

AWO Urges Coast Guard to Exempt Barge Fleeting Facilities from TWIC Reader Requirements; Praises Small Vessel Exemption as "Right Approach"

In comments submitted June 12, AWO praised the Coast Guard for its proposal to exempt small vessels from TWIC reader requirements, and urged the agency to establish a similar exemption for barge fleeting facilities. Under the March 22 notice of proposed rulemaking, vessels with 14 crewmembers or less would not be required to have card readers on board, consistent with the previous recommendations of AWO and the Towing Safety Advisory Committee that readers add no value on vessels with small crews. However, any barge fleeting facility that ever receives barges carrying certain dangerous cargo would be required to have a TWIC reader, a proposal that

would affect the vast majority of fleet operators in the United States.

AWO argued that such a requirement is "neither practical nor justified" given that barge fleets have a much lower risk profile than most maritime facilities. "While the TWIC reader requirement was conceived with the scenario of a busy public port in mind - with hundreds of longshoremen, truckers, and other personnel pouring through the gates at shift change - barge fleeting facilities are very different from large marine terminals, refineries, and chemical plants in terms of infrastructure, activity, manning, and associated security risks," AWO noted, adding, "barge fleets are covered by security protocols to ensure that access is granted only to personnel such as vessel crewmembers, mechanics, and surveyors who have a specific duty to perform at the fleet at an agreed-upon time. The pre-screening process for individuals seeking access to a barge fleeting facility is extensive."

AWO urged the Coast Guard to exempt barge fleeting areas from reader requirements in the forthcoming final rule. "Given the physical characteristics and operational profile of barge fleeting areas and the existing security measures in place

to control access to moored barges, AWO does not believe that a TWIC reader requirement is any more appropriate for a barge fleeting area than for a vessel with 14 or fewer crewmembers," AWO wrote.

Despite AWO's concerns about the potential requirement for readers to be installed at barge fleeting areas, AWO praised the Coast Guard generally for the "pragmatic approach" it has taken to this controversial rulemaking, from the agency's August 2006 decision to separate the reader issue from the rest of the TWIC rulemaking to its decision to publish the 2009 advance notice of proposed rulemaking rather than proceeding directly to the NPRM. "It is clear that the Coast Guard has used the public comment it received on the ANPRM to refine its approach and develop a proposal that better reflects genuine security needs and risks and fits the operational realities of different types of marine transportation workplaces," AWO wrote.

To read AWO's comments, click [here](#). For more information, please contact Brian Vahey or Brian Bennett at (703) 841-9300, extensions 251 and 279, respectively, or via email at bvahey@vesselalliance.com and bbennett@vesselalliance.com.



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Join our virtual community for the towboat, tugboat, and barge industry. Click [here](#) to view AWO's Facebook page and join. Spread the word among your colleagues!



AWO Gears Up For SCI Mountain Challenge

Be A Part of the Excitement and Help Sponsor Team AWO!



The American Waterways Operators proudly announces that it will have two teams competing in the first annual SCI Mountain Challenge, a charity endurance event that will raise funds for Seamen's Church Institute and its support services to mariners. The event will take place September 19-22 in the rugged mountains of western Maine. Although the challenge takes place on land, the tests parallel many of the hardships mariners confront at sea. Participants must be ready for physically demanding work (two days of 5,000-foot ascents), work as a self-sufficient team, and endure the unpredictable weather of northern New England.

AWO's President and CEO, Tom Allegretti, will be leading the two teams, and he will be joined by Brian Bennett, Government Affairs Associate; Jennifer Carpenter, Senior Vice President – National Advocacy; Lynn Craig, Vice President – Finance & Administration; Brian Vahey, Government Affairs Manager; and Mark Wright, Vice President – Southern Region.

