

# **TOWING SAFETY ADVISORY COMMITTEE**

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

Minutes of Meeting held

Wednesday, September 10, 2003

U.S. Coast Guard Headquarters

Washington, D.C.

*[These minutes and other TSAC information are available on the Internet at*

*<http://www.uscg.mil/hq/g-m/advisory/index.htm>]*

## **ATTENDEES**

### **Coast Guard Staff:**

(Previous day) RADM Thomas Gilmour; Assistant Commandant for Marine Safety, Security & Environmental Protection; (G-M); TSAC Sponsor  
(Previous day) CAPT David Scott; Chief, Office of Operating and Environmental Standards (G-MPS-1 / G-MSO); TSAC Executive Director  
Mr. Gerald Miantie; (G-MSO-1); TSAC Assistant Executive Director  
(Previous day) RADM Larry Hereth; Director, Office of Port Security (G-MP)  
(Previous day) CAPT Michael Rand; Chief, Vessel & Facility Security Division (G-MPS-1)  
CDR Brian Peter; Chief, Maritime Personnel Qualifications Div(G-MSO-1);Exec. Dir MERPAC  
LTC Daniel Encinas; Army Corps of Engineers Liaison; Office of Port Security (G-MPS)  
LCDR Luke Harden; (G-MSO-1)  
LCDR Darnell Baldinelli; (G-MPS-1)  
LCDR Rich Teubner; Port and Cargo Security Division (G-MPS-2)  
LT Sam Stevens; Human Element & Ship Design Division (G-MSE-3)  
LT Michael McKean; Hazardous Materials Division (G-MSO-3)  
LT (j.g.) Brandy Parker; Chief, Port Operations; MSU Baton Rouge, LA  
Mr. Randy Eberly; Lifesaving and Fire Safety Division; (G-MSE-4)  
Mr. Scott Kuhanek; Domestic Compliance Division; (G-MOC-2)  
Mr. Jim Law; Compliance Analysis Division (G-MOA-2)  
Mr. Jim Magill; Vessel & Facility Operating Stds. Div. (G-MSO-2); Asst. Exec. Dir. NOSAC

### **Committee Members:**

Mr. Jeff Parker; Vessel Operations Manager, Allied Transportation Company; Chairman  
Mr. Rex Woodward; President, Premier Marine, Inc.; Vice-Chairman  
Ms. Cathy S. Hammond; President, Inland Marine Service  
Mr. James G. Daley; Operations Manager (Contracts); Crowley Marine Services  
Ms. Jennifer A. Carpenter; Senior Vice President; American Waterways Operators  
Mr. Gerard Maurice; President; Sunset Marine, LLC  
Ms. Laurie Frost Wilson; LFW, Attorney-at-Law  
Mr. Steve Zeringue; Vetting Specialist; Seariver Maritime  
Ms. Diane Goncalves; Government Relations Rep.; Transportation Institute  
Ms. Marina Secchitano; Regional Director; Inlandboatman's Union  
Mr. Jeff Zimmermann; General Superintendent, Marine Vessels; J. Ray McDermott, Inc.  
Mr. Michael Kidby & Mr. Mark Pointon; U.S. Army Corps of Engineers; Observer  
Ms. Allison Ross; Maryland Association of Pilots; NAVSAC Chair & Liaison  
Mr. William Engfer; Director, Recreation Enforcement/Edu., Wisconsin DNR; NBSAC Liaison

## **Introduction and Welcome**

The Coast Guard held a public meeting of the Towing Safety Advisory Committee (TSAC) at Coast Guard Headquarters on Wednesday, September 10, 2003 (***Enclosure 1***). This session followed meetings of TSAC's Working Groups on Towing Vessel Regulatory Review, Increasing Maritime Security, Commercial/Recreational Boating Interface, and Crew Endurance Management held on the previous day, Tuesday, Sept. 9, 2003 (***Enclosure 2***).

