

VOLUME 67, No. 20 • OCTOBER 8, 2010

**HIGHLIGHTS IN THIS ISSUE**

Congress Congress Adjourns Until After November Elections.....1

Canal Barge Company Achieves 100% Compliance with TVBP.....3

Inland Waterways Users Board Meeting to be Held October 27.....3

Coast Guard Publishes Salvage and Firefighting NVIC.....4

Coast Guard Final Rule on CDC Residue Exempts Vessels Carrying Lower-Risk Cargoes from Submitting Notices of Arrival.....4

AWO submits letter to *The Washington Post* on NTSB Safety Recommendations.....5

“Carp Not Just Michigan Issue”.....6

Last Chance to Register for the 2010 Fall Convention.....7

Twelve Members Complete RCP Audits..9

Joint Safety Committee Meeting Date Change Enhances Vertical Alignment...9

California Governor Vetoes Prebooming Bill.....10

Atlantic RQSC Meets.....10

Lower Mississippi River Waterway Safety Advisory Committee Meets in New Orleans.....11

## Congress Adjourns Until After November Election



On September 29, both chambers of the U.S. Congress were adjourned for the elections and will not return until after November 15. Both the House and Senate had planned to be in session until October 8, but lawmakers have headed home early in order to focus their attention on their districts and races. The short September session saw action on several pieces of legislation that impact the maritime industry, including the Coast Guard Authorization Act, which passed, and bills introduced in response to the *Deepwater Horizon* oil spill, which did not.

### Failure to Pass *Deepwater Horizon* Legislation

In the waning days of the session, Senate Majority Leader Harry Reid (D-NV) unsuccessfully attempted to hotline S. 3755, the Fairness in Admiralty and Maritime Law Act, a bill introduced in response to the *Deepwater Horizon* oil spill that would have made sweeping changes to admiralty and general maritime law and have harmful impacts on the maritime industry.

Sponsored by Senator Jay Rockefeller (D-WV), Chairman of the Commerce, Science and Transportation Committee, S. 3755 would have allowed punitive damages to be assessed in maritime tort cases and would make non-pecuniary losses eligible for recovery in actions

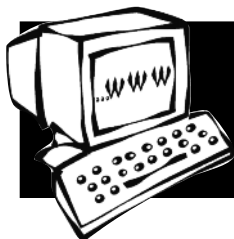
brought under the Death on the High Seas Act, as well as add to the claims not subject to limitation under the Limitation of Liability Act.

A hotline is an unofficial procedural maneuver that enables Senate leadership to pass a bill by unanimous consent without debate. However, individual Senators may put holds on the bill to signal their objection, which delays this expedited process.

AWO and its members registered opposition to S. 3755 with targeted Senators, encouraging them to focus the legislative response to the *Deepwater Horizon* on reducing the risks of deepwater offshore drilling, and not on making unnecessary changes to the effective regime of regulations that govern the maritime industry. Ultimately, several Senators placed holds on the bill and stopped the hotline.

On September 28, Senate Majority Whip Dick Durbin (D-IL) told reporters that the prospects for energy legislation during an expected post-election lame-duck session were a “long shot.” He called specific proposals such as oil spill liability rules “controversial,” suggesting it is unlikely that any proposals to address the *Deepwater Horizon* oil spill will resurface after the elections. Nevertheless, AWO

*(continued on page 2)*



The new and improved...

[www.americanwaterways.com](http://www.americanwaterways.com)

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

# Congress Adjourns Until After November Election

(continued from page 1)

will continue to monitor the situation and oppose any efforts to pass legislation that could negatively impact maritime jobs and businesses.

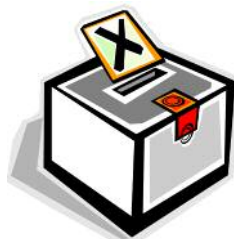
## Passage of Coast Guard Authorization Bill

On September 29, the House adopted a resolution to reconcile its version of H.R. 3619, the Coast Guard Authorization Act of 2010, with the version passed by the Senate, thereby sending the measure to President Obama's desk for his signature. If signed, it will be the first Coast Guard authorization bill to be enacted since 2006. AWO considers the passage of the Coast Guard Authorization Act to be a success for the maritime industry, both for what it does and what it does not do.

