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AWO Testifies During Congressional Hearing on Asian Carp

Numerous Witnesses Call for Ecological Separation

The nation does not have to choose between protecting the environment from invasive species and ensuring the vital flow of waterborne commerce, and simply cannot afford to, AWO member Del Wilkins of Canal Barge Company told the House Water Resources and Environment Subcommittee on February 9. Several environmental academic witnesses recommended that the ultimate solution to the invasive species problem is ecological separation between the inland river system and the Great Lakes. The hearing was called by the Subcommittee of the Transportation and Infrastructure Committee to examine options to prevent the spread of the invasive Asian carp into the Great Lakes. Mr. Wilkins, who is Vice President of Canal Barge Company, an AWO member that operates in the Chicago area and throughout the inland waterways, testified on behalf of AWO.

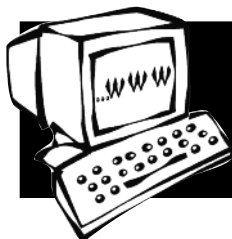
In his testimony, Mr. Wilkins emphasized AWO’s strong support for robust measures to prevent the Asian carp from reaching the Great Lakes, and listed nine such measures which would not impede the critical flow of waterborne commerce. However, Mr. Wilkins made clear that AWO strongly opposes lock closures “because they will impede essential commerce without stopping the advance of the carp.” Such lock closures could force Canal Barge and other companies to

eliminate thousands of jobs if the locks are temporarily or permanently closed.

Mr. Wilkins concluded his testimony with a call to Congress to work with stakeholders to develop solutions to stop the Asian carp in a way that doesn’t sacrifice jobs at a time when they are in such short supply. Full Committee Chairman James Oberstar (D-MN) indicated in his prepared statement that “we must move forward, in an expeditious manner, to evaluate all of these options fairly, and then make a rational decision on how best to address the threat of the Asian carp. Congressman Thomas Petri (R-WI) indicated during his opening statement that it was important to protect the Great Lakes from invasive species while not simultaneously damaging the economies of states in the region.

Also testifying at the hearing were: Cameron Davis, Senior Advisor to the Environmental Protection Agency (EPA) Administrator; Major General John W. Peabody, Commander of the Great Lakes and Ohio River Division for the U.S. Army Corps of Engineers; John Rogner, Assistant Director of the Illinois Department of Natural Resources; Rebecca Humphries, Director of the Michigan Department of Natural Resources and Environment; Matt Frank, Secretary of the Wisconsin Department of Natural Resources; Professor David Lodge, Director of the Center for Aquatic Conservation at the

(continued on page 2)



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AWO Testifies During Congressional Hearing on Asian Carp

(continued from page 1)

University of Notre Dame; Dr. Michael Hansen, Chair of the Great Lakes Fishery Commission; and, Joel Brammeier, President and CEO of the Alliance for the Great Lakes. To read Mr. Wilkins's opening statement, please click [here](#).

Federal Government Introduces Strategy to Combat Carp

The Congressional hearing followed a February 8 announcement from a consortium of federal agencies that it would be pursuing an "aggressive strategy to reduce" the threat of the carp to the Great Lakes. Included in this strategy is a consideration to implement modified lock operations for the Chicago and O'Brien locks in an effort to prevent carp movement. Among the choices being considered by the Corps are having O'Brien and Chicago Locks only open for three to four days every week, beginning as early as April 1.

Although the agencies call for a number of solutions that are based on sound scientific reasoning, including the installation of sonic barriers in the waterways and the introduction of methods to disrupt spawning and egg viability, the concept of periodic lock closures has serious drawbacks. In addition to the catastrophic impact that such an action would have on the regional economy, there is little reason to believe that it would stop or slow the carp's movement. As the U.S. Solicitor General Elena Kagan said in her brief in the case of *Michigan v. Illinois*, "The locks were not designed to be fish barriers; they are not perfectly watertight, and small fish or eggs conceivably could penetrate even a permanently closed lock. The Corps does not have readily available bulkheads to make the O'Brien Lock

watertight, and although bulkheads are available at the Chicago lock, they may not be perfectly watertight either."

AWO will work with its members to inform officials in federal agencies, members of Congress and affected state governments about the importance of waterborne commerce to the Great Lakes region, and the predictable economic consequences of lock closures. To read the announcement of the federal government's strategy, please click [here](#).

Michigan Refiles Request for Chicago-Area Lock Closure

On the judicial front, the State of Michigan refiled its request on February 4 that the U.S. Supreme Court immediately close down Chicago and O'Brien locks to prevent the Asian carp from reaching the Great Lakes. This action follows a similar December 2009 filing by Michigan that was denied by the Supreme Court without comment on January 19. In its February brief, Michigan claims that new eDNA evidence that the Asian carp has already reached the Great Lakes and the lack of Corps of

Engineers action to prevent the carp's movements after the eDNA test became public, warrant a new request for lock closure. Furthermore, Michigan claims that its new brief requesting more targeted lock closures will not harm the economy or cause regional flooding.

