



# The Marine Assistance Industry Journal

A Quarterly Newsletter - Volume 41- October 2020



## *Chairman's Address*

Back in March, I expressed my belief that the uncertainty we faced as an industry would soon be a thing of the past, and predicted that our summer season would be a busy one.

By most reports, that may have been an understatement. I've grown to hate the term "new normal", but if this new business model is what we can expect from now on, I'll take it.

With many working from home, kids not in school full-time, and vacation plans and budgets up for grabs, it seems like boating of every sort was the go-to activity of 2020. We've seen more new boaters this season than the last five years combined.

We've been called many things over the years; self-starters, go-getters, and my personal favorite, rugged individualists. Above all, I think the defining character trait we all share is adaptability.

We simply wouldn't survive in this industry without the ability to seamlessly change course and master new challenges. This year has certainly thrown a few rogue waves in our direction, but true to form, I think we've come out the other side looking better than ever.

Fair winds and following seas,

Phil LeBlanc  
C-PORT Chairman



Due to the uncertainty and challenges surrounding the Covid-19 pandemic, and with utmost concern for the well being of our members, partners, and sponsors, C-PORT has cancelled the 34th C-PORT Conference that was to be held in November at the Hilton St. Petersburg Bayfront, St. Petersburg, FL.

The C-PORT Membership Meeting will take place virtually in early January 2021. Information on how to participate will be forthcoming as we get closer. C-PORT remains vigilant and watchful, looking out for the best interests of our members.

**Malicious Email Spoofing Incidents-** The US Coast Guard has released a bulletin regarding a number of email spoofing incidents within the maritime transportation system (MTS). The incidents reported included false Coast Guard (uscg.mil) email addresses, and Coast Guard industry communications regarding Area Maritime Security Committee meetings. An example of an incident was a malicious file was opened and resulted in additional spoofed emails being sent to other port partners. The Coast Guard warns that these attacks have “potential cascading consequences” and asks that any breached organization immediately notify not only their contacts but also the US Coast Guard.

The Coast Guard cautions that “any potential threat to the cybersecurity of your unit, vessel or facility should be taken seriously”. Breaches or suspicious cyber activity is to be reported to the National Response Center at 1-800-424-8802. Coast Guard also suggests that the incident be reported to your local Coast Guard Captain of the Port or the Coast Guard Cyber Command 24x7 watch at 202-372-2904 or [CyberWatch@uscg.mil](mailto:CyberWatch@uscg.mil).

**US Coast Guard Credential Update-** The US Coast Guard National Maritime Center announced new guidance for merchant marine credentials, medical certificates, STCW certificates and Regional Exam Center re-openings. MMC National Endorsement credentials with an expiration date between March 1 and December 31, 2020 are extended to the **earlier** of June 30, 2021, or one year after the initial expiration date of the credential. STCW endorsements are also extended under the same parameters. Medical certificates are being processed by NMC within normal time frames. The original guidance for medical certificates remains: Medical certificates with a national expiration date between March 1 and September 30, 2020 are extended until December 31, 2020. This also applies to STCW medical certificates. The Coast Guard stressed that anyone with disqualifying medical conditions do not sail. RECs are open by appointment only for limited testing purposes, with the exception of Guam.

NMC urges mariners to renew as early as possible and to submit their renewal application in a complete form as a .pdf format. They are anticipating a possible back log near the end of the extension provisions if mariners delay renewing in a timely manner. It is important to note that by regulation, the Coast Guard may not extend any expiration date of a merchant mariner credential beyond one year. The full bulletin may be read by following this link: [NMC MSIB Credentials](#)

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**US Coast Guard ATON Survey-** The US Coast Guard is seeking input from mariners to improve Aids to Navigation (ATON) in shallow draft waterways. This is not a rule making and will not determine which aids to keep or remove. It will give the Coast Guard much needed user information to help shape policy for the future. Additional studies are planned for the Intracoastal Waterways and deep water systems. The current survey for shallow draft waterways closes on November 1, 2020. It is a short online survey. If you have not responded, you may do so at this link: <https://www.surveymonkey.com/r/ShallowWaterWAMS>



**C-PORT Risk Training Saves Lives by Chris Day, TowBoatU.S. Lake Allatoona-** We have worked 6 bilge gas spills this year. If we would not have been proactive with sharing some of the knowledge we gained from the "Fuel and Fire-Risk Management Best Practices" class with our local FD, a couple of the spills could have been deadly. After the first incident we sent our entire crew including mates through the class.

