



ON STATION

The Newsletter of the American Pilots' Association

March 15, 2012

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APA RECOGNIZED FOR LONG COMMITMENT TO NAVIGATION SAFETY

Due to “the long history of promoting the highest standards of marine piloting and navigation,” the editors of *Professional Mariner* magazine have chosen the American Pilots' Association to receive the **2012 Samuel Plimsoll Outstanding Service Award**. Each year, the Plimsoll Award is given to one organization that “has been instrumental in making the maritime industry safer.” The award will be presented on March 20 at the Connecticut Maritime Association's “Shipping 2012 Conference” in Stamford, CT.

The APA was selected to receive the 2012 Plimsoll Award in recognition of its substantial and long-term contributions to improving pilotage standards, navigation practices and marine safety throughout the country. The award nomination identifies four primary areas in which the APA has positively impacted maritime safety.

- ♦ **PPUs.** The APA, its NAVTECH Committee, and its member pilots have led the world in the development of portable pilot navigation systems (or PPU's), and APA policy and “best practice” guidance has been instrumental in the continual improvement and increased use of this important navigation safety tool.
- ♦ **BRM-P.** Well ahead of government agency guidance, APA pioneered the development of bridge resource management training courses geared specifically for maritime pilots (BRM-P). These courses are now taught at training centers throughout the country.
- ♦ **MPX.** Recognizing the critical nature of the exchange of information between the pilot and master (MPX), the APA promulgated MPX best practice recommendations that have been adopted nation-wide and are now recognized as the professional standard for pilots. The MPX and BRM-P initiatives have not only had enormous domestic benefits, but also – be-

cause both were included in guidance from the International Maritime Organization – have had a substantial impact on navigation safety around the world.

- ♦ **E-NAV.** The APA is currently a leading participant in the IMO's E-Navigation initiative, working with that body as well as other international groups on an overarching strategic vision for the development and use of advanced navigation technologies. Consistent with that effort, APA has issued guidelines and recommendations for pilots' use of, and training in, EC-DIS and other emerging technologies.

The magazine's announcement concluded, “For these and other achievements in the pursuit of maritime safety, *Professional Mariner* is pleased to honor APA with the 2012 Plimsoll Award for Outstanding Service.”

Samuel Plimsoll (1824-1898) was a member of British Parliament who fought against unsafe maritime

industry practices. His efforts led to passage of an 1878 law that required ships to have marks indicating safe load lines. The Plimsoll marks on ships today are an enduring testimony to his tireless pursuit of safety at sea.

Upon notification that APA was to receive the 2012 Plimsoll Award, APA President Mike Watson said, “I want to recognize *Professional Mariner* for the valuable work it does and to thank the magazine for presenting this important award to the APA, an organization made up of maritime professionals who are committed to protecting the safety of navigation and the marine environment in the waters for which they are licensed.” Watson added, “Since its founding in 1884, the American Pilots' Association has been committed to assisting member-pilots and oversight authorities by actively promoting navigational and piloting excellence. I'm pleased that this award publicly affirms this long-standing commitment.”

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- Captain Mike Watson



IMPA OFFICIALS SPEAK OUT ON ISPO

Officials of the International Maritime Pilots Association (IMPA), meeting at the organization's headquarters in London in February, expressed their concern over recent press reports that have contained misinformation concerning the so-called "International Standard for Maritime Pilot Organizations" (ISPO). IMPA's Executive Committee, consisting of its President, Captain Mike Watson, and six Vice Presidents who represent pilots from around the world, agreed that it was vitally important to reach out to the maritime community to ensure it is properly informed and to clarify IMPA's views on ISPO.

The IMPA Executive agreed to publicly emphasize four key points about the ISPO:

1. ISPO is not endorsed by IMPA. The ISPO concept was first presented to IMPA in 1998. In 2004, after six years of study and trials, IMPA rejected ISPO. Not only did IMPA not wish to be the sponsor of the program, it determined that ISPO was not suitable or appropriate for much of IMPA's membership. That judgment has been reaffirmed several times since then, including at the February meeting of the Executive Committee.

