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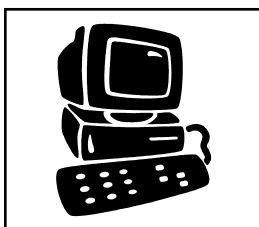
## Commandant: Towing Vessel Inspection is Top National Initiative

At the National Harbor Safety Committee Convention held last month, ADM Thomas H. Collins, Commandant of the U.S. Coast Guard, highlighted the priority the Coast Guard places on developing the new towing vessel inspection program. In listing the principal national initiatives underway during his watch, ADM Collins noted that developing a “towing vessel inspection program, designed to better serve the maritime community by proposing preventive measures which enhance safety and environmental protection” is a top Coast Guard priority.



ADM Collins also talked about the challenges facing the Coast Guard, declaring that his “number one challenge is to increase Maritime Domain Awareness -- MDA” and to balance the Coast Guard’s safety and security missions. In explaining how the Coast Guard is balancing its security and safety missions, ADM Collins said, “While the buildup in homeland security may look like a loss to our traditional mission areas, I promise you we are getting a ‘two-fer’ as we persevere in all of our traditional mission areas to meet the goal of greater MDA. All of

*(continued on page 2)*



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## Commandant: Towing Vessel Inspection is Top National Initiative

(continued from page 1)

our missions benefit from our concerted effort to find the best way to reduce risk in the maritime arena.”

ADM Collins went on to detail other top national initiatives underway, including:

- Reorganization of various Coast Guard field units into sectors.
- Enhanced use of automatic identification systems (AIS) and expansion of AIS carriage requirements to a larger population of vessels and to more ports and waterways.
- Review of public comments on the salvage and firefighting rulemaking. The USCG hopes to have a determination regarding final regulations later this year.
- Implementation of the National Maritime Security Advisory Committee, which advises and makes recommendations to the Coast Guard on matters relating to maritime security.
- An improved Internet presence for the Coast Guard called “Homeport,” which will be launched this summer. “Homeport” is intended to improve Coast Guard information sharing with the maritime industry and other agencies.

To read the complete text of ADM Collins’ remarks before the Harbor Safety Committee Convention, go to:  
<https://www.piersystem.com/external/index.cfm?cid=786&fuseaction=EXTERNAL.docview&documentID=69206>

## Reminder: TSAC Applications Due May 27

The Coast Guard is seeking applications for membership on the Towing Safety Advisory Committee (TSAC), a congressionally chartered advisory committee that advises the Coast Guard on matters related to shallow-draft inland and coastal waterway navigation and towing safety. TSAC is currently playing a critical role in working with the Coast Guard to develop the forthcoming regulations on towing vessel inspection. AWO encourages members to apply for the open positions.

The Coast Guard will accept applications until May 27 to fill two seats 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 general public. 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. Jerry Miente, Assistant Executive Director of TSAC, at (202) 267-0214, or by emailing a request to [gmiente@comdt.uscg.mil](mailto:gmiente@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/index.htm](http://www.uscg.mil/hq/g-m/advisory/index.htm) by clicking on “ACM Application.” Original completed and signed applications should be sent to Commandant (G-MSO-1), U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001. AWO members with questions about TSAC can contact Jennifer Carpenter or Amy Brandt at (703) 841-9300.



## AWO WEB SITE UPDATES

**CONVENTION PRESENTATIONS.** Members -- did you miss the AWO Spring Convention last month, but still want to know what was discussed at the meeting? Well, we have the perfect Web site addition for you!

To access full PowerPoint presentations from all of the briefings given at the Spring Convention, simply log on to the Members Only section of the AWO Web site and click on “AWO Spring Convention PowerPoint Presentations.” It’s the second best thing to being there!

**MEETING CALENDAR.** AWO has posted a 2005 Meeting Calendar on the AWO Web site. The calendar lists all regional and safety committee meetings as well as the Spring and Fall Conventions. Members can access the calendar by visiting the site and clicking on the “Meetings and Membership” link. If you have any questions regarding the calendar, please contact Anne Burns at (703) 841-9300.



