



The Marine Assistance Industry Journal

A Quarterly Newsletter - Volume 47- August 2022

Chairman's Address



Following our Annual Conference in Savannah, C-PORT was asked by some of the newer members if it might be possible to develop a mentor program, through which new owners and operators could learn through the experience of our more seasoned companies.

With this in mind, we have established a new Mentor Program, based largely around a monthly conference call. After a couple of months spent working out the kinks and fine tuning the process, I believe we're on our way to providing a valuable new member benefit.

However, as we've been putting this together, I've spent a great deal of time reflecting upon mentorship, and how it's affected and molded me over the years.

I was fortunate enough to spend many years learning about the industry, our history, and almost every conceivable facet of this business under the tutelage of one of our industry founders, John Andrews. In fact, it is that company he founded many years ago which I now operate.

He, along with a few very notable additions, have served as my mentors. From those founders and leaders, as well as many others, I've been blessed with knowledge that has helped me steer clear of many (but certainly not all) shoals that I've had to navigate through. Without their guidance, I fear my journey would have certainly been far more difficult.

So that begs the question: Who were your mentors, what have you learned, and how have you passed on that knowledge? As our industry continues to change, it's imperative that those with hard-won experience share it with others.

Doing so not only helps to keep us all profitable and healthy as businesses, but also safer as an industry.

Fair winds and following seas,

Phil LeBlanc
C-PORT Chairman

REGISTRATION OPEN!

36th C-PORT Conference and Membership Meeting

January 16 - January 18, 2023

Hotel Monteleone

New Orleans, LA

TowBoatU.S. Conference immediately follows!

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Marine assistance towing vessels are excepted vessels under Subchapter M at this time, and are not required to be certificated. Notify Tina Cardone at tcardone@cport.us or 954-261-2012 if you have questions or if you have been contacted by US Coast Guard Inspections regarding your operation.

End of Certificate of Inspection Phase-In Period: 46 CFR Subchapter M Towing Vessels

It is with extreme enthusiasm that I announce the conclusion of the Subchapter M: Towing Vessel, four year Certificate of Inspection (COI) phase-in period, and welcome a fleet of more than 5,000 towing vessels into U. S. Domestic inspected status!

This is a historic occasion for both the commercial towing industry and the Coast Guard as we have been working toward this moment since the 2004 Authorization Act which added towing vessels as an inspected class. Per 46 CFR 136.202, by July 19, 2022, 100% of towing vessels must have valid COIs on board in order to operate commercially.

Today marks the conclusion of almost two decades of work with our industry partners. It is also the first time the Coast Guard successfully implemented a dual inspection subchapter, which includes a new comprehensive safety management system for both company and vessel compliance.

I would also like to take this opportunity to thank all the members of the National Towing Safety Advisory Committee (NTSAC), American Waterways Operators (AWO), Third Party Organizations (TPO), Recognized Organizations (RO), Coast Guard Area, District, Sector Towing Vessel Coordinators; Coast Guard Marine Inspectors, Towing Vessel National Center of Expertise, owner and managing operators, and all mariners and members of the towing vessel community who helped to ensure these regulations came to realization and successful implementation.

These past four years have been challenging with devastating hurricanes, a global pandemic, and ever increasing pressure on our Marine Transportation System, but jointly with a goal to have a systemic approach for managing safety risks in operations, we have met these obstacles and persevered. While the four year phase-in time period has ended, it is the beginning of the new life cycle for the towing vessel fleet. The Coast Guard looks forward to working with you in the future and maximizing the potential of our waterways while maintaining safety and security.

If you have any questions regarding an inspection for your towing vessel, please seek your local Officer in Charge, Marine inspections. For any questions regarding the blog post, please contact CGCVC@uscg.mil.

W. R. Arguin, RDML

U. S. Coast Guard

Assistant Commandant for Prevention Policy

Five Considerations When Taking Your Salvage Claim to Market



The salvor and the farmer have some things in common. I know this because I spent a fair part of my youth on a farm; plus, I married a farmer's daughter. There's the always fixing things part and the fact weather is never not a headline discussion and then there's the whole getting paid for having grown a commodity from a seed. Salvors have the same conundrum of how to get paid after they perform a successful salvage and here's five considerations that might help turn a salvage success into dollars:

First, salvage the right thing. You're not a first responder and the "what" you are salvaging should be carefully weighed. Ask yourself: "Is this a seed I can turn into a salvage award?" What I mean is don't be salvaging a wreck and hoping for a salvage award. Always be thinking about post-casualty values because that's the metric that'll determine your salvage award.