"The SCI Mountain Challenge is a great opportunity for AWO to work together as a staff and also within our membership to support SCI's valuable missions," Mr. Allegretti noted. "The hard work of the maritime industry goes largely unnoticed, even though the world truly depends on the

constant, efficient flow of waterborne commerce. This is our chance to push ourselves and really think about the dedication and sacrifice it takes to serve in this industry and to financially support the vital and valuable services SCI provides to mariners here in this country and across the world."

AWO has established a fundraising page to jointly support the efforts of the AWO teams, which can be accessed by clicking [here](#). Checks made payable to Seamen's

Church Institute may also be sent to AWO, 801 North Quincy Street, Suite 200, Arlington, VA 22203, to the attention of Carmina Smith. (Corporate checks are permissible and contributions are fully tax-deductible.) AWO member companies are encouraged to sponsor at the Platinum (\$5,000), Gold (\$2,500) or Silver (\$1,000) levels.

"We are strongly encouraging member companies to think big in terms of their support of this event," Mr. Allegretti continued. "We have a real opportunity here to come together as an association and an industry and really help propel the mission of SCI forward in a very bold way."

"This is an incredible undertaking," stated Mr. Wright. "I am immensely proud to be participating, to be representing AWO and our industry, but am also very humbled when I think of the challenges today's mariners face simply doing their jobs. I hope that our

efforts will help elevate the services that SCI is able to provide."

AWO will be reporting on fundraising progress as well as the training progress of team members in each edition of the *AWO Letter* leading up to the Mountain Challenge. Twenty-one teams are currently participating in the Mountain Challenge, including AWO member companies American Commercial Lines and Ingram Barge Company.

For more information on AWO's efforts and the SCI Mountain Challenge, please contact Ann McCulloch, Director – Public Affairs & Communication, at (703) 841-9300, extension 252 or amcculloch@vesselalliance.com

Bullish on the Jones Act



"Overturning the Jones Act is less likely than the full extinction of mankind."

- Andrea Zana, director, Marine Finance Group at CIT Group, Inc., a New York banking interest, at the Marine Money Week Conference in New York City last week.

Congress Continues to Push for TWIC Program Reform

On June 18, the House Homeland Security Committee's Subcommittee on Border and Maritime Security held a hearing titled "Threat, Risk, and Vulnerability: The Future of the TWIC Program." Subcommittee Chairwoman Candice Miller (R-MI) and Ranking Member Sheila Jackson Lee (D-TX) held the hearing in order to assess the direction of the TWIC program in light of recent developments, including ongoing reports of hours-long wait times at the TWIC help desk, publication of the TWIC reader notice of proposed rulemaking in March, the May U.S. Government Accountability Office report that found the TWIC reader pilot results "unreliable," and recent news that the U.S. Transportation Security Administration will not be implementing reforms to eliminate the second trip to the TWIC enrollment center within the Congressionally-mandated 270 days. In offering her general assessment of the program, Chairwoman Miller described the TWIC as "no more than an expensive flash pass" and noted that she is "not

confident we are on the right course." In response to Subcommittee questioning, Mr. Steven Sadler, Assistant Administrator at the Office of Intelligence and Analysis for TSA, testified that TSA will soon implement the "OneVisit" initiative to enable individuals to obtain a TWIC with a single visit to an enrollment center. He explained that TSA's plan is to begin this initiative with a pilot program in Alaska this summer and expand the program nationwide in 2014. Mr. Sadler noted that TSA was not able to fully implement the "OneVisit" initiative within the 270 days required in the Coast Guard Authorization Act of 2012 because the process of transitioning from the existing legacy system for TWIC enrollments to a new system and contracts would be costly and impractical. For this reason, TSA has elected to implement the program via a phased-in approach involving the Alaska pilot, an assessment of the pilot

and development of lessons learned, and a nationwide roll-out next year. Mr. Sadler's testimony echoes the response TSA sent to Rep. Miller, Rep. Jackson Lee, and Homeland Security

Committee Ranking Member Bennie Thompson (D-MS) this month in response to a June 8 letter to TSA Administrator John Pistole, signed by Rep. Miller, Rep. Thompson, and 47 other members of the House of

Representatives, expressing concerns that TSA would not be implementing the one-trip provision within 270 days. To read the House letter, click [here](#). To read TSA's response, click [here](#).

