



ON STATION

The Newsletter of the American Pilots' Association

June 15, 2009

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APA PRESIDENT ADDRESSES ANNUAL TANKER EVENT

APA President, Captain Mike Watson was an invited speaker at INTERTANKO's Annual Tanker Event held on May 14 in Tokyo. The meeting organizers had particularly asked Captain Watson to offer comments from the pilots' perspective on the growing and troubling trend of criminalization of mariners and marine casualties.

During his speech, Captain Watson emphasized that the criminalization of mariners and maritime casualties is an important mutual concern and poses a danger to the maritime industry as a whole, and certainly to pilots and other mariners. He commended officials of INTERTANKO member companies for their public statements in support of mariners who have been charged, arrested, and, in some cases, jailed following casualties. He expressed his appreciation for the officials' recognition of the personal toll that criminalization has had on mariners and their families. Captain Watson concluded, "It is important for the entire maritime industry to stand together on this issue...the use of criminal sanctions for unintentional conduct by a party involved in a maritime casualty is wrong, not matter who that party is."

Captain Watson also talked about the importance of continuing to build on the constructive relationship between the two organizations and in particular praised the personal efforts of Mr. Joe Angelo, INTERTANKO's Deputy Managing Director, in this regard. APA's President noted, "Even when we've disagreed on some matters in the past, the pilots and INTERTANKO have been able

to work together on specific projects and have maintained a respectful dialog."

As an example of this positive and, when possible, supportive working relationship, Captain Watson pointed to the Pilot-INTERTANKO Discussion Group (discussed in the last edition of *ON STATION*), the third meeting of which is scheduled for August 3, 2009. Other notable tangible benefits of the Discussion Group have been INTERTANKO's support at the IMO for enhanced safety standards for pilot ladders and other pilot transfer arrangements and the two organizations' shared public concern over what appears to be an increasing trend of engine and steering failures of vessels in port.

FINAL NTSB ACTION ON COSCO BUSAN

The text of the NTSB's final report on the M/V COSCO BUSAN'S allision with the San Francisco-Oakland Bay Bridge was made available to the public on May 1. On May 8, the NTSB also issued a letter to the APA formally recommending that the APA, "Inform your members of the circumstances of this accident, remind them that a pilot card is only a supplement to a verbal master/pilot information exchange, and encourage your pilots to include vessel masters and/or the officer in charge of the navigational watch in all discussions regarding vessel navigation in pilotage waters."

In a response on June 9, the APA advised the NTSB that it had taken the following steps consistent with the intent and substance of the recommendation:

- 1) Advised APA-member groups and pilots that the NTSB investigation is available at <http://www.nts.gov/publicn/2009/MAR0901.pdf>.
- 2) Encouraged member groups to reexamine their master-pilot information exchange practices in light of NTSB's analysis in the COSCO BUSAN investigation and the APA's Best Practices Summary on the Master-Pilot Information Exchange.
- 3) Asked training center providers of APA-approved BRM-P courses to use the COSCO BUSAN incident as a case study in the course and include the NTSB report and the APA Best Practices paper in the study.



Mr. Peter Swift, Managing Director of INTERTANKO, looks on as Captain Mike Watson addresses INTERTANKO's Annual Tanker Meeting in Tokyo on May 14, 2009.



PIRACY CONTINUES TO DOMINATE IMO'S AGENDA

The 86th Session of IMO's Maritime Safety Committee (MSC 86) met in London from May 27 to June 5. Captain Mike Watson participated at the meeting as head of the IMPA delegation. Although the agenda for the meeting was packed with important topics relating to maritime safety, including amendments to the International Convention for the Safety of Life at Sea (SOLAS) and the STCW Convention, piracy off the coast of Somalia and in the Gulf of Aden continued to push other topics to the sidelines.

