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House Transportation Committee Approves Coast Guard Authorization

TWIC Interim Work Authority Provision to Be Added on Floor

On June 28, the House Committee on Transportation and Infrastructure voted to approve H.R. 2830, legislation providing authorization for Coast Guard funding for Fiscal Year 2008. The bill authorizes more than \$8.3 billion for Coast Guard operations for the coming fiscal year.

AWO's efforts to secure a legislative change establishing a meaningful interim work authority provision in the Transportation Worker Identification Credential (TWIC) program took a significant step forward during the markup of the bill. Congressman Richard Baker (R-LA) offered an amendment to allow a newly-hired employee to work on board a towing vessel for up to 90 days before applying for a TWIC, provided that the vessel is operated in compliance with all provisions of its Coast Guard-approved vessel security plan; the employee passes a pre-employment drug test as required by existing Coast Guard regulations; and, the employee passes a name-based security screen against the terrorist watch list. Such screening would be conducted by the Transportation Security Administration based on data submitted by the employer via the Coast Guard's Homeport Web site. The amendment was

supported in substance by Committee Chairman James L. Oberstar (D-MN), who expressed his support for the provision, calling it a "practical" step, and agreed to include the measure in a manager's amendment when the Coast Guard bill is considered on the House floor later this summer. Because the House Homeland Security Committee shares jurisdiction over the subject matter of the amendment, Mr. Baker and Chairman Oberstar reached an agreement that Mr. Baker would withdraw the amendment from consideration at the committee markup to prevent a delay in considering the Coast Guard bill on the floor. Chairman Oberstar committed to include the language in the manager's amendment when the bill is considered by the full House of Representatives.

At the markup, Congressman Baker spoke out forcefully on the need for the amendment, which he characterized as a "modest" step that would in no way undermine maritime security but would alleviate barriers to entry for Americans seeking employment in the towing industry. Mr. Oberstar assured Mr. Baker that "you have my word" that the provision will be included in the

(continued on page 2)



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This edition of the AWO Letter is sponsored by:

House Transportation Committee Approves Coast Guard Authorization

(continued from page 1)

manager's amendment when the bill is considered later this summer.

AWO is very grateful for the leadership of Congressman Baker and the hard work of his staff, and for the rapid and effective response of so many AWO members to the association's call for assistance in the lobbying effort. AWO's efforts to secure a meaningful TWIC interim work authority provision will continue as the Coast Guard bill is considered by both the House and Senate this summer.

The Coast Guard bill also contains a ballast water title that would establish a national goal to eliminate invasive species from ballast water that is discharged into U.S. waters by the year 2015. The bill requires all vessels entering U.S. waters to conduct ballast water exchange at least 200 miles offshore. It also requires ballast water treatment equipment to be installed on vessels after January 1, 2009, but no later than December 2013. The bill calls for a ballast water treatment standard 10 times greater than that required under International Maritime Organization (IMO) agreements.

The bill also contains a number of provisions affecting mariner licensing. Many of the licensing changes in the bill address issues raised by then-AWO Chairman Dale Sause in testimony before the House Coast Guard and Maritime Transportation Subcommittee last July (see July 21, 2006, *AWO Letter*). In his testimony, Mr. Sause urged the prompt consideration of recommendations contained in an October 2005 Towing Safety Advisory Committee report. He also suggested that to eliminate "license creep," mariners should be able to apply for license renewals up to 12 months in advance and that renewed licenses should become effective at the end of the term of the current license. Among other things, the bill adopts the "license creep" provision, eliminates the requirement for an oath in connection with a license application, prohibits a dual fingerprinting requirement for TWIC cards and Merchant Mariner's

Congress To Reconvene after Fourth of July Recess



On July 9, Congress will reconvene following its Fourth of July District Work Period. When Congress returns, it is scheduled to work on a number of issues, including the conference report on the Water Resources Development Act (WRDA). Although the House of Representatives has yet to appoint conferees on this legislation, staff from the House and Senate have been meeting in an effort to resolve differences in the bills passed by each body. Both the House and Senate versions of the WRDA legislation contain the authorization for the replacement of seven locks and dams on the Upper Mississippi River and the Illinois River. Securing the authorization for this project is a major priority for AWO in 2007.

