

VOLUME 66, No. 8 • MAY 8, 2009

HIGHLIGHTS IN THIS ISSUE

Streamline and Simplify TWIC Card Reader Requirements, AWO Urges Coast Guard.....1

Coast Guard Clarifies Crewmember Identification Requirements.....2

Corps Releases Draft Lock Maintenance and Outages Schedule for 2009.....2

Coast Guard and Corps of Engineers Both Announce the Dispersal of Recovery Act Funds.....3

Hydrokinetic Projects: Comments Due by May 15.....4

MarAd Report Cites "Unused Capacity" on America's Waterways.....4

GAO: TSA Risk Assessments Lacking...5

Navigation Safety Advisory Council Seeks Applicants.....5

Senate Committee Holds Hearing for Assistant Secretary of the Army (Civil Works) Nominee.....6

Senate Committee Discusses Transportation Infrastructure Improvements.....6

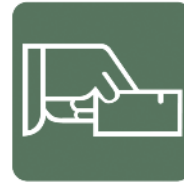
"State to Check for Barge Emissions"...7

AWO Interregion Safety Committee Holds Spring Meeting in Chicago.....8

AWO Welcomes Mark Wright as New Southern Region Vice President.....10

Streamline and Simplify TWIC Card Reader Requirements, AWO Urges Coast Guard

The Coast Guard should streamline and simplify its proposed approach to Transportation Worker Identification Credential (TWIC) card reader requirements, AWO told the agency at a May 6 public meeting on the advance notice of proposed rulemaking (ANPRM), published March 27. AWO was joined at the public meeting by more than a dozen participants who convened to express both support for and concern over provisions of the proposed rulemaking. The ANPRM is available [here](#).



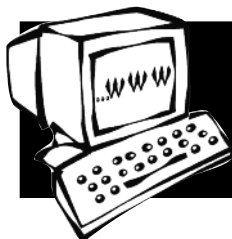
Jennifer Carpenter, AWO Senior Vice President-National Advocacy, began her testimony by praising the Coast Guard's recognition that card readers add no security value on vessels with limited crew sizes. However, she urged the Coast Guard to adopt a more straightforward approach than the "recurring unescorted access" mechanism proposed in the ANPRM. "The notice of proposed rulemaking should simply state that card readers will not be required on vessels with fewer than 14 required crewmembers," Ms. Carpenter testified. "A vessel owner shouldn't have to read seven pages into a complex regulatory proposal to get to that bottom line."

AWO also expressed concern about the practicality of tying reader requirements for vessels to the proposed risk groups

outlined in the ANPRM. Under the proposed risk group structure, AWO noted, it will be common for towing vessels to move back and forth between risk groups depending on the cargo of the barge in tow. "The proposed requirements do not seem to take operational reality into account," Ms. Carpenter said. "For example, how does a vessel with fewer than 14 crewmembers that is in risk group C today and risk group B tomorrow comply with the requirement to conduct periodic card validity checks? When the vessel is in risk group C, a monthly check of the expiration date is required. When the vessel is in risk group B, a weekly electronic check of the card against the TSA hotlist is required. We urge the Coast Guard to rethink the risk group concept as it applies to vessels."

AWO also urged the Coast Guard to eliminate the requirement that owners of vessels in certain risk groups use an electronic card reader to conduct a biometric match of a new employee's TWIC, instead recommending that vessel owners be required to conduct a thorough visual inspection of the TWIC. "Under this less burdensome approach, vessel owners would no longer be required to purchase a shoreside card reader, but crewmembers' TWICs would still be run through card readers on a regular basis at

(continued on page 2)



The new and improved...

www.americanwaterways.com

This edition of the
AWO Letter is
sponsored by:

Streamline and Simplify TWIC Card Reader Requirements, AWO Urges Coast Guard

(continued from page 1)

facilities and by Coast Guard field personnel,” AWO noted.

AWO also supported the creation of a “privilege granting” system in which the Transportation Security Administration

(TSA) would alert vessel owners when an employee with unescorted access to secure areas has been



placed on the TWIC hotlist. AWO also supported the Coast Guard’s proposal not to require use of the TWIC Personal Identification Number, or PIN, as a means of TWIC holder verification at any MARSEC level. Ms. Carpenter stressed that AWO’s proposed revisions to the reader requirements “will produce a simpler and more straightforward regulation that continues to ensure high standards of maritime security and avoids unnecessary expense and disruption to vital maritime commerce.”

AWO will submit comprehensive written comments to the docket by the May 26 deadline. For a copy of AWO’s testimony, click [here](#). For more information, contact Jennifer Carpenter or Brian Vahey at jcarpenter@vesselalliance.com or bvahey@vesselalliance.com or call (703) 841-9300, extensions 260 or 251, respectively. 🌐

Coast Guard Clarifies Crewmember Identification Requirements

On April 28, the U.S. Coast Guard published a final rule requiring crewmembers aboard U.S. commercial vessels returning from a foreign port or destination to possess and provide on demand one of the following acceptable identification documents: a passport, a U.S. permanent resident card, a U.S. merchant mariner document (MMD), a U.S. merchant mariner credential (MMC), a Transportation Worker Identification Credential (TWIC) or a seafarer’s identification document (SID) issued by a country signatory to the International Labor Organization Convention 185. Vessel operators will also be required to ensure that crewmembers comply with this regulation.