Over the course of the eight-day session, the delegations from nearly 100 countries finalized two piracy-related documents: (1) recommendations to Governments for preventing and suppressing piracy and armed robbery against ships; and (2) guidance to ship owners, operators, masters, and crews on preventing and suppressing acts of piracy and armed robbery against ships. The Committee also took the following actions:

- ◆ Adoption of SOLAS regulations requiring carriage of ECDIS and Information Systems and Bridge Navigational Watch Alarm Systems (the regulations will be mandatory for newly constructed ships, but phased in for existing ships);
- ◆ Approval, in principle, of revised text of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), envisioned for final approval in February 2010;
- ◆ Adoption of SOLAS regulations prohibiting all new installations of asbestos on board ships; and
- ◆ Approval of Guidelines for ships operating in ice-covered waters.

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ON STATION is published by the American Pilots' Association, a non-profit trade 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 Editor at the above address.



IMPA EXECUTIVE MEETS

On May 30-31 in London, Captain Mike Watson, IMPA President, presided over the 62nd meeting of the organization's Executive Committee. As usual, the meeting was held at IMPA headquarters aboard the historic World War II British sloop, H.M.S. *Wellington*. It was attended by IMPA's Secretary General, Nick Cutmore, along with its senior vice president and other vice presidents and members of the IMPA Advisory Council.

An agenda item that may be of particular interest to IMPA-member pilots is the confirmation of the date and location of IMPA's 2010 Congress. While the Executive will continue to work on specifics, such as the detailed agenda, speakers, social functions, etc., it was agreed the Congress will be held in Brisbane, Australia from November 16th through November 20th. As the IMPA Executive continues to finalize details, look for more on the 2010 Congress in future editions of *ON STATION*.

Another important issue taken up by the Executive, was the development of a detailed strategy for the July 2009 meeting of the 55th Session of the IMO's Navigation Safety Subcommittee, at which important amendments to SOLAS regulation V/23 and other IMO instruments relating to pilot ladders and other pilot transfer arrangements will be considered for approval.

The Executive also discussed the importance of closely monitoring the agendas and actions of not just the IMO, but other relevant international organizations.

WATSON HELPS SPANISH PILOTS CELEBRATE CENTENARY

As IMPA President, Captain Mike Watson was invited to speak to the Annual Congress of the Spanish pilots in Sevilla, Spain on Friday, June 12. Similar to state pilots in the U.S., pilots in Spain, known collectively as the "Colegio Oficial Nacional De Practicos De Puerto," are organized into local associations called "corporaciones." At their annual national gathering, Captain Watson praised the Spanish pilots as "valuable members of IMPA" who "have made lasting contributions to the success of our organization."

In addition to helping the Spanish pilots celebrate their 100 year anniversary, Captain Watson spoke in detail about two important topics to pilots world-wide: (1) the growing problem of criminalization of seafarers and marine casualties; and (2) his vision for what must be done to keep IMPA strong and in a position to best serve the interest of all of its members.

MARITIME-RELATED LEGISLATION RAINS DOWN FROM THE CAPITOL

While the Washington area has lately been besieged by unusually heavy rainfall, federal legislation relating to the marine industry has also been pouring from maritime committees on Capitol Hill.



In the House of Representatives, Chairman Jim Oberstar (D-MN) and the Transportation and Infrastructure Committee has been busy churning out a number of pieces of legislation aimed at various aspects of mariners' work and marine transportation generally. In addition, Chairman Bennie Thompson (D-MS) of the House Committee on Homeland Security included a provision in the Transportation Security Administration's (TSA) Authorization Bill that could make renewing the Transportation Worker Identification Credential (TWIC) a bit easier.

Two subcommittees of the Senate Commerce, Science and Technology Committee have also been busy with legislation of considerable interest to those who make their living on America's waterways. The Chairman of the Subcommittee on Surface Transportation and Merchant Marine, Sen. Frank Lautenberg (D-NJ), has introduced a bill with provisions designed to address Coast Guard programs for licensing and conducting medical evaluation of merchant mariners. Chairwoman Maria Cantwell (D-WA) of the Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard, has contributed by introducing the Senate's Coast Guard Authorization bill

Below is a listing of the various House and Senate legislative initiatives that have been introduced, along with a brief explanation of provisions of particular importance and interest to pilots and the piloting profession.