AWO and its lawyers have reviewed the brief. In its earlier filing, the U.S. Solicitor General's office stated that eDNA evidence does not guarantee that Asian carp have made it to Lake Michigan. The U.S. also stated, as quoted in the section above, that the locks are not waterproof and closing them will not guarantee that small fish or their eggs will not pass through them.

For more information on any aspect of AWO's strategy with respect to navigation in the Great Lakes region and the Asian Carp, please contact Lynn Muench at (314) 446-6474, or via email at lmuench@vesselalliance.com. In AWO's Arlington office, the points of contact are Mary McCarthy and Benjamin Rogers. They can be reached at (703) 841-9300, extensions 254 or 264, respectively, or via email at mmccarthy@vesselalliance.com or brogers@vesselalliance.com.

EPA Extends Stormwater Discharge Permit for Construction Activities

The U.S. Environmental Protection Agency has extended the current National Pollution Discharge Elimination System permit for stormwater discharges associated with construction activities for one more year. The permit now expires on June 30, 2011. This extension affects AWO members with shipyards that have these types of permits. Affected members will not have to re-submit a Notice of Intent for the permit until next year, when it may be modified. To read the notice, click [here](#). For more information, please contact Mary McCarthy at (703) 841-9300, extension 254, or via email at mmccarthy@vesselalliance.com.

OBAMA ADMINISTRATION UNVEILS FY11 BUDGET PROPOSAL

On February 1, the Obama Administration introduced its initial budget plan for Fiscal Year 2011 (FY11). The FY11 language proposes to phase out the current Inland Waterways Trust Fund (IWTF) excise tax on diesel fuel and replace it with an unnamed funding mechanism.

The Administration's FY11 budget proposal remains ambiguous on how to fund the IWTF. This ambiguity provides industry the opportunity to advocate for the diesel fuel excise tax as the only fair and equitable mechanism for funding the IWTF, and to recommend adoption of the Inland Marine Transportation System (IMTS) Capital Investment Strategy Working Group PROPOSAL. This cooperative Army Corps of Engineers/Inland Waterways Users Board (IWUB) strategy will prioritize lock project development, modernize Corps project delivery methods, and revise the cost sharing and revenue generation formulas of the IWTF for the next 20 years.

As reported in the January 15 *AWO Letter* (click [here](#)), the IWUB unanimously approved the work group's draft report on December 15, 2009, and the final report, titled "The Inland Marine Transportation System Capital Investment Strategy," will be presented to the IWUB in March 2010.

To read the specifics of the Administration's FY11 proposed budget plan, click [here](#). To read the most recent Senate letter to Director Orszag, please click [here](#). For more information, please contact Chris Coakley at (703) 841-9300, extension 297, or via email at ccoakley@vesselalliance.com.



Important Dates and Reminders at a glance

For more information, please contact Ashley Smith at (703) 841-9300, extension 291, unless otherwise noted.

February 18-19: Pacific Region Annual Meeting, Seattle, WA

February 24-25: AWO Executive Committee Meeting, Arlington, VA

April 13: "Barge-In" Preparation Briefing, Arlington, VA

April 14-16: AWO Spring Convention, Arlington, VA

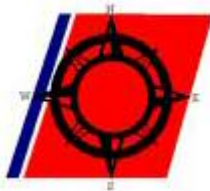
NMC Releases January Performance Report, Clarifies Policy on Medical Condition Changes

On February 2, the U.S. Coast Guard's National Maritime Center (NMC) released its January 2010 report on the Mariner Credentialing Program. The report shows that the total number of applications being processed at the NMC as of the end of January was 3,110, a slight decrease from the December total of 3,178. The NMC also reported that the average number of days the NMC spends processing an application is 20.60, a slight decrease from the 21.37 day figure recorded in December. To read the January report, please click [here](#).

In other news, the NMC confirmed that the requirement for mariners to report a change in their medical condition only applies to mariners who have received a medical waiver, or are applying for

issuance or renewal of a credential, or are submitting the results of a required physical examination. For example, a mariner who suffers an acute condition, such as a broken bone, would be required to report the condition if he or she was in the process of applying for a credential, but not if the injury occurred during the middle of the credential validity period. NMC Commanding Officer CAPT David Stalfort clarified this requirement

in response to questions from AWO members. For questions on any NMC-related items, please contact Jennifer Carpenter or Benjamin Rogers at (703) 841-9300, extensions 260 or 264, respectively, or via email at jcarpenter@vesselalliance.com or brogers@vesselalliance.com.



“The Unsung Hero of Transportation”

The following editorial appeared in the St. Louis Post-Dispatch on February 9, 2010 and was authored by AWO member representative Mark Knoy. Mr. Knoy is President of AEP River Operations in Chesterfield, MO. It appears here in its entirety.

As environmental concerns become ever more pressing, it's time for river transportation to step into the spotlight.

Those of us close to the rivers have long known the efficiency of barge transportation. Studies show that one barge can move one ton of cargo 576 miles per gallon of fuel. By comparison, a rail car would move the same ton of cargo 413 miles, and a truck only 155 miles.