Prior to this rule, crewmembers aboard U.S. commercial vessels returning from a foreign port or destination were required to present an MMD as proof of identification. While the new rule expands the list of acceptable identity documents, it does not supplant any previously mandated identification requirements.

To read the rule, please click [here](#). For more information, please contact Robert McCaw at (703) 841-9300, extension 279, or via email at rmccaw@vesselalliance.com. 🌐

Corps Releases Draft Lock Maintenance and Outages Schedule for 2009-13

The U.S. Army Corps of Engineers has released and asked the River Industry Executive Task Force (RIETF) to comment on its draft *Summary Schedule for Lock Maintenance and Lock Outages 2009-13*. In an effort to enhance RIETF’s feedback, AWO seeks additional member input and feedback.

RIETF, a standing task force of AWO with a mission to improve communication between senior executives from the industry, the Coast Guard and the Corps, has worked for the last three years to ensure that this schedule was made available for industry review and comment.

While the Corps regards this summary to be a prototype in need of refinement, it asserts with confidence that all scheduled lock maintenance and outages for the next 12 months should remain constant. Some changes will be applied to those actions scheduled between 12 to 24 months, and anything beyond 24 months is at best an approximation.

In the near future, the Corps plans to post a copy of the summary on its Navigation Web site, where it will be routinely updated. While the Corps continues to refine and institutionalize the process of drafting summary schedules for lock maintenance and outages, the Corps and AWO expects the quality of this information to improve over time.

To view the *Summary Schedule for Lock Maintenance and Lock Outages 2009-13*, please click [here](#). For more information or to submit feedback to RIETF, contact Lynn Muench at (314) 446-6474 or via email at lmuench@vesselalliance.com. 🌐

Coast Guard and Corps of Engineers Both Announce the Dispersal of Recovery Act Funds

Four Truman-Hobbs Bridges to Receive Funding from Recovery Act

On April 20, Janet Napolitano, Secretary of Homeland Security revealed that four bridge alteration projects will receive funding from the American Recovery and Reinvestment Act (ARRA) that President Obama signed into law on February 19. Additionally, Secretary Napolitano announced that some ARRA funding would go toward building the edifices for various Coast Guard sectors, and for other functions around the country.

ARRA allotted \$240 million to the Coast Guard. Secretary Napolitano indicated that \$142 million of that total will fund bridge alteration projects on: the Mobile Bridge in Hurricane, AL; the EJ&E Bridge in Devine, IL; the Burlington Bridge in Burlington, IA; and, the Galveston Causeway Bridge in Galveston, TX. \$88 million will be directed to “the construction of buildings to house Coast Guard Sectors in Corpus Christi, TX and Jacksonville, FL,” and to the “construction of personnel housing, boat moorings and other improvements” in six states.

The \$142 million for the four bridges is being granted for the purpose of complying with the Truman-Hobbs Act of 1940. This act states that “no bridge shall at any time unreasonably obstruct the free navigation on any navigable waters of the United States.”

AWO commends the Coast Guard for taking steps to remove these barriers to navigation.

To read the press release sent out by the Department of Homeland Security, please click [here](#). For any questions, please contact Lynn Muench or Benjamin Rogers at (314) 446-6474 or (703) 841-9300, extension 264, respectively, or via email at lmuench@vesselalliance.com or brogers@vesselalliance.com.

The Great Lakes and Ohio Valley Division Announce Projects to Receive Funding from Recovery Act

On April 28, the U.S. Army Corps of Engineers released the list of lock and dam projects that will receive ARRA funding. The ARRA appropriated \$4.6 billion to the Corps for its Civil Works program, including \$2.075 billion for construction projects and \$2 billion for operations and maintenance (O&M) projects.

Of the overall construction total, \$84 million will be spent on Locks & Dams 2, 3, & 4 on the Monongahela River in Western Pennsylvania, while \$57.5 million will go toward work on the Chickamauga Lock & Dam in Tennessee. For the O&M work, the Tennessee River will receive \$20.297 million in funding, and \$8.181 million will go toward locks and dams on the Ohio River in Pennsylvania, Ohio and West Virginia.

The Corps announced that it expects to “create approximately 8,000 direct jobs for every \$1 billion spent,” in addition to “indirectly creating 20,400 jobs for each \$1 billion spent in industries that supply or support construction and O&M activities, as well as industries that sell goods and services to the workers and their families.” The Corps also indicated that it intends to begin the authorized projects “quickly.”

AWO will work with the Corps and Waterways Council, Inc. to ensure that the ARRA funds are spent in a manner that both provides the necessary improvements and maintains fiscal responsibility.

To read the press release sent out by the Corps, please click [here](#). For any questions, please contact Lynn Muench or Benjamin Rogers at (314) 446-6474 or (703) 841-9300, extension 264, respectively, or via email at lmuench@vesselalliance.com or brogers@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.

