



# ON STATION

The Newsletter of the American Pilots' Association

September 15, 2011

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## 2012 BIENNIAL CONVENTION TO BE HELD IN WASHINGTON, DC

APA will hold its 2012 Biennial Convention in Washington, DC at the Gaylord Resort and Convention Center at National Harbor from October 15-19. This destination resort is located on the Maryland side of the Potomac River, just minutes from downtown Washington. Although the APA room block is not yet available for reservations, general hotel information can be obtained at: <http://www.gaylordhotels.com/national-home.html>.

The Attorneys' Meeting, as well as meetings of the various APA Committees, will be held on Monday, October 15. The Convention will run through Friday, October 19. As in the past, the general business meetings will include presentations on topics of interest to pilots by APA staff and officers, as well as remarks by senior officials from various federal agencies. There will also be numerous maritime vendors in attendance.

The 2012 convention location is a break from tradition, and it is expected that future conventions will follow the usual custom of being hosted by an APA pilot group or region. As a result, APA pilots and their families are encouraged to take advantage of this wonderful oppor-

tunity to visit the country's capitol while catching up with old friends and sharing camaraderie and experiences with fellow pilots.

As the Convention dates get closer, look for more information in upcoming editions of *ON STATION* and from your local pilot group officers.



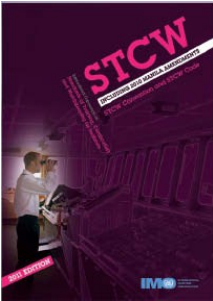
An aerial depiction of the Gaylord Resort and Convention Center at National Harbor, site for the 2012 APA Biennial Convention.



The 2012 APA Biennial Convention will allow pilots and their families to enjoy the sights and visit the historic locations in our Nation's capitol.

## BOARD OF TRUSTEES TO MEET IN WASHINGTON IN OCTOBER 2011

The off year meeting of the APA's Board of Trustees will be held in Washington, DC from October 30 through November 1, 2012. The APA's Navigation Technology Committee will also hold its annual meeting during this time.



### USCG PROPOSES REGULATIONS TO IMPLEMENT CHANGES TO STCW CODE

On August 1, 2011, the U.S. Coast Guard issued a supplemental notice of proposed rulemaking (SNPRM) aimed at implementing both the 1995 and the 2010 (known as the “Manila Amendments”) amendments to the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers (STCW Convention) and the STCW Code. According to the Coast Guard Notice, in addition to aligning federal regulations with the amended STCW Convention and Code, the SNPRM also proposes to make other non-STCW changes necessary to “reorganize, clarify, and update” its mariner credentialing regulations.

Comments on the proposed regulatory changes must be submitted to the Coast Guard by the end of September. The SNPRM proposes to make changes to STCW and domestic training and certification requirements, as well as to some medical and physical examination processes. APA is undertaking a thorough review of the SNPRM — a document nearly 600 pages long — and will submit appropriate comments to support the interests of its member pilots.

Although the Manila Amendments enter into force on January 1, 2012, the new requirements are permitted to come into effect over a 5-year period. The USCG has proposed the following “phase-in” schedule: (1) applicants beginning their service or training on or after July 1, 2013 will be subject to the

full application of the revised STCW requirements; and (2) mariners who hold an STCW endorsement prior to January 1, 2012 must comply with the revised STCW requirements by January 1, 2017.

Coast Guard held a series of public meetings to receive comments on the SNPRM. Meetings were held in Miami, New Orleans, Seattle, and Washington, DC. APA attended the meeting in Washington.

Look for more information on the proposed changes to the federal credentialing regulations, and their potential impact on pilots, in upcoming editions of *ON STATION*.



### IMO COUNCIL ELECTS NEW SECRETARY GENERAL

Mr. Koji Sekimizu of Japan has been elected Secretary-General of the International Maritime Organization (IMO). Sekimizu will take office on January 1, 2012, and will serve an initial term of four years.