After the recess, the House of Representatives may also take up the Coast Guard Authorization bill for Fiscal Year 2008, approved by the House Committee on Transportation and Infrastructure on June 28. (See story on page 1.) The Energy and Water Appropriations bill for Fiscal Year 2008, which provides funding for the U.S. Army Corps of Engineers, is pending in the Senate Appropriations Committee. The Senate subcommittee marked up the bill on June 26. The House version of the Energy and Water Development appropriations bill is pending on the House floor, awaiting resolution of a dispute regarding earmarks in the legislation (see June 22 *AWO Letter*).

Both the House and Senate will recess during the month of August, returning after Labor Day. ☘

Welcome New Affiliate Member!

Salyers Solutions, LLC

3200 State Route 187
London, OH 43140

Rep: Ms. Jo Ann Salyers, President



Documents (MMDs), and provides an interim work authority for MMDs. The bill would also require that mariners' records be maintained in an electronic format so that backups would be available in the event that paper records were destroyed, as happened in New Orleans during Hurricane Katrina.

If you have any questions or would like a copy of H.R. 2830, please contact Boyd Hollingsworth at (703) 841-9300, extension 258, or via email at bhollingsworth@vesselalliance.com. ☘

First U.S. Circuit Court of Appeals Rules in Massachusetts Case

On June 21, the U.S. Court of Appeals for the First Circuit issued its opinion in an appeal by the Attorney General of Massachusetts of the U.S. District Court decision overturning the Massachusetts oil spill legislation. A three-judge panel of the court remanded the three outstanding provisions of the Massachusetts Oil Spill Law regarding manning, tug escort and financial responsibility to the District Court for further consideration. Nothing in the decision prevents an ultimate finding that the three remaining contested provisions are unconstitutional.

The decision is largely procedural, in essence ruling that the district judge did not have sufficient information to reach his conclusion with regard to the three contested provisions, and directs the district court to re-open its review of the three remaining elements of the Massachusetts oil spill law – manning, tug escorts and financial responsibility – for the taking of additional evidence. Counsel has advised AWO that the outcome will likely be the same as before and the three provisions will again be found unconstitutional.

The court accepted the premise that Massachusetts cannot use its financial



responsibility provisions to indirectly regulate primary conduct of vessels, but directed the lower court to take evidence on the issue of whether the financial responsibility requirements were so burdensome as to affect vessel owner decisions concerning areas off-limits to state regulation (e.g., design, construction, equipment, personnel, qualifications, etc.).

The Court of Appeals also rejected Massachusetts' suggestions that federal preeminence in the fields of vessel safety and marine environmental protection can be negated by invocation of a "local conditions" exception to this important area of constitutional dominance at the federal level.

The court lifted the permanent injunction against enforcement of the three provisions that had been imposed by the district court, but directed the parties to negotiate an interim agreement governing enforcement during the remand period. AWO and the other maritime intervenors in the case will be joining with the U.S. Department of Justice to reach such an agreement with Massachusetts. If the parties cannot agree on voluntary non-enforcement, AWO will seek to have the district court grant a preliminary injunction pending further proceedings.

AWO continues to be a strong advocate of effective, uniform federal law affecting vessel safety and marine environmental protection. State and local measures that deviate from federal and international norms undermine marine safety, threaten the environment and squander resources best used to protect vessels, crews and the environment. ♣

Important Dates and Reminders

..... at a glance

All contact persons can be reached by calling AWO's Arlington, VA office at (703) 841-9300 unless otherwise noted.

July 12-13: Southern Region Summer Meeting, Point Clear, AL. For more information, contact Matt Holzhalb at (504) 799-2239.

August 6-7: Atlantic Region Summer Meeting, Baltimore, MD. For more information, contact Chris Coakley.

August 15-16: Midwest and Ohio Valley Regions Joint Summer Meeting, St. Louis, MO. For more information, contact Lynn Muench at (314) 446-6474.

August 29-30: Pacific Region Summer Meeting, Seattle, WA. For more information, contact Jason Lewis at (206) 262-7308.

Welcome New Carrier Members!