June 10-11: AWO Coastal Safety Committee Meeting, Las Vegas, NV

July 15-16: AWO Interregion Safety Committee Meeting, St. Louis, MO

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

August 5-6: AWO Executive Committee Meeting, Arlington, VA

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

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

September 3: Pacific Region Summer Meeting, Seattle, WA

October 13-16: AWO Fall Convention, New Orleans, LA

December 2-3: AWO Executive Committee Meeting, Arlington, VA

Hydrokinetic Projects: Work Group Participants Needed

The Federal Energy Regulatory Commission (FERC) is currently reviewing the Pre-Application Document (PAD) submitted by Free Flow Power Corporation (FFP) for the licensing of 56 hydrokinetic energy projects along and in the Western Rivers. At this time, FERC is soliciting comments on the PAD and Scoping Document, as well as study requests pertaining to potential impacts of proposed project sites. The deadline for comments is July 14. In response, AWO is establishing an AWO Hydrokinetic Projects Work Group to discuss this topic and potential industry positions. To participate in the work group, contact Robert McCaw at (703) 841-9300.

The installation and maintenance of turbine generators along and in the Western Rivers will potentially interfere with commercial navigation in Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee. Of the 56 proposed project sites, FERC has already held public meetings concerning the following projects: Greenville Bend; Scotlandville Bend; Kempe Bend; Ashley Point; Hope Field Point; Flora Creek Light; and McKinley Crossing.

All submitted comments and requests should be addressed to Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. All questions intended for FERC should be submitted to Stephen Bowler at (202) 502-6861, or via email at stephen.bowler@ferc.gov, or Sarah Florentino at (202) 502-6863, or via email at sarah.florentino@ferc.gov.

To read the notice, click [here](#). For more information regarding the notice or to participate in the AWO Hydrokinetic Projects Work Group, contact Robert McCaw at (703) 841-9300, extension 279, or via email at rmccaw@vesselalliance.com, or Lynn Muench at (314) 446-6474 or via email at lmuench@vesselalliance.com.

MarAd Report Cites "Unused Capacity" on America's Waterways

A recent Maritime Administration (MarAd) report, *America's Ports and Intermodal Transportation System*, suggests that there is unused capacity on America's waterways that can relieve congested road and rail systems. The report also praises water transportation as the most energy efficient and environmentally friendly mode of transportation and recommends creating a "surface to water" shipper tax credit, which would reward measurable movement of cargo from land-based transportation to the marine highway.



The report, dated January 2009, was developed with the goal of ensuring that the maritime transportation system grows and develops in concert with the overall national transportation system; and to ensure that the maritime transportation system can meet the anticipated growth in international trade as well as environmental and infrastructure challenges. To that end, the report criticized the funding mechanisms for waterways infrastructure improvement projects, asserting that the Inland Waterways User Fee discourages the use of the inland waterways and contributes to rail and road congestion. The MarAd report recommended fully funding the marine highway initiative and removing impediments to it, such as the harbor maintenance tax.

Overall, MarAd stressed the need for multi-modal planning and broadly advocated for better national leadership; more governmental, intermodal, and public-private sector collaboration; and tax-based incentives to encourage maritime development. On environmental issues, MarAd recommended interagency collaboration to simplify the environmental permitting process and proposed the use of incentives to curb emissions and encourage a reduction in fuel consumption. The report also recommended that the Department of Transportation and the Environmental Protection Agency become more active in international standard setting (through the International Maritime Organization), and work with state and local governments to ensure that national policies support state and regional needs, as well as avoid multiple and perhaps conflicting regulations from state to state or jurisdiction to jurisdiction. In addition, the MarAd report proposed leveraging technology to improve the safety and efficiency of the maritime transportation system and stressed the need for federal support of merchant marine academies to encourage worker recruitment and retention.

The MarAd report acknowledged the difficulties imposed by the current state of the world's economy, but stressed the importance of prompt action in implementing its recommendations. For more information about the report, please contact Brian Vahey at (703) 841-9300, extension 251, or via email at bvahey@vesselalliance.com.

GAO: TSA Risk Assessments Lacking

A new Government Accountability Office (GAO) report concludes that the Transportation Security Administration (TSA) should take a more risk-based approach to allocating resources among the various transportation modes for which it is responsible, including aviation, mass transit, highways, commercial vehicles, freight rail, and pipelines. The report, entitled *Transportation Security - Comprehensive Risk Assessments and Stronger Internal Controls Needed to Help Inform TSA Resource Allocation*, was released April 22 and requested by Rep. Bennie G. Thompson (D-MS), Chairman of the House Committee on Homeland Security. (To view the report, please click [here](#).)

The report finds that TSA has taken some actions but has not fully implemented a risk management approach to inform the allocation of resources across the transportation modes. For example, the report notes that TSA has collected information related to threat, vulnerability, and consequence within the transportation modes but has not conducted risk assessments that integrate these three components for each mode or the transportation sector as a whole.

Chairman Thompson issued the following statement upon release of the

report: "With 85 percent of TSA's budget going towards aviation security, it is important to know whether enough is being done to defend our nation's other vital modes of transportation. This report reaffirms my belief that more must be done to properly secure modes of transit other than aviation." Chairman Thompson added that "I look forward to working with President

Obama and Secretary Napolitano to foster a culture at DHS that meaningfully embraces risk management principles so that programs and money are directed to where they are needed most." If you have any questions, please contact Robert McCaw at (703) 841-9300, extension 279, or via email at rmccaw@vesselalliance.com.

