



# ON STATION

The Newsletter of the American Pilots' Association

March 20, 2013

Page 1

## PILOTS ARE A VITAL TO SAFETY — IN MORE WAYS THAN ONE

Every day compulsory pilots from APA-member groups guide massive ships of all types and sizes into and out of the narrow channels of America's ports. Their official responsibility is to direct ships safely into and out of port and to protect the environment of the waters for which they are licensed. This, of course, is the primary function of a compulsory pilot. Pilots also, however, contribute to maritime safety by assisting federal and local agencies with search and rescue operations. Pilots and their boat operators are often counted on when emergencies arise.

While these efforts may not always garner national attention, local media — and more importantly local citizens — are aware of the valuable role pilotage operations can play as a truly professional presence on the water. There are numerous examples over the last several years in which pilot and pilot boat crew actions have resulted in lives saved. Below are just a few highlights.

Captain Jason T. Bosley (Associated Branch Pilots) showed that a pilot's extensive training and skill at taking navigational control of all types of vessels under varying conditions can be valuable in situations other than compulsory pilotage. On September 19, 2008, Captain Bosley, while a passenger aboard a ferry transiting Pamlico Sound in North Carolina, took over control of the vessel, at night and in heavy weather, when its Captain collapsed from a heart attack. Captain Bosley's actions saved the lives of the sixty passengers and one crew member. For his actions, he received a letter of commendation from the Secretary General of the International Maritime Organization (IMO).

On a frigid January 2009 day in the Chesapeake Bay, Maryland and Virginia pilot boat operators played a major role in saving the lives of four fishermen. Six men were on a fishing trip in 3-5 foot seas when their boat overturned. Two Maryland pilot boats in the area assisted the Coast Guard in locating the fisherman. The pilot boat crew noticed three people clinging to the side of the overturned fishing boat, and also spotted one man floating

about 100 yards from the overturned boat and pulled him onboard. They also observed two other men nearby floating face down and proceeded to assist with recovering them. A Virginia Pilot boat was also in the vicinity and was able to transport local EMS officials to render medical assistance to the men. Despite valiant efforts by all involved, two of the men died from complications of hypothermia. For their roles, Captain Reed Southerland and Captain Matthew Bailey (Maryland Pilots), received letters of commendation from the IMO Secretary General.

A crewman who fell from an OSV operating in the Gulf of Mexico on May 20, 2010 owes a great deal to the Lake Charles pilots. The OSV crew were unable to get the injured crewman back aboard their vessel, so they issued a "mayday" call. The call was heard by Lake Charles pilot, Captain Brett Palmer, who had just been transferred to a ship approximately three miles away. Captain Palmer notified Captain John Stephenson, senior boat captain aboard the pilot boat, and quickly vectored the pilot boat toward the OSV. Once on-scene, Captain Stephenson assessed the situation, noting that the OSV crewman was unconscious floating in the water with a pool of blood around him. Captain Stephenson maneuvered the pilot boat and was able to get the injured crewman safely aboard the pilot boat. The crewman was later transferred by helicopter to a local hospital where he was treated for his serious injuries.

In October 2012, a cruise ship tender that was transferring passengers to shore ran aground near Bar Island, Maine. There were 93 passengers on board the tender. During the grounding, nearly all of the passengers were thrown from their seats and there was considerable damage to the tender, including hull breaches below the waterline. Fortunately for the passengers, a pilot vessel for the Penobscot Bay & River Pilots Association was nearby. Captain David Spear and crewmember Elana Strout maneuvered the pilot vessel astern of the tender and safely transferred 35-40 passengers to shore.

Compulsory pilotage operations are in place to ensure that vessels are navigated safely into and out of port, but they also provide an additional safety net within these waters. Many mariners owe their lives to this net.



### IMO COUNCIL ENDORSES MAJOR SUBCOMMITTEE RESTRUCTURING

During its 109th Session, the IMO's Council endorsed a major restructuring of IMO's subcommittees "in order to better address the technical and operational issues covered by IMO regulations." The proposed reorganization would reduce the number of subcommittees from nine to seven and is part of a reform process initiated by IMO Secretary-General Koji Sekimizu to improve efficiency and cost-effectiveness.

