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AIS Expansion Needs Careful Consideration, AWO Says

Mandatory carriage of automatic identification systems (AIS) throughout the country, as it is currently envisioned by the Coast Guard, will not result in increased safety or security, AWO told the agency in comments filed on December 31, 2003. The Coast Guard was soliciting comments on whether and how to expand AIS carriage requirements beyond the nine Vessel Traffic Service (VTS) zones to other waterways. While AWO has been a long-time proponent of the AIS concept as a navigational safety tool, AWO has questions about the technical aspects of AIS and its implementation, as well as the potential negative impact on safety when AIS is required for some types of vessels while not required for others. AWO has asked the Coast Guard to reconsider its proposal to expand AIS carriage requirements beyond the existing VTS zones to better address the nation’s safety and security needs.

AWO’s comments addressed the specific questions the Coast Guard posed in its request for comments published in the September 26, 2003 *Federal Register*. Given the limitations on federal resources for use in the war on terrorism, AWO posited whether such a system could produce enough meaningful information to justify the burdens that it would place on the Coast Guard and whether the funding and resources necessary to operate this system would be better spent on other, more effective approaches to security.

(continued on page 2)

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AIS Expansion Needs Careful Consideration, AWO Says

(continued from page 1)

“AWO does not support at this time extension of AIS for security purposes along coastal areas of the United States, on inland rivers north of Baton Rouge or along the Gulf Intracoastal Waterway west of VTS Houston/Galveston or east of VTS Lower Mississippi River. AIS should not be used as a security tool outside VTS zones, where the Coast Guard does not have either the infrastructure in place or adequate manpower to monitor vessels,” AWO wrote.

Additionally, AWO believes that the Coast Guard should allow vessels to enter the upper end of the VTS Lower Mississippi River zone without requiring AIS carriage so long as those vessels do not pass south of Mile 235. Considering the limited amount of time that these vessels spend in the VTS zone, AIS carriage is not a cost effective security

measure for them. However, AWO noted that in some areas where most operators would already be equipped with AIS, like Buzzards Bay and the area between Houston and New Orleans, AIS carriage requirements could be established to address specific local concerns.

In addition, AWO questioned the value-added usefulness of AIS as a security tool over large geographic areas. Currently, AIS is planned for VTS zones, where the Coast Guard has a communications infrastructure in place and personnel to monitor the waterways. However, these zones cover less than 1,000 miles of the 25,000 miles of U.S. coastal and river areas. For AIS to be an effective tool nationwide, the Coast Guard would need to build a massive infrastructure to monitor the system; commit a large staff to monitor this system; and adopt a complex information

technology system to adequately assess the risk that vessels utilizing the system might face.

AWO believes that the Coast Guard should not require AIS for vessels on domestic voyages outside the current VTS zones until at least July 1, 2008. A national carriage requirement should not be established until AIS meets the fundamental criteria of offering a positive cost-benefit and a measurable safety benefit. A baseline requirement for those criteria would be for AIS to be required on all of the self-propelled vessels which may meet on a given waterway. AWO also noted that AIS should not be required on non self-propelled vessels such as barges. Since AIS is cost-prohibitive for many vessel operators, a less expensive alternative to the UAIS-A standard is needed before the Coast Guard imposes an all-inclusive carriage requirement for self-propelled vessels.

In support of the positions held by AWO harbor services sector members, AWO recommended that the Coast Guard permit tugs operating in the harbor services sector to carry AIS without a text display, given these vessels’ limited geographic area of operation.

As a reminder, AIS carriage requirements take effect for the nine VTS zones in December 2004. For more information on AIS or to obtain a copy of AWO’s comments to the Coast Guard, contact Amy Brandt at (703) 841-9300.☘

MMD Processing Changes Instituted

A recently published interim rule alters the application process for Coast Guard-issued Merchant Mariner Documents (MMD) to improve maritime security. The interim rule requires applicants to make a personal appearance at least once during the application process to have their fingerprints taken, show proof of identity, and return the expired or expiring MMD to the Coast Guard. Mariners may appear at any of the 17 Regional Exam Centers (RECs) to fulfill these obligations. The interim rule took effect on January 6.

Nearly a year ago the Coast Guard instituted a new background check process for new MMD applicants (see February 21, 2003 *AWO Letter*). This new interim rule makes formal changes to the existing regulations on MMD renewals and original issues. Under the interim rule, applicants must provide written disclosure of all prior convictions at the time of the application. The Coast Guard has provided a new definition of “conviction,” noting that an expungement of a conviction from an individual’s criminal record does not negate the conviction and it must therefore be declared on the mariner’s MMD applications. Applications may be disapproved if during a safety and security check the Coast Guard determines that the applicant’s presence aboard U.S. vessels may be adverse to the security of the United States. If approved, the mariner will be issued the new tamper-resistant MMD.

