TWO HOUSTON PILOTS EARN IMO AWARD FOR EXCEPTIONAL BRAVERY AT SEA

Pilots around the country are counted on every day to use their skills, local knowledge and informed independent judgment to safely move all manner of ships through winding, narrow and crowded waterways, often in adverse weather conditions. This is what pilots do – make an extremely challenging and dangerous job look routine. The Houston Pilots are no different as they operate in the Houston Ship Channel, one of the world’s busiest waterways.

Sometimes, however, circumstances dictate that pilots must go far above and well beyond their normal duties. As has been reported in previous editions of ON STATION, such circumstances occurred for two Houston Pilots – Captain Michael G. McGee and Captain Michael C. Phillips – on September 6, 2016. At the end of this night, these two pilots would find themselves burned and exhausted, but responsible for having saved lives, protected vulnerable waterfront facilities and prevented a massive marine pollution incident. Their actions would later earn them the International Maritime Organization’s (IMO) 2017 Award for Exceptional Bravery at Sea, the IMO’s highest honor for bravery at sea. They are the first pilots to ever receive this prestigious international award.

Captains McGee and Phillips were aboard the M/T AFRAMAX RIVER. Captain McGee was undocking the ship when it experienced a catastrophic engine failure that caused the vessel to race to full astern and strike two mooring dolphins. This ruptured a port fuel tank causing a spill that quickly ignited and created a massive fire on and around the vessel.

The seasoned pilots maintained their stations despite being surrounded by a towering wall of burning fuel. The waters surrounding the ship were also on fire and the flames quickly spread across the channel.

Relying on his years of experience, Captain McGee maneuvered the crippled vessel away from other ships to prevent the flames from spreading to the numerous tank vessels and vulnerable petro-chemical facilities along the waterfront. Simultaneously, Captain Phillips handled communications with the USCG and coordinated firefighting efforts with the numerous local fireboats. In the midst of this chaotic scene, Captain Phillips had the calm presence to break out and charge a fire hose to extinguish flames raging on the port bridge wing.

The fire went on for more than 90 minutes as the pilots continued to maintain the ship’s position and direct the vessels fighting the blaze. Once the fire was extinguished, Captain McGee, using assist tugs, was able to bring the stricken tanker safely to a designated dock.

In the end, and as a result of the courageous and skilled actions of these two pilots, no lives were lost, serious damage to pier structures and facilities was prevented, and a major marine pollution incident was avoided.

When a full accounting of the details of their heroic efforts became known, the APA coordinated with the International Maritime Pilots’ Association to nominate Captain McGee and Captain Phillips for the Award for Exceptional Bravery at Sea. The Award will be presented during the 30th session of the IMO Assembly in November 2017.

In addition to the IMO Award, Captain McGee and Captain Phillips have been honored with two other significant awards. In February, the two Houston Pilots were presented the USCG’s Meritorious Public Service Award for their bravery, among the highest awards the USCG can bestow on a civilian. In March, the two pilots were presented with Professional Mariner magazine’s 2017 Samuel Plimsoll Award for Outstanding Service. In presenting the Plimsoll Award, the selection committee stated, “It really was one of the finest examples of state pilots protecting the waterway and citizens at their own risk.”

APA President, Captain Jorge Viso, said, “The actions and performance of Captain McGee and Captain Phillips during and after the marine casualty aboard the tanker AFRAMAX RIVER, not only showed tremendous skill, determination, bravery and character on their parts, but also reflected the best traditions of the piloting profession in this country.”

The annual Award for Exceptional Bravery at Sea was established by IMO to provide international recognition for those who, at the risk of losing their own life, perform acts of exceptional bravery, displaying outstanding courage in attempting to save life at sea or in attempting to prevent or mitigate damage to the marine environment.
REGULATORY REVIEW FOR AUTONOMOUS SHIPPING OK’D

The IMO’s Maritime Safety Committee met for its 98th Session (MSC98) from June 7-16. Paul Kirchner, Executive Director-General Counsel, and Clay Diamond, Deputy Director-Associate General Counsel, served as members of the U.S. Delegation. By far the most important – and controversial – decision MSC98 made was when it agreed to include the issue of autonomous ships on its agenda. This will be in the form of a regulatory “scoping exercise” to determine if the “safe, secure and environmentally sound operation of Maritime Autonomous Surface Ships (MASS) may be introduced” under IMO regulations.