ENKO Transportation LLC
70 Hudson Street, Suite 4-A
Hoboken, NJ 07030

Rep: Mr. Neal Orr
General Manager

Gate City River Transportation, LLC
P.O. Box 127
Catlettsburg, KY 41129

Rep: Mr. David Smith
Partner



Engine Emissions Proposal Will Have Major Impact on Industry, AWO Tells EPA

The Environmental Protection Agency's (EPA's) April 3 notice of proposed rulemaking (NPRM) to reduce marine diesel engine emissions will have a much more significant and direct impact on vessel owners and operators than previous agency air emissions regulations, AWO told EPA in comments filed July 2. Between the proposed "Tier 4" standards for new engines, which will require aftertreatment technology and the use of ultra-low sulfur diesel fuel, and EPA's proposal to extend emission controls to existing engines when rebuilt or "remanufactured," the NPRM will "not only impose substantial new costs on vessel owners and operators," but also "require vessel owners to develop a level of understanding of EPA regulations that is not widely present in the industry today," AWO wrote.

AWO urged EPA to undertake an extensive industry outreach program to ensure that vessel owners and operators fully understand how the forthcoming regulations will affect them, with sufficient lead time to ensure widespread industry compliance with the regulations.

Commenting on the proposed Tier 4 standards, which would apply to new engines beginning with the 2013-2017 model years, depending on engine size, AWO expressed strong support for EPA's proposal not to apply the Tier 4 standards to engines below 600 kW (800 horsepower). Because of the impact of aftertreatment technology on engine room and vessel design, AWO also urged that Tier 4 engines only be

required on vessels built after the effective date of the Tier 4 standards. "A vessel that was not built to accommodate a Tier 4 engine should not be required to install a Tier 4 engine if and when the engine is replaced," AWO wrote.

In addition, before the Tier 4 standards take effect, it will be necessary to ensure widespread availability of ultra-low sulfur diesel (ULSD), both throughout the U.S. marine market and internationally. AWO expressed particular concern about the availability of ULSD in foreign ports, noting that many coastal towing vessels also engage in international trade and may take on fuel in foreign ports. "No vessel should be required to meet Tier 4 standards until EPA is satisfied that ULSD will be readily available throughout the vessel's area of operations," AWO told the agency.

Commenting on EPA's preliminary proposal to extend emission controls to existing marine engines when "remanufactured," AWO urged EPA to publish a fully-developed proposed rule on this subject before proceeding to finalize such a provision. "AWO would strongly object to any effort to include a mandatory remanufacture provision in the forthcoming final rule without an intermediate step that

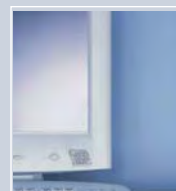
includes the opportunity for formal notice and comment on proposed regulatory text," AWO wrote. Recognizing that EPA is under heavy pressure from states, environmental activists and public health interests to regulate existing marine engines, AWO expressed willingness to work with EPA to attempt to develop "a targeted marine remanufacture provision that would reduce emissions from the existing engines of greatest concern, without imposing undue hardship on vessel owners and operators." Building on a series of meetings between AWO's Engine Emissions Working Group and EPA staff this spring, AWO offered preliminary comments on a potential approach to reducing emissions from existing engines when remanufactured.

AWO also urged EPA to strive for the harmonization of domestic and international air emissions regulations to ensure equal treatment of U.S.- and foreign-flag vessels. "Requiring U.S.-flag vessels to meet increasingly stringent emission controls while leaving foreign-flag vessels in the same waters unregulated is both unfair and counterproductive," AWO wrote.

For a copy of AWO's comments, click [here](#). For more information about AWO's ongoing work with EPA, contact Jennifer Carpenter at (703) 841-9300, extension 260, or via email at jcarpenter@vesselalliance.com.



If you receive a hard copy of the *AWO Letter* and need to know the exact Web addresses of the hyperlinks in any articles, please contact Mary McCarthy at (703) 841-9300 or via email at mmccarthy@vesselalliance.com.