Comments on the interim rule are due to the Coast Guard by April 5. AWO members with concerns or questions about the new procedures, or who would like a copy of the interim rule should contact Amy Brandt at (703) 841-9300.☘

Benkert Award Applications Accepted

The Coast Guard is accepting applications through February 15 for the prestigious William M. Benkert Award for Environmental Excellence. The William M. Benkert Award is the premier national award recognizing vessel and marine transportation facility operators who have demonstrated sustained excellence and outstanding achievements in protecting the marine environment. The biennial selection process for the Benkert Awards is rigorous and highly competitive. Winners of the award have implemented outstanding marine environmental protection programs that far exceed regulatory requirements.

AWO members are encouraged to enter the 2004 competition. The award categories are: Small Business - vessel operations; Small Business - facility operations; Large Business - vessel operations; Large Business - facility operations; Foreign Vessels and Special Small Business. Information on the award and application process can be found on the award Web site at www.uscg.mil/hq/g-m/mor/mor-1/benkertaward/overview.htm. If you have any questions, please contact the program coordinator, LT Alexis Tune, at (202) 267-0426 or via email at atune@comdt.uscg.mil. The 2004 Benkert Award presentations will be announced at the American Petroleum Institute Tankers' Conference, which will be held at the Rancho Bernardo Inn in San Diego from June 27-29.☘



Important Dates and Reminders

..... at a glance

All contact persons can be reached by calling AWO's Arlington, VA office at (703) 841-9300 unless otherwise noted.

January 29: New Member Orientation, 3:00 - 5:00 p.m., Sleep Inn, Memphis, TN. For more information, contact Marilyn Clark.

January 29: Midwest & Ohio Valley reception and regional dinner, 5:30 p.m., Comfort Inn Downtown, Memphis, TN. Dinner location TBA. For more information, contact Marilyn Clark.

January 30: Midwest & Ohio Valley Joint Regional Meeting, Comfort Inn, Memphis, TN. For more information, contact Marilyn Clark.

TSAC Applicants Sought

The Coast Guard is seeking applications until March 15 for membership on the Towing Safety Advisory Committee (TSAC). TSAC advises the Coast Guard on matters related to shallow-draft inland and coastal waterway navigation and towing safety.

TSAC will consider applications for three positions from the barge and towing industry, reflecting a geographic balance; one position from port districts, port authorities, or terminal operators; one position from maritime labor; and one position from the shipping community. To be eligible, applicants should have experience in towing operations, marine transportation, or business operations associated with the towing or maritime industry. TSAC members serve terms of up to four years and may serve consecutive terms. TSAC meets twice a year as a full committee; TSAC working groups meet as needed to address specific issues.

Prospective applicants can obtain an application form by calling Mr. Gerry Mianta, Assistant Executive Director of TSAC, at (202) 267-0214, or by emailing a request to gmiante@comdt.uscg.mil. A copy of the application form is also available on the Coast Guard Web site at www.uscg.mil/hq/g-m/advisory/app.pdf. AWO members with questions about TSAC can contact Amy Brandt at (703) 841-9300.☘

Inland Waterways Users Board to Meet

The next meeting of the Inland Waterways Users Board will be held February 19 in Washington, D.C. The Users Board, a federal advisory committee, was established by the Water Resources Development Act of 1986 to involve commercial waterway users in the infrastructure investment decisionmaking process. At the upcoming session, Board members will be briefed on the status of both the funding for inland navigation projects and studies, and the Inland Waterways Trust Fund. The Board will also consider its priorities for the next fiscal year.

The meeting will be held at the Washington Court Hotel on Capitol Hill, 525 New Jersey Avenue NW, Washington, D.C. The phone number for the hotel is (202) 628-2100. Registration will begin at 8:30 a.m. and the meeting will adjourn at 11:00 a.m. The meeting is open to the public.☘

Area Maritime Security Committees Seek Members; AWO Encourages Member Participation

Across the country, the Coast Guard is standing up its Area Maritime Security (AMS) Committees to assist Captains of the Port (COTP) in the development, review and updating of AMS Plans, which are required for each port as part of the new security regulations. AWO encourages members to participate in their local AMS Committee to represent barge and towing interests. Because of their role in the development of AMS Plans, AMS Committees can play a pivotal role in ensuring that the new maritime security regulations are implemented to increase security while promoting safety and efficiency. Committees are being formed at the locations listed to the right.

AMS Plans will contain the process or procedure to be followed in each COTP zone for disseminating Maritime Security (MARSEC) Level changes. Dissemination of MARSEC information in a timely and efficient way has been a key concern of AWO members since the association developed a vessel security plan, the AWO Alternative Security Plan, which bases security measures on the present MARSEC Level to meet the new vessel security plan requirements for barges and towing vessels.

There is no formal application process to apply for membership in an AMS Committee. Interested individuals are encouraged to provide their COTP with a resume highlighting their experience in the maritime and security industries. At least seven of the members of each AMS Committee must have at least five years of experience related to maritime or port security operations. AMS Committees assist the COTPs on a number of important issues, including:

- Identifying critical port infrastructure and operations;
- Identifying risks (threats, vulnerabilities, and consequences);
- Determining mitigation strategies and implementation methods;
- Developing and describing the process to continually evaluate overall port security by considering consequences and vulnerabilities, how they may change over time, and what additional mitigation strategies can be applied; and
- Providing advice to, and assisting the COTP in developing the AMS Plan.

