Minutes of the Chemical Transportation Advisory Committee Meeting March 4, 2004

A meeting of the Chemical Transportation Advisory Committee (CTAC) was held on Thursday, March 4, 2004, at U.S. Coast Guard Headquarters, 2100 2nd Street, SW, Washington, DC. This meeting was announced in the Federal Register, volume 69, number 27, on Tuesday, February 10, 2004.

1. CALL TO ORDER

Mr. James Prazak, of The Dow Chemical Company, and Vice Chair of CTAC, called the meeting to order at 9:00 a.m. Mr. Prazak presided in the absence of CTAC's Chair, Mr. Paul Book, of American Commercial Barge Line, LLC.

2. ADMINISTRATIVE REMARKS AND INTRODUCTIONS

CDR Bob Hennessy, Chief of the Coast Guard's Hazardous Materials Standards Division and CTAC's Executive Director, covered some brief administrative remarks concerning building protocol and the structure of the meeting. CDR Hennessy then asked all Committee members and attendees to introduce themselves and give their affiliations. Enclosure (1) contains a list of all attendees.

3. OPENING REMARKS

RADM Thomas Gilmour, Assistant Commandant for Marine Safety, Security and Environmental Protection, began by emphasizing the importance of Federal Advisory Committee's, like CTAC, and explained that they are vital to the Coast Guard. He spoke briefly about the Maritime Transportation Security Act (MTSA) of 2002 regulations and the Coast Guard's MTSA Helpdesk and he expressed his sincere appreciation to CTAC for all of the hard work that they have done for the Coast Guard in the security arena since 9/11.

RADM Gilmour explained that although we have placed a heavy emphasis on security, it is important that we continue to address safety issues. He explained that the Coast Guard would become more aware and efficient as inspectors by addressing safety and security issues during inspections, particularly since security vulnerabilities and safety concerns are often related. He added that in the wake of an event, we are becoming better able to quickly determine whether it was the result of an accident or linked to terrorism.

RADM Gilmour closed his remarks by encouraging all of those associated with CTAC to continue their efforts to improve both safety and security in the maritime environment and then opened the floor to questions. Mr. Paul Lambert, of ECM Maritime Services, LLC, thanked RADM Gilmour on behalf of industry for taking the time while developing the MTSA regulations to engage and involve industry. Ms. Alice Johnson, of PPG Industries, Inc., echoed Mr. Lambert's comment.

4. CHAIRMAN'S REMARKS

Mr. Prazak began by reading remarks that were prepared by Mr. Book. Through his written remarks, Mr. Book spoke highly of the outgoing CTAC members and welcomed the new members. He spoke in favor of creating a Subcommittee to address Marine Casualties and praised the Hazardous Cargo Transportation Security (HCTS) Subcommittee for their great work on Certain Dangerous Cargoes (CDC) and ammonium nitrate.

Mr. Prazak stated that we would certainly miss Mr. Book during the meeting and that he was very appreciative for all that Mr. Book has done for CTAC over the years. Mr. Prazak went on to thank the members of CTAC's HCTS Subcommittee for all of their hard work, time and effort, and encouraged new members to get involved at the subcommittee level.

5. EXECUTIVE DIRECTOR'S REMARKS

CDR Hennessy began his remarks by introducing CAPT David Scott, Chief of the Coast Guard's Office of Operating and Environmental Standards. CAPT Scott stated that he is very excited about his new position at Coast Guard Headquarters and praised his staff for making his work so enjoyable. CDR Hennessy added that he appreciates those in attendance for taking the time to participate in this meeting. He also expressed his gratitude to Mr. Prazak for acting as the interim Chair on short notice and to Ms. Johnson for leading the HCTS Subcommittee so effectively. Finally, he stated that for the record this meeting was announced in the Federal Register and is being video recorded.

6. SWEARING IN OF NEW COMMITTEE MEMBERS

CDR Hennessy led the swearing in of the following new and reappointed CTAC members: Mr. Don Gore, Mr. Chetan Chand Kumaria, Mr. Paul Lambert, Mr. James Prazak, Mr. Sam Rogers, Mr. Parminder Sandhu, and Ms. Deidre Tate. Although not in attendance, Mr. Edward Shearer was also recognized as a new member of CTAC.

