M for items associated with a U.S. Coast Guard "topside" inspection for certification. It does not cover items associated with Internal Structural Exams or Hull (Drydock) Exams. Subchapter M was used as a reference, as well as our Towing Vessel Survey Form, and Supplemental, for Existing Vessels. In general, the vessel must be in compliance with Subchapter M by July 20, 2018, or when it obtains a Certificate of Inspection (COI), whichever date is sooner. The few exceptions to these compliance dates are explained below, where applicable. This survey did not include a review of all required logs, records, policies and procedures, as the Subchapter M requirements were not yet implemented.

Assumptions: The following assumptions were made, as provided by the company:

Route:	Oceans
Number in Crew:	6 sailing >600 miles; 5 sailing <600 miles; 3 harbor ast.
Persons in Addition to Crew:	8
Waters:	Warm
Exceptions:	None
Compliance Option:	U.S. Coast Guard

Attending: Pedro Rivera, Jr. – Maritime Administrator, American Tugs, Inc.

Vessel Particulars:

Name -	PROASSIST III
Official number -	257007
IMO number -	8644395
Hull material -	Steel
Dimensions -	111.3' x 27.5' x 10.7'
Built -	1949/Nashville, TN
Gross tons -	148 GRT
Horse power -	Reported - 3,000
Fuel capacity -	Reported - >18,000 gals.
Ballast water -	Reported - Municipal water, no exchange with the sea

Certificates and Expiration Dates:

Certificate of Documentation -	Expires 08/31/17
Certificate of Inspection -	None, must be obtained iaw Subchapter M timeline
FCC Station Authorization -	Expires 10/11/22
International Load Line Cert.-	ABS; Expires 07/21/20
U.S. Tonnage Certificate-	ABS; Issued 06/22/94
USCG Stability Letter-	Issued 01/15/82
NOAA EPIRB Registration-	Expires 03/06/19
EPIRB battery -	Expires 05/18
EPIRB Hydro-static release -	Expires 08/18
Liferaft Inspection-	Expires 10/17
Liferaft Hydro-static release -	Expires 08/18
Fire Panel PE Letter-	Not observed
USCG UTV exam decal -	Expires 05/17

General Description: The vessel is a typical tugboat, with a two-deck deckhouse, model bow, transom stern, and overnight accommodations, which engages in harbor assist work as well as ocean tows.

Note: The items listed with Citations and Deficiencies reflect actual non-compliance items with 46 CFR Subchapter M, and/or applicable regulations that could not be verified at the time of survey.

Citation:

1. 46 CFR 143.450

Deficiency:

1. There is no pilothouse alerter installed, as required for vessels greater than 65 ft. with overnight accommodations.

Note: The pilothouse alerter is required to be installed no later than 5 years after the issuance of the first COI for the vessel.

2. 46 CFR 144.905(b) 2. There are no windshield wipers, or other device, on wheelhouse windows to ensure adequate visibility.
3. 46 CFR 140.725(a) 4. The vessel has no fathometer, as required.
4. 46 CFR 143.230(a) 4. The following alarms were not provided as required: main engine low lube oil pressure; main engine high cooling water temp; generator low lube oil pressure; generator high cooling water temp; high bilge level; low hydraulic steering fluid and low fuel level alarm.
5. 46 CFR 143.230(b) 5. There is no alarm panel visible and audible in the wheelhouse operating station.
6. 46 CFR 141.360(b)(4) 6. The port and starboard lifebuoys are not marked with the vessel name in block capital letters.
7. 46 CFR 141.360(a)(3) 7. There are only two of the four required lifebuoys on board.
8. 46 CFR 141.360(c)(1) 8. If more than one lifebuoy is carried onboard, at least one must not have a lifeline attached.
9. 46 CFR 140.720 9. The following navigation lights were inoperative during the survey: white stern light.
10. 33 CFR 164.72(a)(4) 10. The vessel must be fitted with a