Among the proposals is merging the subcommittee on bulk liquids and gasses with the subcommittee on solid cargoes and containers into a single "Subcommittee on Cargoes." Also, three subcommittees with jurisdiction on ship design/equipment, fire protection, stability, load lines and fishing vessels would be amalgamated into two new technical subcommittees. Most relevant to pilots is the proposal to merge the Subcommittee on Radiocommunications and Search and Rescue (COMSAR) with the Subcommittee on Safety of Navigation (NAV).

The proposed changes must first be reviewed by the Maritime Safety Committee and the Marine Environmental Protection Committee before they can be considered for final approval by the IMO Assembly.

### APA MEETS WITH CRUISELINES INTERNATIONAL ASSOCIATION (CLIA)

On February 20 in Washington, DC, APA President Mike Watson, Executive Director-General Counsel Paul Kirchner and Deputy Director Clay Diamond met with CLIA's Senior Vice President for Technical and Regulatory Affairs and the Senior Vice President of Public Affairs. This was the first one-on-one meeting between the parties in a number of years and was aimed at developing improved relations. Future meetings are planned.

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### LATEST SESSION OF THE PILOT-INTERTANKO DISCUSSION GROUP HELD

On March 1, representatives from APA, IMPA and INTERTANKO convened for the latest regular meeting. The meeting was again co-chaired by APA/IMPA President Mike Watson and IMPA Deputy Managing Director Joe Angelo. Also attending the meeting were IMPA Secretary-General Nick Cutmore, INTERTANKO Marine Director Matt Dunlop, and APA Deputy Director Clay Diamond. The topics for discussion at this meeting included underkeel clearance standards, BRM and BRM-P, pilot ladder safety, eNavigation, and ECDIS training.

### UNITED KINGDOM MOVES FORWARD WITH E-LORAN AS GPS BACK UP

While the U.S. has canceled eLoran and seems to have largely ignored the need for a backup to GPS, the UK is addressing the issue. Trinity House issued a press release stating that a prototype resilient PNT system has been successfully tested. Under the system, if GPS becomes unavailable or unreliable (e.g., weather, accidental interference or intentional jamming), the resilient PNT system automatically switches over to eLoran to provide PNT information to the connected bridge systems, allowing them to maintain operation and enabling the mariner to continue to navigate safely and efficiently.

### APA CONTINUES TO SUPPORT BRAZIL



APA continues to provide assistance to the Brazilian government and pilots as the country conducts a review of its pilot statutes. Brazilian officials were particularly interested in learning about the State pilot system during a November 2012 meeting with APA in Washington, DC. Pictured above during a February 2013 visit with officials in Brazil are (l to r): Captain Eric Nielsen (APA North Atlantic VP/Maryland Pilot President), Paul Kirchner (APA Executive Director-General Counsel), Captain Ricardo Falcao (Brazilian Pilots Association President), and Clay Diamond (APA Deputy Director).

## FORMER CHAIRMAN OF KEY HOUSE SUBCOMMITTEE QUESTIONS COAST GUARD INVOLVEMENT IN IALA PILOTAGE FORUM

During a February 26 hearing by the Coast Guard Subcommittee, Rep. Frank LoBiondo (R-NJ), former chairman of the subcommittee, raised questions about ongoing Coast Guard involvement with IALA's so-called "Competent Pilotage Authority Forum" (CPAF).

During the hearing, Mr. LoBiondo firmly laid out his concerns to Vice Admiral Peter Neffenger. LoBiondo said, "I've been made aware that over the last couple of years, the Coast Guard has been, on a fairly regular basis, sending government employees to Paris, France to attend week-long meetings involving representatives from [a few] small countries to discuss the regulation of marine pilotage. I also understand that the Coast Guard...is largely responsible for ensuring these small gatherings continue to be held regularly." He continued, "I'm really confused as to why the Coast Guard is so invested in this issue when the law is clear. With the limited exception of the Great Lakes, pilotage in the U.S. is regulated by state and local authorities; and I just can't understand why the Coast Guard is spending these vitally scarce funds to regularly send government employees to Paris for a week at a time to meet with a handful of small countries on an issue that is not the primary responsibility of the Coast Guard."