The cleared bill did not include a requirement that AWO has strongly opposed for single hull tank vessels moving oil through Buzzards Bay, MA, to take a Massachusetts state pilot in the wheelhouse. This provision would have overturned 150 years of case law protecting the federal authority of the Coast Guard to regulate towing vessel licensing and pilotage. The issue of navigation and the preemptive authority of the federal government is at the core of the case of

*U.S. v. Massachusetts*, in which AWO is a plaintiff.

Included in the bill is a provision AWO strongly supported that requires the Department of Homeland Security to promulgate rules to allow qualified merchant mariners to receive their Transportation Worker Identification Credentials by mail, eliminating the requirement for them to make a burdensome second trip to a TWIC enrollment center. AWO and maritime labor unions had been advocating for the passage of this legislative language to improve the efficiency and practicality of the TWIC program.



In addition, the bill reorganizes the Coast Guard's senior leadership by eliminating Area Commanders and replacing them with four Vice Admirals, one of whom will have extensive marine safety experience and serve as principal advisor to the Commandant on marine safety issues. Also included are measures to enhance workforce development, to modernize the marine safety program, to reduce the risk of oil spills and to improve acquisition procedures and requirements in the wake of the Coast Guard's problems with its vessels and equipment acquisition program.

The bill contains many other provisions that impact the maritime

industry. Summarized below are some sections of particular importance.

- **Merchant Mariner Document Standards:** Requires the Secretary of the Department of Homeland Security to develop a plan within nine months to ensure that the TWIC and MMD application process can be completed entirely by mail.
- **Marine Safety Mission Priorities and Long-Term Goals:** Requires the development of a long-term strategy for improving vessel safety to include eliminating the backlog of marine safety-related rulemakings and implementing risk-based safety enforcement.
- **Logbooks:** Expands the logbook requirement to towing vessels, but is narrower than language previously considered and will be moot when towing vessel inspection regulations (which will address logbooks) are published by the Coast Guard.
- **Oil Fuel Tank Protection:** Codifies Regulation 12A under MARPOL Annex I, which does not require double hull protection for oil fuel tanks with an aggregate capacity less than 600 cubic meters, or 159,000 gallons.
- **Renewal of Advisory Committees:** Renews the Towing Safety Advisory Committee, which is now set to terminate on September 30, 2020.
- **Authorization to Extend MMCs:** Allows the Coast Guard to extend the duration of expiring MMCs one year if the extension is required to eliminate a processing backlog.

AWO companies who host Coast Guard examiners through the **Towing Vessel Bridging Program (TVBP)** should take care to fill out a survey upon completion of the visits so that improvements to the TVBP can be made. Please click [here](#) to access the survey.



(continued on page 3)

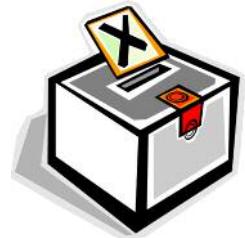
## Congress Adjourns Until After November Election

(continued from page 2)

- **Oil Transfers from Vessels:** Requires the Coast Guard to promulgate regulations to reduce the risk of oil spills involving the transfer of oil to or from a tank vessel, but does not preclude states from promulgating their own regulations.
- **Improvements to Reduce Human Errors and Near Miss Incidents:** Directs the Secretary of the Department of Homeland Security to perform a study using voluntarily submitted data into the causes, particularly fatigue, of human errors leading to oil spills.
- **Olympic Coast National Marine Sanctuary:** Requires the Coast Guard and NOAA to restrict the movements of tank vessels, whether loaded or unloaded, through the NMS.
- **Seamen's Shoreside Access:** Requires facility security plans to provide a timely and free system for seamen to

board and depart their assigned vessel through the facility.