AWO's Regional Vice Presidents participate in the USCG Activities New York, the Western Rivers and the San Francisco AMS Committees. For information on how to contact the Marine Safety Offices (MSOs), please contact Amy Brandt at (703) 841-9300 or via email at abrandt@vesselalliance.com.

AMS COMMITTEES	
<u>1st USCG District</u>	MSO Memphis
MSO Boston	MSO Paducah
USCG Activities New York	MSO Pittsburgh
MSO Providence	
MSO Portland	<u>9th USCG District</u>
Group/MSO Long Island Sound	MSO Buffalo
	MSO Cleveland
	MSO Detroit
<u>5th USCG District</u>	MSO Duluth
MSO Hampton Roads	MSO Milwaukee
Coast Guard Activities Baltimore	MSO Toledo
MSO Wilmington	MSO/Group Sault Ste. Marie
MSO/Group Philadelphia	
	<u>11th USCG District</u>
	MSO/Group Los Angeles/Long Beach
<u>7th USCG District</u>	MSO San Diego
MSO Miami	MSO San Francisco Bay
MSO Jacksonville	
MSO Tampa	
MSO Savannah	<u>13th USCG District</u>
MSO Charleston	MSO Puget Sound
MSO San Juan	MSO/Group Portland
<u>8th USCG District</u>	<u>14th USCG District</u>
MSO New Orleans	MSO Honolulu
MSO Morgan City	ARSEC/MSO Guam
MSO Corpus Christi	
MSO Houston-Galveston	<u>17th USCG District</u>
MSO Mobile	MSO Juneau
MSO Port Arthur	MSO Anchorage
MSO St. Louis	MSO Prince William Sound (Valdez)
MSO Huntington	
MSO Louisville	

New Ballast Water Experimental Treatment Program Launched

The Coast Guard has launched a new program aimed at facilitating the installation of experimental shipboard ballast water treatment systems for vessels subject to the current ballast water management regulations. Vessels subject to the rules include those that have traveled beyond the 200-mile U.S. Exclusive Economic Zone (EEZ). The new program, the Shipboard Technology Evaluation Program (STEP), would allow participating vessel owners to receive equivalences to the future ballast water regulations for the participating vessels. STEP is one of several Coast Guard initiatives aimed at reducing the introduction of nonindigenous species to U.S. waters through ballast water.

The equivalences granted under STEP are intended to serve as incentives for vessel owners to participate in shipboard evaluations of prototype treatment systems that might not meet discharge standards mandated by future regulations, thus creating more options for vessel owners seeking alternatives to ballast water exchange. Navigation and Vessel Inspection Circular (NVIC) 01-04 describes the application process for vessel owners interested in STEP. More information on the Coast Guard's ballast water program and the STEP application can be found at www.uscg.mil/hq/g-m/mso/mso4/bwm/step.htm. ❁

House, Senate Convene for Second Session of 108th Congress

The House and Senate convened on January 20 to officially kick-off the Second Session of the 108th Congress. The first order of business was completion of an omnibus spending measure that encompassed the remaining Fiscal Year (FY) 2004 appropriations bills carried over from last year.

The mammoth spending measure, totaling \$373 billion, was approved by the House in December 2003. On the Senate side, however, Democratic delaying tactics had slowed progress on the spending package. On January 22, the Senate finally passed the omnibus by a vote of 65-28. President Bush is expected to sign the measure into law.

Of the 13 annual appropriations bills, seven remained unfinished and were rolled into the omnibus. The other six, including the Energy & Water Development bill that provides funding for the U.S. Army Corps of Engineers and the Homeland Security bill that allocates funds for the U.S. Coast Guard, had already passed as stand-alone measures (see November 21, 2003 and October 10, 2003 *AWO Letters*). ❁

2004 AWO Letter Sponsorships Still Available



AWO is now accepting sponsorship applications for the 2004 *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. The ad is also placed on the AWO Web site, www.americanwaterways.com. Each issue is archived and kept on the site for at least two years. We currently have the following issues available:

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Rep: Mr. Edward S. Beall
General Manager

"Corps of Engineers Gets Bum Rap Concerning Management of River"

Today a reply to some of the unfair criticism that has been heaped on the U.S. Army Corps of Engineers in connection with its management of water flows in the Missouri River.

Proponents of a "restored" river with a more natural flow have, among other accusations, charged the Corps of Engineers with protecting barge traffic at the expense of a flow more like that in the pre-dam days.

Little or no public consideration has been given to the fact that the Flood Control Act of 1944, which resulted in flood-controlling, power-producing dams and channelization of the river below Sioux City, listed the following as purposes of the legislation: Flood control, aid to navigation, irrigation, hydroelectric electricity generation, municipal and industrial water supplies, stream-pollution abatement, sediment control, preservation and enhancement of fish and wildlife and creation of recreational opportunities.