NAVIGATION SAFETY ADVISORY COUNCIL SEEKS APPLICANTS

The U.S. Coast Guard is seeking applications for membership on the Navigation Safety Advisory Council (NAVSAC). NAVSAC provides advice and makes recommendations to the Secretary of the Department of Homeland Security on issues related to the prevention of collisions, rammings, and groundings, including, but not limited to: Inland and International Rules of the Road, navigation regulations and equipment, routing measures, marine information, diving safety, and aids to navigation systems.

The Coast Guard will consider applications for six positions that expire or become vacant in November 2009. Four positions are reserved for recognized experts and leaders in organizations having an active interest in the Rules of the Road and vessel and port safety, and two seats are reserved for professional mariners, recreational boaters or representatives of the recreational boating industry.

To read the announcement, please click [here](#). Application forms should reach the Coast Guard by June 19. Anyone interested in applying should contact Mike Sollosi or John Bobb of the Coast Guard at (202)372-1532 or by fax at (202) 372-1929.

Welcome, New Carrier Members!

Triple S Marine, LLC

P.O. Box 3367
Morgan City, LA

Rep: Mr. Shaun Roberie
Vice President & CFO

WMS Marine, Inc.

P.O. Box 4560
Greenville, MS

Rep: Mr. James L. Nowell
President

H & S Towing, Inc.

P.O. Box 156
Golden Meadow, LA

Rep: Mr. Harris "Chuckie"
Cheremie, Owner & Operator

Andrie Inc.

561 E. Western Avenue
P.O. Box 1548
Muskegon, MI

Rep: Mr. Mathew P. Stump
Environmental &
Safety Coordinator

Senate Armed Services Committee Holds Hearing for Assistant Secretary of the Army (Civil Works) Nominee

On April 28, the Senate Armed Services Committee held a confirmation hearing for President Obama's nominee to be Assistant Secretary of the Army for Civil Works, Jo-Ellen Darcy. If confirmed by the Senate, Ms. Darcy would be responsible for overseeing a variety of functions that the U.S. Army Corps of Engineers undertakes, including flood damage reduction and river and harbor navigation.

Ms. Darcy's nomination was recommended favorably by the Armed Services Committee in a subsequent hearing on May 6. Prior to her nomination going before the full Senate, she will have a confirmation hearing before the Senate Environment and Public Works (EPW) Committee on May 12.

During the hearing, Senator Claire McCaskill (D-MO) asked the nominee about the preliminary work that the Corps has already done on a Section 216 study for the Missouri River. Senator McCaskill expressed frustration that work on the study has begun even though she and her colleagues in the Missouri delegation have asked the Corps for a delay. Ms. Darcy declined to comment on how she would proceed as Assistant Secretary, but did say that she understood the frustration that Senator McCaskill felt.

Prior to her testimony, Ms. Darcy was given the opportunity to respond in writing to questions from members of the committee. In response to a question about the assessment of effects caused by Corps projects, she wrote that "Corps project proposals should be reviewed by both internal and external parties."

Ms. Darcy currently serves as the senior environmental advisor on the Senate Finance Committee. Prior to that period of service, she was a Senior Policy Advisor for the Senate EPW Committee, where she worked on the Water Resources and Development Act (WRDA) of 2000.

If she is confirmed by the Senate, AWO will work with Ms. Darcy's office to ensure that improvement projects around the country receive adequate funding, and that the problems

with the Corps' Project Delivery System are addressed in a manner that does not include the assessment of a lockage tax on industry.

For questions about the hearing, please contact Chris Coakley or Benjamin Rogers at (703) 841-9300, extensions 297 or 264, respectively, or via email at ccoakely@vesselalliance.com or brogers@vesselalliance.com.

Senate Commerce Committee Discusses Transportation Infrastructure Improvements

On April 28, the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Senate Commerce, Science, and Transportation committee held a hearing on "The Future of National Surface Transportation Policy." Subcommittee Chairman Frank Lautenberg (D-NJ) and Ranking Member John Thune (R-SD) ran the meeting, and the main witness was Department of Transportation Secretary Ray LaHood.

The goal of the hearing was to explore ways to improve transportation infrastructure through the surface transportation reauthorization bill, which is currently being drafted and must be passed by September, when the current authorization bill expires. The Senators discussed the need to alleviate congestion by moving freight using other modes of transportation. Senators also discussed enacting the provision in last year's Coast Guard Authorization bill that would move the Bridge Administration from the U.S. Coast Guard to the U.S. Maritime Administration, which AWO opposes. Also, different funding mechanisms generating money for needed transportation infrastructure projects were debated, and Senators Thune and Kay Bailey Hutchinson (R-TX) discussed bills they have recently introduced concerning transportation funding.

For more information, please contact Mary McCarthy at (703) 841-9300, extension 254, or via email at mmccarthy@vesselalliance.com.

Member Name Change

Effective April 24, **Kinder Morgan Ship Channel Services, LLC** is the new owner of **Megafleet Towing Co.**



“STATE TO CHECK FOR BARGE EMISSIONS”

The following story, written by Amy Wold, appeared in the *Baton Rouge Advocate* on May 1 highlighting the cooperation between AWO and the state of Louisiana on air emissions. It appears here in its entirety.

An agreement signed Thursday between the state and barge operators could answer the question of whether barge cargo contributes to ozone pollution in the Baton Rouge area.