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

# AWO PRESENTS AWARD TO CONGRESSMAN JIM OBERSTAR

**Oberstar honored.** On Thursday, April 21 at its Spring Convention, AWO honored Congressman Jim Oberstar (D-MN) for his longtime leadership in sound transportation policy. (See April 29 *AWO Letter*). AT RIGHT: Immediate Past AWO Chairman Ned Moran, AWO President & CEO Tom Allegretti and AWO Chairman Steve Valerius congratulate Congressman Oberstar. BELOW LEFT AND RIGHT: Congressman Oberstar holds the ship's bell plaque awarded by Mr. Valerius, Mrs. Oberstar and Mr. Moran.



## Midwest-Ohio Valley Members “Barge-In”

At the recent AWO “Barge-In” on Capitol Hill (see April 29 AWO Letter), AWO members met with Congressman Jim Cooper (D-TN) (center). From left to right: David Sehrt, Ingram Barge Company; Buck Lay, B&H Towing; Cathy Shantz-Hammond, Inland Marine Service; Lynn Muench, AWO; Mike Khouri, Economy Boat Store; and Larry Daily, Alter Barge Line, Inc. ☘

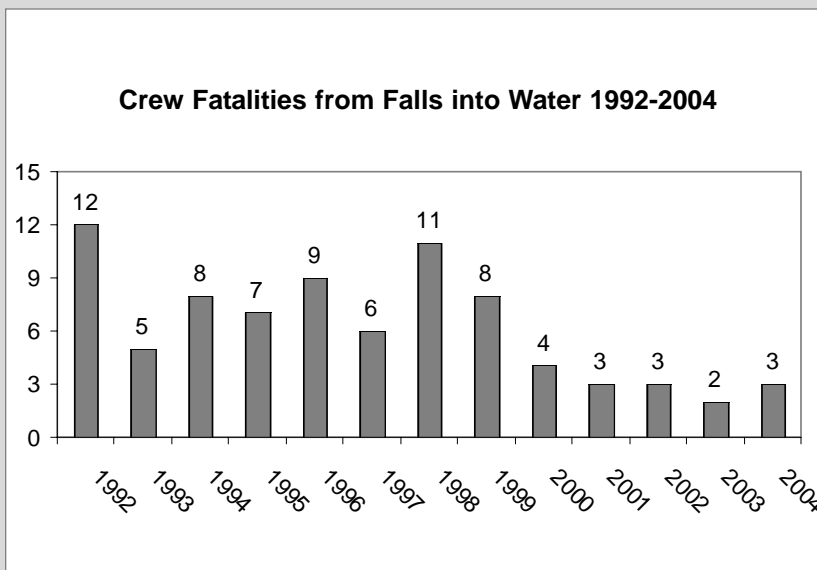


## Did you KNOW?

### Downward Trend in Crew Fatalities from Falls Into Water

As reported in the March 4 AWO Letter, crew fatalities have fallen from an average of 19 in the period from 1994-1999 to 11 from 2000-2004. One of the leading causes of this improvement is a reduction in fatalities from falls into the water. From 1992-1999 the industry averaged 8 fatalities per year from falls overboard. As the chart shows, a downward trend started in 2000. Preventing falls overboard has been a major focus of the Coast Guard - AWO Safety Partnership and the AWO Safety Committees, which continue to strive for the goal of zero crew fatalities.

For additional information, contact Doug Scheffler, AWO Manager - Research & Data Analysis, at (703) 841-9300 or via email at [dscheffler@vesselalliance.com](mailto:dscheffler@vesselalliance.com). ☘



## International Air Pollution Rules to Take Effect; Certificates Required for Some Tugs

A new International Maritime Organization (IMO) protocol on reducing vessel air emissions, referred to as Annex VI of MARPOL 73/78 (International Convention for the Prevention of Pollution from Ships), enters into force on May 19. The Coast Guard has issued MOC Policy Letter 05-02 providing interim guidance regarding voluntary compliance with MARPOL Annex VI by U.S. vessels. While the U.S. has not yet ratified Annex VI, the Annex applies to vessels of 400 gross tons ITC engaged on international voyages. Affected U.S. vessels may obtain Statements of Voluntary Compliance (SOVC) from their cognizant USCG Officer in Charge-Marine Inspection (OCMI) or classification society. The SOVC will serve as proof of compliance until such time as the U.S. ratifies the Annex.