Barge transportation is cleaner, too, producing far fewer carbon emissions than truck or rail. Plus, the generous size of a single barge gives it the same capacity as 70 trucks or 16 rail cars. River transportation helps reduce congestion on the nation's crowded highways.

Beyond its environmental benefits, the river improves the quality of life for many by delivering the goods our world depends on, including corn, soybeans, wheat, coal, petroleum, fertilizer and building materials. And because river commerce offers the lowest transportation cost, consumers enjoy these essentials for less.

Our region is blessed to be home to the Mighty Mississippi, the heart of America's inland water transportation system. In 2005, more than 139.5 million tons of commodities valued at \$19 billion were shipped on the river system to, from and within Missouri and Illinois.

To ensure the industry's ability to safely and efficiently move these commodities, it's critical that we properly maintain and update our nation's navigation infrastructure: locks, dams, terminals and related facilities. A proposal in our nation's capital could be a catalyst to make that happen.

In December, a top-level team consisting of key government personnel and other stakeholders issued recommendations that would prioritize, over a 20-year period, navigation projects across the nation's

waterways system, improve the U.S. Army Corps of Engineers' project management and processes and recommend an affordable funding mechanism to meet system needs.

That proposed funding mechanism may include an increase in the current fuel tax of 20 cents per gallon paid by river transportation companies (the only group of system users that is taxed). We view this potential additional cost as a worthwhile investment to ensure the future viability of America's inland waterways system.

A modern lock-and-dam navigation system is essential to the health and vitality of our nation — to U.S. competitiveness in the world market, environmental protection and job stability.

If adopted by Congress, these recommendations would help ensure that our nation continues to enjoy the full benefit of efficient, clean, quiet river commerce. This is good public policy for the nation and particularly for the people of Missouri and Illinois.

AEP River Operations is proud to work with nature's own waterways to provide an environmentally friendly means of transportation. But the benefits of our country's rivers go far beyond the barge industry. The river gives to us all, providing recreation, hydropower, flood control, drinking water and a haven for birds, fish and other wildlife. We all stand to benefit by taking steps to ensure the health, strength and stability of our inland waterways for years to come. ❁

2010 AWO Letter Sponsorships Still Available!

AWO is now accepting sponsorship applications for the 2010 AWO Letter. Each great advertising opportunity costs \$500, which includes a front-page "sponsorship block" featuring your company's name, location, logo, and Web site address along with a half-page advertisement. There are still a number of issues still available.

To secure a sponsorship, please complete the attached sponsorship form and send it to Deborah Koester via fax at (703) 841-0389 or email at dkoester@vesselalliance.com. ❁





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FOR IMMEDIATE RELEASE
February 9, 2010

CONTACT: Lynn Muench at (314) 308-0378 or
Anne Burns at (703) 841-9300, Ext. 252

CARP vs. COMMERCE: AN UNNECESSARY CHOICE, SAYS BARGE INDUSTRY

WASHINGTON, D.C. – The American Waterways Operators (AWO), the national trade association for the tugboat, towboat and barge industry, testified before Congress today that framing the current debate on Asian carp as a choice of whether to protect the environment or ensure the continued flow of vital maritime commerce is an unnecessary one, and one that the nation cannot afford to make. Mr. Del Wilkins, Canal Barge Company, Inc., testified for AWO that its members fully support robust measures that would protect the Great Lakes from the spread of the Asian carp without sacrificing critical jobs or the environmental and economic benefits of barge transportation. He described several such measures in his testimony.

Mr. Wilkins pointed out that finding a practical and effective solution that does not shut down waterborne commerce is critical because inland waterways navigation is essential to the economy and is the safest, most economical mode of domestic freight transportation, with the smallest carbon footprint. Mr. Wilkins testified to the barge industry's deep commitment to environmental stewardship, noting that AWO has cooperated with federal and state agencies since 2004 concerning the safe operation of the electric fish barriers on the Chicago Sanitary and Ship Canal. He said AWO has also promoted the recovery of threatened and endangered species and established practices to reduce emissions from tank barges.

Mr. Wilkins asserted that cooperative and balanced solutions to the problem of invasive species are achievable. He laid out nine specific actions that could be taken as part of an integrated strategy to prevent Asian carp from entering the Great Lakes, including expediting construction of a third electric fish barrier on the Chicago Sanitary and Ship Canal; using bubble and acoustic technology fish barriers to prevent Asian carp from moving into the Lakes, as is commonly done in Europe; employing measures to identify the location of invasive species, such as electro-fishing, netting and commercial fishing that do not delay movement of commerce; and funding research on Asian carp-specific biological control agents, which has proven to be an effective strategy with other invasive species in the Great Lakes.

###

Supreme Court Ruling Opens Door for Corporate Election Expenditures, Not Corporate Campaign Contributions

On January 21, the Supreme Court of the United States issued a ruling in *Citizens United v. Federal Election Commission* declaring unconstitutional the limits on independent expenditures advocating the election or defeat of a candidate by unions and corporations before an election. The five-to-four ruling re-establishes, on the grounds of the First Amendment protection of political speech, the right of corporations, unions and advocacy groups to expend corporate (soft) dollars on advertisements and other election communications in support of or against a candidate. The ruling was a narrow interpretation and left in place Congressional prohibitions on direct corporate or union contributions to candidates because they felt that an earlier decision in *Buckley v. Valeo* appropriately addressed those contributions, defining them as constituting a potential catalyst for quid pro quo corruption and thus deserving of limitation.