The scoping exercise would identify IMO regulations that, as currently drafted: (1) preclude MASS operations; (2) would have no application to MASS operations; and (3) would not preclude MASS operations but may need to be amended in order to ensure that the construction and operation are carried out safely, securely, and in an environmentally sound manner. MSC98 also agreed that the scoping exercise should address different levels of automation, including semi-autonomous and unmanned ships and could include discussion of a definition of what is meant by an "autonomous ship".

Many country delegations in attendance urged that the exercise should include review of the reliability, robustness, resiliency and redundancy of the underlying technical, communications, software and engineering systems; and consideration of conducting a formal safety assessment as to the safety, technical, human element and operational aspects of autonomous, remotely controlled, or unmanned ships.

Finally, it was agreed that full consideration should be given to legal aspects, including where the responsibility would lie in case of an accident involving a MASS, its consequences to the cargo, and implications for ship management companies.

It is anticipated that the regulatory scoping exercise would take place over four MSC sessions, which would extend through mid-2020.

The scoping exercise is a starting point, but it is expected to touch on an extensive range of issues, including the human element, safety, security, interactions with port services, responses to incidents and protection of the environment. The scoping exercise does NOT entail amending any IMO instruments. Once the exercise is complete—no sooner than mid-2020—consideration will then be given to whether or not such amendments are feasible or advisable.

CYBER RISK MANAGEMENT RESOLUTION APPROVED

MSC98 also approved Resolution MSC.428(98): Maritime Cyber Risk Management in Safety Management Systems. In “recognizing the need to raise awareness of cyber risk threats and vulnerabilities to support safe and secure shipping,” the Resolution calls for safety management systems to take into account cyber risk management in accordance with the International Safety Management Code while taking precautions needed to preserve aspects of confidentiality. The document is not yet available on the IMO website but can be downloaded from the USCG at:


On a related issue, the USCG, in a post from RADM Paul Thomas, Assistant Commandant for Prevention Policy, noted the recent ransomware attacks that had impacted cargo movement internationally. He recently called on the maritime industry to continue to work with federal, state, and local government to mitigate the impacts of cyber attacks and reduce vulnerability to similar incidents in the future.

IMO ANNOUNCES WORLD MARITIME DAY 2017

The IMO announced that World Maritime Day 2017 will be celebrated on 28 September. The theme this year is “Connecting Ships, Ports, and People.” According to the notice, the theme was chosen to provide an opportunity to focus on the many diverse actors involved in the shipping and logistics areas.

The 2017 theme aims to build on the World theme for 2016, "Shipping: indispensable to the world." For more on World Maritime Day, visit:

On June 27, APA President, Captain Jorge Viso, took part in a panel discussion on various NOAA programs, including PORTS®. The panel discussion, sponsored by the Congressional PORTS® Caucus, was held at the Rayburn House Office Building. The PORTS® Caucus is co-chaired by Rep. Ted Poe (R-Tx) and Rep. Alan Lowenthal (D-Ca).

The title of the panel discussion was “NOAA: Providing Safety & Efficiency to the Maritime Industry for over 210 years—Where are we now and where are we going?”

Other members of the discussion panel included W. Russel Callendar (Assistant Director, National Ocean Service), Richard Edwing (Director, NOAA Tides and Currents Office), and RDML Shep Smith (Director, Office of Coast Survey).

Captain Viso was asked to give the Members of Congress and Congressional staffers in attendance the “users” perspective on the various NOAA products and services. After giving an overview of the APA mission and organization, Captain Viso then stressed just how important PORTS® and other NOAA products and services are to APA-member pilots around the country.

Captain Viso also talked about the array of challenges facing pilots around the country, such as increasing ship size and draft, which require reliable and up-to-date information, dredging and improved port infrastructure.

