



## The American Waterways Operators

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Jennifer A. Carpenter  
Executive Vice President

July 14, 2014

Docket Management Facility (M-30)  
U.S. Department of Transportation  
1200 New Jersey Ave., SE  
Washington, DC 20590-0001

Re: Workplace Safety and Health for  
Merchant Mariners (USCG-2014-  
0014)

Dear Sir or Madam:

The American Waterways Operators is the national trade association for the tugboat, towboat and barge industry. AWO's members account for approximately 80 percent of the barge tonnage and two-thirds of the towing vessel horsepower in this critical industry segment, moving cargoes essential to the American economy on the inland rivers, the Atlantic, Pacific and Gulf coasts, and the Great Lakes. Tugboats also provide essential services, including shipdocking, tanker escort and bunkering, in ports and harbors around the country. On behalf of AWO's members, thank you for the opportunity to comment on the petition requesting the U.S. Coast Guard to initiate a rulemaking to address workplace safety and health for limited tonnage merchant mariners.

AWO is committed to being a leader in marine safety, security and environmental stewardship and to working in partnership with government to ensure sound, effective regulations and standards governing our industry. We continually seek to manifest this commitment through the development and continuous improvement of the AWO Responsible Carrier Program, the safety management system with which all AWO members must comply as a condition of association membership; our active engagement in the Coast Guard-AWO Safety Partnership, which has sponsored more than 40 Quality Action Teams and other cooperative efforts to improve industry safety since its inception 19 years ago; and our constructive engagement in the regulatory development and policymaking process to assist the Coast Guard in producing sound, effective regulations and standards for our industry, including the forthcoming towing vessel inspection regulations.

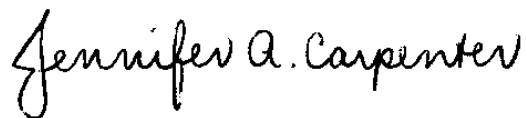
AWO is committed to the goal of zero harm from our industry's operations – to human life, to the environment and to property. However, AWO believes a rulemaking to address workplace safety and health for limited tonnage merchant mariners is unnecessary for the very reason that Coast Guard regulations on the inspection of towing vessels under 46 CFR Subchapter M (Docket No. USCG 2006-24112) are already under development and will, upon completion, provide a framework to address many of the workplace health and safety concerns raised in the petition.

The towing vessel inspection rule will raise safety standards throughout the tugboat, towboat and barge industry, incorporating and building on the safeguards that quality companies have already put in place and ensuring that all vessels achieve a minimum threshold of safety that is necessary to protect lives, the environment and property. Use of a safety management system to ensure continuous oversight of the operation and maintenance of a company's towing vessels and the health and safety of its crew members is a key component of the towing vessel inspection rulemaking that has been strongly and repeatedly endorsed by the congressionally authorized Towing Safety Advisory Committee (TSAC). AWO has continually voiced our strong support for the inclusion of a safety management system requirement in the forthcoming towing vessel inspection rules.

Mandated by Congress nearly 10 years ago in the Coast Guard and Maritime Transportation Act of 2004, the towing vessel inspection rulemaking is now over two and a half years past the statutory deadline for its issuance (October 15, 2011). AWO urges the Coast Guard to expedite the finalization of this rulemaking not only because it is long past due, but because it offers a historic opportunity to take safety in the tugboat, towboat and barge industry to a new level, akin to the transformation of the oil transportation industry after the Oil Pollution Act of 1990. Until the final rule is published, both the Coast Guard and the towing industry will face questions, like those raised in the petition, regarding what actions are being taken to ensure that appropriate safeguards to protect mariners on towing vessels are in place.

Thank you again for the opportunity to comment. We would be pleased to answer any questions or provide further information as the Coast Guard sees fit.

Sincerely,

A handwritten signature in black ink that reads "Jennifer A. Carpenter". The signature is written in a cursive, flowing style.

Jennifer A. Carpenter