

VOLUME 64, No. 13 • AUGUST 6, 2007

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## Senate Commerce Committee Approves Coast Guard Authorization Bill

### Senator Vitter Offers But Withdraws Interim Work Authority Amendment

On August 2, the Senate Committee on Commerce, Science and Transportation considered and approved S. 1892, the Coast Guard Authorization Act for Fiscal Year 2008. The bill authorizes approximately \$8.2 billion for U.S. Coast Guard programs and creates additional authorities for the Coast Guard. Commerce Committee Chairman Daniel Inouye (D-HI) said that the legislation reflects the committee's commitment to providing the Coast Guard with the tools that it needs to fulfill its missions of saving lives and protecting the nation's ports and natural resources.

During consideration of the measure, Senator David Vitter (R-LA) offered and then withdrew an amendment to provide for an interim work authority for newly-hired crewmembers on towing vessels required to obtain a Transportation Worker Identification Credential (TWIC). Senator Vitter noted that he had sponsored an amendment for interim work authority to the SAFE Port Act last fall, but that the regulations implementing the TWIC program were inconsistent with the intent of his

amendment. Senator Vitter noted that without a reasonable interim work authority for the TWIC, many industries in his state could face serious issues employing needed workers. He indicated his intent to continue to work to find a solution that balances security concerns with the needs of workers as the legislation receives further consideration by the full Senate.

In addition to the authorizations for Coast Guard programs, the legislation approved by the committee included a number of other sections dealing with increased penalties for alien smuggling on vessels and problematic provisions to reduce the risks of oil spills introduced by Senator Maria Cantwell (D-WA) (see June 8 *AWO Letter*). If you have any questions, or would like to receive a copy of the Coast Guard legislation approved by the Senate Commerce Committee, please contact Boyd Hollingsworth at (703) 841-9300, extension 258, or via email at [bhollingsworth@vesselalliance.com](mailto:bhollingsworth@vesselalliance.com).



TWIC UPDATE



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## Water Resources Development Act Conference Reaches Agreement

*Bill Passes House by Wide Margin Despite Veto Threat*

On August 1, the House of Representatives approved the conference report on the Water Resources Development Act (WRDA) by a vote of 381-40. The conferees on the part of the House and Senate had reached an agreement on July 27 resolving differences between the versions of the legislation previously passed by both chambers (see May 25 *AWO Letter*).

Passage of the WRDA legislation is a priority for AWO and other waterways organizations. Although it is usually passed every two years, there has not been a WRDA bill enacted for more than six years. The conference agreement on the legislation would authorize more than \$20 billion for U.S. Army Corps of Engineers water projects. The House version of the bill, passed on April 19, authorized projects totaling \$15 billion, while the Senate legislation passed on May 16 totaled \$14 billion.

Among the projects authorized in the final agreement is the Upper Mississippi River/Illinois Waterway (UMR/IWW) project, which would create seven new locks and dams on the Upper Mississippi and Illinois Rivers. The total cost of this project is estimated to be approximately \$1.7 billion. Securing the authorization for this project has been a long-term priority for AWO.

The legislation also includes so-called “Corps reform” provisions, changing some Corps of Engineers procedures for considering new water projects. The bill sets up a new independent peer review process for Corps projects that cost more than \$45 billion or are controversial.

Prior to consideration of the conference report, Congressional leaders received a letter from Assistant Secretary of the Army for Civil Works John Paul Woodley and Office of Management and Budget Director Rob Portman. The letter threatened a veto of the legislation because of its cost. Despite the Administration’s veto threat, Republican leaders in both the House and Senate indicated their continuing support for the legislation. The overwhelming approval of the conference report by the House of Representatives on August 1 was by a margin sufficient to overturn a veto. The conference report was pending in the Senate as this issue of the *AWO Letter* went to press.

If you have any questions about the WRDA legislation, please contact Boyd Hollingsworth at (703) 841-9300, extension 258, or via email at [bhollingsworth@vesselalliance.com](mailto:bhollingsworth@vesselalliance.com). 🌐

## House Transportation Committee Holds Hearing on Coast Guard’s Marine Safety Program

*AWO Testifies on Vision of an Effective Marine Safety Program*

On August 2, the House Committee on Transportation and Infrastructure held a hearing on “Challenges Facing the Coast Guard’s Marine Safety Program.” The session was chaired by Congressman Elijah Cummings (D-MD), Chairman of the Subcommittee on Coast Guard and Maritime Transportation, and followed a proposal by full committee Chairman James L. Oberstar (D-MN) to transfer the U.S. Coast Guard’s marine safety functions to a new agency to be called the Maritime Safety Administration and located in the Department of Transportation (see May 25 *AWO Letter*).