For more information, please contact Chris Coakley or Caitlyn Stewart at (703) 841-9300, extensions 297 and 262, respectively, or via email at [ccoakley@vesselalliance.com](mailto:ccoakley@vesselalliance.com) or [cstewart@vesselalliance.com](mailto:cstewart@vesselalliance.com).



## Canal Barge Company Achieves 100% Compliance with TVBP

On October 6, the U.S. Coast Guard announced that 100% of the vessels in the fleet belonging to Canal Barge Company in New Orleans, LA have been awarded Uninspected Towing Vessel (UTV) decals. The decals signify that a UTV has satisfactorily completed the voluntary examination process through the Towing Vessel Bridging Program (TVBP). According to the Coast Guard, over 30 companies have received the distinction of having all of their vessels awarded decals. Congratulations to Canal Barge for entry into this group.



### \*\*\* STCW UPDATE \*\*\*

For information on some of the recently-adopted amendments to the International Convention on Standards of Training, Certification and Watchkeeping for

Seafarers (STCW) that affect those who work on towing vessels, please click [here](#). The U.S. Coast Guard will be releasing a supplemental notice of proposed rulemaking (SNPRM) in the coming months to begin the process of

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



## *Inland Waterways Users Board Meeting to be Held October 27*

The Inland Waterways Users Board will meet on October 20, 2010 at the Isle Casino Hotel Bettendorf, in Bettendorf, Iowa. The Board will discuss funding for inland navigation projects and studies and the status of the Inland Waterways Trust Fund; consider its project investment priorities for the next year; and, hear a report on the status of the implementation of the Inland Marine Transportation System (IMTS) Investment Strategy Team recommendations.

For more information, please contact Mark R. Pointon of the Corps at (202) 761-4691.

## Coast Guard Publishes Salvage and Firefighting NVIC

On September 27, the U.S. Coast Guard published Navigation and Vessel Inspection Circular (NVIC) 02-10 to provide guidance on implementation and enforcement of the December 2008 salvage and firefighting regulations for tank vessel response plans (VRPs). Tank vessel owners and operators must obtain Coast Guard approval of revised VRPs incorporating the new requirements by February 22, 2011.



(FAQs) first published by the Coast Guard in March and revised several times throughout the spring and summer. The NVIC also includes guidance on the development of Alternative Planning Criteria for vessel owners who believe the regulatory criteria are inappropriate for their vessel's area of operations, and a job aid for evaluating salvage and firefighting resource providers.

Guard District to submit an Alternative Planning Criteria proposal for emergency towing capability for tank barges operating on the inland waterways. For more information, please see page 12.)

To read the NVIC 02-10, click [here](#). For more information, please contact Jennifer Carpenter or Robert McCaw at (703) 841-9300, extensions 260 or 279, respectively, or via email at [jcarpenter@vesselalliance.com](mailto:jcarpenter@vesselalliance.com) or [rmccaw@vesselalliance.com](mailto:rmccaw@vesselalliance.com).

The requirements incorporate Web-based Frequently Asked Questions

AWO is working with Coast Guard headquarters and the Eighth Coast

## *Coast Guard Final Rule on CDC Residue Exempts Vessels Carrying Lower-Risk Cargoes from Submitting Notices of Arrival*

On September 28, the U.S. Coast Guard issued a final rule adopting without change its December 23, 2009 notice of proposed rulemaking (NPRM) limiting the number of cargoes that will be classified as Certain Dangerous Cargo (CDC) when carried in residue form. Under the revised definition, residue quantities of eight chemicals – anhydrous ammonia, chlorine, ethane, ethylene oxide, methane (LNG), methyl bromide, sulfur dioxide, and vinyl chloride – will be classified as CDCs. Other cargoes will not be considered CDCs when carried in residue form, relieving the owners of such vessels from the requirement to submit Notices of Arrival (NOAs).


The Coast Guard's final rule is consistent with recommendations made by the Chemical Transportation Advisory Committee (CTAC) in 2006. A CTAC



subcommittee, which included many AWO members, concluded that industry practices are sufficiently effective in diluting CDC residues and that it would be prudent for the Coast Guard to develop a different set of security requirements for vessels with certain types of residues on board. AWO's February 2010 comments on the NPRM commended the Coast Guard for working with CTAC to develop "this more sophisticated and nuanced approach to security requirements for CDCs in residue form" and urged the Coast Guard "to move quickly to finalize this rulemaking and implement the common sense changes proposed in the NPRM."

