



NEWS:

The U.S. Coast Guard is proposing to amend regulations to fully implement the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978. The STCW endorsement is required (and has been for years) for personnel on any commercial vessel operating on a foreign voyage. There are two main exceptions to this requirement: Vessels operating exclusively on the Great Lakes and those vessels that operate exclusively in U.S. waters not more than 200 miles offshore (and do NOT enter foreign waters). Most of the Marine Assistance Industry operators are not directly affected by STCW. For those of you who enter foreign waters to retrieve a disabled boat, your personnel must be STCW compliant. C-PORT urges those operators who are not currently compliant to do so promptly. There are many changes addressed in the proposed rule that will make it more costly and time consuming to obtain this document. The proposed rule does allow for “grandfathering” of current STCW certification with the necessity to bridge the gap of training upon renewal rather than undergo the entire process.

C-PORT conducted a thorough review of the proposed rulemaking document and found that this rulemaking is not only addressing STCW, but rather is affecting change to the entire licensing program. Tina Cardone, Executive Director, C-PORT stated, “There are changes to Inland License requirements addressed in this rulemaking. Inland operators are not subject to STCW. Pathways to licenses, tonnage, time; all are addressed in the rulemaking.”

While attending the Spring TSAC (Towing Safety Advisory Committee) Meeting in New Orleans Cardone had the opportunity to talk with Coast Guard personnel about these and other STCW concerns. While not a liberty to discuss the details of any of the comments, it was reported that the Coast Guard received over 1200 comments regarding this proposed rule. Coast Guard personnel explained that each comment must be read and addressed before the proposed rule can move forward.

The Spring TSAC Meeting was held March 9-March 10, 2010 at New Orleans, LA.



Joe Frohnhoefer, TSAC member and Director, C-PORT, along with Tina Cardone, Executive Director, C-PORT, attended. Frohnhoefer, TSAC Sub-work Group Chairman, and Cardone spent the majority of their time working on a proposed new Merchant Mariner Credential that would help to build a bridge from a Master Steam or Motor Vessel Credential to a Master of Towing Credential. The US Coast Guard has accepted this item as a project, but has not released it for proposed rulemaking.

A separate TSAC Sub-work Group was addressing revisions to the NVIC 04-01 (Navigation and Vessel Inspection Circular). Cardone noticed that a revised definition of disabled vessel was on their agenda. While Cardone applauded the Coast Guard for their desire to quickly implement the definitional guidelines detailed in the January D7 Appeal, the proposed definition as displayed could have had unintended negative consequences to the marine assistance industry. With Roy Murphy, Kirby Corporation, TSAC Sub-work Group Chairman, in agreement, the topic was removed from the agenda pending further language development.



During the public segment of the TSAC Meeting, Captain Dave Stalfort, Commanding Officer, National Maritime Center, USCG, spoke to the committee and members of the public detailing the numerous changes that the NMC has undergone in the past few years. He noted that there are more improvements to come including more online capabilities making it easier for traveling merchant mariners to renew their credentials in a timely manner. Capt. Stalfort also announced his retirement from service. He received comments of praise from the committee for all of his hard work and diligence with this project. Mr. Rex Woodward, acting Chairman, TSAC, remarked that Stalfort was a credit to his uniform leading to an ovation from the group.

NASBLA (National Association of State Boating Law Administrators) Enforcement and Training Committee held its spring meeting at Lexington, KY on March 24-March 25, 2010. Chris Shaffner, Chairman C-PORT and Tina Cardone, Executive Director, C-PORT attended the event. Cardone and Shaffner are members of a sub-work group charged with gathering information for further analysis regarding non-emergency towing policies and practices of state law enforcement agencies. The group is distributing a survey to the appropriate agencies asking for their input. Once the information is received, it will be collated and reviewed. The sub-group plans to have a recommendation and complete this task by late spring.

While Cardone focused on the non-emergency towing policy sub-work group, Shaffner contributed to the sub-group working on boat operations. This work coincides with C-PORT's work with NASBLA's BOAT (Boat Operations and Training) Program and helped to move the towing module to the forefront. More information will follow as this project develops.

EPA (Environmental Protection Agency) Discharge Permit Extension nears its end. The end of July, 2010 is the time slated when the temporary exemption from needing an EPA Discharge Permit for commercial vessels under 79 feet will cease. EPA released their research document and requested public comment. The comment period for the "Report To Congress: Study of Discharges Incidental to Normal Operation of Commercial Fishing Vessels and Other Non-Recreational Vessels Less than 79 Feet" ended April 7, 2010. C-PORT requested a permanent exemption from this permit requirement. "Recreational vessels are exempt. The vessels we operate are overwhelmingly the same in size, type and power as most recreational vessels," stated Tina Cardone, Executive Director, C-PORT. Cardone, on behalf of the Association, commented that marine assistance industry vessels are predominately docked at recreational marinas, not at commercial facilities. The concern of discharges in concentrated areas such as harbors and creeks or basins with little flushing is not relevant to these vessels. There are no fish tanks or other such holding tanks and most marine assistance vessels do not have gray water discharge. Cardone also cited the nature of the business as a reason to be exempt. "Our industry is dependent upon rapid response and our vessels must be in top running condition free of deck debris and oily bilges. This reduces the ill effects of any deck run off or other operational discharge."

Chris Shaffner, Chairman, C-PORT, commented that the industry has been told that the possibility of a complete exemption is remote. At the very least, C-PORT is hoping for an additional extension of time prior to compliance. Cardone remarked, "The EPA discharge study is a highly detailed report with statistics and remarks that need more time for review before setting forth standards and regulations that will have lasting effects on the commercial boating industry in general, and our segment of it in particular."

C-PORT Announces 2011 Conference Dates! Tina Cardone, Executive Director C-PORT, announced the 24th Annual C-PORT Conference will be held January 24-26, 2011 at the Renaissance Long Beach Hotel, Long Beach, CA. This event will have something for everyone from informative presentations and discussion panels, networking time with others in the industry, exhibits and the annual membership meeting. With exact topics still under consideration, the theme for this important event will focus on Standards and Education for the Marine Assistance Industry. More details will follow.