House of Representatives

Maritime Safety Act of 2009 (H.R. 2652) - This bill, sponsored by Chairman Oberstar and co-sponsored by Coast Guard Subcommittee Chairman Elijah Cummings (D-MD) contains some provisions of benefit to pilots. The bill includes language to address "license creep" by explicitly authorizing the Coast Guard to renew a mariners license up to 8 months in advance, but not have it take effect until the previously issued license expires. A provision would also eliminate the antiquated requirement that an applicant for a license or merchant mariner document take an oath that he or she will "faithfully and honestly" carry out assigned duties.

Coast Guard Modernization Act of 2009 (H.R. 2650) - This bill, also sponsored by Chairman Oberstar and co-sponsored by Chairman Cummings, is focused on the

Coast Guard's national organization and appears to give the agency the authority it has sought for the last several years to — yet again — reorganize its national command structure. The legislation would allow the USCG to eliminate the current Atlantic Area and Pacific Area commands, and replace them with two different entities; the national "Operations Commander" and "Force Readiness Commander". The "Operations Commander" would be expected to oversee ALL Coast Guard operations worldwide (e.g., search & rescue, law enforcement, marine safety, etc.), while the "Force Readiness Commander" would be responsible for training and logistics for field units. The bill would also alter the structure of USCG Headquarters and would require some senior staff to have at least some experience in marine casualty investigation, inspection, and licensing.

TSA Authorization Act of 2009 (H.R. 2200) - This bill has a provision tucked away that directs the TSA to develop a secure process by which a mariner can receive his or her TWIC (including, when the time comes, a renewed TWIC) by mail at the mariner's residence.

Senate

Oil Spill Protection Act of 2009 (S. 685) - Among other things, this bill, sponsored by Sen. Frank Lautenberg, would:

- ◆ Create a national registry of medical examiners (similar to registries in other modes of transportation such as aviation, trucking, and rail), the aim of which would be to expedite the Coast Guard's review of mariner medical records during the licensing process;
- ◆ Establish a new mariner medical advisory committee to make recommendations to the Coast Guard;
- ◆ Authorize the Coast Guard to extend the duration of mariner license for one year if necessary to clear license processing backlogs; and
- ◆ Allow a license to be renewed up to 8 months in advance to address "license creep."

Coast Guard Authorization Act (S. 1194) - This year's Senate version of the Coast Guard Authorization bill, which normally contains a number of sections of particular interest to pilots, is focused more on internal Coast Guard interests and does not contain much of interest to pilots. However, one provision included by the bill's sponsor, Sen. Cantwell, is of note. The legislation requires the USCG to maintain LORAN-C and expedite modernization projects necessary for transition to eLORAN technology. A House version of the Authorization Act has not yet been introduced.

The APA will continue to monitor these, and other relevant bills as they move through the legislative process.

COAST GUARD WILL ISSUE NEW MERCHANT MARINER CREDENTIAL

In a move the USCG says is aimed at “reducing the burden on mariners”, the agency has made yet another change to its mariner licensing process. On March 16, a final rule was published that will consolidate four existing mariner qualification documents — Merchant Mariner Document, License, Certificate of Registry, and STCW endorsement — into a single passport-style “**Merchant Mariner Credential (MMC)**.” This new rule took effect on April 15, 2009, the same day as the Transportation Worker Identification Credential (TWIC) requirements.

The National Maritime Center states that the objective of creating the MMC was to reduce the number of credentials a mariner must carry. The new rule is also designed to reduce the number of times a mariner has to show up in person to process documents, provide fingerprints, and show identification. In addition, the rule would allow a mariner to complete the MMC application process entirely by mail. Because credentialed mariners should already have applied for and received a TWIC from the Transportation Safety Agency (TSA), and TSA is supplying the fingerprints, photograph, proof of citizenship, and the results of its background check information to the USCG, mariners should not have to travel to a USCG Regional Exam Centers to apply for the MMC.

