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District Court Approves AWO's Intervention in Lock Closure Case



On August 20, U.S. District Judge Robert M. Dow, Jr. of the U.S. District Court, Northern District of Illinois, approved an intervention motion by a coalition of industries and associations, including AWO, in the case of *Michigan et al. v. U.S. Army Corps of Engineers et al.* In this case, five Great Lakes states are seeking to force the Corps to close the O'Brien and Chicago locks and to expedite a study on ecologically separating the Great Lakes from the Mississippi River Basin, among other actions. The coalition is intervening on the side of the Corps, as are the City of Chicago and Wendella Sightseeing Company, Inc. Judge Dow approved the intervention of those entities in his ruling as well. To read more about the effort by the states, please see the July 30 and August 13 editions of the *AWO Letter*.

At an initial hearing on August 23, Judge Dow heard arguments from the parties on the merits of their positions and set the schedule for the filings of motions and the factual hearing. The dates selected for the factual hearing are September 7, 8 and 10.

To read Judge Dow's ruling on the interventions, please click [here](#). For more information, please contact Lynn Muench at (314) 446-6474, or via email at lmuench@vesselalliance.com; or Benjamin Rogers at (703) 841-9300,

extension 264, or via email at brogers@vesselalliance.com

Secretary LaHood Selects Marine Highway Corridors and Projects

On August 11, U.S. Secretary of Transportation Ray LaHood announced the selection of 18 Marine Highway Corridors (MHCs) and eight Marine Highway projects as part of the Marine Highway Program (MHP). The MHP was authorized by the U.S. Congress as part of the 2007 Energy Independence and Security Act. The program is designed to promote the use of waterborne transportation in geographic areas where landside travel produces excessive congestion and pollution.

The MHCs that were selected, therefore, are all located adjacent to interstates or highways where waterborne alternatives could be of interest to shippers and other entities. To view a map of the 18 MHCs, please click [here](#). The eight projects were

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P.O. Box 397 • Rosedale, MS 39869

This edition of the *AWO Letter* is sponsored by:

Secretary LaHood Selects Marine Highway Corridors and Projects

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chosen from among 35 total applicants, and are geographically within MHCs. Consistent with the requirements of the MHP, all projects are sponsored by public entities. Partnerships with private organizations on individual projects are permissible, however. To read a list of the projects selected, please click [here](#).

Designation as a Marine Highway allows a project sponsor to receive assistance from the U.S. Maritime Administration (MarAd) within the U.S. Department of Transportation (DOT) in acquiring funding from existing programs including the Capital Construction Fund and the Federal Highway Congestion Mitigation and Air Quality Improvement Program. Additionally, the eight sponsors are eligible to apply for receipt of portions of the \$7 million that DOT and MarAd have made available for the MHP's implementation. This funding was appropriated through the Fiscal Year 2010 Department of Defense Appropriations Act. The sponsors had until August 27 to apply for funding. To read the announcement for funding availability, please click [here](#).



AWO supports greater awareness of waterborne alternatives to landside transportation, but believes that is important to promote incentives for shippers to use barges without artificially altering the supply side of the barge market. For more information, please contact Chris Coakley or Benjamin Rogers at (703) 841-9300, extensions 297 or 264, respectively, or via email at ccoakley@vesselalliance.com or brogers@vesselalliance.com.

TSAC to Meet in Pittsburgh, PA

On September 1 and 2, the Towing Safety Advisory Committee (TSAC) and its working group on the Revision of Navigation and Vessel Inspection Circular (NVIC) 4-01 ("Licensing and Manning for Officers of Towing Vessels") will meet in Pittsburgh, PA. TSAC is a congressionally established federal advisory committee that provides advice to the Coast Guard on inland and coastal barge and towing vessel safety.

On September 1, the NVIC 4-01 working group will review the current draft proposal and continue discussions on possible revisions to NVIC 4-01. TSAC working groups will also discuss barge fleeting and lighting problems; review proposals to establish a new license for mariners operating assistance towing vessels; discuss lessons learned from the *T/V Elizabeth M* casualty; and, continue its work on Task Statement 08-01 "Licensing and Manning for Officers of Towing Vessels."

On September 2, the full committee will meet to receive reports on the working group activities and hear updates on commercial/recreational boating interface; National Maritime Center activities; the Transportation Worker Identification Credential (TWIC) program; the Towing Vessel National Center of Expertise; and, processes and procedures of the Coast Guard Marine Investigations and Casualty Analysis Branch.