The state Department of Environmental Quality signed an agreement with the American Waterways Operators — which represents about 90 percent of the barge traffic on the Mississippi River — to run an emissions alert program from May 1 to September 30.

The program focuses on 12 miles of the Mississippi River in the vicinity of an air monitor near Carville.

“Baton Rouge for a long period of time has been wrestling with ozone non-attainment,” DEQ Secretary Harold Leggett said. Although the five-parish area around Baton Rouge has met the previous two standards for ozone pollution, that standard will be lowered again next year, he said.

DEQ scientists are continuing to investigate the sources of pollution leading to the creation of ozone. Although automobile exhaust and industrial sources are known, those sources of air pollution didn’t account for all of the ozone incidents they were seeing. “We don’t know all the pieces of the puzzle,” Leggett said.

Ozone pollution forms when other air pollution, such as car exhaust and industrial releases, mix during hot and sunny days. When there is little wind, this ozone can pile up in an area and cause breathing and other health problems.



Arthur D. Lauck/The Advocate. Barges on the Mississippi River are the subject of a new round of monitoring in an attempt to find out whether material is leaking from the barges and if they contribute to ozone pollution. The American Waterways Operators and the state Department of Environmental Quality signed an agreement Thursday to do a monitoring program from May 1 through Sept. 30 near the Carville air monitor.

Starting in 2005, DEQ has used an infrared camera that shows ozone-causing hydrocarbons that are normally invisible. Some of those tests showed leaks coming from barges traveling along the Mississippi River.

Robert Goolsby, chairman of the Barge Emissions Work Group representing American Waterways Operators, said those reports led to the development of best management practices to try to reduce emissions from tank barges.

However, additional camera surveys taken during flights over the waterways still showed leaks coming from barges.

“There still is a belief by DEQ and EPA (Environmental Protection Agency) that barges could be a part of the (ozone) story,” Goolsby said.

As a result, the American Waterways Operators started talking with DEQ to set up a program that could test the amount barge cargo contributes to ozone pollution along the river, he said.

The program sets the monitor for total hydrocarbons to trigger at a level slightly lower than what is normally monitored to make sure the data captured is a good sample, said Jennifer Mouton, senior scientist with DEQ’s Air Quality Assessment Division.

When that trigger is hit, an e-mail is sent to DEQ and a representative of the barge industry.

Blake Beall, facility operations specialist with Kirby Inland Marine, said there was a trigger activated about 4 a.m. Thursday morning. The e-mail included the level of total hydrocarbons, time, wind speed, and other data.

Using the Coast Guard’s Automatic Identification System, which tracks river traffic, Beall looked back at the record to see what river traffic was in the area at the time the monitor was triggered. At 4 a.m. Thursday morning, there wasn’t any traffic in the area, he said. 🌊

AWO Interregion Safety Committee Holds Spring Meeting in Chicago

The Spring AWO Interregion Safety Committee Meeting was held on April 27-30 in Chicago. The meeting kicked off with a safety briefing by Paul Hassler, JB Marine, Inc., followed by opening comments from Chairman Stan Knight, AEP River Operations. In attendance were 42 safety professionals representing 30 AWO member companies.

Mr. Knight began his remarks by reminding everyone that the Interregion Safety Committee is the only forum addressing safety and the prevention of injuries in the tugboat, towboat and barge industry. Mr. Knight went on to say that it is imperative that the Interregion Safety Committee be vertically aligned with the overall goals and objectives of AWO. To facilitate this alignment, the Committee will begin working on the development of a strategic plan to guide the committee in the future and ensure that it continues to meet members' needs as safety professionals, and supports the goals and priorities of AWO. Mr. Knight told the group that it must be actively involved, providing feedback to AWO on legislative priorities that affect health, safety, security and the environment in the maritime industry. Such issues include Subchapter M, Crew Travel, the Crew Endurance Management System (CEMS), Medical Standards, the Transportation Worker Identification Credential (TWIC), etc. Mr. Knight completed his remarks by thanking the Committee's generous reception sponsors JB Marine, Inc. and Magnolia Marine Transport Company.

Meeting highlights included initial work by the Committee on developing a strategic plan to guide its work. Julie



Hile, The Hile Group led the Committee through an exercise designed to identify what the group sees as priority issues. The Committee will continue this project at its next meeting in September. The Committee also heard a presentation by Mr. Lindsay Lion of Mobilarm introducing two new technologies designed to reduce rescue response time in the event of an unobserved fall overboard. Bob Clinton, AWO Vice President-Safety, briefed the Committee on the preliminary results of an online survey conducted by AWO and the Coast Guard on member progress and challenges in implementing CEMS. The Committee also received an outstanding presentation by Jason Adams, Ingram Barge Company, on efforts to reduce crew injuries. Mr. Adam's presentation began with a discussion of "Zero Harm," which begins with hazard recognition and efforts to reduce these hazards through processes and systems to a level As Low As Reasonably Possible (ALARP). Jason described several behaviors that lead to reduced risk, including: Plan – all work; Accept – accountability for safety; Care – for each other; and, Lead – by example. Mr. Clinton reviewed a number of current issues of interest to the Committee including: the NPDES and Vessel General Permit process; changes to the Responsible Carrier Program (RCP) that became effective on May 1, 2009, including requiring companies to track the number and rate of: manhours, fatalities, recordable injuries, lost time injuries, and falls overboard and the addition of a new



requirement for fall overboard training for all crewmembers. Mr. Clinton also reviewed a new requirement that former members applying to rejoin the association be required to show 90-days of documentary evidence of compliance with the requirements of the RCP in order to complete the initial RCP audit required of returning members. The meeting ended with a presentation on the different types of audits including: First-party audits, also known as internal audits; Second-party audits by a company of its vendors; and, Third-party audits, like the RCP audit, conducted by an independent certified party with no financial or management role in the company being audited.