- properly illuminated magnetic compass. The magnetic compass on board is not properly illuminated.
11. 46 CFR 141.375(a) 11. The 6 daytime and 6 nighttime visual distress signals on board were expired.
12. 46 CFR 141.375(e)(1) 12. The expired visual distress signals on board were not stowed in a portable watertight container marked with "DISTRESS SIGNALS" in .5-inch contrasting letters.
13. 46 CFR 141.385 13. There was no line throwing apparatus on board.
14. 46 CFR 143.410(b) 14. Emergency lighting must be provided for all internal crew working areas. There was no emergency lighting in the wheelhouse.
15. 46 CFR 143.410(c) 15. Each towing vessel must be equipped with at least two portable battery powered lights. One must be in the wheelhouse and the other at the entrance to the engine room. There was no portable battery powered lights on board.
16. 46 CFR 142.330 16. The fire alarm control panel was inoperative and displaying an error code and trouble light. The captain was unable to correct the error due to not having the manufacturer's operating manual for the device, and no PE letter.
17. 46 CFR 141.340(a) 17. There are an insufficient number of lifejackets on board. 14 are required based upon the assumptions for the number of crew and persons in addition to the crew.

18. 46 CFR 141.340(f)(1) 18. The lifejackets are not marked with the name of the vessel, as required.
19. 46 CFR 141.340(h) 19. Stowage positions for lifejackets are not marked in block capital letters with the minimum quantity, and identity, as required.
20. 46 CFR 141.340(g)(1) 20. Not all lifejackets had lights attached, as required.
21. 46 CFR 199.130(a)(7)(ii) 21. Each survival craft must be stowed so as not to require lifting from its stowed position to launch, except that a survival craft that weighs 407.8 pounds or less may be lifted not more than 1 foot to launch. The life raft on board would require lifting more than 1 foot to launch it over the 2nd deck hand rail and to clear the deck below to reach the water.
22. 46 CFR 141.305(d) 22. The inflatable life raft is rated for 6 persons. The assumptions call for a total of 14 persons on board.
23. 46 CFR 141.315 23. The life raft stowage location is not marked in accordance with 46 CFR 199.178.
24. 46 CFR 140.430(b) 24. Work vests are not equipped with lights, which are required when working at night.
25. 46 CFR 142.226(a) 25. The two required firefighter outfits were not on board.
26. 46 CFR 142.226(b) 26. The two required self-contained breathing apparatuses were not on board.

27. 46 CFR 144.160(e) 27. Each watertight door and watertight hatch must be marked on both sides in clearly legible letters at least 25 millimeters (1inch) high: "WATERTIGHT DOOR—KEEP CLOSED" or "WATERTIGHT HATCH— KEEP CLOSED". None of the watertight doors or hatches are labeled.
28. 46 CFR 140.610(b) 28. None of the watertight doors on board function properly either due to rotted gaskets or rusted out fittings and knife edges.
29. 46 CFR 144.160(f) 29. Engine room escape hatch was not stenciled "EMERGENCY EXIT, KEEP CLEAR," as required.
30. 46 CFR 140.435 30. The first aid kit on board is not equipped for the assumed route, as required.
31. 46 CFR 142.315(a)(2)(i)(ii) 31. A towing vessel that is certificated for oceans whose contract for construction was executed prior to August 27, 2003 must be equipped with either: an approved B-V semi portable fire extinguishing system to protect the engine room; or a fixed fire extinguishing system to protect the engine room. This vessel does not have a portable B-V or a fixed CO2 fire extinguishing system.
32. 46 CFR 140.655(b)(2) 32. Each towing vessel must be capable of preventing all oil spills from reaching the water during transfers by using fixed or portable containment of sufficient capacity to contain the most likely spill. The fuel fill piping on this vessel does not have containment and it does not appear

that a portable 5 gallon bucket is being used as per 33 CFR 155.320.

33. 46 CFR 143.260(e)

33. The remote valve control for the fuel shutoff valve is not marked in clearly legible letters at least 1 inch high indicating the purpose of the valve and for the way to operate it.

