

House-Senate WRDA Conference Gets Underway

Lawmakers gathered on November 20 for the first formal House-Senate conference on the Water Resources Development Act. The session was largely ceremonial and dedicated to opening statements by conferees, although House and Senate staff had been engaged in pre-conference negotiations since soon after the House passed H.R. 3080, the Water Resources Reform and Development Act, on October 22. Additional meetings of the conferees have not been scheduled, but staff discussions will continue until outstanding issues have been resolved.

Leading the conference were the bill managers in both the House and Senate: House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) and Ranking Member Nick Rahall (D-WV); Water Resources Subcommittee Chairman Bob Gibbs (R-OH) and Ranking Member Tim Bishop (D-NY); and Senate Environment and Public Works Committee Chairwoman Barbara Boxer (D-CA) and Ranking Member David Vitter (R-LA).

Chairman Shuster said in his opening statement that “at its heart, this conference is about ensuring that we don’t lose sight of the importance of a strong infrastructure.” He expressed optimism that despite the differences in the House-

passed bill and S. 601, the Senate’s Water Resources and Development Act, “I am confident at the end of the day we can resolve our differences and achieve a successful conference report.”

Among the high-profile issues AWO and Waterways Council, Inc. are working with conferees to resolve include adopting a provision in the Senate bill to provide full federalization of the remaining costs to complete Olmsted Locks and Dam; rejecting a House provision calling for a study and recommendations for alternative sources of revenue for the operation and maintenance of inland waterway infrastructure; and adopting House-sponsored report language clarifying that the conditions surrounding the closure of the Upper St. Anthony Lock and Dam are unique and not applicable to other locks on the nation’s system of inland waterways. In addition, AWO and WCI are working to convince conferees to adopt a nine-cent user fee increase on diesel fuel to fund the Inland Waterways Trust Fund.

AWO is also urging conferees to retain a House-passed amendment introduced by Rep. Bill Flores (R-TX) to explicitly bar the appropriation of federal funds for marine planning or climate change

activities, as called for in an executive order on the National Ocean Policy.

In addition to the chairman and ranking members of both the full committee and subcommittees, House conferees include: Reps. John J. Duncan, Jr. (R-TN); Frank LoBiondo (R-NJ); Sam Graves (R-MO); Shelley Moore Capito (R-WV); Candice Miller (R-MI); Duncan Hunter (R-CA); Larry Bucshon (R-IN); Bob Gibbs (R-OH); Richard Hanna (R-NY); Daniel Webster (R-FL); Tom Rice (R-SC); Markwayne Mullin (R-OK); Rodney Davis (R-IL); Doc Hastings (R-WA); Rob Bishop (R-UT); Peter DeFazio (D-OR); Corrine Brown (D-FL); Eddie Bernice Johnson (D-TX); Tim Bishop (D-NY); Donna Edwards (D-MD); John Garamendi (D-CA); Janice Hahn (D-CA); Rick Nolan (D-MN); Lois Frankel (D-FL); Cheri Bustos (D-IL); and Grace Napolitano (D-CA).

Senate conferees include: Sens. Max Baucus (D-MT), Tom Carper (D-DE), Ben Cardin (D-MD) and Sheldon Whitehouse (D-RI), James Inhofe (R-OK) and John Barrasso (R-WY).

For more information about the WRDA conference, please contact Craig Montesano at (703)841-9300, extension 297, or cmontesano@vesselalliance.com.

VOLUME 70, No. 24 • NOVEMBER 26, 2013

HIGHLIGHTS IN THIS ISSUE

| | |
|---|---|
| AWO Submits Comments on Tank Vessel Oil Transfers..... | 2 |
| TVIB Holds Second RCP Auditor Training Class..... | 4 |
| AWO 2013 VGP Recommended Practice Guide Now Online..... | 5 |

AWO Letter Transitioning to Exclusively Electronic Format

Attention, AWO Members and Friends:

Beginning with the **January 6, 2014** issue, the *AWO Letter* will be delivered exclusively via e-mail. If you are currently receiving the newsletter in hard copy only, please be sure to provide AWO with a current e-mail address to continue receiving the *AWO Letter*. We look forward to continuing to provide this valuable service to you!