To read the Federal Register notice announcing the meeting, click [here](#). For a copy of NVIC 4-01, click [here](#). Minutes from the meeting will be available 30 days after the meeting on the Coast Guard Homeport Web site by clicking [here](#).

If you have any questions about the TSAC meeting, please contact Michael Harmon of the Coast Guard at (202) 372-1427, or via email at Michael.J.Harmon@uscg.mil.



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 Robert McCaw at (703) 841-9300, extension 279, or via email at rmccaw@vesselalliance.com.

Coast Guard Seeks Applicants for NAVSAC

On August 13, the U.S. Coast Guard announced that it is seeking applications for membership on the Navigation Safety Advisory Council (NAVSAC). NAVSAC advises the Coast Guard on a wide range of issues related to navigation safety, such as the prevention of collisions, ramming and groundings. To be eligible, applicants should have experience in

the Inland and International Rules of the Road, aids to navigation, navigational safety equipment, vessel traffic services and vessel routing measures. Completed application forms should reach the Coast Guard on or before September 13.

To read the *Federal Register* notice, click [here](#). For more information,

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

Coast Guard Reminds Operators to Ensure Correct AIS Frequency

On August 23, the U.S. Coast Guard issued a special notice reminding vessel operators to ensure that their Automatic Identification System (AIS) transponder is operating at the correct frequencies. The notice confirms that the standard default AIS frequency is 161.975 MHz (AIS1 or channel 87B) and the alternate AIS frequency is 162.025 MHz (AIS2 or channel 88B). These frequencies can be verified by consulting the manufacturer's operation/owner's manual for each specific AIS unit.

To read the notice, click [here](#). For more information, please contact Brian Vahey at (703) 841-9300, extension 251, or via email at bvahey@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.

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

2010 Fall Convention Hotel Reservation Deadline September 11



The 2010 AWO Fall Convention will be held on October 13-15 at The Fairmont in San Francisco, CA. An official invitation, with registration link, will be sent in the coming weeks.

The tentative convention schedule begins on Wednesday, October 13 for new board directors. For all other members, the convention begins on Thursday, October 14 at 8:00 a.m. There will be a cocktail reception on Thursday evening starting at 6:00 p.m. On Friday morning, October 15, the day begins with a continental breakfast at 7:00 a.m., followed by the Board of

Directors meeting at 7:30 a.m.

The Fairmont San Francisco has reserved a block of rooms at a group rate of \$269.00. This group rate will be held until September 11. For reservations, you must call the hotel directly at (800) 441-1414 and reference the American Waterways Operators 2010 Fall Convention.

For further convention registration or hotel information, please contact Ashley Smith at (703) 841-9300, extension 291, or via email at asmith@vesselalliance.com.

Ten Members Complete RCP Audits

Ten AWO member companies have completed certification or recertification of their Responsible Carrier Program® (RCP) audit. Congratulations to these companies on their successful participation in the program! The RCP is the award-winning safety management program of the tugboat, towboat and barge industry. Members are required to undergo a certification audit by an AWO-certified third-party auditor within one year of joining AWO and to undergo regular

recertification audits to verify their compliance with the RCP.



For these companies, this achievement is tangible proof of their commitment to continued safety and environmental protection. AWO is proud of their

accomplishment. For information on the RCP or the audit, please contact Bob Clinton at (703) 841-9300, extension 253, or via email at bclinton@vesselalliance.com.



“SAFETY PAGES”

The following companies have achieved audited RCP certification:

L & L Marine Transportation, Inc.
Harvey, LA
Audit date: 10/06/10
Reaudit due: 10/06/13

B & G Towing, L.L.C./Acme Marine, L.L.C.
Lafitte, LA
Audit date: 09/13/10
Reaudit due: 09/13/13

Rodgers Marine Towing Service, Ltd.
Galena Park, TX
Audit date: 08/16/10
Reaudit due: 08/16/13

Upper River Services
Saint Paul, MN
Audit date: 08/01/10
Reaudit due: 08/01/13

Stockstill Boat Rentals, Inc.
New Iberia, LA
Audit date: 08/07/10
Reaudit due: 08/07/11

Larry Griffin Towing Co., Inc.
Golden Meadow, LA
Audit date: 08/07/10
Reaudit due: 08/07/11

Bayou Tugs, Inc.
Houma, LA
Audit date: 08/13/10
Reaudit due: 08/13/13

Midwest Tankermen, Inc.
Lockport, IL
Audit date: 08/14/10
Reaudit due: 08/14/13

U.S. United Ocean Services
Tampa, FL
Audit date: 08/08/10
Reaudit due: 08/08/15

John’s Towing Service, Inc.
Shippingport, PA
Audit date: 10/24/10
Reaudit due: 10/24/11

Don't Forget to Register for the Interregion Safety Committee Meeting!

