

## AWO Holds Spring Convention in Washington

*Members Elect New Chairman; Visit Capitol Hill for “Barge-In;” Hold Strategic Dialogue on the Future of the Responsible Carrier Program; Approve 2010 Goals; Welcome Commandant as Special Guest Speaker*

The American Waterways Operators held its annual membership meeting and convened its Board of Directors at its April 14-16 Spring Convention in Washington, D.C. On Wednesday, April 14, AWO members conducted their annual “Barge-In” on Capitol Hill, meeting with their Representatives and Senators. The membership met in Common Issues Council, sector committees and Public Affairs Committee meetings on Thursday, April 15. Also on Thursday, a special discussion session was held on industry safety, with guest speaker RDML Kevin Cook, Director of Prevention Policy, U.S. Coast Guard. The Annual Membership meeting and the Board of Directors meeting were held on Friday.

The Board of Directors approved changes to the AWO Responsible Carrier Program (RCP) protocol involving dispute resolution time limits, audit due dates, the scope of annual internal audits, and audit dates for seasonal operators. The Board also endorsed strategy plans for



*During the AWO Board of Directors Meeting, George Foster (left) was elected Chairman and Peter Stephaich (right) was elected Vice Chairman.*

Congressional and Administration advocacy and plans for achieving safety and public affairs goals of the *AWO 21* strategic plan. The Board approved a Finance and Administration Report, including 2009 audit results and a 2010 financial outlook report. The Board then engaged in a Strategic Dialogue Session on the future of the Responsible Carrier Program and how it can take industry safety to the next level after the implementation of the upcoming towing vessel inspection program.

In the Common Issues Council on Thursday, AWO members discussed a number of important industry issues, including the upcoming towing vessel inspection program, a Northwestern University study on sleep science, vessel

discharge legislative, legal and regulatory issues, preserving federal jurisdiction over vessel operations, the AWO Safety Committee work program, alternative energy projects, state tax initiatives, mariner credentialing, and the future of the AWO Technology Steering Group.

At the Membership Meeting on Friday, new officers were elected, including Chairman of the Board George P. Foster, President, JB Marine Service, Inc.; Vice Chairman Peter Stephaich, Campbell Transportation Company, Inc.; President & CEO Tom Allegretti; Secretary Vickie Hammond; and Treasurer H. Merritt Lane, III, President and CEO, Canal Barge Company, Inc. In addition, new directors were enrolled from each region.

*(continued on page 2)*

VOLUME 67, No. 8 • APRIL 23, 2010	
Association News.....	1
Agency Actions.....	5
Legislative News.....	6
Regional Reports.....	7
Responsible Carrier News.....	10
Members Only.....	11
Passing the Word.....	23
<i>AWO Convention Special Edition</i>	

## AWO Holds Spring Convention in Washington

(continued from page 1)

### Leadership Remarks

#### **Outgoing Chairman Asserts Industry “Part of the Solution”**

In his farewell address to the Board, outgoing Chairman Timothy J. Casey first thanked the members for the privilege of serving as chairman. He praised the members and staff for their dedication and commitment “to make AWO the most effective maritime trade association in the country.”



Noting the tough economic environment and its effect on the industry, Mr. Casey said that one of his goals as chairman was to give members confidence in the financial management of AWO and that their money was supporting a “well-governed, well-managed” trade association. He thanked members for demonstrating their commitment during the economic trough.

Mr. Casey noted that the new AWO strategic plan, *AWO 21*, will guide the work of the association for the next five years. He said the plan was aimed at getting ahead of a new governmental activism by “emphasizing the industry’s benefits to the nation within the framework of today’s weakened economy and heightened concern for the environment, using facts and messages that resonate with policymakers.”

He elaborated, saying, “We are part of the solution for the economy. Vital industries and hundreds of thousands of American jobs depend on barge

transportation.” He said, “We are part of the solution for the environment. Barging is the most environmentally friendly mode of cargo transportation, generating fewer emissions than rail or trucking, and reducing air emissions by easing traffic congestion.” Furthermore, he said, “We are part of the solution for national security; the eyes and ears on our nation’s waterways, working in partnership with the U.S. Coast Guard.”