That language - still binding on the Corps of Engineers today - doesn't lend much support to those trying to push fish and wildlife enhancement and upstream recreation to the head of the line as the corps tries to resolve conflicting viewpoints while still carrying out its congressionally mandated job of managing the river flow in a way to serve a variety of interests.

Despite the fact that the corps has been working for a good many months on revising its master manual for managing the river, the corps is repeatedly accused of "stalling" and resisting change from the "status quo." Let's look at the facts:

For a good many months, three creatures on the endangered species list - the piping plover, the least tern and the pallid sturgeon - were front and center in the controversy over the way Missouri River flow should be managed by the corps. Story after story featured the three as victims of the corps' refusal to manage dam-released water flows in a way that would please natural-flow advocates and provide more favorable breeding habitat for the three species.

On Dec. 18, the U.S. Fish and Wildlife Service released a new assessment of an Army Corps of Engineers proposal to revise its operating manual for the Missouri River. One quick reaction was to focus now on the pallid sturgeon as still being in danger of becoming extinct unless the corps makes greater changes in river flow patterns.

But what, I wondered, had happened to the least tern and the piping plover? Had they simply flown away, out of the controversy, or had they become extinct, as threatened in story after story after story over the past several years?

I discovered - in the 18th paragraph of a news story - that the Fish and Wildlife Service had found that the corps' new river-flow proposal would not imperil the terns or plovers, whose numbers have actually increased since a 1997 flood created more sandbar habitat. And the pallid sturgeon's survival would be threatened only in "some sections" of the river below the Gavins Point Dam.

So two-thirds of the endangered species argument has been answered, and the corps continues to be accused of dedication to maintaining the status quo.

Never mentioned by any of the natural-flow advocates, so far as I'm aware: The pallid's range extends from Montana to Louisiana. It is not concentrated exclusively in a stretch of river a relatively short distance below the Gavins Point Dam. And the Department of the Interior is providing a \$250,000 grant for

biologists to buy nearly 1,400 acres along the confluence of the Missouri and Yellowstone Rivers in a project intended to protect and enhance pallid habitat.

Then there is this ironic reality, which natural-flow advocates never publicly acknowledge, insofar as I know:

The natural-flow advocates' goal is bringing the flow of the river closer to what it was before it was dammed and channelized. The irony is that a primary purpose of the Flood Control Act of 1944 was to reverse the natural high-water flow that created flooding in the spring (Omaha's airport was under water in 1952, and only heroic sandbagging efforts by volunteers prevented the flooding of downtown Omaha) and reverse also the natural unchannelized pattern of summertime low-water flows inadequate to support barge traffic or allow maximum generation of hydroelectric power to meet summer peak demands.

So some natural-flow advocates are today using the Endangered Species Act (they are now down to the pallid sturgeon as a sort of "stalking horse") to try to reverse what has been congressionally mandated public policy for more than half a century.

There is talk of compromise in the controversy, and that possibility should surely be encouraged. But the "natural flow" advocates certainly don't enhance their credibility by ignoring the Flood Control Act of 1944 and unfairly criticizing the Corps of Engineers as it tries to respond responsibly to a variety of conflicting viewpoints while carrying out its congressionally mandated responsibilities.☘

This opinion-editorial, written by Harold Andersen, appeared in the January 8 *Omaha World-Herald*. It is reprinted here in its entirety.

“Two Barge Companies Drop Anchor”

The following article, written by Jack Naudi, appeared in the *St. Louis Post-Dispatch* on January 14, 2004.

It appears here in its entirety.

Uncertain about the depth of the Missouri River this summer, the two barge companies that move grain and fertilizer on the Big Muddy have shut down their operations, at least through 2004.

Memco Barge Line of Chesterfield and Blaske Marine of Alton stopped taking orders last week from grain and fertilizer wholesalers positioned along the river.

“Our experience the last couple of years has demonstrated to us that it’s just not practical to go there at the rates the customers want to pay,” said Roger Blaske, president of Blaske Marine.

The decision to halt business stems from a 13-year debate over the river’s summer depth. The level is controlled by the amount of water released from upriver dams by the Army Corps of Engineers.

Upriver states have fought to reduce summer flows to keep water levels high in reservoirs. In addition, environmentalists said a deeper Missouri River in the summer threatens two species of birds and the pallid sturgeon. The U.S. Fish and Wildlife Service recently sided with the environmentalists, and the Corps of Engineers must follow that opinion by reducing summer flows this year.

Blaske said the low flow, coupled with a continuing drought in the upper Midwest, will leave the river with too little water.

Blaske Marine once could link up to nine barges and move them on the river. Lately, the company could link no more than three, and still those were stuck frequently last summer, Blaske said, damaging barges and causing expensive delays.

“When you lose two or three days on a trip sitting on a sand bar, the economy doesn’t help there, either,” he said.

The impact of eliminating the barges remains uncertain. Barge traffic on the Missouri has declined steadily over the last 12 years - with barge operators and others blaming uncertain water levels.