7. PRESENTATION OF AWARDS

RADM Gilmour presented the Certificate of Merit to former CTAC member, Mr. Scott Bergeron. CDR Hennessy explained that the Coast Guard was prepared to recognize the following outgoing CTAC members who were unable to attend this meeting: Mr. Calvin Bancroft, Mr. James D. Fleming, Ms. Amy Husted, Mr. Vak La, and Mr. Robert Snyder. The Coast Guard was also prepared to present awards to Ms. Margaret Doyle and Ms. Heidi Goebel.

RADM Gilmour presented the Certificate of Merit to Ms. Johnson and Mr. Prazak for the leadership that they provided as Chair and Vice Chair of the HCTS Subcommittee. The Coast Guard was prepared to similarly recognize Mr. Book as a key member of the HCTS Subcommittee, but did not due to his absence.

RADM Gilmour presented the Certificate of Appreciation to the following HCTS Subcommittee members for their valuable contributions to CTAC and the Coast Guard: Capt. Don Carroll, Ms. Chrissy Shank, Ms. Lynn Cole, Mr. Ron Corigliano, Mr. Don Gore, Mr. Carl Holley, Mr. Michael Hughes, Mr. John Temperilli, Mr. Paul Lambert, Mr. Al Shultz, Mr. Edward Trotter, and Mr. John Warmus. The Coast Guard was prepared to similarly recognize the following HCTS Subcommittee members who were unable to attend this meeting: Mr. Bill Burket, Mr. Keith Gill, Mr. Richard Russell, Mr. John Salvesen, and Mr. Jim Tighe.

RADM Gilmour presented a Flag Letter to CAPT Lee Kincaid for his contributions to CTAC and the Coast Guard as a member of the HCTS Subcommittee. The Coast Guard was prepared to similarly recognize the following HCTS Subcommittee members who were unable to attend this meeting: Mr. Jack Aherne, Mr. Steve Bahn, Mr. George Clements, Ms. Margaret Doyle, Mr. William Foster, Mr. James Kastner, Ms. Leah McDowell, Ms. Tammy Moeller-Clark, Mr. Tom Pressman, Mr. Randy Speight, and the American Waterways Operators (AWO).

8. SUBCOMMITTEE AND WORKGROUP REPORTS

A. HCTS Subcommittee

Ms. Johnson began her presentation by thanking all of the Subcommittee members for their time and effort. She recognized all of the Subcommittee members as well as the Ammonium Nitrate Workgroup members. She explained that the Subcommittee has received and completed several assignments, since its inception in October 2002, that are in support of Coast Guard security initiatives.

Ms. Johnson reviewed the schedule and format of Subcommittee meetings that have been held to date. Six Subcommittee meetings, four workgroup meetings and three teleconferences were held since December 2002. She explained that a "parking lot" concept was effectively used to capture good ideas or issues that were not part of the immediate discussion, but required further attention. Homework was also assigned to expedite preparation for each meeting. She also explained that because of the nature of their work, close attention was paid to identifying those in attendance and care was taken to properly handle Sensitive Security Information (SSI).

Ms. Johnson identified many of the Subcommittee deliverables to date. These deliverables include:

- A critical review of the list of CDC's as it appeared in the Notification of Arrival into U.S. Ports Federal Register Notice.
- The assignment of a liaison to the Inland Rivers Port Security Committee.
- The development of incident notification criteria for use by the National Response Center (NRC).
- An overview of the MTSA 40 questions.
- A review of Coast Guard security Navigation and Vessel Inspection Circulars (NVIC).
- A review of fleeting areas that may be added to the Facility Interim Final Rule.
- Development of incident significant notification criteria.
- An investigation of different means/methods to track vessels.
- Identification of threat condition communications protocol and sources.
- A study of Maritime Security (MARSEC) levels and the methods by which they are communicated.
- Development of matrix identifying methods for communications.
- A critical review of draft document concerning fleeting provisions to be added to MTSA Facility regulations.
- The preparation of a matrix of training competencies for Company Security Officers (CSO), Vessel Security Officers (VSO), Ship Security Officers (SSO), and Facility Security Officers (FSO).
- Investigation of drills and exercises needed to satisfy MTSA regulations.
- Formal comments on MTSA Interim Rules that were accepted by CTAC and submitted to the USCG.
- Formed workgroup with the Towing Safety Advisory Committee to address the potential addition of ammonium nitrate and ammonium nitrate-based fertilizers that are classified as oxidizers to the CDC definition. A formal report was accepted by CTAC and submitted to the USCG.