2. ISPO is not a recognized international standard. ISPO was created at the initiative of a small group of European pilots who unsuccessfully sought the approval – and in effect, the "international imprimatur" – of IMPA. The word "International" is understood to be a marketing tool in order to attract customers. IMPA wishes to clarify the obvious confusion that exists as a result of the ISPO's chosen marketing practice. IMPA understands that the ISPO is currently administered by ISPO certificate hold-

ers themselves (e.g., a form of "self-regulation"). It has never been adopted by any international organization with regulatory authority over, or representation of, pilots throughout the world. It is not administered by any international standard-setting organization, such as the International Organization for Standardization (ISO), nor by any international organization with expertise in pilotage or pilotage regulation. IMPA President, Captain Michael Watson said, "There is much concern in our membership that the ISPO is perceived by some as being an 'international standard' that has the full support of IMPA. We want to be very clear on this – ISPO is neither an international standard nor does IMPA endorse it."

3. Externally audited quality systems have existed in the piloting profession for many years. Like other industries throughout the world, many IMPA pilot groups have long had quality assurance programs, such as quality management systems (QMS), safety management systems (SMS), or risk management systems, meeting the requirements, including independent audits, of recognized international standards maintained by the ISO or other similar organizations. Other IMPA pilot groups, including those in the United States, operate in heavily regulated systems in which government oversight bodies perform the quality assurance and auditing functions. Captain Watson said, "I have the utmost admiration and respect for all IMPA members and know that the choices they make in designing, building, and operating their pilotage service are the ones most suitable to their own unique environment. This allows them to deliver a quality service while upholding the highest levels of professionalism."

4. A quality assurance certificate is not a sign of piloting competence. Such certificates are issued by private business enterprises. The issuing company is not implementing government regulations or standards established by any recognized authority that is mandated to act in the public interest. Also, quality assurance certification does not deal with the actual act of piloting but with processes and procedures related to organizational structure. As such, the issuing company has no expertise to assess the quality of piloting performed in any given district. Watson said, "Recent press reports indicating that pilot organisations accredited to the ISPO are in some way superior to other IMPA pilot groups is insulting to our worldwide membership. I'm proud to say that all of our members pursue continual improvement in how their operations are conducted. Most importantly, our members continually learn from each other, and IMPA serves as a conduit for information exchange and collaboration among member nations."

The IMPA Press Release on the ISPO is available at: www.impahq.org.

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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.



PILOTS LAUDED AT HEARINGS ON CRUISE INDUSTRY SAFETY

In the aftermath of the January COSTA CONCORDIA tragedy off the Italian coast and the February casualty in the Indian Ocean involving the COSTA ALLEGRA, Congress held a series of cruiseline safety hearings. These hearings were held before the Senate Committee on Commerce, Science & Technology (CS&T) and the House Transportation and Infrastructure Committee (T&I). While the hearings focused primarily on regulatory oversight of the cruise industry, several Congressional members and one senior USCG official took the opportunity to praise and recognize the valuable role pilots play in marine and navigation safety.

During the February 29th hearing before the House T&I Committee, Chairman John Mica (R-FL) stressed that recent cruise ship accidents should serve as a warning to cruise lines to make sure U.S. passengers are as safe as possible. Mica said, "A century after the TITANIC tragedy and the establishment of international safety rules, we



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- VADM Brian Salerno
Deputy Commandant

must heed this new warning, assure safety standards are followed and enforced, and avoid another preventable tragedy."

Coast Guard Subcommittee

Chairman Frank LoBiondo (R-NJ) added, "Our goal is to prevent a similar accident from occurring in U.S. waters or aboard a cruise vessel which calls on American ports."

During the House hearing, Alaska Congressman and former T&I Chairman Don Young (R-AK) took the opportunity to recognize just how important state pilots are to navigational safety in this country. "One thing also – in our area we have American pilots that pilot the ships in our waters. This is crucially important. If a pilot had been on board that ship [COSTA CONCORDIA], as he should have been, this would not have happened."

The Senate CS&T hearing, held on March 1st, was kicked off with Chairman, Sen. John Rockefeller (D-WV), saying, "in addition to reviewing the industry's safety and environmental record, I believe that we have to ask why an industry that earns billions of dollars and uses a variety of federal services...pays almost no corporate income tax." Like the House hearing, however, the Senate proceeding was centered mainly on government oversight of cruiselines, with a number of senators voicing concern

over some cruiseline safety and environmental practices.