One of the mates is my daughter who sells memberships at gas docks. A week after taking the class she was talking with members at a gas dock and noticed a strong smell of gas. The vessel owner was filling the water tank with gas and had already put 95 gallons into the 50 gallon water tank. The boat started bilging. The owner and Dock personnel immediately opened the engine compartment and started to unhook the battery. My daughter stopped both of them, evacuated the dock and contacted one of our Captains that was close by, then called 911. When our captain arrived she had the boat dock cleared and only one line on the boat ready for it to be taken off the fuel dock. The Captain threw a grapple onto the bow and took it outside of the break wall. Our

LEL reading was showing 65%. After the whole situation was over she came over to me crying and said, "If I wouldn't of taken that class I would be dead". Talk about a fathers heart sinking.

I will also add that inland rural areas like ours may want to double take the Fuel and Fire module then go to your fire department to see what their response to a fire or gas spill is (if any). When we went to our fire departments the first question we asked was, "What do you do in case of a gas spill inside of a boat?" Every one of their answers was unhook the batteries and call you. My daughter would have not known that was the wrong thing to do. She would have stood by and watched the owner and dock personnel unhook the batteries causing an explosion.

These courses are not intended to be a waste of time. They are intended to save lives and that is what this course did!



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**OPA '90 Vessel Pollution Liability-** The OPA 90 (Oil Pollution Act of 1990) passed into law shortly after the Exxon Valdez oil spill in 1989. A responsible party under OPA is the vessel at fault for discharging oil or which has created a significant threat of oil discharge. Oil Pollution Cleanup Coverage is additional coverage that can help cover vessel owner responsibilities under OPA 90 for discharge or potential discharge of oil from spills, grounding, or sinking.

A Vessel Pollution Liability policy would provide coverage including, but not limited to, the following if found liable under the law:

- OPA 90: Removal costs and cleanup expenses paid by you and for which you are designated liable for. Including, but not limited to, a discharge of oil, or to avoid the substantial threat of discharge of oil, into or upon the navigable waters or adjoining shorelines of the United States. This coverage also includes removal costs and expenses paid by you and for which you are liable under the law or state or territory of the United States but only to the extent that such costs and expenses can be recovered.
- CERCLA – Comprehensive Environmental Response, Compensation, and Liability – Costs and expenses you paid for which you were liable specifically for removal, response, or remedial action.
- Stand By – Will pay for standby firefighting or salvage efforts for a covered vessel, but only to the extent necessary to stop the discharge or release, or to prevent the substantial threat of a discharge or release which would be covered.
- Defense Costs - Fines and Penalties - Third-Party Bodily Injury excluding Captain/Crew which should be covered by the Jones Act under vessel P&I policy - Third-Party Property Damage - Third-Party Loss of Revenue

Starkweather & Shepley offers a companion OPA 90 Vessel Pollution Policy for C-PORT Insureds. Please contact our office if you are interested in obtaining a quote. Remember, 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.

*Linda J. Wagner,*

Assistant Vice President - Marine Program Manager, Starkweather & Shepley Insurance

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(C-PORT printed this article in the last newsletter. While some things have changed, the status of the Covid-19 is current. This article is a good reference tool for business owners navigating the pandemic. Follow the links provided for any updated information.)

***CDC and OSHA provide Covid-19 Guidance for Businesses and Employers on their websites.*** While the marine assistance industry is not specifically named, there is informative guidance to be gleaned from the other maritime industries and professions specifically listed. Going to this CDC webpage and following the various links will also lead you to OSHA guidance documents and information.

