



**The American Waterways Operators**

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Docket Management Facility (M-30)  
U.S. Department of Transportation  
West Building, Ground Floor, Room W12-140  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590-0001

Re: Final Programmatic Environmental  
Impact Statement for Vessel and  
Facility Response Plans for Oil:  
2003 Removal Equipment  
Requirements and Alternative  
Technology Revisions (USCG-2000-  
7833)

Dear Sir or Madam:

The American Waterways Operators (AWO) is the national trade association for the inland and coastal tugboat, towboat and barge industry. AWO's member companies safely and efficiently transport over 800 million tons of cargo each year, and engage in critical shipdocking, escorting and other harbor services work. The tugboat, towboat and barge industry provides the nation with a safe, secure, efficient and environmentally-friendly means of transportation for America's domestic commerce. We appreciate the opportunity to comment on the Final Programmatic Environmental Impact Statement (FPEIS) for Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technology Revisions.

AWO is deeply committed to marine safety and environmental protection, as demonstrated by industry-driven safety initiatives such as the Responsible Carrier Program, compliance with which is a condition of membership in AWO, and the first-of-its-kind Coast Guard-AWO Safety Partnership. Thanks in part to programs like these, oil spills from tank barges declined by 99.5 percent between 1994 and 2007, according to the most recent Coast Guard data. AWO has consistently supported practical, effective and clear oil spill reduction measures.

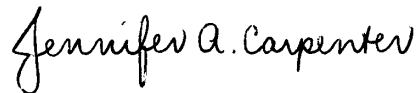
The Coast Guard's 2002 notice of proposed rulemaking (NPRM) and 2005 Draft Programmatic Environmental Impact Statement (DPEIS) both proposed requiring owners of tank vessels operating in inland, nearshore or offshore environments to have dispersant

application capability in areas pre-authorized for dispersant use. In comments on the NPRM and the DPEIS, AWO pointed out that no inland areas are pre-authorized for dispersant use, and urged the Coast Guard to clarify that tank barge operators serving the inland waterways of the United States will not be required to contract for dispersant capability. **AWO strongly supports the modified recommendation of the FPEIS to require dispersant capability only for tank vessels operating more than three nautical miles offshore in areas where dispersant use has been pre-authorized.**

AWO remains concerned, however, about the recommendation of the FPEIS that all planholders be required to establish and maintain aerial tracking capability. Not only do river currents make it relatively easy to track spills flowing in one direction (downstream), but there are many places on the rivers from which to observe the current's movement of spilled oil, such as the river bank, a bridge or other vessels. We therefore see little added value, and considerable added expense, to extending the aerial surveillance requirements to river barges. **As stated in our comments on the NPRM, AWO urges the Coast Guard to exclude vessels operating in rivers and canals from the aerial surveillance requirements.**

Thank you for the opportunity to comment. We would be pleased to elaborate on these concerns or to provide any additional information to assist the Coast Guard in developing a final rule.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer A. Carpenter".

Jennifer A. Carpenter