

AWO Submits Comments on Carriage of Shale Gas Waste Water

On December 6, AWO submitted [comments](#) in response to the U.S. Coast Guard draft policy letter on the carriage of conditionally permitted shale gas extraction waste water (SGEWW). As reported in the November 12 *AWO Letter*, 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 SGEWW.

AWO noted that barge transportation offers significant environmental advantages and has a long-established record of transporting a wide array of potentially hazardous materials safely. AWO strongly endorsed the premise of the draft policy letter that SGEWW can be safely moved by barge. AWO pledged to work closely with the Coast Guard to advance the agency's and the industry's common objectives of ensuring the safe and efficient movement of shale gas waste water by barge.

"AWO is committed to the goal of zero harm from our industry's operations – to human life, to the environment, and to property," stated Jennifer Carpenter, AWO's Senior Vice President – National Advocacy. "AWO members have a strong record of success in moving environmentally sensitive cargoes safely, securely, and efficiently."

AWO called the Coast Guard's attention to the comments of the Marcellus Shale Coalition and the American Petroleum Institute, which recommend changes to testing protocols and tolerances as well as urge Coast Guard consistency with relevant U.S. Department of

Transportation regulations. AWO also stated that the transport of shale gas wastewater should only be allowed if the barge owner obtains documentation from the offeror of the cargo before it is loaded on the barge certifying that the contents have been analyzed in accordance with Coast Guard-established criteria.



"AWO strongly supports the carriage of SGEWW by barge and believes that such transportation offers significant environmental advantages," AWO concluded. For more information, please contact Brian Bennett at (703) 841-9300, extension 279, or bbennett@vesselalliance.com.

Foss Hosts EPA Administrator in Long Beach



EPA Administrator Gina McCarthy takes the helm of the Foss Maritime Company's *m/v Caribe Horizon* on a December 2 tour of the Port of Long Beach. Please see page 8 for the full story.

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Senators Express Bipartisan Concern over TWIC One-Trip Delay

On November 14, Sens. Kelly Ayotte (R-NH) and Amy Klobuchar (D-MN), members of the Committee on Commerce, Science, and Transportation, sent a [letter](#) to TSA Administrator John Pistole expressing “serious concern” over the Transportation Security Administration’s current timeline for implementation of the OneVisit Program for TWIC applicants. In the letter, the lawmakers urged TSA to revisit its proposed timeline for eliminating the obligation for individuals to make two trips to an enrollment center for TWIC application and renewals, characterizing the requirement as “an unnecessary burden for American workers.”

The Senate letter is the latest in a series of bipartisan congressional efforts to urge TSA to implement the one-trip program for TWIC applicants in accordance with the deadline specified in the Coast Guard and Maritime Transportation Act of 2012. On June 4, 49 Members of the House of Representatives signed on to a similar letter to TSA.

In [his response](#), Administrator Pistole expressed his desire to see the one-visit program implemented as quickly as possible, noting that TSA began the OneVisit initiative this summer with a pilot program in Alaska and full implementation is expected in the third quarter of 2014. The OneVisit program allows applicants to apply for a TWIC at a designated enrollment center and receive their TWIC by mail.

One week after Administrator Pistole’s response to the senators, TSA announced at a TWIC Stakeholder Communication Committee meeting with industry representatives in Arlington, VA, that phase II of the pilot program will begin December 16 at five enrollment centers on Michigan’s Upper Peninsula. The agency told stakeholders that the pilot program in Alaska has worked well and that applicants typically receive their TWIC by mail within 10 to 12 days of enrollment. Nationwide rollout is expected to begin in spring 2014, TSA representatives said.

For more information on AWO’s work with Congress and the Administration to ensure that the OneVisit Program is implemented nationwide as soon as possible, please contact Craig Montesano at (703) 841-9300, extension 297, or cmontesano@vesselalliance.com.

WCI, AWO Urge WRDA Conferees to Act

On December 3, WCI, AWO, the U.S. Chamber of Commerce, and 31 other stakeholder groups sent a letter to the House and Senate Water Resources Development Act conferees urging a “final bill that will help to modernize the nation’s aging lock and dam system, and reform the processes to deliver navigation projects on time and on budget.”

The organizations also advocated for adoption of the Senate provision on federalizing the completion of the Olmsted lock and dam project and increasing the user fee that towboat operators pay into the Inland Waterways Trust Fund, stating that “America’s locks and dams were built in the 1920s and 1930s, but today transport the nation’s 21st century cargoes that fuel our modern economy. This critical transportation supply chain component needs reinvestment and recapitalization.”

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

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.