She stated that the Subcommittee has heard several very good presentations on topics such as:

- Geo-spatial (GIS) based system for tracking activity on western rivers.
- Red Flag Barges.
- Secure Port Center of Excellence.
- AWO Model Security Plan Overview.
- American Chemical Council (ACC) Responsible Care Overview.
- Chlorine Institute.
- U.S. Army Corps of Engineers (USACOE) Risk Assessment Methodology.
- Sizable Chemical Releases in Ports (SCRIP) Process.
- Notice of Arrival.
- Intelligent Road/Rail Information Server (IRRIS) Tracking.
- D8 Prototype Maritime Homeland Security (MHS) Pamphlet.
- FBI's Texas Coastal Region Advisory System & Harris County, TX, LEPC.
- International Ship and Port Facility Security (ISPS) and International Maritime Organization (IMO) Update.
- U.S. Merchant Marine Academy Conference on Maritime Standards Update.
- Increasing and Harmonizing Maritime Security from the Security Officer to the Dock Worker.
- Hazards of Ammonium Nitrate and Ammonium Perchlorate
- Videotape on comparisons between explosive attacks on over-the-road fuel tanker trucks and bulk solid ammonium nitrate (Bureau of Alcohol, Tobacco and Firearms).

Ms. Johnson asked Mr. John Temperilli, of Garner Environmental Services, Inc., to summarize the Subcommittee's activities during the past two days. Mr. Temperilli explained that the HCTS Subcommittee received many informative and helpful presentations from USCG staff. Presentation topics included MTSA Review and Approval Process, Alternative Security Plans, Policy Advisory Council, and an Introduction to the National Maritime Security Advisory Committee (NMSAC). The question of whether the Subcommittee felt acrylonitrile and hydrogen fluoride should be added to the CDC definition was raised. Mr. Temperilli reported that the Subcommittee, in general, felt acrylonitrile should not be added to the CDC definition until other issues regarding CDC's are resolved. However, the Subcommittee did not object to the addition of hydrogen fluoride to the CDC definition. Mr. Temperilli explained that the Subcommittee has formed another workgroup to help formulate a plan for dealing with mixtures containing CDC's and to continue to develop scenarios involving the Declaration of Security (DoS) that need further clarification. The first workgroup teleconference will take place on March 16, 2004, from 9:30 am to 12:00 noon EST. The second workgroup teleconference will take place on April 7, 2004, from 9:30 am to 12:00 noon EST. Mr. Temperilli concluded by praising the Subcommittee and encouraging the members to continue their great work.

B. Outreach Workgroup

Mr. Ron Stokes, of ExxonMobil Chemical Company, began by explaining that the purpose of the CTAC Outreach Workgroup is to establish a process whereby the results of CTAC task projects are communicated, other than by regulation, to and/or for the benefit of the marine transport community and others. He stated that the workgroup met on March 3, 2004. Attendees included Mr. Stokes, Mr. Sam Rogers, of the National Cargo Bureau, Inc., and Ms. Sara Ju, of the Coast Guard's Hazardous Materials Standards Division. He noted that the workgroup met for the first time in April 2003, and he stated that the purpose of their most recent meeting was to finalize an outreach product that could be implemented by all future CTAC Subcommittees.

He explained that all CTAC Subcommittees should review the Outreach Recommendation Worksheet, which is included as Enclosure (2), as they begin their work to answer the following questions:

- Is outreach appropriate/necessary?
- If so, what will be the Subcommittee's best means of delivery?
- Who will be the Subcommittee's target audience?

He stated that this Worksheet should be completed and attached to the Subcommittee's final product that is submitted to the Coast Guard via CTAC. He asked CTAC to review his written plan for outreach and to decide if it was acceptable.

Mr. Don Gore, of Odfjell Terminals, LP, asked if there are any plans to make this type of outreach initiative retroactive so that CTAC may be able to review past work to see if outreach efforts are warranted. Mr. Stokes replied by stating that he worked on this outreach project with future activities in mind. However, he stated that he felt that this type of outreach initiative could be applied to past work if CTAC decided to go that route.