Also testifying at the hearing was RDML Joseph Servidio, Assistant Commandant for Prevention Policy at the U.S. Coast Guard, the agency with the lead in promulgating the TWIC reader rulemaking. In his remarks, RDML Servidio testified that he is confident that the TWIC program adds value to the Coast Guard's security mission, but noted that the Coast Guard used the data from the pilot program to inform the recent TWIC reader NPRM "with discretion." He noted that, at the urging of Ranking Member Jackson Lee and Rep. Thompson, the Coast Guard extended the deadline for reader comments by 30 days in order to allow stakeholders to consider the results of the GAO study on the pilot program and incorporate it into their comments. Mr. Stephen Lord, Director for Forensic Audits and Investigative Services at GAO, reiterated his office's recommendation that the TWIC reader rulemaking be repealed until such time as TSA can develop and conduct a pilot program that more effectively demonstrates that security value offered by the TWIC program.



ASME, U.S. Coast Guard to Hold Marine Technology and Standards Workshop

On July 24-25, the American Society of Mechanical Engineers will hold a Marine Technology and Standards Workshop with the U.S. Coast Guard. Taking place in Arlington, VA, the workshop will bring stakeholders together to discuss the intersection of marine technology, safety and standards. Classification societies, government agencies, industry groups and standards development organizations will also be represented.



The workshop will include panel discussions on a range of topics including offshore marine technology, LNG/CNG technology and regulatory and classification society collaboration. The advance registration deadline is July 1. For more information, please contact Workshop@uscg.mil or visit the workshop's website by clicking [here](#).

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Congress Continues to Push for TWIC Program Reform

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In closing the hearing, Ranking Member Jackson Lee noted that she looks forward to working with the Administration, Subcommittee members, and stakeholders to consider possible legislative fixes for the TWIC program. Chairwoman Miller noted that, TSA's concerns notwithstanding, she still looked forward to hearing how the agency will implement the one-trip provision within the 270 day deadline.

For more information on AWO's efforts to work with Congress to improve the TWIC program, please contact Craig Montesano at (703) 841-9300, extension 297, or via email at cmontesano@vesselalliance.com.

Lessons Learned One-Pagers Now Available on AWO Website

Seven one-pagers summarizing "Lessons Learned" presentations recently delivered at meetings of the AWO Interregion and Coastal Safety committees have been posted to the AWO website. The documents include an analysis and a description of the corrective actions that have resulted from incidents ranging from falls overboard to fuel spills. The safety committees have made the one-pagers available so that the Lessons Learned presentations to reach a wider audience and raise awareness about safety challenges. AWO will continue to update the website with new Lessons Learned documents after each safety committee meeting. To access the one-pagers, click [here](#). For more information, please contact Lynn Muench at (314) 446-6474 or lmuench@vesselalliance.com, or Caitlyn Stewart at (703) 841-9300, extension 262, or cstewart@vesselalliance.com.

Southern Region

CAPT Brian Penoyer Assumes Command in Sector Houston-Galveston

On June 14, U.S. Coast Guard Eighth District Commander RADM Kevin Cook presided over the Sector Houston-Galveston change of command in which CAPT Brian Penoyer assumed command from CAPT James Whitehead. CAPT Penoyer was most recently the U.S. Coast Guard Fellow at the Center for Strategic and International Studies and previously served as Acting Chief of Congressional and Government Affairs for the Coast Guard. CAPT William Drelling, Sector Lower Mississippi

Commander, led the retirement ceremony for CAPT Whitehead. Several AWO members attended the event, including Cherrie Felder, Channel Shipyard Company, Inc.;

Dennis Hansell, Suderman & Young Towing Co.; Linn Peterson, Kirby Inland Marine, LP; Pat Studdard, Chuck King, and Tom Marian, Buffalo Marine Service, Inc.