Second, gather the tools you need to bring your salvage to market. That is, getting the vessel owner safely back to port is just one part of the salvage. In order to get paid, you need to have the evidence to support the endeavor. Get pictures and video. Take photographs of the chart plotter, etc. Video the owner enthusiastically thanking you post-salvage. Identify witnesses. You get the idea.

Third, package your salvage properly. Don't be writing up a quick snapshot of what you did and looking to get paid good money. You need to show an insurer that you know the business and that you are a professional. IMO, the insurer wants to put salvors in the highway-wrecker box and pay you flat fees, etc. Don't let that happen by taking the time to write strong presentations supporting your salvage award demand.

Fourth, keep some powder dry. While you should always make a full and complete demand for a salvage award, that doesn't mean you need to share every document or item you have in support of your salvage. Consider holding back the video of the owner telling you his yacht would've been lost without your help. Then, when there's a response to your demand that's contrary to the facts; you smile and say "lookie here" as you produce the video. That usually upends everything and you'll get paid in my experience.

Fifth, don't rush to the auction. Salvage claims are subject to a two-year statute of limitations. Yes, cash flow is important, but so is getting full and fair value for your salvage claim. Lots of owners and insurers and surveyors will say things like: "Hurry! We want to get you paid so get us your invoice." Consider responding with a big "nope" and taking your time. That's not to say you should wait months or years, but consider taking a couple of weeks to properly prepare your demand.

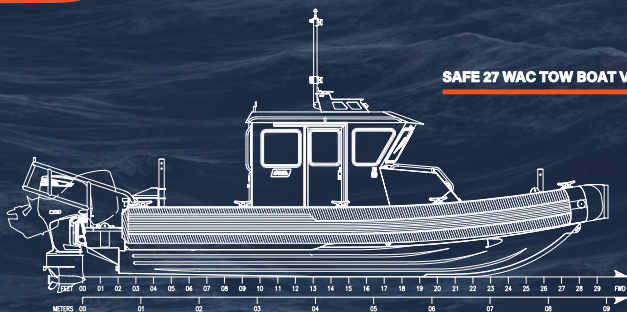
Salvage and farming are two great endeavors with big challenges and equally big awards. Find your success as a salvor by remembering that getting paid means not only salvaging the vessel, but successfully getting to market.

Underway and making way.

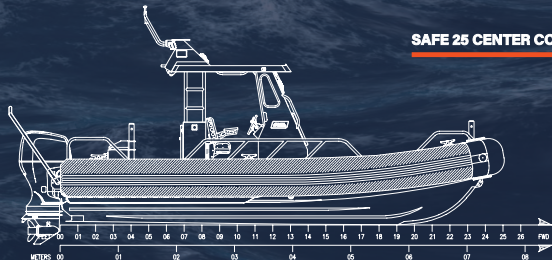
John K. Fulweiler, Esq. is at the helm of his own law firm representing many salvage companies across the Country. He can be reached at www.salvageaward.com or 1-800-383-MAYDAY (6293). John is not affiliated with C-PORT and he makes this article in response to an invitation by C-PORT to do so.