Mr. Casey pointed out the progress made over the year, building relationships with the new Congress and new Administration, and “projecting a more proactive and assertive industry presence on Capitol Hill and with the agencies than ever before.” He also noted that “We were more aggressive in our media outreach, more diligent in our grassroots efforts and we held more political fundraisers than ever before.”

He thanked members for their participation in these activities.

He singled out a few public policy challenges that AWO continues to engage, mentioning the Capital Development Plan for funding waterways infrastructure modernization, the new towing vessel inspection program, and unconstitutional efforts by state governments to regulate vessel operations “despite federal law.”

Mr. Casey concluded by asserting that “a strong AWO is vital to the health of our individual companies.” He paid tribute to incoming chairman George P. Foster, saying, “We are in very good hands as George takes over the helm. He is uniquely qualified to lead AWO. George has the integrity and the authenticity to lead AWO through the challenges that lie ahead.”

(continued on page 3)



During the AWO Board Meeting, Tom Allegretti (left) thanked outgoing chairmen for their service to the association, such as Tom Tray (right), outgoing Harbor Services Sector Committee Chairman.

## AWO Holds Spring Convention in Washington

(continued from page 2)

### New Chairman Lays Out Vision

Chairman of the Board George P. Foster expressed his thanks to outgoing Chairman Timothy J. Casey for being



“an enormous help to me in learning the ropes of what it means to be an effective AWO Chairman, and in expanding my knowledge of the coastal towing industry and coastal member perspectives.” He also said that members owed Mr. Casey a debt of gratitude for his stewardship of AWO during a challenging economy. He credited Mr. Casey’s leadership for “allowing us to hold the line on AWO member assessments in this year’s budget.” He complimented Mr. Casey for a job well done. He also thanked former AWO chairmen Merritt Lane, Canal Barge Company, Inc., and Royce Wilken, ARTCO, for acting as mentors and helping him understand the responsibilities and challenges of being AWO chairman.

Mr. Foster then described his “back story” as a small business owner, remarking that he “may be the smallest operator to ever be chairman of AWO in the modern era.” He explained how he started his business and said, “I have been in this industry for nearly my whole life. I know it well and care about it deeply.” He pledged to “work hard as chairman to sustain and strengthen the industry that has given me my professional livelihood and provided for my family.”

Mr. Foster pledged, “While my company’s operational footprint may

be relatively small, you have my commitment that my vision will not be limited by geography, size or industry sector.” He noted that “all of us as Board Members are challenged to have a broad vision for the long-term success of AWO and our industry that transcends the geography and operations of our individual companies and the current economic climate we face.”

He lauded the diversity of the industry, pointing out that diversity “is a plus when it comes to advocacy – it gives us a geographic voice on Capitol Hill and the depth of the relationships that can only be forged over many years in the same local community. We need each other.” He asserted that as a national association, AWO “gives us breadth, depth, access and influence that we could never achieve if we broke up into different geographic or operational parts.”

Mr. Foster then laid out his vision by referring to the new strategic plan, *AWO 21*, pointing out that he served as Vice Chairman of the task force that developed the plan. He said, “The new strategic plan lays out a vision of a more assertive and creative role in telling the industry’s story, refreshing and modernizing our commitment to being safety leaders, being even more excellent advocates and ensuring the financial soundness of AWO.” He said the challenge is to turn that vision into “real world actions that produce greater results for our members.”

As a small businessman and chairman of AWO, Mr. Foster expressed his opinion that, as part of their commitment to leadership in marine safety, AWO members should carefully select vendors who have made the same commitment to safety. He said large

members should be “walking the walk” on safety “by giving the smaller, RCP certified AWO members the opportunity to work with you more consistently.”

Finally, Mr. Foster explained that his commitment as chairman is to “a vision of leadership that extends to all members. It is collaborative and open.” He invited all AWO members to join him in making his vision a reality. “Please join me in facing the challenges ahead together. I need your feedback, support and your engagement,” he said.