TSAC Chairman, Mr. Jeff Parker called the meeting to order at 0815 welcoming everyone to back to Washington. He also welcomed CAPT Scott (in absentia- as he is attending to Port Security matters) as the Committee's new Executive Director. He thanked the Committee and members of the public for their progress in the previous day's working group meetings that were held in plenary, rather than in individual groups, due to the relatively small number of total attendees. The Committee will be hearing reports from all Working Group Chairs. Mr. Parker announced that the biggest challenge facing the industry today is ramping-up to comply with the new Security Regulations and that TSAC is standing-by to assist the Coast Guard in implementing this important initiative. The Committee will decide on final disposition on an old Task Statement regarding Remote Anchor Releases for Barges and hear a progress report on the Crew Endurance Management System (CEMS). At this point, all Committee Members and attendees introduced themselves.

## **Executive Director's Remarks**

Mr. Mianta read CAPT Scott's intended opening statement. The CAPT had spoken in length on the previous day.

## **Presentations**

LCDR Luke Harden gave a report on the Final Rule for Licensing and Manning for Officers of Towing Vessels. The rule was published in June 2003 and becomes effective September 15, 2003; i.e., any changes made to the Interim Rule and some items taken from NVIC 4-01, and appearing in this Final Rule, become effective on September 15.

This sequence of rulemakings that began in 1994, stem from several marine accidents, most notably the Bayou Canot incident. This Final Rule considered comments from many sources including those received outside the comment period. These comments can be considered if they point out substantive issues that the Coast Guard or other commenters failed to address.

The Final Rule made changes in only four areas: (1) License stipulations (basic parameters): Licenses can be used on international voyages and on sea-going towing vessels of NMT 300 GRT. Officers still must meet STCW requirements when operating sea-going towing vessels. (The limit of 300 GRT was chosen as the point that vessels come under inspection regulations.) (2) Operating Requirements in the Lower Mississippi River: Western Rivers requirements are unique because of their unique characteristics, but the LMR area receives a great deal of Near-Coastal & Coastwise traffic. For officers occasionally entering the LMR, a WR endorsement is NOT necessary; the officer need only show evidence of familiarization trips. (3) Streamlining the Towing Vessel Licenses: The Coast Guard combined Master of Towing Vessels- Harbor Assist, with Master of Towing Vessels- Limited and training requirements have been reduced to 36 months. We also removed the requirement for Mate of Towing Vessels license. (4) Grandfathering Second Class OUTV process: For those who began service before May 21, 2001,

to continue toward obtaining a Mate of Towing Vessels license and must be obtained by November 21, 2003.

Ms. Carpenter complimented LCDR Harden on his responsiveness during the rulemaking process. She asked if the CG planned to revise NVIC 4-01 to reflect these Final Rule changes and to incorporate the Assessment Criteria approved by TSAC last year. He responded that, yes, the NVIC revision was waiting for the rulemaking process to become complete.

Mr. Parker asked that if one possessed a Towing Vessel (Oceans) License, could he/she sail anywhere in the world on a towing vessel. LCDR Harden responded in affirmative, IF the officer had met STCW requirements. Mr. Parker asked just what this means. The LCDR responded that, along with a Master of Towing Vessels license, one would need to possess an STCW certificate as Master- as well as Officer in Charge of a Navigation Watch (OINCNW); this is outlined in the particular section of the STCW Regulations and Code, Chapter II. Ms. Carpenter noted one important exception: an agreement between the U.S. and Canada recognizes each other's domestic licenses, as long as the officer undergoes Basic Safety Training (BST). This allows, for instance, a west coast voyage from CONUS to Alaska through Canadian waters. Mr. Parker asked if one were to sail to Haiti, what license would he need? The response was: the STCW training equivalent to Master 500 GRT...but, as Ms. Carpenter pointed out, the FR change allowing a Towing Vessel license on foreign voyages was originally decided upon to facilitate the U.S./Canada agreement; the additional requirement for STCW compliance was always present for towing vessel licenses.