Rep. Frank LoBiondo

VADM Neffenger defended USCG participation in the CPAF (which was established in 2006 and, despite aggressive recruiting by CPAF members, is comprised only of Denmark, Finland, Norway, Sweden and the U.S.) principally by saying it provided information to help the USCG regulate the 34 pilots on the Great Lakes. After listening to the Admiral's response, it did not appear Mr. LoBiondo's concerns were eased. He concluded by saying, "I have to tell you that I am concerned that with such limited Coast Guard oversight of pilots, just being the Great Lakes, and you being stretched so thin in so many areas, I can't connect the dots in my head. I mean we all want to get best practices but it's not like you're dealing with the whole United States. We're only dealing with the Great Lakes. I hope you take a close look at this."

It is important to note that the four other countries on the CPAF represent some of the most atypical pilotage systems in the world. These countries advocate global harmonization/standardization of pilot regulation, so-called shore-based piloting, liberal use of pilot exemption certificates, and the idea that a pilot is merely an adviser to the master. These policies are inconsistent with the pilotage system in the U.S, as well as in many other places around the world. APA will continue to work with the USCG to resolve this important matter.

## CONGRESS ADVANCES DREDGING BILLS — STATE PILOT TESTIFIES IN SUPPORT

As was the case during the last Congress, many members of the 113th Congress are trying to advance sensible dredging legislation. Similar bills have been introduced in both chambers that require monies collected under the Harbor Maintenance Tax for maintenance dredging and harbor maintenance projects actually be spent for those purposes. These bills (H.R.335 and S.218), sponsored respectively by Rep. Charles Boustany (R-LA) and Sen. Carl Levin (D-MI), enjoy broad bipartisan support.

A hearing of the Senate Environment and Public Works Committee, titled "The Harbor Maintenance Trust Fund and the Need to Invest in the Nation's Ports," was held on January 31. Among the witnesses chosen to testify about the need to adequately fund dredging was Captain Mike Lorino, former APA Vice President and current President of the Associated Branch Pilots in Louisiana.



## MISSISSIPPI BECOMES TENTH STATE TO PASS LIMITATION OF LIABILITY STATUTE

In March, Mississippi Governor Phil Bryant signed into law a provision placing a \$5,000 cap on liability of state pilots for damages or loss occasioned by a pilot's error, omission, fault, or neglect in the performance of pilot services except for "willful misconduct or reckless disregard for safety" on the part of the pilot. Mississippi is the tenth state to pass a law regulating the liability of state pilots.

State Sen. Brice Wiggins (R-Pascagoula), the legislation's sponsor, explained a benefit of the law by saying, "This bill will have a tremendous impact on our ability to generate more maritime commerce." Wiggins added, "By limiting liability, our ports now enjoy a competitive advantage over other states...and we can now aggressively market the state to businesses around the world."

Pilot liability statutes have been in place in a number of states for decades and represent the judgment of the state's government that some mechanism to allocate pilot liability is in the public interest as a component of their state's comprehensive pilotage regulatory system.



Left to Right: Sen. Michael Watson (R-Pascagoula), Capt. Fred Lundy (Pascagoula Bar Pilots), Rep. Charles Busby (R-Pascagoula), Capt. Walter Gautier (Pascagoula Bar Pilots) and Sen. Brice Wiggins (R-Pascagoula) watch Gov. Phil Bryant (seated) sign the Mississippi bar pilot liability bill into law.



## HERSMAN TAPS FORMER CRUISE LINE EXECUTIVE TO HEAD NTSB OFFICE OF MARINE SAFETY

Tracy Murrell, former vice president for Royal Caribbean Cruises, has been appointed by National Transportation Safety Board (NTSB) Chairman Deborah Hersman as Director of the NTSB's Office of Marine Safety. The NTSB Office of Marine Safety oversees investigations of major marine accidents in U.S. waters and of accidents involving U.S. flag vessels worldwide.