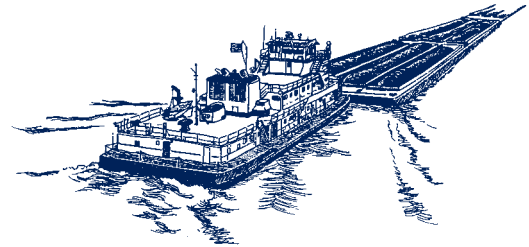
EPA Requests Information on Vessel Discharges; AWO Member Help Needed

As reported in the June 22 *AWO Letter*, the Environmental Protection Agency (EPA) has issued a Notice of Intent and Request for Comments and Information to prepare for the possibility that EPA will be required to regulate ballast water and other discharges incidental to normal vessel operations under the Clean Water Act's National Pollution Discharge Elimination System (NPDES) permitting program, pursuant to a federal judge's order in *Northwest Environmental Advocates v. EPA*.

While EPA and the Shipping Industry Ballast Water Coalition, of which AWO is a funding member, are appealing the decision to the Ninth Circuit Court of Appeals, EPA and the industry must be prepared for the worst-case scenario that the judge's ruling will stand and EPA's current regulatory exemption for vessel discharges will expire on September 30, 2008.

As indicated in a June 29 email to AWO designated representatives, AWO needs member help to provide EPA with the best information possible on discharges from barges and towing vessels. All members are asked to provide the following information to Angela Madden (amadden@vesselalliance.com) by July 13:

- A **list of all discharges** that occur incidental to the normal operations of your towing vessels or barges, **except** discharges of treated sewage (which are



regulated under another section of the Clean Water Act and would not be covered by the NPDES program) and discharges that occur more than three miles offshore (these are also excluded from the NPDES program).

- **For each type of discharge, please identify** as clearly as possible:
 - The **type of vessel(s)** from which the discharge occurs (e.g., towing vessel, tank barge, hopper barge, etc.);
 - The approximate **frequency** and **quantity** of the discharge;
 - The **circumstances** that give rise to the discharge or the **reasons** it occurs. (Is it necessary for safe operations or is it something that can be avoided if necessary?);
 - Any **best practices or pollution control equipment** that are used (or could practicably be used) to reduce or eliminate the discharge; and,
 - Any **information** (or sources of information) that could be used to support the argument **that such discharges are not environmentally harmful**.

AWO will use this information to prepare a response to EPA's request for comment by the August 6 deadline.

This is a significant regulatory process that has the potential to impose major new burdens on vessel owners and operators. If you have particular knowledge or expertise in this subject and would like to play a larger role in AWO's efforts, please contact Angela at amadden@vesselalliance.com or (703) 841-9300, extension 262.

For a copy of the EPA notice, which provides useful background information on the litigation and the NPDES program, click [here](#). ❀

Users Board to Meet in Louisville

The Inland Waterways Users Board will meet on July 31 from 8:30 a.m. to 1:00 p.m. at the Holiday Inn Louisville-Downtown.



The Board will hear briefings on the status of both the funding for inland navigation projects and studies, and the Inland Waterways Trust Fund, and receive updates on various waterways projects.

For more information, contact Mark Pointon of the U.S. Army Corps of Engineers at (202) 761-4258. ❀

MERPAC Establishes Medical Subgroups

At a June 27-28 meeting, the Merchant Marine Personnel Advisory Committee (MERPAC) Medical Working Group established



six subgroups to work on various issues related to the pending U.S. Coast Guard Navigation and Vessel Circular (NVIC) on medical and physical evaluation guidelines for merchant mariners. Five of the six subgroups will focus on specific medical issues, including narcotics, seizures, sleep apnea, hearing and vision. The sixth group will focus on assessing the risk involved in performing various maritime job tasks.

The goal of the subgroups, each of which is led by a physician or medical professional with substantial maritime experience, is to develop evaluation criteria for use by the Coast Guard in determining when a given medical condition will require a waiver or result in the denial of a credential. (The draft NVIC identifies the information and tests that a mariner must submit if he or she has a listed medical condition, but does not specify how the Coast Guard will use that information in determining whether to issue a credential.) The subgroups will meet via web conference and report back to the full MERPAC Working Group by August 1.

MERPAC is seeking industry participation to ensure that the subgroups include mariners and industry representatives as well as medical professionals. For more information on how to join a subgroup, please contact Angela Madden at (703) 841-9300, extension 262, or via email at amadden@vesselalliance.com.

NAVSAC Seeking to Fill Vacancies

The Coast Guard is seeking applications for membership on the Navigation Safety Advisory Council (NAVSAC). NAVSAC provides advice and makes recommendations on a wide range of issues related to the prevention of collisions, ramblings and groundings. Applications are due September 1.