MARPOL Annex VI establishes a global cap on the sulfur content of fuel oil and calls on IMO to monitor the worldwide average sulfur content of fuel once the protocol comes into force. The annex prohibits deliberate emissions of ozone-depleting substances, which include halons and chlorofluorocarbons (CFCs). New installations containing ozone-depleting substances are prohibited on all ships, but new installations containing hydro-chlorofluorocarbons (HCFCs) are permitted until January 1, 2020. Annex VI also sets limits on emissions of nitrogen oxides (NOx) from diesel engines. The Annex also prohibits the incineration onboard vessels of certain products, such as contaminated packaging materials and polychlorinated biphenyls (PCBs).

For a copy of the MOC Policy Letter, please visit [www.uscg.mil/hq/g-m/moc/Annex%20VI%20Interim%20Policy.pdf](http://www.uscg.mil/hq/g-m/moc/Annex%20VI%20Interim%20Policy.pdf) or contact Amy Brandt at [abrandt@vesselalliance.com](mailto:abrandt@vesselalliance.com).

### 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.*

**May 18-19:** Coastal Safety Committee Meeting, Ft. Lauderdale, FL. For more information, contact Kathy Rehak.

**June 16:** Inland Harbor Services Meeting, 3:00-5:00 p.m., Biloxi, MS. For more information, contact Marilyn Clark.

**June 16-17:** Southern Region Meeting, Biloxi, MS. For more information, contact Marilyn Clark.

**August 17-18:** Midwest and Ohio Valley Joint Region Meeting, St. Louis, MO. A reception will be held on August 17. For more information, contact Lynn Muench at (314) 446-6474

## Court Grants AWO Motion to Intervene in Massachusetts Litigation

On May 4, the U.S. District Court for the District of Massachusetts granted the motion of AWO and three other maritime organizations to intervene in the lawsuit filed by the Department of Justice challenging the Massachusetts oil spill legislation. AWO had been joined in the motion by the Chamber of Shipping of America, INTERTANKO, and BIMCO (see March 18 *AWO Letter*).

The Court's action makes AWO and the other organizations full parties to the litigation. Previously, a local organization, The Coalition for Buzzards Bay, had also been granted permission to intervene in the matter. Now that all intervenor motions have been resolved, the next step for AWO will be to support a motion for summary judgment expected to be filed by the U.S. Department of Justice. A motion for summary judgment is appropriate when the facts of the litigation are not in dispute. It asks the judge to decide the case as a matter of law, and avoids the time and expense of a trial to determine the facts.

If you have any questions regarding the Massachusetts litigation, please contact Boyd Hollingsworth at (703) 841-9300, or via email at [bhollingsworth@vesselalliance.com](mailto:bhollingsworth@vesselalliance.com).





## “Tugboat Captain Blamed for 2001 Accident”

HARLINGEN, Texas (AP) - Nearly four years after a bridge collapse that killed eight people, the Coast Guard said a tugboat captain who failed to prepare for a turn was to blame.

But strong currents before dawn on Sept. 15, 2001, were also a factor in the accident, and a shortage of horsepower may have made it more difficult for Capt. David Fowler to keep control of his load, which was a quarter-mile long, the April 28 report said.

The Coast Guard will not pursue criminal charges against Fowler.

The tugboat and four barges rammed the Queen Isabella Causeway, the state’s longest bridge. Eight people died when their vehicles plummeted 85 feet into the channel, which separates South Padre Island from the Texas mainland.

Fowler surrendered his Coast Guard license after the accident.

The report, hand-delivered to families and obtained Thursday by The Associated Press, was the conclusion of Coast Guard hearings that began about a month after the accident.

“The apparent cause of this casualty was Captain David D. Fowler’s failure to exercise reasonable care according to the standards of the ordinary practice of good seamanship,” wrote James Wilson, the retired Coast Guard officer who presided over the hearings.

While Wilson did not find current, horsepower, or the way the boats were loaded to be contributing factors, Coast Guard higher-ups disagreed.

“Although Captain Fowler’s negligence was the apparent cause, the strong currents and their influence on the tow’s misalignment cannot be ignored,” the report says.