CDR Peter then discussed NMC Policy regarding STCW requirements for OINCNW and Master on vessels 3000 GT and above and mentioned a gap in policy for lower-tonnage license requirements in the 200–1600 GRT (500-3000 GT). The Merchant Marine Personnel Advisory Committee (MERPAC) is now working on a Task Statement to recommend training and assessment criteria guidelines for this range. Any recommendations would then be vetted through Headquarters and published in the Federal Register. He urged TSAC members to submit input to this process and to review the Towing Officer's Assessment Record criteria for compliance with STCW, which could be presented as equivalent to STCW requirements. Mr. Parker asked what is necessary for a foreign-going Master, under 1600 GRT (3000 GT), other than the core BST/Bridge Resource Management (BRM). The CDR responded that he is unaware of any additional requirements for Master, but there ARE for OINCNW. Ms. Secchitano asked why MERPAC is working on these criteria and not TSAC. Mr. Parker answered that TSAC DID develop the TOAR for UTVs, but development of criteria for *inspected* vessels is under the purview of MERPAC. CDR Peter further explained that meeting STCW is the responsibility of the mariner, the company, and the combination of both. He invited the Committee to remain engaged in assisting in the development of these criteria. Ms. Carpenter offered that not only is AWO following this initiative, but TSAC, later in the morning under New Business, will discuss its role in the impact of STCW on the Towing Industry. She pointed out the now-complete Licensing Rulemaking Process is evidence of the valuable contribution that TSAC can make on these issues.

Mr. Eberly made a short presentation on the Fire Suppression and Voyage Planning for Towing Vessels Rulemaking. The CG issued an Interim Rule (IR) on April 29, 2003 that was a complete re-write of all changes and additions, and comprises the complete rule. The project began with an NPRM in October 1997 on Fire Suppression and Protection measures. Most of industry agreed on the Protection Measures, but Suppression Measures remained unresolved. The project was split: an IR was published in October 1999 on the Protection Measures (General Alarms, Internal Communications Systems, Fire Detection Systems for Engine Rooms, Remote Fuel

Shut-off Valves, and monthly drills.) This Final Rule was issued on August 28, 2000. The Suppression SNPRM was published on November 8, 2000 proposing Fixed Fire Suppression and Voyage Planning on all vessels. In response to public meetings and to comments from all sources, including TSAC, an IR was published April 29, 2003, agreeing with most comments, especially from TSAC, and requiring fixed fire suppression systems only on NEW ocean-going vessels. Inland vessels will be protected by a fire pump and manual fire extinguishing equipment. Inland vessel equipment will be required by April 29, 2005, and the fixed equipment requirements went into effect August 27, 2003. The IR comment period closed at the end of July this year- eight or nine letters have been received. Some fine-tuning of the rule's wording is expected, but no major changes are anticipated. The FR is expected to be published by the end of this year. He mentioned that Voyage Planning is required of Ocean-going vessels only. Perhaps a NVIC may be developed as guidance for other vessels. Ms. Carpenter again pointed out that effort is another good example of the effect that TSAC can have on the regulatory development process, and thanked Mr. Eberly for the Coast Guard's responsiveness to its concerns.

Mr. Kuhneck spoke on a variety of Compliance Issues. (1) SOLAS II-2.2.2 regarding fuel piping: High pressure, external fuel delivery lines must be jacketed. All existing vessels' compliance date was July 1, 2003. This also applies to towing vessels, over 500 GT, engaged on an international voyage. If not in compliance, a vessel is subject to detainment in a foreign port by Port State Control authorities. (2) A recent Federal Register Notice pertaining to MARPOL Annex 4 (sewage equivalency): Notice of Policy pertains to new vessels, built after September 27, 2003 and to existing vessels on September 27, 2008. He pointed out that the threshold for MARPOL applicability is 400 GT. Since the U.S. is not signatory to MARPOL Annex 4, vessels will receive a Coast Guard certificate stating that existing MSDs under our regulations ( 33 CFR 159) are equivalent to its requirements.

(3) NVICs 11-93 & 02-03: Change 2 to NVIC 11-93 was accomplished in 1995 with Change 3 in progress addressing ISM and ISPS. When complete, it will be up-to-date for towing vessel companies in determining which conventions and tonnage measurement schemes apply to its vessels. ISM and ISPS use the ITC tonnage scheme. Depending on the age of a vessel, other conventions allow use of the domestic GRT system. A Federal Register notice of policy regarding carriage of navigational equipment for ships on international voyages and the culmination was NVIC 02-03 was published August 15, 2002. LCDR Rocco may be reached for questions at the same phone number published in the notice. Regulation is not yet developed for this issue, and the NVIC continues to provide guidance. Vessels of over 150 GT on international voyages are required to carry certain equipment. Even though the applicability of SOLAS begins at 500 GT, this particular item carries a 150 GT or greater threshold. Mr. Kuhneck urged all vessel operators to become familiar with this NVIC until regulations are published, which should mirror items in the NVIC. Good marine practice should ensure that most towing vessels are already in compliance, but care should be taken whenever individual vessel or fleet upgrades are made.