### President Outlines “Year of the Value Proposition”

In his report to the Board, AWO President & CEO Thomas Allegretti drew a comparison between the standards of success set one year ago and the



present reality. He reviewed the expectations put forth at that time – playing an effective game of offense, adjusting to a new legislative, regulatory, political and policy field of play, increasing engagement with a new Congress and new Administration, telling the industry’s story in a compelling way, engaging energetic member-leaders, anticipating and staying ahead of change – and concluded by highlighting that the Board established Strategic Planning Task Force to produce “a more modern, thoughtful and comprehensive strategic plan.”

Mr. Allegretti called the plan, *AWO 21*, “a distinguishing characteristic of 2009 and a distinguishing

(continued on page 4)

## AWO Holds Spring Convention in Washington

(continued from page 3)

characteristic of AWO itself.” He said that AWO is “an organization always engaged in the forward-looking quest for excellence” and observed that AWO has “both the intellectual and the physical capacity to meet the challenges before us.” He noted that the strategic planning process brought into focus the fact that “how industries position themselves, how they promote their attributes, how they express their concerns,” is of great significance in developing thoughtful gameplans to address challenges.

Mr. Allegretti deemed 2010 the year of the “value proposition.” He explained that value proposition as it relates to public policy as that the industry is seen by elected leaders “as part of the solution to the challenges facing the country.” He said further that the industry must be seen as “part of the solution” for the economy, environment, national security, and public safety.

Mr. Allegretti recalled the characteristics of the members of AWO that he had outlined at the last Board meeting – vision, leadership, proactivity, capacity, courage, creativity, commitment, tenacity, partnership, focus, pride, generosity, nimbleness, and passion – and asserted that those characteristics provide “an organizational ethic” that allows the association to approach problems with confidence.

He concluded that “the state of AWO today is very sound. Indeed, that’s an understatement – AWO today is stronger than it has ever been.” He then outlined several organizational improvement points in the strategic plan concerning communication, financial management, decision making, and the “criticality of the national character of AWO.” He

thanked members for their engagement “to help keep the state of AWO not only as sound as it is today, but strengthened for the challenges ahead.”

### **Commandant Addresses Board of Directors**

U.S. Coast Guard Commandant ADM Thad Allen addressed the Board of Directors as a guest speaker. ADM Allen, who will be completing his four-year term as Commandant in 2010, took the opportunity of what could be his last address to the AWO Board of Directors as Commandant of the U.S. Coast Guard to reflect on the issues that the Coast Guard and industry faced together over the last four years. ADM Allen spoke highly of the Towing Vessel Bridging Program that has facilitated the transition to the upcoming towing vessel inspection regime, while also acknowledging the “red tape” that has delayed the publication of the inspection rulemaking. The Commandant applauded industry for its efforts to comply with the TWIC program despite numerous difficulties and hurdles, and cited the Towing Vessel National Center of Expertise in

Paducah, KY as another testament to the productiveness of the Coast Guard-AWO Safety Partnership.

In looking to the future, the Commandant noted that in the next few weeks, President Obama will likely sign an executive order to create a National Ocean Policy that will set the stage for Marine Spatial Planning, an exhaustive effort that will govern coastal, ocean and Great Lakes management. ADM Allen expressed his belief that a brownwater policy must be included in this initiative and that the towing industry must be a proactive participant in this process to explain the interconnectedness of the waterways transportation system. He also emphasized the Coast Guard’s ongoing commitment to working with the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency and all other entities that impact environmental policy.

In closing, ADM Allen praised AWO members for being endless advocates for the tugboat, towboat and barge industry, and expressed his pride in the strengthening partnership between Coast Guard and industry that he has witnessed over the last four years. 🌐



ADM Thad Allen, outgoing commandant of the U.S. Coast Guard, addresses the AWO Board, including (left to right) George Foster, Tom Allegretti, and Merritt Lane.

## MarAd Publishes Final Rule on Marine Highway Program

On April 9, the U.S. Department of Transportation's Maritime Administration (MarAd) published the final rule for its Marine Highway Program (MHP). This program allows the Secretary of Transportation to "designate marine highway corridors and identify and support short sea transportation projects" that would contribute to easing landside congestion on the nation's most crowded stretches of interstate. Congress has set aside \$7 million that is eligible to be used for grants to applicants with an interest in participating in the MHP.