It is recommended that all businesses and employers implement and update as necessary a plan that is specific to your workplace, identifies job tasks and areas with potential Covid-19 exposure, and measures to eliminate or reduce the risk of exposure, and sharing the information with crew.

Having a healthy work environment is important in preventing and reducing employee transmissions. Some suggestions include:

- Actively encourage sick employees to stay home. This includes employee who may be well but have a sick family member at home.
- Consider conducting daily in-person or virtual health checks. This link has a Q & A section to help employers understand what steps to take if they suspect or have confirmed Covid-19 cases in the workplace: [CDC Business FAQ](#)
- Identify where and how workers might be exposed to COVID-19 at work.
- Take action if an employee is suspected or confirmed to have COVID-19 infection. Follow the CDC cleaning and disinfection recommendations. This includes using products that meet the EPA criteria for use against coronavirus. That list is extensive and includes many household cleaners. The list may be found here: [EPA Disinfectants](#)

Educate employees about steps they can take to protect themselves at work and at home. Guidance includes:

- Wash their hands often with soap and water for at least 20 seconds or to use hand sanitizer with at least 60% alcohol if soap and water are not available.
- Cover their mouth and nose with a tissue when you cough or sneeze, or use the inside of their elbow. Throw used tissues into no-touch trash cans and immediately wash hands or use hand sanitizer containing at least 60% alcohol.
- Practice routine cleaning and disinfection of frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, and doorknobs. This translates to the vessel and all touch points in the wheelhouse and structure. Clean and disinfect them before and after use.
- Practice social distancing by avoiding large gatherings and maintaining distance (at least 6 feet) from others when possible.

More detailed information is available at the CDC website: [CDC Businesses and Employers](#)

OSHA also has a guidance document to help businesses and employers maintain a healthy workplace during this pandemic. The document may be viewed here: [OSHA Guidance on Preparing Workplaces for Covid-19](#). OSHA echoes the CDC advice in workplace preparedness. This includes developing a preparedness and response plan. Stay aware of state and local health notices. The plan should address the level of risk by considering:

- Where, how, and to what sources of SARS-CoV-2 might workers be exposed
- Non-occupational risk factors at home and in community settings.
- Workers' individual risk factors (e.g., older age; presence of chronic medical conditions, including immunocompromising conditions; pregnancy).
- Controls necessary to address those risks.
- OSHA also recommends employers to implement basic prevention measures which include:  
Promote frequent and thorough hand washing and/or provide alcohol-based hand rubs containing at least 60% alcohol.
- Encourage workers to stay home if they are sick.
- Encourage respiratory etiquette, including covering coughs and sneezes.
- Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces, equipment, and other elements of the work environment.

The suggested guidance in this article are not inclusive. Company owners and operators are urged to follow the links provided to benefit from the full guidance provided by these agencies. Taking the necessary precautions to safeguard your place of business, including your vessels, trailers, and vehicles, and your crews are part of maintaining a healthy workplace.



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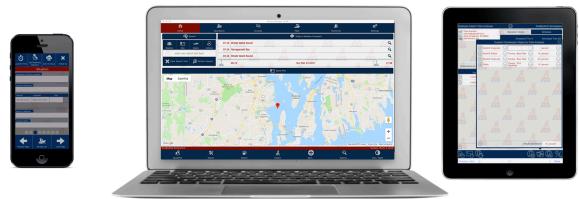
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**Risk Management Training Courses** are available on the C-PORT website, [www.cport.us](http://www.cport.us). The program centers on these concepts:

- 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](mailto: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, [www.cport.us](http://www.cport.us) or contact Tina Cardone at [tcardone@cport.us](mailto: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](http://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 [www.cport.us](http://www.cport.us) or contact Tina Cardone at [tcardone@cport.us](mailto: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](mailto:tcardone@cport.us) or 954-261-2012 if you have an interest in hosting a class.




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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 [www.cport.us](http://www.cport.us).

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