To read the final rule, click [here](#). AWO members with questions about the rule should contact Brian Vahey at (703) 841-9300, extension 251, or [bvahey@vesselalliance.com](mailto:bvahey@vesselalliance.com).

## AWO Submits Letter to *The Washington Post* on NTSB Safety Recommendations

AWO submitted this letter to the editor of *The Washington Post* in response to an article it ran on the delay in enacting NTSB safety recommendations for the various transportation modes. 



Dear Editor,

Your September 26 article “Safety Measures at a Standstill” highlights an important national subject, both from the perspective of public safety and the responsiveness of the federal government. And, while the article focuses largely on the Department of Transportation, the transportation safety impacts it discusses also exist at the Department of Homeland Security.

Maritime accidents and oil spills could be prevented by safety rules that were mandated by Congress in 2004 and have been bottled up at the highest levels of the Department of Homeland Security for a year and a half. The pending rules would establish an inspection program for towing vessels and require all U.S. towing companies to implement a safety management system, one of the National Transportation Safety Board’s “Most Wanted” safety improvements. Unlike some of the pending rules discussed in the article that have been slowed by industry opposition, these rules enjoy strong industry support. Moreover, both House Homeland Security Committee Chairman Bennie Thompson and House Transportation & Infrastructure Committee Chairman Jim Oberstar have urged DHS to release the proposed rules immediately. The tugboat, towboat, and barge industry shares their frustration that rules that would raise the bar of safety for the industry are mired in Washington bureaucracy.

The members of the American Waterways Operators have a long history of safety leadership. All the lessons of maritime history tell us that an ounce of prevention is worth a pound of cure. As the *Deepwater Horizon* spill tragically illustrated, it is harder to clean up a mess than to prevent it in the first place.

Sincerely,

Thomas Allegretti



## “Carp Not Just Michigan Issue”

The following opinion editorial, written by Mark Biel, appeared in the *Detroit News* on September 30, 2010. It appears here in its entirety.

\*\*\*\*\*

The extreme and unnecessarily drastic proposals demanded by Michigan regarding Asian carp unnecessarily risk the jobs of hundreds of thousands of workers across the Midwest and throughout the Mississippi Valley region. The importance of the small stretch of water that links the Mississippi River Basin to the Great Lakes and to thousands of communities across the country with ties to the waterways must not be ignored.

Yet Michigan Attorney General Mike Cox said more than 90,000 concerned regional residents signed a petition demanding the federal government take immediate action to close the locks in the Chicago Area Waterways System.

His petition further demands that the government take action to build a permanent barrier between the Great Lakes and the Mississippi River Basin to prevent invasive species like Asian carp from entering Lake Michigan. It appears that the goal of the petition is to influence newly appointed federal Carp Czar John Goss as he begins his work.

In fairness, it's important that Goss hear from other concerned citizens as well. To that end, the White House and Goss held up their end of the bargain with a summit in Washington with representatives from states across the Great Lakes.

A study released by the Ports of Indiana found that the Indiana freight that flows through the Chicago locks is responsible for 17,655 jobs and more than \$1.9 billion in regional economic activity. What's more, the continued operation of the locks is essential to



*Michigan officials fear Asian carp may invade the Great Lakes from Chicago waterways. (Elizabeth Conley / The Detroit News)*

the economic well being of 104,567 jobs, \$14.2 billion in economic activity and \$567 million of state and local tax revenue created by the state's booming maritime trade corridor. And those numbers are just the result of Indiana facilities -- considering more than 70 percent of the freight moving through the O'Brien locks is destined for locations other than Indiana, the true economic impacts are certain to be many times greater.

In addition to these impressive new economic figures, testimony during the summit on the subject brought new facts to light; magnifying the flaws in the scientific arguments from the attorneys general. Their suit relies heavily on unproven eDNA testing methods which scientists studying this issue for decades called into question during the trial.