SAFE 27 WAC TOW BOAT VARIANT

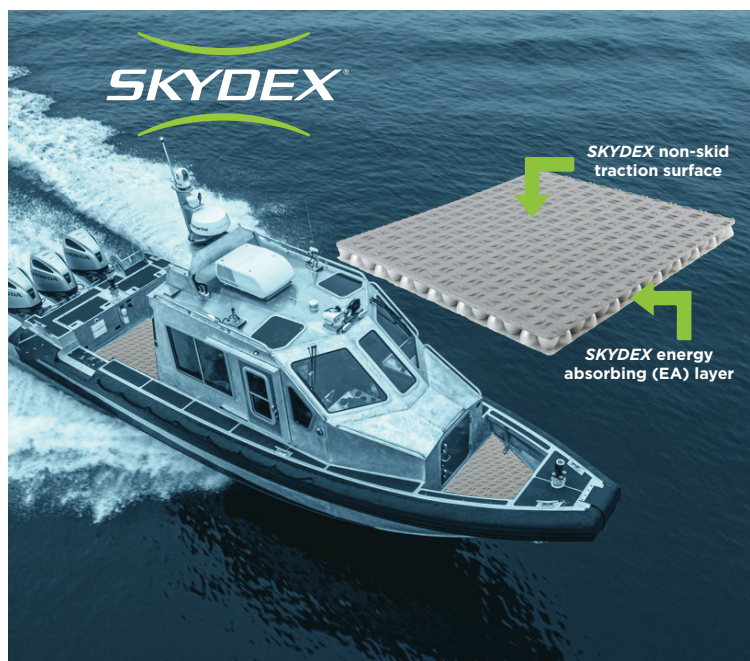


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C-PORT Mentor Program continues to be a great success. The C-PORT Mentor Program creates a place for new and newer members to share in the knowledge and experience of the association's veterans. The sessions are virtual, held monthly, and are limited topics to keep the call to under an hour including time for Q&A and discussion. Due to the outstanding response, C-PORT is opening these calls to the membership at large. These calls are held the second Tuesday of each month at 2:00 PM Eastern time. The next call will be on August 9 at 2:00 PM. Watch your email for the notices.

The purpose of the program stems from our founding. C-PORT was founded in 1986 by a group of industry pioneers. The marine assistance towing and salvage industry as we know it, did not exist prior to the late 1980's when Congress conducted a privatization of federal services review. Among its numerous missions of safety, security, defense, and law enforcement, the U.S. Coast Guard was assisting recreational boaters with non-emergency services. Congress privatized that service, creating a new industry dedicated to assisting boaters.

Many of these industry founders have retired or sold their companies to new entrepreneurs. The influx of new ownership these past few years provided C-PORT an opportunity to serve these new members and its long standing members by establishing a mentor program.

Contact Tina Cardone at tcardone@cport.us or call 954-261-2012 for more information.



800-775-6985

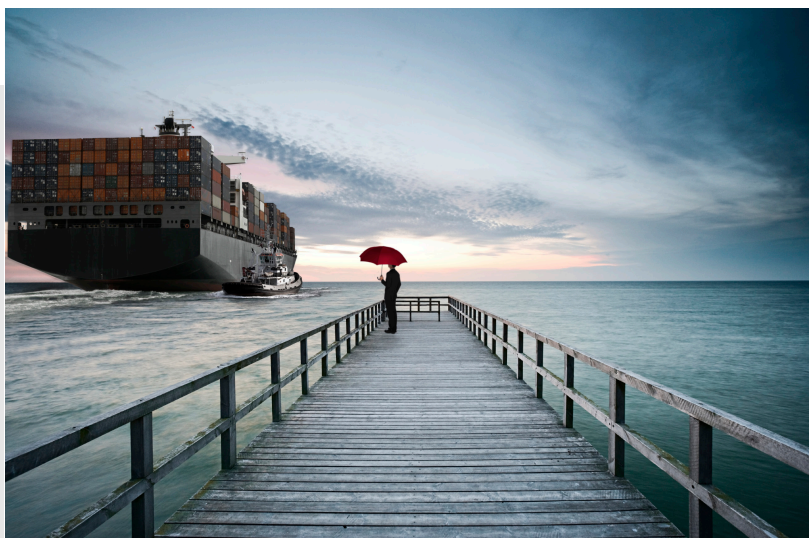
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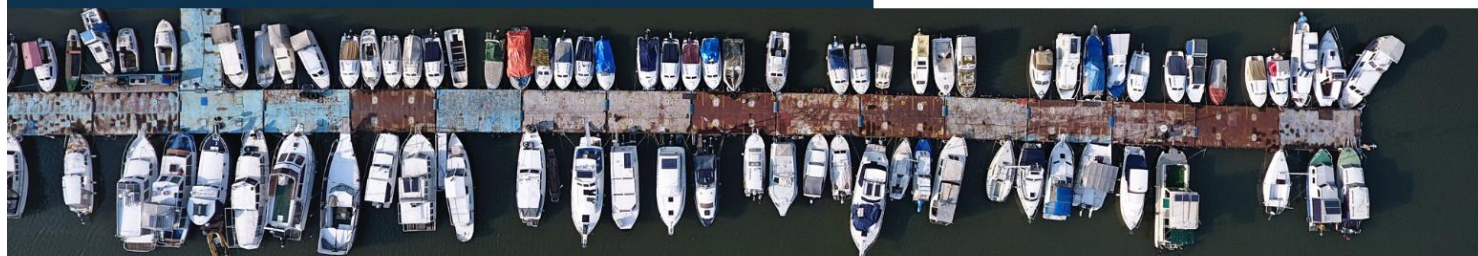
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What is Salvors Liability and Why Do I Need it?

In short, salvors liability is the coverage designed to respond on your behalf when something goes wrong during salvage operations. Oftentimes, whether the operator is floating vessels or not, they are engaged in a variety of salvage operations.