The Interregion Safety Committee Meeting will take place on September 8-9, 2010 at the Sheraton



Westport Lakeside Chalet Hotel in St. Louis, MO. To register for this meeting, click [here](#). Please click [here](#) to view the final agenda for this meeting.

The Safety Subcommittee will meet on September 8 starting at 10:00 a.m., and the main meeting will begin at 1:00 p.m. A reception will be held at the conclusion of the afternoon session. The meeting resumes at 8:00 a.m. on Thursday, September 9 and will conclude by 12:00 p.m.

For further Safety Committee information, please contact Bob Clinton at (703) 841-9300, extension 253 or via email at bclinton@vesselalliance.com. For registration or hotel information, please contact Ashley Smith at (703) 841-9300, extension 291, or via email at asmith@vesselalliance.com.

Southern Region

AWO Highlights Industry Priorities at MRC Public Meeting

On August 20, AWO attended the Mississippi River Commission (MRC) public meeting aboard the *M/V Mississippi* at the Cenac Towing Dock in Houma, LA. Houma was the last destination of five stops that included Cape Girardeau, MO; Memphis, TN; and, Rosedale, MS. The purpose of the meeting was to brief local industry stakeholders on national and regional issues facing the U.S. Army Corps of Engineers as well as Commission Programs and Projects on the Mississippi River. In its brief comments to the Committee, AWO focused on four points: Asian carp, the Missouri River Authorized Purposes Study (MRAPS), Hydrokinetic Projects and New Orleans flood protection projects.

On Asian carp, AWO encouraged the Corps and other federal agencies to implement technologies that would ensure the preservation of the natural resources of the Great Lakes and the Western Rivers while avoiding adverse impacts to commerce. Consistent with this position, AWO urged the speedy completion of the long-delayed electric Fish Barrier IIB and expressed strong support for the Corps' plans to install an acoustic bubble curtain with strobe lights (ABS) deterrent barrier near Brandon Lock and Dam this fall. Additionally, AWO urged the Corps to provide industry with at least 30 days notice prior to any future closure or change in operating procedures, and requested that the Corps proceed with a peer review of the eDNA testing that has been the impetus for several hastily scheduled closings that did not result in the identification of even one carp beyond the electric dispersal barrier.

On MRAPS, AWO urged the Corps to recognize the critical need to keep navigation as an authorized purpose of the Missouri River. AWO stressed that MRAPS should evaluate alternatives that enhance and maximize the benefits of inland river navigation, including changes to the authorized purposes that would more specifically tie operation of the Missouri River system to navigation on the Mississippi River. AWO added that the Mississippi Valley Division and the St. Louis District must be leaders in this Corps study to protect and ensure reliable navigation on the Mississippi River.

On alternative energy projects and floodgate projects in New Orleans, AWO stressed the importance of strong and consistent interaction between industry and the Corps on projects that impact the safety of commercial navigation on the inland rivers. AWO praised the strides both parties have made towards strengthening the industry-Corps partnership, and expressed its desire to see this progress continue into the future.

The meeting was attended by General Michael Walsh, Commander of the Mississippi Valley Division and President of the MRC; and by General John McMahon, Commander of the Northwestern Division. AWO's remarks were given by Mark Wright, AWO Vice President - Southern Region.

For more information, please contact Mark Wright at (985) 674-3600, or via email at mwright@vesselalliance.com.

Last Chance to Register for the Southern Region Summer Meeting!

The Southern Region Summer Meeting is quickly approaching! The Meeting will take place on September 1-2 at the Beau Rivage Resort & Casino in Biloxi, MS. To register for this meeting, please click [here](#).

The meeting will begin on Wednesday, September 1 at 2:00 p.m. with an in-depth members-only discussion session on timely issues facing the industry. A reception will be held later in the evening at 6:00 p.m. The meeting will reconvene September 2 starting with breakfast at 7:30 a.m. and followed by the business session from 8:30 a.m.-12:30 p.m. For your reference, click [here](#) for the Discussion Session Packet and [here](#) for the Business Session Packet.

Sponsorship opportunities are still available for the Southern Region Summer Meeting, and include the discussion session and the reception. Please click [here](#) for sponsorship opportunities.