The ruling has limited implications for AWO or its members. Corporate contributions are still prohibited to candidates, political action committees (PACs), such as AWO PAC, and national party committees. Only contributions from individuals or other PACs are permissible. There are few, if any, likely scenarios under which AWO or a member company would leverage the new opportunity to expend corporate resources in independent expenditures for or against a candidate. As such, the AWO PAC and AWO political program of

fundraising events for industry allies in Congress remain the industry's strongest political advocacy tools.

For a copy of the ruling, please click [here](#). For questions or more information, please contact Nicole deSibour at (703) 841-9300, extension 292, or via email at ndsibour@vesselalliance.com.



REMINDER: 2010 Auditor Training to be Held March 9-11

The 2010 RCP auditor recertification will be held on March 9-11 in Old Town Alexandria, VA, at the Crowne Plaza, 901 North Fairfax, Alexandria, VA 22314. AWO is holding a block of rooms for \$179; reservations may be made by calling (877) 227-6963 and mentioning AWO. This hotel is minutes away from Washington Reagan National Airport. Complementary shuttle service departs the airport at 15 and 45 minutes past the hour from the airport's lower level every hour until 10:00 p.m.



As explained in previous editions of the *AWO Letter*, new auditors will attend initial training on March 9 from 8:00 a.m. - 4:30 p.m., and then join recertifying auditors in the training sessions held on March 10, from 9:00 a.m. - 6:00 p.m. and on March 11, from 8:00 a.m. - 12:00 p.m. Auditors wishing to become qualified to conduct joint Responsible Carrier Program (RCP) and American Chemistry Council (ACC) Responsible Care audits will have the option of completing an additional training session conducted by ACC from 12:00 p.m. - 4:30 p.m.

In addition to new and recertifying auditors, the training sessions are still open to a limited number of AWO members, on a first-come, first-served basis, who would like to attend and expand their knowledge of the Responsible Carrier Program and auditing methods.

The training will be challenging, as we move toward an ever safer industry. Our goal is to continue to ensure that AWO-certified auditors are among the best qualified, and trained, auditors in the business.

If you have any questions, please contact Bob Clinton at (703) 841-9300, extension 253, or via email at bclinton@vesselalliance.com.

Save the Date for the AWO Spring Convention

The 2010 AWO Spring Convention will be held April 14 - 16 in Arlington, VA. With more critical issues facing the towing industry than ever before, the Spring Convention gives you the opportunity to be engaged with AWO's efforts to lobby policymakers on your behalf. The Convention will kick off on April 14 with the seventh annual "Barge-In" to Capitol Hill, giving you a chance to speak to



your Senators and Representatives about issues facing your industry. (If you are planning to attend the "Barge-In," please make arrangements that allow you to attend a preparatory session the afternoon of April 13.) On April 15, committee meetings to discuss critical issues will be held at the Ritz-Carlton Pentagon City, followed by an evening reception. The Convention concludes on April 16 with

the Annual Membership and Board of Directors meetings, also at the Ritz.

More information and registration will become available closer to the event. If you have any questions, please contact Ashley Smith at (703) 841-9300, extension 291, or via email asmith@vesselalliance.com.

2010 AWO Safety Calendar Now on Sale!



The 2010 AWO Safety Calendar, which features 13 beautiful, full-color industry photos, is now for sale. The theme of this year's calendar is "Exercise for Health and Safety," and each page contains an important safety message.

Each AWO member company receives a calendar as a gift, and additional calendars are on sale for \$12.00 each. If you would like to order calendars, please fill out an order form (attached) and mail it with a check, or email/fax it and have it invoiced, to Deborah Koester at the following address:

The American Waterways Operators
801 North Quincy Street
Suite 200
Arlington, VA 22203
(703) 841-0389 (fax)
dkoester@vesselalliance.com.

Order your calendars today!

CEMS Training Opportunities Available

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
February 24-25	Salyers Solutions, LLC Houma, LA	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net
March 8-9	Salyers Solutions, LLC Norfolk, VA	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net
March 11-12	Salyers Solutions, LLC Houston, TX	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net
March 23-24	Salyers Solutions, LLC St. Louis, MO	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net
April 20-21	Salyers Solutions, LLC Tampa, FL	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net
April 27-28	Salyers Solutions, LLC Oakland, CA	Jo Ann Salyers (Instructor) (504) 236-4962 salyers_solutions@hughes.net

(Additional classes can also be scheduled at your location.)

ATLANTIC REGION

AWO Atlantic Region Holds Annual Meeting

The AWO Atlantic Region held its Annual Meeting at the One Ocean Resort in Atlantic Beach, Florida on Thursday, February 4, 2010. Though the schedule was cut short due to weather, the group covered the full agenda which was packed with the election of regional directors, a review of the 2010 regional and national priorities and presentations by the U.S. Coast Guard.

