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## New Merchant Mariner Credential Replaces Licenses, MMDs

On March 16, the U.S. Coast Guard issued a final rule that consolidates merchant mariner qualification documents previously issued by the agency into a new Merchant Mariner Credential (MMC). The new rule takes effect April 15, the same day the Transportation Worker Identification Credential (TWIC) requirements take effect for mariners.

A main objective of the new rule is to reduce the number of credentials that a mariner must carry. The MMC will replace four existing documents, including merchant marine licenses, Merchant Mariner's Documents, certificates of registry, and, Standards of Training, Certification and Watchkeeping for Seafarers (STCW) endorsements. For example, after April 15, a mariner seeking an original credential as a towing vessel officer would not be issued a license as Apprentice Mate (Steersman) of Towing Vessels, but rather would receive a Merchant Mariner Credential with an Apprentice Mate (Steersman) of Towing Vessels endorsement. Existing licenses and MMDs will remain valid until their expiration date, and current license and MMD holders would receive their new MMC at their next scheduled license or document renewal. Unlike existing

licenses and MMDs, the new MMC is a passport-style credential. To view a sample of the MMC, click [here](#).

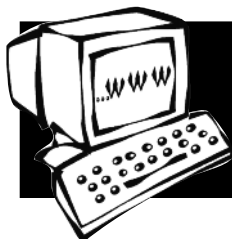
The new rule also removes the requirement for mariners to appear in person at a Coast Guard Regional Exam Center (REC) to apply for the MMC and allows a mariner to complete the MMC application process entirely by mail. Because all credentialed mariners will be required to have a valid TWIC as of April 15, any applicant for an MMC will



already have been required to visit a TWIC enrollment center to present biographic information. This data will be transmitted by the Transportation Security Administration (TSA) to the Coast Guard, provided that the applicant self-identifies as a merchant mariner during the TWIC enrollment process.

Until April 15, 2010, the Coast Guard will consider a mariner to hold a valid TWIC if he or she has applied for the TWIC and the Coast Guard has received confirmation from TSA that the mariner has passed the security threat assessment and is qualified to receive a TWIC. The mariner will not actually be required to have his or her TWIC in hand in order to receive a Merchant Mariner Credential during this one-year phase-in period. The

*(continued on page 2)*



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 AWO Letter is  
 sponsored by:**

## **CLARIFICATION: Stimulus Bill Allocates \$300 Million for Emission Reductions Projects; Request for Applications Released**



The March 13 issue of the *AWO Letter* reported that the American Recovery and Reinvestment Act (ARRA), which was signed by President Obama on February 17, includes \$300 million in grant money to fund emissions reduction projects under the Diesel Emissions Reduction Act (DERA). The story failed to note that private sector businesses could not apply directly for the competitive grants, but must instead partner with an eligible entity, which includes either a regional, state, local, tribal or port agency with jurisdiction over transportation or air quality; or a non-profit agency or institution that promotes transportation or air quality. Many states are seeking industry partners for project proposals, and members are encouraged to explore these possible opportunities.

Additionally, on March 20, the Environmental Protection Agency (EPA) released the request for applications (RFA) for DERA grants. A copy of the RFA, which includes additional information about the grants, can be found on EPA's Web site by clicking [here](#). Any additional questions can be emailed to EPA at [cleandiesel@epa.gov](mailto:cleandiesel@epa.gov).

If you have any questions about the details of this program or possible partnership opportunities, please contact Brian Vahey at (703) 841-9300, extension 251, or via email at [bvahey@vesselalliance.com](mailto:bvahey@vesselalliance.com).

## **New Merchant Mariner Credential Replaces Licenses, MMDs**

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mariner will need to present proof of TWIC enrollment to the Coast Guard to initiate the MMC application process.

Due to the possibility of some delay between the time a mariner applies for a TWIC and the time the Coast Guard receives the mariner's biographic data from TSA, the Coast Guard advises mariners to apply for a TWIC before applying for an MMC. For mariners who are applying for a TWIC and MMC at the same time, the Coast Guard advises providing a copy of the TWIC application with the MMC application.