The next meeting of the Interregion Safety Committee will be held on September 9-10 in St. Louis. The next meeting of the Joint Safety Committee will be held on January 27-28, 2010 in conjunction with the Annual Southern Region Meeting in New Orleans

The meeting minutes, attendance list, and copies of all presentations can be found on the AWO Web site by clicking [here](#). If you have any questions, please contact Bob Clinton at (703) 841-9300, extension 253, or via email at bclinton@vesselalliance.com.

AWO Coastal Safety Committee to Meet June 10-11

The Spring Meeting of the AWO Coastal Safety Committee will be held on June 10-11 at the MGM Grand Hotel-Las Vegas. The hotel is holding a block of rooms at \$79.00 until Friday, May 15. Reservations can be made by calling (877) 880-0880 and mentioning that you are with the American Waterways Operators Coastal Safety Committee group.

All AWO member companies are invited to send a representative to either, or both, the subcommittee and main meeting. Committee members are also invited to “bring a mate (or captain or deckhand)” or anyone else who might benefit from seeing the work of a broad base of industry safety professionals and helping to learn new ways crewmembers can help in upgrading the safety culture of the inland barge and towing industry.

The Committee will continue its work on the 2009 safety priorities, and discuss ways to improve the effectiveness of the Coastal Committee and better integrate its efforts into the overall work of the association. The agenda is currently under development and will be distributed to the committee in advance of the meeting.

The meeting will begin at 1:00 p.m. on June 10. A cocktail reception will be held at the conclusion of the afternoon session. The meeting resumes at 8:00 a.m. on June 11 and will conclude by 12:00 noon.

Subcommittees will meet on the morning of June 10 to continue their work on several ongoing projects. The subcommittee meeting schedule is:

- 10:30 a.m. Open Forum
- 11:00 a.m. Managing Fire Risk in the Offshore Environment

- 11:30 a.m. Safety with Super Strength Synthetic Lines

A social dinner will be held at 7:30 p.m. on Wednesday, June 10 at a location still to be determined. The cost of dinner will be divided equally among attendees. A meeting fee of \$50.00 will be billed to all attendees.

To register for the 2009 AWO Coastal Safety Committee, click [here](#). Please complete and fax the attached registration form to AWO at (703) 841-0389. If you have any questions please contact Hermoine Wellman or



Bob Clinton at (703) 841-9300, extensions 291 and 253, respectively, or via email at hwellman@vesselalliance.com or blcinton@vesselalliance.com.

Welcome, New Affiliate Members!

Heidenreich Innovations, LLC
 165 Mason Street
 Greenwich, CT 06830
 Rep: Mr. Fritz Heidenreich
 President

Savage Services Corporation
 6340 South 3000 East, Suite 600
 Salt Lake City, UT
 Rep: Mr. Gary L. Plant
 Senior Vice President -
 Strategic Development

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
TBA	Salyers Solutions, LLC Houston, TX	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net

AWO Welcomes Mark Wright as New Southern Region Vice President

AWO is pleased to welcome Mark Wright as its new Vice President – Southern Region. Mark brings a wealth of understanding of business as well as politics to his new position. Prior to joining AWO, Mark worked in dispute resolution for over ten years with the



WRIGHT

American Arbitration Association. He performed various roles for the association, including management and business development, in Texas, California, Rhode Island and Louisiana. Among his accomplishments, Mark managed a mediation program for Louisiana and Mississippi following Hurricane Katrina that included over 15,000 participants.

Mark has earned graduate degrees in politics and business from the University of Dallas, and studied negotiation and mediation at the Program on Negotiation at Harvard Law School. AWO President Tom Allegretti remarked, “We are very happy to have found someone with Mark’s unique credentials and capabilities. I am confident that he will be a great asset to AWO and the Southern Region members, in particular.”

A Louisiana native, Mark and his wife, Kim, have three young daughters and reside in Covington, LA. 🌸

Atlantic Region

Corps Proposes Wind Turbines along DE & NJ Tug and Barge Transit Routes

The U.S. Army Corps of Engineers, Philadelphia District is working with various government agencies to secure permits for the anchoring of six Meteorological Data Collection Facilities (MDCF) along the New Jersey and Delaware coast for a period of two years to collect data for the eventual construction of wind turbines. Industry concern has arisen over the locations of the MDCF, which will be six to eight nautical miles from traditional tug and barge transit routes and shipping lanes.

Potential anchorage sites for MDCF range from Sandy Hook to the Delaware Capes. Applicants hope to install MDCFs between July and November. MDCF construction can take anywhere from eight days to ten weeks with a footprint of few hundred to a few thousand square feet (SqFt) in addition to a 1600 SqFt construction radius for construction vessels.

