



**The American Waterways Operators**

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Nicole deSibour  
Vice President – Atlantic Region

June 7, 2010

U.S. Environmental Protection Agency  
New England Region  
Five Post Office Square, Suite 100  
OEP06-1  
Boston, MA 02109-3912

Re.: Massachusetts Marine Sanitation  
Device Standard—Receipt of  
Petition (Docket ID No. EPA–R01–  
OW–2010–0316)

Dear Sir or Madam:

The American Waterways Operators (AWO) is the national trade association for the tugboat, towboat and barge industry. AWO's 350 member companies operate on the coasts, the inland rivers and the Great Lakes, safely and efficiently moving more than 800 million tons of cargo critical to the U.S. economy. AWO members also provide essential escort and shipdocking services in our nation's ports and harbors. AWO members are proud to be part of an industry that is the safest and most fuel-efficient, and has the smallest carbon footprint, of any surface transportation mode. AWO members also have a deep commitment to safety, having adopted in 1994 the Responsible Carrier Program, a code of safe practice and environmental stewardship that is a condition of membership in the association.

Many AWO member companies operate tugboats and manned tank barges in Massachusetts waters, transporting a variety of goods, including the majority of New England's home heating oil. Thank you for the opportunity to comment on the notice that the Commonwealth of Massachusetts has requested that the Environmental Protection Agency (EPA) determine that adequate facilities for the discharge of sewage from vessels are available in Pleasant Bay/Chatham Harbor, MA, so that such waters can be designated a No Discharge Zone (NDZ).

While a survey of AWO members who operate in Massachusetts waters has revealed that tugboats and barges do not regularly transit the waters of Pleasant Bay/Chatham Harbor, AWO would like to take this opportunity to highlight the need for EPA and Massachusetts to ensure that adequate facilities for the discharge of sewage from all types and sizes of vessels, both commercial and recreational, that transit the area are available when considering an NDZ designation application. Too often, requests to designate an area as an NDZ focus on recreational boats and only identify pumpout facilities that can accommodate such vessels. Commercial vessels such as tugboats and manned tank barges have significantly different physical and operational characteristics than do recreational boats, and it is critical that adequate pumpout facilities that can accommodate them are in place before an area is designated as an NDZ.

The Tugboat, Towboat and Barge Industry Association

Commercial vessel characteristics that may prevent them from using marinas and other recreational boat pumpout facilities include:

- **Large vessel size.** Tugboats and manned tank barges vary in size, but are typically 65 to 150 feet in length, and manned tank barges can be several hundred feet in length. The size and corresponding deeper draft of these commercial vessels makes it physically impossible, not to mention dangerous, for them to enter most of the marinas that provide pumpout facilities for smaller recreational boats.
- **Large sewage holding tanks.** While manned tank barges typically carry two to three crew members, tugboats can carry more than a dozen crew members, and therefore have larger sewage holding tanks than recreational boats. Furthermore, the crew lives on the vessel, and so tanks must be larger than those on recreational vessels, which are often only used occasionally. Even if a tugboat could access a pumpout facility, that facility would need to have the capacity to accept much larger volumes of sewage than are usually handled by smaller facilities that service recreational boats.
- **Continuous operations.** Tugboats and manned barges operate 24 hours a day, seven days a week, 365 days a year. Their complex operational schedules are determined by their customers' pickup and delivery needs and company crew change timetables. If an area is designated as an NDZ, pumpout facilities must be located in areas that are convenient for tugboat and manned tank barge operations, and must be open and fully functioning 24 hours a day, seven days a week, 365 days a year.

Designating an area an NDZ without taking these factors into account would have serious ramifications, both economic and environmental. Barge transportation is the safest, cleanest and most efficient mode of freight transportation, so forcing cargo onto truck and rail transportation increases traffic congestion, air emissions and the cost of moving freight. Fewer tugs means fewer crewmembers employed on those tugs, longer wait times for large ships needing to be docked, and fewer commodities being brought into state waters. These forces would raise the prices of commodities such as gasoline that will, in turn, be passed along to consumers.

It is critical that EPA and the Commonwealth of Massachusetts take commercial vessels fully into account when considering whether or not to designate an area an NDZ. Thank you for the opportunity to comment. We would be pleased to answer any questions or provide further information as EPA sees fit.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole deSibour". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Nicole deSibour