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TRAINING AND LICENSING PROBLEMS FOR TOWING VESSEL OFFICERS

The Towing Industry Downfall Began With "Pilots Agree"

The towing industry's downfall began when employers didn't like the message the message they received from their employees and attacked the messenger.

River towboat pilots sent a clear message of warning in April 1998 – a message that they had serious problems with corporate mistreatment, intimidation, and simply having their services taken for granted. "Pilots Agree" was the organization that attempted to deliver the message.

The message they presented was in terms that all their mariners could understand – money! However, for the mariners who attended the large public gatherings, the problems extended far beyond the dollars and cents it might take to remedy all the problems within the industry to their satisfaction.

Perhaps better pay might make it seem worthwhile to continue to put in the abusive work hours tied to the “two-watch system” that extends to an 84-hour workweek and more. Maybe more money would finance better health insurance to cover family members or disability insurance and things like that. Whether you agreed with it or not, Pilots Agree was a spontaneous, grass-roots movement that sought to right many wrongs that mariners suffered. The mariners found that industry leaders would not even discuss their grievances with their leadership.

Pilots Agree was not the only mariner movement on the rivers. It may have been controversial and attracted attention because it decided to accept help from a maritime labor union – a fact that turned loose the full energies and opened the purses of aggressively non-union employers who were determined to stamp out any spark of life in Pilots Agree at any cost. The companies poured money and “union-busting” tactics into the battle with their most valuable and experienced employees. In the end, management had the “power of the pay check” and other corporate resources and connections they could throw into the battle. After the struggle, they were more determined to turn a deaf ear to their employees’ complaints. Some companies further intimidated their employees by demanding that they push oversize and overloaded tows as discussed in GCMA Report #R-340.

It took almost six months for corporate management to stamp out – and financially ruin – hundreds of their own employees. What the hell, Pilots were a dime-a-dozen, and there were many more where they came from just waiting for a good job!

At the same time, the American Inland Mariners Association (AIM) had a committed membership of over 300 river pilots that attempted to work through the Coast Guard and its Towing Safety Advisory Committee for about five years. However, by the time of Pilots Agree, it was clear that the path leading through TSAC and the Coast Guard was a fruitless, frustrating path where no real progress was possible. The Coast Guard, like arrogant corporate management, was not accustomed to listening to mariners and didn’t intend to start!

The leader of the Pilots Agree movement and his Board of Directors sought to meet and negotiate with representatives of the river towing companies they worked for. However, every company refused to meet with Pilots Agree to discuss anything. Members of Pilots Agree were threatened, intimidated, and summarily dismissed. With this refusal to meet, an industry-wide strike ensued.

During the work stoppage, the companies used every tool available against their striking employees and, as a result, broke the strike. All sorts of reprisals followed in which many mariners that participated in the work stoppage were blacklisted, fired, demoted, or otherwise retaliated against. Divisions arose between those who had the guts to strike and the strike-breakers who picked up the jobs of dismissed pilots – with varying degrees of discomfort.

Some mariners took advantage of the situation and advanced into the positions previously held by more experienced pilots while other mariners with many years of experience simply left the industry. Others, who could have put in more years, opted to retire believing that conditions would never improve. Others moved to distance

themselves from any connection with Pilots Agree with some blaming its leadership for the disaster. The strike failed but, when it did, it left most of the problems unresolved and festering beneath the surface. It also left a legacy of bitterness and widespread apathy throughout the towing industry on the Western Rivers and along the Gulf Coast.

GCMA Attacks the Same Problems With a Different Message

If, as some say, the public's memory span is only a reported 18 months, then the Pilots Agree strike is ancient History. It has become very convenient to forget it. The remaining legacy many mariners remember and clearly and bitterly resent the humiliating way they were treated and that their employers ignored their legitimate complaints.

The GCMA message has nothing to do with "money." It has very little to do with individual companies other than to recognize the most obnoxious and egregious of them and put them on our "Brown List" as a warning to other mariners to seek employment elsewhere. GCMA's message is all about safety.

While our mariners face exactly the same problems that both AIM and Pilots Agree faced, GCMA drew a "line in the sand." We are no longer willing to work illegal hours that violate the law for any amount of money and thereby risk our licenses and livelihood. GCMA works to change the abusive hours, unsafe and unhealthy working conditions for unlicensed personnel such as deckhands and engineers.

In doing so, GCMA points out ineffective Coast Guard enforcement of the very laws and regulations designed to protect our mariners. After all, Congress gave the Secretary of Homeland Security the task of "superintendence of the merchant marine." This means more than hob-nobbing with industry trade association and corporate moguls and turning the Coast Guard into industry's lapdog.

We point out the Coast Guard's failure to provide the safe workplace for our "lower-level" mariners promised for all American workers by Congress in the Occupational Safety and Health Act of 1970. We go to great lengths to document the problems our mariners face.

GCMA's message is also broader in its scope. While AIM and Pilots Agree dealt with problems on the Western Rivers and the Intracoastal Waterway, we deal with the same problems faced by **ALL** "lower-level" mariners who serve on vessels of less than 1,600 Gross Register Tons. We do not limit ourselves to tugs and towboats but also look to other types of vessels like small passenger vessels and offshore supply vessels. Although we are familiar with the problems of licensed officers, we are also concerned about mariners who do not hold a license. While our area of operations is largely within the Eighth Coast Guard District, we do not ignore the problems reported by other "lower-level" mariners in other parts of the country.

The Towing Industry Reaps What It Sows

Let's move from the past to the present!

The Towing Safety Advisory Committee's (TSAC) Licensing Working Group met in Houston on July 14, 2005 to consider several topics. This was the same group (although not always the same people making up the group) that worked with USCG Headquarters personnel to create the Apprentice Mate/Steersman Program and add it to USCG regulations in May 2001.

It appears that the towing industry **thinks** it is having a serious problem with the new licensing regulations. It finally awoke to the presence of the new towing-license rules that gradually eased into effect during the 4½ years since May 21, 2001. The rules will be fully and irrevocably in place by May 21, 2006.

It is not remarkable that many towing companies have run out of personnel interested in working for licenses to run towing vessels or, in fact, even to work on tugboats and towboats. This situation did not occur overnight. The problem became most noticeable when towing companies decided to play hardball with their employees during and after the Pilots Agree strike. It is now clear that Pilots Agree was a watershed, a fact that wasn't evident in the chaos immediately after the strike.

How Serious is the Personnel Shortage?

Industry participants at the TSAC working group meeting pronounced the situation as "critical." Of course, the towing industry was willing to admit that they made a mistake and poisoned the goose that laid their golden egg.

One thoroughly reliable participant in the working group reported that there were fifteen boats tied up in Pittsburgh without crews. Possibly the story of the tragic events this winter of the towboat crew drowned at Montgomery Lock and Dam on the Ohio River dampened the enthusiasm of local recruiting in western Pennsylvania but it does not account for large number of reports of crew shortages we receive from our mariners throughout the system every day.

The Pilots Agree strike destroyed many of the existing interpersonal relationships within companies and turned mariner against mariner. Towing companies in a "divide and conquer" mode shifted crews from boat to boat. That upset and discouraged many pilots from devoting their own time and energy in training someone in piloting duties they did not know and probably would never sail with again.

Industry sought to replace a strictly voluntary and informal apprenticeship system that trained most of the existing pilots with a new Apprentice Mate/Steersman program engineered by the Coast Guard because the older system no longer produced enough new Pilots to fill their needs. The TSAC License Working Group and the Coast Guard prepared the new Apprentice Mate/Steersman program in meetings in the Washington area in 2001-2002. GCMA participated in these working group meetings at a cost in excess of \$6,000 (i.e., we were there and know what happened!). The new Apprentice Mate/Steersman program, although blessed by the Coast Guard, does not have the same support as the older, more informal program that existed for many years before the assault against the Pilots in 1998.