Atlantic Region Chairman, Jeff Parker, Allied Transportation Company, began his remarks with the realignment of the association's priorities and its work to align with the new strategic plan and he also emphasized the importance of AWO member participation and engagement in advocacy efforts, public affairs and safety programs and the criticality of that participation to the success of the plan and the association as a whole.

AWO Chairman of the Board Tim Casey, K-Sea Transportation Partners, L.P., discussed the challenges facing the industry, both on the economic and advocacy fronts. He highlighted the opportunity the industry has to use these challenging times to tell our industry's story and explain its role as part of the solution. The regional report and 2010 Regional Priorities were presented by Ms. Nicole deSibour, Mr. Tom Allegretti gave the President's report, and Ms. Jennifer Carpenter presented the 2010 National Priorities. Both the Regional and National Priorities were accepted by the Atlantic Region membership.

Ted Tregurtha, Moran Towing Corporation, presented the slate of nominated Board Members for the Atlantic Region for the term ending in 2012 and the Chairman and Vice Chairman of the Atlantic Region. The membership elected John Douglass, Crowley Maritime Corporation; Rick Iuliucci, The Vane Brothers Company; Brendan MacGillivray, Seaboats, Inc.; Buckley McAllister, McAllister Towing; and Jeff Parker, Allied Transportation Company to serve on the Board of Directors and elected Buckley McAllister, McAllister Towing, as Atlantic Region Chairman and Stephen Dann, Dann Ocean Towing, as Atlantic Region Vice Chairman.

The group also heard remarks from RADM James Watson, Director of Operations, LANTAREA, on a variety of topics of concern to the industry. LCDR Matthew Marlow, Director of Prevention, offered the report for Sector Jacksonville. Ken Eriksen of Informa Economics presented information on a U.S. Army Corps of Engineers initiative to collect coastal barge operating cost data.

The presentations from the meeting are available on the AWO website. For more information please contact Nicole deSibour at (703) 841-9300, ext. 292 or via email at ndesibour@vesselalliance.com 🌐



AWO Testifies on Maine Ballast Water Bill

Committee Delays Action on Bill Until Coast Guard Regulations Are Published

On January 29, AWO member John Hume, Winslow Marine, Inc., testified before the Maine legislature's Natural Resources Committee about a proposed ballast water bill being considered by the Committee. The bill would require vessels discharging ballast within the coastal waters of Maine to obtain a permit by 2011 and install systems to treat their ballast water. In his testimony, Mr. Hume urged the Committee to vote against the bill's passage because ballast water discharges are already governed by the National Invasive Species Act (NISA) and the Clean Water Act. Furthermore, the U.S. Coast Guard is currently finalizing a rulemaking under NISA that would require many vessels to install ballast water treatment systems; the Maine bill would conflict with those regulations.

During a February 9 work session on the bill, the Committee decided not to take further action on the bill, but instead to require the state Department of Environmental Protection to report back on the status of the Coast Guard rulemaking in two years, so that the committee can determine if supplementary state regulations are needed.

Mr. Hume's testimony was supported by other maritime trade associations whose vessels operate in Maine waters, including the American Petroleum Institute, Chamber of Shipping of America, Cruise Lines International Association, Intertanko, and World Shipping Council. The Coalition sent a letter to the committee prior to the hearing echoing the points in Mr. Hume's testimony. For more information, please contact Nicole deSibour or Mary McCarthy at (703) 841-9300, extensions 292 or 254, respectively, or via email at ndesibour@vesselalliance.com or mmccarthy@vesselalliance.com 🌐

SOUTHERN REGION

Barges Found to Have Little Impact on Poor Air Quality in Baton Rouge

On February 4, AWO and the Louisiana Department of Environmental Quality (LDEQ) announced in a joint press release (see page 10) that they had published the results of the Carville Barge Monitoring Project. The project was designed to help determine what impact, if any, inadvertent emissions from tank barges had on air quality in the Baton Rouge area, which is currently classified as in moderate nonattainment for ozone. The study, available [here](#), indicates that only approximately five percent of emissions triggers could be attributed to barge, ship and other river sources. Of that five percent, only roughly 1.5 percent could be attributed to barges specifically.

“While this study does not directly correlate tank barge emissions to ozone exceedance days,” the press release noted, “it may be prudent to continue studying potential sources of ozone precursors at the Carville monitor and in the Baton Rouge area to better understand the true cause of ozone exceedances.”

The monitoring project ran from May 1 to September 30, 2009. As outlined in a Memorandum of Understanding signed in April by both LDEQ and tank barge company representatives, emissions readings would be taken at the Carville monitor located in the Iberville Parish section of Baton Rouge. The monitor was set to be triggered by any



emission above 0.4 parts per million carbon, and in the event of a trigger industry participants agreed to work with the LDEQ to identify barges operating in the area at the time and determine what the barges were carrying when the trigger was activated.