Prior to joining NTSB, Murrell served as associate vice president for marine operations for Royal Caribbean in the United Kingdom. According to the NTSB press release, Murrell held other positions with Royal Caribbean, including the company's expert in safety-related legal cases, lead investigator for accident and near-misses, and a primary author of some of the cruise line's safety policies and procedures.

Murrell, who began her new job on January 22, received her bachelor of science degree from Texas A&M University and MBA from Nova Southeastern University.



**Tracy Murrell (left) is sworn in by NTSB Chairman Deborah Hersman as Director of the Office of Marine Safety.**

## APA STAFF MEETS WITH NTSB SENIOR OFFICIALS

As part of an on going effort to work with and inform NTSB on matters relating to pilots and pilotage, the APA staff has held several recent meetings with NTSB senior officials, including the Director of the Office of Marine Safety (OMS) and the NTSB's General Counsel.

On February 20, APA Executive Director-General Counsel Paul Kirchner and APA Deputy Director Clay Diamond met with OMS Director Tracy Murrell. Among other topics discussed during the meeting with Murrell were bridge resource management for pilots (BRM-P), the "role of the pilot" and fatigue in the maritime sector.

Kirchner and Diamond met on March 11 with Mr. David Tochen, the NTSB's General Counsel. This meeting focused on various legal aspects, including NTSB's investigative authorities, its interaction with the Department of Justice and the relationship between NTSB investigations and Coast Guard investigative reports.

Mr. Tochen has been with the NTSB for two years after a long career with the Department of Transportation.



## STANDARDS FOR ELECTRONIC TWIC READERS WILL FINALLY BE PUBLISHED

According to a recent Coast Guard announcement, after several years of delay, the agency will finally unveil a proposal laying out the requirements for electronic Transportation Worker Identification Credential (TWIC) readers. The Office of Management and Budget has approved the Coast Guard's draft rules on the readers, and a notice of proposed rulemaking is expected to be published in the Federal Register by April 2013.

The Transportation Security Administration has mandated that port and ship workers carry TWIC cards since 2007, but Coast Guard rules and standards for electronic readers for the cards have not yet been issued. As a result, TWICs have in reality been nothing more than expensive "flash passes." The Coast Guard has estimated that it will take at least two years after final TWIC reader regulations are published for the full implementation of a card reader program.

As everyone in the marine sector is well aware, the TWIC program, a requirement under the Maritime Transportation Security Act of 2002, has been fraught with problems and delays. A November 2012 report from the House Homeland Security and Oversight and Government Reform committees said TWIC has already cost \$500 million and could total \$3.2 billion over a decade



## TWIC UPDATES

As the first TWICs issued are approaching expiration and thousands of mariners and port workers will be looking to renew, the Transportation Security Administrations (TSA) seems to be taking steps to mitigate the impending mass rush. Among the programs announced by TSA aimed at improving the TWIC renewal process are the "Extended Expiration Date TWIC" and "Mobile Enrollment and Activation Service."

**Extended Expiration Date (EED) TWIC.** Under this program, if an individual holds a TWIC that expires on or before December 31, 2014 and is a U.S. citizen, the individual will be able to replace the expiring TWIC with a 3-year EED TWIC. The benefits of the EED program include a significantly streamlined application and issuance process and a reduced cost (\$60 for an EED TWIC vs. \$129.75 for a standard 5-year TWIC).

**Mobile Enrollment and Activation Service.** TSA has announced that it can, when requested by companies, entities or groups of these organizations in a common location, send mobile enrollment and activation services to a facility to conduct bulk TWIC renewals.

## MERCHANT MARINE PERSONNEL AND MEDICAL ADVISORY COMMITTEES MEET IN HOUSTON

In a move aimed at ensuring that two important Coast Guard advisory committees with some overlapping jurisdictions are working cooperatively, the two committees met on consecutive days in Houston, Texas. The Merchant Marine Personnel Advisory Committee (MERPAC) met on March 12-13, and the Merchant Mariner Medical Advisory Committee (MMMAC) held its meeting on March 14-15. APA Deputy Director, Clay Diamond, represented the APA at both meetings.