The vote took place during the 106th session of the IMO Council, which met in London from June 27 to July 1. The decision of the Council will be submitted to the IMO Assembly, which meets November 21 to 30, 2011, for approval. Assembly approval is generally considered a formality.

Mr. Sekimizu, 58, is currently Director of IMO’s Maritime Safety Division. He worked in various maritime capacities with the Ministry of Transport of Japan for more than 20 years. In 1980 he began attending IMO meetings as part of the Japanese delegation and later joined the IMO Secretariat in 1989.



Left to right: IMPA President Capt Mike Watson, Rev. Ken Peters of the Mission to Seafarers, new IMO Secretary General Mr Koji Sekimizu, and Andy Winbow of IMO.

Outgoing Secretary-General Adm. Efthimios E. Mitropoulos said he looked forward to “working closely with Mr. Sekimizu between now and the end of the year to introduce him to the current state of organizational affairs so that the transition of administration from me to him will be as smooth, harmonious and successful as possible.”

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*ON STATION* is published by the American Pilots’ Association, a non-profit professional association composed of groups of state-licensed pilots operating in each of the coastal states, as well as groups of U.S. registered pilots in the Great Lakes region. Each pilot in APA-member groups receives *ON STATION*, the costs of which are paid from the member’s dues. Any comments, suggestions or questions concerning *ON STATION* should be directed to the attention of the APA office at the above address.



## COAST GUARD AUTHORIZATION ACT MARKED-UP IN THE HOUSE

On September 2, Representative Frank LoBiondo (R-NJ), Chairman of the Coast Guard and Maritime Transportation Subcommittee, introduced the Coast Guard and Maritime Transportation Act of 2012 (H.R. 2838). The bill, which was co-sponsored by Rep. John Mica (R-FL) (Chairman of the full Transportation and Infrastructure (T&I) Committee), was immediately referred to the T&I Committee. A “mark-up” hearing was held on September 8th, and H.R. 2838 was reported favorably for consideration by the entire House of Representatives.

The primary purpose of such legislation is to authorize appropriations for the Coast Guard for the upcoming fiscal year, but these bills generally include amendments to various maritime-related federal statutes. H.R. 2838 is no exception. There are several provisions of interest to state pilots.

Section 602 of the bill addresses the Coast Guard’s merchant mariner medical evaluation system, an issue that has been of interest to all U.S. mariners, including pilots. The section requires the Coast Guard to submit a report on its medical program to Congress assessing the “adequacy of the program for making medical certification determinations for issuance of merchant mariners’ documents.” The report is required to explicitly address whether and how the Coast Guard could use a medical system similar to the Federal Motor Carriage Safety Administration’s National Registry of Certified Medical Examiners program and the FAA’s Designated Aviation Medical Examiner program to make medical fitness determinations for mariners. While this provision would not compel the Coast Guard to make changes to its medical review system, it would require the Coast Guard to at least examine how other agencies carry out similar medical review functions. The inclusion of this provision also shows that the Coast Guard’s Congressional oversight committees have been made aware of the shortcomings of the current USCG system.

Another provision of interest relates to an issue discussed in previous editions of *ON STATION*. Various federal working groups have concluded that a high-speed wireless broadband network proposed by a company called “LightSquared” could disrupt

GPS systems used for marine and aviation navigation. Many groups associated with the marine industry, including the APA, have brought these concerns to the FCC, Coast Guard, and the Congress. Section 302 of H.R. 2838 takes this concern on directly. The provision provides both criminal and civil penalties for an “individual who knowingly and willfully operates a device that interferes with...a signal from a global positioning system....”

Another provision relating to GPS was also included in the legislation. In an attempt to compel the Coast Guard to submit several long-overdue reports to Congress (including an analysis of whether a single, domestic GPS back-up system is needed), H.R. 2838 includes a rather novel provision that would prohibit the Secretary of Homeland Security and the Commandant of the Coast Guard from flying on Coast Guard owned or operated fixed-wing aircraft until the reports are submitted.