Salvage operations can include the following services:

- Towing
- Pilotage
- Navigating
- Standing by a boat
- Taking off any equipment
- Taking a passenger ashore
- Saving a derelict or wreck.

Diving can be part of a salvage operation. The C-PORT Insurance Program provides diving coverage for depths up to 30' for either land-based or over the side of a scheduled vessel. It also provides coverage for vessel wreck removal, underwater inspections, cleaning, servicing, and repairs.

Salvor's liability claims can result when there is property damage to the vessel, its cargo, and other interests on board while it is in your care, custody, or control during the salvage. Additionally, it is the policy that would respond if, during the salvage, a third party sustains property damage.

It is important to note that not all marine insurance policies are created equal. In fact, most standard marine insurance policies do not include Salvor's liability. In some instances, where coverage is present, it does not address both shoreside and waterborne activities. Please be sure to read and review your current insurance policies for coverage to ensure your business is properly protected.

As a benefit of your C-PORT Membership, Starkweather & Shepley will provide a free consultation and review of your current insurance program to ensure completeness of coverage.

For questions, please contact:

Linda J. Wagner
Assistant Vice President/ Marine Program Manager

LWagner@starshep.com
O: 401-531-0137 M: 401-536-8513

C-PORT responded to a USCG Advanced Notice of Proposed Rulemaking regarding electronic chart and navigational equipment carriage requirements. NOAA will cease production of its raster navigational charts and paper nautical charts by January 2025. When the original regulations were written in 1951, paper was the only option. The 2004 Coast Guard and Maritime Transportation Act required certain vessels to be equipped with electronic chart systems, at the time known as EDCIS. The Coast Guard understands that an EDCIS is not the right solution for most commercial vessels that fall under the carriage regulations.

C-PORT presented our members' concerns and comments to the Coast Guard in response to this ANPRM, and continues to work closely with our USCG partners on this and other matters pertinent to the welfare of our member companies.

Renewing your credential? A reminder that the USCG National Maritime Center (NMC) recommends mariners to take the following steps:

- Apply at least 90 days in advance. Renewal applications may be made up to 8 months early with no change in expiration and renewal dates.
- Use Regional Exam Centers and Monitoring Units to review your application before submission. They are available for appointments in person or over the phone.
- Use the NMC tools and resources at their website. They include an application acceptance checklist that may be useful.

C-PORT also reminds those who are seeking to renew their RADAR Observer endorsement to include a statement on your sea service letter indicating that the vessels were equipped with RADAR and routinely used for navigation and collision avoidance. Review your credential to be sure the endorsement is included when you receive it.

Medical Certificates are issued along with your credential. The medical portion of the application is separated from the remainder of the credential renewal and processed separately. It is possible to receive one before the other. Both must be current and valid for you to operate under the authority of your license.




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C-PORT is seeking nominations for the AFRAS C-PORT Lifesaving Award. This award represents the decade long relationship between C-PORT and AFRAS. The Association for Rescue at Sea (AFRAS) was formed in 1976 to foster traditional maritime search and rescue values through suitable recognition of deserving personnel, and to facilitate cooperation in search and rescue. In 2010, AFRAS expressed a desire to annually recognize a deserving member of C-PORT (Conference of Professional Operators for Response Towing) that has shown exceptional skill and determination to save lives during a rescue incident in the maritime environment. The Award is conferred on an individual or group of individuals who perform exceptional acts in attempting to save life. Instances where the rescuer places their own life at risk are given highest consideration. C-PORT is honored to be part of the AFRAS tradition.

Each year, C-PORT accepts nominations for this award, where they are vetted and then submitted to AFRAS for review and selection, if deemed appropriate. Nominations are to include a full description of the circumstances and events giving rise to the nomination and include such factors as: Location of the incident; Prevailing weather conditions; Skill displayed; Determination to conduct the rescue operation; Exceptional courage demonstrated; Degree of risk involved.

Nominations for the 2022 award are being accepted now for incidents that occurred between September 30, 2021 and September 30, 2022. All nominations must be received at C-PORT no later than October 5, 2022. Email Tina Cardone at tcardone@cport.us with your award nominations. Awards are presented at the C-PORT Conference and Membership Meeting during the Awards Gala Banquet.

Is there someone in the marine assistance towing and salvage industry who has acted above and beyond in service to the boating community? C-PORT Honors is a program developed to recognize that individual. Past C-PORT Honors recipients include Paul Amaral, Channel Watch Marine, for his selfless actions in response to the dive boat CONCEPTION, Hunter Roop who saved the life of Jon Gridley, former C-PORT board member, after a shallow dive left Jon lifeless, and Terry Hill, Potomac Marine, for his unrelenting service to C-PORT and its mission.