Furthermore, it became clear that there is no scientific consensus that in the event a small number of Asian carp do find their way into the Great Lakes

they will be capable of establishing a sustainable population. This evidence, along with a growing concern that human transport, rather than the waterways, is the most likely pathway for carp to reach the Great Lakes, underscores the importance of moving beyond radical calls for lock closure and hydrological separation.

Certainly, the people should be heard, but Cox and his supporters are ignoring some important facts on this issue. The debate over lock closure and "Chicago's mess" is not a problem for Chicago alone -- the economic implications of separation will ripple throughout the entire region and beyond. Even Michigan, dependent on the steel produced in Indiana's mills, will feel the pinch. In other words, this is a national problem.

While re-establishing the natural barrier between the Great Lakes and the Mississippi River basin sounds like a good idea in theory, the history of the

*(continued on page 7)*

# “Carp Not Just Michigan Issue”

(continued from page 6)

canal system and its deep integration into the way we do business in the Midwest is something that should not be so easily dismissed. As we move forward and work toward a solution, we must ask: Do these petitioners really know all the facts? It seems odd that so many, with so much at stake

would condemn people just like them who rely on this system for their way of life.

I’m hopeful these recent developments will make it clearer to those across the region that the way forward involves leaving lock closure behind us. With

the recent appointment of federal Carp Czar Goss, here’s hoping all stakeholders in this debate come together and agree on a comprehensive, multi-tiered solution that addresses the needs of all involved.

*Mark Biel is chairman of UnLock our Jobs, a coalition of agriculture, business, labor, river communities, and concerned citizens working toward a comprehensive solution to stop the spread of Asian carp, while leaving the Chicago locks open to commerce.*

## Last Chance to Register for the 2010 Fall Convention

The 2010 Fall Convention is quickly approaching! Don’t forget to register by clicking [here](#). The convention will take place October 13 - 15 at The Fairmont in San Francisco, CA.

A schedule of convention events, along with information pertaining to transportation to/from San Francisco and other helpful information about the area can be viewed clicking [here](#), or on the AWO Website under “Membership & Meetings.”

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



## Sponsors Still Needed for the AWO 2010 Fall Convention!

The AWO Fall Convention is around the corner and there are still several sponsorship opportunities available! The opportunities include sponsoring two breakfasts at the hotel, the evening reception, or a session. If your company is interested in a sponsorship opportunity, please complete the sponsorship form and be sure to include an electronic version of your company logo. Your support helps ensure that AWO’s members enjoy a full and productive meeting. Please click [here](#) for sponsorship opportunities.

Thank you to our confirmed Spring Convention Sponsors: Key Equipment Finance, Sause Bros., Trinity Marine Products, Inc., Turn Services, LLC and Water Quality Insurance Syndicate.

For further sponsorship information, please contact Ashley Smith at (703) 841-9300, extension 291, or via email at [asmith@vesselalliance.com](mailto:asmith@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.*

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

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

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 [rmmccaw@vesselalliance.com](mailto:rmmccaw@vesselalliance.com).



# Save the Date - AWO 2011 Meetings and Conventions!

Please mark your calendar for the following AWO meetings and conventions. The hotel reservations are included for each event. We encourage you to make your hotel accommodations at your earliest convenience as the AWO room block fills up quickly!

## Joint Safety Committee Meeting

**January 25-26, 2011**

The Westin New Orleans Canal Place  
New Orleans, LA

AWO \$149.00 group rate deadline  
January 7, 2011

*For reservations, call the hotel reservations department at (888) 627-8180 and reference The American Waterways Operators.*

## Midwest, Ohio Valley and Southern Regions Joint Annual Meeting

**January 27-28, 2011**

The Westin New Orleans Canal Place  
New Orleans, LA

AWO \$149.00 group rate deadline  
January 7, 2011

*For reservations, call the hotel reservations department at (888) 627-8180 and reference The American Waterways Operators.*