CAPT Brian Penoyer salutes RADM Kevin Cook, during a change of command ceremony at the Bay Area Community Center in Clear Lake, TX, on June 14. CAPT James Whitehead was relieved by CAPT Penoyer. *(U.S. Coast Guard photo by Petty Officer 2nd Class Stephen Lehmann).*



Southern Region**Texas Congressional Staff Take Towboat Ride with Bay-Houston Towing Company**

On June 6, Bay-Houston Towing Company and AWO hosted congressional staff on a towboat ride in the Houston Ship Channel. Bonnie Norman, Senior Community Representative, Rep. Steve Stockman (R-TX); Janet Rizzo, Field Representative, Rep. Randy Weber (R-TX); and Dan Buckley, Field Representative, Rep. Randy Weber (R-TX) joined Tom Tray and Philip Kuebler of Bay-Houston Towing, Steve Huttman of G&H Towing, and Mark Wright, AWO Vice President - Southern Region, for an introduction to the industry. In addition to the watching the vessel crew help dock a ship, Mr. Huttman

gave the guests a complete tour of the boat. The group also discussed the importance of the Jones Act, WRDA legislation in the House, and vessel discharges regulation.☘



Left to Right: Steve Huttman, G&H Towing; Dan Buckley, Rep. Randy Weber's office; Bonnie Norman, Rep. Steve Stockman's office; Janet Rizzo, Rep. Randy Weber's office; and Mark Wright, AWO.

Atlantic Region**BOEM to Hold First Competitive Wind Energy Auction for Area off of Rhode Island**

An unprecedented competitive lease auction will be held this summer for a wind energy area off the coast of Rhode Island. Officially known as the Rhode Island and Massachusetts Wind Energy Area, the 164,750 acre zone sits about nine nautical miles offshore between Block Island and Martha's Vineyard. A map of the area can be viewed [here](#). The lease auction will be conducted online by the Bureau of Ocean Energy Management on July 31. The minimum starting price will be \$262,248 but competitive bidding is

expected to significantly drive up prices.

BOEM has issued only two offshore wind energy leases in its history. Leases off the coast of Nantucket and Delaware were both granted under findings of no competitive interest that made auctions unnecessary. Several companies have expressed interest in the Rhode Island area, including the parent company of the Nantucket Sound Cape Wind project. Winning lessees will be required to conduct environmental impact statements and

initial construction of actual wind turbines is still years away.

Later this year, BOEM is expected to conduct another wind energy auction for an area off the coast of Virginia. AWO will continue to work with BOEM and the U.S. Coast Guard to ensure that the advancement of offshore wind energy in the United States does not negatively impact vessel operations or safety. For more information on this issue please contact Kevin Dowling at (703) 841-9300, extension 264, or kdowling@vesselalliance.com.☘

Atlantic Region

Rep. Elijah Cummings Tours Vane Brothers Facility in Baltimore

During his nine terms in Congress, Rep. Elijah Cummings (D-MD) has been one of the towing industry's most unwavering supporters. On June 10, The Vane Brothers Company and AWO hosted Rep. Cummings and his staff for a tour of Vane's headquarters facility in Baltimore. Duff Hughes and Rick Iulucci, The Vane Brothers Company, and John Harms, AWO Manager - Atlantic Region, were on hand to guide Rep. Cummings and Special Assistant Hope Williams on a tour of the facility. The group discussed several key legislative issues, including WRDA and upcoming free trade agreements.