(4) How ISPS pertains to towing vessels: Operators of Uninspected towing vessels over 500 GT, engaged on international voyages should contact the local OCMI to request an application for an ISPS certificate. Within 30 days, of submission of the written application, an inspection will be made and, if in compliance, the certificate will be issued.

Mr. Law, an Operational Research Analyst, presented some capabilities of the Maritime Information for Law Enforcement (MISLE), continuing a dialogue he began with TSAC several meetings ago. He began his career as a Coast Guard inspector and is familiar with all the data

elements the system captures. Congress and the President require the Coast Guard to maintain certain data banks. The main occasions for data input to the system is from the industry when certain events occur, such as a marine casualty, crew or passenger injury, and an environmental pollution incident. If a casualty occurs with barges, the operator must submit form 2692 and, depending on other circumstances, forms 2692 A /B.

Information is not used to fix liability, but in an attempt to prevent future occurrences. Data is also collected during “transactional” situations when inspectors board towing vessels or barges for inspections, and when documentation is issued. MISLE replaces the old MSIS (Marine Safety Information System) and uses a relational database (table-oriented) design with increased capabilities that is not memory limited. The former transactional MSIS would be captured quarterly into an analysis copy (MSMS), so the analysis system was never “up-to-date,” nor did it contain such items as tonnage moved or locks passed. Now, included with inspection and boarding information are data regarding response and planning. Also, information from the Marine Safety side of the Coast Guard is in the same system as the Operational side. Currently, within MISLE is an analysis system called MISLE Analysis and Reporting System (MARS) that can be queried for information that is no older than one week. Mr. Law offered his services to TSAC because the Committee, in its deliberations, is actually doing work for the Coast Guard and is entitled to this information. Individual companies, however, must request any information through the Freedom of Information Act (FOIA), and a response may take up to three months. Ms. Wilson requested a list of data definition tables. Mr. Law responded that these tables (750) are not currently available in printed form and would attempt to provide Mr. Miente with a copy. Ms. Secchitano asked if with the current system the Coast Guard could determine if fatigue played any part in a marine incident. He answered that, although some information is available, we could do a better job of analyzing fatigue which then becomes a matter of interpretation at the field level. She suggested an example of direct questions that could be asked during an investigation (how many hours have you been on duty). Mr. Miente asked how usually empty fields can be required to be filled-in. Mr. Law responded that some fields are made mandatory, others are not; and most of the time, it’s up to the investigator whether to enter the proper, or any, data into a field. LT Parker offered the facts that field personnel are now being better trained and that G-MOA is in the process of reviewing each case and sending them back to the units for additional data.

LCDR Darnell Baldinelli, POC for the 33 CFR part 104 Security Regulations, briefed the Committee on the project and the regulations’ implementation. The Temporary Interim Rule for parts 101-106 and the AIS rulemaking was published in July and a public meeting was held. There were 450 public comments, containing over 5000 individual comments. These were analyzed, and incorporated into a Draft Final Rule that was subsequently routed through Headquarters for internal comment and suggestions. The Commandant has reviewed this draft and it is now circulating through the Departments of Homeland Security (DHS) and Transportation (DOT), and the Office of Management & Budget (OMB). Our goal is to publish the FR on the 25<sup>th</sup> of October. Ms. Wilson asked if the Coast Guard is ready to review vessel security plans the day after the FR is published. The answer was that we are prepared to accept them. The Coast Guard is in the process of obtaining a contractor to review Vessel and Facility Security Plans (VSP, FSP); the Marine Safety Center (MSC) will oversee the contract. Facility plans will be submitted to the Captain of the Port (COTP); after an initial review, plans will be forwarded to the contractor. G-MPS will provide Quality Control for these plans. After contractor review, the plans will be returned to the COTP with a letter of recommendation. The COTP will either approve the plans or return them to the facility for revision or disapproval. Ms. Wilson asked if there are going to be multiple contractors or only one. The LCDR answered that