The Commandant of the Coast Guard, ADM Thad Allen, was the only Administration witness at the hearing. ADM Allen acknowledged the concerns that have been raised about the marine safety function. He said that the Coast Guard was “taking aggressive steps to face the challenges of balancing maritime safety and security.” He went on to outline a number of the efforts that the Coast Guard is making in this area. Among other matters, the Commandant said that there is “no question” that the Coast Guard needs additional civilian personnel in the inspection function in order to provide necessary continuity.

*(continued on page 3)*

## House Transportation Committee Holds Hearing on Coast Guard's Marine Safety Program

### *AWO Testifies on Vision of an Effective Marine Safety Program*

(continued from page 2)

He asked that the Committee give him the opportunity to tell them what he is doing to fix the problems before taking the "drastic step" of reorganizing the marine safety functions into another agency.


Chairman Cummings asked the Commandant to provide to the committee additional information on his plan for addressing the shortcomings in marine safety and the Commandant committed to provide the information within 60 days. Full committee Chairman Oberstar indicated that he would not move the Coast Guard Authorization bill to the House floor until ADM Allen's report is provided.

AWO President & CEO Tom Allegretti testified at the hearing. Mr. Allegretti's testimony emphasized the importance of safety to AWO's members, and attempted to outline AWO's vision of an effective and well-run marine safety program. Mr. Allegretti stated that AWO, along with the rest of the maritime industry, government agencies and the public, all share the same "core needs" from a marine safety program:

- (1) Safety of life;
- (2) Safety of property;
- (3) Protection of the environment; and,
- (4) Facilitation of maritime commerce.

Mr. Allegretti also testified that in order to reach these shared goals, a marine safety

program must meet certain maritime industry needs. First, the federal agency must make marine safety a clear priority. The agency must have a deep understanding of the maritime industry and be able to appreciate the practical and commercial impact of its decisions. Mr. Allegretti emphasized the need for the agency to engage in respectful dealings with vessel crewmembers and efficient and customer-focused dealings with vessel owners. The agency must promptly move forward with needed regulations, and enforcement must be based on risk. He concluded by giving the commitment of AWO to be a constructive participant in the search for effective and practical solutions in the area of marine safety. To read Mr. Allegretti's testimony, click [here](#). For questions on his testimony, please contact Tom at (703) 841-9300.

Other witnesses at the hearing included representatives of maritime labor unions and other maritime industry organizations. Copies of testimony and a background memo for the hearing are available on the committee's Web site at <http://transportation.house.gov/hearings>. 

## 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.


**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.

**October 3-5:** Fall Convention and Board Meeting. For more information, contact Mary McCarthy.

## SAVE THE DATES FOR AWO FALL CONVENTION!



Mark your calendars for the AWO Fall Convention being held in Houston, TX. Meetings will begin on the morning of Thursday, October 4 and conclude at noon on Friday, October 5. New Directors should plan to attend the Board orientation session to be held the day before the Convention, on Wednesday, October 3 at noon. Registration information will be emailed to all members in the near future. If you have any questions, please contact Kathy Rehak at (703) 841-9300, extension 263, or via email at [krehak@vesselalliance.com](mailto:krehak@vesselalliance.com). 

## Coast Guard Committed to Fixing Licensing Process, NMC Commander Says

The Coast Guard is committed to “drastically improving all aspects” of the mariner licensing and documentation process, says CAPT David Stalfort, new Commanding Officer of the National Maritime Center (NMC). “We certainly understand past and current frustration and we accept that our past performance does not warrant giving us the benefit of the doubt yet,” CAPT Stalfort acknowledged in a July 31 communication to maritime industry stakeholders.

CAPT Stalfort’s communication followed a July 24 “listening session” in Shepherdstown, WV, in which stakeholders were invited to participate in a roundtable discussion as part of an NMC senior staff strategic planning retreat. Jennifer Carpenter, AWO Senior Vice President - Government Affairs and Policy Analysis, attended the session, along with Fred Nyhuis of Marathon Petroleum and representatives of the Passenger Vessel Association, Offshore Marine Service Association, Paul Hall Maritime Center, and Maritime Institute of Technology and Graduate Studies.

