

Coast Guard Publishes Draft Policy on Carriage of Shale Gas Wastewater

On October 30, the U.S. Coast Guard published a notice of availability and request for comments on a draft policy letter concerning the carriage of shale gas wastewater via barge. The draft policy letter specifies the conditions under which a barge owner may request and be granted a Certificate of Inspection endorsement or letter allowing the barge to transport shale gas wastewater.

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develop practical and effective policy with the safety of vessel personnel, the public and the environment in mind.

“The barge industry has a long history of carrying petroleum products, chemicals, and other sensitive cargoes safely,

securely and efficiently,” Mr. Allegretti stated. “We do so under the regulation and close supervision of the Coast Guard and we look forward to working with

them to develop policy for the carriage of shale gas wastewater that meets our common goal of protecting people and the waters upon which our vessels operate.”

AWO has convened a member working group to review the draft policy and develop AWO’s comments to the Coast Guard. Comments are due November 29. The Coast Guard will review and respond to the comments before finalizing the draft policy to permit the carriage of shale gas wastewater by barge.

To view the *Federal Register* notice, click [here](#). To view the draft policy letter, click [here](#). For more information, please contact Brian Bennett at (703) 841-9300, extension 279, or bbennett@vesselalliance.com.

The letter also includes policies pertaining to the analysis that must be conducted before allowing the wastewater to travel via barge and proposed procedures for the protection of personnel. The letter proposes that a wastewater load be chemically analyzed at a state-accredited laboratory and shown not to exceed specified contamination limits before being carried on a barge. Further, the letter proposes that a barge carrying wastewater be tested for radiation prior to allowing personnel to enter.

AWO’s President & CEO Tom Allegretti said that the barge industry is uniquely positioned to carry shale gas wastewater and will work with the Coast Guard to

Coast Guard Requests Comments on Tank Vessel Oil Transfers

The U.S. Coast Guard has published a notice and request for comments on measures that can be implemented to reduce the risk of spills during tank vessel oil transfers. The notice is the first step in implementing the requirement of the Coast Guard Authorization Act of 2010 that directed the Coast Guard to promulgate additional regulations to reduce the risks of oil spills in operations involving the transfer of oil to or from tank vessels.



The law directs the Coast Guard to focus on operations that have the highest risk of discharge, including operations at night and in inclement weather. To that end, the Coast Guard is considering whether or not to establish new regulations or amend existing regulations for:

- Use of equipment, such as putting booms in place for transfers;
- Operational procedures, such as manning standards; and
- Restrictions on operations in high-risk areas.

Comments are due November 22. An AWO member working group has been convened to develop AWO’s response. To view the notice, click [here](#). For more information, please contact Brian Bennett at (703) 841-9300, extension 279, or bbennett@vesselalliance.com.

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Coast Guard and Transport Canada Sign MOU on Maritime Labor Convention Compliance

The U.S. Coast Guard and Transport Canada have finalized a memorandum of understanding outlining the process by which U.S.-flagged vessels trading to Canadian ports can demonstrate compliance with the Maritime Labor Convention, which took effect in the waters of ratifying countries on August 20. To read the MOU, click [here](#). While Canada has ratified the MLC, the United States has not. The MOU will be in effect until such time as the United States ratifies the Convention.

Per the MOU, all U.S. vessels trading to Canadian ports may be required to demonstrate compliance with MLC requirements for minimum age and rest hours, regardless of the vessel's size or the nature of its operations. For all other convention requirements, Transport Canada has agreed to accept a U.S. Statement of Voluntary Compliance – MLC as evidence of compliance. The Coast Guard is encouraging operators of vessels 500 GT ITC or more to contact the Coast Guard or, for classed vessels, their recognized classification society, to undergo an inspection and receive an SOVC-MLC certificate.

For vessels less than 500 GT ITC trading exclusively to Canada, Transport Canada has agreed to accept a U.S. Coast Guard Certificate of Inspection or a valid Towing Vessel Bridging Program Decal as evidence of MLC compliance. The Coast Guard strongly urges operators to receive this documentation, as doing so will allow vessels to forgo potentially lengthy MLC compliance inspections.

Additionally, Transport Canada and the Coast Guard will not be enforcing MLC requirements (except for minimum age and rest requirements) for vessels engaged exclusively on an

inland voyage (including vessels operating exclusively on the Great Lakes); a voyage on the waters of the Strait of Juan de Fuca; a near coastal voyage, class 2, in Canada (defined as a voyage within 25 nautical miles from shore in waters contiguous to Canada or the United States, and not more than 100 nm from a place of refuge); and, a sheltered waters voyage in Canada

(defined as not further than 1 nm from the shore).

For more information, please consult the MOU and [NVIC 02-13](#) which provides guidance on U.S.-flagged vessel compliance with the MLC. AWO members with questions about MLC compliance should contact Brian Vahey at (703) 841-9300, extension 251, or bvahey@vesselalliance.com.