Twelve Members of Congress Send Letter on Key WRDA Conference Provision

Eleven Members of Congress joined Mississippi River Caucus chairman Rep. Stephen Fincher (R-TN) in sending the bipartisan letter at right to House and Senate WRDA conferees. The letter calls upon the conferees to preserve House report language on Section 219 of H.R. 3080 in the final conference report. For more information, please contact Craig Montesano at (703) 841-9300, extension 297, or cmontesano@vesselalliance.com.



Congress of the United States
Washington, DC 20515

December 3, 2013



Dear Chairman Shuster, Ranking Member Rahall, and Congressmen Gibbs and Bishop:

As you continue to work with your Senate counterparts to craft a conference agreement to H.R. 3080 and S.601, we respectfully request that you work to preserve the Committee Report language to Section 219 of the Water Resources Reform and Development Act (WRRDA). This language is crucial to safeguarding waterborne commerce on America's inland waterways system and must be included in the final Conference Report.

We strongly support the Committee's position that the concerns surrounding the Upper St. Anthony Falls Lock and Dam are unique and should not be applied by the Army Corps of Engineers to decision-making at other locks. Navigation is a central function of America's waterways and WRRDA represents a significant step forward in the effort to maintain and modernize waterway infrastructure. In this regard, the arbitrary closing of locks serves no constructive purpose, and would ultimately damage the U.S. economy by impairing the nation's marine highways that are vital to the movement of essential commodities. In short, the Mississippi River and other waterways must remain open for business.

The Committee Report also addresses the long-term problems created by the use of tonnage levels as a metric to justify continued operations at locks. The importance of waterborne commerce cannot be measured strictly on the basis of quantity. In fact, the value of cargoes often exceeds the quantity that is moved through a lock. Tonnage levels dismiss the economic impact on industrial facilities that rely on waterways to transport cargoes, as well as on the barge and towing companies employed to move them.

The overwhelming bipartisan support that H.R. 3080 received in the House is a tribute to your efforts in crafting a balanced bill. We appreciate the hard work it took to get WRRDA to conference, and we thank you for your efforts on behalf of the industries that rely on America's waterways.

Sincerely,

Rep. Stephen Fincher	Rep. William L. Enyart	Rep. Eric A. "Rick" Crawford
Rep. Bennie G. Thompson	Rep. Steve Cohen	
Rep. Robert B. Aderholt	Rep. Marsha Blackburn	Rep. Adam Kinzinger
Rep. Tim Griffin	Rep. Blaine Luetkemeyer	Rep. Ed Whitfield
		Rep. Michael Grimm

Coast Guard Projects September 2014 Date for Publication of Subchapter M Final Rule

On November 25, the U.S. Coast Guard announced a projected publication date of September 2014 for the long-awaited final rule on towing vessel inspection. The projection was included in the fall 2013 edition of the Unified Regulatory Agenda, a document released by the Administration twice a year identifying regulatory priorities and providing background information about the most significant regulatory actions that agencies expect to take in the coming year.

In meetings with Coast Guard officials, testimony before Congress, and articles

in industry trade journals, AWO has urged the Coast Guard to accelerate its efforts to finalize the Subchapter M rulemaking and ensure that it is published before Coast Guard Commandant ADM Robert Papp retires at the end of May 2014. Before the draft rule can be published, it must be reviewed by the Department of Homeland Security and the Office of Management and Budget. Because OMB review generally takes 90 days, meeting the September 2014 target date for publication would require the inspection rule to clear DHS and be sent to OMB before the Commandant retires.

While publication dates projected in the Unified Regulatory Agenda are not binding on an agency and have historically often been missed, announcement of a target publication date for the Subchapter M rulemaking is a positive indicator of the Coast Guard's commitment to finalizing this important regulatory initiative.

For more information, please contact Jennifer Carpenter or Brian Vahey at (703) 841-9300, extensions 260 and 251, respectively, or via email at jcarpenter@vesselalliance.com or bvahey@vesselalliance.com.

Coast Guard Reopens Tank Vessel Oil Transfer Comment Period

On November 29, the U.S. Coast Guard issued a [notice](#) that the agency is reopening the comment period for feedback on tank vessel oil transfers for an additional 30 days. As reported in the November 26 *AWO Letter*, the Coast Guard issued a notice and request for comments on October 23 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 submitted [comments](#) emphasizing the industry's commitment to safety and urged the Coast Guard to take a risk-based approach to implementing the statutory mandate. AWO also discussed two areas where industry best practices have outpaced current Coast Guard regulations. The new comment deadline is December 30.

For more information, please contact Brian Bennett at (703) 841-9300, extension 279, or bbennett@vesselalliance.com.