Mr. Lambert stated that CTAC has participated in outreach activities in the past. In particular, he recalled members of the Proper Cargo Name Subcommittee speaking to various different organizations. Mr. Stokes responded by acknowledging this type of work and adding that there are many different ways CTAC could perform outreach today with some of the work that has been completed by the HCTS Subcommittee. For example, CTAC could write letters to target industries and articles to bulletins or journals. Ms. Lynne Cole, of the Independent Liquid Terminals Association (ILTA), stated that ILTA has monthly newsletters and a website and they are always looking for guest authors. Mr. Stokes noted that he has attached a list of agency/organization names and addresses to the Outreach Worksheet.

9. OTHER BUSINESS

A. NFPA 472 Initiative

Ms. Amy Spencer, of the National Fire Protection Association (NFPA), began her presentation by explaining the purpose of NFPA and identifying some of the codes and standards that NFPA is responsible for creating and maintaining. She stated that NFPA 472, Professional Competence of Responders to Hazardous Materials Incidents, is a standard that does not currently address emergency response in the marine environment. She explained that a "marine competency" chapter addressing emergency response in the marine environment would easily fit in NFPA 472. Such an addition would be useful since NFPA 472 is well recognized within the emergency response community.

Ms. Spencer explained that the 2002 edition of NFPA 472 is a 66-page document containing 13 chapters that address the following issues:

- Chapters 1-3 address administrative issues.
- Chapters 4-10 address general responder competencies.
- Chapter 11 addresses tank car (rail) incidents.
- Chapter 12 addresses cargo tank (road) incidents.
- Chapter 13 addresses intermodal tanks (road/rail/boat) incidents.

She noted, however, that none of the 13 chapters specifically address marine requirements. She stated that NFPA 472 is revised in 5-year intervals. Updates to the 2002 edition included coverage of Weapons of Mass Destruction (WMD) and competencies for incidents involving radioactive materials.

Ms. Spencer explained that the idea of adding a chapter, or possibly an annex, to NFPA 472 that addresses marine competencies was recently presented to the NPFA 472 Technical Committee. The Technical Committee is not unanimously convinced that there is currently a need for this type of information. However, if CTAC develops marine competencies for the standard and recommends that they be included in NFPA 472, the Technical Committee would certainly consider such an addition. She stated that if CTAC decides to develop marine competencies for NFPA 472, they must be submitted to NFPA no later than June 24, 2005, to be considered during the Fall 2006 revision cycle. If approved, the marine competencies would then be published in January 2007. Ms. Spencer suggested that it might be beneficial for CTAC to submit a letter to the NFPA 472 Technical Committee prior to their Summer 2004 meeting announcing CTAC's intentions to draft marine competencies for inclusion in the NFPA 472 standard and then attend the Spring 2005 and Fall 2006 meetings to present the marine competencies and answer questions.

B. Establishment of NFPA 472 Subcommittee

Mr. Parminder Sandhu, of Marathon Ashland Petroleum, supported the idea of presenting marine competencies as an industry standard versus a regulation. He mentioned that CTAC has discussed emergency response issues in the marine environment for many years and he felt that NFPA 472 would be a good vehicle for presenting recommended marine competencies to industry.

Mr. Stokes suggested that this might be a good opportunity to begin using the CTAC Outreach Recommendation Worksheet. He noted that CTAC would essentially be utilizing existing work products while creating standards for NFPA 472. He also added that worksheets will help the CTAC Chair and Executive Director track the progress and fate of each and every CTAC work product so that they can each be utilized in the best way possible.

Mr. Temperilli explained that he recently attended an Area Maritime Security Committee meeting in Houston where he mentioned that this initiative is being considered by CTAC. He stated that the idea of adding marine competencies to NFPA 472 was received very well by those in attendance.

Mr. Al Schultz, of Stolt-Nielsen Transportation Group, stated presentations related to this initiative were made at the Annual Salvage Conference last year by fire departments, salvors, and response personnel. He stated that he would like to see members of that community involved in this project as well.

Mr. Stokes asked Mr. Sandhu if the Subcommittee would need to generate a lot of new information or if the much of the required information already exists. Mr. Sandhu stated that much of the required information already exists, but some new information would have to be generated.