The Coast Guard is considering applications for seven positions that expire or will become vacant in November. Applicants with the following backgrounds are encouraged to apply: experts and leaders in organizations having an active interest in Rules of the Road and vessel and port safety; professional mariners; recreational boaters and the recreational boating industry; maritime law; and, a federal or state official with responsibility for vessel and port safety.

For more information on how to apply, please contact Angela Madden at (703) 841-9300, extension 262, or via email at amadden@vesselalliance.com.

CEMS Training Opportunities

The Crew Endurance Management System (CEMS) is a system for managing risk factors in maritime work environments that can lead to human error and performance slumps. The Coast Guard and AWO have been working together to help companies implement the principles of CEMS. In this space, AWO will publish details of CEMS training opportunities around the country. For further information on CEMS training opportunities, please contact LCDR Vivianne Louie, U.S. Coast Guard, at (202) 372-1358.

DATE	LOCATION	CONTACT
July 10-11	AEP MEMCO Gallipolis, OH	Capt. Bill Stewart (Contact) wjstewart@aep.com (304) 675-4713
July 17-18	AEP MEMCO St. Louis, MO	Mr. Joseph Garuccio (Contact) joe_garuccio@admworld.com (866) 355-7105
July 19-20	Kirby Corporation Baton Rouge, LA	Ms. Kelly Parker (Contact) kelly.parker@kirbycorp.com (713) 435-1775
July 25-26	Coaches Training Inland Waterways Academy Huntington, WV	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net Capt. John Whiteley (Director) (304) 697-5616
August 9-10	Kirby Corporation Houston, TX	Ms. Kelly Parker (Contact) kelly.parker@kirbycorp.com (713)-435-1775
August 14-15	ARTCO St. Louis, MO	Mr. Joseph Garuccio (Contact) joe_garuccio@admworld.com (866) 355-7105

“Alabama Voices: Rivers Alternative to Highways”

The following column appeared in the *Montgomery Advertiser* on June 30. It was written by Jerry L. Sailors, president of the Coosa-Alabama River Improvement Association.

A recent article in the *Montgomery Advertiser* describing the widening of Interstate 65 through Montgomery illustrates the damage done to our highways daily by the continuous pounding of trucks. (According to the Alabama Department of Transportation, one truck does as much damage as 9,600 cars.)

Trucks are essential to commerce, but consider the implications of the 2005 University of Alabama at Huntsville study, “Transportation Infrastructure of Alabama,” which predicted major congestion on Alabama’s interstates by 2008 – due in part to the state’s success in recruiting automakers.

That’s not factoring in the additional traffic that will result when the recently announced \$3.7 billion Thyssen-Krupp steel mill near Mobile begins operations in 2010. (Think 20-ton steel coils on flatbed trucks coming up I-65.) Add to this the projected increase in truck traffic as the new Port of Mobile container terminal swings into action over the next couple of years and the state of Alabama faces major safety, environmental, and road maintenance challenges.

We should be looking for ways to reduce the damage done to our highways while providing some measure of increased safety and environmental health. As an advocate for the inland waterways of Alabama (and the Alabama River in particular), I point to the advantages barge transportation and waterways provide to help reduce congestion and

contribute to increased environmental and social health.

One barge can carry 1,500 tons of bulk commodities (historically aggregates, forestry products, petrochemicals, coal, etc.), as much as 60 trucks, with more fuel efficiency and fewer environmental pollutants per ton-mile than either truck or rail. Using the steel coil comparison, one barge can carry up to 75 20-ton coils, taking 75 trucks off the road with loads that have unfortunately become a major safety issue since several coils have broken loose during transit.

One barge can carry up to 25 40-foot containers. A four-barge tow (the limit on the Alabama River) would mean taking 100 trucks off the road. The container-on-barge concept is relatively new in our region, but it has been successful in the Pacific Northwest and is trying to obtain a foothold on the Mississippi River. In Europe, government policies promote moving cargo, including containers, on waterways to reduce congestion and enhance safety, environmental health, and social well-being.

Waterways are one of the few investments the federal government makes that return more benefits to the public for a period of more than 50 years. For every dollar spent, the U.S. Treasury receives about six dollars in revenue.