Most of the 8.3 million tons of cargo shipped on the Missouri in 2002 involved moving dredged sand and gravel less than 10 miles. The rest - 1 million tons - comprised long-haul shipments of several products: grain for export, fertilizer to farmers and asphalt for road projects in Kansas City.

By comparison, 317 million tons of products were shipped on the Mississippi River that year.

Despite the comparatively small business on the Missouri, grain farmers need the barges, said Steve Taylor, program manager of the Missouri Corn Growers Association.

In some places, there is no easy access to rail cars, he said. And even where rail is an alternative, it’s typically five times more expensive than barge. Trucks are about 10 times more costly.

“In the short-term, there will be some major impacts,” Taylor said. “Items like fertilizer and major areas like grain transport don’t have a good alternative” to barges.

Paul Davis, owner and general manager of Interstate Marine Terminal, is particularly concerned about the long-term prospects. Interstate Marine in Boonville, Mo., is a wholesale dealer of fertilizer and grain, and most of its supply is shipped on Missouri River barges owned by Memco and Blaske.

The company’s business has fallen along with the Missouri River’s depth. Interstate Marine was expecting to move 25,000

tons of products last summer and fall. Instead, it moved just 1,300 tons.

“If we’re able to stay in business, it will be a real struggle,” Davis said. “If nothing changes on the demand side, what will we do? Will it be moving by truck from St. Louis to the interior of Missouri?”

Indeed, the answer remains elusive. Mark Davis, a spokesman for Union Pacific Railroad, which stands to benefit from a halt in barge shipping, said grain probably will be shifted to rail and sent to other markets, including Mexico and the Pacific Rim.

The rest, say agriculture and transportation experts, will be used domestically.

But getting fertilizer and asphalt to their destinations will require a shift in transportation modes. A fully loaded nine-barge tow carries roughly the equivalent of a train stretching 1.5 miles or trucks stretched end-to-end for 20 miles.

Because the Missouri River barge shipping season is compressed into short periods each spring and late summer, Paul Davis predicts transportation problems.

“It will add to the lines of trucks down there (in St. Louis) and to the congestion on the highways,” he said. “Logistically, it will be difficult for the dealers to get the fertilizer when they need it.”

A third company, Magnolia Marine Transport Co. of Jackson, Miss., plans to deliver asphalt to customers along the Missouri River, especially in Kansas City. But company officials are concerned.

“The best way to say it is they’re going to try,” said David Humphreys, an attorney in Jackson who represents Magnolia. “At this point, there aren’t enough rail cars and trucks to adequately supply the Kansas City market with asphalt.”

But Magnolia, which is owned by an asphalt company, expects to pay a heavy price for Missouri River deliveries. “We’ll

(continued on page 9)

RCP Auditor Training Session to be Held

The Responsible Carrier Program (RCP) Accreditation Board has scheduled RCP auditor recertification training for March 2-4. The training includes an orientation for newly approved RCP auditors and a recertification for auditors trained in 2001. The majority of auditors are recertifying for the second time. The first class of AWO-certified Responsible Carrier Program auditors was initially certified in 1998. AWO is proud that these professionals continue to provide members with a value-added audit that is improving safety throughout our industry.

The upcoming training will follow the same format as previous auditor recertifications. The orientation session, held on March 2, is a full day devoted to reviewing the Responsible Carrier Program in detail. This session will also concentrate on the principles and process of conducting audits, the audit checklist, and criteria to evaluate compliance with elements of the RCP.

Since auditor recertification is required every three years, the Accreditation Board has developed a new program for auditor recertification. This session will be held on March 3-4. The

goal of the program is the continuous improvement of auditor skills in understanding and conducting RCP audits, and will focus on communication.

Accreditation Board members will conduct both sessions. RCP auditors will be evaluated via group exercises and will need to complete individual written assignments to successfully complete the rigorous training.

Please contact Kathy Rehak at (703) 841-9300 or krehak@vesselalliance.com for further information.☘



"Safety Pages"

Safety Department Welcomes New AWO Members

Fifty-two companies, 26 in December alone, is the record number of members who joined AWO in 2003 to take advantage of all the benefits that come with membership, especially the opportunity to participate in the AWO Alternative Security Program (ASP) and the Responsible Carrier Program (RCP). In welcoming these new members, the AWO Safety Department routinely contacts them soon after they join AWO in an effort to learn the details of their operation and offer help as they begin working to implement the RCP. During these calls, the Safety Department routinely talks to each of these new members about information that is available on our Web site, www.americanwaterways.com, including: the RCP itself, RCP implementation checklists, safety lesson plans and the list of AWO-certified auditors. New members are also encouraged to contact AWO to obtain copies of the several safety tools available to AWO members

including: brochures on alertness, hot work, and confined space safety; and videos on RCP implementation, oil spill response and downstreaming. Each new member is also encouraged to participate in one of AWO's safety committees. The safety committees provide members with an opportunity for their safety professional to get together with other safety professionals in our industry and share information on ways to promote safety and reduce accidents. Finally, each new member is encouraged to use AWO as a resource to assist them as they work to implement their RCP and ASP.