Mr. Prazak asked CTAC members to review the task statement for this Subcommittee and to submit their ballots to him before the end of the day. He also asked all those interested in being a Subcommittee member to sign up.

C. Chemical Distribution Institute

Mr. Martin Whittle, of the Chemical Distribution Institute (CDI), began his presentation by explaining that CDI is a non-profit making organization, financed by the Chemical Industry and responsible for providing inspection and audit information for use in risk assessment. CDI currently manages three global schemes for the chemical industry. They are referred to as CDI-Marine, CDI-Terminals and CDI-mpc (marine packed cargo). Fifty companies are members of CDI.

Mr. Whittle stated that "Responsible Care" is defined as a comprehensive environmental, health and safety performance improvement initiative. He explained that the Responsible Care program is comprised of the following seven Codes of Management Practice:

- Community Awareness
- Pollution prevention
- Employee Health & Safety
- Distribution
- Process Safety
- Product Stewardship
- Security

He explained that the Distribution Code is the true strength of Responsible Care. It extends Responsible Care beyond the perimeter of a fence and, thus, is more prone to exposing a company's shortfalls. As such, it is real measurement of a company's commitment to Responsible Care.

Mr. Whittle explained that the CDI Marine Scheme, the first of the three to come online, is for bulk chemical transportation. It is responsible for carrying out inspections of the world's fleets of chemical and LPG Tankers. He stated that the world fleet of chemical tankers and LPG tankers is more than 2,000 strong and it is controlled by over 500 ship owners.

He explained that the CDI Database for ship reports is referred to as the Integrated Ship Inspection Scheme (ISIS). ISIS reports can be accessed online by chemical company charterers, ship owners, terminal companies, and third parties. He stated the ship inspection reports belong to the ship owner. Thus, reports are made available to any third party that the ship owner desires.

Mr. Whittle explained that the CDI Terminals Scheme is responsible for inspecting independent storage terminals. This scheme is not quite as large as the CDI Marine Scheme since there are many more vessels than there are facilities. Although the CDI Terminals Scheme is widely used throughout much of the world, it has not yet been developed in North America.

Mr. Whittle explained that the newest scheme, the CDI Marine Packed Cargo Scheme, is an enormous scheme that addresses chemicals in containers that are to be loaded on board a ship. This is a complex scheme since each custodian in the supply chain is at risk of mishandling by the previous custodian. He stated that insurance figures tell us that 13% of all marine packed cargo incidents involve dangerous goods and 64% of those incidents are a result of improperly packing the container. In addition, 7% of all marine packed cargo shipments are delayed due to incomplete documentation.

In closing, Mr. Whittle explained that CDI addressed security concerns prior to September 11, 2001, and continues to, even more so, today.

Capt. Don Carroll, of M.T. Maritime Management Corp. U.S.A., asked Mr. Whittle to identify a typical "associate member" of CDI. Mr. Whittle replied that associate members are primarily P&I clubs and mortgagee guarantors. He made it clear, however, that an associate member can be anyone having a proven vested interest in the technical condition of an inspected ship.

Capt. Carroll asked whether or not CDI and the Ship Inspection Report (SIRE) system would be combined into one scheme in the near future. Mr. Whittle stated that such a merger would be desirable for a ship owner. However, the oil and chemical industries are distinctly different. He stated that they are doing their best to close gaps between the industries and that the two industries are closer today than ever before.

Mr. Lambert stated he helped draft the concept paper for CDI in 1989. He explained that one of the core values was the qualification and purity of the inspector. He asked how CDI has been maintaining that core value over the years. Mr. Whittle stated that it has become increasingly more difficult for one to become an inspector – only 50% of those who apply actually attend the CDI course and only 25% of those attending the course actually become inspectors. Today, there are 60 inspectors worldwide. Every year CDI brings in 5 new inspectors to replace 5 inspectors who lose their accreditation. Inspectors are strictly and continuously monitored by CDI's Technical Manager.

D. Review of Recent Marine Casualties

Mr. Prazak began by briefly discussing the following three recent marine incidents:

- Barge explosion in Staten Island, NY, in March 1993.
- Ship explosion at sea near Japan in December 2003.
- Ship explosion in Porto Torres, Italy, in January 2004.