The MMC rule also made a troublesome terminology change, however. A mariner’s various qualifications will now be termed as domestic and international “endorsements.” For instance, an STCW certificate is now an international endorsement listed in the MMC; and a current license (e.g., federal first class pilot license) is now a domestic endorsement. In formal comments submitted to the Coast Guard, APA warned that eliminating the term “license” may have unintended negative consequences, but the agency did not accommodate these concerns as well as similar concerns raised by other commenters opposed to the elimination of the term “license.” APA will continue to work to mitigate problems this federal regulatory change may present.

It is important to note that all existing documents will remain valid until their expiration date, and existing document holders will receive their new MMC at their next scheduled license or document renewal.

For further information on the MMC and licensing matters in general, you can visit www.uscg.mil/nmc.



Coast Guard's new “passport style” Merchant Mariner Credential



MERPAC MEETS AT MASS MARITIME ACADEMY

The Merchant Marine Personnel Advisory Committee (MERPAC) met at Mass Maritime Academy from April 16 to 17 to discuss mariner training and fitness. The meeting was chaired by Captain Andrew McGovern (President, NJ-Sandy Hook Pilots), and also attended by new MERPAC member Andy Hammond (Executive Director, Boston Harbor Pilots) and Clay Diamond (APA Deputy Director).

The meeting began with MERPAC member Captain Joe Murphy commenting on the attempted hijacking of the M/V MAERSK ALABAMA, on which his son was Chief Mate. He thanked MERPAC for assisting the USCG in developing guidelines for vessel security plans, stating he felt the guidelines made a positive difference.

Several USCG staff presented at the meeting. Ms. Mayte Medina provided a thorough briefing on recent IMO issues, specifically commenting on the ongoing comprehensive review of the STCW Convention that has been discussed in recent editions of *ON STATION*. Mr. Luke Harden delivered remarks concerning the NMC’s performance report and the recent changes to the mariner credentialing program. After fielding several tough questions from MERPAC members and the public regarding frustrations and delays encountered with the NMC, Mr. Harden acknowledged there are shortcomings, but stressed that the Coast Guard was working to “improve processes and policies” in order to best serve mariners and the public. Finally, LT Devon Brennan gave an update on the TWIC program.

Of interest to pilots, MERPAC made the following recommendations to USCG’s National Maritime Center:

- ◆ “hire a mariner advocate to act on a mariner’s behalf when problems in the application process occur;”
- ◆ “establish a process for prioritizing mariner applications when a delay (backlog) exists;” and
- ◆ extend the 90-day limit for a mariner to contact the NMC with questions on the application to 180 days.

Additional information about MERPAC and the April meeting is available at: www.uscg.mil/hq/cg5/cg522/cg5221/merpac.asp.

DON'T FORGET THE APA PAC FUND

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APA Political Action Committee
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SAVANNAH HOSTS LATEST MEETING OF NAVSAC



The Navigation Safety Advisory Committee (NAVSAC), met in Savannah, GA on May 20-21. Pilot interests were represented, with Captain Mike Morris of the Houston Pilots sitting as a current member of NAVSAC and APA Deputy Director Clay Diamond also attending the meeting.

After two days of meeting, NAVSAC made a number of recommendations to the USCG related to AIS and Vessel Traffic Services (VTS). Consistent with comments APA had previously submitted to the USCG, NAVSAC recommended that the USCG revise the proposed AIS Regulations to make clear that the AC power outlet must be permanently mounted on the same or adjacent console, bulkhead, or overhead as the pilot plug to avoid a tripping hazard on the bridge; and study ways to get heading output from the AIS pilot plug to read to a tenth of a degree versus the current whole degree.