Thank you to our confirmed Southern Region Summer Meeting sponsors: JANTRAN, Inc.; LeBeouf Bros. Towing, L.L.C.; Magnolia Marine Transport Company; Turn Services, LLC; and, Water Quality Insurance Syndicate.

For further Southern Region information, please contact Mark Wright at (985) 674-3600, or via email at mwright@vesselalliance.com. For further registration or hotel information, please contact Ashley Smith at (703) 841-9300, extension 291, or via email at asmith@vesselalliance.com.

Atlantic Region

Atlantic Region Holds Summer Meeting

On August 11 and 12, the AWO Atlantic Region held its Summer Meeting at the InterContinental Barclay Hotel in New York City. The meeting's robust agenda consisted of a members only discussion session the first afternoon and a General Business

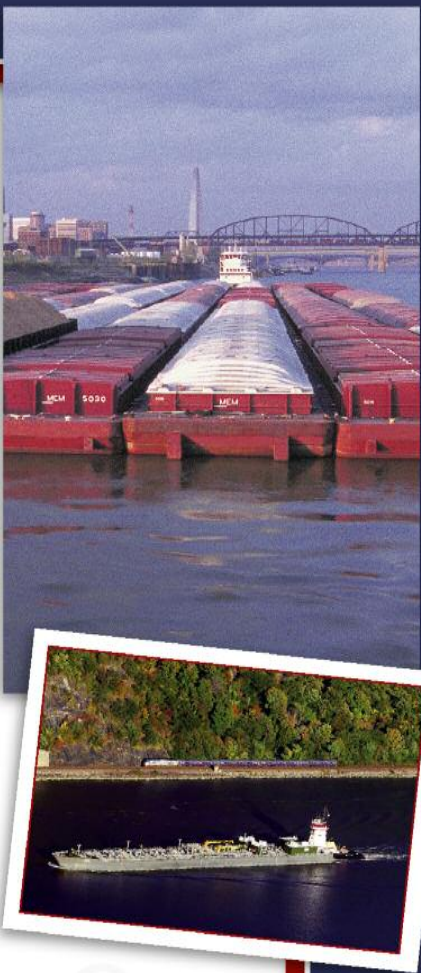
Session the following morning. The meeting was well attended by AWO members and enjoyed strong Coast Guard participation from both Sector New York and the First District.

During the discussion session, members heard presentations on

alternative energy projects in the region and the current status of the litigation that AWO is engaged in. Members participated in a discussion on the *AWO 21* Goal One Public Affairs program to enhance our industry image and leverage member passion and assets to expand our media outreach. Members also discussed the importance of the AWO PAC and political program to the overall advocacy program. Additionally, Alan Bish of Reinauer Transportation Company and Christian LaPense of Dann Marine Towing LG, joined staff in leading a member forum on the Vessel General Permit and compliance challenges.

Atlantic Region Chairman Buckley McAllister, McAllister Towing, opened the general business session with remarks emphasizing the importance of AWO member involvement in all aspects of the new *AWO 21* strategic plan. He noted how much more successful AWO advocacy and media campaigns are when local members are engaged in the meetings and bring their expertise and enthusiasm about the industry to the effort. AWO Chairman George Foster, JB Marine Service, Inc., spoke to the group about the growing number of challenges the industry faces and the path to success that the new strategic plan provides for both staff and members. AWO Vice President - Atlantic Region Nicole deSibour provided a report on the specific initiatives and advocacy efforts at the state and federal level the region has undertaken over the course of the year. AWO President & CEO Tom Allegetti offered further remarks analyzing the big picture challenges before the association, its staff and its


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Atlantic Region Holds Summer Meeting



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members, in all aspects of the association's business: advocacy, safety, public affairs, financial management and governance.

Following the AWO leadership and staff remarks, the members had the opportunity to hear from CAPT Joseph Servidio, Chief of Staff for the Coast Guard First District, who offered remarks about the hurdles the Coast Guard is currently facing as a result of the redeployment of staff resources in response to the *Deepwater Horizon* incident, as well as the goals and initiatives of the First District for the remainder of 2010 and into 2011. CAPT Servidio then presented a letter of recognition from RADM Daniel Neptun, Commander of the First District, to Reinauer Transportation Company, for having their entire fleet decaled through the voluntary uninspected towing vessel exams. CAPT Linda Fagan, Commander of Sector New York, joined CAPT Servidio in congratulating Reinauer



Clockwise from left: CAPT Joseph Servidio, Chief of Staff for Coast Guard First District, addresses Atlantic Region Members; CAPT Servidio presents letter of recognition to Jason Reinauer and Alan Bish of Reinauer Transportation; Andy Garger, WQIS; AWO Atlantic Region Chairman Buckley McAllister, McAllister Towing and CAPT Linda Fagan, Commander of Coast Guard Sector New York, confer during the Ramifications of Deepwater Horizon panel.