there would be an over-arching contractor with two geographic Regional Offices (yet to be determined) to provide oversight, and multiple sub-regional offices for plan review. Mr. Woodward asked for clarification of the process. LCDR Baldinelli re-examined the process in more detail. The COTP will preliminarily review the FSP for the presence of all required elements and forward the plan to the contractor sub-regional office. This office will forward their initial review to the Regional Office for a Quality Check with oversight by the Coast Guard. From here the plan will be returned to the COTP with the contractor's recommendation. There is no estimate on the time frame for the FSP process. Mr. Woodward then asked for the VSP process. This process is supposed to be simpler than the former: The MSC website has information on the submission of VSPs. This contract concept includes one central contractor for Review/Quality Control and will be over-sighted by the MSC. The Coast Guard expects more FSPs than VSPs.

LT Parker presented background and a draft Task Statement (**Enclosure 3**) on Mariner Deaths during Nighttime Barge Operations. She was Chief Investigating Officer for MSU Baton Rouge at the time of several incidents in 2000. In a six-month time frame, each deckhand fell from a barge during a fleeting operation at night. In one case, the man was swept under the barge; in the other, he was apparently crushed between two barges. In both cases, the Investigating Officers (IOs) found that inadequate lighting was a primary causal factor. In both incidents, lighting was provided; however, shadows were cast on the work areas either by lighter & higher barges or by cargo piled high on the barge. At that time, a search of the MSIS database turned up eight similar incidents on inland rivers in the previous four years. All occurred at night, with only one mariner surviving. She presented the Committee with two handouts: Study of Similar Incidents (**Enclosure 4a**) and a Safety Advisory (**Enclosure 4b**) prepared by the IOs. LT Parker then gave the particulars of each case. Both IOs recommended that deckhands be required to carry hand-held floodlights- that illuminate a greater area than a simple flashlight- or to wear head-mounted lights with similar capabilities. She requested that TSAC look into the incidents and industry best practices, and make the proper recommendations to the Coast Guard. A study on crew fatalities was done by the Coast Guard in 1996, covering the years 1985-96 and did not concentrate on lighting. It found that crewmember deaths were evenly distributed between day & night, and barge & towboat, in all types of weather. In a more recent data search, they found most of the crew deaths had happened at night. Mr. Maurice offered the fact that each crewman on deck should be carrying a walkie-talkie and use the wire handrail provided; he emphasized that communication between pilot and crew is essential. LT Parker replied that in both instances there was another seaman near the victim or the pilot actually saw the man fall overboard, but help could still not arrive in time to save them. Mr. Parker brought the Committee's attention to the Draft Task Statement; LT Parker asked for study and recommendations by TSAC. Ms. Carpenter offered all available data from the AWO. She alluded to the fact that more incidents of this nature were prevalent in non-AWO companies. Discussion included comments on re-wording suggestions from Ms. Carpenter, Secchitano, and Wilson. Mr. Parker warned that expanding a task might not yield the results that LT Parker is seeking. Ms. Carpenter suggested beginning by looking at available general data on barge/crewmember fatalities and determining concentration by location and time of day. Ms. Carpenter made a motion to provisionally accept the task and circulate a re-written statement to the Committee for acceptance within two weeks. Tentatively, CG contacts will be from G-MOA-2 & G\_MSE-1; TSAC reps will be Mr. Maurice and Mr. Zeringue. Ms. Carpenter volunteered AWO resources in the person of Doug Scheffler, Manager for Research and Data Analysis. The task was unanimously accepted.

## Existing Business

Mr. Parker called for a motion- made and seconded- to accept the minutes of TSAC's spring 2003 meeting in New Orleans. There was no discussion, and the minutes were unanimously accepted.