NAVSAC was asked to respond to NTSB's recommendations regarding VTSs that stemmed from the recent COSCO BUSAN investigation. After reviewing the NTSB report and its VTS-related recommendations, NAVSAC found that the USCG has sufficient legal authority to carryout its VTS mission, but recommended that the USCG: (1) promulgate procedures to ensure all communications to or from the vessel shall include the vessel's name, followed by the pilot's unit number (if applicable); (2) promulgate national training procedures that enhance instruction to VTS personnel regarding: existing VTS legal authority, when to exercise this authority, and how to effectively communicate this authority; and (3) develop training protocols for VTS operators that, where possible, include the participation of port and vessel stakeholders, and the sharing of lessons learned.

ALASKA SEEKS NAVIGATION SAFETY MEASURES FOR ARCTIC REGION

As the national debate continues regarding opportunities for expanded shipping and resource exploration in the arctic, the State of Alaska is focusing on how best to ensure that the State's interests in navigational safety and environmental protection are maintained. One important measure being considered is making changes to the boundaries of compulsory state pilotage in Alaska's waters. With advice from the State Attorney General's Office, the Board of Marine Pilots has established an "Arctic Pilotage Committee, made up of diverse public and private interests, to analyze how best to move forward.

NATIONAL HARBOR SAFETY COMMITTEE CONFERENCE HELD IN TAMPA

On May 27-29, the 11th Annual Harbor Safety Committee (HSC) Conference was held in Tampa, Florida. The event brought together dozens of HSCs from around the country, as well as scores of representatives from the various segments of marine industry to discuss safety, security and environmental protection in America's ports. APA was represented by Executive Director-General Counsel, Paul Kirchner. In addition, Captain Jorge Viso (Tampa Bay Pilots) and Captain Andrew McGovern (New Jersey-Sandy Hook Pilots) were featured speakers at the conference.

Others speaking at the conference included Rep. Elijah Cummings, Chairman of the House Subcommittee on Coast Guard and Maritime Transportation, the Commandant of the Coast Guard, Admiral Thad Allen, and senior officials from the Maritime Administration, Army Corps of Engineers, and NOAA.

The three-day conference included nine separate breakout sessions covering such topics a investment in port infrastructure, balancing maritime safety and security, mitigating port disruption following a major maritime incident, and navigation technology improvements. A particularly controversial session was titled "Safety Lessons Learned from Major Maritime Incidents." This session included discussion of four different marine casualty "case studies", including the M/V COSCO BUSAN incident. Given the varied segments of industry and the government involved in presenting and discussing these case studies, not surprisingly there were widely varying opinions and observations about lessons learned.

LAKE CHARLES THE LATEST TO RECEIVE NOAA'S "PORTS" SYSTEM

Mariners in the Port of Lake Charles, LA can now get the benefits from NOAA's Physical Oceanographic Real-Time System (PORTS[®]). "The Lake Charles Pilots have been looking forward to the arrival of a complete PORTS[®] system for the Calcasieu Ship Channel," said Captain Mike Miller, president of Lake Charles Pilots. "Having real-time tidal, current and meteorological data at our fingertips will benefit all the channel users."

The Lake Charles system brings the number of PORTS[®] in operation around the nation to 19.



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APA NEWS & INFO

SAN FRANCISCO, CHARLESTON & TAMPA PILOT BOATS ASSIST IN RESCUES

San Francisco. Two people were rescued from the chilly waters of the Pacific Ocean by the San Francisco Bar Pilot Association (SFBPA) and the USCG on March 28 after their sailboat capsized about eight miles west of the Golden Gate Bridge. The victims had been participating in a sailboat race when their 27-foot sailing vessel overturned during the early morning hours. While a USCG boat rescued one of the sailors, the pilot boat responded to the other victim in the water. This victim, wearing an exposure suit and clinging to the keel of the over-turned sail boat, was hoisted aboard the pilot boat by SFBPA pilot, Captain Dave Weiss, and the boat operator, Mike Speseto. The pilot boat then proceeded at full speed to deliver the victim to an awaiting ambulance. Although wet, cold, and frightened, both sailors were treated and released from the hospital.