EPA to Host Webinar on 2013 VGP eNOI System



On November 14 at 11:00 a.m. EST, the U.S. Environmental Protection Agency will host a webinar for vessel owners and operators on the 2013 Vessel General Permit electronic Notice of Intent, or eNOI, system. During the webinar, EPA will provide an overview of the new eNOI system and describe the procedures for accessing, registering with and using the system, followed by a question-and-answer session. This webinar is one in a series that EPA has planned to inform VGP stakeholders about the requirements of the 2013 VGP, which takes effect December 19. To register for the webinar, please visit EPA's website at www.epa.gov/npdes/vessels.

If you are required to submit a Notice of Intent to obtain coverage under the 2013 VGP, you must submit your NOI using EPA's eNOI system by December 12. You are required to submit an NOI if your vessel is 300 gross tons or more or if your vessel has more than eight cubic meters (2,113 gallons) of ballast water capacity, regardless of tonnage. If your vessel is less than 300 gross tons and does not have the capacity to hold more than eight cubic meters of ballast water, you do not need to submit an NOI. Instead, you must complete the Permit Authorization and Record of Inspection form and keep a paper or electronic copy of that form onboard your vessel. The PARI form can be found in Appendix K of the 2013 VGP, accessible by clicking [here](#).

AWO has been working with EPA to improve the practicability of the 2013 VGP eNOI system, and in particular the NOI batch upload process, for towing vessel and barge operators.

For more information, please see the related story in the *Members Only* section, or contact Caitlyn Stewart at (703) 841-9300, extension 262, or cstewart@vesselalliance.com.

MARAD Announces Symposium to Develop National Maritime Strategy

The U.S. Maritime Administration will hold a symposium January 14-16, 2014, to bring Marine Transportation System stakeholders together to develop a robust national maritime strategy. MarAd is seeking input on developing the meeting agenda and identifying topics for discussion aimed at improving the nation's cargo opportunities and sealift capacity while ensuring future sustainability. Proposed agenda items should focus on, but are not limited to:

- Improving transportation efficiency through interoperability with existing infrastructure systems and modes of transportation; and
- Expanding the pool of skilled and available U.S. mariners.

The deadline to submit agenda topics and ideas for discussion is November 29. Both AWO and the American Maritime Partnership will participate actively in the symposium. To view the notice, including the procedures for submitting agenda topics and registering for the symposium, click [here](#). For more information, please contact Brian Bennett or Jennifer Carpenter at (703) 841-9300, extensions 279 and 260, respectively, or via email at bbennett@vesselalliance.com or jcarpenter@vesselalliance.com.

- Fostering and improving the U.S.-flag fleet;
- Improving transportation speed, efficiency and cost-effectiveness;
- Methods to improve overall U.S. economic competitiveness through improvements to the Marine Transportation System;

MERPAC to Host Conference Call on MSM Revisions

The Merchant Marine Personnel Advisory Committee will meet November 14 via teleconference to discuss Task Statement 85, Review of Draft Update to Marine Safety Manual Volume III. This tasking was taken on by the committee in order to address the U.S. Coast Guard's August 9 request for comments on its draft update to the Marine Safety Manual. The proposed updates, the first since 1999, focus heavily on the impact of international requirements on vessels, including towing vessels, operating in international service.

AWO commented on the proposed revisions last month, urging the Coast Guard to ensure that the proposed revisions to Marine Safety Manual Volume III are consistent with current law and regulation for manning on towing vessels and do not establish new policy that is inconsistent with current requirements.

To read the meeting notice, click [here](#). For a copy of AWO's comments on the MSM revisions, click [here](#). If you are interested in joining the MERPAC call, please contact Mr. Gerald Miente at (202) 372-1407, or via email at Gerald.p.miente@uscg.mil.

MARAD Announces Open Season for VISA

On October 28, the U.S. Maritime Administration announced open season for enrollment in the Voluntary Intermodal Sealift Agreement program. The mission of VISA is to provide commercial sealift and intermodal shipping services, including vessels, vessel space, and related management services, to the Department of Defense in the event of a national emergency.

The program is open to U.S.-flag vessel operators of oceangoing militarily useful vessels, including tugs and barges. Carriers that enroll in the VISA program also receive priority consideration for Department of Defense peacetime contracts. New applications must be submitted on or before November 27.

To read the notice, click [here](#). For more information, please contact Jerome Davis, Director – Office of Sealift Support, U.S. Maritime Administration, at (202) 366-0688 or via email at jerome.davis@dot.gov.

Welcome, New Carrier Member!