Unlike highways and railroads, waterways have untapped transport capacity and can sustain increased shipments with less marginal cost. In addition to being more fuel efficient and environmentally friendly, barges, by simply being available as a transportation option, help keep down truck and rail rates. When the Tennessee-Tombigbee waterway was

opened in 1986, for example, rail rates went down 15 to 20 percent.

A fully functional Alabama River waterway, 305 miles long, requires minimal capital investment and annual maintenance costs of three to five million dollars. Compare that to the price tag of \$80 million to repair and widen the 3.4 mile stretch of I-65, over \$20 million per mile.

Maintaining the Alabama River navigation channel is a federal responsibility, but obtaining the funds is a challenge. Budget requests for channel maintenance are filtered through a set of federal criteria dictating that, in order to receive favorable consideration for funding, a minimum of one million tons a year must be moved on that channel.

Until 1999, the Alabama River supported about 1 million tons annually, primarily forestry products (wood chips, logs, etc.). The principal shipper, Kimberly-Clark, shut down its mill in Mobile, thereby taking away 90 percent of the barge traffic so that over the past eight years, only 100,000 to 150,000 tons, mostly aggregates and fuel oil, have been moved annually. Minimum criteria weren’t met, so the president’s budget zeroed out dredging funds. The Coosa-Alabama River Improvement Association has fought, with the assistance of the Alabama congressional delegation, to get those funds reinstated, but the battle has been extremely tough, and we’ve not always succeeded.

We are dealing with the classic chicken or egg scenario: without traffic, we can’t get funding; without funding, we have difficulty getting the traffic.

CARIA’s strategy has been to promote the advantages of waterways in the

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“Alabama Voices: Rivers Alternative to Highways”

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hope that some industry or company would see those advantages and commit to moving commodities by barge. Through the efforts of the Selma-Dallas County Center for Commerce, one company has done just that.

The Dixie Pellets Company is building a plant at the Alabama State Docks facility near Selma to produce wood pellets for shipment to Scandinavia through the Port of Mobile. When fully operational, Dixie Pellets, a \$130 million investment providing over 100 jobs, will produce 500,000 tons of wood pellets annually, all of which the company would like to ship to Mobile by barge.

While the Dixie Pellet operation won't get us to 1 million tons, several sand and gravel operators want to move an additional 500,000 tons if the channel is available. Together, these operations would meet the federal government's minimum criteria and greatly enhance the chances of obtaining the necessary maintenance funds.

The key to an operational channel is dredging and water flow. With the assistance of U.S. Sen. Richard Shelby, dredging funds have been appropriated this year. Now we have to deal with the effects of the drought currently ravaging our area, which will no doubt affect how and when that dredging will occur.

The 1,200 miles of inland waterways in Alabama are not the ultimate solution to our traffic congestion problem, but as the UAH study noted: “Alabama has abundant natural resources in the Port of Mobile and the inland waterway system but has not yet been able to fully utilize them to enhance economic growth.” Nor has the state endorsed using the waterways to help relieve some of the traffic hazards and pounding our highways take daily. It's time it did. ❀

Midcontinent Office

Midwest and Ohio Valley Regions Host Joint Summer Meeting

Make Your Reservations by July 16

The 2007 Midwest and Ohio Valley regions joint summer meeting will be held on August 16 in St. Louis, MO. All events will be held at the host hotel, Crowne Plaza Downtown.

AWO members are encouraged to invite non-members to both an informational session on how to implement the limited geographic license training program as outlined in the Eighth District Policy Letter, as well as the AWO

meeting for a one-time look at the business of AWO. Membership packets can be sent to your guests ahead of time and will be available at the meeting.

The informational session on the limited geographic license training program will be held the day before the meeting on August 15 from 3:00 p.m. to 5:00 p.m. Coast Guard staff and members of the AWO Working Group will be present to outline the policy and answer questions. A reception will follow the informational session from 6:00 p.m. to 7:30 p.m.

The AWO business meeting on August 16 from 7:30 a.m. to noon will provide an update on key issues facing the industry both nationally and regionally, a mini-session on public affairs and a special focused discussion on the Coast Guard's possible policy change on travel time.