To read the press release, click [here](#). AWO will continue to work with LDEQ and other state environmental agencies on air emissions issues. For more information, please contact Mark Wright at (985) 674-3600 or via email at mwright@vesselalliance.com; or contact Brian Vahey at (703) 841-9300, extension 251, or via email at bvahey@vesselalliance.com.

AWO Emissions Initiative Letter Approved by EPA

As reported in the January 29 edition of the *AWO Letter*, AWO submitted a letter on January 25 to the Environmental Protection Agency’s (EPA) National Risk Management Laboratory that outlines industry’s partnerships with state agencies to reduce air emissions from tugboats, towboats and barges.

The letter, available [here](#), has been accepted by EPA and will be distributed throughout the agency. AWO will continue to use this letter as an advocacy document promoting the towing

industry’s environmental stewardship.

For questions, contact Brian Vahey at (703) 841-9300, extension 251; or via email at bvahey@vesselalliance.com.



If you receive a hard copy of the *AWO Letter* and need to know the exact Web addresses of the hyperlinks in any articles, please contact Mary McCarthy at (703) 841-9300, extension 254, or via email at mmccarthy@vesselalliance.com.





DEPARTMENT OF ENVIRONMENTAL QUALITY

BOBBY JINDAL
GOVERNOR

PEDDY M. HATCH
SECRETARY

For Immediate Release

Feb. 4, 2010

Contact: Rodney Mallett

Telephone: 225.219.3964

Barge Study Report Released

BATON ROUGE – The Louisiana Department of Environmental Quality and the American Waterways Operators (AWO), the national association for the tugboat, towboat, and barge industry, partnered to conduct a study of barge traffic on the Mississippi River and the possible effects on air quality. Today the results of the Carville Barge Monitoring Project, a five-month long study, were released.

The Baton Rouge area is currently classified as moderate nonattainment for the pollutant ozone. The goal of the study was to determine what, if any, impact barge traffic has on air quality. DEQ would use this data to enhance its air modeling and determine if barge emissions were impacting the monitor. It was determined that the air monitor at DEQ's Carville site would be the best location from which to base the study. An air sampler at the monitoring location automatically took air samples for real-time speciation analysis when volatile organic compounds (VOCs) reached a predetermined level in the air. AWO gathered vessel traffic information regarding barge positions on the Mississippi River and information in regard to barge owners and cargoes when the Carville monitor was triggered. The primary purpose of the project was to determine if marine traffic contributed to elevated levels of VOC in the air around the Carville site.

The focus of the project was to develop a set of emissions profiles and identify the chemical compounds present in the Carville area. This information was compared to the barge traffic and meteorological data and then used to determine whether any of the profiles could be attributed to sources on the river. A total of 76 triggered samples were collected in the study, which ran during ozone season (May 1 to Sept. 30).

It was concluded that approximately five percent of triggered samples could be attributed to barge, ship, or other river sources. The small number of triggered samples is consistent with past DEQ observations at the Carville site. While this study does not directly correlate tank barge emissions to ozone exceedance days, it may be prudent to continue studying potential sources of ozone precursors at the Carville monitor and in the Baton Rouge area to better understand the true cause ozone exceedances.

"This project is an example of DEQ and private industry working together to solve problems," said DEQ Assistant Secretary Paul Miller. "The American Waterways Operators used its technology and expertise to help quantify emissions from river traffic, which has been suspected of contributing to the ozone problems in the Baton Rouge area. Louisiana has seen its air quality improve immensely over the years. Working together as a team with organizations like the American Waterways Operators helps the state find solutions."

The entire report is available at www.deq.la.gov.

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ATLANTIC REGION/MIDCONTINENT OFFICE

Mid-America, Atlantic Regional Quality Steering Committees Hold Joint Meeting

Pacific Region AWO Members Also in Attendance



On January 28, the Mid-America and Atlantic Regional Quality Steering Committees (RQSCs) held a joint meeting in New Orleans, LA. AWO members from the Pacific Region were also in attendance, providing perspectives from every region on the important issues considered during the meeting, including a Bridging and Implementation Team (BAIT) Quality Action Team (QAT) update, casualty evaluation and marine spatial planning. After the joint meeting, the Mid-America and Atlantic RQSCs held their own separate meetings. The RQSCs are part of the U.S. Coast Guard-AWO Safety Partnership, which has focused on developing non-regulatory solutions to safety and security issues facing the industry for the past 15 years.

Joint RQSC Meeting

The joint meeting was kicked off by Jennifer Carpenter, AWO Senior Vice President – National Advocacy, who gave a presentation on the history and purpose of the Safety Partnership. The Mid-America RQSC's development of the Waterways Action Plan (WAP) is a great example of a fulfillment of the original purpose of the Safety Partnership: enhancing coordination between the agency and the industry to promote maritime safety. Jim Farley, Kirby Inland Marine, LP, then briefed the group on the towing industry's involvement in a sleep study being conducted by Northwestern University.