On April 15, MarAd began to accept applications for candidate projects for the MHP. Applicants or project sponsors must be public entities; private organizations that wish to be eligible for grants under the program must enter into a partnership with a public entity. In addition to providing access to MHP grant monies, MarAd will also "provide assistance to project sponsors...to acquire funding from existing programs," such as the Capital Construction Fund and the federal highway congestion mitigation and air quality program.

To read the final rule, please click [here](#). To read the announcement regarding the solicitation of applications, please click [here](#). For more questions, please call Benjamin Rogers at (703) 841-9300, extension 264, or via email at [brogers@vesselalliance.com](mailto:brogers@vesselalliance.com).

## *Inland Navigation Rules Moved to Code of Federal Regulations*

On April 15, the U.S. Coast Guard announced that in accordance with the Coast Guard and Maritime Transportation Act of 2004, it is moving the Inland Navigation Rules from the United States Code (USC) into the Code of Federal Regulations (CFR). The rules will be relocated from Title 33 of the USC, Sections 2001-2038, to a new Part 83 of Title 33 of the CFR. No substantive changes were made to the rules. This change is effective May 17.

In addition to having all of the inland navigation rules in one location, moving the rules from the USC to the CFR will make it easier for the Coast Guard to update or revise the rules, and improve public opportunities to comment on any proposed changes to the rules. All future updates of the rules will be accomplished through rulemaking rather than legislation.

To read the announcement, please click [here](#).



## Important Dates and Reminders *at a glance*

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

**April 28-29:** Interregion Safety Committee Meeting, The Fairmont, Pittsburgh, PA

**June 9-10:** Coastal Safety Committee Meeting, MGM Grand, Las Vegas, NV

**July 27:** Pacific Region Summer Meeting, Hilton Bellevue, Bellevue, WA

**August 4-5:** Executive Committee Meeting, AWO Headquarters, Arlington, VA

**August 11-12:** Atlantic Region Summer Meeting, The Barclay, New York, NY

**August 18-19:** AWO Midwest and Ohio Valley Regions Joint Summer Meeting, Four Seasons Hotel, St. Louis, MO

**September 1-2:** Southern Region Summer Meeting, Beau Rivage Resort & Casino, Biloxi, MS

**September 8-9:** Interregion Safety Committee Meeting, Sheraton Westport Lakeside Chalet Hotel, St. Louis, MO

**October 13-15:** 2010 AWO Fall Convention, The Fairmont, San Francisco, CA

**December 1-2:** Executive Committee Meeting, AWO Headquarters, Arlington, VA

## IWUB Unanimously Approves Report to Modernize Inland Waterways

On April 13, the Inland Waterways Users Board (IWUB) unanimously approved a final report on recommendations for improvements to the U.S. inland waterways system over the next 20 years. This follows the IWUB's unanimous approval of the conceptual recommendations in December 2009. The report and recommendations are the result a year of study and research undertaken by the IWUB and U.S. Army Corps of Engineers experts on how to improve the reliability of the inland waterways infrastructure, which provides essential economic, environmental, and congestion-relieving benefits for the United States. The IWUB was established through the Water Resources Development Act (WRDA) of 1986 to advise the Corps and Congress on spending from the Inland Waterways Trust Fund (IWTF) for construction and rehabilitation projects on the inland waterways.

The proposed recommendations and report prioritize navigation projects across the entire system, improve the Corps' project management and process to deliver projects on time and on budget, and recommend a funding mechanism that is affordable and meets the system's needs. Among the specific recommendations approved were changes to both the spending and taxing components of the IWTF. For example, the report suggests: a) preserving the 50/50 percent cost-share between the industry-financed IWTF and the government for new lock construction and rehabilitation projects costing more than \$100 million, while adjusting the formula for funding dam construction and rehabilitation projects costing less than \$100 million to a 100 percent share for the federal



government; b) placing a cost-share cap on all new lock construction projects to prevent against cost overruns; and, c) an increase in the tax on diesel fuel that funds the IWTF of between six and nine cents per gallon.