Warrior & Gulf Navigation, LLC
PO Box 11397
Chickasaw, AL 36671

Rep: Robert E. Rishel III
Port Captain –
Administration

Amendment Blocking Marine Spatial Planning Attached to WRRDA

An amendment restricting the federal government's ability to fund coastal and marine spatial planning and other environmental policy projects was successfully attached to H.R. 3080, the Water Resources Reform and Development Act that passed the House of Representatives on October 23. Offered by Rep. Bill Flores (R-TX), the amendment is meant to counter implementation of the Executive Order that established the National Ocean Policy in 2010.

Last May, during debate on S.601, the Senate WRDA bill, an amendment

sponsored by Sen. Sheldon Whitehouse (D-RI) establishing a National Endowment for the Oceans, funded in part by fine money paid by BP in response to the *Deepwater Horizon* oil spill, was passed with bipartisan support. That measure was opposed by the National Ocean Policy Coalition, an AWO-supported industry group that monitors the marine spatial planning work of the federal government.

NOPC supports the Flores amendment and is advocating for its preservation during House-Senate conference committee negotiations. Restrictions on

funding marine spatial planning and climate change projects in the Flores amendment would also apply to the National Endowment for the Oceans. Industry opposition to the creation of the Endowment is based on concerns that the fund could be used to finance such projects without prior congressional authorization.

For more information on this issue, please contact Kevin Dowling at (703) 841-9300, extension 264, or kdowling@vesselalliance.com.



Support Expressed for Maritime Industry at House Coast Guard Subcommittee Hearing

On October 29, the House Coast Guard and Maritime Transportation Subcommittee held the second in a series of three hearings on issues that the subcommittee may address in its upcoming bill to reauthorize the Coast Guard and make improvements to the maritime transportation system. Representatives of the U.S. Coast Guard, Environmental Protection Agency, Federal Maritime Commission and National Transportation Safety Board testified before the subcommittee about their agencies' maritime responsibilities and legislative priorities.

Subcommittee Chairman Duncan Hunter (R-CA) and Ranking Member John Garamendi (D-CA) both articulated their strong support for the maritime industry in their opening remarks. Chairman Hunter stated that one of his goals for the subcommittee's authorization bill is to "encourage job growth in the maritime sector by cutting regulatory burdens on job creation and improving federal programs intended to

promote and develop a strong maritime industry in the United States." Ranking Member Garamendi added, "The maritime industry... is extremely important, and we need to take cognizance of that and use this opportunity to write a comprehensive maritime policy for this nation."

Although much of the hearing dealt with issues unrelated to the tugboat, towboat and barge industry, Michael Shapiro, Principal Deputy Assistant Administrator of the EPA's Office of Water, testified about the development and implementation of the agency's 2013 Vessel General Permit, which will take effect on December 19. Mr. Shapiro also discussed the status of the Small Vessel General Permit, which EPA expects to issue in early 2014 but which will take effect only if Congress does not extend the exemption for vessels less than 79 feet from regulation by EPA beyond December 18, 2014, when it is scheduled to expire. Chairman Hunter and Rep. Frank

LoBiondo (R-NJ) questioned Mr. Shapiro about the costs of compliance with the VGP and sVGP and the way the permits are enforced. To watch the hearing and to read the witnesses' testimony, click [here](#).

At the first of the subcommittee's three oversight hearings, which highlighted the impact of federal regulations on the maritime industry, AWO President & CEO Tom Allegretti testified on the need for the prompt publication of the Coast Guard's rule on towing vessel inspection, as reported in the September 16 *AWO Letter*. The third hearing, which will focus on environmental regulations impacting maritime transportation, was postponed due to the federal government shutdown and will take place on January 28, 2014.

For more information, please contact Craig Montesano or Caitlyn Stewart at (703) 841-9300, extension 297 or 262, or at cmontesano@vesselalliance.com or cstewart@vesselalliance.com.

Atlantic Region

AWO Members Meet with Coast Guard in Massachusetts

On October 25, AWO members held a Captain of the Port Luncheon with CAPT John Kondratowicz, U.S. Coast Guard Sector Southeastern New England Commander, and his staff to build on a constructive relationship and discuss several regional issues important to the towing industry. CAPT KZ, as he is known, was joined at lunch by several members of his senior staff including CDR Paul Lattanzi, Chief of Prevention; Paul Kinville, Uninspected Towing Vessel Program Coordinator; and Carl Moberg, Inspections Department.

Attendees discussed the longstanding issue of pilotage and escort requirements for towing vessels transiting Buzzards Bay, MA. The bay is a critical maritime corridor that links Boston and northern New England with the Port of New

York-New Jersey and other Mid-Atlantic ports. More than 80 percent of New England's home heating oil arrives by barge, the majority of which originates in New York and New Jersey. AWO members have had an excellent working relationship with Sector Southeastern New England for some time and industry attendees at the meeting included Jeff Parker, Kirby Offshore Marine, LLC; Gary Oliveira, McAllister Towing; Alan Bish, Reinauer Transportation Company; Brendan MacGillivray, The Vane Brothers Company; and John Harms, AWO Manager-Atlantic Region.