## Pacific Region Annual Meeting

**February 9-10, 2011**

The Fairmont Olympic Hotel  
Seattle, WA

AWO \$179.00 group rate deadline  
January 19, 2011

*For reservations, call the hotel reservations department at (800) 441-1414 or (206) 621-1700 x3131 and reference AWO: Pacific Region Annual Meeting.*

## Atlantic Region Annual Meeting

**February 3-4, 2011**

Location TBD

## 2011 Spring Convention

**April 5-8, 2011**

Mandarin Oriental  
Washington, DC

AWO \$299.00 group rate deadline  
March 7, 2011

*For reservations, call the hotel reservations department at (888) 888-1778 or (202) 787-6140 and reference The American Waterways Operators Spring Convention.*

## 2011 Fall Convention

**October 5-7, 2011**

InterContinental Barclay  
New York, NY

AWO \$259.00 group rate deadline  
September 10, 2011

*For reservations, call the hotel reservations department at (800) 327-0200 and reference The American Waterways Operators Fall Convention.*

For additional information about AWO meetings and conventions, please contact Ashley Smith at (703) 841-9300, extension 291, or via email at [asmith@vesselalliance.com](mailto:asmith@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
October 10-11	Salyers Solutions, LLC Oakland, CA	Jo Ann Salyers (Instructor) (504) 236-4962 <a href="mailto:salyers_solutions@hughes.net">salyers_solutions@hughes.net</a>
October 27-28	Salyers Solutions, LLC Paducah, KY	Jo Ann Salyers (Instructor) (504) 236-4962 <a href="mailto:salyers_solutions@hughes.net">salyers_solutions@hughes.net</a>
November 9-10	Salyers Solutions, LLC New Orleans, LA	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.)*



## TWELVE MEMBERS COMPLETE RESPONSIBLE CARRIER PROGRAM AUDITS

Twelve 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

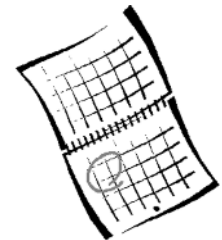
to undergo regular recertification audits to verify their compliance with the RCP.

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 (703) 841-9300 or [bclinton@vesselalliance.com](mailto:bclinton@vesselalliance.com).



### Joint Safety Committee Meeting Date Change Enhances Vertical Alignment

The Joint Safety Committee will meet in New Orleans on January 25-26, 2011, at the Westin New Orleans Canal Place. Meetings will begin on Tuesday, January 25, one day earlier than previously planned, at 9:30 a.m. with the Safety Subcommittees on Crew Alertness, Falls Overboard, Statistics, Line Handling and Navigation. The main meeting will begin at 12:00 p.m. with guest speaker Frank Bredimus' presentation on "The Goal is Zero – Ways to Accelerate Safety Improvement." Mr. Bredimus' remarks are based on his 36 years of experience working for DuPont, plus 13 years of safety consulting in several industries, including marine transportation. The first day's meeting will conclude with a reception



(continued on page 10)

**The following companies have achieved audited RCP certification:**

**Brennan Marine, Inc**  
LaCrosse, WI  
Audit date: 12/16/10  
Reaudit due: 12/16/11

**Crowley Maritime Corporation**  
Jacksonville, FL  
Audit date: 10/17/10  
Reaudit due: 10/17/15

**Echo Marine**  
Baytown, TX  
Audit date: 11/16/10  
Reaudit due: 11/16/13

**Gore Marine Corporation**  
Meridian, GA  
Audit date: 10/05/10  
Reaudit due: 10/05/13

**Hughes Bros., Inc.**  
Edison, NJ  
Audit date: 02/27/2011  
Reaudit due: 02/27/2014

**John W. Stone Oil Distributer, L.L.C.**  
Gretna, LA  
Audit date: 10/23/10  
Reaudit date: 10/23/13

**McKinney Towing, Inc.**  
Baton Rouge, LA  
Audit date: 12/01/10  
Reaudit due: 12/01/13

**Mohawk Transportation, Inc.**  
Houma, LA  
Audit date: 10/05/10  
Reaudit due: 10/05/13

**Mt. Vernon Barge Service**  
Mount Vernon, IN  
Audit date: 10/25/10  
Reaudit due: 10/25/13

**Penn Maritime, Inc.**  
Stamford, CT  
Audit date: 10/7/10  
Reaudit due: 10/7/13

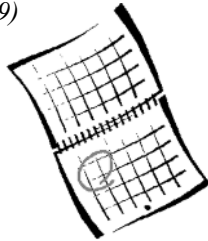
**TradeWinds Towing, LLC**  
St. Augustine, FL  
Audit date: 11/30/10  
Reaudit due: 11/30/13