It is unclear when the full House may act on H.R. 2838, and there are no signs that the Senate has begun serious consideration of a Coast Guard authorization act. The APA will continue to monitor this and other legislation, however, that can impact the country’s pilot system and the careers of individual pilots.

## HOUSE SUBCOMMITTEES HOLD HEARING ON POTENTIAL GPS INTERFERENCE

The House Subcommittees on Aviation and on Coast Guard and Maritime Transportation conducted a rare joint hearing on potential GPS interference on June 23. The hearing focused primarily on plans by the company LightSquared to build a nationwide broadband internet infrastructure that may affect GPS reliability. A number of private and government studies indicate LightSquared’s proposal could have a negative impact on GPS signals.

APA’s NAVTECH Committee continues to follow this issue closely.

## SENATE BILL PROPOSES INCREASED FINES FOR MARINE MAMMAL PROTECTION ACT VIOLATIONS

Sen. Scott Brown (R-MA) introduced legislation (S. 1402) that would increase the maximum fine for violating the Marine Mammal Protection Act from \$20,000 per violation to \$50,000. This increased penalty could be applied to vessels that strike North Atlantic Right Whales in speed restricted areas.

## NTSB RECOMMENDS USCG FOCUS ON “NONOPERATIONAL” CELL PHONE USE

The National Transportation Safety Board (NTSB) recently completed its investigation of a July 2010 incident in which a tug and barge collided with an anchored amphibious passenger vehicle in the Delaware River. While this tragic accident, which resulted in two deaths, did not involve a state pilot, the NTSB issued recommendations to the Coast Guard that have the potential to affect all mariners.

NTSB determined that the probable cause of this accident was the failure of the tug mate to maintain a proper look out due to (1) his decision to operate the vessel from the lower wheelhouse; and (2) distraction and inattentiveness as a result of repeated personal use of his cell phone and laptop computer. NTSB claims in its investigation that the tug mate had been making cell phone calls from shortly after the tug got underway until the time of the collision, including 18 separate outgoing or incoming calls. It should be noted that the NTSB later learned that the nature of these personal cell phone calls related to a very serious medical issue involving the mate's child.

NTSB noted that personal cell phone use has been identified as a factor in recent accidents in all modes of transportation. As a result of this investigation, NTSB made a number of safety recommendations to the Coast Guard, including:

- (1) Direct your investigation officers to routinely check for nonoperational use of cell phones and other wireless devices by on-duty crewmembers in safety-critical positions involved in marine accidents.
- (2) Revise your accident database to maintain a record of nonoperational use of cell phones and other wireless devices by on-duty crewmembers in safety-critical positions when such use is a causal or contributory to marine accidents.
- (3) Regulate and enforce the restriction on nonoperational use of cell phones and other wireless devices by on-duty crewmembers in safety-critical positions.

This follows related recommendations issued by the NTSB in August 2010 in the aftermath of collisions between Coast Guard and civilian vessels. At that time, NTSB recommended that the USCG issue

a safety advisory to the maritime industry that promotes awareness of the risk posed by the use of cell phones and other wireless devices while operating vessels. The full text of this safety advisory can be found at: <https://homeport.uscg.mil>.



## MATE PLEADS GUILTY TO MARITIME MANSLAUGHTER; CELL PHONE USE CITED

In proceedings related to the marine accident discussed in the previous article (left), the Department of Justice (DOJ) issued a news release on July 14th, 2011 stating that the former mate of the towing vessel has been charged under the maritime manslaughter statute (18 U.S.C. § 1115) with misconduct causing a death. The fact that the mate had engaged in substantial personal use of his cellular telephone and laptop computer while on duty was a major factor in this criminal prosecution.