To update your contact information, or to ask any questions, please contact Ann McCulloch at (703) 841-9300, extension 252, or amcculloch@vesselalliance.com.



AWO Submits Comments on Tank Vessel Oil Transfers

On November 22, AWO submitted [comments](#) to the U.S. Coast Guard relating to tank vessel oil transfers. As reported in the November 12 *AWO Letter*, the Coast Guard had issued a notice and request for comments as the first step in implementing Section 702 of the Coast Guard Authorization Act of 2010, which directed the agency to promulgate additional regulations to reduce the risk of spills in operations involving the transfer of oil to or from tank vessels.

AWO emphasized the industry’s commitment to safety and collaboration with the Coast Guard and the success of industry efforts to manage the risk of oil spills and reduce the number and volume of oil spills from tank barges. AWO cited a 2012 Coast Guard Report to Congress that details the significant decline in the number and volume of tank barge oil spills and attributes this “dramatic improvement” to a combination of federal regulation and industry initiatives, including adoption of the AWO Responsible Carrier Program.

AWO urged the Coast Guard to take a risk-based approach to implementing this statutory mandate. “Before promulgating any new regulations, the Coast Guard should conduct a careful analysis of the risk of transfer spills and the costs and benefits of potential measures to reduce spill risks, taking into account casualty history and safeguards currently in place to prevent and mitigate spills,” AWO wrote.

In addition, AWO noted that the person best situated to assess the risk of a transfer spill is the tankerman or person in charge of the transfer. “We believe measures that empower the PIC to respond to exigent circumstances and that increase his or her knowledge and experience will be more effective in reducing transfer

spill risks” than categorizing transfers that occur under certain conditions (e.g., at night or in inclement weather) as inherently high risk, AWO stated.

In that spirit, AWO noted two areas where industry best practices have outpaced current Coast Guard regulations, including giving the tankerman-PIC “stop work” authority to halt a transfer operation if necessary to prevent a spill and ensuring a greater level of experience than required by current regulations to obtain or renew a Tankerman-PIC (Barge) endorsement.

AWO also urged the Coast Guard to consult with the Towing Safety Advisory Committee and the Chemical Transportation Advisory Committee as it considers its next steps on this issue. For more information, please contact Brian Bennett at (703) 841-9300, extension 279, or bbennett@vesselalliance.com.



“Before promulgating any new regulations, the Coast Guard should conduct a careful analysis of the risk of transfer spills and the costs and benefits of potential measures to reduce spill risks, taking into account casualty history and safeguards currently in place to prevent and mitigate spills.”

Navigation Safety Advisory Council Set for December 3-4 Meeting

The Navigation Safety Advisory Council will meet in Portsmouth, VA, next week. The full agenda for this meeting can be viewed [here](#). AWO will be monitoring several notable agenda items, including:

- Progress made on the development of a national e-navigation strategy;
- The Atlantic Coast Ports Access Route Study (ACPARS);
- Update on proposed changes to the Inland Navigation Rules; and
- Updates on ongoing risk assessments for several U.S. ports and waterways.

NAVSAC plays an advisory role and issues recommendations regarding navigation safety and regulations to the Department of Homeland Security through the Coast Guard. The charter of the Navigation Safety Advisory Council was renewed for an additional ten years by the 2010 Coast Guard Authorization Act.

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



Coast Guard Seeking Active Mariners for TSAC Vacant Seats

The U.S. Coast Guard is seeking active mariners to fill at least two seats on the Towing Safety Advisory Committee that will expire in 2014. The Coast Guard has particular need for applications from towing vessel masters in the harbor services/ship assist and coastal towing businesses. These TSAC members would be sworn in next fall and serve for up to three years. Service on TSAC is unpaid but



members are compensated for travel and meals through a federal government per diem.

TSAC is a federal advisory committee that provides advice to the Secretary of Homeland Security and Commandant of the Coast Guard on issues related to the safety of shallow-draft towing vessels. A diverse range of operational profiles, sectors, and regions of the industry are represented

on the committee. If you are interested in applying for any of the open seats, or for more information, please contact Kevin Dowling at (703) 841-9300, extension 264 or kdowling@vesselalliance.com.

Welcome, New Carrier Member!