The Corps contends that it will only provide 30 days notice to the U.S. Coast Guard and industry prior to the anchoring of MDCF. The Coast Guard and AWO consider 30 days notice inadequate, considering the type of navigational information that will need to be distributed, as well as the Coast Guard and industry’s right to raise any potential concerns. A request for at least a 60 days notice has been made.

Several AWO members participated in a briefing and discussion with the Captain of the Port of Sector

Delaware Bay and his staff to address industry concerns and ensure that the Coast Guard was aware of these proposals and providing input on the navigational safety concerns that such constructs could impose. AWO continues to work with the Corps and Coast Guard to ensure that the anchoring of any MDCF or wind turbine along the New Jersey and Delaware coast does not impede



tug and barge commercial navigation. When bad weather forces a tug and barge to navigate further to the east, offshore, to provide a greater margin of safety between the vessel and the shoreline, any impediment poses a serious safety risk. AWO has identified specific proposed sites of concern and has raised an objection to one location (FE1) which would most directly impede safe navigation for the industry. AWO encourages all Atlantic region members to participate in this discussion.

To learn more about potential MDCF anchorage sites, please click [here](#). For more information or to get involved, please contact Nicole deSibour or Robert McCaw at (703) 841-9300, extensions 292 and 279, respectively, or via email at ndesibour@vesselalliance.com or rmccaw@vesselalliance.com. 🌸



Atlantic Region

Delaware River and Bay Oil Spill Advisory Committee to Meet in Philadelphia

On May 20, the Delaware River and Bay Oil Spill Advisory Committee (DRBOSAC) will meet in Philadelphia to “discuss various issues to improve oil spill prevention and response strategies for the Delaware River and Bay.”

The agenda for this meeting will include oil spill response/mitigation presentations, debriefs from each

DRBOSAC subcommittee and public comments.

The DRBOSAC meeting is open to the public, and will be held from 10:00 a.m. to 1:00 p.m. at the Coast Guard Sector Delaware Bay, 1 Washington Avenue, Philadelphia, PA 19147. Those wishing to provide written material and/or make requests for oral presentations must

provide the Coast Guard with the appropriate information by May 13.

To read the official announcement for the DRBOSAC meeting, please click [here](#). For more information, please contact Benjamin Rogers at (703) 841-9300, extension 264, or via email at brogers@vesselalliance.com.

Southern Region

Inland Liquid Sector Members Meet to Review Barge Emissions BMP

On May 5, the AWO Barge Emissions Working Group met at Canal Barge Line headquarters in New Orleans, LA in order to revise, update and develop specific procedures for the Best Management Practices (BMP) to reduce and control emissions from barges. The meeting, which brought together members of the AWO Inland Liquid Sector Committee, was both a complementary effort to AWO’s partnership with the Louisiana Department of Environmental Quality (LDEQ) (see story, page 12) as well as a preemptive response to the increased scrutiny placed on tank barge emissions by environmental agencies currently in the process of developing State Implementation Plans (SIPs) for emission reductions.

The Best Management Practices document had previously been reviewed and endorsed by the Texas Commission on Environmental Quality, the LDEQ, the Chemical Transportation Advisory Committee and the Coast Guard, and it is the definitive example of industry’s good faith effort to reduce emissions. However, at AWO’s Spring Convention in Arlington, VA in April, the Inland Liquid Sector Committee directed the Barge Emissions Working Group to review, update and improve the document.

The AWO Barge Emissions Working Group will be releasing an amended version of its BMP for review by the Inland Liquid Sector Committee in late May. For a copy of the existing BMP, click [here](#). For any additional questions, please contact Lynn Muench at (301) 446-6474 or lmuench@vesselalliance.com; Mark Wright at (985) 222-5230 or mwright@vesselalliance.com; or Brian Vahey at (703) 841-9300 extension 251 or bvahey@vesselalliance.com.

Midcontinent Office

MSU-Chicago to Hold Open House May 28

On May 28, U.S. Coast Guard Marine Safety Unit (MSU) – Chicago will hold an open house in order to learn more about, and strengthen its relationships with, the community it regulates, as well as publicize its safety, security and public service missions.

The Open House will be held at MSU – Chicago’s offices at 16W215 West 83rd Street, Suite D, in Burr Ridge, IL, from 9:00 am to 3:00 pm. If you plan on attending, please RSVP by May 22 to Laura Halberstadt at (630) 986-2155.

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 at mmccarthy@vesselalliance.com.



Southern Region

**AWO and LDEQ Sign Memorandum of Understanding:
*Tank Barge Emissions Monitoring Program***

On April 30, the AWO Inland Liquid Sector Committee joined with the Louisiana Department of Environmental Quality (LDEQ) in signing a Memorandum of Understanding (MOU) to study the effect of barge traffic on air quality in the Baton Rouge area (see story, page 7). The MOU outlines an in-depth plan to determine if barges are impacting volatile organic compound readings at the Department of Environmental Quality’s Carville air monitoring site. The monitoring program will run from May 1 until September 30. A copy of the signed MOU is available [here](#).