He explained these three incidents resulted in several deaths and significant property damage, adversely affected the market, and created public fear with the threat of terrorism being so prevalent in today's society.

Mr. Prazak proposed the formation of a CTAC Incident Subcommittee. He suggested that this Subcommittee would only become active when an incident occurs that is worthy of review. He explained that the Subcommittee's short-term task could be to develop processes to encourage the reporting of incidents, to collect information from Flag States, Class Societies, and affected parties, and to activate a working group as needed when an incident occurs. He explained that the Subcommittee's medium-term task could be to identify possible solutions to address particular incidents and the long-term task could be identify and disseminate information and lessons learned to industry.

Mr. Lambert stated that the Prevention Through People (PTP) Subcommittee addressed this issue several years ago. He recalled that they discussed the merits of developing a near miss database, similar to the Federal Aviation Administration's (FAA). He asked if CTAC should revisit this work.

CDR Andrew Palmiotto, of the Coast Guard's Office of Investigations and Analysis, responded by briefly discussing plans to develop a marine safety reporting system. He stated that the Coast Guard worked closely with the Maritime Administration (MARAD) and members of industry beginning in 1997 to develop a Marine Safety Reporting System. CTAC's PTP Subcommittee was a part of that effort. He explained that the purpose of the system would be to capture causal information not required by regulation, and, thus, it would not be a replacement for mandatory reporting requirements. The Coast Guard included this system in their 2001 appropriations bill. However, it was rejected by Congress. The two greatest obstacles to moving forward at this time

are funding and legal issues concerning protections from prosecution and subpoenas for information. He suggested that if CTAC revitalizes this issue and creates enough groundswell of support for the Coast Guard's Marine Safety Reporting System, it would likely be readdressed.

Mr. Prazak asked the group whether they felt it was worthwhile to create this Subcommittee. Mr. Edward Trotter, of Shell Chemicals, stated that he recently had great difficulty obtaining national averages for Total Reportable Case Frequency (TRCF) figures. He stated that if CTAC moved in this direction, it would helpful if CTAC produced figures similar or equivalent to TRCF figures.

Ms. Ann Hayward Walker, of Scientific and Environmental Associates, Inc., suggested that most incidents result in some type of cargo or fuel oil release. She added that all such releases are reported to the NRC, which may prove to be a good source of information for CTAC. She also stated that if this Subcommittee was brought online, the FAA system of near miss reporting should be closely studied.

Mr. Prazak stated that this Subcommittee should focus on vessels and facilities alike worldwide. Mr. Stokes stated that incidents occur all the time. He explained that some are only reported on a local level whereas others may make national news. He suggested that this Subcommittee would need to carefully define its scope. Ms. Deidre Tate stated that she was on the PTP Subcommittee that dealt with FAA and stated that they did collect a lot of information. She thought that it would be a good idea for CTAC to review that work.

E. Implementation of MTSA/Status Report

LCDR Darnell Baldinelli, of the Coast Guard's Port Security Directorate, began by explaining the processes that are currently in place to review facility and vessel security plans. He explained that the facility plan review process is split into three stages. Stage 1 reviews occur at the National Facility Security Plan Review Center (NFSPRC) in Overland, KS. During stage 1, all facility plans pass through the NFSPRC where they are reviewed to ensure that each plan contains the 18 elements that are required by Coast Guard regulations. The plans then move on to stage 2, which consists of a more qualitative, detailed plan review. Stage 2 takes place at any one of 4 different regional offices. In stage 3, the cognizant Captain of the Port reviews the plans and subsequent site visits may take place. This 3-stage process must be completed by July 1, 2004, for all facilities. The Vessel Plan Review Process is different in that the Marine Safety Center, Washington DC, performs the same 3-stage process as mentioned for facilities. However, in stage 3, a quality review is performed in lieu of site visits.

LCDR Baldinelli stated that approximately 9,000 vessels and 3,500 facilities are required to submit plans. As of March 3, 2004, the USCG has received approximately 97% of these plans. To date, 152 Notices of Violations have been issued with a $10K penalty assessment to owners or operators that failed to submit a security plan by the deadline.