34. 46 CFR 142.215

34. The fire extinguishers are required to be USCG approved. All have a USCG approval number. However, the extinguisher states on the tag that the approval number is only valid if the extinguisher is in the approved bracket described. Some fire extinguishers are not in the approved bracket.

35. 46 CFR 144.820

35. Both main engine shafts are missing guards for rotating components. Also, both air pressure vessel motors are missing guards for rotating pulleys.

36. 46 CFR 143.230(c)

36. The required gauges at the machinery location for both main engines were unreadable, missing protective covers and had cracked glass. The generators also do not have an RPM gauge.

37. 46 CFR 143.400(c)

37. Some electrical equipment's current and voltage rating were not marked, or were unreadable due to paint, such as the air pressure vessels pump motors.

38. 46 CFR 143.250(e)

38. The vessel's piping system is not color coded in accordance with ISO 14726:2008(E). IE: Waste-Black; Fresh Water-Blue; Fuel-Brown; Sea Water-Green; Air and Sounding Pipes-Maroon; Oils other than Fuel-Orange; Fire

Fighting-Red; Air in ventilation Systems-
White; Flammable Gases-Yellow.

39. 46 CFR 143.300(b)

39. The pressure relief valves for both air pressure vessels were missing labels indicating the psi for which they are set to activate.

40. 46 CFR 142.227

40. Each towing vessel must be equipped with at least one fire axe that is readily accessible for use from the exterior of the vessel. The fire axe on board was being kept inside the vessel and not readily accessible.

41. 46 CFR 143.220(b)

41. Both main engines exhaust manifolds and piping are not insulated.

Observations:

These items should be taken under consideration.

1. The emergency fuel shutoff valves are located at the day tank in the engine room. The regulation states that a valve must be installed in the fuel piping directly outside of the fuel oil supply tank. This may be called into question if it meets the requirement if installed at a day tank or fuel oil supply tank.
2. An excessive amount of oil was observed in the vessel's bilges. This could be considered an unsafe practice under 46 CFR 137.220 as a possible fire hazard.
3. The circuit breaker panels throughout the vessel should be labeled more legibly with the equipment and load it serves.
4. The vessel has installed a continuous electric pump system supplying batteries with power from a solar panel permanently mounted on the stern. The rudder room on the vessel needs continuous pumping. This could also be considered an unsafe practice or hazardous condition under 46 CFR 137.220 if the vessel is taking on an excessive amount of water which would require more permanent corrective action.

Surveyor's Notes: None.

Surveyor Certification: I hereby certify that the statements and opinions expressed in this report are correct to the best of my knowledge and belief, and that my analysis, opinions and conclusions were developed using the latest reference material available. This report implies no guarantee that the opinions of other surveys, or Coast Guard inspectors, will not differ from those contain herein. Survey made, signed, and submitted without prejudice to rights and/or interests of whom it may concern.

MARITIME COMPLIANCE INTERNATIONAL, LLC



Jason Maynard
Maritime Compliance Specialist
Maritime Compliance International, LLC



May 21, 2019

MarComInt File No. 19-037

Regulatory Compliance Survey
as of May 21, 2019

M/V PROASSIST III

Purpose: On May 21, 2019, the undersigned, at the request of and for the account of American Tugs, Inc., 1010 Orchid Street, Apt. 1104, San Juan, Puerto Rico 00926, conducted a regulatory compliance survey of the M/V PROASSIST III, O.N. 257007, in Guayama, Puerto Rico, for the purpose of evaluating the current level of compliance with 46 CFR Subchapter M.

Scope: This survey involved an evaluation of the vessel's compliance with the federal regulations contained in 46 CFR Subchapter M for items associated with a U.S. Coast Guard "topside" inspection for certification. It does not cover items associated with Internal Structural Exams or Hull (Drydock) Exams. Subchapter M was used as a reference, as well as our Towing Vessel Survey Tool for Existing Vessels. In general, the vessel must be in compliance with Subchapter M by July 20, 2018, or when it obtains a Certificate of Inspection (COI), whichever date is sooner. The few exceptions to these compliance dates are explained below, where applicable. This survey did not include a review of all required logs, records, policies and procedures.