The monitoring program covers that portion of the Lower Mississippi River between Miles 188 and 200, above Head of Passes. The trigger level for the Carville Station will be set initially at 0.4 ppmC (parts per million carbon), but industry and LDEQ have agreed that this level may be evaluated and adjusted periodically during the term of the monitoring program.

The MOU stipulates that in the event of an emissions level at or above the

trigger, LDEQ will alert an AWO-designated representative who will use AIS-based Shiptracks software to identify the tank barges in the monitored area at that time. The AWO-designated representative (an industry volunteer from Kirby Inland Marine, LP, Blessey Marine Services, Inc. or Florida Marine Transporters, Inc.) will then call the owners of every tank barge operating in the area at the time of the trigger and ask: (1) the barge name; (2) whether the barge is loaded or empty; and, (3) the current or previous cargo that the barge is or had been carrying. After collecting this information the AWO-designated representative will send it to LDEQ. Any company operating within the current Coast Guard regulations should not be concerned about enforcement action by LDEQ in the event of an emissions trigger.

The purpose of the MOU is to demonstrate, both quantitatively and qualitatively, industry’s long-standing commitment to environmental stewardship. AWO urges all members to actively participate in the program.

For more information, please contact Lynn Muench at (301) 446-6474 or lmuench@vesselalliance.com; Mark Wright at (985) 222-5230 or mwright@vesselalliance.com; or Brian Vahey at (703) 841-9300 extension 251 or bvahey@vesselalliance.com. ❀

**Houston/Galveston
Navigation Safety
Advisory Committee
to Meet May 19**

On May 19 the Houston/Galveston Navigation Safety Advisory Committee (HOGANSAC) and its working groups will meet in Texas City, TX. Agenda items include Transportation Worker Identification Credential (TWIC) updates and subcommittee reports on the Navigation Operations/Maritime Incident Review; the Area Maritime Security Committee; dredging; technology; waterways safety and utilization; commercial recovery; HOGANSAC outreach; and other navigation safety matters pertinent to the Galveston Bay area. The meeting, which is open to the public, will begin at 9:00 a.m. and conclude at noon.

For a copy of the meeting notice, please click [here](#). HOGANSAC will meet at Marine Safety Unit Galveston, 3101 FM 2004, Texas City, Texas 77591. ❀



L to R: Secretary of Environmental Quality Harold Leggett and Robert Goolsby, Kirby Corporation, sign the MOU while Blake Beal, Kirby Inland Marine, looks on.

Pacific Region

Washington State Response Tug Funding Looms on the Horizon

Negotiations over the funding mechanism for the response tug stationed at Neah Bay will soon begin as the various stakeholders engage one another in an attempt to reach a compromise on a fair fee for the various covered vessels. AWO has been engaged with the Department of Ecology, the original sponsor of the bill and stakeholders to lay the groundwork for the future negotiations. Some of the outstanding questions that still need to be answered include whether the State of Washington will provide 50 percent of the funding since a majority of the vessels the tug has responded to have been non-plan holders. Also at question is the reality that the stakeholders responsible for paying for the tug may not agree on the funding mechanism. Based on recent discussion it appears that the negotiations will begin in June 2009. For more information on this bill, please contact Jason Lewis at (206) 245-5758 or via email at jlewis@vesselalliance.com.



California Legislature Withdraws Proposal to Increase Barrel Tax

On April 20, the California Assembly removed a provision from a bill, A.B. 1530, that would have increased the state's barrel tax from \$.05 to \$.08. The bill, which has not passed the full Assembly as of this writing, now requires the state board to "adopt protocols for the evaluation, quantification, and verification of any greenhouse gas emission reduction measure that relies on electrical energy efficiency to ensure that the reductions comply with existing requirements," without any mandate for a tax increase.



AWO met with committee staff regarding some industry concerns and potential unintended consequences. AWO is pleased that the sponsor changed course in this matter and hopes that the legislature elects to move forward without raising or creating any other new business taxes in an attempt to combat the budget deficit.

California Harbor Craft Regulation Amendment Hearing Scheduled

The California Air Resources Board (CARB) is holding a public meeting to discuss amendments to the harbor craft regulation that became effective last year. CARB staff will propose amendments to the regulation in the areas of CARB diesel for vessels travelling from outside the state along with some definition changes. There are more amendments that will be proposed at this meeting but the agenda is not available at this time. AWO will attend the meeting, provide feedback to CARB staff and report on the amendments to the membership. Meeting details are below:

May 14, 2009
1:30 p.m. – 3:30 p.m.
Cal/EPA Building
1001 I Street
Coastal Hearing Room
Sacramento, CA 95812

CARB will have a Web broadcast available for those unable to attend in person, and it can be accessed by clicking [here](#). For more information on this bill, please contact Jason Lewis at (206) 245-5758 or via email at jlewis@vesselalliance.com.

AWO Engages the Oregon Legislature on Ballast Water

AWO met with the office of Oregon State Representative Brad Witt (D) regarding a potentially harmful ballast water bill that is moving through the state legislature. As reported in previous editions of the *AWO Letter*, HB 2625 will give the state the authority to stop our vessels, board and collect samples of ballast water. AWO will be meeting with Representative Witt next week to propose an amendment that would exclude the tug and barge industry from any potentially harmful legislation. For more information on this bill, please contact Jason Lewis at (206) 245-5758 or via email at jlewis@vesselalliance.com.