The contributions pilots make to maritime safety were also highlighted in the Senate. Sen. Mark Begich (D-AK), Chairman of the Coast Guard subcommittee, asked Coast Guard Vice Admiral Brian Salerno if having a pilot aboard the COSTA CONCORDIA would have prevented the accident. Sen. Begich said, "We require local marine pilots to be on the ships as they come into our waters...would this have made a difference?" VADM Sa-



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- Rep. Don Young (R-AK)
Former T&I Chairman

lerno replied, "Pilots are very much part of the safety system in the United States. They're local experts. They know the waters [and], in our view, they are indispensable components to the overall safety structure."

During a lighter moment of the otherwise contentious oversight hearing, Sen. Frank Lautenberg (D-NJ), current chairman of the CS&T Subcommittee on Surface Transportation and Merchant Marine, made clear how much he values and appreciates the service and role of state pilots. During his questioning of VADM Salerno, Sen. Lautenberg proudly declared, "I'm an honorary member of the Sandy Hook Pilots' Association."

HOUSE HEARING FOCUSES ON CHRONIC HARBOR MAINTENANCE UNDERFUNDING

Two subcommittees of the House Ways and Means Committee held a joint hearing on February 1st to review the Harbor Maintenance Trust Fund (HMTF) and the ongoing problem of harbor maintenance underfunding.

The Chairman of the Subcommittee on Oversight, Rep. Charles Boustany (R-LA), announced the hearing with a stark assessment. "Our Nation's harbors are a lifeblood of commerce." Boustany said. "Years of chronic underfunding have severely limited ship traffic, prevented valuable cargo from moving efficiently, and adversely affected national, regional, and local economies. Funds collected by the HMTF should be utilized promptly and exclusively to keep our harbors open for business."

The HMTF was intended to provide a stable long-term funding source to maintain authorized channel depths and widths. In recent years, HMTF expenditures have remained flat while collections grew due to increased imports, creating a nearly \$6.1 billion surplus. In 2010 alone, \$1.2 billion were collected, but only \$793 million was spent on harbor maintenance and improvements. The House and Senate have identical bills pending (H.R.104 and S.412, both with broad bipartisan support) that would mandate amounts credited to the HMTF be used exclusively for harbor maintenance and improvements. APA will continue to watch these important bills.



APA PRESIDENT MEETS WITH CHAIRMAN OF FEDERAL MARITIME COMMISSION

On January 18, APA President Captain Mike Watson met with Richard Lidinsky, Jr., Chairman of the Federal Maritime Commission (FMC). Captain Watson said, "I appreciate the Chairman taking the time to meet with me and I recognize the important role his agency plays in the U.S. maritime sector."

The FMC, which was established as an independent regulatory agency in 1961, is responsible for the regulation of ocean-borne transportation in the foreign commerce of the U.S. Among other duties, the FMC monitors activities of ocean common carriers, marine terminal operators, conferences, and ports who operate in the U.S. foreign commerce to ensure they maintain just and reasonable practices, and oversees the financial responsibility of passenger vessel operators.



APA President, Captain Mike Watson (right), meets with Federal Maritime Commission Chairman Richard Lidinsky, Jr.

Following the meeting, Chairman Lidinsky, who has served as a member of the FMC since 2009, said, "I've known Captain Watson for many years and respect the important safety function that pilots provide to the marine industry." Lidinsky added, "The FMC has always recognized the historic, key, and valued role pilots play in our waterborne commerce."



FCC PROPOSES TO SUSPEND LIGHTSQUARED'S GROUND-BASED SERVICE

The Federal Communications Commission (FCC) issued an announcement on February 14 stating that based on a report it received from the National Telecommunications and Information Administration (NTIA) concluding that there was no practical way at this time to mitigate potential interference between the proposed *LightSquared* ground-based mobile service and the existing GPS system, the FCC proposes to suspend indefinitely *LightSquared's* Ancillary Terrestrial Component authority.



NTSB OFFICE OF MARINE SAFETY REQUESTS MEETING WITH APA

Prompted by the APA's response to the NTSB's report on the 2010 EAGLE OTOME accident, which is available on the APA website (www.americanpilots.org under "Activities"), the Director of the NTSB's Office of Marine Safety, Mr. John DeLisi, requested a meeting with the APA. This meeting took place at the APA offices on January 13.