Fowler invoked his Fifth Amendment right against self-incrimination and declined to testify at the hearings. But his attorney, Sheldon Weisfeld, said the weather, the tides and the currents were responsible for the accident.

“I think it was a tragic accident and I don’t believe that he has any culpability,” he said.

Several lawsuits are pending from the collapse, including one that alleges American

Commercial Barge Lines, based in Jeffersonville, Ind., hired a tow company that it knew had problems.

Plaintiff attorney Ray Marchan said he would show that lack of horsepower is to blame.

“By their own statement they realize that there’s more work to be done in determining the horsepower issue,” he said.

Attorneys for the tow and barge companies had not yet received the report and could not comment.

Doug Rabe, chief of the investigation division at Coast Guard headquarters, said the report took a long time because of officials’ differing opinions.

“Not to say we have great reasons for taking three and a half years to do this, but it was difficult to come to a consensus on all those issues,” he said. ❀

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**This article, authored by Associated Press writer Lynn Brezosky, appeared in newspapers across the country on May 6. It is reprinted here in its entirety.**

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## New RCP Sample Procedures Available

AWO’s Interregion and Coastal Safety Committees have developed new sample procedures to address operator incapacitation and bridge transits. These sample procedures, which may be customized for an AWO member company’s use in its Responsible Carrier Program, are meant to improve wheelhouse safety. As of May 1, 2005, AWO members are required to include Bridge Transit and Operator Incapacitation procedures in their RCPs.

As with all of AWO’s Sample RCP Policies and Procedures, the new

procedures are meant to be used as a framework for developing company-specific procedures.

The new samples were recently distributed to all AWO members and RCP auditors via email. If you have not received an email with the sample procedures attached, please contact Kathy Rehak, AWO Manager - Safety Programs, at [krehak@vesselalliance.com](mailto:krehak@vesselalliance.com).

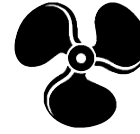
Also available on AWO’s Web site is a Lesson Plan on Bridge Transits. The lesson plan may be used to introduce or reinforce a company’s procedure to

crewmembers. This safety tool is also intended to be customized for a company’s use. To access the lesson plan, go to [www.americanwaterways.com](http://www.americanwaterways.com), click on “Commitment to Safety” and then “Safety Tools/Documents.”

Through efforts like the development of sample procedures and lesson plans, AWO works to continually upgrade industry safety standards. If you have any questions, please contact Bob Clinton or Kathy Rehak at (703) 841-9300. ❀



# CEMS Training Opportunities



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 LT Samson Stevens, U.S. Coast Guard, (202) 267-0173. ☘

## COACHES TRAINING

DATE	LOCATION	CITY, STATE	CONTACT
May 17-18	Massachusetts Maritime Academy	Buzzards Bay, MA	Peg Brandon - (508) 830-5091, pbrandon@maritime.edu
May 17-18	Foret Enterprises, Inc.	New Orleans, LA	Tava Foret - (713) 301-9575, tavaf@foretinc.com
May 25-26	Seamen's Church Institute	New York, NY	Eric Larsson - (212) 349-9090, ericl@seamenschurch.org
June 20-21	Maritime Compliance International	New Orleans, LA	Kevin Gilheany - (504) 319-3229, training@marcomint.com
June 21-22	Seamen's Church Institute	Houston, TX	William Douglas - (713) 674-1236, wdouglas@seamenschurch.org
July 6-7	Seamen's Church Institute	Paducah, KY	Greg Menke - (270) 575-1005, gmenke@seamenschurch.org
July 20-21	Maritime Compliance International	New Orleans, LA	Kevin Gilheany - (504) 319-3229, training@marcomint.com
July 26-27	Foret Enterprises, Inc.	Houston, TX	Tava Foret - (713) 301-9575, tavaf@foretinc.com
Aug. 22-23	Maritime Compliance International	New Orleans, LA	Kevin Gilheany - (504) 319-3229, training@marcomint.com
Sept. 14-15	Maritime Compliance International	New Orleans, LA	Kevin Gilheany - (504) 319-3229, training@marcomint.com
Sept. 15-16	Seamen's Church Institute	New York, NY	Eric Larsson - (212) 349-9090, ericl@seamenschurch.org
Oct. 20-21	Seamen's Church Institute	Houston, TX	William Douglas - (713) 674-1236, wdouglas@seamenschurch.org
Nov. 10-11	Massachusetts Maritime Academy	Buzzards Bay, MA	Peg Brandon - (508) 830-5091, pbrandon@maritime.edu