LCDR Baldinelli explained that in response to a multitude of questions about MTSA, the USCG developed a MTSA/ISPS Helpdesk Website with a link located at www.uscg.mil. This particular website contains links to Frequently Asked Questions (FAQ's), Policy Decisions, the interim and final rules, MTSA 2002, and more. It is updated daily and has proven to be extremely helpful. The USCG also formed a helpdesk to field questions via phone and e-mail. The purpose of the helpdesk and website is to provide a level of consistency with all of the answers that are being given. In 19 weeks of operation, the helpline has received roughly 625 emails and 1186 phone calls. Industry and CG personnel alike are encouraged to use the helpdesk so that consistent interpretations of the regulations can be provided to all concerned.

LCDR Baldinelli stated that each vessel and facility security plan is assigned an activity number that allows submitters to track the status of their plan(s). Plan status can be tracked at http://cgmix.uscg.mil/spr/.

Capt. Carroll acknowledged that if a vessel departs from a foreign port that the Coast Guard feels has poor security, that vessel would likely be subject to increased scrutiny upon arrival at a U.S. port. He asked if there is a publicly available list of countries that the U.S. has identifies as having poor security that ship owners can refer to in advance of scheduling ship movements.

RADM Hereth stated that this issue is still unfolding. He explained that there is a requirement in the domestic portion of MTSA for the USCG to conduct a foreign port assessment program. This program will not begin until after July 1, 2004. The U.S. expects to collect information that will indicate whether or not a foreign port is compliant with the international code. The U.S. will maintain data on all ports from which vessels enter the U.S. If a particular port has problems with security, then a vessel entering the U.S. after calling on that port can expect delays upon arrival unless security precautions are taken while in the foreign port (i.e. vessel goes to MARSEC Level 2). RADM Hereth stated that the U.S. traded with 131 countries last year. So, it will take some time to develop an adequate database.

Capt. Carroll asked if IMO would be involved in this process. RADM Hereth stated that this process would consist of bilateral engagement between the U.S. and all other countries. Ideally, we'd like to share recommendations with them to ensure that we are implementing security measures in a similar fashion.

Mr. Schultz asked if these assessments would impact the USCG targeting matrix. He also asked if there is any way that ship operators can provide information about their ships to the Coast Guard to change their position on the targeting matrix.

RADM Hereth stated that USCG envisions that all signatory countries will meet ISPS standards by July 1, 2004. At that time, we will begin to collect information from the intelligence community, ship charterers, ship operators, visitors, etc., about security in various foreign ports. Targeting from a vessel's last port of call will occur. If a vessel departs from a foreign port that has poor security, that vessel will move up on our priority list. The ship operator can offset this by reporting to the Coast Guard via their Notice of Arrival that they took extra precautions while visiting that port.

F. Hazardous Substance Response Plan Regulations

LT Eric Bauer, of the Coast Guard's Office of Response, began by reviewing the history of the Hazardous Substance Response Plan (HSRP) regulation projects, which date back to the Oil Pollution Act of 1990. He explained that the purpose of the HSRP regulations is to reduce the consequences of a bulk hazardous substance spill from a tank vessel or at a facility. The vessel and facility regulation projects paralleled each other until 1999. At that time the vessel plan regulations took priority and it was felt that once the vessel plan regulations were completed, the facility plan regulations would quickly follow. Unfortunately, the events 9/11 created a diverted our attention from these projects and we are getting to a point now where we feel we can move forward.

LT Bauer stated that the Coast Guard just completed an industry survey in an attempt to identify all of the responders in the U.S. that aren't currently listed with chemical associations. Ideally, the Coast Guard would like to work with the Environmental Protection Agency (EPA) to create a database that includes information from all known response organization databases with the information that was received from our survey. The purpose of this database would be to provide us with a complete picture of all responders, their capabilities, and their geographic areas of operation.

LT Bauer explained that the Notice of Proposed Rulemakings (NPRM) for both regulatory projects have been published and comments have been received. The Coast Guard is currently sorting and developing responses to these comments and reviewing other related regulations, like

the vessel and facility security regulations, to eliminate any disparities or contradictions. LT Bauer stated that he does not know when the final rules will be published.

Mr. Schultz stated during any response planning effort, communications is vitally important. He asked if the Coast Guard would consider implementing the communications portion of the HSRP regulations now to mirror what is in place with IMO. LT Bauer stated that he would look at this suggestion as an alternative.