As of April 22, 187 companies and associations have indicated their support for the IWUB's recommendations. To see a full list of these groups, or to add your group's support to the list, please click [here](#).

AWO will continue to work with Waterways Council, Inc., the National Waterways Conference, and Congressional allies toward implementation of these needed reforms within a 2010 WRDA bill. For a copy of the IWUB report, visit the WCI Web site at [www.waterwayscouncil.org](http://www.waterwayscouncil.org). For more information, please contact Jennifer Carpenter or Benjamin Rogers at (703) 841-9300, extension 260 or 264, respectively, or via email at [jcarpenter@vesselalliance.com](mailto:jcarpenter@vesselalliance.com) or [brogers@vesselalliance.com](mailto:brogers@vesselalliance.com).

### Users Board Chairman Testifies on WRDA Bill

On April 15, Steve Little, President and CEO of Crouse Corporation and Chairman of the Inland Waterways Users Board (IWUB), testified before the Water Resources and Environment Subcommittee of the House Transportation & Infrastructure Committee on proposals to be included in a Water Resources and Development Act (WRDA).



In his written testimony, Mr. Little offered strong support for the report adopted by the IWUB on April 13 proposing a 20-year capital development plan for the inland waterways system. The plan contains a series of recommendations for improving the reliability and ensuring the necessary funding to support the nation's inland navigation system. (See article at left.) Mr. Little pointed out that "the need for a long-term capital investment plan for the inland waterways has been apparent for a number of years," and urged members of the subcommittee to include in a WRDA bill "the provisions that are necessary to fully implement this comprehensive inland waterway system modernization plan."

In a statement for the hearing record, full Committee Chairman James Oberstar (D-MN) offered his support for the timely passage of a WRDA bill. He also stated that the Committee is moving on an agenda "to plan for the next generation of roads, bridges, public transit, airports, water transportation, and water-related infrastructure."

For more information, please contact Jennifer Carpenter or Benjamin Rogers at (703) 841-9300, extensions 260 and 264, respectively, or via email at [jcarpenter@vesselalliance.com](mailto:jcarpenter@vesselalliance.com) or [brogers@vesselalliance.com](mailto:brogers@vesselalliance.com).

## Support the TUGS! Exhibit at Mystic Seaport

Our industry has a great story to tell, and Mystic Seaport, The Museum of America and The Sea, in Mystic, CT is great at telling stories. Opening on May 8, the TUGS! exhibit will showcase the contributions of our industry to the nation. AWO has been helping to promote the exhibition by publicizing it in the *AWO Letter*, in the “Barge-In” Leave-Behind packets, and by helping to seek sponsors for the exhibit.

Visitors to the TUGS! exhibit at Mystic Seaport will be presented with information about the tugboat, towboat and barge industry that show our dynamic, modern and vibrant industry in a new light. More than 250,000 visitors and museum members will be introduced to the industry through stories about the work we do, the tools we use and the engaging heritage of our industry’s past.

Mystic Seaport has been receiving advice and assistance on the TUGS! exhibit from many in our industry, including

designers, operators, suppliers and enthusiasts. AWO member supporters include McAllister Towing; Foss Maritime Company; Crowley Maritime Corporation; and, Reinauer Transportation Company.



Please help us to help Mystic Seaport tell the remarkable story of our industry. Spread the word to your staff, clients, vendors and friends. If your company is interested in being a sponsor, you can find more information [here](#). This exhibit will run through the spring of 2011, so plan your visit to Mystic Seaport to witness this inspiring exhibit first hand. For more information, please contact Anne Burns at [aburns@vesselalliance.com](mailto:aburns@vesselalliance.com) or (703) 841-9300, extension 252, or go to [www.mysticseaport.org/tugs](http://www.mysticseaport.org/tugs).

