

AWO Holds 2007 Fall Convention in Houston

Board Holds Strategic Dialogue on Marine Safety Mission of Coast Guard, Hears AWO Reorganization Plan, Approves 2008 Budget and Votes to Align RCP Timeline; Technology Forum Convened, Special Discussion Sessions Held on Towing Vessel Inspection and Travel Time, Work Time and Rest

AWO met for its 2007 Fall Convention in Houston on October 4-5. New members of the Board met for orientation on October 3, while the membership as a whole gathered in Common Issues Council, Sector Committee and Public Affairs Committee meetings on October 4. The Board convened on October 5, when it approved aligning the Responsible Carrier Program (RCP) timeline with Subchapter M of the forthcoming towing vessel inspection regulations, approved the AWO reorganization plan, approved the 2008 budget and heard reports on the implementation of the *AWO 21* strategic plan, the member communication program,

AWO PAC fundraising, the congressional grassroots program, and the future of the RCP audit and auditor certification. Board members also heard reports on the progress and funding of industry litigation concerning the unconstitutional oil spill law in Massachusetts, ballast water and an *amicus* brief involving SeaRiver Maritime. Members were presented with updates on the AWO Transformation and Transition Plan and the 2007 financial picture. A strategic dialogue was convened during which members detailed needed improvements to the U.S. Coast Guard marine safety program. Finally, Harbor Services Sector Committee Chairman George Foster, JB Marine Service, Inc.,

was presented an award of appreciation by AWO Chairman of the Board Royce Wilken for his diligent work on behalf of the industry with the Coast Guard in District Eight.

During the Common Issues Council on Thursday, members discussed priority industry issues, including the status of the Transportation Worker Identification Credential (TWIC), ballast water, marine engine emissions, the integrity of the Jones Act and crew endurance management. (See story, page 10) Two special discussion sessions were held on October 4, one focused on the interpretation of travel time, work time and rest, and the other on towing vessel inspection. In addition, a Technology Forum discussion generated interest in leveraging technology to benefit the industry.

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At the AWO Fall Convention, Chairman of the Board Royce Wilken, American River Transportation Co., presents George Foster, JB Marine Service, Inc., with an award of appreciation for Mr. Foster's diligent work on behalf of the industry with the Eighth Coast Guard District.

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Chairman Focuses on Change and Value of AWO Membership

AWO Chairman of the Board Royce C. Wilken discussed the transition AWO has been undergoing during a period of “enormous change” the past several months. He praised the staff for its hard work to implement the organization’s Transformation and Transition Plan, which the Board approved in April. “Great progress has been made examining the needs of the organization, developing position descriptions and conducting searches” to fill newly created or vacant staff positions. The chairman stated that “The ultimate goal of the AWO transition is to emerge with a more efficient and effective organization, and I have no doubt that we will achieve that goal.”

Chairman Wilken observed that “you learn more about your organization when you go through a difficult transition. In today’s world, we are constantly adapting to changes that confront us. And that is one big reason why we decide to participate in an industry association like AWO.” The chairman elaborated, “We put aside our parochial interests and focus our efforts on doing the right thing for the industry as a whole. We pool our resources to create strength in numbers.” He asserted that “Membership in a national association like AWO allows us to see ourselves – and be seen by policymakers – not as a fringe interest or regional entity, but as a nation-wide industry that has enormous value to America’s economy, environment, national security and quality of life.”

Observing that the industry faces “more policy challenges than I can ever remember,” the chairman said, “There is no better time for us to come together than when so many high-stakes issues are at hand. We are wise to coalesce and cooperate to press our advocacy agenda, rather than attempt to deal with legislators and regulators as individuals or regions, pressing individual or local agendas.” The chairman pointed out another example of the value of membership as “the reach that our regional diversity provides us in our advocacy efforts.”

Next, Chairman Wilken said that during his six-month tenure thus far as chairman, he had been gratified by the willingness of members to bring him their concerns and opinions. He said, however, that he had noticed one underlying theme with



regard to many of the concerns, and that was that there seemed to be “an incomplete understanding among some members of how AWO works.” He then asserted that “AWO is a member-driven organization.” He said that meant that the staff “constantly seek direction from members on what we want them to do – what issues we want them to work on, the rank priority of those issues, consensus on what our position is on those issues and our ultimate objectives.” He reminded members that they can consult the *AWO Issues Reference Manual* when in doubt about issue priorities and positions. He then explained that “As members, we rely on the staff’s expertise in Washington to, in turn, advise us on what moves we need to make to accomplish our objectives.”