Ms. Wilson reported on the Maritime Security Working Group for Mr. DeSimone who could not attend. The group was given an update and discussed the Security Regulation Temporary Final Rule published on July 1, 2003. It concluded that time had passed on additional comments on the rulemaking itself, but that it should focus its input toward the implementation phase of all the plans- especially the VSPs, including the plan review process. Ms. Wilson met with Captain Rand, and with Captain Reed, who is heading the Security Plan procedures. One of the prime factors in implementation, for which TSAC suggestions would be welcomed, is consistency. Another is the inspection and verification criteria for review of VSPs, and a third is the national plan review process, including the review and approval time frame. (If plans are submitted, but should not be reviewed by July 1, 2004, a letter will be issued to allow a company to continue to operate.) Another issue is with respect to SOLAS vessels: the Coast Guard, at first, would not accept an industry-offered alternate plan. Ms. Wilson reminded them that industry alternatives such as OMSA & AWO actually relieved the Coast Guard from the burden of the plan review process. The Captains will now consider accepting industry alternatives after study and additional input from the Committee. Finally, TSAC was asked to consider any other relevant implementation issues and give recommendations. Ms. Wilson moved that the issue of implementation assistance to the Coast Guard be made an additional task for the Increasing Maritime Security Working Group with a one-month turn-around time for meaningful input, and seconded by Ms. Carpenter. Suggestions were made that a WG/TSAC combined meeting be held via conference call after first having distributed items and questions for deliberation. Mr. Woodward expressed the concern that the process does not address the time a company might have to fix any parts of an FSP or VSP that are otherwise submitted in a timely manner. The motion carried unanimously.

Ms. Carpenter presented the issue of Draft Task Statement 03-03 (***Enclosure 5***), the addition of Ammonium Nitrate to the list of Certain Dangerous Cargos (CDC). She provided a short background and synopsis of the tasks, and asked for a motion that TSAC provisionally accept the statement, while she and Mr. Mianta revise the statement. She announced that she and Mr. Woodward would co-chair the working group, with participation by Mr. Maurice. Since the Coast Guard needs a rather timely input, Ms. Carpenter believed that all work could be accomplished by e-mail. The motion was made, seconded and passed unanimously.

In the absence of Mr. Muñoz, Ms. Carpenter addressed issues of the Regulatory Review Working Group. Two things were supposed to happen inter-sessionally: the group was supposed to have met at least once and provide an updated report to the Committee today; and to revise the proposed Task Statement 03-01 Petition for Rulemaking regarding the issue of travel or "deadhead" time (***Enclosure 6***) it received at the spring meeting in New Orleans. At that time, the Committee decided to take a broader look at the range of current industry practice and the range of possible approaches to the issue, including, but not limited to the regulation that applies to Railroad Employees. The group was to present a revised statement for Committee consideration at this meeting. Ms. Wilson then read proposed revised language. Ms. Secchitano expressed the concern that the term "officers" in the statement is too narrow, and should be

broadened to all mariners, such as Tankermen, who are engaged in the safe operation of a vessel. Mr. Maurice supported Ms. Secchitano's view and reported that in the Gulf, a Tankerman is driven to the job to preclude fatigue when beginning work on a barge. One possible solution might be to make it a company requirement that a "crewmember" be driven to a job. Ms. Secchitano wanted to make sure that shore-side Tankermen be included in the study. Mr. Woodward informed the Committee that in his area, Tankermen are supplied a barge by a shore-side Tankering firm. Ms. Secchitano maintained that all persons working on a tug/barge whether permanent crew or temporary help who are charged with the safe operation of a 'vessel' be included in the study and be a party to any recommendations. The Committee decided to begin with the tasks for towing vessel crew members and consider expanding it to shore-side Tankermen, along with representatives of the firms that employ them. Ms. Secchitano persisted in making the point that even those Tankermen not part of the permanent crew are still certificated by the Coast Guard and should be considered part of this study. Ms. Carpenter again explained that the working group should begin the process, consider crew, both licensed and unlicensed, then, bunkering firms could be brought to the table afterward. A motion was made and seconded to accept the task as amended; the motion passed unanimously.