### Midcontinent Office

## MRAPS Update: Corps to Hold Public Scoping Meetings, Osprey Group to Accept Comments on Situation Assessment until May 7

The U.S. Army Corps of Engineers will hold 30 public scoping meetings on the Missouri River Authorized Purposes Study (MRAPS) throughout the Missouri and Mississippi river basins between May 25 and September 20. The meetings will provide an



opportunity to provide feedback on, and ask questions about, MRAPS. Because MRAPS has the potential to remove navigation as a congressionally authorized purpose of the river, AWO encourages its members to attend a scoping meeting to emphasize the importance of Missouri River navigation to the national economy and environment. AWO especially encourages members to attend the following meetings in the Mississippi River basin and in Des Moines, IA, which provide an opportunity to highlight Missouri River flows’

importance to Mississippi River navigation:

- Wednesday, July 7: New Orleans, Louisiana, Pontchartrain Center, 4545 Williams Blvd., Kenner, LA 70065
- Thursday, July 8: Memphis, Tennessee, Memphis Marriott East, 2625 Thousand Oaks Blvd., Memphis, TN 38118
- Friday, July 9: St. Louis, Missouri, Doubletree Hotel St. Louis at Westport, 1973 Craigshire, St. Louis, MO 63146
- Tuesday, July 27: Rock Island, Illinois, Holiday Inn Hotel & Conference Center, 226 17th St., Rock Island, IL 61201
- Wednesday, July 28: Des Moines, Iowa, Holiday Inn Hotel Des Moines-Airport/Conference

Center, 6111 Fleur Dr.,  
Des Moines, IA 50321

In addition, the Osprey Group has released a Situation Assessment proposing how the Corps should conduct MRAPS based on focus group meetings the Osprey Group held with stakeholders over the past few months. That Situation Assessment can be found [here](#), and AWO urges its members to comment on it by the May 7 deadline. To submit comments, please email them to Gail Brooks, U.S. Institute for Environmental Conflict Resolution, at [brooks@ecr.gov](mailto:brooks@ecr.gov), and copy Lynn Muench and Mary McCarthy at [lmuench@vesselalliance.com](mailto:lmuench@vesselalliance.com) and [mmccarthy@vesselalliance.com](mailto:mmccarthy@vesselalliance.com).

For the list of public scoping meetings, click [here](#). For more information, please contact Lynn Muench at (314) 446-6474 or Mary McCarthy at (703) 841-9300, extension 254.

Midcontinent Office

## AWO QUESTIONS SCIENTIFIC VALIDITY OF TENNESSEE BARGE EMISSIONS STUDY

On April 12, AWO submitted comments challenging the scientific validity of a Memphis and Shelby County Health Department (MSCHD) study to quantify inadvertent emissions from tank barges operating on McKellar Lake in Memphis, TN, echoing the same comments AWO provided during a working group meeting and in written comments in 2007 and 2008. The MSCHD tank barge emissions study was conducted from September 28 to October 16, 2009. In response, AWO reached out to the Starcrest Consulting Group, a third-party environmental expert, in November to fully examine the industry’s concern that the methodologies of the study were inherently flawed and would not yield reliable results.

Starcrest Consulting’s work revealed that shoreside measurements from the summa canisters and infrared cameras could not realistically allow MSCHD to discriminate between tank barge emissions and other possible sources of emissions in the McKellar Lake area. “It is our belief that the sampling methodology used in the Memphis Barge Emissions Project Final Report, Revision 0.0 (March 2010) is fatally flawed and will not provide information that could be incorporated into a State Implementation Plan or health risk assessment,” Starcrest wrote.

The MSCHD study is the second major ongoing emissions project AWO has been involved with since 2006. The previous study, a monitoring program conducted by a joint effort of AWO and the Louisiana Department of Environmental Quality (LDEQ), found less than a 5 percent correlation between Volatile Organic Compound (VOC) readings in the Baton Rouge, LA area and maritime traffic operating there.

Though efforts to find a link between VOC emissions and inadvertent tank barge emissions on McKellar Lake were similarly inconclusive, AWO is not inclined to promote any findings from the MSCHD study with so many outstanding questions regarding the scientific soundness of the report. AWO remains open to continuing to work with MSCHD on air emissions issues, noting in the letter to MSCHD since “AWO and MSCHD have a mutual commitment to environmental stewardship.”