A week before the July 14, 2005 TSAC working group meeting in Houston, an

excellent article by Jeff Yates appeared in [The Waterways Journal](#). To this article, we added a few comments, emphasis by underlining, and mentioned several other GCMA reports available on our internet website.

Companies and Crews Facing New License Deadline

[Source: By Jeff L. Yates, [The Waterways Journal](#), July 4, 2005]

Mariners taking exams for Coast Guard licenses today participate in a more equitable process than those of a few decades ago, according to William Kline, president of The River School, Memphis, Tenn.

Speaking at a Waterways Industries Association luncheon in Paducah June 22, Kline said that although daunting and complicated by new requirements relating to service record, safety, security, radar endorsements, firefighting, and first aid training, today's mariners actually face a more fairly administered test than those given when he first became involved in the process as Coast Guard examiner in 1971.

Until the current multiple-choice exams were implemented, mariners answered essay-type questions administered by examiners who had complete freedom in deciding a mariner's qualification, based upon his own interpretations of the applicant's essay response and/or his evaluation of the person's attitude or general character.

"The Coast Guard personnel had wide discretion in how they graded the exam, as to the kind of questions asked and how the exam was even made up," Kline said.

He said that when he first began as an examiner in Cleveland, Ohio, he was given a box with index cards from which he was told to pick cards with questions from each section of the exam and have the applicant respond to them with essay-type answers.

The process usually took a full week to complete, he said. "If you had a question regarding a particular answer, you had the option to call the individual over to further explain his answer. If he could explain it well enough, you could say, OK."

It did not take long before it became obvious which questions were the most difficult to answer and when a mariner walked through the door, he was given a quick once-over. Applicants judged to be pleasant, clean-cut individuals were given easier exam questions and "we were more reasonable on how we graded them. On the other hand, if an applicant was judged to be 'hippy scum' we had a whole different attitude," Kline remarked. "The examiners had that discretion and they could literally vote someone off the island, depending on their individual preference."

Kline said that was a system that could not last, and Guard eventually developed a multiple-choice exam that used a system of overlays for grad-ing by individuals who don't necessarily have any knowledge about the subject. The net result is that the vast majority of Coast Guard employees working in the licensing program do not have a license "and even of those that do, we probably would be hard pressed to find even a handful that could operate a towboat," he remarked.

[GCMA Comment: Starting in the early 1970s, the Coast Guard "dumbed down" the knowledge level of personnel in the nation's licensing offices, hired civilian

employees without any maritime background, and sharply reduced the number of licensing offices they now call Regional Exam Centers. Our mariners have had to adapt to inconveniences and pay hefty "user fees" for the privilege of inferior service.]

"Now here we are, 12 years down the road with the operator license (Operator of Uninspected Towing Vessels, or OUTV) in place since 1972 and an accident at Big Bayou Canot in 1993, and we've had an effort undertaken by the industry in partnership with the Coast Guard to develop a new licensing regime that took effect in May 2001." However, the Coast Guard allowed a three-year "grace period" where currently licensed mariners were "grandfathered" into the newer licenses.

"The Operator license went away in May 2001, although there are still people who hold that license and they'll be with us until May 2006," he added. "That license has been replaced with the 'Master of Towing Vessels' which now requires a display of skill"

Measuring Skills

Measurement of skills is being added to the licensing process, "but the Coast Guard doesn't have the people who can do what you people do, and could not judge whether or not an individual possesses the skill" Kline lamented. "So, we're still going to have to rely on the industry to provide that evidence and that's the big change in the new licensing regime."

[GCMA Comment: Well into the fourth year of the program, only a relatively small number of towing companies have committed to training Apprentice Mates/Steersmen to take the written exam or to prepare Designated Examiners to assess the skills demonstrations required to advance to Mate/Pilot as officer-in-charge of a navigation watch. Refer to [GCMA Report #R-383, Rev. 1](#)]

Although the exam still covers the same areas of knowledge in a multiple-choice format, the prerequisites now also include more accurate and diligent background checks and certification of service time with proper employer recommendations for first-time applications. However, passing the same four exams that used to be used for the Operator's license now only qualifies for a "learner's permit" (a Steersman's license), Kline explained.

A steersman has no authority to operate a vessel without being under the direct supervision of somebody who holds a license, operator, master or the new pilot license (if he's on the back watch). "It doesn't matter who he's steering for, he's operating under somebody else's license."

[GCMA Comment: Our mariners report that new Apprentice Mate/ Steersmen are frequently placed in charge of a navigation watch without direct supervision by a licensed officer.]

Kline said, "It's incredible to us (at the River School) that every week we have people coming through the school who end up with a steersman's license, going, 'What's this? What do you mean; I can't run the boat by myself?'"

"We're thinking, we're 10 years into a process (from 1993 to 2003) to put this all in place, and we're into a grandfathering period and now we're even outside that and people still don't know the procedure has changed!" He said that's probably because, "We as an industry are not communicating, or it could mean they (license applicants) don't want to believe it.

[GCMA Comment: The Coast Guard and industry management share the blame for failing to communicate as we point out in GCMA Report #R-382, Why Our Mariners Don't Get the Message.]

"People still don't understand that the Steersman's license is a limited license....limited in the fact that you must steer under the supervision of another licensed individual," Kline explained. "That steersman, having spent the required 540 days as a deckhand and having met the academic requirements, now has to acquire and demonstrate the skills necessary to run the boat."

He said acquiring the skill means steering for some-body, but it's the Coast Guard's intention that this not be a passive operation.

"It's the Coast Guard's intent that you all have some sort of training program in place that addresses all the skill necessary to safely operate a towboat," he explained.

The Coast Guard has provided guidance for what should be included in the training program, he said, adding that there are basically about a dozen areas of importance. In the process of the onboard training pro-gram, individuals must demonstrate their ability to per-form skills in seven different categories and 35 different functions, he added.

This requirement has brought about the creation of another new term, the "Designated Examiner." This is a licensed individual who has recent experience, has been trained in conducting assessments and who is accepted by the Coast Guard.

[GCMA Comment: GCMA Report #R-383, Revision #2, outlines the features of the "Designated Examiner" process .]

"So, if individuals apply to the Coast Guard and become designated examiners, they then can attest to and certify the skills of the people who are training to become pilots," Kline explained.

Company training programs must have somebody who is a designated examiner. "Otherwise, who's going to do the required signoffs?" he asked. It all depends on how companies have approached the situation to this point, he said, whether they have these programs in place.

The Coast Guard maintains a master list of designated examiners, and as steersmen complete their route-specific Towing Officer Assessment Record (TOAR), the signatures of the person signing off on the requirements are compared against the master list for authenticity, he said.

"So, we've added another bureaucratic layer to the process."

Once the steersman has met all the required skill training and has all the sign-offs, he can become a pilot of towing vessels, Kline said, adding, "Now, here's where it

gets confusing."

Blue-Water Terminology

Kline said that because Coast Guard terminology is blue-water-oriented, they call that license a "Mate" license. Early on in the process, he said industry officials and training school representatives told them, (Coast Guard) "Please don't do that to us. We have other people on towboats called mates. Please don't confuse us."

However, the Coast Guard's response only exasperated the situation, he said. "You can call that "mate" a "pilot" but it will be up to the mariner to tell the Coast Guard what he/she wants on their license."

Sometimes if the applicant does not indicate their preference to the, Coast Guard the certificate comes back as mate/pilot, he said.

Further complicating matters, Kline said, is the fact that "Steersman is a Western Rivers term, but in the blue-water world, it's called an "Apprentice Mate."

"So it's easy to get confused when you attempt to sort your way through this maze of Coast Guard regulations surrounding the new licenses," he said.