**WMS Marine, Inc.**  
Greenville, MS  
Audit date: 09/09/10  
Reaudit due: 09/09/11

## Joint Safety Committee Meeting Date Change Enhances Vertical Alignment

(continued from page 9)

followed by a social dinner. The meeting will resume on January 26 at 9:00 a.m. and include “Lessons Learned” presented by several committee members, as well as updates on VGP compliance, and changes in recommended diesel and hydrogen sulfide Threshold Limit Values presented by Mr. Larry Russell, National Fire Protection Agency. A draft agenda for this meeting will be available in December.



Additionally, to build on AWO’s ongoing efforts to ensure vertical alignment between the overall goals of the association, the work of AWO’s Safety Committees, and the Coast Guard-AWO Safety Partnership, attendees will have the opportunity to extend their stay and attend the Atlantic, Mid-America, and tentatively, the Pacific Regional Quality Steering Committees (RQSC) meeting, starting at 8:00 a.m., January 27. The Midwest, Ohio Valley and Southern Regions Joint Annual Meeting will be held the same day from 2:00 p.m. to 5:00 p.m. and from 8:00 a.m. to noon on January 28. AWO members will have this unique opportunity to gain information, work on projects to improve the safety of the industry, and meet with their colleagues, all in one location without additional travel!

Please plan to attend all or part of these important meetings! ❁❁

## Pacific Region

### *California Governor Vetoes Prebooming Bill*

On September 30, California Governor Arnold Schwarzenegger vetoed Assembly Bill 234, which was sponsored by Jared Huffman (D-CA-6). In part, the bill directed the Office of Spill Prevention and Response (OSPR) Administrator to develop regulations requiring prebooming for all oil transfers and bunkering services in state waters. In his veto message, Governor Schwarzenegger stated that the bill was “unnecessary” because “[p]ursuant to the authority already provided under existing law, OSPR is currently in the process of evaluating the benefit of requiring [prebooming] standards on fuel transfer operations where it is safe and effective to do so.”

His statement echoes comments submitted by AWO in June to the California Senate Environmental Quality Committee, which was considering A.B. 234. In those comments, AWO expressed support for the pursuit of regulatory changes through OSPR as opposed to an expansive legislative approach. AWO backs the proposed rulemaking released by OSPR earlier this year, under which a transfer unit would be required to preboom a transfer unless an annual drill is performed, and appreciates OSPR’s continued engagement of industry stakeholders as it adopts changes to its oil transfer regulations. For more information, please contact Lynn Muench at (314) 446-6474 or via email at [lmuench@vesselalliance.com](mailto:lmuench@vesselalliance.com), or Caitlyn Stewart at (703) 841-9300, extension 262, or via email at [cstewart@vesselalliance.com](mailto:cstewart@vesselalliance.com). ❁❁

## Atlantic Region

### **Atlantic Regional QSC Meets *Stands-up Two QAT Working Groups***

On September 23, the Atlantic Regional Quality Steering Committee (RQSC) held its annual summer meeting at the Renaissance Portsmouth Hotel in Portsmouth, VA. The meeting provided U.S. Coast Guard and AWO safety partnership members with updates on key issues such as the towing vessel bridging strategy and bridging and implementation team (BAIT), casualty and fatality analysis, hurricane planning and procedures, and the preservation of safe navigation routes under marine spatial planning.