G. Coast Guard Regulatory Update

CDR Hennessy began by stating that the Coast Guard commissioned a one-year Inland Tank Barge Certificate of Inspection (COI) Project two years ago. He explained that, as a result of this pilot program, a COI for inland tank barges and a newly developed Cargo Authority Attachment are available on the Marine Information for Safety and Law Enforcement System (MISLE). Thus, no changes in the regulations will occur and a Federal Register Notice will be published shortly to explain this program in greater detail.

CDR Hennessy announced that the Coast Guard is close to publishing an NPRM to update the vapor control system regulations. He stated that the goal is to have it published this year.

CDR Hennessy stated that the next meeting of IMO's Marine Environmental Protection Committee (MEPC) would be held in London during the week of March 29, 2004. He explained that at that time, a revised Annex II and a revised IBC Code reflecting the changes to Annex II would be approved for circulation. He stated that at this point in time, the U.S. has reserved its position on the revised Annex II. In preparation for this MEPC meeting, a public meeting will be held on March 23, 2004 at Coast Guard Headquarters.

CDR Hennessy explained that the same provider that is currently hosting MISLE would host the Bulk Finding Aid. He explained that the Coast Guard is in consultation with them to develop the necessary requirements. LT Matt Barker will be the Coast Guard point of contact for Bulk Finding Aid issues now that Mr. Curtis Payne has retired.

10. NEW BUSINESS

Mr. Prazak reminded all members to submit their ballots for the establishment of the NFPA 472 Subcommittee. He then asked the CTAC members whether or not they wanted to pursue the creation of a Marine Incident Subcommittee.

Ms. Johnson stated that PPG Industries, Inc., with the help of the National Oceanic and Atmospheric Administration (NOAA), established a "lessons learned" database that was populated on a voluntary basis. It took three years to develop and it is still in operation. She suggested CTAC should work with NOAA if the decision is made to track incidents.

Mr. Prazak stated that CTAC would not be able to review each and every incident that is reported in detail. Instead, CTAC would be better suited to review basic information from incidents as they occur in an attempt to identify trends. Once a trend is discovered, CTAC could then dig deeper to identify root causes. At that point recommendations can be made to the Coast Guard and to industry that may help prevent similar incidents in the future.
Mr. Gore stated that the scope of the Subcommittee's work must be identified. Capt. Carroll stated that CTAC should consider the feasibility of collecting incident data before deciding whether or not to create this Subcommittee.

Mr. Temperilli suggested that CTAC review the previous PTP work to see exactly what was accomplished in the past. He also cautioned that time will be a major factor since it is often years

before valuable incident data is released to the public. He liked the idea, but suggested that CTAC may not be ready to form a Subcommittee at this time.

Mr. Prazak stated that he would continue to explore the idea offline.

Mr. Prazak announced that the Western Rivers Area Maritime Security (AMS) Committee is actively searching for a CTAC member to join its ranks. He reviewed the Committee's purpose, responsibilities, and membership terms. He asked all CTAC members interested in becoming a member of the Western Rivers AMS Committee to sign-up.

Mr. Prazak reviewed possible dates for CTAC's next meeting. He stated that RADM Gilmour is to attend at Coast Guard Headquarters on September 9th, 16th, October 7th, and 14th. Although a final date was not decided upon, October 7th and 14th received the best responses (update: the date for the next meeting has been set for September 30th, 2004, at Coast Guard Headquarters, Washington DC).

Mr. Gore asked if a VCS Subcommittee or Workgroup would convene after the NPRM is published. CDR Hennessy stated that a group within CTAC should convene to address VCS NPRM when it is published.

CDR Hennessy presented a letter signed by the Commandant to Mr. Prazak, which officially appoints him to Vice Chair of CTAC.

11. CLOSING

Mr. Prazak closed the meeting by wishing everyone a safe travel home. The meeting was then adjourned.

12. CERTIFICATION

We certify that these minutes are accurate and complete.

Signed

R.J. Hennessy, CDR, USCG
Executive Director

6/22/2004
Date

Signed

Mr. James Prazak
Vice Chair

5/24/04
Date

Encl: (1) List of Attendees, March 4, 2004
(2) CTAC Outreach Recommendation Worksheet