

**WAC 363-116-500 Tug escort requirements for oil tankers 40,000 DWT or greater.** (1) RCW 88.16.190(2) requires the escort of a tug or tugs for all oil tankers 40,000 DWT or greater when not in ballast. For purposes of that provision only, deadweight tonnage shall be the maximum summer deadweight tonnage that was assigned to the vessel at the time of construction as reported in **Lloyd's Register of Ships**. Unless the vessel was structurally altered and remeasured to less than 40,000 DWT, this original deadweight tonnage shall be used for purposes of determining if the vessel requires the appropriate tug escort.

(2) It shall be a violation of this regulation to provide pilotage services to an oil tanker not in compliance with this rule when the pilot has actual knowledge of the noncompliance.

(3) Oil tankers found to be in violation of the provisions of this regulation shall be subject to the provisions of RCW 88.16.150.

(4) The deadweight tonnage provision of this rule is to be used solely for determining the required use of a tug escort.

NEW SECTION

**WAC 363-116-600 Tug escort requirements for oil tankers between 5,000 and 40,000 DWT and barges and articulated tug barges greater than 5,000 DWT.** (1) The requirements in this section apply to the following tank vessels:

(a) Oil tankers between 5,000 and 40,000 deadweight tons (DWT);

(b) Articulated tug barges that are designed to transport oil in bulk internal to the hull and greater than 5,000 DWT; and

(c) Towed waterborne vessels or barges that are designed to transport oil in bulk internal to the hull and greater than 5,000 DWT.

(2) The requirements in this section do not apply to:

(a) Tank vessels that are conducting bunkering, which includes the transit of the tank vessel to the bunker location, the oil transfer operation, and the return transit of the tank vessel;

(b) Towed general cargo deck barges;

(c) Tank vessels that are equal to or greater than 40,000 DWT that are in ballast or unladen, which includes those whose clingage, residue, or other applicable cargo onboard is less than point five percent of the vessel's maximum cargo carrying capacity or 3,000 barrels, whichever figure is greater; or

(d) Tank vessels under 40,000 DWT that are in ballast or unladen, which includes those whose clingage, residue, or other applicable cargo onboard is less than two percent of the vessel's maximum cargo carrying capacity or 3,000 barrels, whichever figure is greater.

(3) Escorts are required in Rosario Strait and connected waters, as bounded by the following lines:

(a) A line at the northern boundary of the escort area from Point Migley (48° 44.907' N, 122° 42.912' W) to northern entrance to Rosario Strait (48° 46.400' N, 122° 47.500' W) to Alden Bank Buoy B (48° 47.063' N, 122° 48.970' W) to Alden Bank Buoy A (48° 50.390' N, 122° 52.229' W) to Patos Island Light (48° 47.340' N, 122° 58.282' W);

(b) A line from Patos Island to Sucia Island from Toe Point (48° 47.111' N, 122° 56.452' W) to Lawson Bluff (48° 46.148' N, 122° 54.950' W);

(c) A line from Sucia Island to Matia Island from NE tip of Sucia Island (48° 45.989' N, 122° 53.261' W) to north shore of Matia Island (48° 44.973' N, 122° 50.523' W);

(d) A line from Matia Island to Orcas Island from E tip of Matia Island (48° 44.741' N, 122° 49.586' W) to Puffin Island Shoal Light (48° 44.604' N, 122° 49.007' W) to Point Thompson (48° 42.773' N, 122° 52.745' W);

(e) A line crossing Obstruction Pass from Orcas Island (48° 36.399' N, 122° 48.803' W) to Obstruction Island (48° 36.051' N, 122° 48.803' W);

(f) A line crossing Peavine Pass from Obstruction Island (48° 35.487' N, 122° 48.687' W) to Blakely Island near (48° 35.308' N, 122° 48.674' W);

(g) A line crossing Thatcher Pass from Blakely Island (48° 31.880' N, 122° 31.880' W) to Decatur Island (48° 31.431' N, 122° 48.552' W);

(h) A line crossing Lopez Pass from Lopez Pass Light 2 (48° 28.867' N, 122° 49.092' W) to Lopez Island (48° 28.705' N, 122° 49.178' W);

(i) A line at the southern boundary of the escort area from Point Colville (48° 25.306' N, 122° 48.795' W) to Davidson Rock Light (48° 24.797' N, 122° 48.720' W) to southern entrance to Rosario Strait (48° 24.000' N, 122° 47.151' W) to Whidbey Island near West Point (48° 24.000' N, 122° 39.900' W) to Sares Head (48° 25.540' N, 122° 40.478' W);

(j) A line across the Swinomish Channel at the Duane Berentson Highway Bridge (48° 27.267' N, 122° 30.851' W); and

(k) A line across Hale Passage from Portage Point (48° 42.923' N, 122° 39.112' W) to Echo Point (48° 41.807' N, 122° 39.578' W).

(4) Tank vessels shall not operate in the area described in subsection (3) of this section unless they are under the escort of a tug with a minimum of twin-screw propulsion.

(5) Tank vessels greater than 5,000 and less than 18,000 DWT shall not operate in the area described in subsection (3) of this section unless they are under the escort of a tug with a minimum of 2,000 horsepower.

(6) Tank vessels equal to or greater than 18,000 DWT shall not operate in the area described in subsection (3) of this section unless they are under the escort of a tug with a minimum of 3,000 horsepower.

(7) Before each escort, the tank vessel officer in charge shall hold a preescort conference with the escort tug officer in charge. If the tank vessel has a pilot onboard, the pilot shall also be included in the conference. The purpose of the preescort conference is to discuss and agree upon the operational details of the transit. The preescort conference must be recorded in the logbooks of the participating vessels and shall include discussion of the following topics:

(a) Safety.

(i) Safety of tug and tank vessel personnel; and

(ii) Safe working load of the deck fittings on the tank vessel.

(b) Navigation.

(i) Anticipated route and destination;

(ii) Anticipated speeds during the transit;

(iii) Active tribal, commercial, and recreational fisheries;

(iv) Relevant local notice to mariners;

(v) Location and approximate time of the escort beginning and end; and  
(vi) Anticipated weather, tides, currents, sea-state, and traffic.

(c) Operations.

(i) Operational status of each vessel and their equipment including any limitations such as speed;

(ii) Propulsion type and maximum direct bollard pull of the tug;

(iii) Primary and secondary means of communication (e.g., VHF radio);

(iv) Availability of appropriate crewmembers and their roles when responding to an emergency;

(v) Relative position, direction of travel, and tethering locations of the tug(s) during the transit;

(vi) Method of connection of the tug to the tank vessel in an emergency or if tethering (e.g., tug's line, pennant, messenger line, etc.);

(vii) Whether any training or escort exercise will be performed during the transit; and

(viii) Any other items to ensure that in the event of a failure or emergency the tank vessel can be kept under control and within the limits of the available channel.