Ms. Carpenter noted that while AWO members in some areas of the country report improvements in the speed with which credential applications are being processed, the Coast Guard’s credentialing process is still badly in need of a systemic overhaul. Mariners and companies should not be forced to employ “workarounds” such as applying for credentials months in advance of their expiration date or calling on NMC personnel or Regional Examination Center chiefs to intervene to resolve issues that should be handled smoothly as part of an efficient, well functioning process. Ms. Carpenter urged the Coast Guard

to work expeditiously to implement its plan for restructuring and centralizing the credentialing system. She also emphasized the deep concern within the industry that despite recent incremental improvements, the system may be swamped by the forthcoming Navigation and Vessel Inspection Circular (NVIC) on medical and physical standards for mariners and implementation of the Transportation Worker Identification Credential (TWIC) program.

Ms. Carpenter and other industry stakeholders urged the NMC to strive for a turnaround time of 48 hours or less for issuance of a new Merchant Mariner’s Document (MMD) and same-day service for renewal of a license or document. Because of the varying requirements for issuance of original licenses, the stakeholders



suggested that the Coast Guard establish turnaround time targets for each segment of the license evaluation and issuance process (i.e., background check, medical review, etc.).

CAPT Stalfort promised to keep stakeholders informed of ongoing improvements to the credentialing process and continually seek industry feedback on progress and concerns. For a copy of CAPT Stalfort’s communication laying out the goals of the NMC restructuring process and an overview of completed and planned improvements, click [here](#).

For more information, please contact Jennifer Carpenter at (703) 841-9300, extension 260, or via email at [jcarpenter@vesselalliance.com](mailto:jcarpenter@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
August 9-10	Kirby Corporation Houston, TX	Ms. Kelly Parker (Contact) <a href="mailto:kelly.parker@kirbycorp.com">kelly.parker@kirbycorp.com</a> (713)-435-1775
August 14-15	ARTCO St. Louis, MO	Mr. Joseph Garuccio (Contact) <a href="mailto:joe_garuccio@admworld.com">joe_garuccio@admworld.com</a> (866) 355-7105

# “River Deal Worth Billions Imminent”

The following article, written by Bill Lambrecht, appeared in the *St. Louis Post-Dispatch* on July 31.

\*\*\*\*\*

WASHINGTON - A long-sought deal in Congress expected to become final this week would bring nearly \$4 billion to the Midwest in coming years and take dramatic steps to relieve barge congestion on the upper Mississippi and Illinois rivers. The White House has not signaled whether President George W. Bush would sign the nation's first water construction bill since 2000. But supporters believe they have enough backing to override a veto with so many projects benefiting members of Congress across the country.

“What I would respectfully point out ... is that when you've had a 91-4 vote, a veto could be a little problematic,” remarked Sen. Christopher “Kit” Bond, R-Mo., referring to the Senate's vote for an earlier version of the bill.

“This will help us secure a competitive waterways system. If our locks start collapsing, we are in trouble,” he said.

After the Senate and House passed separate versions of the water projects bill, each appointed members to the conference committee that struck a deal late last week after adding some \$5 billion worth of projects.

Nothing else in the \$21 billion Water Resources Development Act approaches the scope of provisions authorizing \$1.95 billion to build seven new 1,200-foot locks on the Mississippi and Illinois rivers and another \$1.72 billion for environmental restoration on those rivers.

Paul Rohde, who heads the Midwest office of Waterways Council Inc., said the lock replacement has grown more expensive while Congress has dragged its feet. “Even with this authorization, we're going to have to fight tooth and nail in coming years to get full funding,” he said.

Barge interests and farm groups have pushed for more than a decade to replace the 600-foot-long locks, arguing that they have outlived their 50-year life spans. Towboats and their barges now stretch up to 1,000 feet, and the crew must unlash some of the barges before passing through, then regroup the barges, creating bottlenecks.

The river construction plan endured a turbulent past with long-standing opposition from environmental advocates and a scandal in the Army Corps of Engineers, which disciplined several officers after allegations that they had botched studies justifying new locks.

The corps produced new studies and included river restoration plans that won over key conservationists.