In brown-water terminology, Kline said the license progression is steersman, pilot and master, "the captain on the boat." He said as of May 2006, every towboat must be operated by someone holding a "Master of Towing Vessel" license.

"There are all sorts of exceptions to that, involving people with tonnage licenses, such as 1,600-ton or unlimited-tonnage licenses," he added. "There are many possibilities here but 90 percent of the time, people operating towboats are going to have to hold a Master's license."

The Master's Responsibility

Noting that "every towboat has to have a captain," Kline said, "I wonder what they're up to here." He said a small change in terminology could result in a big difference in legal responsibility. They took people who were operators and have now made them merchant mariner officers through the stroke of a pen. "An operator's license was a little bit of an odd duck in the big scheme of things, he said, explaining that the license was actually a compromise that served the industry "pretty well" for a long time.

However, a master's license carries with it some notion in the admiralty court that the license holder is primarily responsible for the safety of the vessel and crew.

"That notion or blue-water terminology may have an unintended consequence," he said, because the Coast Guard and the courts may look at the license holder and say, "now you have that 100 percent, 24-hour-a-day responsibility while you are the captain." He said although that scenario has not occurred yet, "we'll find out when it hits the fan one of these days."

Kline wondered if there wouldn't become a shortage of captains after all the new regulations have become effective for a while. Although there is a structured system for advancement from steersman to pilot, to captain, obtain-able through documented service time and qualification sign-offs. Kline said he has heard from many mariners who don't necessarily want the aggravation and extra responsibility of being the captain. "Maybe they're just going to be happy, just being the pilot.

"Is there anything that's going to make them go from being a pilot to being the master?" he asked. Responding to his own question, Kline said, "The Coast Guard assumes that everybody wants to, but we don't know if that's true. Maybe folks will be just as happy running on the back watch and not having to be the captain."

"This becomes an unintended consequence and implication for you folks trying to crew a boat. You're going to have folks who hold a pilot's license who cannot be the captain but that boat's got to have a captain before it goes anywhere.

[GCMA Comment: Although persons holding either a Master or a Mate/Pilot license can stand navigation watches, each vessel must have one licensed Master in charge of the vessel at all times.]

"Nobody ever sorted that one out to see how it was going to work," Kline said.

Harbor Pilots

Harbor pilots are in a league of their own, according to Kline. He said the Coast Guard considers harbor work to be a different kind of service, compared to line-haul operations, so those operators need a different kind of license.

"To go from being a deckhand on a harbor boat to holding a license that allows you to run the boat, you have to have 540 days as a deckhand, 540 days as a steersman and pass the four knowledge exams. Then you still have to do the training program and get signed off by the Designated Examiner."

The unintended consequence of this is that previously a mariner was authorized to operate a harbor boat on a 100-ton master's license which only required 360 days service. Because there is generally no half-day's credit for time requirements on a harbor boat, "We've typically tripled the amount of time it takes to get a license to operate a harbor boat," he said. The practical impact raises the question of who's going to run the harbor boats.

"We're going to be a while until we figure out how to get enough people into that system to get enough time to get the training, get the sign-offs to qualify for that license," he predicted.

The problems of the harbor boat license change are probably unintended, Kline said, but the implications are significant. "The harbor boats are the ones on the short end of the stick in this whole process."

The River School president said the twists and turns of the new license requirements and procedures are very confusing and "it's no wonder people don't

have a sense of where they're going with this." He said even at the school and instructor level, "It's hard for us to keep track, let alone your folks."

From his perspective, Kline said "it's become obvious that the industry is not very good at giving mariners "a sense of career." It is difficult now for a river employee to predict where he or she will be in their career in five or 10 years," he remarked.

More Changes

Currently licensed pilothouse personnel will face another major change next year also. Any person renewing a license will be required to show evidence of training and participation in drills, although there is still no format developed for documentation.

Starting some time next year all renewals will be subject to enhanced background screening, he said. It appears now that each person renewing a license will have to travel to the Coast Guard fore a digital electronic fingerprint and digital photo. This requirement has been in place for a few years for tankerman licenses, and it began last month for original license applications.

This extra security check is going to cause serious repercussions within the industry, Kline warned. "You're going to have a number of people who have been running boats for you for 20 years who are now suddenly not able to because a minor infraction or run-in with the authorities from the mariner's youthful days has popped up.

"The Coast Guard can say, '45 years ago when this guy was 13 years old, he got into trouble with the juvenile authorities so we're going to put his application in to the investigation shop.' The guy doesn't get his license renewed and he can't run the boat for a period of time," Kline warned. He said he has already seen this happen.

"The unintended consequences of this stuff keep building more and more complexities for how you guys (towing companies) are going to have to deal with the system."

"It's not just the people we're licensing up now. All those who renew the licenses in the future are also going to have to deal with it," he warned.

"Our folks are not well equipped to understand how to get from point A to point B," Kline said, because they don't understand the process now. The old way of training vessel crewmembers and helping them obtain licenses will no longer work, and individuals can no longer handle the process by themselves, he said.

"You're going to have to have somebody who's champion for that person, to the information, work the system, make the advancement happen and fight the battles with the Coast Guard."

Kline said the industry needs to push the Coast Guard to create an ombudsman position within its licensing structure. "whose job is to watch out for the little guy and figure out how to make it (license approval) happen, not to throw barriers in the way."

Kline said he has heard some industry executives predict that a shortage of pilothouse personnel resulting from the new licensing program will cause the Coast Guard to retrace their actions and reduce some of the procedural problems or requirements.

“That’s not going to happen,” he warned. “The Coast Guard’s not going to back up on it. They’ve already moved on. This licensing problem is something they solved three years ago.”

- “I wish I could give you a rosy outlook here, but I don’t see it that way,” Kline concluded. “I see that ‘were in for hard times.’ [**End of W.J. Article**]

Manning Laws Require Licensed Officers

46 U.S. Code §8101(h)states: “A person may not employ an individual as, and an individual may not serve as, a Master, Mate, Radio Officer, or pilot of a vessel to which this part applies or which is subject to inspection under chapter 33 of this title if the individual is not licensed by the Secretary. A person (including an individual) violating this subsection is liable to the government for a civil penalty of not more than \$10,000. Each day of a continuing violation is a separate offense.” Since the practice of using mariners with revoked licenses has become commonplace, it is time to ask: “How many \$10,000 civil penalties has the Coast Guard assessed and collected?”

We want to point out that towing vessels are now inspected vessels and have been since September 9, 2004. However, this is nothing new as shown by a regulation comparable to the new statute at 46 CFR 15.401 dating back to January 4, 1989 appears in “Subpart C – Manning Requirements, **All Vessels**.” All vessels includes towing vessels!

However, these laws are only effective if they are enforced. In our view, the Coast Guard has been about as ineffective as the legendary **“Keystone Cops”** in apprehending violators of manning requirements. This gives companies a “free ride” while diminishing the value of a license to mariners who seek to obey the law.

The Need For Effective Enforcement

Our mariners, who demonstrated their skills through years of service, have jumped through all the hoops and hurdles placed before them are profoundly discouraged by the ineffective enforcement of laws and regulations as are the “honest” companies that try to play on a level playing field.

Many instances are emerging of mariners operating under expired, forged, suspended, or revoked licenses that the “Keystone Cops” appear powerless to stop.

Mr. Kline stated in his article: “The unintended consequences of this stuff keep building more and more complexities for how you guys (towing companies) are going to have to deal with the system.” These complexities also affect the Coast Guard. The licensing system is such a specialty that very few Coastguardsmen assigned to

boarding parties have the expertise to evaluate a licensing violation.