Assumptions: The following assumptions were made, as provided by the company:

Route:	Oceans
Number in Crew:	6 sailing >600 miles; 5 sailing <600miles; 3 harbor ast.
Persons in Addition to Crew:	0
Waters:	Warm
Exceptions:	None
Compliance Option:	U.S. Coast Guard

Attending: Pedro Rivera, Jr. – Maritime Administrator, American Tugs, Inc.

Vessel Particulars:

Name -	PROASSIST III
Official number -	257007
IMO number -	8644395
Hull material -	Steel
Dimensions -	111.3' x 27.5' x 9.5'
Built -	1949/Nashville, TN
Gross tons -	148 GRT
Horse power -	Reported - 3,000
Fuel capacity -	Reported - >10,500 gals.
Ballast water -	Reported - Municipal water, no exchange with the sea

Certificates and Expiration Dates:

Certificate of Documentation -	Expires 08/31/2019
Certificate of Inspection -	None, must be obtained iaw Subchapter M timeline
FCC Station Authorization -	MMSI 367555530 Expires 10/11/2022
International Load Line Cert.-	Not observed
U.S. Tonnage Certificate-	Not observed
Int. Tonnage Certificate-	Not observed
USCG Stability Letter-	Not observed
NOAA EPIRB Registration-	Expires 08/16/2020
Liferaft Inspection-	Expires 11/26/2019
Fire Panel PE Letter-	Not observed, see citation #1

General Description: The vessel is a typical tugboat, with a two-deck deckhouse, model bow, transom stern, and overnight accommodations, which engages in harbor assist work as well as ocean tows.

Notes:

1. The items listed with Citations and Deficiencies reflect actual non-compliance items with 46 CFR Subchapter M, and/or applicable regulations that could not be verified at the time of survey.
2. An existing towing vessel classed by a recognized classification society, as appropriate for the intended service and routes, is considered in compliance with the machinery and electrical standards of Part 143 Subpart B -143.200 thru 143.460; excluding 143.245 and 143.450.
3. A change to Subchapter M went into effect on March 28, 2018 regarding fire protection equipment. The UL classifications have been adopted in lieu of the Coast Guard's for fire extinguishers. Generally, where a B-I was required, now a 10 B:C is required; where a B-II was required, now a 40 B:C is required; and where a B-V was

required, now a 160-B is required. Extinguishers with Coast Guard classifications may continue in service so long as they are in good condition and accepted by the local OCMI in accordance with 142.215(d).

Citation:

1. 46 CFR 142.330

2. 46 CFR 143.415

3. 46 CFR 144.905(b)

4. 46 CFR 140.725(a)

5. 46 CFR 140.725(d)

6. 46 CFR 143.225(a)

Deficiency:

1. No PE letter was provided for the fire detection system.

Note: A certificate provided dated 06/28/18 states, "This test states that the system is functioning properly and in compliance with UL 864 and NFPA 72". No professional qualifications or certifications were provided by the signer.

2. The vessel cannot show navigation lights: red over white over red, as the bottom red is extinguished.

3. There are no windshield wipers, or other device, on wheelhouse windows to ensure adequate visibility.

4. The vessel has no fathometer, as required.

5. The light on the illuminated magnetic compass is not operational.

6. There is no means to monitor the amount of thrust at the operating station.

Note: USCG Towing Vessel Inspection Field Notice D8-TVIFN 18-1 states "Because shaft tachometers are not required by regulation, towing vessel must only be capable of monitoring thrust." USCG Towing Vessel National Center of Expertise FAQ 143-05 states "Monitor

has the same meaning as indicate.” But, control is completely separate, e.g. the tachometer that indicates RPMs is separate than the throttle control that adjusts RPMs and thrust. Visual indication of vessel movement is acceptable for monitoring vessel thrust direction.