During the meeting, which was attended by Captain Mike Watson (APA President), Paul Kirchner (APA Executive Director-General Counsel), Clay Diamond (APA Deputy Director), Mike Rosecrans (NTSB Office of Marine Safety Deputy Director), and Mr. DeLisi, the NTSB staff indicated that they wanted to have a full and frank discussion of the APA's criticism of their EAGLE OTOME report. During the discussions, APA reiterated its strong support for the Board's objective of promoting transportation safety, but made clear the ongoing concerns about the approach NTSB has been taking with regard to marine casualty investigative reports and the impact this approach is having on the credibility and utility of NTSB investigations and safety recommendations.

The meeting concluded with Mr. DeLisi indicating that the NTSB would endeavor to involve the APA earlier in the process in future marine casualty investigations in which pilots or pilotage were at issue.



CO-OPS MEETS WITH IN JACKSONVILLE ON PORTS®

In February, representatives from NOAA's Center for Operational Oceanographic Products and Services (CO-OPS) held a "users requirement" meeting in Jacksonville to discuss installation of a new NOAA Physical Oceanographic Real-Time System (PORTS®). The meeting, sponsored by the Jacksonville Marine Transportation Exchange, was attended by approximately 30 representatives from a variety of federal and state stakeholders,



APA HOSTS COAST GUARD OFFICE OF INVESTIGATIONS AND ANALYSIS

On January 10, the APA hosted senior staff members from the Coast Guard's Office of Investigations and Analysis. This office is located at Coast Guard Headquarters and is comprised of three divisions: Investigations Division, Analysis Division and Data Administration & FOIA Division.

The meeting was attended by the Office Director, Captain David Fish, and the Deputy Director of the Office, Mr. Tim Farley. Mr. Farley also serves as the Chief of the Investigations Division. The purpose of the meeting was to discuss new or ongoing investigation policy developments, share "lessons learned" and critiques from the field, and explore avenues to work together in the future.

Among other duties, the Office of Investigations and Analysis is responsible for managing:

- ◆ marine casualty & pollution investigation programs,
- ◆ pollution notice of violation program,
- ◆ violation investigations, which are adjudicated by a Hearing Officer,
- ◆ personnel action investigations, which are prosecuted before an Administrative Law Judge, and
- ◆ drug and alcohol testing program.

This is only the latest meeting between APA and this Coast Guard office. There have been a number of meetings over the past several years and there are plans to continue such forums in the future. APA Executive Director-General Counsel Paul Kirchner said, "While we may continue to have some differences, the APA shares the mission of Captain Fish's office — 'to promote safety, protect the environment, and prevent future accidents.' We hope to continue these meetings to explore our differences and advance our shared objectives."



From left to right: Mr. Clay Diamond, Mr. Tim Farley, Captain Dave Fish, and Mr. Paul Kirchner.

GREAT LAKES WATERWAYS CONFERENCE CONDUCTED ON THE "NORTH COAST"

The 2012 Great Lakes Waterways Conference was held in Cleveland on February 22-23. The Conference, a joint effort by the USCG, Army Corps of Engineers, Great Lakes states, and industry groups, is an annual gathering of U.S. and Canadian maritime industry and government representatives. Positive news coming out of this year's Conference was that tonnage volume on the Great Lakes system rose by 2.5% in 2011.

APA was represented at the Conference by the Presidents of the three APA-member pilot groups on the Great Lakes (Captains Roger Paulus, Dan Gallagher, and Don Willecke) and APA Deputy Director, Clay Diamond.



LATEST NEWS FROM THE NMC

- ◆ On February 13, APA Executive Director-General Counsel Paul Kirchner and Deputy Director Clay Diamond met with the NMC's Commanding Officer, Captain Anthony Lloyd, and senior credentialing staff from Coast Guard Headquarters. Under an agreement reached in 2010, APA staff and credentialing officials meet twice a year to discuss concerns, work to resolve differences and explore ways to improve the overall credentialing and medical review processes.
- ◆ The NMC has completed testing of its new Mariner Training and Assessment Data (MTAD) program and will make the MTAD available to Mariner Training Providers (MTP). MTAD will allow MTPs to enter course completion information directly into NMC data bases. In theory, this will make course completion information readily available to NMC evaluators when credential applications are being reviewed.
- ◆ Since the USCG missed the January 1, 2012 deadline to have regulations in place to implement the 2010 Manila Amendments to the STCW Code, it has published interim guidance on how the amendments will be implemented in the future. The guidance is available at: www.regulations.gov, docket number: USCG-2004-17914.

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