The Coast Guard issued a notice of proposed rulemaking (NPRM) initiating this rulemaking in May 2006. In July 2006, AWO submitted comments that were generally supportive of the NPRM, but proposed several minor clarifications and changes. The Coast Guard addressed these issues in a January 2007 supplemental notice of proposed rulemaking.

For a copy of the final rule, please click [here](#). For more information, please contact Jennifer Carpenter or Benjamin Rogers at (703) 841-9300, extensions 260 or 264, respectively, or via email at [jcarpenter@vesselalliance.com](mailto:jcarpenter@vesselalliance.com) or [brogers@vesselalliance.com](mailto:brogers@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 Pik Kwan Rivera, U.S. Coast Guard, at (202) 372-1354.

DATE	LOCATION	CONTACT
April 26-27	Salyers Solutions, LLC Fairbanks, AK	Jo Ann Salyers (Instructor) (504) 236-4962 <a href="mailto:salyers_solutions@hughes.net">salyers_solutions@hughes.net</a>
May 6-7	Salyers Solutions, LLC Seattle, WA	Jo Ann Salyers (Instructor) (504) 236-4962 <a href="mailto:salyers_solutions@hughes.net">salyers_solutions@hughes.net</a>
TBA	Salyers Solutions, LLC Houston, TX	Jo Ann Salyers (Instructor) (504) 236-4962 <a href="mailto:salyers_solutions@hughes.net">salyers_solutions@hughes.net</a>

## Fourteen Members Complete RCP Audits

Fourteen AWO member companies have completed certification or recertification of their Responsible Carrier Program® (RCP) audit. Congratulations to these companies on their successful participation in the program! The 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 and to

undergo regular recertification audits to verify their compliance with the RCP.

For these companies, this achievement is tangible proof of their commitment to continued safety and environmental protection. AWO is proud of their accomplishment. For information on the RCP or the audit, please contact Bob Clinton at (703) 841-9300, extension 253, or via email at [bclinton@vesselalliance.com](mailto:bclinton@vesselalliance.com).

### Important Dates and Reminders

..... at a glance

*For more information, please contact Hermoine Wellman at (703) 841-9300, extension 291, unless otherwise noted.*

**April 1-3:** AWO Spring Convention, Arlington, VA

**July 23-24:** AWO Southern Region Meeting, Houston, TX

**August 19-20:** AWO Midwest and Ohio Valley Regions Joint Meeting, St. Louis, MO

**August 26-27:** AWO Atlantic Region Meeting, Norfolk, VA

#### The following companies have achieved audited certification:

**Talen's Marine & Fuel**

Lake Arthur, LA  
Audit date: 04/30/08  
Reaudit due: 04/30/11

**CONSOL ENERGY  
River Operations**

Monessen, PA  
Audit date: 11/22/08  
Reaudit due: 11/22/11

**Westar Marine Services**

San Francisco, CA  
Audit date: 02/14/09  
Reaudit due: 02/14/12

**Foss Maritime Company**

Seattle, WA  
Audit date: 02/08/09  
Reaudit due: 02/08/14

**Winslow Marine, Inc.**

Falmouth, ME  
Audit date: 03/06/09  
Reaudit due: 03/06/11

**Baydelta Maritime**

San Francisco, CA  
Audit date: 03/06/09  
Reaudit due: 03/06/11

**Signet Maritime Corporation**

Houston, TX  
Audit date: 11/18/08  
Reaudit due: 11/18/11

**McAllister Towing**

New York, NY  
Audit date: 03/27/09  
Reaudit date: 03/27/12

**Boone Towing, Inc.**

Channelview, TX  
Audit date: 03/22/09  
Reaudit due: 03/22/12

**Golding Barge Line, Inc.**

Vicksburg, MS  
Audit date: 03/13/09  
Reaudit due: 03/13/12

**Matthews Brothers, Inc.**

Pass Christian, MS  
Audit date: 03/21/09  
Reaudit due: 03/21/12

**Hawaiian Tug & Barge/  
Young Brothers Ltd.**

Honolulu, HI  
Audit date: 03/26/09  
Reaudit date: 03/26/12

**Merichem Chemicals & Refinery  
Services LLC**

Tuscaloosa, AL  
Audit date: 03/28/06  
Reaudit due: 03/28/12

**M. Baker Marine Towing**

Highlands, TX  
Audit date: 03/22/09  
Reaudit date: 03/22/12

The following press release was issued by AWO on March 24. Please contact Anne Burns at (703) 841-9300, extension 252, or via email at [aburns@vesselalliance.com](mailto:aburns@vesselalliance.com) if you have any questions.