We suggest that every boarding team and investigator ask to view each license on every towing vessel they board and fill out a form to provide this basic information:

- # of licensed mariners on the boat at the time?
- Is each license an original license? Yes or No
- Are there any changes or erasures evident? Yes or No.
- Print the name that appears on the license.
- Serial # and Issue #
- Port & Date of Issue
- Copy the wording on license & endorsements.
- Does the word "towing" appear on the license?. Yes or No.
- Ask the mariner if the address on license is current. If not, note the correct address and phone #.

The boarding team should turn the form over to the Marine Safety Office at the end of the day to have an investigator determine its veracity. If only one licensed officer is aboard a towing vessel, it should trigger an examination of the vessel's log to check for a 12-hour rule violation. *[Refer to 46 U.S. Code §8101(h) cited above.]*

The REC is Part of the Problem

The new towing vessel licensing regulations came into effect on May 21, 2001 – at the same time the Regional Exam Centers were experiencing the workload placed upon them to comply with STCW-95 that went into effect on February 1, 2002.

As Mr. Kline stated in his article: "The Coast Guard's not going to back up on it. They've already moved on. This licensing problem is something they solved three years ago.

Although the Coast Guard thinks the "problem was solved" when they published the regulatory package, most REC's put training their own in-house personnel to deal with towing issues on the back burner until the STCW work load went away. Consequently, some RECs continued to renew licenses without determining whether mariners submitted time served and also identifying it as time aboard towing vessels – a fact that was vitally important to our mariners and took weeks and months for many mariners to straighten out with the overburdened RECs.

A major distraction occurred on September 11, 2001 with the terrorist attacks that focused REC attention on homeland security issues and away from the new towing vessel licensing regulations. Towing vessel licensing became a long-term five-year project and RECs were very slow to focus on it. During the intervening period, the REC focused on other issues and delays extending up to four months or more at almost every REC discouraged many mariners from pursuing licensing issues.

When One REC Improves, What About the Others?

[Source: Capt. Richard Eberhardt, Regional Examination Center Progress Seen. The

Waterways Journal, June 27, 2004. Emphasis by underlining is ours.]

Dramatically reducing the backlog of mariner license applications for renewal and upgrade requests earned the Regional Exam Center (REC) in New Orleans a Coast Guard Meritorious Team Commendation.

When evaluated as a function of time, previous delays of up to 18 weeks have been reduced to less than 18 days or have been eliminated outright," wrote Captain F.M. Paskewich, captain of the port (COTP) in New Orleans, in issuing the commendation.

After taking over as COTP in August 2004, dealing with licensing delays was one of the major issues facing Capt. Paskewich and the REC's new chief, Cmdr. DaWayne Penberthy.

Having mariners wait 18 weeks from the time license renewal paperwork was logged in at the REC until it first reached an evaluator's desk, was unacceptable to Penberthy. The entire unit participated in a systematic analysis of the processes of the (REC)," Paskewich noted. Alternative processes and organizational refinements were developed, (the unit) leveraged previously untapped resources and built in a mechanism to recognize those employees who excel," said the commendation.

After two months of analysis, changes were implemented. In the ensuing three months, productivity throughout the unit consistently improved over 50 percent," Capt. Paskewich wrote. "Most impressive was the significant reduction or elimination of what had previously been accepted as an insurmountable backlog of applications waiting to be processed."

He noted that "1,200 records languished in the backlog. Now, less than 60 requests wait to be processed-a reduction of approximately 95 percent."

During the backlog reduction, Capt. Paskewich said the quality of work improved, and employees "reduced the need to rework completed or issued documents" while "changes were implemented to expand the hours of availability to customers and improve access to appointments with evaluators."

[GCMA Comment: Coast Guard officers in charge of many Regional Exam Centers accepted substandard and inefficient practices for years and did little or nothing about it. This article indicates that good leadership within the Coast Guard can make a difference. The big question is: Will we see it in other RECs?]

Some of the changes implemented included having receptionists check applications for required signatures, doing criminal background checks early in the process to eliminate applicants who are disqualified because of recent convictions, and shifting tasks such as making copies from evaluators to support staff, said Richard Wells, assistant chief of the REC.

The New Orleans REC handles almost 12,000 mariner applications annually. Some of the backlog developed as a result of the new STCW certification requirements which do not always mimic Coast Guard regulations and, in effect, require a license to be evaluated twice.

Wells urged mariners to continue to send in renewal applications at least six months early, and if a medical condition – such as taking heart medication – has changed, 12

months before expiration, and to synchronized renewal dates between their license and Z-card, saving the seaman money by requiring only one “evaluation fee” to renew all documents.

Other tips on easing license renewals can be found on the Internet at www.uscg.mil/stcw.

Here is What Our Mariners Tell Us About Towing Vessel Licensing

- Although the “apprenticeship” program has been in place for over 4½ years, few companies are willing to place a “third man” in the pilothouse for training and to pay that person accordingly for obtaining an Apprentice Mate/Steersman ticket.
- Getting a license involves more than shuffling papers. Mariners, especially in the towing industry, must have a feel for boat handling— and not just one boat but many. Not just under one condition but many – wind, current, restricted visibility, ice, low water, high water, etc. One year of active observation, training, and practice in boat handling is a realistic figure not a boondoggle. *[Ed. Note: This view was confirmed at a TSAC Licensing Working Group meeting in Houston July 14, 2005 by Mr. Roy Murphy who runs the mariner training program for Kirby Inland Marine.]*
- Some companies assume that the “observation” phase of pilothouse training can follow after a full day’s work on deck and the engine room outside of the pilothouse. This was never part of the Apprentice Mate/ Steersman program that can be entered only after completion of 18 months service on deck!
- Most “lower-level” mariners have trouble paying for 10-days training they need to earn an Apprentice Mate/Steersman “learners permit” at a training school although “self-study” books are also available. This is true, especially if they must continue to work at deckhand wages. Formal training generally costs between \$100 and \$200 per day – with some exceptions in state-operated schools.
- Many mariners consider taking a course or studying on their own is a poor investment of time and money when towing companies are not interested in hiring them or even in providing a Designated Examiner to qualify their TOAR to present to the Coast Guard after the year of observation and pilothouse training. This is one of the major complaints from our mariners.
- The Coast Guard is supposed to visit their “Approved Courses” to see that each course conforms to its approval letter from the Coast Guard. Our mariners report that some 10-day Apprentice Mate/Steersman courses are completed in significantly less time than the required 10 days. Some RECs reportedly overlook obvious deficiencies of this nature.
- Many mariners do not want the extra duty and responsibility of training an apprentice mate/steersman on the job. They may go through the motions if ordered to do so. Many mariners believe they are training competitors to compete with them in the job market and take their jobs. In addition, not every licensed officer is a good teacher.
- Many companies do not have designated examiners to qualify new Apprentice

Mates. This means that the opportunity to advance to Mate/Pilot does not exist at that company. The alternative is to find a job with a company that has at least one designated examiner. At present, this rules out a vast majority (i.e., over 80%) of the towing companies. *[Refer to GCMA Report #R-383, Rev.2 for specific information.]*

○ Knowledge of the route is especially important on rivers and in inland waters. However, in 1996 the Eighth District no longer allowed mariners to earn pilotage endorsements and prove their knowledge of the river for thousands of river-miles above Baton Rouge, LA, even on a voluntary basis. GCMA advised the Vice Commandant of this matter. The Coast Guard had an opportunity to rectify their mistake, but never raised a finger to do so.

○ Companies readily hire mariners with forged licenses and revoked licenses as the June 2005 sinking of the M/V POLARIS that blocked the channel to New Iberia, LA, clearly demonstrated.

○ Companies continue to pre-screen mariners for drugs and notify them in advance of drug tests. Our mariners understand that this is NOT the way the DOT drug program is supposed to work. They resent having to work with possible drug abusers as part of their crew.