To read the Starcrest comments, click [here](#). MSCHD has tentatively planned to publish a final version of its report sometime in late April or early May. AWO will alert members of its publication through the *AWO Letter*. For more information, please contact Lynn Muench at (314) 446-6474 or via email at [lmuench@vesselalliance.com](mailto:lmuench@vesselalliance.com); Mark Wright at (985) 674-3600 or via email at [mwright@vesselalliance.com](mailto:mwright@vesselalliance.com); or Brian Vahey at (703) 841-9300 extension 251, or via email at [bvahey@vesselalliance.com](mailto:bvahey@vesselalliance.com).

Pacific Region

### AWO Attends California Office of Spill Prevention and Response Bunkering Operations Workshop

On April 8, Pacific Region members and Jason Lewis, AWO Pacific Region Vice President, attended a California Office of Spill Prevention and Response (OSPR) workshop on regulatory and non-regulatory options to meet Best Achievable Protection (BAP) during bunkering operations from bunker barges and transfer operations. The workshop was an opportunity to work with the state on alternatives to a broad statewide pre-booming law (AB No. 234) that is currently being proposed by state Representative Jared Huffman (D-CA-6). The law would require operators to pre-boom prior to any oil transfer operation and maintain boom throughout the duration of the transfer.



At the workshop, AWO educated participants on industry pre-booming practices and training programs, clarifying any incorrect assumptions, and stressed that for every one million gallons of oil successfully transported by barge, only 0.1 gallons are spilled. Most attendees acknowledged that education and communication are as important, if not more important, than pre-booming requirements in preventing oil spills during transfer operations.

To read the proposed bill, please click [here](#). For more information, please contact Jason Lewis at (253) 200-0945 or via email at [jlewis@vesselalliance.com](mailto:jlewis@vesselalliance.com) or Robert McCaw at (703) 841-9300, extension 279, or via email at [rmccaw@vesselalliance.com](mailto:rmccaw@vesselalliance.com).

Pacific Region

## AWO Submits WA-Puget Sound Comments to FERC

On April 12, AWO requested that the Public Utility District (PUD) No. 1 of Snohomish County, WA amend and resubmit its Preliminary Permit Applications for Admiralty Inlet and



Deception Pass, and its License Application for a Pilot Project in Admiralty Inlet. In its request, AWO noted that if the proposed pilot project were relocated further away from the Admiralty Inlet shipping channel and closer to the shore, then industry would be able to support the plan. The request was made by AWO member Jeff Slesinger, Western Towboat Company, to the Federal Energy Regulatory Commission (FERC) in written and spoken comments at the PUD Electric Building Headquarters in Everett, WA.

AWO's comments came in response to a March 4 notice regarding PUD's License Application for a Pilot Project in Admiralty Inlet at a water depth of about 60 meters beside the Northbound Shipping Channel. The shipping channel is used by all maritime traffic transiting to and from the ports of Seattle, Tacoma, Olympia, and Everett, as well as Naval facilities including Naval Station Everett, Puget Sound Naval Shipyard, and the Bangor Submarine Base.

AWO urged that the project's depth and location poses a safety risk to tugboat crews and vessels for two main reasons:

1. While tugboats normally operate within the Northbound Shipping Channel, it is common for tugboats to be pushed aside by larger vessels, placing them directly above the proposed project sites.
2. High strength synthetic tugboat lines, the ropes used to connect tugboats to the objects they pull, dip at least 100 feet or more under water, providing very little space between the slackened line and the proposed turbines.

AWO also recommended that PUD study the possibility of relocating its proposed turbine projects south-west of Admiralty Head to either Lagoon Point or Bush Point, at a distance of 5 nautical miles.

For a copy of AWO's comments, please click [here](#). For more information, please contact Jason Lewis at (253) 200-0945 or via email at [jlewis@vesselalliance.com](mailto:jlewis@vesselalliance.com) or Robert McCaw at (703) 841-9300, extension 279, or via email at or [rmccaw@vesselalliance.com](mailto:rmccaw@vesselalliance.com).