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Arlington, VA 22203

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FOR IMMEDIATE RELEASE

March 24, 2009

CONTACT: Anne Davis Burns

(703) 841-9300

## EXXON VALDEZ 20th ANNIVERSARY MARKED BY IMPROVEMENTS IN MARITIME SAFETY

WASHINGTON, D.C. – The American Waterways Operators (AWO), the national trade association for the tugboat, towboat and barge industry, is marking the 20th anniversary of the oil spill in Prince William Sound by the Exxon Valdez tank ship by noting the improvements that have been made to maritime safety since the infamous accident. Although the Exxon Valdez was a tank ship, not a tank barge, the maritime industry as a whole has embraced significant new safety measures, including Oil Pollution Act of 1990 (OPA 90) regulations for tankers and tank barges to prevent oil and chemical spills. These measures have led to dramatic reductions in oil spills while vessel owners continue to strive toward the goal of zero spills.

Tank barge oil spill volumes have plummeted by 99.39% since the Valdez accident, with a record low of 4,527 gallons achieved in 2007. This means that more than 99.99% of the oil moved by tank barges is delivered safely. In addition, OPA 90 mandated double hulls by 2015 for vessels carrying oil in U.S. waters; currently, 86% of tank barges are fitted with double hulls, six years ahead of schedule. Coast Guard-approved tank vessel response plans are now required for quick response to any spill, and comprehensive drug and alcohol testing programs are in place throughout the maritime industry. Since the largest number of spills occurs during product transfers, new regulations require tank overfill alarms and tankermen overseeing cargo transfers undergo more rigorous training and certification.

To address human error as a cause of spills, the tugboat, towboat and barge industry has embraced the Crew Endurance Management System (CEMS), a science-based program developed by the Coast Guard to reduce the risks of operating in a 24/7 environment. Demonstrating its deep commitment to safety and environmental stewardship, AWO instituted the groundbreaking Responsible Carrier Program, a third-party audited safety management system, with which its members must comply or lose their AWO membership.

One of the most profound changes brought about by OPA 90 was the Coast Guard-AWO Safety Partnership, the first public-private partnership of its kind in the maritime industry. The Partnership has launched over 30 action teams to collaboratively address and develop solutions to the most pressing safety issues in the industry. The Partnership's biggest initiative led to the passage of historic new legislation that will bring all towing vessels under a Coast Guard inspection program and require all towing vessels to have a safety management system, raising the bar of safety for the entire industry.

Tom Allegretti, President & CEO of AWO, remarked, "The tugboat, towboat and barge industry has gone through a metamorphosis and has made a true commitment and huge investment in safety and environmental protection. We understand our responsibility to move petroleum products in a way that protects people, property and the environment. We know that we need to earn the public's trust each and every day. Because of this, we continue to work hard toward our goal of zero spills."

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Midcontinent Office

## Casualty QAT Conducts Test of Causal Incident Data “Black Box”

Over the past month, the Casualty Quality Action Team (QAT) of the Mid-America Regional Quality Steering Committee (RQSC) has been conducting a test of a system for determining the causes of vessel allisions, collisions and groundings. The U.S. Coast Guard had identified a rise in these incidents, and the Casualty QAT developed a way to evaluate if there truly was an increase and, if so, determine the causes and possible solutions to the accidents, while keeping company proprietary information private and protecting the industry from legal repercussions.



