



The American Waterways Operators
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August 29, 2014

LT Andrew Gibbons
U.S. Coast Guard
Office of Design and Engineering Standards
2703 Martin Luther King, Jr. Avenue, SE
Washington, DC 20593-7509

Re: Development of a Mandatory Code for
Ships Operating in Polar Waters (IMO
Polar Code) (USCG-2014-0515)

Dear LT Gibbons:

On behalf of the American Waterways Operators, the national trade association for the tugboat, towboat and barge industry, thank you for the opportunity to submit feedback on the development of the International Maritime Organization's International Code of Safety for Ships Operating in Polar Waters (Polar Code). AWO members greatly appreciated the opportunity to participate in the U.S. Coast Guard's Polar Code public workshop in Seattle on August 14, and we commend the Coast Guard for continuing to proactively seek maritime industry input on this important issue. We hope to expand on the comments offered by our members in the discussions at that workshop below so that the Coast Guard can best represent U.S. interests at the IMO intersessional meeting in London this fall.

Over a dozen AWO member companies operate tugboats, tank barges and deck barges throughout the state of Alaska, in polar waters, and within the Arctic Circle. As outlined in our initial comments dated September 7, and subsequent comments dated September 23, 2013 (Docket USCG-2012-0720) regarding the development of the Polar Code, these vessels have a unique operational profile in polar regions and play a crucial role in the regional economy. Tugboats and barges have a singular capability to transit shallow waters and visit ports that deep-draft vessels cannot, which allows our industry to be the principal provider of food, fuel and supplies to communities in rural Alaska.

At each of the Coast Guard's Polar Code public workshops, AWO members have stated that:

1. The Polar Code must clearly define the term "domestic voyages," and should not impose international requirements on vessels that transit between two domestic ports; and,

2. The Polar Code must provide a sensible framework for the training and certification of officers navigating in icy waters and allow for the use of certified ice navigators to accommodate the limited capacity of masters to obtain polar STCW endorsements.

AWO urges the Coast Guard and the U.S. delegation to the IMO to advocate for these positions in Polar Code discussions for the reasons stated below.

Proposed Definition of Domestic Voyage

AWO urges the Coast Guard to advocate for a clear and concise definition of the term “domestic voyages.” We believe that the term was not adequately defined at the 93rd session of the Maritime Safety Committee held in May 2014. International delegations have proposed many different definitions of vessels engaged on domestic voyages, including vessels operating only in a single Exclusive Economic Zone, vessels operating within the three mile territorial boundary, vessels that do not hold a SOLAS certificate, and vessels that transit between two domestic ports.

A clear definition is important because many AWO members operate SOLAS and non-SOLAS vessels on domestic voyages to or between U.S. ports in Alaska. If a vessel that holds a SOLAS certificate is classified as being on an “international voyage” under the Polar Code, then the vessel would be treated unequally from an identical vessel that is certified for domestic service only (not holding a SOLAS certificate). **AWO strongly supports defining domestic voyages as transits between two domestic ports. This definition provides a simple standard by which the U.S. maritime industry can classify its voyages and remain compliant with domestic and IMO regulations.**

Ice Navigators

The Polar Code should provide a sensible framework for the training of certified ice navigators for work in polar waters. As ice navigation is a specialized skill in the maritime industry, the number of officers who are certified to navigate through ice is limited, and because guidelines for ice navigation training and certification have yet to be established, companies are unable to invest in training for their officers with certainty that the training will be acceptable under the Polar Code. If the training and certification requirements are adopted by IMO as currently proposed, operators may need to suspend or limit polar operations until their masters are ice-certified.

AWO urges the Coast Guard to advocate for an approach that allows a certified ice navigator to be added to a vessel’s crew when operating in ice in polar waters, rather than requiring that the master be a certified ice navigator. Without this flexibility, it will be necessary to replace the vessel’s master with an officer that has the requisite certification, regardless of his or her other experience, as the vessel moves into polar waters. AWO supports the utilization of ice navigators as a supplement to existing crews, which will provide vessels operating in polar waters with both the necessary experience and the necessary skill in navigating through ice. **AWO further encourages the U.S. Coast Guard to adopt the recommendations of the Merchant Marine Personnel Advisory Committee for polar training standards.**

Conclusion

AWO greatly appreciates the opportunity to work with the Coast Guard to ensure that the Polar Code enables our members to continue their vital seasonal work and their strong history of safe and environmentally sustainable operations in Alaska. We encourage the Coast Guard to continue to draw on the expertise of AWO members as work on the Polar Code moves forward to the second round of IMO negotiations for non-SOLAS vessels.

Please feel free to contact me should you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles P. Costanzo". The signature is written in a cursive style with a large initial "C" and "P".

Charles P. Costanzo