Following the AWO meeting, the Mississippi River Commission (MRC) will hold a hearing on Friday, August 17 at 9:00 a.m. on the St. Louis Riverfront aboard the *m/v Mississippi*. AWO members are encouraged to provide public statements to the MRC on waterway issues that are managed by the U.S. Army Corps of Engineers.

To register for a hotel room, go to www.crowneplaza.com. Enter the code “AWO” in the left hand column to receive the \$112 rate for a single or double. You can also call (800) 925-1395 for the \$112 rate or for a suite at \$142. Reservations are based on availability and must be made no later than July 16.

To register for the meeting, click [here](#). For more information, please contact Lynn M. Muench at (314) 446-6474, or via email at awo_midcontinent@msn.com. ❀



Atlantic Region**Coast Guard Changes of Command in the Atlantic Region**

The summer season brings with it a round of command changes in the U.S. Coast Guard Atlantic Area. Below is a summary of the sector-level changes of command in the AWO Atlantic Region:

- In Sector Long Island Sound, NY, CAPT Daniel Ronan relieved CAPT Peter Boynton at a change of command ceremony on June 4. CAPT Boynton is retiring after 28 years of service. Captain Ronan is coming from the First Coast Guard District in Boston, MA,

where he was Chief of Plans and Resources Division.

- In Sector Northern New England at Portland, ME, CAPT James Rendon relieved CAPT Stephen Garrity at a change of command ceremony on June 26. CAPT Rendon previously served as Chief of Response, Fifth Coast Guard District in Portsmouth, VA. This marks the first change of command ceremony for the newly formed sector, which resulted

from a merger of the former Marine Safety Office, Portland, Group Portland, and Group Southwest Harbor. Sector Northern New England was officially established on June 30, 2005.

- In Sector New York, NY, Deputy Commander CAPT Scot Graham retired on July 2. CAPT Graham will be relieved by Deputy Commander CAPT Michael Gardiner.
- In Sector Charleston, SC, CAPT John Cameron will be relieved by CAPT Michael McAllister at a change of command ceremony on July 18. CAPT Cameron's retirement ceremony will follow the change of command.
- In Sector Boston, MA, CAPT Gail Kulisch will relieve CAPT James McDonald, Jr. at a change of command ceremony on August 8. CAPT Kulisch previously served at Coast Guard Headquarters in Washington, DC. 🌀

Great Rivers Towboat Festival

On June 23 and 24, the annual Great Rivers Towboat Festival was held in Grafton, IL. Each day 1,200 to 1,500 individuals toured the *m/v Mary Harter* owned by B&H Towing and the *m/v Jay Luhr* owned by Luhr Bros., Inc. (both companies are AWO carrier members). Safety briefings, employment opportunity discussions and tours were given by the crews; AWO and Waterways Council, Inc. staff; and, employees of Kirby Corporation and West Kentucky Drug and Alcohol Specialist. Seen here is the line for tours on the *m/v Mary Halter*. 🌀

Pacific Region

CARB FOCUSES ON ENGINE REPLACEMENT FOR INDUSTRY

On June 27, the California Air Resources Board (CARB) held a public workshop at the Port of Los Angeles to discuss its latest harbor craft draft regulation. CARB staff gave a presentation on how the draft regulation lowers emissions from harbor craft by focusing on engine rebuild and replacement. Under the regulation, the south coast of California is subject to a more aggressive engine replacement and rebuild timeline than the rest of California.

Some of the key provisions/concerns with the draft harbor craft regulation are as follows:

- Engines in tugs and tows will be required to be replaced. The timeline for the south coast Air Quality Management District (AQMD) of California differs from the rest of the state.
- The annual reporting mechanism has been removed from the regulation and replaced with an initial reporting and record keeping requirement.
- Ocean-going vessels are exempt, except for ocean-going tugs and tows. There are still questions on there in the regulation ocean-going tugs will be regulated.
- The San Francisco/Oakland area has requested that it be allowed to follow the same timeline as the south coast or have the entire state follow the south coast timeline.

On August 10, CARB will release the initial statement of reason. The draft regulation on which AWO has been working with CARB will then become

a proposed document. The official 45-day comment period will begin on August 10, followed by a CARB staff presentation to the CARB Board for consideration in September. The Board will have the option to pass the regulation, ask CARB staff to answer any outstanding questions or request a rewrite of the regulation.