The mate entered into a plea agreement and is scheduled for sentencing in November. In exchange for his guilty plea, the government will only seek a three-year prison sentence instead of the 10-year maximum. Under the terms of the plea agreement, the mate agreed to permanently surrender his Coast Guard-issued license. The Justice Department press release is available at:

[http://www.justice.gov/usao/pae/News/2011/Jul/devlin\\_release.pdf](http://www.justice.gov/usao/pae/News/2011/Jul/devlin_release.pdf)



## NTSB LEADERS REAPPOINTED; NEW COUNSEL CHOSEN

Deborah Hersman was officially sworn in on August 4th for a second two-year term as NTSB Chairman. She was nominated for a second term by President Obama on July 28th and confirmed by the Senate on August 2. Her term ends on August 3rd, 2013. Hersman's Vice Chairman, Christopher Hart, will also serve a second term.

There have other significant personnel changes at NTSB. John DeLisi has been named acting Director of the Office of Marine Safety. He previously served as Deputy Director of the Office of Aviation Safety. David Tochen, a long-time employee of the U.S. Department of Transportation, has joined NTSB as its General Counsel.



### NMC RELEASES NEW “CUSTOMER SATISFACTION SURVEY”

On August 8, the National Maritime Center (NMC) published a notice announcing that, “in an effort to further enhance customer service to our Nation’s mariners,” the organization was releasing a “Customer Satisfaction Survey.” According to the NMC this survey has been under development for several years and will “guide improvements to the products and services provided by the NMC.”

The NMC will give mariners access to the survey in two ways. First, if a mariner provides an email address as part of his or her credential application, 10 days after the credential has been issued, a survey will be sent to the mariner. Second, for mariners not providing an email address with the application or for those mariners seeking to provide feedback at any time, the survey is prominently available at the NMC’s website ([www.uscg.mil/nmc](http://www.uscg.mil/nmc)).

The NMC’s notice states, “mariner and stakeholder involvement is critical to any improvements.” APA encourages pilots who opt to complete the Customer Satisfaction Survey to provide frank, professional, and detailed responses.

### APA CONTINUES REGULAR MEETINGS WITH NMC LEADERSHIP

On July 26, Captain Anthony Lloyd (NMC Commanding Officer), Dr. Laura Gillis (chief medical officer at the NMC), and senior policy staff from Coast Guard Headquarters came to the APA offices to meet with APA President Mike Watson, Paul Kirchner (Executive Director-General Counsel), and Clay Diamond (Deputy Director). During the meeting, APA and NMC staffs continued to discuss credentialing and medical review standards and ways these programs could be clarified and/or improved.

Following the 2010 APA Convention, APA and the NMC agreed to hold regular meetings and maintain open dialog in order to continue to seek improvements to the Coast Guard’s licensing and medical review programs. Another meeting is planned for winter 2011.

### MEDICAL ADVISORY COMMITTEE FINALLY SET TO MEET

The Merchant Mariner Medical Advisory Committee (MMMAC) will hold its inaugural meeting on Monday, September 19 through Wednesday, September 21. The meeting is in southern Maryland.

The agenda includes presentations by senior Coast Guard officials, opportunity for public comments, and a review of tasks to be taken up by the Committee. APA will attend this important meeting.

Congress established the MMMAC through section 210 of the Coast Guard Authorization Act of 2010. According to section 210, the committee was supposed to have met no later than April 2011, but the Coast Guard was not able to meet this deadline.

### AIR FORCE COMPLETES GPS SATELLITE ENHANCEMENT

The U.S. Air Force completed a two-phase GPS constellation expansion known as “Expandable 24” on June 15. In the first phase, three of the 24 GPS satellites were maneuvered to more optimal orbits. In the second phase, the orbits of three other satellites were also adjusted. According to an Air Force media release, the expansion increased global GPS coverage and is now providing civil, military and commercial GPS users with a more robust signal and a higher probability of signal acquisitions.