For more information on this and other events, please contact John Harms at (703) 373-2292, or jharms@vesselalliance.com.

Pacific Region

AMNAV and AWO Host Congressional Staffers in the Port of Oakland

On October 24, AmNav Maritime Services, Inc. and AWO hosted a ride-along for three northern California Congressional offices aboard the *m/v Patriot*. Staff members from the Offices of Reps. John Garamendi (D-CA), Barbara Lee (D-CA), and George Miller (D-CA) participated as the 4,800 HP twin-screw tugboat assisted a container ship in departing the Port of Oakland.

Much of the discussion focused on the importance of California port competitiveness, the Jones Act and the sensible reform of vessel discharge regulation. The tour afforded the opportunity to gain a different perspective on the Port of Oakland, the fifth-largest port in the United States and a creator of over 73,000 direct

jobs. The tour also included an inspection of the Bay Bridge construction project and discussion of

the wide range of maritime activities around San Francisco Bay, many of which directly involve AWO members.



Max Starnitzky, AmNav; Brian Hooker, Office of Rep. John Garamendi; Latressa Alford, Office of Rep. George Miller; and Jonathan Gast, Office of Rep. Barbara Lee enjoy an afternoon on the water aboard the *m/v Patriot*.



Annual Meetings: Start 2014 with AWO!

It may be hard to believe, but 2014 is quickly approaching. Every year brings unique challenges, refreshed priorities, and new leadership. For AWO, the Annual Meetings of the regions and the Safety Committees play an integral role in starting off with the right foundation. The upcoming meetings will allow members the opportunity to:

- **Establish Priorities.** Each meeting will prominently feature discussions about the national and regional priorities that drive the work of AWO. Your involvement in this important discussion ensures that AWO's priorities are based on your priorities.
- **Vote and Make Your Voice Heard.** Each region uses this time to present and vote on nominations to the Board of Directors. Ensure your voice is heard by attending your respective meeting.
- **Learn More About the Industry.** Hear from issue experts and industry leaders on important updates, lessons learned, cutting-edge practices, and future government actions affecting the industry.
- **Network with Fellow Members.** Members are encouraged to take advantage of the abundant opportunities to network with industry colleagues available during each of the Annual Meetings.

New Orleans, January 15-17

The Annual Meeting cycle will start earlier than usual in New Orleans at the Westin New Orleans, Canal Place. The first session of the *Joint Safety Committees Meeting* will occur on the afternoon of **Wednesday, January 15**. That evening, members will gather for

a reception and a dutch-treat social dinner. The joint meeting of the Interregion and Coastal Safety committees will conclude with a morning session on Thursday, January 16. However, this is not the end of AWO's time in New Orleans!

The Combined Annual Meeting of the Midwest, Ohio Valley, and Southern Regions will start the afternoon of Thursday, January 16, with the regions' Business Meeting followed immediately by the ever-popular reception in the Plimsoll Club. The Combined Annual Meeting will conclude on Friday morning with the Discussion Session and a special event with Sen. Mary Landrieu. All of the

events during the Combined Annual Meeting will occur at the Westin New Orleans, Canal Place.

Atlantic Region

A few weeks later, the *Atlantic Region* will meet in Baltimore for its Annual Meeting on January 29-30. The details are still to be announced, but it's certain to be a great meeting of the members. Registration details are still to be announced.

Seattle, February 19-20

The *Pacific Region* will conclude the Annual Meeting cycle in Seattle, Washington at the Four Seasons Hotel Seattle. Members will gather on **Wednesday, February 19**, for their Business Meeting and an evening reception. The meeting will conclude on Thursday morning with a Discussion Session. 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 meeting experience?

These meetings are all benefits of your membership, so 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!

Contact Sarah Young at (703) 841-9300, ext. 291 or syoung@vesselalliance.com for more information on any of the Annual Meetings, and refer to our [website](#) for additional meeting details. If you are interested in sponsoring one or more of these meetings, please let Sarah know.

Meeting Calendar

January 15-16

Joint Safety Committees Meeting
The Westin New Orleans,
Canal Place
New Orleans, Louisiana
[Reserve a Room at The Westin](#)

January 16-17

Combined Annual Meeting of Midwest, Ohio Valley, & Southern Regions
The Westin New Orleans,
Canal Place
New Orleans, Louisiana
[Reserve a Room at The Westin](#)

February 19-20

Pacific Region Annual Meeting
Four Seasons Hotel Seattle
Seattle, Washington
Reservations: Call (206) 749-7000 to reserve a room today!
Reference: *AWO Pacific Region Meeting*