Ms. Hammond reported on the Commercial/Recreational Boating Interface Working Group that grew from Draft Task Statement 02-02 (**Enclosure 7**) that began as a barge lighting concern. In August this year, she and Mr. Maurice conducted a very successful meeting with representatives of the National Boating Safety Advisory Council (NBSAC) and the Navigation Safety Advisory Council (NAVSAC). Discussion at the meeting included not only commercial barge lighting issues, but also touched upon mandatory education and training, as well as discussions on possible licensing, for recreational boaters. The greatest benefit of the meeting seemed to be that all representatives pledged to continue to work together to reduce commercial/recreational vessel accidents. TSAC gained "permanent" liaisons from both NBSAC and NAVSAC, and Ms. Hammond or Mr. Gerard will act as liaisons to both of those Councils. That meeting was an informational and learning opportunity for all concerned. We learned that there are Federal monies available through NBSAC for the study of accidents. While recreational boating laws and education are administered through each state, Ms. Hammond requested that the towing industry support mandatory education for recreational boaters and that TSAC stay involved in boating activities to maintain an industry presence in the recreational processes. She also requested that the National Association of State Boating Law Administrators (NASBLA) try to pool their collective information on commercial/recreational boating accidents, and that the Coast Guard compile their relative data by location, time of day, and the cause, and make the data available to TSAC/NBSAC by the end of October 2003. Ms. Wilson asked Mr. Engfer if his Council has made a recommendation for national training requirements for recreational boaters. He answered that such recommendations were made, through NASBLA, and have been taken up individually by each state. She gave the example of state and federal pilotage laws: states are free to develop their own pilotage requirements for foreign vessels, but if they choose not to, the Coast Guard may step in and impose its own requirements. Mr. Engfer answered that they have not considered such a scheme. Ms. Ross informed the Committee that NVSAC has also made many recommendations for boater licensing and her pilot association has made outreach attempts at yacht clubs and CG Auxiliary meetings. Mr. Engfer mentioned that in those states that have mandatory educations there are certain standards for subject material. Ms. Wilson suggested that the CG, either by seeking additional legislative authority or through a liaison with NASBLA, pressure the states to adopt a mandatory education and licensing system- especially in this age of maritime security. Mr. Engfer agreed that most of the states now generally agree that mandatory education is a good idea. Some have only mandatory education

for a certain age group. However, any groups of users (canoe, bass boat, etc.) are strongly opposed to mandatory education. He believes that it would be a major step forward if industry and the Coast Guard were to support mandatory education for all users and age groups in areas where there are navigable waters in the U.S. Mr. Miente and Mr. Engfer will supply the working group with accident and education information. Ms. Hammond will be attending the next NBSAC meeting in November, and will consider attending NAVSAC when scheduled. The slightly revised Task Statement was unanimously accepted by the Committee.

Mr. Woodward presented the Committee with an update of the Crew Endurance Management System (CEMS). CEMS members voted last year to accept a resolution to work with the USCG, AWO and Industry representatives. The System is still developing with many changes incorporated and its members are continually looking to secure Industry management buy-in. Its outreach continues to gain top-to-bottom acceptance. CEMS tools continue to develop, e.g., the Self-Sustaining Workshop for coaches of the system and is available from AWO and soon on the Coast Guard website, and Coach's training. LT Stevens gave a demonstration of this software. The information is still a work in progress, is for coaches only, and not currently available for public use.

Mr. Daley gave an update on the CEMS Demonstration Project. Various forms of the CEMS solutions are being tested such as watch-schedule changes, union relations. Several companies with various operating areas and schedules are participating, including a company in Puget Sound, Crowley and Penn Maritime. Coaches can be either Operation Managers, Port Captains or Vessel Masters. Ms. Carpenter suggested that the CEMS members and AWO partnership establish some metrics for the risk factors before and after implementing the system. Ms. Wilson suggested an outreach effort to spread the system to other companies in the industry. Ms. Secchitano suggested that the mariners, in addition to company officials, are included in the system development. Ms. Carpenter supported this view pointing out that the crewmember affected should have input as well as the company executive who has to make financial decisions. Also, the CG/AWO partnership involved in this project does not preclude TSAC from its deliberations and outreach efforts. However, at the New Orleans meeting, the Committee voted to defer development to the CG/AWO partnership work and continue to monitor the process and add its input. If effect, the TSAC WG is inactive in actual development work, but three Committee members (Mr. Woodward, Mr. Daley, and Ms. Carpenter) are active in the partnership, and the Committee will continue to receive updates on its progress. Ms. Wilson suggested that to encourage more companies to join CEMS, TSAC should have some role in passing on basic information and lessons learned from these demonstration projects so that those newly entering the system would not have to begin at square one. CEMS has a newsletter on the Crew Endurance website at <http://www.uscg.mil/hq/g-m/cems/CrewEndurance.index.htm>.