Highlights from the meeting include the committee’s recommendation to stand-up two joint Coast Guard-AWO Quality Action Team (QAT) working groups, the first tasked with reviewing and coordinating the process of establishing safety fairways along the Atlantic Coast to protect safe tug-barge routes, the second tasked with studying the root causes of recent fatalities that occur in the Atlantic region, looking to develop lessons-learned documents to assist mariners in improving safety practices.

For more information about the Atlantic RQSC meeting, please contact Nicole deSibour or Robert McCaw at (703) 841-9300, extensions 292 and 279, respectively, or via email at [ndsibour@vesselalliance.com](mailto:ndsibour@vesselalliance.com) and [rmccaw@vesselalliance.com](mailto:rmccaw@vesselalliance.com). ❁❁

## Southern Region

# Lower Mississippi River Waterway Safety Advisory Committee Meets in New Orleans

On September 23, the Lower Mississippi River Waterway Safety Advisory Committee meeting was held in New Orleans, LA. LMRWSAC is a federal advisory committee that provides local expertise on communication, surveillance, traffic control, anchorages, aids to navigation and other related topics dealing with navigational safety on the Lower Mississippi River. AWO Members on the committee in attendance were: Cherrie Felder, Channel Shipyard Company, Inc. (Chair); Mike Marshall, Turn Services; Joy Manthey, Kirby; and Jeff Kindl, AEP.

At the meeting, the U.S. Army Corps of Engineers - New Orleans District, announced that it will no longer reprogram funds from other projects to maintain dredging of the Mississippi River. The Corps had anticipated that \$85 million would be needed to maintain dredging, but only \$63 million has been allocated by the federal government for this purpose. In addition, the Corps plans to average the \$63 million over the year, meaning that the agency will not have the option of obtaining supplemental funding because the \$63 million will not all be spent before the end of the budget year. Industry voiced its concern that the level of dredging will not be sufficient and will deter river commerce from New Orleans to Baton Rouge. Industry also noted that this could create safety risks due to the narrower channel. LMRWSAC voted to send a letter protesting the decision.

Melanee Libby, the Coast Guard's Committee Management Officer in D.C., briefed the group on Advisory Committee charters. Coast Guard is planning to change the seven advisory committees to discretionary instead of

statutory authorization. Some discretionary committees, like the Chemical Transportation Advisory Committee (CTAC), are currently under "efficiency review." LMRWSAC's charter expired on September 30. Additionally, CAPT John Arenstam, Deputy Sector Commander, New Orleans, made a motion that the Baton Rouge Annex

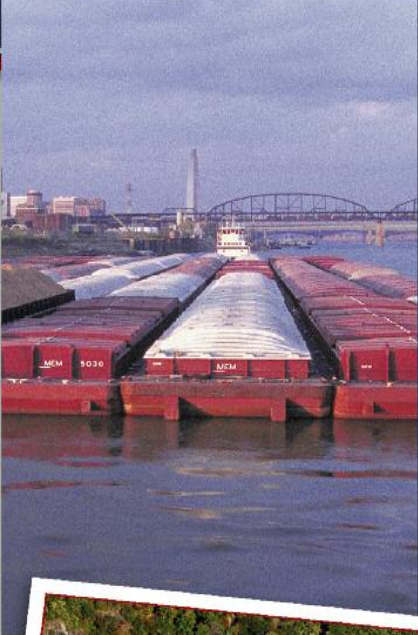
of the Waterway Action Plan should become a subcommittee of LMRWSAC instead of handling it as a traditional public meeting, as was done in 2009. All committee members agreed to the motion.


For more information about the meeting, please contact Mark Wright at (985) 674-3600 or via email at [mwright@vesselalliance.com](mailto:mwright@vesselalliance.com).

## Barges are Beautiful...

For the Environment.

This towboat pushing a 24-barge tow moves the same amount of grain as 384 rail cars or 1,680 highway trucks, reducing pollution in our air and congestion on our roads. We get 576 miles to the gallon...while pushing a ton of freight.





THE AMERICAN WATERWAYS OPERATORS

America's Tugboat, Towboat & Barge Industry

---

"Our Compass Always Points to Safety"

www.americanwaterways.com