Coast Guard Releases FAQs for Non-Tank Vessel Response Plan Compliance

On December 2, the U.S. Coast Guard released a list of frequently asked questions regarding compliance with the final non-tank vessel response plan regulations issued on September 30.

Addressing an issue discussed at the Joint Meeting of the AWO Inland Dry and Inland Liquid Sector committees in October, the Coast Guard confirms that approved NTVRPs will be given a five-year renewal date. However, given the volume of expected plan submissions, the Coast Guard may initially conduct abbreviated plan reviews. In this case, the agency will issue new interim operating authority letters that will be valid for up to two years until replaced by a plan approval letter. A plan holder who receives an IOA in this circumstance will not be required to resubmit the plan pending the Coast Guard's more detailed review of the NTVRP.

The non-tank vessel response plan regulations affect self-propelled vessels over 400 gross tons, including towing vessels that carry oil as fuel. Affected vessel owners must submit plans that meet the requirements of the September 30 final rule by January 30, 2014. For more information, please contact Brian Bennett at (703) 841-9300, extension 279, or bbennett@vesselalliance.com.

Coast Guard Accepting Applications for Benkert Award

The U.S. Coast Guard is accepting applications for the 2014 Rear Admiral William M. Benkert Award for Environmental Excellence through March 1, 2014.

Any maritime transportation-related commercial organization that owns, operates or manages vessels, waterfront facilities, fleeting areas, oil spill removal organizations or other entities engaged in maritime operations subject to Coast Guard regulations is eligible to apply. Awards will be offered to vessel and facility operations in small and large business categories. There is also

a special small business category and foreign vessel operations category. Winners will be notified in the spring of 2014 and the award ceremony will be held June 26, 2014, during the American Petroleum Institute Tanker conference in Austin, TX.

For more information, including eligibility requirements, a complete description of each category and how to submit your application, please visit the award website by clicking [here](#).



Public Meeting to Prep for IMO Ship Design Subcommittee Session Scheduled

The Shipping Coordinating Committee will meet on January 9, 2014, in Arlington, VA, to prepare for the first session of the International Maritime Organization's Subcommittee on Ship Design and Construction, scheduled to be held in London January 20-24. The agenda will include discussions on the IMO Polar Code, review of damage stability regulations for vessels subject to SOLAS Chapter II-2, and tonnage measurement issues for U.S.-flag vessels operating on international voyages.

The SHC provides a forum for public input as the Coast Guard and the U.S. State Department prepare for IMO meetings. If you are interested in attending the meeting, click [here](#) for more information or contact LCDR Catherine Phillips, U.S. Coast Guard, at (202) 372-1374, or catherine.a.phillips@uscg.mil.

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.

AWO to Issue Request for Proposals to Develop Safety Statistics Reporting Tool

On December 16, AWO will be issuing a Request for Proposals from interested parties for the development of an online tool to be used to collect and analyze U.S. tugboat, towboat and barge industry safety data. AWO is asking for respondents to submit proposals to develop a tool that will be easy to use, secure, compatible with a variety of interfaces, and flexible for additional development.

Interested parties are asked to submit their contact information to AWO by 9:00 a.m. Eastern Standard Time on December 16 to be included in the initial RFP release. Requests received after this date will be honored; however, no additional time will be given to prepare a proposal. The deadline for receipt of proposals is January 20, 2014. AWO members are encouraged to circulate this announcement to vendors that they believe would be interested in participating.

If you have any questions, or would like to receive the RFP when it is issued, please contact Holly Riester or Brian Vahey at (703) 841-9300, extensions 253 and 251, respectively, or via email at hriester@vesselalliance.com or bvahey@vesselalliance.com

Welcome, New Affiliate Member!

**Steamship Insurance
Management Services Ltd.**
Aquatical House, 39 Bell Lane
London, England EI 7LU

Rep: Mr. Gary Field

Upcoming AWO Meetings: Opening the Door to Member Benefits

*Hotel Reservation Deadlines Quickly Approaching
for Upcoming Safety and Regional Meetings*

Opportunities abound in 2014 for you to get the most out of your AWO membership. The meetings listed below offer exposure to a wealth of membership benefits, like collaborating on pivotal industry issues, access to cutting-edge industry research, career-enriching education, and leadership opportunities. If you have not attended an AWO meeting recently, you are missing out on some wonderful activities. We hope you make plans to join us at one of the meetings in early 2014!



Companies looking for extra exposure at AWO meetings and events may want to consider sponsoring one or more of the meetings. A custom sponsorship offers benefits like logo placement in meeting promotions and elevated presence during and after the meeting.