The chairman concluded his remarks by saying that “AWO hears and understands its members’ anxieties and concerns about issues.” He said, “A sign of a good organization is one that listens, seeks feedback and responds with change.” He pointed out that “AWO is in the process of regenerating and changing to be more responsive to its members’ concerns.” He exhorted everyone to “participate in this regeneration by telling us your concerns and giving us your suggestions.” Finally, he asked members to continue to contact him at any time “so that we can work together to strengthen AWO in order to ensure our industry’s – and thereby our individual companies’ – success.”

President Outlines Reorganization Plan

In his report to the Board of Directors, President & CEO Tom Allegretti reiterated the theme of change and challenge set out by the chairman. Mr. Allegretti asserted, “We face today an advocacy agenda of greater scope and consequence than at any time in my memory.” He said that “our effectiveness as a trade association and as an industry must increase. We must produce better results. Given the scope and consequence of this agenda, the stakes are too high for us to settle for anything less.” He went on, “I do not believe that this is simply a spike that we need to toughen our way through. This is the ‘new normalcy’ and the kind of agenda we will face going forward.”

Mr. Allegretti concluded that “AWO is not structured today for an advocacy agenda of this consequence. Indeed, the



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structure in place today is nearly a decade old.” He said that the current structure “no longer meets our contemporary requirements.” Mr. Allegretti asserted that “where we are today demands that we fundamentally rethink our capacity and capability and that we take a major new step forward to deepen and broaden that capacity and capability.” He then presented a plan for redeployment of resources to new and higher priority areas, based on certain consensus conclusions:

- That any reorganization must result in more timely and competent analysis of complex laws and regulations being proposed that impact AWO members, greater cross-functionality among staff positions, deeper advocacy bench strength and better management of advocacy resources. The ultimate goal must be to max out all available resources on analysis and advocacy.”
- That there is a need to “redeploy most of the time of senior members of the AWO staff to advocating industry views to government decisionmakers” and “restructure the more junior level staff positions to improve our capacity for analysis and drafting of advocacy communications.”

Mr. Allegretti concluded by asserting that “these changes will make us a much better organization, a much more effective advocate on your behalf, and give us much great assurance that we will succeed in confronting the challenges of this truly scary agenda.” He added, “These changes also offer the opportunity to our staff for greater professional fulfillment, responsibility and advancement.”

The Board voted unanimously to approve the implementation of the reorganization plan. 🍀

CALL TO ACTION!

White House Indicates Veto of WRDA *AWO Members Urged to Contact Members of Congress to Override Veto*

On October 1, the White House reiterated its intention to veto the Water Resources Development Act (WRDA). The WRDA legislation, normally considered every two years, has not been renewed in the last seven years. The measure authorizes a number of important waterways projects including the first stage of the Upper Mississippi Waterway/Illinois River project which will construct seven new locks and dams on the Upper Mississippi and Illinois Rivers. The bill also authorizes a number of projects in the New Orleans area to deal with hurricane protection and contains “Corps reform” provisions to improve the U.S. Army Corps of Engineers project study process.



The WRDA bill was approved by “veto-proof” majorities in both the U.S. Senate and the U.S. House of Representatives. The final version of the legislation has not yet

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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.

October 31-November 1:

Joint Safety Committees Meeting, Baltimore, MD. For more information, contact Bob Clinton.

January 17-18, 2008:

Southern Region Annual Meeting, InterContinental Hotel, New Orleans, LA. For more information, contact Hermoine Wellman.

January 24-25:

Atlantic Region Annual Meeting, Miami, FL. For more information, contact Hermoine Wellman.

January 30-31:

Midwest and Ohio Valley Regions Joint Annual Meeting, Nashville, TN. For more information, contact Hermoine Wellman.

Congressman Thompson Expresses Concerns with TWIC Delays

On October 2, Congressman Bennie Thompson (D-MS), Chairman of the House Homeland Security Committee, sent a letter to Michael Chertoff, Secretary of the U.S. Department of Homeland Security (DHS), articulating concern over the failure to implement the Transportation Worker Identification Credential (TWIC).