Nominations for C-PORT Honors are being accepted now through September 30, 2022. Submit a description of their service and the reason for their nomination to C-PORT in care of Tina Cardone at tcardone@cport.us for consideration.

Registration is open for the 36th C-PORT Conference and Membership Meeting! The event is being held at Hotel Monteleone, New Orleans, LA starting on Monday, January 16 and concluding on Wednesday, January 18, 2023. The TowBoatU.S. Conference begins immediately following the C-PORT event!

C-PORT is excited to bring this program to our members. The agenda includes a day dedicated to salvage-techniques, reports, and legal perspectives. Our US Coast Guard partners, with leadership represented, will hold a panel discussion and will be on hand for one-on-one time with our attendees. Risk management at a discounted rate for attendees, vendor presentations, awards, prizes, and the C-PORT Business Meeting and Voting Members Only meeting will keep our focus during the conference. There is plenty of time for fellowship with all attendees at the receptions, awards luncheon, and awards gala banquet. Food, beverages, prizes, knowledge, and opportunity! Don't miss it!

Register today! Reserve your hotel stay and review the agenda at the C-PORT website: <https://cport.us>

Sponsors and Exhibitors help C-PORT bring these all important events to our members! Opportunities to support C-PORT are found on the C-PORT Conference page at the website: [C-PORT Conference](#)

Risk Management Training Courses are available on the C-PORT website, <https://cport.us>. The program centers on these concepts:

- Risk: “possibility of loss or injury”
- Risk Management: “The identification, analysis, assessment, control, and avoidance, minimization, or elimination of unacceptable risks.

C-PORT is committed to encouraging its member’s growth and development through education and is dedicated to providing good business practices throughout its membership. With the increase in accidents and economic pressures facing our industry, many companies have lost sight of the importance of training and proper risk management skills. Our mission is to provide our members with programs that will enable their growth and development into the future, while minimizing the impact of looming USCG regulation in response to Congressional directive and safety records.

Contact Tina Cardone at tcardone@cport.us or 954-261-2012 with any questions regarding this program. Captain and crew special pricing is available.

Marine Assistance Company Operations Guideline, exclusively for C-PORT company members. These guidelines promote safe operations and provide regulatory guidance. C-PORT company members may obtain access to this document at the C-PORT website, <https://cport.us> or contact Tina Cardone at tcardone@cport.us or 954-261-2012.

Insurance Program for Marine Assistance Companies - Administered by Starkweather & Shepley Insurance Brokerage, Inc. - Designed for organizations dedicated to marine assistance and towing. This Program offers an extensive portfolio of quality insurance products and services to address a wide range of marine exposures. -800-788-8225; lwagner@starshep.com.

ACAPT- Accredited for Commercial Assistance and Professional Towing- The ACAPT program provides best practices guidance for the marine assistance towing and salvage industry. Participants are highlighted as having taken the initiative to meet or exceed their own company qualifications against industry best practice criteria and government regulations. Visit the C-PORT website at <https://cport.us> or contact Tina Cardone at tcardone@cport.us or 954-261-2012 with any questions regarding this program.

BOSAR for Commercial Assistance- Created through the support of NASBLA’s BOAT program and the USCG Office of Boat Forces, is designed for the marine assistance operator, providing reinforcement of knowledge gained by virtue of their captain’s license and experience. It also enhances their ability to work as a true partner with local agencies and the US Coast Guard. This course is open to any marine assistance company who wants to host the training. Instructors and course materials are provided by C-PORT. Contact Tina Cardone at tcardone@cport.us or 954-261-2012 if you have an interest in hosting a class.



C-PORT was founded in 1986 to act as a liaison between the marine assistance industry and public agencies and organizations involved with boating safety, marine assistance, marine salvage and other marine-related operations. Its mission is to represent, promote, protect, and defend its member companies through communication, relationship development, and education. Our members are dedicated to providing prompt, professional and timely assistance to all boaters and to actively partner and cooperate with local law enforcement and U.S. Coast Guard. They are professionals, dedicated to the growth and development of their respective businesses and committed to furthering the advancement of our waterways and the boating community. For more information, contact C-PORT at (954) 261-2012 or visit <https://cport.us>.

C-PORT (Conference of Professional Operators for Response Towing)
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C-PORT is a 501(c)(6) organization.