### MARAD REPORTS U.S. PORT VISITS ROSE IN 2010

A June 2011 MARAD Report shows more ocean-going ships called on U.S. ports last year. According to MARAD, calls at U.S. ports rebounded by 13% in 2010, after an 8% decline in 2009. The report indicates that of the nearly 63,000 U.S. port calls by large ocean-going vessels in 2010, 35% were tankers, 31% were containerships, 17% were dry bulk carriers, 9% were roll-on / roll-off vessels, and 6% were general cargo ships.



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**APA Political Action Committee**  
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## APA NEWS & INFO

### CAPTAIN A.J. GIBBS RECEIVES C. ALVIN BERTEL AWARD

On July 19, Captain Allen J. "AJ" Gibbs, President of the Crescent River Port Pilots' Association for the past 10 years, was presented with "The C. Alvin Bertel Award." The Bertel Award is presented annually to an individual in recognition of outstanding contributions to the advancement of the Greater New Orleans port area.

### CAPTAIN JOHN JACOBSEN PUBLISHES NOVEL

Captain John Jacobsen, present Chairman of the Biscayne Bay Pilots Association, has written a novel. The book, published by Skyhorse Publishing and in bookstores this month, is called *A Commodore of Errors*. The novel is about the United States Merchant Marine Academy, with part I taking place at the Academy and part II set on a ship at sea.

### FATHER AND DAUGHTER SHARE HONOR OF SERVING AS PROPELLER CLUB PRESIDENT

Captain George Watkins, retired after 40 years as a member of the Virginia Pilot Association, couldn't be prouder. As a former President of the Propeller Club of Norfolk, Captain Watkins saw his daughter Jordan, an international trade manager in the port, recently be elected to the same position. According to the national office of the Propeller Club, this is the first time a father and daughter have achieved this distinction.



### SANDY HOOK PILOT PRESIDENTS MEET DHS SECRETARY

During an August 5 port call in New York Harbor by the USCG Barque EAGLE (WIX 327), New Jersey Sandy Hook Pilot President Andrew McGovern (left) and New York Sandy Hook Pilots President Hank Mahlmann (right) met with U.S. Homeland Security Secretary Janet Napolitano.

### NEW JERSEY-SANDY HOOK PILOT HONORS BROTHER'S MEMORY ON 9/11 ANNIVERSARY



Captain Neil Keating (right), whose brother Paul was one of 343 NYC firefighters who died responding to the terrorist attacks on September 11th, 2001, speaks with the commanding officer of the USS NEW YORK. Captain Keating was chosen by his fellow pilots to have the honor of piloting the warship in New York Harbor during the 10th anniversary observances of the 9/11 attacks. The bow of the USS NEW YORK is comprised of 7.5 tons of steel recovered from the World Trade Center rubble.

Captain Keating said, "Piloting the ship is very bittersweet. I still have to do my job. It's very humbling, and an honor for my family." He added, "This is where my brother would want me to be."

### ELECTIONS, SELECTIONS, APPOINTMENTS, ETC.

♦ The 2011-2012 officers for the Puget Sound Pilots are: **Captain Frantz A. Coe** (President), **Captain Delmar G. Mackenzie** (Vice President), **Captain Jonathan E. Ward** (Secretary/Treasurer-Director), **Captain Ivan J. Carlson** (Director), **Captain Donald W. Mayer** (Director), **Captain Stuart E. Mork** (Director), and **Captain Eric M. vonBrandenfels** (Director).

♦ The Association of Maryland Pilots announced the following election results: **Captain Eric Nielsen** (President), **Captain Joe Smith** (2nd Vice President), and **Captain Jim Leizear** (Treasurer / Marine Superintendent).

♦ The Crescent River Port Pilots' Association Board of Directors for 2011-2012 are: **Captain Allen J. "AJ" Gibbs** (President/Treasurer), **Captain Scott A. Loga** (Vice President), **Captain Craig B. Clasen** (Secretary), **Captain Shannon C. Marks** (Director), and **Captain E. Michael Bopp** (Director).