○ Companies that overload their Masters with paperwork associated with the Responsible Carrier Program in addition to everything else should consider training their Apprentice Mate/Steersmen to pick up part of this load or to reassign it office personnel. The same is true concerning vessel security.

○ Some companies failed to warn their mariners completely or adequately of the new licensing requirements before they went into effect. Consequently, the deadlines for directly obtaining Master or Mate of Towing Vessel licenses under the "old" licensing system had to be pushed back and the regulations stretched in a number of cases.

○ Management of many companies failed to show enough interest in the new licensing and training program even to learn about it or to give it a chance to work properly.

○ Of all the towing companies, only AWO-member companies participated in the TSAC Licensing Working Group that helped the Coast Guard write the new licensing regulations. Non-AWO companies did not attend.

○ The Coast Guard kept its head in the sand while ignoring the presence of hundreds of companies that do not belong to the AWO. GCMA reminded them of this on a number of occasions yet saw no sign of change. If the Apprentice Mate/Steersman program fails to reach these companies, we intend to see that Coast Guard officials at the highest levels are held accountable.

○ The towing industry is incapable of policing itself in a competitive environment. Not only are safety and training relegated to a back seat, but also adherence to law and regulation often is overlooked.

○ Competition that reduces vessel manning below tolerable limits makes it impossible for the few companies who try to play by the rules to operate on a level playing field. The same set of rules must apply to all companies and all mariners who work for them.

○ The Coast Guard officers and administrators that create extensive and complex programs such as the new towing-vessel licensing program that takes 100 pages to explain in [NVIC 4-01^{pdf}](#) fail to understand that very few of the “lower-level” mariners they regulate have more than a high school education and can cope with a document of such length. Other programs, incomprehensible to our mariners without extensive explanations, are STCW, CTVEP, SOLAS, SIP, and ISM to name just a few.

○ The USCG should consult the Newman Report they prepared in 1973 to refresh their memory in light of the reoccurrence of the same education problems they addressed 35 years ago.

Mariner Reactions

○ Our “lower-level” licensed mariners are reacting very strongly by reporting an increasing number of incidents and demanding answers.

○ Starting with the public meetings held in the late 1990s, they voiced criticism of licensed Masters and/or Mate/Pilots assigned to their vessels that could not handle the tow properly or handle their share of watch standing. The situation has deteriorated to the point where some are afraid to go to sleep at night for fear of what could happen to the boat (and them, personally) while asleep.

○ Many mariners are unwilling to place their license and, therefore, their livelihood at risk by violating the 12-hour rules. Employers place considerable pressure on our mariners to break the law as our book *Mariners Speak Out on Violation of the 12-Hour Workday^{pdf}* pointed out to the Coast Guard at the highest level in 2000. On the other hand, some mariners violate this law for their own reasons – at considerable risk to the public.

○ Many mariners are increasingly intolerant of companies that ignore the use of drugs on their vessels and prove that by reporting more drug abuse when it occurs. Some of these reports called upon Congress for relief.

○ Many mariners, fed up with the treatment they experienced during and after the Pilots Agree movement in 1998 left the industry. More are following their lead because they do not see conditions improving.

○ More mariners are becoming aware of the things going on around them. They are starting to understand that the lack of safeguards available on uninspected towing vessels made these vessels dangerous workplaces. [*Refer to GCMA [Report #R-276.](#)*]

○ Many mariners do not intend to put in 84-hour workweeks under the two-watch system and then accept additional collateral duties and administrative burdens imposed by company management.

○ Many mariners cite the burden of becoming the Vessel Security Officer as the straw that broke the camel’s back. The Coast Guard imposed this burden without considering its impact on the two-watch system.

○ Licensed deck officers expect to work with knowledgeable, trained mariners

manning their engine room. However, management leaves most of them high and dry with untrained deckneers or even worse. [Refer to GCMA Reports #R-401 & R-412.]

o Licensed deck officers increasingly resent supervision by individuals with limited or no experience working on boats and are impervious to mariner issues. The same also refers to many Coast Guard officers that “don’t have a clue” beyond hearsay about the towing industry. A derogatory term in common use for management is “Yuppie Bean Counters.”

o “Lower-level” mariners resent being treated as commodities.

o Mariners see the Coast Guard as being a tool of management under the control of the industry trade associations. The situation in the towing industry has deteriorated to the extent that it is beyond the Coast Guard’s control at their present level of commitment.

The Coast Guard Has Problems Other Than Towing Vessel Licenses

o Since the Bayou Canot accident, many high-profile towing accidents directly affected ordinary citizens in a number of states. If the Coast Guard reduces required sea service for new licensees as industry is trying to do, this would ensure that less experienced mariners would be licensed to perform towing evolutions. Less experience leads to more accidents.

o Homeland Security requires close adherence to laws and directives. While homeland security concerns forced towing companies to pay close attention to new security regulations, it is clear that few towing companies paid much attention to training new Apprentice Mate/Steersman candidates to advance to Mate/Pilot. When it comes to our “lower-level” mariners, History shows that training always takes a back seat.

o The clear message from disasters like the Buzzards Bay oil spill is that the Coast Guard must “shape up” this backward industry with its primitive labor practices or answer to the public and eventually to Congress for its failings.

o The Coast Guard totally ignored the existence of towing vessels for over 30 years and turned their backs on the gathering storm after the Bayou Canot accident. Among other things, they never showed any concern about proper manning or training engineers on commercial towing vessels. This was a tremendous oversight. [Refer to GCMA Reports #R-401 & R-412.]

o Coast Guard NVIC 1-95, Voluntary Training Standards for Entry Level Personnel on Towing Industry Vessels, is a gutless consensus document that stands as a monument to the callous disregard for mariner safety concocted by the Coast Guard and towing industry management. If the Coast Guard needed authority to protect undocumented mariners with basic entry-level training, they should have sought this authority from Congress 10 years ago! GCMA recommends exhaustive “basic training” and career orientation programs for every “green” deckhand.

o It will be hard to overlook the fact that working towboat Masters and Mate/Pilots insisted that their relief officers be properly trained and seasoned. The towing

industry, by and large over the past 4½ years, avoided spending the money on training as it ran after reaping profits from the trade. Now industry representatives want to change the Apprentice Mate/ Steersman program they agreed upon yet ignored for 4½ years.

○ The Apprentice Mate/Steersman regulations the Coast Guard and TSAC drafted included mariner participation. However, as was mentioned at the Houston TSAC Working Group Meeting on July 14, 2005, there was very little Coast Guard outreach to industry. The Coast Guard should answer for this failure.

○ Our mariners were set adrift in the poorly functioning system of Regional Exam Centers and left to sink or swim – or seek employment in some other line of work. Many mariners chose to leave the industry since they were unable to wait up to 16 weeks for the REC to screw up their application.

○ Schools (and GCMA) tried to serve as Ombudsmen to rescue the careers of many mariners who threatened to leave the system. Headquarters personnel admit that some RECs simply “guessed” at the new towing license requirements.

○ Industry now expects the Coast Guard to reduce requirements and “give away the store” as far as licensing is concerned. Such pressure may be hard to resist because the Coast Guard long acted as the towing industry’s lapdog and has been the recipient of its favors, flattery, and source of jobs.

○ In the past 4½ years, each towing company followed its own path as far as training mariners was concerned. Although one towing company(1) led the way in establishing a comprehensive training program, the towing industry trade association never put together an industry-wide training program for new recruits in the industry or to generate new pilothouse personnel. Somehow, the “partnership” between AWO and the Coast Guard never focused on training new mariners. This was a significant oversight on by both parties and will be hard to cover when towing vessels are tied to the dock without adequate crew. [(1)Kirby Inland Marine]

○ By its aggressive opposition to labor unions, large segments of the towing industry divorced themselves from some of the best training programs in the country. However, they made no concerted attempt to hire other commercial trainers to assure a supply of trained and capable Mate/Pilots and establish a meaningful “career path” for mariners to follow.