7. 46 CFR 141.380(c)

7. The name of the vessel is not marked on the EPIRB.

8. 46 CFR 143.230 (a)(1)-(6)

8. The following alarms were not provided as required: main engine low lube oil pressure; main engine high cooling water temperature; generator low lube oil pressure; generator high cooling water temperature; high bilge level; low hydraulic steering fluid.

9. 46 CFR 143.230(b)

9. There is no alarm panel visible and audible in the wheelhouse operating station.

10. 46 CFR 143.450

10. There is no pilothouse alerter installed, as required for vessels greater than 65 ft. with overnight accommodations.

Note: The pilothouse alerter is required to be installed no later than 5 years after the issuance of the first COI for the vessel.

11. 46 CFR 141.385(b)(2)

11. The line throwing appliance on board did not contain the additional auxiliary line of at least 1500 feet.

12. 46 CFR 141.340(f)(1)

12. The lifejackets are not marked with the name of the vessel marked in block capital letters.

13. 46 CFR 141.360(a)(3) 13. There are only two of the four required lifebuoys on board.
14. 46 CFR 141.360(b)(4) 14. The port and starboard lifebuoys are not marked with the vessel name in block capital letters.
15. 46 CFR 141.360(c)(1) 15. At least one lifebuoy must not have a lifeline attached.
16. 46 CFR 143.410(b) 16. The vessel does not have any of the required forms of emergency lighting in crew berthing spaces.
- Note:** Subchapter M Preamble – “Specific berthing spaces are not required to have emergency lights. However, in the event of power loss there must be sufficient illumination in living areas to enable personnel egress from living spaces.” Phosphorescent adhesive lighting strips are mentioned as an alternative in the regulations.
17. 46 CFR 143.410(b) 17. There was no emergency lighting installed in the wheelhouse or in the galley.
18. 46 CFR 144.320(b) 18. Two engine room exhaust blower vents are located on aft 2nd.deck and are not fitted with weathertight/watertight closures.
19. 46 CFR 199.130(c)(3) 19. The life raft stowage location on board is located on the 2nd deck, which would not permit it to drop into the water from the deck on which it is stowed as required. If the life raft was launched from the deck where it is normally

- stowed, it would fall onto the main deck below.
20. 46 CFR 142.220(b) 20. The storage space in the upper engine room should be squared away, and combustible materials should be moved away from electrical circuits.
21. 46 CFR 142.225 21. There is no designated flammable liquid storage room or cabinet.
22. 46 CFR 142.215 22. All extinguishers have a USCG approval number. Extinguishers not marked with the required UL standard (see Note 3) may continue in service so long as they are in good condition and accepted by the local OCMI in accordance with 142.215(d). However, the extinguisher states on the tag that the Coast Guard approval number is only valid if the extinguisher is in the approved bracket described. Some fire extinguishers are not in the approved bracket.
23. 46 CFR 143.220(c) 23. Flammable materials are stored in the upper engine room, not in a suitable container.
24. 46 CFR 144.320(b) 24. Gasket on weathertight door for wheelhouse has come loose and does not appear to provide a weathertight seal.
25. 46 CFR 144.320(b) 25. All watertight doors on the main deck appear out of alignment, with wastage noted on knife edges. Bottom of engine room door, starboard side is wasted, with daylight visible. Some door gaskets also have paint on them.

26. 46 CFR 142.227 26. There is no fire axe mounted and readily available for use from the exterior of the vessel.
27. 46 CFR 144.605 27. There are no means for closing the ventilation system serving the machinery space in case of fire, as required.
28. 46 CFR 143.400(a) 28. A bare electrical cable is protruding from the forward bulkhead in the forward crew berthing room which could cause a shock or fire hazard.
29. 46 CFR 143.400(c) 29. Some electrical equipment's current and voltage ratings were not marked, or were unreadable due to paint, such as the fuel transfer motor.
30. 46 CFR 143.400(d) 30. Remote start/stop electrical controls for fire pump and windlass are not marked with the loads they serve.
31. 46 CFR 143.220 31. Both main engines and generators have excessive amounts of oil leaks, which are coming in contact with machinery heated surfaces, which are not insulated. This poses a significant fire hazard.
32. 46 CFR 143.260(e) 32. There is no emergency fuel shutoff valve placard.
33. 46 CFR 143.260(c) 33. The emergency fuel shutoff valve is located on the day tank in the upper engine room. The regulation states the valve must be installed in the fuel piping directly outside of the fuel oil supply tank. While a day tank could be understood to be "the fuel oil supply tank," considering the fire prevention intent of the regulations, in the opinion of the

