July 1, 2009

MEMORANDUM FOR: Northeast Fisheries Observer Program Observers

FROM: Amy S. Van Atten
      Branch Chief, FSB

SUBJECT: Safety Deficiency Protocols

This serves as a reminder regarding the safety deficiency protocols. This is not changing the current protocols, just re-stating it. Please keep this document for reference in your Regulatory Compliance Folder.

If any of the following conditions apply:
   (1) Lack of valid safety decal;
   (2) Insufficient personal flotation devices/immersion suits;
   (3) Insufficient ring buoys;
   (4) Insufficient distress signals;
   (5) Insufficient fire extinguishing equipment;
   (6) Insufficient emergency position indicating radio beacon (EPIRB); and/or
   (7) Insufficient survival craft.

Observers must do the following -
* Make it abundantly clear to the captain that:
  "You have been selected for mandatory observer coverage on this trip. I can not sail on this vessel, until the observer safety requirements are met. If you go fishing without an observer, you may be in violation."

* Complete the Office for Law Enforcement Letter (OLE, in duplicate)
* Hand one of the letters to the vessel with the safety deficiency
* If you are unable to hand deliver the letter, detail the reasons in Refusal Report
* Complete a Trip Refusal Form
* Contact your area coordinator immediately
* Mail in your OLE Letter (dated 07/14/06), Trip Refusal Form, and Pre Trip Vessel Safety Checklist.

Review your regulatory compliance folder on a regular basis to be familiar with all the protocols.

If you have any questions or need additional information, please contact Amy Van Atten at (508) 495-2266 or by email at Amy.Van.Atten@noaa.gov.

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