○ The Coast Guard claims to be short-handed at Headquarters and does not have the personnel to rework a problem they thought they solved in 2001.

○ It is obvious that just as you cannot safely put untrained mariners on deck or in the engineroom without adequate training, neither can you shuffle them into the pilothouse without a thorough and complete knowledge of the deck and engineroom.

NEWS BRIEF

Clean Drinking Water

We are making slow progress toward ensuring clean potable water for the boats our mariners serve on. Our readers know that GCMA fought long and hard to attract the attention necessary at the national level to the problem of the **poor quality of the potable water used for drinking, cooking, and bathing** purposes aboard the vessels our mariners serve on.

The background story of this battle against government bureaucracy and stonewalling appears in GCMA [Report # R-395](#), Revision 1, Oct. 12, 2004, Safe Potable Water and Food Service On Workboats; An Appeal To Congress. Like all our research reports, this report appears on our internet website.

We are pleased that Congress acted on our appeal and definitely assigned the task of assuring mariners have decent drinking water to the Coast Guard rather than farming it out to some other government agency. We are blessed that Congress, at the same time, added the nation's 5,200 commercial towing vessels to the ranks of "inspected" vessels that will also benefit from this attention.

The Coast Guard took the [first step](#) and opened a docket on the matter and issued a "Notice of Inquiry and Request for Information" in the [Federal Register](#) of July 11, 2005. We printed a copy of that Notice in this newsletter. We encourage every mariner working on vessels of less than 1,600 gross register tons to read this notice taken from the [Federal Register](#).

We also need your help! The problem of unsatisfactory potable water has not gone away and it will not go away if you sit back and fail to report the problem.

In this newsletter we enclose blank report form, an **UNSATISFACTORY POTABLE WATER REPORT** form. We ask every mariner who encounters potable water used for drinking, cooking, or bathing on their boat to fill in this blank form (or one that Captain David Miller will post on our internet website. Notify us at GCMA at the address on our letterhead of any unsatisfactory potable water you encounter. Return the form by mail, by fax, or by e-mail. Fill out as much of the information as possible. You do not have to give us your name because we do not want to put your job at risk. You may do so however, and we will try to keep you posted on our progress. You may enclose additional information on any aspect of this problem that you believe would be useful to us or to the Coast Guard in solving this problem.

Designated Examiner Qualifications

GCMA [Report #R-383](#), Revision #2. [Designated Examiner \(DE\) Qualifications](#) is available. The Coast Guard established the Apprentice Mate/Steersman program 4½ years ago to train a new generation of towing vessel Mates and Pilots.

Although there are now approximately 652 Designated Examiners holding the necessary USCG certification letters, they are unevenly spread throughout the industry. Our review conducted in early July shows only 49 of 223 AWO companies (21.9%) have one or more designated examiner and only 26 of an estimated 900 non-AWO towing companies (2.8%) have one or more designated examiners.

Although there may be some inaccuracy in these figures, it leads to the conclusion

that large segments of the towing industry simply ignored the new licensing regulations for 4½ years and now find themselves in a bind. Of course, maybe 80% of the towing industry has enough Mates and Pilots already so they don't need to train new towing vessel officers. Yet, that just does not seem to be the case! Just remember this the next time your boss begs you to "work over" a few more days because he can't find anybody to take your place. Do not make the mistake of working more than 12 hours in any 24-hour period and put your license at risk.

Uninspected Means Neglected

In our article on pages 1-4 of Newsletter #31 (June 2005), we mentioned that the Iberia Parish (LA) Sheriff found that the Captain of the towboat POLARIS that sank in the New Iberia Canal did not have a valid license. It is even more interesting than that! One man with a license claimed to be a person he was not, and the Pilot didn't have a valid license, either. Both men reportedly had extensive criminal records.

Using mariners with revoked licenses is one way a company can avoid all sorts of expenses including training expenses. It also cheats law-abiding mariners with all the necessary credentials of employment. If you are aware of any similar cases, report them to the nearest Marine Safety Office and ask them to check it out.

We will follow this story and several other reports of invalid, revoked or stolen licenses with renewed interest.

ARTCO Six Trial Postponed

In our article on page 2 of Newsletter #31 (June 2005) we cited the trial date as the week of July 25-29. Unfortunately, the Judge postponed the trial as it became evident at a pre-trial conference that there would be too much evidence to present in only one week. Consequently, the Judge set aside two weeks for the trial in February 2006.

For background on this, read GCMA [Report #R-340](#).

Deckhand Reports Assault by his Relief Captain

A mariner serving on a towing vessel owned by Eckstein Marine of Harahan, LA, on the Gulf Intracoastal Waterway recently reported that his Relief Captain grabbed him by the throat and smashed his head against a pilothouse window thereby breaking the window.

Coast Guard District Headquarters was notified and they passed the matter to the local MSO Investigators in New Orleans.

If you are a licensed officer and assault a crewmember you should be aware of this passage from Martin J. Norris, [The Law of Seamen](#):

§10:32. Assault on Seaman: By Ship's Officer. – The criminal statute prohibiting

corporal or any other cruel and unusual punishment upon any member of the crew applies, of course, to the ship's officers as well as to the master.⁸⁶ If anything, there would appear to be a lesser justification for such an assault by an inferior officer than by a master who stands in the position of supreme authority aboard ship. Except in self-defense, and then only to a degree comparable to the force and nature of the assault by the seaman, can a ship's officer justify his action. It has been held that any aboard ship, who by authority exercises control over the actions of the crew, is an officer subject to prosecution under this statute.⁸⁷ [86 18 USCS § 2193. No 16740 (1838, CC Mass). 87United States vs. Trice, 30 F 490 (1887, DC Tenn)].

INTOXICATED MASTER SENTENCED TO PROBATION

[Source: *Catholic Maritime News*, June 2005, p.7]

NEW ORLEANS - An Alabama resident and master of an inland towing vessel was sentenced to two years probation for a January 2004 incident where he was found to be operating in U.S. waters under the influence of alcohol.

Daniel L. Ferrell, 63, was sentenced by Judge James J. Brady of the U.S. District Court in Baton Rouge, La., to serve two years probation, 100 hours of community service, and he will be required to participate in an alcohol assessment program.

On Jan. 16, 2004, Ferrell was piloting the CITY OF PORT ALLEN when it struck the Brusly Railroad Lift Bridge on the Port Allen-Morgan City alternate route waterway. Investigators from the Coast Guard's Marine Safety Unit in Baton Rouge who responded to the initial incident tested Ferrell for alcohol. Ferrell failed the test, blowing a .235 on the breathalyzer.

Don Lane, the Special Agent in Charge of the Coast Guard's Investigation Service office in New Orleans, was very pleased with the outcome of the case.

"This sentencing sends a message that merchant mariners will be held accountable for their misconduct on the navigable waters of the United States," said Lane. "Licensed mariners must be held to a high standard, and vessel captains must be held ac-countable for their responsibilities and for the safety of the lives under their care."

This case marks the third time in the last 17 months that the Coast Guard has worked with U.S. Attorneys in Louisiana to rapidly remove and successfully bring charges against intoxicated vessel operators along the Lower Mississippi River system.

On Feb.. 4, 2004, the Coast Guard received a call from a state pilot aboard the motor vessel PROIKONISSOS, reporting the master appeared drunk. The master failed the breathalyzer administered by a team of investigators from Coast Guard Marine Safety Office New Orleans and he was arrested by CGIS. The U.S. Attorney in New Orleans charged the master and levied a fine of \$5,000 and imposed a one-year suspension against him.

In October 2004, after reports that the master aboard the motor vessel WINNER was assaulting his crew, MSO New Orleans responded, CGIS arrested the master and the U.S. Attorney again levied similar fines.