T.L.C. Marine Service, Inc
PO Drawer 586
Lockport, LA 70374

www.tlcmarine.com

Rep: Johnny Adams, Jr.
Operations Supervisor

Chemical Transportation Advisory Committee to Meet December 10-12



The Chemical Transportation Advisory Committee will meet at U.S. Coast Guard headquarters in Washington, DC, next month. The full agenda for this meeting can be viewed [here](#). AWO will be monitoring notable agenda items including:

- Recommendations on safety standards for facility vapor control systems;
- Harmonization of carriage requirements for vessels that transport biofuels;
- Recommendations on safety standards for the design of vessels that transport natural gas or use it as a fuel; and
- Improving implementation of MARPOL discharge requirements.

The Coast Guard will also give updates on International Maritime Organization policy regarding the marine transportation of hazardous materials and on vessel-to-vessel transfers of hazardous materials in bulk.

The Chemical Transportation Advisory Committee advises the Department of Homeland Security, through the Coast Guard, on issues regarding marine transportation of hazardous materials. For more information on this upcoming meeting, please contact Kevin Dowling at (703) 841-9300, extension 264, or kdowling@vesselalliance.com.

Got Links?

If you receive a hard copy of the *AWO Letter* and need to know the exact web address of the hyperlink in any article, please contact Frank Leach at (703) 841-9300, extension 254, or at fleach@vesselalliance.com.



TVIB Holds Second RCP Auditor Training Class

In the ongoing process of transitioning responsibility for the training and certification of AWO RCP auditors, the Towing Vessel Inspection Bureau held its second RCP auditor training class November 5-7 in Nashville. The training session was attended by 30 auditors seeking new or renewed certification as well as 13 individuals seeking to complete an RCP internal auditing best practices class. In addition, 11 new and recertifying auditors attended Responsible Care Joint Audit Program training. When combined with the first training session in August, 68 auditors have gone through the training to become certified or re-certified, 23 have been trained as internal auditors, and 37 have completed the Responsible Care training.

During the training session, attendees asked questions about the logistics of the transition to TVIB and how it

would affect both AWO members and auditors. Several asked about the RCP audit surcharge that will be instituted after the first of the year, as well as changes in the flow of communication about completed audits. **In order to ensure that members are also fully informed about the specific changes they need to be prepared for after January 1, 2014, AWO and TVIB will hold an interactive webinar to provide an explanation of the new process and answer any additional questions that may be raised. Look for additional details soon, and please plan to participate.**

Earlier this year, AWO published the 2013 version of the RCP with revised Addenda developed by the RCP Standards Board. The new version includes changes to reflect the new

responsibility for training of auditors and also outlines changes to dispute resolution, audit process, and auditor certification process. It also includes the functions of the RCP Standards Board and the requirements for organizations seeking to be recognized by AWO for auditor training and certification.

TVIB and the Standards Board have also developed a new tool to assist AWO members in evaluating their safety processes, and RCP auditors in conducting audits, entitled "TVIB-RCP Management Audit Worksheet with Approved AWO Policies, Definitions and Expectations." This tool does not change the content of the RCP, as that can only be done by the AWO Board of Directors. However, it does provide explanations and references for each item in the RCP audit checklist. This was used as the basis for the training and every individual requirement or recommendation of the program was reviewed.

The 2013 RCP with Addenda can be found on the AWO website by clicking [here](#). The Management Audit worksheet can be found [here](#). Both documents, along with other RCP resources, can also be accessed from the main [Responsible Carrier Program page](#).

For more information about TVIB, please visit the [TVIB website](#). After the first of the year, the list of approved RCP auditors and all the tools and worksheets will be available here as well.

For more information, please contact Holly Riester at (703) 841-9300, extension 253, or hriester@vesselalliance.com.



Attendees participate in TVIB's RCP auditor training class in Nashville.

AWO 2013 VGP Recommended Practice Guide Now Online New Permit Becomes Effective December 19

The *AWO Recommended Practice Guide for the Environmental Protection Agency's Vessel General Permit* has been updated for the 2013 permit and is now available in the Safety & Environment section of AWO's website. To access the *Guide*, please click [here](#).