“I think it's worth the risk,” said Dan McGuinness, who directs the National Audubon Society's Mississippi River program. But Brad Walker, of the Illinois-based Prairie Rivers Network advocacy group, doesn't believe the construction is necessary. “When

there's a budget crunch, they're going to commit to the navigation, not to the environment,” he said.

The legislation authorizes environmental spending of nearly \$100 million annually on the upper Mississippi, money that would have to then be appropriated each year. Projects under consideration would rebuild islands and re-establish side channels sacrificed for navigation over the years.

**“Even with this authorization, we're going to have to fight tooth and nail in coming years to get full funding,”**

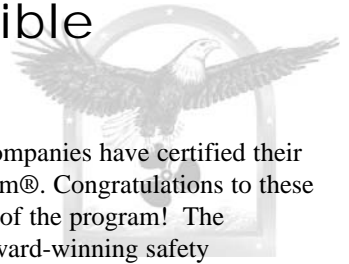
- Paul Rhode  
Waterways Council, Inc.  
Vice President,  
Midwest Area

The 1,200-foot locks would be built at a cost of roughly \$220 million each at these locations: Lock & Dam 20, near Canton, Mo; Lock &

Dam 21, near Quincy, Ill.; Lock & Dam 22, near Hannibal, Mo.; Lock & Dam 24, near Clarksville, Mo.; Lock & Dam 25, near Winfield, Mo.; and at dams in Illinois at Peoria and LaGrange.

Scott Whitney, a Corps official involved in the planning, said some of the more modest efforts to relieve congestion could begin in the next year. But it could be 2010 before major construction begins, he said. Of the seven locks in need of replacement, he said, a priority likely would be given to the locks near Winfield and Hannibal because of their potential to ease congestion. ☘

## Twelve New Members Certify Responsible Carrier Program® Compliance



The following companies have achieved audited certification:

**Bridge Construction Services, Inc.**  
Huntington, NY

**Chem Carriers, LLC**  
Sunshine, LA

**Constellation Maritime Company**  
Manchester, MA

**Contract Marine Services**  
Lake Sherwood, MO

**D & S Marine Service, L.L.C.**  
Houma, LA

**Dawn Services, LLC**  
Gretna, LA

**ENKO Transportation LLC**  
Hoboken, NJ

**Gellatly & Criscione**  
Point Pleasant, NJ

**Greater NY Marine Transportation LLC**, Huntington, NY

**K Tugs NY**  
Staten Island, NY

**Port Albany Ventures**  
Albany, NY

**Upper River Services**  
St. Paul, MN

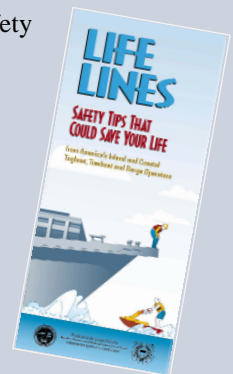
Since last December, 12 new AWO member companies have certified their commitment to the Responsible Carrier Program®. Congratulations to these companies on their successful implementation of the program! The Responsible Carrier Program® (RCP) is the award-winning safety management program of the tugboat, towboat and barge industry. Members are required to undergo a certification audit by an AWO-certified third-party auditor within one year of joining AWO to verify their compliance with the Responsible Carrier Program®.

For these newly certified companies, this achievement underscores their commitment to improved safety and environmental protection, and is concrete evidence of their dedication to the continuous journey toward this goal. AWO is proud of their accomplishment. For information on the RCP or the audit, please contact Bob Clinton or Kathy Rehak at (703) 841-9300, extensions 253 and 263, respectively. 🌐

### Recreational Boating Season is Here... Have You Ordered Your "Lifelines" Brochures?

AWO's popular brochure, entitled "Lifelines: Safety Tips That Could Save Your Life," delivers important safety tips to recreational boaters in an easy-to-read, user friendly format. Have you ordered your brochures yet?

AWO has reprinted almost one million "Lifelines" brochures, which are available to the general public free of charge, although shipping costs may apply. To request copies of the brochure, please complete the attached order form and fax it to AWO using the information listed on the form. Order your brochures today and help make our nation's waterways safe for everyone! 🌐



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, extension 254, or via email at [mmccarthy@vesselalliance.com](mailto:mmccarthy@vesselalliance.com). 🌐



Midcontinent Office**MIDWEST AND OHIO VALLEY REGIONS  
JOINT SUMMER MEETING PLANNED***Special Session and Regional Meeting Agenda Available*

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, the Crowne Plaza - Downtown.