MERPAC is comprised primarily of members representing mariners and other maritime interests. It provides advice to the Coast Guard on matters related to mariner credentialing. Under the chairmanship of Captain Andrew McGovern (President of the New Jersey-Sandy Hook Pilots), MERPAC discusses and make recommendations on a number of issues important to pilots. Among the topics addressed at this MERPAC meeting were ensuring the Coast Guard does a better job of communicating with mariners when changes are made to its credentialing program or policies; new training requirements for LNG crewmembers; and the potential impacts of the ILO's Maritime Labor Convention and the STCW Convention and Code on Coast Guard mariner credentialing and medical certification programs.

Captain Anthony Lloyd, Commanding Officer of the National Maritime Center (NMC), and Mr. Luke Hardin, Chief of Coast Guard Mariner Credentialing Program Policy, updated MERPAC members and attendees on recent activities and credentialing policy changes from both the NMC and Coast Guard Headquarters perspectives.

MMMAC convened for its two-day meeting at the offices of the Houston Pilots. Captain Robert Thompson (Presiding Officer of the Houston Pilots) opened the meeting with welcoming remarks and a well-received overview of the Houston Pilots' operations and duties.

This advisory committee, composed of 10 medical professional and 4 mariners, discussed matters related to medical certification for issuance of merchant mariner credentials, medical standards and guidelines for physical qualifications of mariners, medical examiner education, and medical research. MMMAC continues to work on the framework for a "designated medical examiner" program (which is required under recent amendments to the STCW Convention and Code), as well as revisions to the Merchant Mariner Physical Examination Report (719K).

MERPAC and MMMAC can only make recommendations to the Coast Guard about its mariner credentialing and medical review programs. Both of the committees, however, offer a forum and an opportunity for the public and mariner interests to voice concerns and make policy suggestions to the Coast Guard.



At the March MERPAC meeting are (l to r): Clay Diamond (APA), Mayte Media (Chief, USCG Marine Personnel & Qualifications Division), Capt Jeff Novotny (Prospective NMC Commanding Officer), and Capt Anthony Lloyd (NMC Commanding Officer).

## NATIONAL MARITIME CENTER BEGINS TESTING NEW WEBSITE

On March 7, the National Maritime Center (NMC) announced that it is "beta testing" a new website until April 15. The website content and layout are being changed to improve mariner "ease of use." The "beta website" is available at [www.uscg.mil/nmc/testnmc/](http://www.uscg.mil/nmc/testnmc/). Pilots are encouraged to go to the beta site, navigate through its contents and provide feedback (each page has a button in the top right corner labeled "Beta Feedback").

## CURRENT APA OFFICERS



Proceedings at the 2012 Biennial Convention led to several new APA Officers. The current Officers, at a February meeting in Washington, are (l to r): Captain Whit Smith (Secretary-Treasurer), Captain Eric Nielsen (VP, North Atlantic States), Captain Gary Maddox (VP, South Atlantic States), Captain Danny Gallagher (VP, Great Lakes), Captain Mike Watson (President), Captain Pete McIsaac (VP, Pacific Coast States), Captain Mike Rooney (VP, Gulf States-Louisiana). Missing from the photo: Captain Mike Torjusen (VP, Gulf States).

### DON'T FORGET THE APA PAC FUND

Send your voluntary contribution to:  
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## APA NEWS

### CAPTAIN FRANK KNOWLES, ST. ANDREW BAY PILOT, DIES IN THE LINE OF DUTY

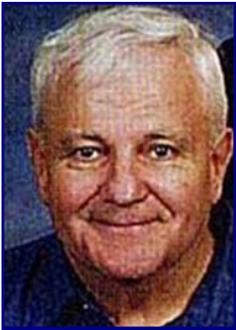
In the early morning hours of Thursday, March 14, Captain Frank W. Knowles, a state-licensed pilot with the St. Andrew Bay Pilots Association, was killed after falling from the pilot ladder while boarding the Pipit Arrow, a 656-foot bulk carrier, at the Panama City, FL sea buoy.