CONGRESS RUNNING OUT OF TIME TO PASS COAST GUARD AUTHORIZATION BILL

Considering how much Congress has left to do before the Fall recess begins, including tackling vital national priorities like funding the government, raising the debt limit and passing Hurricane Harvey relief (not to mention tax reform and an infrastructure bill), time is quickly running out for passage of a Coast Guard Authorization Bill.

The House of Representatives has done its part. On July 20, the House passed H.R. 2825, the Department of Homeland Security (DHS) Authorization Act. This legislation contained authorization legislation for most DHS agencies, including the Coast Guard.

Among the provision of particular interest to pilots that are contained in H.R. 2825 are Section 5213, which would eliminate the long-standing requirement under 46 CFR 11.480(f) that mariner’s must complete a “refresher course” in order to renew a Radar Observer Endorsement to a Merchant Mariner Credential. It is unclear what requirement, if any, the Coast Guard may opt to put in place if Section 5213 is ultimately enacted into law, but APA will watch this issue closely if this bill is ultimately signed into law. Section 5411 of would require the Coast Guard to establish, operate, and maintain “a reliable land-based enhanced LORAN, or eLORAN, positioning, navigation, and timing system.” This section lays out detailed requirements that the eLORAN system must meet and makes clear that the purpose of such a system is “to ensure the availability of uncorrupted and nondegraded positioning, navigation, and timing signals for military and civilian users in the event that GPS signals are corrupted, degraded, unreliable, or otherwise unavailable.”

The Senate has not yet kept pace with the House. While a bipartisan Coast Guard Authorization Bill (S. 1129) was introduced in the Senate in late Spring, and this legislation was approved by the Senate Committee on Commerce, Science and Transportation (CS&T) and placed on the Senate calendar, the Senate has yet to hold a vote on S. 1129. Like its House counterpart, the Senate bill’s principal purpose is to authorize the Coast Guard’s budget, human and capital resources, and legal authorities, but there are also some provisions of general interest to pilots. Also like H.R. 2825, the Senate bill would require the Coast Guard to “eliminate the requirement that a mariner complete an approved refresher or re-certification course to maintain a radar observer endorsement.”
REMEMBERING APA’S MASTER-PILOT INFORMATION EXCHANGE WORKSHOP

This year marks the 20th anniversary of the APA’s “Master-Pilot Information Exchange Workshop.” The workshop was held July 22-23, 1997 in Crystal City, Virginia, across the Potomac River from downtown Washington, DC. The Coast Guard and Maritime Administration co-sponsored the event, which was attended by over 150 individuals, including 50 APA member pilots. Other participants included representatives of ship owners and operators, masters, docking masters, Coast Guard personnel (both headquarters officials and a number of Captains of the Port), NTSB officials, state pilot commissioners, maritime training officials, safety experts, and lawyers.

The workshop provided a candid and productive sharing of views, from all sides, on the master-pilot information exchange (MPX) topic, which was at that time just beginning to be recognized as an important component of safe navigation practices with a pilot aboard. The results of the workshop have been far-reaching and long-lasting.

Building on the presentations and discussions at the workshop, the APA developed “The Master-Pilot Information Exchange: a Best Practices Summary.” The summary, formally adopted by the APA Trustees in October 1997, has become the major professional standard, both in the US and internationally guiding information exchanges between masters and pilots. It is the main reference material for the MPX subject used in APA-approved BRM-P courses. In addition, most of the section on MPX in the IMO’s Resolution A.960 was taken from the summary.

The APA’s well-known official statement on “The Respective Roles and Responsibilities of the Pilot and the Master” was also a product of the workshop. Discussions during the workshop indicated that some disagreements among the participants as to the form and contents of good information exchanges could be traced to confusion, and in some cases significant differences of opinion, about the role and legal status of the pilot.

For that reason, the APA decided that a concise statement of the respective roles of the pilot and master would benefit the entire maritime community. It would be especially helpful for masters and pilots in establishing the mutually-supportive working relationship on the bridge of a ship that is a goal of Bridge Resource Management in general, and MPX in particular. A committee of pilots and pilot lawyers was formed to develop such a statement, and the eventual draft was adopted by the Trustees at the October, 1997 meeting. That statement has been used in training courses, including all APA-approved BRM-P courses; relied upon by the NTSB and state pilot commissions; and cited in court decisions. Like the Best Practices summary, the statement has become a professional standard.