The database is a one-way information flow, a black box. AWO members log in to see a list of their company’s collisions, allisions, and groundings, and can choose from a list of 48 possible causes for each incident. Once the cause is indicated, it can only be viewed as aggregate information so that trends can be identified, while the causes cannot be traced back to the company.

The test of the database covered a randomly-selected period of two months and was successful in that it identified issues that need to be solved to ensure the system provides the relevant information while remaining secure. During a conference call on March 24, the RQSC agreed that it must do more due diligence to resolve

## March “Spring Rise” Canceled

The U.S. Army Corps of Engineers (Corps) has canceled its scheduled March “spring rise.” The decision to stop the controversial release of waters into the Missouri River is due to forecasts of heavy rainfall for much of the lower Missouri River basin. The Corps has promised not to release waters if predicted weather patterns would flood the lower basin.



The Corps’ last minute decision to temporarily cancel its planned flooding highlights AWO’s November 20, 2008 comments on the Corps’ Missouri River Mainstem System 2008-2009 Annual Operating Plan, in which AWO cautioned the Corps that man-made surges could coincide with seasonal rainfall, inadvertently flooding the lower Missouri River basin and negatively impacting farmers, a key industry ally on the operations of the Missouri River. For a copy of the comments, please click [here](#). Flooding would ensure that Missouri farmers would lose or face a greatly reduced harvest and endanger metropolitan areas, while damaging levees that are still undergoing repairs from last year’s flooding.

The rationale behind the Corps’ spring rise is based on the controversial theory that temporarily increased river levels will trigger spawning of the endangered pallid sturgeon. However, recent U.S. Geological Survey research has demonstrated that pallid sturgeon spawning occurs naturally without the need for man-made spring rises. The Missouri River Recovery Implementation Committee (MRRIC) is looking at this part of the Biological Opinion.

The spring rise was scheduled to coincide with the first Gavins Point Dam release, which provides downstream navigation flows for commercial vessels. For the seventh consecutive year, the Corps is providing only minimum navigation flows and predicted shortening of the season. A second spring rise is still scheduled for May.

For more information, contact Lynn Muench at (314) 446-6474 or via email at [lmuench@vesselalliance.com](mailto:lmuench@vesselalliance.com).

those issues before the system goes live and gathers information about incidents over the period of five years.

The RQSC thanks the AWO members who participated in the test. If you have not yet returned your data, please do so by April 3. Your participation and feedback is critical to the success

of this project. For more information, please contact Mary McCarthy or Lynn Muench at (703) 841-9300, extension 254, or (314) 446-6474, respectively, or via email at [mmccarthy@vesselalliance.com](mailto:mmccarthy@vesselalliance.com) or [lmuench@vesselalliance.com](mailto:lmuench@vesselalliance.com).

Pacific Region

## WASHINGTON STATE PASSES RESCUE TUG BILL

On March 24, Washington Governor Christine Gregoire signed a bill requiring owners or operators



of vessels that submit oil spill contingency plans to establish and fund at least one rescue tug at Neah Bay to respond to vessels in distress by July 1, 2010. AWO was one of the stakeholders in negotiations over the legislation with the state and successfully worked to amend the original bill to allow for a risk-based formula to be used when determining vessel fees. Although the bill was successfully amended, it will still create a new fee for vessels passing through the Strait of Juan de Fuca. AWO expressed concerns with the basic funding structure of the bill since a majority of emergency responses are for vessels that will not be required to fund the tug, such as those transiting to a Canadian port.

The bill was passed by the state legislature on March 20 after it was expedited through the Rules committee. The tug must be capable of quickly responding to vessel emergencies, able to operate in severe weather, and be equipped with rescue equipment.

For more information, please contact Mary McCarthy or Jason Lewis at (703) 841-9300, extension 254, or (206) 245-5758, or via email at [mmccarthy@vesselalliance.com](mailto:mmccarthy@vesselalliance.com) or [jlewis@vesselalliance.com](mailto:jlewis@vesselalliance.com).