The circumstances surrounding this tragic accident are under investigation.

Coast Guard aircraft were launched to search for Captain Knowles, but it wasn't until two hours later that his body was recovered by the Pipit Arrow's rescue boat.

Captain Stuart Lilly, President of the Florida Harbor Pilots Association, made the following statement:

"We are deeply saddened today at the loss of one of our fellow harbor pilots and a dear friend. Captain Frank Knowles has been a dedicated and



**Captain Frank W. Knowles, Jr. (1940-2013)**

brave harbor pilot since he was licensed in 1976. Our thoughts and prayers are with his wife, Gail, and his family. Words cannot express the grief and sadness that every harbor pilot across the state feels today at this tragic loss."

Captain Mike Watson, American Pilots' Association President, also commented on the passing of Captain Knowles. "Frank Knowles was a fine man who was truly dedicated to his profession. His commitment over several decades not only made him a tremendous pilot, but it also allowed him to make lasting contributions to the piloting profession in this country. He will be sorely missed."

Captain Knowles was laid to rest in Panama City, Florida on March 17.

### CAPT JIM ROCHE HONORED WITH "SPIRIT OF THE PORT AWARD"

The Seamen's Church Institute of Philadelphia and South Jersey honored Captain Jim Roche, President of the Pilot Association for the Bay and River Delaware, with its 2013 "Spirit of the Port Award." The award was presented to Captain Roche in Philadelphia during a March 12th ceremony. The award recognized "the critical work he and his fellow pilots do to keep commerce flowing safely in the region's vital maritime industry."



**Capt Jim Roche**

## A BET IS A BET.....



After the Baltimore Ravens' 34-31 miraculous victory over the San Francisco 49ers in Super Bowl XLVII, San Francisco Bar Pilots' President Capt. Pete McIsaac (center) had to "pay up" by wearing a Ravens Championship T-shirt. Association of Maryland Pilots President Captain Eric Neilsen (left) and APA President (and former Association of Maryland Pilot President) Captain Mike Watson look on with wide grins.

### ELECTIONS, SELECTIONS, APPOINTMENTS, ETC.

- ◆ The 2013 Officers for the Western Great Lakes Pilots Association are: **Captain Robert Krause** (President), **Captain Mark Lavalley** (First Vice President), **Captain Steve Vandercook** (Second Vice President), **Captain John Swartout** (Secretary), and **Captain Duane Rumpca** (Treasurer).
- ◆ The Matagorda Bay Pilots Association Officers for 2013 are: **Captain Steven Gibson** (President), **Captain Joseph Bokorney** (Vice President), and **Captain David Adrian** (Secretary-Treasurer).
- ◆ The Houston Pilots announced their 2013 Officers: **Captain Robert Thompson** (Presiding Officer), **Captain Larry Wheatley** (Executive Committee) and **Captain Steven Nelson** (Executive Committee).
- ◆ The United New Jersey-Sandy Hook Pilots Benevolent Association announced their 2013 Executive Committee: **Captain A.W. McGovern** (President), **Captain R.J. Schoenlank** (Vice President), **Captain J.C. Oldmixon** (Secretary), **Captain T.O. Ferrie** (Treasurer-Finance Chairman), **Captain W.E. Blake** (Committee Member), **Captain H.F. Cavagnaro** (Committee Member), and **Captain B.L. Foley** (Committee Member).
- ◆ The United New York-Sandy Hook Pilots Benevolent Association announced their 2013 Executive Committee: **Captain D.M. Wheeler** (President), **Captain T.P. Walsh** (Vice President), **Captain J.J. DeCruz** (Secretary), **Captain D.C. Vitolo** (Treasurer-Finance Chairman), **Captain D.M. Fendt** (Committee Member), **Captain J.H. Mahlman** (Committee Member), and **Captain K.J. Uhrig** (Committee Member).
- ◆ The 2013 Officers for the Alaska Marine Pilots are: **Captain Clayton Christy** (President), **Captain David Arzt** (Vice President), **Captain Bill Gillespie** (Treasurer), and **Captain David Lund** (Secretary).