The Recommended Practice Guide was developed five years ago in order to clarify and add specificity to the

requirements of the 2008 VGP to assist barge and towing vessel owners and operators in complying with the permit. With the assistance of the AWO Vessel Discharges Working Group, the Guide has been revised to reflect the new and modified requirements of the 2013 VGP. For the first time, the Guide also includes an appendix to facilitate compliance with the state-specific certification

conditions listed in Part 6 of the permit.

The 2013 VGP becomes effective on December 19. For more information, please contact Jennifer Carpenter or Caitlyn Stewart at jcarpenter@vesselalliance.com or cstewart@vesselalliance.com or at (703) 841-9300, extensions 260 or 262, respectively. ☘

AWO PAC Event – Save the Date

AWO PAC GOLF TOURNAMENT

Lakewood Country Club

Tuesday, January 14

12:00 p.m.

For more information, please contact Mark Wright at (985) 674-3600 or mwright@vesselalliance.com or Frank Leach at (703) 841-9300, extension 254, or fleach@vesselalliance.com.



Contributions are not deductible for Federal income tax purposes. Contributions from corporations or foreign nationals are prohibited. Contributions to AWO PAC are voluntary and are used for political purposes. Any amount recommended is merely a guideline and you may contribute more or less than the suggested amount. AWO and any AWO member company will not favor or disadvantage anyone by reason of the amount of their contribution, or their decision not to contribute. You may refuse to contribute without reprisal. Federal law requires AWO PAC to request and report the name, home address, occupation and employer for each person whose contributions exceed two hundred dollars (\$200.00) or more in a calendar year.

CEMS Training Opportunities Available

The Crew Endurance Management System is a system for managing risk factors in maritime work environments that can lead to human error and performance slumps. The U.S. Coast Guard and AWO have been working together to help companies implement the principles of CEMS. The courses listed on the right are CEMS coaches classes, which are conducted by Salyers Solutions, LLC.

February 19-20, 2014
Seaman's Church Institute
Salyers Solutions, LLC
Houston, TX
(504) 236-4962

For questions on these courses, please contact Jo Ann Salyers at (504) 236-4962 or via email at joann@salyerssolutions.com. ☘

Midcontinent Office

AWO Comments on Corps' 2014 Missouri River Annual Operating Plan

On November 15, AWO submitted [comments](#) to the U.S. Army Corps of Engineers on its draft of the Missouri River Mainstem System 2013-2014 Annual Operating Plan urging the Corps to ensure that navigation, a primary congress-ionally-authorized purpose of the Missouri River system, is not adversely impacted by system management decisions.

AWO made the following specific recommendations:

- Release the final AOP prior to January 1 to ensure the ability of the navigation industry to negotiate transportation contracts;
- Ensure all segments of the navigable river are maintained to their authorized dimensions

throughout the navigation season; and

- Address the adverse impacts of increased reservoir sedimentation by adjusting reservoir guide curves for water storage allocations before it results in lower levels of navigation flow support and shorter navigation seasons.

AWO emphasized that diminishing the reliability and efficiency of Missouri River navigation adversely impacts regional transportation costs, public safety and the environment.

AWO also noted the significant consequences that Missouri River management decisions have for mid-Mississippi River waterborne commerce, as exemplified at the end of the 2012 navigation season when drought in both basins and reduced flows from the Missouri River reservoirs almost forced complete closure of the mid-Mississippi River to commercial traffic. AWO wrote that the Missouri River system's congressionally-authorized purpose of navigation includes navigation downstream on the Mississippi River and reiterated its request that, in addition to the public meetings it holds in the Missouri River basin, the Corps hold a meeting in the Mississippi River basin during the development of future AOPs.

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.



Barges are Beautiful...

For American Jobs.

America's tugboat, towboat and barge industry:

- Provides good paying, family-wage jobs for Americans, jobs that cannot be outsourced
- Offers excellent career opportunities for hard-working Americans
- Fosters hundreds of thousands of American jobs that depend on waterways transportation, and directly employs over 30,000 Americans on our vessels
- Contributes to America's economic, national and homeland security because our vessels are American-owned, American-built and American-crewed


THE AMERICAN WATERWAYS OPERATORS
America's Tugboat, Towboat & Barge Industry

"Our Compass Always Points to Safety"
www.americanwaterways.com