In his letter, Chairman Thompson reiterated that the TWIC was initially required by the Maritime Transportation Security Act of 2002 and stated that “Five years and millions of tax-payer dollars later, this card has yet to be implemented.” He expressed his disappointment at the failure of DHS to put the TWIC into service and reminded Secretary Chertoff that “Every day that you wait to roll out the TWIC program is another day that America is less secure.”

In September 2007, the Homeland Security Committee identified the TWIC as a crucial item on the DHS “To Do” list and the committee feels that DHS “owes the American Taxpayer an accounting of the past five years.” The committee plans to hold two hearings in October to examine the TWIC program. The first, scheduled for October 11, was postponed and will be held at a later date. It will concentrate on the implementation of the SAFE Port Act, an act that includes several mandates on TWIC that DHS has not met. The second hearing, to focus on the pilot program for the TWIC readers, the enrollment process for transportation workers, the status of the TWIC roll-out and the possibility of credential duplication, is scheduled for October 18. ❀

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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 mccarthy@vesselalliance.com. ❀

CALL TO ACTION!

White House Indicates Veto of WRDA

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been presented to the President for his consideration. When it is, the President will have ten calendar days, not counting Sundays, to either sign the bill into law, veto it or allow it to become law without his signature. If he vetoes the bill, as the White House has indicated he will, it will be returned to Congress where a two-thirds vote of both the House and Senate would be required to override the veto.

AWO members are urged to contact their Senators and Congressmen and request that they vote to override the President’s veto so that these important water projects can move forward. Information on contacting your members of Congress is available at www.senate.gov or www.house.gov. For more information on the WRDA legislation, please contact Boyd Hollingsworth at (703) 841-9300, extension 258, or at bhollingsworth@vesselalliance.com. ❀

Licensing Processing Time Continues to Decline, NMC Says

In its latest monthly report to stakeholders on the progress of its reorganization and centralization process, the U.S. Coast Guard’s National Maritime Center (NMC) announced that applications for mariner documentation and licenses currently at the NMC are being processed faster and are now being issued within 10 to 28 days. The NMC continues to strive aggressively to reduce this time further.

The NMC notes that the efforts to improve the Mariner Licensing and Documentation program are just beginning. Already, four Regional Exam Center (REC) locations (New Orleans, Baltimore, Anchorage and Juneau) have transitioned their application processing to the NMC in West Virginia. Over the next few months and throughout 2008, the NMC will transition the remaining 13 RECs to centralized operations. At the same time, the NMC will continue making improvements to the existing paper-based application system.

For updates on the progress of the transition, please visit the NMC Web site by clicking [here](#). ❀

TWIC Enrollment to Start October 16 in Wilmington, DE

New Enrollment Centers Added

On October 3, the U.S. Transportation Security Administration (TSA) announced that the long-awaited rollout of the Transportation Worker Identification Credential (TWIC) program will commence October 16 at the Port of Wilmington, DE.

Applicants may “enroll” or apply for a TWIC in Wilmington beginning on that date. Pre-enrollment (by telephone or Internet) for Wilmington appointments began October 9.

TSA also announced 11 additional ports that will begin the enrollment process in November. Enrollment will begin in Corpus Christi, TX, in early November; in Baton Rouge, LA, Beaumont, TX, Honolulu, HI, Oakland, CA, and Tacoma, WA, in mid-November; and, in Chicago/Calumet, IL, Houston, TX, Port Arthur, TX, Providence, RI, and Savannah, GA, in late November.

Specific dates for the start of enrollment in these ports will be released later this month along with information on other major ports.

As reported in the September 28 *AWO Letter*, on September 27 TSA posted on its Web site a revised list of inland and coastal port cities where fixed TWIC enrollment center sites will be added. At the strong urging of AWO and tugboat, towboat and barge companies, the revised list includes Paducah, Houma, Morgan City and LaPlace, LA. For a copy of the list of TWIC enrollment center sites, click [here](#).

For more information on AWO’s work on the TWIC program, please contact Jennifer Carpenter at (703) 841-9300, extension 260, or via email at jcarpenter@vesselalliance.com.