The group heard a presentation by Dr. Madeleine McNamara, Waterways Management Coordinator for the Eighth Coast Guard District, about her

research into "casualty clusters." Dr. McNamara's research found a number of "casualty clusters" indicating that certain stretches of the inland rivers are prone to incidents. The RQSC directed the Casualty QAT to look closer at her data to determine how to address these clusters to mitigate incidents. The group then provided feedback on the BAIT QAT, which is a Coast Guard-AWO initiative designed to ease the transition to the forthcoming towing vessel inspection regime. Overall, the group determined that the program was working well, but there are some inconsistencies in the ways that different Coast Guard sectors are dealing with the voluntary vessel inspection portion of the program. The Coast Guard and AWO agreed to sign a charter for a working group that would oversee the program to ensure that any improvements to the program would be assessed and made.

Finally, the group discussed the recently proposed alternative energy projects in the rivers and along the coastline, and the need to ensure that they do not impede navigation. Mike Kidby with the U.S. Army Corps of Engineers briefed the group on the Corps' work to update its Memorandum of Understanding with the Minerals Management Service to guide the two agencies in reviewing these projects.

Mid-America RQSC members in attendance included Fred Nyhuis, Marathon Oil Company; John Patterson, Ingram Barge Company; Tom Smith, Canal Barge Company, Inc.; Tom Tray, Bay-Houston Towing Co.; Jim Farley, Kirby Inland Marine LP; CAPT Tom Hooper, Eighth Coast Guard District;

CAPT Verne Gifford, Eighth Coast Guard District; Mike Kidby, Army Corps of Engineers headquarters; and, Lynn Muench, Mark Wright and Mary McCarthy, AWO. Atlantic RQSC members in attendance included Jeff Parker, Allied Transportation Company; Don Ivins, Express Marine, Inc; and, Nicole deSibour, AWO. Other meeting attendees included Jim Peschel, Foss Maritime Company; Mario Munoz, American Commercial Lines; Cherrie Felder, Channel Shipyard Company, Inc; George Clark, Penn Maritime, Inc.; Jason Adams, Ingram Barge Company; Z. David DeLoach, DeLoach Marine Services; CAPT John Arenstam, Coast Guard; LT Stephanie Pitts, Coast Guard; Dr. Madeleine McNamara, Eighth Coast Guard District; CDR Claudia Gelzer, Coast Guard; LT Jennifer Makowski, Eighth Coast Guard District; LCDR Robert Keister, Coast Guard; Patrick Lee, Coast Guard headquarters; Mike White, Coast Guard headquarters; CDR Greg Case, Coast Guard; and, Tom Allegretti and Jennifer Carpenter, AWO.

Mid-America RQSC Meeting

After the conclusion of the joint meeting, the Mid-America RQSC began its meeting, where it signed the RQSC's charter, as well as charters for two Quality Action Teams, the first to find a replacement for the Inland River Vessel Movement Center, and the second to manage programs that train and orient Coast Guard and industry personnel in the towing industry and Coast Guard procedures, respectively. The group then discussed AWO's work with state and federal agencies to examine and reduce emissions from tank barges, and the need to educate tankermen on the

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best practices developed to reduce emissions. Mr. Kidby then announced that documents on lock closures and crew changes at locks were posted on the Corps' Web site, and the group agreed to look over the crew change document and provide feedback on it. The group also discussed the need to study the issue of potentially harmful levels of radiation from marine radar on lock operators. Finally, the Coast Guard announced that, once they hired a staff lawyer, they would look into adding the Gulf Intracoastal Waterway to the WAP, and committed to adding drift management and Real Time Velocity Meters to the WAP.

Atlantic RQSC Meeting

After the conclusion of the joint meeting, the Atlantic RQSC began its meeting, where it reviewed its previous June minutes and follow-up action items. Ms. deSibour provided the Committee with an update on the accomplishments of the Towing Vessel Bridging Strategy & Bridging and Implementation Team (BAIT) and discussed strategies for how to improve outreach to local smaller and non-AWO member operators. There was also a discussion of how vessels are being accounted for in statistics regarding voluntary Uninspected Towing Vessel exams. Given the transient nature of vessels, it was recommended that they be accounted for in the Sector that is home to the company headquarters, even if the exam is conducted in another port.

The Committee also discussed the status of the Towing Vessel National Center of Expertise (COE), its progress in hiring qualified instructors for COE, the development of blue water training

courses and the future role for Coastal RQSCs in assisting the COE.

In the Committee's review of the 2009 Hurricane Season, there was little to report due to the lack of severe weather. The Coast Guard reported no Marine Transportation System (MTS) Recovery updates and pledge to inquire about future Common Access Reporting Tool System accessibility for industry. In a discussion of obstacles to efficient hurricane season preparation and communication, the Committee pledged to develop an improved distribution list for District/Sector emergency notifications, with AWO gathering initial contact information from Atlantic Region members. Concerning

right to berth issues, both the Coast Guard and AWO pledged to seek out Port of Jacksonville, FL representatives to have a discussion of both the towing industry and the terminal's obligations during a weather event.