undersigned, the valve should be located where the fuel piping enters the engine room from the fuel tank.

34. 46 CFR 143.250(e) 34. The vessel's piping system is not color coded in accordance with ISO 14726:2008(E). IE: Waste-Black; Fresh Water-Blue; Fuel-Brown; Sea water-Green; Air and Sounding Pipes-Maroon; Oils other than Fuel-Orange; Fire Fighting-Red; Air in ventilation Systems-White; Flammable Gases-Yellow.
35. 46 CFR 144.830 35. Port and starboard generator exhaust piping is not fully insulated.
36. 46 CFR 144.820 36. Both air compressors lack guards for rotating belts.
37. 46 CFR 144.810 37. There are no hand grabs installed on the aft side of deckhouse on the main deck.
38. 46 CFR 143.230(c)(3) 38. Generators are not equipped with RPM gauges at the machinery location.
39. 46 CFR 143.255(a) 39. There is no documented fuel system maintenance plan on board for the main engines and generators to ensure proper operation of the system.
40. 46 CFR 143.275 40. It could not be verified that each bilge suction line had a check/foot valve installed.
41. 46 CFR 143.300(b) 41. Both air receiver relief valve settings were unreadable. Valve body should be free of grime to ensure proper operation.

42. 33 CFR 155.420(a)(3)

42. There was no shore connection on board that meets 33 CFR 155.430.

43. 33 CFR 155.720

43. There are no fuel transfer procedures on board.

Note: This vessel has the capability and reportedly has previously transferred fuel to other vessels. Accordingly, this transfer process must have procedures that contain information required by 33 CFR 155.750(a)(1)-(11).

Observations:

These items should be taken under consideration.

1. Batteries for solar powered sump pump in laundry room are not secured. Reportedly, pump is being used to dewater steering room on a continual basis as packing for rudder seals need to be renewed.
2. Wastage noted around deck penetrations for fuel tank vents on main deck, starboard side. Fresh water fill piping inlet is wasted.
3. Capstan located main deck aft is wasted, with bottom cracked. Reportedly it is no longer utilized and will be removed at next dry-docking. In the interim, consideration should be given to isolate any power source and mark accordingly.
4. All labels were missing from overhead MDE gauge panel in engine room. Reportedly, they have been removed for painting.
5. HVAC for crew spaces is currently inoperative and reportedly awaiting repair. Air temperature in berthing and galley did not appear to provide for crew comfort at this time.
6. Several rungs on the exterior ladder from main deck to 2nd deck, starboard side appear thin due to wastage.
7. Two of the four flood lights on top of wheelhouse are inoperative.
8. Smoke detector in the head is missing part of outer cover.

9. If broken, the unprotected sight glass on day tank in upper engine room could provide a free flow of fuel in the event of a fire if the valve is continuously left open.

Surveyor's Notes:

1. Fire main system was not tested as crewmembers were actively painting on the main deck.
2. Steering room and shaft alleys were not accessed due to safety reasons as some deck plates had been removed for maintenance in the lower engine room.

Surveyor Certification: I hereby certify that the statements and opinions expressed in this report are correct to the best of my knowledge and belief, and that my analysis, opinions and conclusions were developed using the latest reference material available. This report implies no guarantee that the opinions of other surveys, or Coast Guard inspectors, will not differ from those contain herein. Survey made, signed, and submitted without prejudice to rights and/or interests of whom it may concern.

MARITIME COMPLIANCE INTERNATIONAL, LLC



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