UNSATISFACTORY POTABLE WATER REPORT FORM

Instructions: Please answer as many of these questions as possible. E-mail the completed form via the "Submit" button at the bottom of the form or mail to GCMA, P.O. Box 3289, Houma, LA 70361. Or fax to: 985-879-3911 (24 Hours). Or e-mail to: info@gulfcoastmariners.org.

Take as much space as you need in the text boxes for your input then click the submit button to send the data directly to GCMA or just print the form out and mail to us.

Unsatisfactory Potable Water Report Form

Statement: I worked (or was a passenger) aboard the vessel named below and found the provisions for potable water were not acceptable for drinking bathing cooking:

(1) Date(s) where conditions were not acceptable:

(2) Name of Boat:

(3) Official Number:

(4) Approximate length:

(5) Operated from the port of:

(6) Destination:

(7) Number of crew normally assigned to this vessel:

(8) Number of (additional) passengers or persons-in-addition to the crew carried:

(9) Owner/Operator: Name & Address:

(10) Did you report the unsatisfactory potable water to the Owner/Operator? Yes

No.

(11) Type of commercial vessel:

Towing Vessel: Service: Inland & River Harbor Coastwise or Offshore

Offshore Supply Vessel: Small Passenger Vessel: Other

(12) Does the Owner/Operator provide BOTTLED WATER to supplement water in the tank? Yes No.

(13) Was sufficient BOTTLED WATER supplied for cooking and drinking purposes?

Yes No.

(14) How large is the vessel's Potable Water tank? Approximately Gallons.

(15) Is the tank large enough to serve your vessel's needs on all vessel assignments?

Yes No Not Always

(16) Does the Owner/Operator take water samples and have them tested at a laboratory? Yes No I do not know.

(17) Is the Potable Water tank made of: Steel? Aluminum? Fiberglass?

(18) Does the vessel have a Watermaker installed? Yes No.

If so, is the Watermaker maintained according to its manufacturer's instructions?

Yes No I do not know.

(19) Does the vessel have a separate hose used exclusively to fill the Potable Water tank? Yes No.

(20) Is the vessel equipped with vacuum breakers to prevent water from back-flowing into the potable system? Yes No I do not know.

(21) Is the potable water you use treated with any chemicals aboard your vessel?
 Yes No.

(22) Does your potable water come from a public (e.g. city or county) water supply?
 Yes No.

(23) Type of suspected contamination in the vessel's water supply:

- Rust and other particles.
- Oil or other foreign chemicals
- Too much chlorine
- Bacteria (etc) that made crewmembers sick.
- Nasty odor or bad taste
- Visible living organisms

(24) (Voluntary) Your name, address & phone #

 [Click here to submit this form directly to GCMA](#)

**FEDERAL REGISTER NOTICE:
POTABLE WATER ON INSPECTED VESSELS**

[**Source:** Federal Register: July 11, 2005, Volume 70, Number 131
Proposed Rules, Pages 39699-39700.]
Docket #USCG-2005-20052
AGENCY: Coast Guard, DHS.
ACTION: Notice of inquiry; request for information.

SUMMARY: This notice solicits public input on the amount of potable water that

should be available on inspected vessels. Section 416 of the Coast Guard and Marine Transportation Act of 2004 amended 46 U.S.C. 3305 on "Scope and standards of inspection." This amendment adds a new item to the inspection process; that is, to ensure that each inspected vessel has an adequate supply of potable water for drinking and washing by passengers and crew. The Coast Guard is considering the options for implementing the new statute and seeks public input and information on criteria to determine the amount of potable water that should be available on inspected vessels.

DATES: Information and related material must reach the Docket Management Facility on or before September 9, 2005.

ADDRESSES: You may submit information identified by Coast Guard docket number USCG-2005-20052 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) Web site: <http://dms.dot.gov>.

(2) Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001.

(3) Fax: 202-493-2251.

(4) Delivery: Room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(5) Federal eRulemaking Portal: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or e-mail Mr. Craig Burch, U.S. Coast Guard Office of Design and Engineering Standards, telephone 202-267-2206, e-mail cburch@comdt.uscg.mil. If you have questions on viewing or submitting material to the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, telephone 202-366-0271.

SUPPLEMENTARY INFORMATION:

Request for Information. All comments and information received will be posted, without change, to <http://dms.dot.gov> and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT's "Privacy Act" paragraph below.

Submitting comments and information: If you submit information, please include your name and address, identify the docket number for this notice (USCG-2005-20052) and give the reason for each comment or for bringing information to our attention. You may submit your information by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under ADDRESSES; but please submit your information by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8 1/2 by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and information received during the comment period.

Viewing comments and documents: To view comments, go to <http://dms.dot.gov> at any time and conduct a simple search using the docket number. You may also visit the Docket Management Facility in room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Privacy Act: Anyone can search the electronic form of all comments and information received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement in the Federal Register published on April 11, 2000 (65 FR 19477), or you may visit <http://dms.dot.gov>.

Background and Purpose

Section 416 of the Coast Guard and Marine Transportation Act of 2004 amended 46 U.S.C. 3305 on "Scope and standards of inspection." This amendment adds a new item to the inspection process; that is, to ensure that each inspected vessel has an adequate supply of potable water for drinking and washing by passengers and crew. The Coast Guard seeks public input and information on criteria that could be used to determine an adequate supply of potable water on inspected vessels. In this case, inspected vessels include ships, manned barges, and Mobile Offshore Drilling Units. Factors that will be used to determine an adequate supply are:

The size and type of vessel;

The number of passengers and crew on board;

The duration and routing of voyages; and Guidelines for potable water recommended by the Centers for Disease Control and Prevention and the Public Health Service.

Through this notice, the Coast Guard asks for comments and information related to the following questions:

What other factors should be considered in determining the amount of potable water that should be available on a vessel?

What design practices and policies are used for potable water systems on vessels?

Are periodic water tests conducted on U.S. vessels to determine continued potability?

What protocols or test methods are being used and who is conducting the testing? What industry standards could be applied to the design and testing of potable water systems on vessels?

Should the Coast Guard consider incorporating the International Organization for Standardization (ISO) standards 15748-1 on Ships and marine technology--Potable water supply on ships and marine structures--Part 1: Planning and Design and 15748-2 on Ships and marine technology--Potable water supply on ships and marine

structures--Part 2: Method of calculation?

ISO standards 15748-1 and 15748-2 have not been put into the public docket because they are protected by copyright. These standards are available for purchase through the International Organization for Standardization, 1, rue de Varembe, Case postale 56, CH-1211 Geneva 20, Switzerland. These standards may also be viewed at U.S. Coast Guard Headquarters. Please call or e-mail Mr. Craig Burch, U.S. Coast Guard Office of Design and Engineering Standards, telephone 202-267-2206, e-mail cburch@comdt.uscg.mil to schedule an appointment.

INDUSTRY MISSED THE BOAT ON TRAINING OUR MARINERS

Towing companies are starting to wake up to the fact that there are not enough Mate/Pilots and that they can no longer find enough raw recruits in the industry to serve as "green" deckhands – i.e., "cannon fodder" for the industry.

Mario Munoz, Chairman of TSAC and a junior executive with American Commercial Barge Lines spoke with alarm at the potential retirements that his company faces over the next few years at a recent TSAC License Working Group meeting in Houston. While we can understand why few people would want to work for this particular GCMA "Brown List" company, the training and recruitment problem is a critical industry-wide problem.

Emphasis on Training

The advent of STCW-95 in July 1995 focused the attention of the offshore industry upon training – the "T" in STCW. Increasingly, training came to mean:

- o Attending formal classes somewhere.
- o Undergoing "assessments" of your skills as part of training.