All AWO members, not just these most recent additions, are encouraged to contact Bob Clinton or Kathy Rehak in the AWO Safety Department at (703) 841-9300 if they have any

questions, or need more information on any of the safety tools mentioned in this article. The AWO Safety Department is dedicated to assisting all of our members improve safety as we begin 2004.☘

AWO Safety Calendars Still Available

AWO is still taking orders for its 2004 AWO Safety Calendar, which focuses on Bridge Transit Safety.



Order forms for the Safety Calendar can be accessed on the AWO Web site by clicking on "Commitment to Safety," "Safety Tools/Documents Library," and then "2004 Safety Calendar order form."

If you have any questions, please contact Traci Fischer at (703) 841-9300 or via email at tfischer@vesselalliance.com.☘

Atlantic Region

Coast Guard Proposes Modification of Baltimore Harbor Anchorage Project

On January 14, the Coast Guard issued a Supplemental Notice of Proposed Rulemaking (SNPRM) modifying the dimensions of the dredging program and regulations applicable to anchorages in Baltimore Harbor (*Federal Register*, Vol. 68, No. 9). The Coast Guard is accepting comments on both the NPRM and the SNPRM.

The original Notice of Proposed Rulemaking (NPRM) outlined a series of vessel regulations related to the notification of the Captain of the Port (COTP) and the use of anchorages in the Harbor, including:

- No vessel shall be anchored in Baltimore Harbor or Patapsco River outside the anchorage areas for a period of more than 24 hours;
- No vessel shall be anchored or moored in such a manner as to extend into the established channel;
- No vessel shall be positioned so as to obstruct or endanger the passage of another vessel; and,
- Except in an emergency, no vessel may occupy an anchorage without the express permission of the COTP.

The COTP may grant a revocable permit to a vessel for habitual use of the anchorages; COTP may order the shifting of vessel(s) within the anchorages; and, COTP may order specific conditions for vessel anchoring such as the scope of chain, readiness of engineering plant and usage of tugs.

Further, no vessel within the anchorage may transfer oil to or from another vessel without permission of the COTP and four hours advance notice is required for such permission. The COTP may also require every person having business aboard a vessel handling Class 1 (explosives) or dangerous cargo, other than a member of the crew, to hold either a pass issued by the COTP or another form of identification prescribed by the COTP. Each non-self propelled vessel handling Class 1 or dangerous cargo must have a tug in attendance at all times while at anchor.

Additional regulations address the notification procedures and the time vessels may spend in Anchorage Areas 1, 3, and 7 and the Dead Ship Anchorage. Comments on the proposed regulation may be sent to LJJ Timothy Martin, Fifth Coast Guard District, Navigation and Waterways Branch, (751) 398-6285 or by email to trmartin@lantd5.uscg.mil. Comments on the SNPRM are due February 13, 2004. ❀

Atlantic Region to Meet in Washington, D.C.

Atlantic Region members will meet on February 10, 2004 at The Fairmont Hotel in Washington, D.C. for their annual meeting. The meeting is being held in conjunction with a fundraiser for Congressman Frank LoBiondo (R-NJ), Chairman of the Coast Guard and Maritime Transportation Subcommittee of the House Transportation and Infrastructure Committee. The meeting will begin at 9:30 a.m. followed by the luncheon for Congressman LoBiondo at 12:30 p.m.

The meeting will include presentations on the new safety regime, the role and responsibilities of the regional offices, a review of the 2004 national and regional priorities, and discussions of several regional issues related to state taxes and no discharge zones. On the evening of February 9, the "Atlantic Region All Stars" will dine at The Palm restaurant for an evening with good friends and colleagues. Please complete the attached registration form and fax it to Marilyn Clark at (985)674-2291. ❀

"Two Barge Companies Drop Anchor"

(continued from page 7)

be bumping and grinding and tearing up our equipment," Humphreys said.

One barge industry proponent said the trouble on the Missouri could spread to the Mississippi. More than half the water in the Mississippi that flows past St. Louis comes from the Missouri.

Shutting off the Missouri River spigot will lead to lower Mississippi River levels as well, said Lynn Muench, vice president for the St. Louis office of the American Waterways Operators.

In fact, Muench said, it's already happened. After the Missouri River flows were reduced in August, several tows ran aground in the St.

Louis area. The Mississippi was shut down for several days to barge traffic while the Corps of Engineers deepened the shipping channel.

With a tow's daily expenses running from \$5,000 to \$10,000, Muench estimated that the industry lost \$1 million to \$2 million a day.

Her worst fear, however, is long-term reliability of the Mississippi River barge industry, especially as just-in-time delivery becomes more critical.