Both documents can be accessed on the APA website, www.americanpilots.org.

USCG ANNOUNCES DECOMMISSIONING OF ARMY CORPS DGPS SITES

On June 9, the U.S. Coast Guard issued a bulletin announcing that the five DGPS sites operated by the US Army Corps of Engineers (USACE) are to be decommissioned.

USACE began a phased shutdown of its five remaining DGPS sites May 31, 2017 with the shutdown of the Louisville, Kentucky site. On June 30, 2017 three more sites were permanently shut down: St. Paul, Minnesota, Miller’s Ferry, Alabama, and Rock Island, Illinois. The final USACE-owned DGPS site in Reedy Point, Delaware was permanently shut down on July 31, 2017.

USACE established these DGPS sites for hydrographic surveying, dredging and coastal construction projects. The Corps contends that as its DGPS architecture and equipment aged, however, the maintenance and operating costs have become a budget burden. With the increased availability of alternatives to DGPS, such as high accuracy Real-Time Kinematic systems and the Federal Aviation Administration’s Wide Area Augmentation System (WAAS), USACE decided its operation of DGPS sites was no longer cost effective.

In the past year, the number of DGPS sites across the United States has been reduced from 84 to 45. The remaining DGPS sites are concentrated in coastal areas and along the Western Rivers. These DGPS sites are operated and remotely monitored by the USCG Navigation Center (NAVCEN), located in Alexandria, Va.

COAST GUARD ISSUES TWO NOTICES ON MERCHANT MARINER CREDENTIALS

In July and August the National Maritime Center (NMC) issued two notice regarding Merchant Mariner Credentials (MMC).

July 20th - NMC reminded mariners that the USCG had extended expiration dates of MMCs that expired on or after December 1, 2016. The extension ends on October 1, 2017. The Notice stresses, “Mariners are not authorized to sail on an expired MMC after September 20, 2017.”

August 31st - NMC announced that duplicate MMCs would be issued free of charge to mariners whose credentials were lost or destroyed as a result of Hurricane Harvey and associated flooding.

These and other notices are available at: http://www.deo.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/National-Maritime-Center-NMC/announcements/
APA STAFF HOSTS USCG OFFICE OF NAVIGATION SYSTEMS

On July 25, Captain Jorge Viso, APA President, Paul Kirchner, Executive Director-General Counsel, Clay Diamond, Deputy Director-Associate General Counsel, and Bill Cairns, Navigation Technology Director met at the APA offices with Coast Guard Captain Mary Ellen Durley, the new Chief of the Office of Navigation Systems (CG-NAV). Captain Durley was accompanied by members of her staff, CDR Justin Kimura, Chief of Navigation Technology and Risk Management Division, and LCDR Michael Patterson, Chief of the Physical Aids to Navigation and Positioning/Navigation/Timing Division.

While the purpose of the meeting was primarily to meet the new chief of CG-NAV, a wide variety of topics was discussed. The Coast Guard gave an update on the revised CG-NAV organization. The discussion then turned to DGPS and the accelerated shutdown of DGPS sites (see article on previous page). Captain Durley advised that the DGPS towers will be removed with no plans for alternative terrestrial navigation systems. According to the Coast Guard, the implementation of a back-up to GPS (e.g., eLORAN) appears to be very much in doubt.

Captain Durley reiterated the USCG’s policy on the purpose of virtual AIS AtoN: this technology is intended to augment visual aids with no intent to replace visual aids with virtual aids.

APA staff also followed up on reports received by several member-pilot groups regarding the poor state of repair of day boards and ranges. Captain Durley pledged to look into this matter with the various Coast Guard District and Sector Commanders and report back to APA.

Captain Durley was extremely complimentary of state pilots, making the point that she has had nothing but positive experiences with the pilot groups with which she has interacted during her career.