Be sure to mark the dates below on your calendar. We hope to see you very soon! Please contact Sarah Young at (703) 841-9300, extension 291, or syoung@vesselalliance.com with any questions about the meeting schedule or sponsorship opportunities.

2014 Meeting Schedule

January 15-16

*Joint Annual Meeting of the
Interregion and Coastal Safety
Committees*
The Westin New Orleans Canal
Place | New Orleans, LA
[Register](#) for the Meeting
[Reserve](#) a Room (Deadline
December 23)

January 16-17

*Combined Annual Meeting of the
Midwest, Ohio Valley & Southern
Regions*
The Westin New Orleans Canal
Place | New Orleans, LA
[Register](#) for the Meeting
[Reserve](#) a Room (Deadline
December 23)

January 29-30

Atlantic Region Annual Meeting
Hotel Monaco Baltimore |
Baltimore, MD
[Register](#) for the Meeting
[Reserve](#) a Room (Deadline January 6)

February 19-20

Pacific Region Annual Meeting
Four Seasons Seattle | Seattle, WA
[Register](#) for the Meeting
[Reserve](#) a Room using Promo Code:
1310AWOPAC (Deadline January 28)

April 1-3

*2014 Spring Convention, Annual
Membership Meeting & Barge-In*
Mandarin Oriental | Washington, D.C.
[Register](#) for the Meeting
[Reserve](#) a Room (Deadline March 4)

Importance of Waterway Commerce Highlighted in Educational Outreach Effort

RiverWorks Discovery, an organization devoted to educational outreach highlighting the history, culture and positive economic impact of waterway transportation on the nation's rivers, is gearing up for another year of public awareness efforts. The program provides free educational materials, presentations

and traveling exhibits to educate children and adults about the nation's waterway economy, past and present.

In 2013, RiverWorks Discovery hosted several "Who Works the Rivers" career awareness programs for junior and senior high school students in

Pittsburgh, PA; St. Louis, MO; Mobile, AL; Paducah, KY; and Cincinnati, OH. Overall, RiverWorks Discovery has reached over 600,000 students since its founding.

In addition to expanding the "Who Works the Rivers" program into more cities, RiverWorks Discovery plans to celebrate its ten-year anniversary by continuing to showcase its traveling exhibit. Funded with private support, including contributions from several AWO member companies, the 2,000 square foot traveling museum exhibit was launched in Shreveport, LA in February. It will visit at least three additional cities in 2014, showcasing the history of America's waterway economy and educating the public about the industry's critical role in the commerce, national security and infrastructure of the United States.

Founded in 2004 by AWO member company AEP River Operations, Riverworks Discovery was gifted to the National Mississippi River Museum and Aquarium in Dubuque, Iowa in 2010. As the financial support of the program has continued to increase, so have classroom programs, community events and displays at public festivals. For more information on the program please visit www.riverworksdiscovery.org, or contact Errin Howard at (513) 403-9312 or errin@riverworksdiscovery.org.



TOP: Students try on deckhand gear at RiverWorks Discovery traveling exhibit in Memphis, TN. BOTTOM: Capt. Mike Marshall and Capt. Bob Mueller, Turn Services LLC, visit 4th and 5th grade students in Kenner, LA, as part of RiverWorks Discovery's outreach program.

Atlantic Region

AWO Members Meet with Coast Guard in Charleston

On November 21, AWO members held a Captain of the Port Luncheon with CAPT Ric Rodriguez, Commander, U.S. Coast Guard Sector Charleston, and his staff to discuss navigation issues affecting Charleston Harbor and surrounding waterways. CAPT Rodriguez was joined by CDR Jason Merriweather, Deputy Sector Commander, and CDR Scott Higman, Chief of Prevention.

Steve Kicklighter, McAllister Towing, and Jon Archer, Moran Towing Corporation, discussed the importance of completing the Charleston Harbor deepening project. Cooperation and a close working relationship between the towing industry and the Coast Guard

will be essential to minimizing the impacts of project construction on maritime traffic. CAPT Rodriguez and CDR Higman repeated their commitment to working with the towing industry and the rest of the maritime community to provide adequate lead time for project-related channel closures.

The U.S. Army Corps of Engineers is currently conducting a multi-year feasibility study of Charleston Harbor to determine the economic benefits and environmental impacts of a harbor deepening project. Charleston Harbor's main shipping channel has a maintained depth of 45 feet at mean low tide. Government officials plan to

increase the depth to 50 feet to accommodate new Panamax vessels. The South Carolina Legislature is setting aside \$300 million to help cover the local cost share for the construction project.