The highlight of the visit was a demonstration of the industry's AIS system, which gave the Congressman and his staff an appreciation for the scale and sophistication of the towing industry. Mr. Hughes described how AIS and other technological advancements have allowed the



John Harms, Rep. Cummings, Duff Hughes and Rick Iulucci at The Vane Brothers Company, headquartered in Baltimore.

industry to become more efficient, environmentally friendly, and safe. For more information, please contact

John Harms at (703) 841-9300, extension 292, or by email at jharms@vesselalliance.com ☎

AWO Summer Meetings: An Investment in the Future

As temperatures rise and beaches swarm with tourists, it is time to begin planning one of the most important trips of your summer – to one of the four AWO meetings set to occur in August.

AWO Summer Meetings offer you a wealth of opportunities:

Convene. Make new connections and foster old ones as you convene with fellow members of the industry.

Learn. Hear from issue experts and industry leaders on important updates, lessons learned, cutting-edge practices, and future government actions.

Discuss. Take a seat at the table for discussions that will change the future of the industry and the organization. Don't just fill the seat, though; make your voice heard.

First, AWO will travel to Berkeley, CA, August 7-8, for the Pacific Region Meeting. Members and staff will then head to the center of the nation for the Joint Safety Committees Meeting and the Combined Meeting of the Midwest, Ohio Valley, and Southern Regions in Louisville; the meetings in Louisville will be held August 14-15 and August 15-16, respectively. Finally, members

will have the opportunity to meet in the hometown of current chairman, Buckley McAllister, McAllister Towing, for the Atlantic Region meeting August 20-21 in New York City.

The lineup of speakers and discussions is already promising, and we expect to see even more progress as members and staff work to provide you with a meeting experience that is relevant, engaging, and enjoyable. Will you commit to joining fellow AWO members for one or more of these meetings?

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AWO Summer Meetings

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Whether you choose to attend your region's meeting or the Joint Safety Committees Meeting, you will be making a choice to proactively invest in the future of your industry.

These meetings are all benefits of your membership; so please, make plans to attend today. If you are unable to attend, send someone who has not been before to take advantage of this great opportunity!

August 7 - 8

Pacific Region Summer Meeting

The Claremont Hotel
Berkeley, California

August 14 - 15

Joint Safety Committees Meeting

The Seelbach Hilton
Louisville, Kentucky

August 15 - 16

Combined Summer Meeting of Midwest, Ohio Valley, & Southern Regions

The Seelbach Hilton
Louisville, Kentucky

August 20 - 21

Atlantic Region Summer Meeting

India House Club
New York, New York

Contact Sarah Young at (703) 841-9300, extension 291 or by email at syoung@vesselalliance.com for more information on any of the August

meetings. You may also refer to our [website](#) for meeting locations and important travel information. ☘

Pacific Region

AWO Hosts Tugboat Ride in Tacoma for District Congressional Staff

On June 6, Foss Maritime Company and AWO hosted a grassroots visit with staffers from the office of Rep. Derek Kilmer (D-WA). Susan Hayman, Foss Maritime Company; Dan Nutt, Kirby Offshore Marine, LLC; and Charlie Costanzo, AWO Vice President - Pacific Region, led the visit aboard the *m/v Henry Foss* at the Port of Tacoma, a vital center for marine commerce in Rep. Kilmer's District. Rep. Kilmer is a freshman member and successor to long-time Rep. Norm Dicks (D-WA). Rep. Kilmer is a strong supporter of the Jones Act who has also voiced support for the development of U.S. maritime infrastructure. The visit presented an important opportunity to familiarize his staff with the diverse operations of AWO members in Puget Sound and to describe the marine transportation network linking the west coast of the U.S., Alaska, and Hawaii. Ms. Hayman stressed the importance of maritime infrastructure and workforce development, while Mr. Nutt discussed the need to create a uniform federal



Mr. Nutt discusses maritime issues with Deputy District Director Joe Dacca and District Director Meadow Johnson of Congressman Derek Kilmer's office aboard the *m/v Henry Foss*.

standard for vessel discharges. The Ports of Seattle and Tacoma, combined, represent the third largest port facility

in the U.S. and are important economic engines for Washington State and Kilmer's District. ☘