NMC RELOCATES TO WEST VIRGINIA

Effective October 1, all operations of the U.S. Coast Guard’s National Maritime Center (NMC) have been moved from Arlington, VA, to Kearneysville, WV. The NMC will operate in Kearneysville until December, when it will move to a permanent location in Martinsburg, WV. In the meantime, all correspondence to the NMC should be addressed to:



Commanding Officer
U.S. Coast Guard
National Maritime Center
130 East Burr Blvd.
Kearneysville, WV 25430
Tel: (304) 728-9100
Fax: (304) 728-7373

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
October 25-26	Salyers Solutions Metairie, LA	Ms. Jo Ann Salyers (Instructor) salyers_solutions@hughes.net (504) 236-4962
November 8-9	Inland Waterways Academy Huntington, WV	Ms. Jo Ann Salyers (Instructor) salyers_solutions@hughes.net (504) 236-4962
December 6-7	Inland Waterways Academy Huntington, WV	Ms. Jo Ann Salyers (Instructor) salyers_solutions@hughes.net (504) 236-4962

"Needed Investment"

Bush Should Sign the Water Resources Act into Law

The following editorial was published in the *Houston Chronicle* on October 4.

Houston is one of the world's largest ports. In addition to its record foreign tonnage, the port ships over inland waterways to 32 states. Few communities are more dependent than Houston on the nation's waterways and the infrastructure that makes them navigable.

Congress recently passed and sent to the White House the Water Resources and Development Act. The act authorizes billions of dollars to repair and replace deteriorating and damaged dams and locks, and to dredge shoaled river channels. Like the nation's bridges and air traffic control system, the nation's water-borne commerce is approaching a crisis of unreliability.

Although this legislation passed by wide, veto-proof margins in both houses, the Bush administration threatens a presidential veto. Administration officials say the bill includes too many pork projects unrelated to the Army Corps of Engineers' primary mission. Perhaps that's true, but all the projects are beneficial, and most are urgent. As Assistant Secretary of the Army John Paul Woodley Jr., and then-White House budget director Rob Portman wrote in a letter to a member of Congress, the corps already has \$38 billion in outstanding projects that need funding. Declining to fund this year's urgent projects courts disaster.

Environmental activists and the towing and barge industry once failed to get along, but that has changed. The men

and women on U.S. waterways are a valuable means of fuel conservation and reduced carbon emissions, moving 16 percent of all cargo at a fraction of the fuel cost. The barge industry fully supports restoration of wetlands, which protect wildlife and shipping channels from storm damage.

Quite apart from this year's waterway authorization bill, Congress and the Corps of Engineers need to change the way waterway projects are funded. Stop-and-go funding costs taxpayers added billions of dollars as workers and equipment are mobilized and then demobilized. Projects that should take eight to 10 years drag on for 20 or 25

years. All the while construction and dredging costs are rising.

Investment in America's waterways is good for the economy and good for the environment. Not only do barges reduce harmful emissions, they keep dangerous cargos off the highway.

President Bush should reconsider his opposition and sign the Water Resources and Development Act into law. Despite the unnecessary pork, the bill is a good deal for taxpayers and vital to port cities such as Houston, which ships the fuel and chemicals and aggregate that are the building blocks of the nation's commercial life. ❁

Timeline Extended for Further RCP Changes

The AWO Board of Directors, at its meeting on October 5, voted to accept the Responsible Carrier Program® (RCP) Accreditation Board's recommendation to extend by six months the timeline for adding new elements to the RCP to align with the Towing Safety Advisory Committee (TSAC) recommendations regarding the content of the safety management system. TSAC recommended that the safety management system be required under the forthcoming towing vessel inspection regulations.

The Board also accepted the Accreditation Board's recommendation that this extension be reviewed prior to each Board of Directors' meeting so that it can take into account any new information about the content or the timing of the inspection regulations.

The Board also agreed with the Accreditation Board's view that using the same auditor to conduct all parts of an RCP audit is the preferred method, and accepted its recommendation that while the use of different auditors will continue to be allowed, the following language be added to Addendum C., number 18 of the RCP:

Note: While companies may use different auditors to conduct probationary, management and vessel audits, the continuity provided by using the same auditor to complete each audit is the preferred method.