## Have You Ordered Your "Lifelines" Brochures Yet?

While our nation's inland and coastal waterways play host to thousands of recreational boats each year, they also carry barges, tugboats, towboats, and large ships loaded with tons of cargo. Being aware of the constraints under which these commercial vessels operate can arm recreational boaters with the best protection against danger and could save many lives. AWO's popular brochure, entitled "Lifelines: Safety Tips That Could Save Your Life," addresses this important safety message and delivers it to recreational boaters in an easy-to-read, user-friendly format.

AWO has reprinted almost one million "Lifelines" brochures, which were produced under a Coast Guard grant from the Aquatic Resources (Wallop-Breaux) Trust Fund. The brochures are available to the general public free of charge, although shipping costs may apply. Order forms are available on the AWO Web site, [www.americanwaterways.com](http://www.americanwaterways.com), by clicking on "Public Information" and then "Lifelines Brochure order form." Order your brochures today and help make our nation's waterways safe for everyone! If you have any questions about the "Lifelines" program, please

contact Anne Burns at (703) 841-9300 or via email at [aburns@vesselalliance.com](mailto:aburns@vesselalliance.com). ☘



Midcontinent Office

## Midwest & Ohio Valley Joint Summer Meeting Announced

### *Congressional Workshop Tour Follows*

The Joint Midwest and Ohio Valley Regional Summer Meeting will be held on August 17-18 in St. Louis, Missouri. The meeting will begin with a reception on August 17 from 6:00-7:30 p.m. The meeting will be held on August 18 from 7:00 - 11:00 a.m.

AWO members are then invited to join the St. Louis Agri-Business Club's (SLABC) biennial Congressional Workshop by becoming part of the "River Coalition." The group will join congressional staffers onboard a U.S. Army Corps of Engineers' tow for lunch and a three hour ride from Lock 26 to the St. Louis riverfront. A bus will be provided by SLABC from the meeting site to Lock 26. The charge to become part of the River Coalition is \$100 per company. Information on joining the River Coalition will be provided shortly.

The host hotel is the newly renovated Hilton Downtown. Rooms are being held until July 18 at an AWO rate of \$139.00 -- please contact the hotel directly at (314) 436-0002 to make reservations. For more information, contact Marilyn Clark at (703) 841-9300.☘

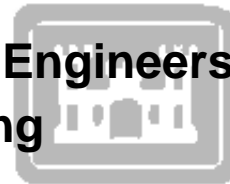
## Inland Harbor Service Group to Meet -- Special Presentation on Licensing Planned

The Inland Harbor Service Group will hold its second meeting in conjunction with the Southern Region Meeting on June 16 at the Beau Rivage, located at 875 Beach Boulevard in Biloxi, Mississippi. The group will discuss the activity of group members on the Crew Endurance Management System (CEMS) Work Group and as part of AWO's Towing Safety Steering Group. Members will also discuss local issues that could be addressed by the group.

All AWO members are encouraged to attend a special licensing session. The meeting will focus on how licensing changes will impact harbor service companies. Panelists will include Coast Guard specialists and AWO members. To make hotel reservations, please contact the hotel directly at (888) 383-7037 and note that the cutoff date is May 16.

For more information, contact Marilyn Clark at (703) 841-9300.☘

## U.S. Army Corps of Engineers Competitive Sourcing Process Begins



On May 5, the lead for the U.S. Army Corps of Engineers' Preliminary Planning Team for Competitive Sourcing, Mr. Kenn Shoemaker, held a meeting with AWO members to hear their views on how the Corps should structure the groupings, scoping, and performance work statement that will be the basis for competitive bidding for all lock operation and maintenance jobs throughout the U.S., which could include lockmasters, repair crews, and emergency repair crews. If a private firm meets the requirements of the bid and is less than 10 percent of the Corps' bid, the jobs will move into the private sector. The bidding process will most likely begin later this year.