"You want to tell customers we can get it there, and I don't think we can," she said. "With this (low) water, is it going to be one day (late)? Is it going to be 30 days?" ❀

Pacific Region

Washington Legislature Holds Hearing on Oil Spill

The Washington State House Committee on Fisheries, Ecology & Parks held a Work Session on Thursday, January 15 on the Point Wells oil spill of 4,800 gallons in Puget Sound, which occurred on December 30. This Work Session involved an update on the response to the spill by the Department of Ecology, the U.S. Coast Guard, the National Response Corporation, the Suquamish Tribe and Foss Maritime Company, as the responsible party. Steve Scalzo, President of Foss Maritime Company, emphasized that Foss took full responsibility for the spill and the response, which is almost completed except for some shoreline area clean-up. Both the House Committee members and the federal and state authorities praised the effectiveness and results of the response.

Following the Work Session, the committee held a public hearing on the

spill. Jerry McMahon, AWO Vice President - Pacific Region; Cholly Mercer, President, Pecos Inc.; and Mike Moore, Executive Director of the Puget Sound Steamship Operators Association, participated in a panel on maritime industry efforts to prevent oil spills as well as the importance that the legislature not adopt any new initiatives in response to the spill until the investigations are completed by the appropriate agencies.

AWO lobbyist Cliff Webster, Carney Badley & Spellman, arranged 14 individual meetings for himself and Jerry McMahon with the members of the House Committee on Fisheries, Ecology & Parks and the Senate Committee on Natural Resources, Energy & Water to discuss the

spill. Also discussed was the tank barge industry's willingness to work with the legislature and appropriate agencies on lessons learned from the investigation to prevent future oil spills from transfers from a facility to a barge. House Committee Chairman Mike Cooper indicated that he intended to introduce legislation to require pre-booming of oil transfers from a facility to a barge in advance of the results of the federal and state investigations. He did pledge to work with industry and other stakeholders to improve and perfect the legislation, which he estimated would be submitted the week of January 20.

For further information contact Jerry McMahon (206) 768-3538. ☘

Pacific Region to Hold Annual Meeting in Seattle



The Pacific Region will hold its Annual Meeting in Seattle on Thursday, February 5. The meeting will be held at the Fairmont Olympic Hotel (formerly the Four Seasons Olympic Hotel), 411 University Street, Seattle, and will begin at 7:30 a.m. with a continental breakfast.

The meeting will involve an important discussion with Pacific Region members regarding the industry's future safety regime, AWO's regional activities and work, and will include elections of Pacific Region officers and directors for 2004.

All Pacific Region members are urged to attend and participate. To register for the meeting, please complete the attached registration form and fax it to Marilyn Clark at (985) 674-2291. For further information on the meeting, please contact Marilyn at (703) 841-9300. ☘

Midcontinent Office

Governor Expresses Concern on Missouri River Flows: “Administration’s Plan Devastating to River Commerce and Agriculture”

Missouri Governor Bob Holden (D-MO) expressed “deep concern” about the Administration’s new plan for managing the Missouri River in a January 16 letter to President George W. Bush. The Governor “applauded” the President’s August 2003 comment opposing “court-ordered low flows” that disrupted a “valued Congressionally-authorized use.” The Governor encouraged the Administration to develop a “common-sense plan” such as those presented by the Missouri Department of Natural Resources. ❁

January 16, 2004

The President
The White House
Washington, DC 20500

Dear Mr. President:

I am writing to express my deep concern over your Administration’s inability to develop a common-sense plan for managing the Missouri River that would protect endangered species without harming the many other uses of the river. The plan that was recently announced by your Administration is completely unacceptable to my state. The reduced summer flows required by your Administration’s plan will eliminate navigation as a viable transportation mode, thereby wiping out the jobs of those depending upon river commerce for their livelihood and increasing transportation costs to farmers. These low summer flows will also increase the costs to Missourians for electricity and drinking water. Furthermore, the spring flood mandated by your Administration’s plan will exacerbate the existing risk of flooding bottomland farms.

On numerous occasions, you have been asked to ensure that your Administration proposes common-sense solutions for managing the Missouri River. I was under the impression that we were in agreement that it was possible to preserve the species and the jobs of those depending upon the river for their livelihood. Your Administration’s proposal not only abandons such a compromise, but it will also eliminate a valuable Congressionally-authorized use of the river. During your visit to St. Louis in August of 2003, you expressed your opposition to a court-ordered low flow that harmed users of both the Missouri and Mississippi Rivers. At the time, I applauded your statement because the record-low summer flows during the summers of 2002 and 2003 halted navigation and caused problems for power and drinking water utilities across the state. Yet your Administration has mandated summer low flows during the next two years that are virtually identical to those imposed by the courts.

Because your Administration is mandating low summer flows during the next two summers, two major shippers on the Missouri River have recently stated that they will not operate this summer. This is devastating to those farmers and businesses that rely on the river for the shipment of fertilizer, grain, cement and other products. Given that the lower river has already experienced low summer flows over the past two years, I find it completely unreasonable that your Administration insists on requiring summer low flows during the next two years.