Ms. Wilson presented an update on the dormant Task Statement 99-01a (***Enclosure 8***) Remote Anchor Release issue that was recently brought to light by inquiries from the National Transportation Safety Board (NTSB). TSAC should author a statement to the Board indicating that the Committee is not considering the issue because, by the time studies and recommendations could be made, the single-hulled barges to which this type of system would be applicable would be phased-out of service in favor of double-hulled units. She would write a draft response and present it to the Committee for acceptance at the next meeting. Ms. Carpenter suggested that she address task #2 by way of NTSB education.

## **New Business**

Ms. Carpenter introduced the issue of creating a new working group to address some of the STCW licenses for the towing industry. She believes that it could build on the success of the previous Licensing Implementation Working Group and bring all interested parties to the table to discuss the additional training requirements imposed by STCW. She mentioned that when a candidate completes certain elements of the Towing Officer's Assessment Record (TOAR) they might be duplicative of similar STCW elements and that a candidate should not have to perform a repeat assessment. An NMC policy letter has been issued to also address this item. Realizing the burden STCW places on mariners entering the system, another issue is how can the industry organize and deliver the training in a manner in which the working mariner can accomplish it. A suggested result is not a single rigid program of instruction, but to approach training institutions to develop a system of individual courses available in such a manner that is flexible. She put the question on the table about opening a working group to work with the Coast Guard in addressing this important issue. Mr. Woodward offered his opinion that anytime the Committee is in a position to help the mariners it would be well worth the time spent. Ms. Secchitano offered that the cost of entering the industry keeps rising and has a definite bearing on the current mariner shortage. Additionally, to help mariners working and rising within the system, we need a method for entry-level mariners (ordinary seaman) to gain the experience necessary for advancement to able seaman. Ms Carpenter suggested that a draft Task Statement be drawn up for Committee approval at the next meeting. She and Ms. Goncalves will work on the issue.

## **Public Comment**

Mr. Block spoke concerning the Gulf Coast Mariners Association (GCMA) as the voice of the lower-level mariner and their issues of primary concern- outlined in many published reports available on the Association website at [www.gulfcoastmariners.org](http://www.gulfcoastmariners.org). These include R-276 regarding the Inspection of Towing Vessels, an issue being discussed at TSAC's Regulatory Review Working Group. Another is R-350, a report to Congress that contains 16 long-term issues that the Coast Guard could not handle. R-375 pertains to unlicensed crewmembers, the specifics of their work and their working hours, and the Association's concern on the so-called "call-watch" system. R-340 deals with oversized and overloaded tows and the damage they can cause when they allide with bridges and other structures. He thanked the Committee for its work on travel and "Deadhead" time. He mentioned that he is encouraged to see representation from NAVSAC and the Army Corps of Engineers on TSAC. He also voiced his support for the Committee's investigation into commercial & recreational boating accidents and for its consideration of national licensing for recreational boaters. He commended LCDR Harden for his preparation of the preamble for the Final Rule on Licensing and Manning for Officers of Towing Vessels, and for his attention to detail that makes it a very useful document to the mariner.

Mr. Miente gave a brief update on TSAC membership appointment slate.

Ms. Carpenter gave a summary of the Committee's Action Items (***Enclosure 9***).

The next meeting is scheduled for March 16-17, 2004 at USCG Headquarters.

(signed)

\_\_\_\_\_  
Captain David Scott  
Executive Director

(signed)

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Mr. Jeff Parker  
Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

- Encl: (1) Agenda, 3/19/03, Public Meeting  
(2) Agenda, 3/18/03, Working Group Meetings  
(3) Task Statement 03-02: Mariner Deaths during Nighttime Operations (Final)  
(4 a) Study of Similar Incidents  
(4 b) Safety Advisory  
(5) Task Statement 03-03: Addition of Ammonium Nitrate to CDC List  
(6) Task Statement 03-01: Regulatory Review Regarding the Issue of Travel or  
"Deadhead" Time  
(7) Task Statement 02-02: Commercial/Recreational Boating Interface  
(8) Task Statement 99-01a: Remotely Operated Anchor Release Systems  
(9) Action Items, 9/10/03