CHAMBER OF SHIPPING OF AMERICA MAKES CALL ON APA OFFICES

The President and CEO of the Chamber of Shipping of America (CSA), Kathy Metcalf, made a call at the APA office on July 19. This visit is part of a program of regular interaction between the Chamber and the APA. The purpose of this open dialog is to identify issues of mutual interest and to consider matters upon which APA and the CSA can work cooperatively.

CSA represents U.S.-based companies that own, operate or charter oceangoing tank, container, or dry bulk vessels engaged in both the domestic and international trade and companies that maintain a commercial interest in the operation of such oceangoing vessels. Current Chamber members include companies that own or operate U.S. flag or foreign-flag vessels.

Kathy Metcalf, a 1978 graduate of the U.S. Merchant Marine Academy, has been CSA President/CEO since 2015. Prior to that, she served as CSA’s Director of Maritime Affairs.
McGOVERN HONORED FOR MERPAC SERVICE

On March 23, the Coast Guard presented Captain Andrew McGovern (New Jersey Sandy Hook Pilots) with the *Distinguished Public Service Award* for his years of service on the Merchant Marine Personnel Advisory Committee (MERPAC). Aside from the Gold and Silver Life-Saving Medals, this is the highest public recognition the Coast Guard Commandant may award a civilian.

Among other reasons, this award is given to recognize “Exceptional coordination and/or cooperation in matters pertaining to the Coast Guard's responsibilities” and “Personal and direct contribution to the Coast Guard that had a direct bearing on the accomplishment of the Coast Guard's responsibilities.”

Captain McGovern’s *Distinguished Public Service Award* citation reads as follows:

“The Commandant of the U.S. Coast Guard takes great pleasure in presenting the Coast Guard’s Distinguished Public Service Award to Captain Andrew McGovern for his service as a member of the Merchant Marine Personnel Advisory Committee (MERPAC).

A member since March 1997, and its chair since 2000, Captain McGovern led an active and diverse group of highly talented experts providing outstanding recommendations to the Coast Guard on matters related to personnel working in the U.S. Merchant Marine. This input spanned training qualifications, certification, documentation, and fitness standards. His active participation resulted in a positive working relationship between the Coast Guard and the marine industry at all levels.

During his distinguished tenure, the Committee provided sage counsel on numerous projects and safety issues with national and international implications. His leadership, expertise, and corporate knowledge were vital to MERPAC completing a comprehensive review and revision of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) at the International Maritime Organization from 2008 through 2010. In addition, under his direction, MERPAC provided critical recommendations that greatly assisted the Coast Guard in developing and implementing essential policy in guiding the maritime industry’s compliance with the amended STCW.

Captain McGovern’s public-spirited dedication to MERPAC, merchant mariners, and our organization, coupled with his genuine willingness to work with all parties in promoting safety in marine industry are most heartily commended and are in keeping with the highest traditions of the U.S. Coast Guard.”

- Admiral Paul F. Zukunft
  Commandant, U.S. Coast Guard

Mr. Jeff Lantz, Coast Guard Director of Commercial Regulations and Standards, presents the *Distinguished Public Service Award* to Captain Andrew McGovern (right).

Mark Your Calendar

2017 APA Board of Trustees Meeting
Washington, DC, October 16-18, 2017

eNavigation Conference December 6-7, 2017
Renaissance Seattle Hotel [www.enavigation.org](http://www.enavigation.org)

24th IMPA Congress
Dakar, Sénégal, April 23-27, 2018,

2018 APA Biennial Convention
Savannah, Georgia, September 30-October 5

ELECTIONS, SELECTIONS, APPOINTMENTS, ETC.

The following APA-member pilots associations recently announced new officers:

- Crescent River Port Pilots’ Association: Captain E. Michael Bopp (President), Captain Scott Loga (Vice President), Captain Eric Short (Secretary), Captain Kevin Nelson (Board Member), and Captain Tommy Bryan (Board Member).
- Galveston-Texas City Pilots Association: Captain Christos Sotirelis (Presiding Officer), Captain Matthew Bush (Vice President), Captain Wendy Morrison (Secretary-Treasurer), and Captain Derek Tracy (Marine Superintendent/Boat Keeper).