Atlantic Region

## Maryland Legislative Session Ends without Passing No-Discharge Zone Bill

At midnight on April 12, the Maryland legislative session ended without passing a no-discharge zone bill. As reported in previous editions of the *AWO Letter*, identical



bills were introduced in the Senate and House of Delegates in February that would have required the Maryland Department of Natural Resources to go through the process to designate all Maryland waters as a no-discharge zone. The House Environmental Matters Committee held a hearing on the bill (HB 1257) but never voted it out of committee, and it died when the legislature adjourned. A no-discharge bill did pass the Senate on April 5 (SB 513), but the original bill text was replaced with a requirement that the state conduct a study of pumpout facilities, a concept that was proposed by AWO. The Senate referred the bill to the House Rules Committee, but that committee did not act on the bill before the legislative session ended on April 12.

AWO had a number of concerns with the bill's blanket designation of all state waters as a no-discharge zone, which makes it extremely difficult to ensure that adequate and sufficient pumpout facilities exist for commercial vessels that help keep the state economy running, and shared its concerns and potential solutions (such as the study option mentioned above) with legislators. AWO thanks members Rick Iuliucci, The Vane Brothers Company; Christian LaPense, Dann Marine Towing LC; Mike Reagoso, McAllister Towing; and, Paul Swensen, Moran Towing Corporation, for devoting countless time and resources to helping educate legislators about the bill's impact on tugboat, towboat and barge operations.

For more information, please contact Nicole deSibour or Mary McCarthy at (703) 841-9300, extensions 291 or 254, respectively, or via email at [ndesibour@vesselalliance.com](mailto:ndesibour@vesselalliance.com) or [mmccarthy@vesselalliance.com](mailto:mmccarthy@vesselalliance.com).

Southern Region

## AWO Participates in Successful Coalition to Maintain Viability of Waterway Navigation in LA

Recently, coalition partners AWO and the Louisiana Association of Waterway Operators and Shipyards (LAWS) successfully prevented two legislative initiatives from negatively impacting waterway navigation in Louisiana. On April 7, the Louisiana House Natural Resources Committee held a hearing on two bills, HB 880 and HB 877, introduced by the Louisiana Department of Wildlife and Fisheries (LDWF). If passed as originally drafted, HB 880 and HB 877 would have had the effect of regulating federal waterways and unduly criminalizing safety and security zone breaches by mariners. In response, AWO worked with LAWS to reach out to members and other stakeholders, including LDWF. The coalition was able to introduce amendments that excluded “navigable waters of the United States as set forth in 33 CFR Part 2” from the bills. HB 880 and 877, with the amendments included, passed the House with no opposition.

This victory in the Louisiana legislature was facilitated by the direct involvement of numerous AWO members, including: Z. David Deloach, Deloach Marine Services; Cherrie Felder, Channel Shipyard Company, Inc.; Karl Gonzalez, Gulf South Marine Transportation, Inc.; Tommy Lind, Canal Barge Company, Inc.; Tom Marian, Buffalo Marine Service, Inc.; Lance Rase, CGB Enterprises; and, Matt Woodruff, Kirby Corporation. In addition, LAWS lobbyist Randy Haynie provided invaluable assistance.

AWO will continue to work closely with LDWF, LAWS and other Louisiana maritime stakeholders to protect waterways navigation from impractical and unnecessary legislative oversight. If you have any questions, please contact Mark Wright at (985) 674-3600 or via email at [mwright@vesselalliance.com](mailto:mwright@vesselalliance.com).

## 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
April 27-28	Salyers Solutions, LLC Oakland, CA	Jo Ann Salyers (Instructor) (504) 236-4962 <a href="mailto:salyers_solutions@hughes.net">salyers_solutions@hughes.net</a>

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

## Recreational Boating Season is Almost Here: Order Your Lifelines Brochures Today!

AWO urges recreational boaters to use special caution when operating around commercial vessels and to educate themselves on the constraints under which those vessels operate. This awareness can arm recreational boaters with the best protection against danger and could save lives.



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

To request copies of the brochure, please email your request to Anne Burns at [aburns@vesselalliance.com](mailto:aburns@vesselalliance.com). This brochure is free; however, there is a cost for shipping. Order your brochures today!