Looking at the Coast Guard's role in offshore renewable energy (wind/hydrokinetic) initiatives, the Committee continued its discussion of establishing a navigational fairway along the Atlantic Coast, and set a Summer ARQSC Meeting deadline to report on whether or not it would be viable. Additionally, the committee discussed the Mineral Management Service's plan to establish Atlantic Renewable Energy Office and its recently held Atlantic Offshore Renewable Energy Task Force Meetings.

The committee will next meet in late June 2010. 🌐

MIDCONTINENT OFFICE

Unscheduled Lock Closures Continue to Plague the Ohio River: Main Chamber of Greenup Locks and Dam Fails

On January 27, the main chamber of Greenup Locks and Dam on the Ohio River failed. Shortly after the failure occurred, officials from the U.S. Army Corps of Engineers, Huntington District, indicated that the chamber would be out of operation for the subsequent six to eight weeks. The failure was caused by a breakdown of the anchorage that was supporting one of the mitre gates on the lower end of the chamber. As of this writing, the damaged gate has yet to be lifted out of the water, although that removal is expected to occur shortly.

The auxiliary chamber permanently reopened on February 2, and the Corps anticipates this chamber to be operational throughout the repair period. Further delays are anticipated during the time that the gate lift takes place. Industry has provided for a helper boat to be in service at Greenup.

The River Industry Executive Task Force (RIETF), a standing task force of AWO, has held frequent conference calls with the Corps to facilitate traffic and mitigate the impacts of this event. For more information on this issue, please contact Lynn Muench at (314) 446-6474 or at lmuench@vesselalliance.com, or Benjamin Rogers at (703) 841-9300, extension 264, or at brogers@vesselalliance.com. 🌐

MIDCONTINENT OFFICE/SOUTHERN REGION

AWO Midwest, Ohio Valley and Southern Regions Hold Joint Meeting in New Orleans

RADM Landry, RDML Neffenger, Senator Lincoln Provide Remarks

On January 28-29, the AWO Midwest, Ohio Valley and Southern regions held their first ever joint Annual Meeting in New Orleans, LA. The meeting was held directly after the AWO Joint Safety Committee meeting in order to better align the work of the safety committees and the rest of the trade association.

The meeting kicked off on January 28 with a Special Discussion Session, during which Dr. Fred Turek gave a detailed presentation about the study he is performing on anchor sleep and nap sleep of towing vessel operators. Also, AWO President & CEO Tom Allegretti briefed meeting attendees about the solution developed by the U.S. Army Corps of Engineers and the towing industry to prioritize lock projects, modernize Corps project delivery and revise cost sharing formulas. Personnel from the U.S. Coast Guard and the Corps of Engineers joined the meeting to discuss efforts to prevent the invasive Asian carp from migrating from the inland river system into the Great Lakes without interference to navigation. Finally, AWO member Mike Rushing, Rushing Marine Service, LLC, explained his business plan to ensure quality control of vessel audits after the towing vessel inspection regulation has been promulgated.

During the business meeting the next day, RADM Mary Landry, Commander of the Eighth Coast Guard District, and RDML Peter Neffenger, Commander

of the Ninth Coast Guard District, gave remarks on the Coast Guard's work on issues facing the towing industry in their districts. The meeting concluded with remarks from Senator Blanche Lincoln (D-AR), who gave the meeting attendees advice about how to make the towing industry's compelling story resonate on Capitol Hill.



During the meeting, AWO staff gave regional and national reports, and the slates of board members were approved, which will be voted on by the Board of Directors in April. For the Midwest Region, the slate is Mike Luhr, Luhr Bros., Inc. (Chairman); Gregg Thauvette, The Great Lakes Group (Vice Chairman); Rich Kreider, Cargill Marine & Terminal, Inc.; James "Goat" Patterson, Osage Marine Services, Inc.; Paul Tobin, AEP River Operations;

and, alternate Darren Melvin, Hanson Material Service. For the Ohio Valley region, the slate is Ted Waxler, SCF Waxler Marine LL; Fred Nyhuis, Marathon Oil Company; C. Barry Gipson, McNational, Inc.; Mike Somales, CONSOL Energy Sales Company; and, alternate Mark Mayfield, James Transportation LLC, dba Tennessee Valley Towing. For the Southern Region, the board slate is Frank Morton, Turn Services, Inc.; Z. Dave Deloach, Deloach Marine Services; Clark Todd, Blessey Marine Services, Inc.; Charlie Haun, Parker Towing Company, Inc.; Mark Bourgeois, LeBeouf Bros. Towing, LLC; Mark Flynn, Higman Marine Services, Inc.; and, alternate Gene Autry, Bay-Houston Towing Co.

For more information about the meeting, please contact Lynn Muench or Mark Wright at (314) 446-6474 or (985) 674-3600, respectively, or via email at lmuench@vesselalliance.com or mwright@vesselalliance.com.

PACIFIC REGION

Last Chance to Register for the 2010 Pacific Annual Regional Meeting

This is your last chance to register for the Pacific Region Annual Meeting, which will be held February 18-19, at Salty's on Alki, Seattle, WA. To register, click [here](#).

For more information about the Pacific Annual Regional Meeting, please contact Ashley Smith (703) 841-9300, extension 291, or via email at asmith@vesselalliance.com.