and provided Atlantic Region members with her vision for her new command in the Sector, one that emphasizes partnership and communication. CAPT Fagan then joined Atlantic Region Chairman Buckley McAllister, AWO Vice President - Legislative Affairs Chris Coakley and Andrew Garger of Water Quality Insurance Syndicate for a discussion forum on the ramifications of the *Deepwater Horizon* incident for the towing

industry. The meeting closed with remarks by Congressman Mike McMahon (D-NY), who represents many Atlantic Region members on Staten Island.

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

Midcontinent Office

Midwest and Ohio Valley Regions Hold Joint Summer Meeting

On August 18 and 19, the AWO Midwest and Ohio Valley regions held a joint meeting in St. Louis, MO. The two-day meeting began with a members only discussion session on Wednesday, August 18.

AWO Vice President - Legislative Affairs Chris Coakley presented members with an update on the progress on getting the Capital Development Plan included in a Water Resources Development Act (WRDA) this year. He reported that a U.S. House of Representatives WRDA bill had been reported out of committee that did not contain the Capital Development Plan, but that the Waterways Council, Inc./AWO/ National Waterways Conference working group is trying to get the Plan language included in the bill before it goes to the House floor. Mr. Coakley also reported on the outlook for the inclusion of the Plan language in a Senate bill.

During a discussion on the Vessel General Permit issue, members indicated they were in one of two camps: those who have begun to establish a paper trail for the Notice of Intent (NOI) requirements, and those still waiting for pending litigation on the issue to be resolved. Peter Stephaich, Campbell Transportation Company, Inc. and AWO Vice Chairman, spoke about his company's approach to filing the required documents. Ed Shearer, Shearer & Associates, Inc. and Brad Cunningham, American Commercial Lines, Inc., also spoke about VGP consequences.

AWO Vice President – Public Affairs & Communications Anne Burns outlined for the members a strategic communications plan for achieving Goal 1 of the AWO strategic plan, *AWO 21*: To promote positive public

awareness of the tugboat, towboat and barge industry. She emphasized that a critical element in the new strategic plan is the role that AWO members must play in order to achieve its goals.

Mr. Coakley presented an update on the Asian carp issue focused on the successful efforts of the “Unlock Our Jobs” coalition (www.unlockourjobs.org) of shippers and carriers that has been conducting media, congressional, regulator and stakeholder outreach. Litigation efforts by Midwest states to shut down locks in the Chicago area were also discussed. Mr. Coakley pointed out that the larger issue involved is that choosing between commerce and the environment is a false choice, and invasive species should not be used as a reason to shut down commerce, a decision issue that could have ramifications for the entire industry.

On Thursday, August 19, members met in a business session. They heard welcoming remarks from Congressman Jerry Costello (D-IL) and from Congressman Russ Carnahan (D-MO). Midwest Region Chairman Mike Luhr, Luhr Bros., and Ohio Valley Chairman David Sehart, Ingram Barge Company, presented their chairmen's reports. AWO Chairman George Foster, JB Marine Service, Inc., delivered his chairman's remarks, which were focused on the strength derived from AWO's diverse sectors and operations, and the new strategic plan.

In the Regional Report, Mr. Coakley asked for help with a list AWO is compiling of members' advocacy assets: law firms or lobbying firms on retainer to monitor state legislatures' actions relevant to the industry. He said this list is essential to AWO in order to fight growing state activism defying federal authority in matters affecting the maritime industry.

A panel discussion on the fallout from the *Deepwater Horizon* oil spill featured Harry Diamond, WQIS, who outlined for members the serious potential insurance ramifications: U.S. Coast Guard CAPT Tom Hooper, who discussed the Coast Guard's experience with the spill: and, Spencer Murphy, Canal Barge Company, who represented a member working group of maritime attorneys and provided a legal perspective.

AWO President & CEO Tom Allegretti presented the National Report, outlining the challenges faced by AWO over the past several months, while highlighting the capacity that has been achieved through AWO staff reorganization.

For more information, please contact Lynn Muench at (314) 446-6474 or lmuench@vesselalliance.com.

2010 AWO Letter Sponsorships Still Available!

AWO is still 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. To secure a sponsorship, please complete the sponsorship form [here](#) and fax it to Anne Burns at (703) 841-0389 or via email at aburns@vesselalliance.com.