AWO is focusing on the following next steps and priority issues regarding the harbor craft regulation:

- AWO is working with CARB staff to exclude ocean-going tugs and tows from the onerous engine replacement and rebuild requirements outlined in the draft regulation. The goal is to have ocean-going tugs and tows report as ocean-going vessels and therefore be subject to the same fuel and reporting requirements of ships.
- AWO is working to remove the differing timeline for the south coast AQMD.

- AWO will ask that the section of the regulation allowing for an extension to the timeline when equipment and/or engines are not available be strengthened.
- AWO will work with CARB to strengthen the alternative compliance section by detailing how fleet averaging will occur, how it will be calculated and what type of documentation will be required.
- AWO has asked legal counsel to review the draft harbor craft regulation and provide legal advice and opinion as to whether the CARB rule violates the Interstate Commerce Clause of the Constitution.

For more information, please contact Jason Lewis at (206) 262-7308, or via email at jlewis@vesselalliance.com.

Atlantic Region

Atlantic Region Summer Meeting – Save the Date!



The Atlantic Region Summer Meeting has been scheduled for Tuesday, August 7 in Baltimore, MD, from 8:30 a.m. until noon. This meeting will provide members with an opportunity to discuss priority and emerging issues that affect the Atlantic Region. The keynote speaker for the meeting will be Rep. Elijah Cummings (D-MD), Chairman of the Coast Guard and Maritime Transportation Subcommittee of the House Transportation and Infrastructure Committee. The exact location for the meeting and a draft agenda will be sent out shortly. For more information, please contact Chris Coakley at (703) 373-2297.

Pacific Region

Save the Date for the Pacific Region Summer Meeting

The Pacific Region Summer Meeting has been scheduled for August 30 from 8:00 a.m. to noon at the Edgewater Hotel in Seattle, WA. Issues that are critical to both the regional and national tugboat, towboat and barge industry will be discussed. For more information, please contact Jason Lewis at (206) 262-7308, or via email at jlewis@vesselalliance.com.



Southern Region

MSU - Morgan City Change of Command

On June 21, CAPT Joseph S. Paradis assumed command of the Marine Safety Unit (MSU) - Morgan City from CAPT Terry D. Gilbreath. CAPT Paradis has served extensively in the Eighth District as Chief, Prevention Department at Sector New Orleans, Executive Officer at the Marine Safety Office (MSO) - New Orleans, two posts in Houston, one tour in Huntington, WV, and as Safety and Environmental Health Officer for the Eighth District. He holds three Bachelor of Science degrees, and a Master of Science Degree in Environmental Science - Industrial Hygiene. CAPT Paradis was commissioned as an Ensign after graduating from the U.S. Coast Guard Officer Candidate School in 1985.

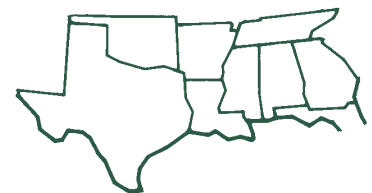
CAPT Terry Gilbreath will transfer this summer to the Eighth U.S. Coast Guard District office in New Orleans where he will be the budget and resources manager for the district.

MSU - Morgan City reports directly to Commander, Sector New Orleans. The MSU retained Captain of the Port authority after MSO-Morgan City was merged with MSO -New Orleans and Group New Orleans. The area of responsibility includes the a significant portion of the Gulf of Mexico, 172 miles of the Gulf Intracoastal Waterway, the Barataria-Terrebonne Estuary and the Atchafalaya Basin.

Southern Region

AWO Southern Region Summer Meeting Is Coming Up

AWO will be holding its Southern Region Summer Meeting on July 12-13 at The Grand Hotel in Point Clear, AL. The meeting will kick off with a reception on the evening of Thursday, July 12, followed by meetings to discuss important industry issues on Friday, July 13. Please make hotel reservations by calling the hotel directly at (800) 544-9933. To register, please contact Mary McCarthy at (703) 841-9300, extension 254, or via email at mmccarthy@vesselalliance.com.



DID YOU KNOW?

The U.S. Coast Guard-AWO Safety Partnership, the first industry-Coast Guard partnership of its kind, has launched more than 20 quality action teams that are improving safety and training throughout the tug and barge industry's operations.

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