For more information on Competitive Sourcing, go to [www.omb.gov](http://www.omb.gov). Office of Management and Budget (OMB) Circular A-76 outlines the process and requirements. For more information, contact Lynn Muench at (314) 446-6474 or [awo-midcontinent@sbcglobal.net](mailto:awo-midcontinent@sbcglobal.net).☘

**DID YOU KNOW?**

America's tugboat, towboat and barge industry, the safest, most economical and environmentally-friendly mode of cargo transportation, carries:

- 60% of U.S. grain exports, helping American farmers compete overseas;
- 20% of America's coal—enough to meet 10% of U.S. electricity needs;
- most of New England's home heating oil and gasoline.

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

**THE AMERICAN WATERWAYS OPERATORS**  
AMERICA'S TUG & BARGE INDUSTRY

**OUR COMPASS ALWAYS POINTS TO SAFETY.**



Midcontinent Office

## Regional QSC Begins Work on Waterways Action Plan

The Mid-Continent Regional Quality Steering Committee (RQSC) met with the U.S. Coast Guard and the U.S. Army Corps of Engineers on April 27-28 to begin work on the Waterways Action Plan (WAP). This work was agreed to during the March 15 meeting of the River Industry Executive Task Force (RIETF) (see April 1 *AWO Letter*). The Coast Guard was represented by the Eighth District and the Corps was represented by Headquarters and four Divisions which encompass the entire Western Rivers system. Invited guests included members of RIETF and chairmen of several operational groups on the Western Rivers.

The group agreed to the underlining work assumption, the format of the plan, and assigned tasks to be completed by June when the process will be handed off to various Work Groups for discrete segment(s) of a river or rivers.

The group agreed that the WAP will consolidate all existing plans and provide necessary updates as appropriate. The RQSC will provide to the Work Groups specific guidance, assessment tools, and a standard annex format for each river segment. The RQSC will also oversee completion of the report in a timely manner. The group will not attempt, at least during the initial phase, to write

Pacific Region

## Citizens Advisory Council Bill Signed by WA Governor Gregoire

Washington Governor Christine Gregoire (D) signed the Citizens Advisory Council bill into law. The signing was touted by the legislature as a step towards keeping Washington waters clean. Governor Gregoire said, "We are taking positive action today to ensure that our waters are protected from pollution." She went on to further state, "The new advisory council represents a partnership of industry, government and local communities in our efforts to prevent oil spills." AWO and other maritime groups urged the legislature to amend the legislation to include industry representatives. The bill was ultimately amended to include these representatives. ❀



annexes for river segments that presently do not have existing response plans, nor will the plan address anything beyond high water, low water, high velocity and ice. The plan will include the upper and lower Mississippi River to Mile 235, along with the Ohio, Allegheny, Monongahela, Kanawha, Big Sandy, Tennessee, Cumberland, Illinois, and Arkansas rivers.

The group also agreed that the document would be provided as an electronic document to allow changes to occur on an as-needed basis. WAP will also have a web site to facilitate dialogue during the three phases (Watch, Action, and Recovery) of an event. To ensure that the document is a living and evolving

document, each annex will establish a frequency for exercising the plan.

The Work Groups will be co-chaired by chairmen of the operational groups, the MSO Commander, and the Corps District Commander.

Members of the RQSC are Jim Farley, Kirby Inland Marine, LP; Fred Nyhuis, Marathon Ashland Petroleum LLC; John Patterson, Ingram Barge Company; Tom Smith, Canal Barge Company, Inc.; and Captain Tom Tray, Bay-Houston Towing Co.

For more information, contact Lynn Muench at (314) 446-6474 or [awo-midcontinent@sbcglobal.net](mailto:awo-midcontinent@sbcglobal.net). ❀

## 2005 AWO Letter Sponsorships Available

AWO is still accepting sponsorship applications for the 2005 *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.

If you are interested in securing a sponsorship, please contact Traci Fischer at (703) 841-9300 or via email at [tfischer@vesselalliance.com](mailto:tfischer@vesselalliance.com). ❀