For a copy of the special sessions agenda, click [here](#). For a copy of the regional meeting agenda, click [here](#). Dress for the event is business casual. Dress for military guests is ODU (USCG) / ACU (USACE).

Several events will precede the regional meeting. A recently-added special session will be presented by Bob Murgatroyd, American Commercial Lines, from 5:00 p.m. to 6:00 p.m., immediately following the licensing

discussion. Mr. Murgatroyd will update the industry on an effort to use BargeEx™ and Electronic Data Interchange (EDI) to standardize and capture service provider information from the provider's computer system and send it directly to the barge company's computer system. He will also discuss work on data standardization that can be utilized throughout the customer side of the towing business as well as government bodies and intermodal operations.



The first special session is an informational meeting on how to implement the limited geographic license training program as outlined in the Eighth U.S. Coast Guard District Policy Letter (see April 13 *AWO Letter*). The session will begin at 3:00 p.m. AWO members are encouraged to invite non-AWO members to this session.

A reception follows the two special sessions from 6:00 p.m. to 7:30 p.m. Congressman Kenny Hulshof (R-MO) will provide brief comments.

The business session of the AWO regional meeting will include for the first time two mini-strategic dialogue sessions. During the open session of the regional meeting, RADM Joel Whitehead and RADM John Crowley, Commanders of the Eighth and Ninth Districts, respectively, will be guest speakers.

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. 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](http://www.crowneplaza.com). The reservation deadline was July 16. Rooms at the special AWO rate are based on availability. 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.

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

[www.americanwaterways.com](http://www.americanwaterways.com)

**THE AMERICAN WATERWAYS OPERATORS**  
AMERICA'S TUG & BARGE INDUSTRY

**OUR COMPASS ALWAYS POINTS TO SAFETY.**

Southern Region

## ***Coast Guard Releases New RNA: Mississippi River, 81-Mile Point***

On July 31, an anticipated Regulation Navigation Area (RNA) was published in the *Federal Register* that amended the RNA for the “Lower Mississippi River (LMR) Mile Marker (MM) 233.9 through South and South West Passes by establishing mandatory check-in procedures for vessels transiting on the waters” of the LMR between MM 167.5 and MM 187.9. This rule impacts vessels subject to the Bridge-to-Bridge Radiotelephone Act. Vessels must notify the Vessel Traffic Center LMR prior to entering this section of the river.



The Coast Guard worked with a subcommittee of the Lower Mississippi River Waterway Safety Advisory Committee (LMRWSAC) to review reported casualties from 1999 to 2006 and develop the RNA for the area. For a copy of the RNA or for more information, please contact Lynn M. Muench at (314) 446-6474, or via email at [awo\\_midcontinent@msn.com](mailto:awo_midcontinent@msn.com).

Pacific Region

## **CARB Meeting Date on California Harbor Craft Regulation Changed**

The California Air Resources Board (CARB) has changed the date of the Board Meeting on the harbor craft regulation to October (see July 6 *AWO Letter*). There are still a number of outstanding issues that need to be refined before CARB can present to the Board and ask for the regulation to be passed. Some of the issues AWO has commented on include excluding oceangoing tugs, an automatic timeline extension when equipment or engines are not available and the removal of a more aggressive South Coast Air Quality Management District (AQMD) timeline. For more information, please contact Jason Lewis at (206) 262-7308, or via email at [jlewis@vesselalliance.com](mailto:jlewis@vesselalliance.com).

## ***Policy Letter Released: Compliance Date for Electronically Controlled Cargo Pump Engines Clarified***

On July 27, the U.S. Coast Guard - Eighth District released a new Policy Letter on electronically controlled cargo pump engines onboard tank barges. Barges that have been issued a CG 835 must be in full compliance no later than August 1, 2008.



Barges that have not made the safety modifications/upgrades applicable to any electronically controlled engine installed in a Class I/Div 1 location shall be limited to Grade D and Grade E cargoes until modifications are completed.

To obtain the Policy Letter, click [here](#). For more information, please contact Lynn M. Muench at (314) 446-6474, or via email at [awo\\_midcontinent@msn.com](mailto:awo_midcontinent@msn.com).

## ***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 in Seattle, WA at the Edgewater Hotel. 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](mailto:jlewis@vesselalliance.com).