For more information, please contact Bob Clinton at (703) 841-9300, extension 253, or via email at bclinton@vesselalliance.com. ❁



Atlantic Region

Coast Guard Buzzards Bay RNA Questions Resolved

At the Coastal Sector Committee meeting during the AWO Fall Convention last week, two questions were raised on the Coast Guard Regulated Navigation Area (RNA) for Buzzards Bay regarding the requirements that are applicable for barges running light and the amount of oil or hazardous material in a tank barge that triggers requirements under the rule. As a reminder to members, the RNA is effective starting November 28, 2007.

Based on a conversation AWO has had with the Chief of the Waterways Management Division in Coast Guard Sector Southeastern New England, when towing an empty tank barge (running light), escort tug and pilotage requirements under the RNA do not apply to single or double hull tank barges transiting Buzzards Bay, which includes the Cape Cod Canal to its eastern end. However, under the rule, any vessels transiting Buzzards Bay when equipped with a bridge-to-bridge radiotelephone, regardless of cargo size or type, must participate in the Vessel Movement Reporting System (VMRS) requirement using AIS or VHF radiotelephone.

The answer to the question regarding the amount of oil or hazardous material that triggers the requirements of the RNA can be found in the language of the final rule: "Each

single hull tank barge transiting Buzzards Bay and carrying 5,000 or more barrels of oil or other hazardous material must" meet the escort tug, pilotage and VMRS requirements. The language clearly indicates that the requirements apply to vessels and barges *only when carrying 5,000 or more* barrels of oil or other hazardous cargo and do not apply just because a barge is capable of carrying more than 5,000 barrels, but is not actually doing so.

If you have any questions, please contact Chris Coakley at (703) 841-9300, extension 297, or via email at ccoakley@vesselalliance.com.

The following member companies were Photo Contest winners:

Allied Transportation Company
 American River Transportation Co.
 Baydelta Maritime
 Crowley Maritime Corporation
 E.N. Bisso & Son, Inc.
 Foss Maritime Company (2)
 Gellatly & Criscione Services Corp.
 Hannah Marine Corporation
 Illinois Marine Towing, Inc.
 K-Sea Transportation Corp.
 OSG America
 TradeWinds Towing LLC

2008 AWO Safety Calendar Unveiled

The 2008 AWO Safety Calendar was unveiled at the Fall Convention in Houston, TX, revealing the winners of the seventh annual Photo Contest. Dozens of companies sent numerous photos to the contest, but 13 were selected to be featured in the full-color glossy calendar. The theme of this year's calendar is "Crew Endurance Management" and each page contains an important safety message.



The Safety Calendar is not just a beautiful publication for members to use, it is also an important part of AWO's advocacy outreach. It is a professionally-designed tool that AWO uses to promote the industry's commitment to safe operations by distributing it to members of Congress, regulators in the Coast Guard and Army Corps of Engineers, state legislators and the media.

Each AWO member company will receive a calendar as a gift when they are printed in early November, and additional calendars are on sale for \$12 each. If you would like to order calendars, please fill out the attached form and mail it with a check, or fax it and be invoiced, to:

Mary McCarthy
 The American Waterways Operators
 801 North Quincy Street
 Suite 200
 Arlington, VA 22203
 (703) 841-0389 (fax)

2008 AWO SAFETY CALENDAR ORDER FORM



AWO's Safety Calendar is back and better than ever! The 2008 calendar focuses on the Crew Endurance Management (CEMS) program, and features a number of beautiful, full-color photos – all winners of AWO's seventh annual Safety Calendar Photo Contest.

To order copies of the **2008 AWO Safety Calendar**, please complete the form below and mail it with payment to the address indicated.

✂ *Detach lower portion and mail (with check or money order) to the address below.*

Number Ordered: _____ @ **\$12.00 each** = \$ _____

Company Name: _____

Attn: _____

Title: _____

Address *: _____

Phone: _____

Email address: _____

** No P.O. Boxes, please!*

Order your **2008 AWO Safety Calendar** today! Forms should be mailed to the address below. Please submit payment with your order and make all checks payable to the "American Waterways Operators."

The American Waterways Operators
801 North Quincy Street
Suite 200
Arlington, VA 22203
Attn: Mary McCarthy - SAFECAL