## California Suggests Increase in Barrel Tax



The California legislature has introduced A.B. 1530, which would increase the state's barrel tax. The existing barrel tax is \$.05, but an increase to \$.08 is possible with this bill. AWO is in the process of drafting comments to the legislation and will be working with impacted members. AWO will also be reaching out to the bill sponsor in an attempt to ascertain why the legislation is being pushed forward. For more information, please contact Jason Lewis at (206) 245-5758, or via email at [jlewis@vesselalliance.com](mailto:jlewis@vesselalliance.com).

## Oregon Legislature Considering a Host of Ballast Water Bills

The Oregon legislature is considering a package of ballast water bills that would cause problems for the maritime industry. One of the primary concerns with the ballast water bills is the intent of the bills' sponsors to align the state's regulations with Washington and California. In the case of California, the ballast water regulations include organisms that can be transported on the hull of vessels. This would expand the existing state authority in Oregon and pose significant problems for the industry.



**H.B. 2220** – Establishes check points for commercial and recreational vessels in order to conduct an inspection for invasive species. AWO is in the process of drafting comments and has been working with the sponsor's office.

**H.B. 2625** – Authorizes the Department of Environmental Quality to board and inspect vessels for invasive species and contains a ballast water collecting section. AWO is drafting comments to the bill and has been in contact with the sponsors staff.

**H.B. 2984** – Authorizes the Department of State Police, the Department of Fish & Wildlife and the State Marine Board to stop vessels at checkpoints, inspect them for invasive species and collect ballast water samples. AWO is drafting comments on this bill and has already initiated a dialogue with the sponsor's office requesting an exemption for the tug and barge industry.

For more information, please contact Jason Lewis at (206) 245-5758, or via email at [jlewis@vesselalliance.com](mailto:jlewis@vesselalliance.com).

Pacific Region

## Possible Pre-Booming Legislation Proposed in California

A recently introduced bill in California seeks to make a number of minor changes to the state Department of Fish and Game, including a definition change that removes “diesel” from the list of “non-persistent oil.” This change would most likely require pre-booming and/or booming for all diesel transfers that occur in state waters. AWO will be reaching out to the bill sponsors to request that the definition change be deleted and is drafting comments.



For more information, please contact Jason Lewis at (206) 245-5758, or via email at [jlewis@vesselalliance.com](mailto:jlewis@vesselalliance.com).

## Pacific Region Update: State Legislation at a Glance

### Oregon

**H.J.R. 48** – Changes the state constitution to impose a carbon tax. This tax would need to be approved by a vote of the people during the next general election. AWO is drafting comments for submission and will reach out to the bill sponsor.

**S.B. 38** – Imposes reporting requirements for any business selling or distributing fossil fuels. It does not appear that the bill will move this legislative session but AWO will be working with the bill sponsor.

### California

**A.B. 305** – Adds hazardous materials to the existing civil penalties statutes for oil spills. Adds hazardous materials to the existing \$50,000 fine for the failure to report an oil spill. There are concerns over the possible definition of hazardous materials, and AWO is reaching out to the state and will be submitting comments.

**S.B. 579** – A ballast water bill that would increase the fee applied by the Marine Invasive Species Act for California vessels involved in Hawaii and Alaska trades. AWO will work with the State Lands Commission and will submit comments to the legislature.

Atlantic Region

## Ice Season Ends for Ports in Delaware, New York

On March 17, Captain of the Port Sector Delaware Bay informed mariners that all restrictions established during set Ice Conditions have been removed, bringing to a close the 2008-2009 Ice Season. More information is available [here](#).

Additionally, the U.S. Coast Guard Sector New York has requested operator feedback on this past ice season to help them prepare for next year. Positive or negative feedback can be sent to BOSN2 Darren Pauly at [darren.a.pauly@uscg.mil](mailto:darren.a.pauly@uscg.mil).



## Welcome, New Carrier Members!

**Perry & Son Towing, Inc.**  
808 Kingsway Drive W.  
Gretna, LA

Rep: Capt. Perry L. Alexis, Jr.  
Captain

**Kudzu Marine, Inc.**  
452E Government Street  
Mobile, AL

Rep: Ms. Teresa M.K. McCoy  
Director of Safety & Compliance