Your Administration’s proposal for the Missouri River is based on questionable science, and it will be devastating to river commerce and agriculture in the Midwest. The failure to develop a common-sense solution will impact millions of people in the nation’s heartland. Again, the State of Missouri is truly concerned about protecting endangered species and natural habitat along our rivers, but our citizens need protection as well. I respectfully request that you explain to me and the residents of my state how you intend to rectify this situation so as not to flood farms and eliminate the jobs of those who rely upon the river for their livelihood. I eagerly await your response.

Sincerely,



Bob Holden, Governor

Midcontinent Office

St. Louis MSO Announces AMS Committee Meetings

St. Louis MSO Commander, CDR Suzanne Englebert, has announced several Area Maritime Security (AMS) Committee meetings. The towing industry is invited to participate in the final development phase of the AMS Plan (see story, page 4). The goals of each meeting will be to: 1) provide an overview of the background and current status of the Area Maritime Security Plan, 2) detail the desired end state of the plan and actions/information needed to achieve it, and 3) assign specific tasking/information requirements to committee members for development and inclusion in the plan. The meetings are scheduled to run from 8:30 a.m. to 1:00 p.m.

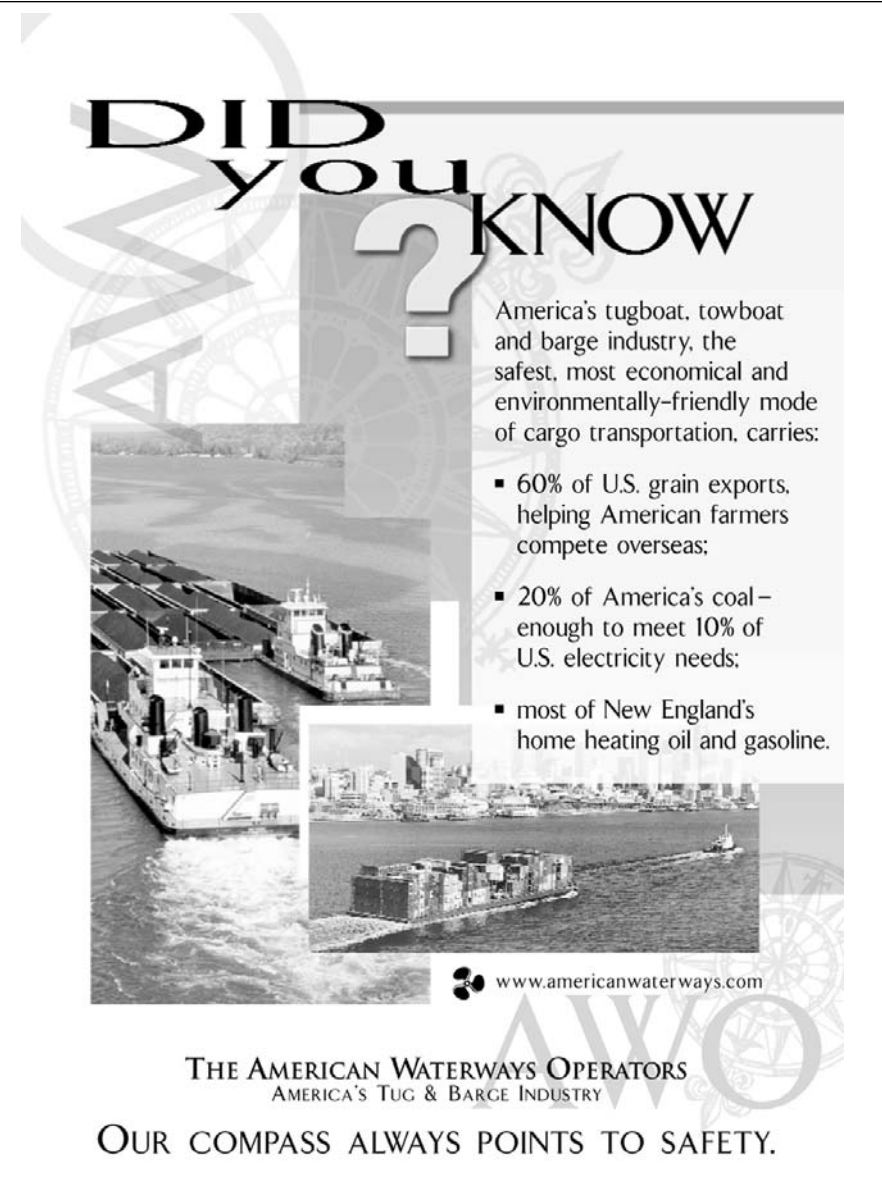
January 27: Isle of Capri Hotel
Bettendorf, IA
(563) 359-7280

January 28: Par-A-Dice Hotel
East Peoria, IL
(309) 694-5812

January 30: Radisson Riverfront Hotel
St. Paul, MN
(651) 292-1900

February 3: Embassy Suites
St. Louis, MO
(314) 241-4200

Questions concerning the meetings should be addressed to Lt. Tom Morgan at (314) 529-3091 or tmorgan@cgstl.uscg.mil or to Lt. Carol McAllister at (309) 782-0627 or CMcAllister@grpumr.uscg.mil.



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