Charleston. The crew of a Charleston Branch Pilots' Association (CBPA) pilot launch rescued three boaters on the afternoon of May 23. The pilot launch, with two crew members aboard, David Ernst and Andrew Stallworth, was on the way out to sea to deliver CBPA pilot Captain Jerry Lockwood to an awaiting container ship when they saw three men in a small recreational boat that was taking on water. Although the pilot launch immediately diverted to assist the foundering boat, before the launch arrived the boat rolled over sending all three people into the water. Two of the three men had gotten their lifejackets on, while the third clung to a cooler that had floated out of the boat. The pilot launch crew and Captain Lockwood quickly retrieved the men from the water, and then handed them off to the Coast Guard to transport them to shore.

Tampa Bay. Ironically, a man who fell from a cruise ship early on the morning of June 15 while leaning over the side to get a better view of a nearby pilot boat, was actually later rescued by the Tampa Bay Pilots' pilot launch! Reports indicate the passenger fell overboard the *Carnival Inspiration* at approximately 4:00 am while the cruise ship was returning to the Port of Tampa. The man managed to swim to a buoy and hang on until he was spotted nearly three hours later. Captain Jeff Hilliard, from the Tampa Bay Pilots pilot launch, motored up to the buoy and pulled the wet, tired, and cold man aboard the pilot launch. Captain Hilliard said his current training and past work as a paramedic helped him give some basic

first aid to the man, who had scrapes and cuts on his body. Hilliard transported the man ashore, where emergency workers took him to a hospital.

Pilot groups around the country routinely practice man-overboard and recovery drills. These episodes show just how important this training is not just to pilots, but also to mariners who find themselves in harms way.

PORT EVERGLADES PILOTS RECOGNIZED FOR SUPPORT OF MILITARY RESERVES

The Port Everglades Pilots' Association (PEPA) was recently presented with the "Above and Beyond Award" by the National Committee for Employer Support of the Guard and Reserve (ESGU). This award recognizes organizations that have gone above and beyond the legal requirements for providing support for military reserve duty. PEPA was recognized for its willingness to accommodate the military reserve duties of two of its pilots, Captain Mark Patterson and Captain Bruce Cummings. Both are Navy Reserve Captains who, several times each year, travel to Kuwait to act as pilots for military and civilian ships carrying cargo for American troops in Iraq.

ELECTIONS, SELCTIONS, APPOINTMENTS, ETC.

- ◆ **Captain Greg Farmer** has been re-elected President of the Boston Pilot Association. Other recently elected officers include **Captain Richard B. Stover** (Vice President), **Captain Martin J. McCabe** (Treasurer), and **Captain F. R. Morton** (Secretary).
- ◆ The following were elected to serve as St. Lawrence Seaway Pilots' Association officers for 2009: **Captain Roger S. Paulus** (President), **Captain John R. Boyce** (Vice President), **Captain DeWitt L. Withington** (Treasurer), and **Captain Donald J. Metzger, Jr.** (Secretary).
- ◆ The Northeast Marine Pilots, Inc. announced their new slate officers. **Captain Joseph Maco** (President), **Captain E.H. McVay** (Vice President), **Captain Clint Walker** (Secretary), and **Captain Vince Kirby** (Treasurer).
- ◆ **Captain J.R. Roche** was recently elected President of the Pilots' Association for the Bay and River Delaware. Also elected to leadership positions were **Captain T.S. Branin** (Secretary / Treasurer), **Captain J.S. Griffin** (Delaware Director), and **Captain B.A. Wong** (Pennsylvania Director).
- ◆ The new Board of Directors for the Mobile Bar Pilots, LLC are: **Captain Patrick J. Wilson** (President), **Captain J. Christopher Brock** (Vice President), **Captain H. Reid Key** (Secretary/Treasurer), **Captain J. Martin Stapleton** (Boat Captain), and **Captain Peter Burns** (Director).