At the lunch, Ed Fitchett, The Vane Brothers Company, and Mike Walsh, Crowley Maritime Corporation, highlighted the importance of the project and thanked CAPT Rodriguez and his staff for their efforts to craft a good working relationship with the towing industry in Charleston. For more information on this and other events, please contact John Harms at (703) 841-9300, extension 292, or jharms@vesselalliance.com.

Pacific Region

Foss Hosts EPA Administrator in Long Beach

On December 2, AWO member Foss Maritime Company hosted U.S. Environmental Protection Agency Administrator Gina McCarthy for a vessel tour of the Port of Long Beach. Accompanied by staff from Foss Maritime and employees of the Port, Administrator McCarthy witnessed critical bunkering and ship assist operations in the nation's busiest port complex. The tour also showcased the port's recent effort to reduce carbon emissions and increase fuel efficiency through a partnership with the EPA.

Administrator McCarthy also observed two of Foss Maritime's hybrid tugs, *m/v Carolyn Dorothy* and the *m/v Campbell Foss*, which were retrofitted with systems approved by EPA as certified reducers of greenhouse gases, airborne particulates and other forms of pollution earlier this year. She also rode aboard the crew boat *m/v Caribe Horizon*, a vessel retrofitted with greener, more modern, Tier 2 engines. The replacement of the *m/v Caribe Horizon*'s engines was funded in part by a 2009 EPA grant authorized under the Diesel Emissions Reduction Act of 2005. Administrator McCarthy also noted the importance of DERA grants as a tool for vessel operators to modernize their fleets and reduce carbon emissions.



EPA Administrator Gina McCarthy tours the Port of Long Beach on a Foss Maritime Company vessel.

Midcontinent Office

AWO Comments on Corps' Development of Missouri River Recovery Management Plan

On November 22, AWO submitted comments to the U.S. Army Corps of Engineers on documents related to the Missouri River Recovery Management Plan and Environmental Impact Statement that the Corps had shared with the Missouri River Recovery Implementation Committee, of which AWO is a member. The Missouri River Recovery Management Plan is a Corps initiative to assess the effectiveness of ongoing Missouri River recovery and mitigation activities undertaken through its Missouri River Recovery Program, which MRRIC oversees, and to develop an adaptive management plan that will allow the Corps to modify the program's activities to ensure their continued effectiveness. The associated EIS will assess the environmental impacts of the program's current and future activities, as well as the impacts of proposed alternatives.

The Corps requested comments from MRRIC on an array of human considerations, objectives and performance metrics. The agency plans to utilize this information as it develops

the EIS. The EIS must analyze the full range of direct, indirect and cumulative effects of the Mississippi River Management Plan alternatives it assesses, including ecological, aesthetic, historic, cultural, economic, social, and health impacts, whether adverse or beneficial. Among the human considerations the Corps lists in its documents are navigation-related impacts to national and regional economic development objectives and other social effects objectives, establishing four metrics to judge these effects: 1) changes in transportation savings; 2) changes in regional economic development resulting from changes in transportation savings; 3) changes in non-routine repair, replacement and rehabilitation costs; and 4) changes in emissions resulting from shifts in transportation mode.

In its comments, AWO asserted that it "does not believe that these metrics are sufficient to measure all of the potential direct and indirect navigation-related effects of modifications to the Corps' recovery and mitigation

activities." Specifically, AWO made the following recommendations:

- The Corps must analyze and consider the effects of its actions on water-compelled rates under its national and regional economic development objectives;
- The Corps must assess a wide range of both adverse and beneficial direct and indirect impacts that modal shifts driven by changes to Missouri River recovery and mitigation activities could cause, including effects on public health, public safety, traffic and congestion and road maintenance costs; and,
- The Corps must include direct and indirect impacts on mid-Mississippi River navigation in the scope of the EIS.

To read AWO's comments, please 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.



Coast Guard Issues Guidance to Protect Against Cybersecurity Threats

On November 19, U.S. Coast Guard Sector Upper Mississippi River issued [Area Maritime Security Bulletin 001-2013](#) urging maritime stakeholders to be aware of cybersecurity incidents. The bulletin issues best practice guidance for stakeholders to follow, including reporting cyber incidents to the National Response Center; obtaining cybersecurity training through the Department of Homeland Security; incorporating cybersecurity elements into Area Maritime Security assessments, plans and exercises; and, reporting cybersecurity best practices to Sector Upper Mississippi's Port Security Specialists.

For more information about AWO's efforts to ensure the ongoing safety and security of towing industry operations, please contact Brian Vahey at (703) 841-9300, extension 251, or bvahey@vesselalliance.com.