Until that time, training involved relatively little expense for our "lower-level" mariners. Usually a mariner was expected to pay for his own license-related training that often meant attending a "license prep" class of some kind at a cost of between \$200 and \$1,000.

Suddenly, the cost of training jumped so far and so fast that it soared beyond most mariners' reach. GCMA, with the help of four major maritime unions and the knowledge and expertise of Jessica Smith of the Seafarers International Union rounded up a one-time government grant from the U.S. Department of Labor to train "lower-level" mariners to meet STCW requirements.

Other companies received state grants for certain programs. However, our attempts to obtain information about these state grants from the Louisiana Department of Labor were stonewalled.

The towing industry and the offshore oil industry, major employers of our "lower-level" mariners are avid opponents of labor unions. We saw this in the Pilots Agree strike of 1998 and the Offshore Mariners United movement on the Gulf Coast between 2000 and 2003.

With the high price of training, mariners need some reasonable means of advancement in the industry. However, there is no such thing as “Free training” as there is no “Free Lunch.” Sure, the Armed Forces offer “free training” but the training is for their specialties or for the college of your choice after you complete your service obligation.

Some companies offer training in return for remaining in their employ for a period of time. If you leave, either quit or fired, you often must repay the money they spent on training you including room and board. For example, one candidate signed up for a company-sponsored 100-ton license training for \$3200 where he could have received the same training at a local state-operated school for \$250 with no strings attached.

Avoiding the Obvious

Union membership may bring with it opportunities for “Free Training.” It is free in the sense that you show your interest and good faith in investing your time and energies in learning a trade, and you will not have any out-of-pocket expenses and will receive free job placement. The following article is from the [Seafarers Log](#) published by the Seafarers International Union.

Top of the Class

SIU President Michael Sacco notes that first-time visitors to the Paul Hall Center for Maritime Training and Education often are surprised at how much the school has to offer.

Located in Piney Point, Maryland, the Paul Hall Center truly is a world-class facility. The campus and buildings are beautiful, the equipment cutting-edge. Most importantly, the instructors and staff are extremely knowledgeable, supportive and dedicated to the school’s mission of delivering the world’s best-trained mariners.

I have worked in conjunction with the school since its founding in 1967. Throughout the years, I’ve been most impressed by how the Paul Hall Center not only embraces change but seeks it, as a means of constantly staying ahead of our industry’s needs. Through that approach – always asking, “How can we improve?” – the Paul Hall Center has become, in my view, second to none.

With a strong emphasis on hands-on training, the school offers everything from entry-level programs to upgrading classes to license preparation to academic support and more. In recent years, the center has answered America’s heightened security needs by implementing comprehensive maritime safety and anti-terrorism training for every student who passes through the front gate. For example, the school added a small-arms range approved by the U.S. Military Sealift Command (along with accompanying curriculums) and then in early 2005 became the first facility to offer a vessel security officer course approved by the U.S. Maritime Administration.

Those are just two examples among many that illustrate the Paul Hall Center’s commitment to offering the most useful, important, up-to-date training anywhere in our industry. The school also has been a leader in providing STCW-mandated

training, and was the first to publish a Coast Guard training record book to meet international shipping regulations.

Similarly, the school was among the first maritime facilities to provide ship-handling simulators for training, and it was the first to offer an oil-spill prevention and containment class. Additionally, the Paul Hall Center was the first to institute an EPA-certified refrigerant handling class both on and off campus. It also was the first to establish a culinary institute dedicated to food preparation aboard ship.

With the rebirth of the American-flag deep sea cruise ship industry, the school has developed new courses and built additional facilities specifically to help meet the manpower needs of this important component of the U.S. fleet. Here again, it's another example of how the Paul Hall Center unfailingly fulfills its purpose.

As you can tell, I'm proud to be associated with the school, which is a joint trust between the Seafarers International Union and its contracted employers. (The school is funded and maintained through joint contributions of signatory employers. Jointly appointed trustees then manage the contributions to most effectively operate the school.) The Paul Hall Center has trained tens of thousands of students, helping them begin and sustain productive, rewarding careers.

Honoring a strong sentiment of the school's founder, the late SIU President Paul Hall, the center also offers plenty of academic study for those who are interested. This includes everything from basic tutoring all the way to a college degree program. In between, students can earn a GED at the Paul Hall Center and also earn college credits by completing any number of the dozens of curriculums offered.

Still, the heart of the school is maritime training – and on that score, the Paul Hall Center remains at the head of the class. [● End Article]

Starting from Scratch

You have no future working for a company that places little value on your service. For mariners who are just entering the field, the school at Piney Point offers an entry-level curriculum specifically designed to maximize students' chances to enjoy successful careers as seafarers. There is no tuition for this program and room and board are free.

For information on eligibility call the admissions office at (301) 994-0010.

GCMA Directors had the opportunity to visit other union schools at Linthicum, Maryland (Masters, Mates and Pilots), Easton, Maryland (Marine Engineers Beneficial Association), and Dania, Florida (American Maritime Officers). All provide excellent facilities and the environment for learning that is so necessary for success.

We believe our mariners must receive all the training they need to perform their job safely and efficiently in the deck and engine department. Mariners should avoid employers who leave them hanging because they do not want to pay to train them. Also, avoid companies that abandon you without help or guidance in preparing for a meaningful career in the marine industry or are even unwilling to help you obtain a license or a raise in grade. Avoid employers who are too stupid to give you proper advice on dealing with the Coast Guard bureaucracy. Union schools have

demonstrated they can perform all these tasks and make you a more valuable employee through training.

COAST GUARD INCIDENT AND PERSONAL INJURY INVESTIGATIONS

[This is an example of how the Coast Guard bureaucracy runs us around in circle to avoid making a simple change. We include it here just to be sure we have it "on the record.]

GCMA has long been aware that employers do not report all vessel accidents and personal injuries to the Coast Guard as required by federal regulations. We are also aware that OSHA keeps much better track of personal injuries than the Coast Guard ever has done.

Shortly after GCMA was formed, Attorney Mark Ross collected evidence that one major company failed to make 44 personal injury reports to the Coast Guard. There simply were no accident reports (i.e., [CG-Form 2692](#))^{pdf} submitted to the Coast Guard on any of these injuries. This skewed one important category of the Coast Guard injury statistics by as much as 25 percent – a very significant figure for a government agency that is charged with collecting and maintaining statistics of the industries they are entrusted by Congress to superintend.

To stick it to our mariners even worse, the Marine Safety Office in Morgan City simply forgave the company for its errors. This makes it tough on a mariner and his attorney when the company stiffes them by denying an accident even took place. If the accident is not reported, the Coast Guard cannot investigate it!

Form CG2692 is not difficult to fill out. However, in one TSAC meeting our Directors attended in Washington, CG-2692 was the butt of a joke that it is very hard to learn anything of value from this form.

We complained to the Coast Guard that 46 CFR 4.05-5 says "...the owner, agent, master, operator, or person in charge shall notify the nearest Marine Safety Office(of) an injury that requires professional medical treatment (treatment beyond first aid) and, if that person is engaged or employed on board a vessel in commercial service, that renders the individual unfit to perform his or her routine duties." The same "owner, agent, master, operator, or person in charge" must file a written report (i.e., form CG-2692) within 5 days.

Since many employers never bother to do this, GCMA asked that the mariner himself be allowed to submit his own CG-2692 after an accident so the accident would be recorded.

In a letter dated July 16, 2004 we were told that the regulation "does not set limitations as to who may submit a report of a marine casualty." This means that the Coast Guard would not tear-up a deckhand's report on how he hurt his back or cut off his finger. We still have a problem because the regulation (as published in the Code of Federal Regulations) does not clearly state this in terms everyone can understand.

The Chief of the Investigations Branch stated in that letter: "I have determined that the appropriate action in this instance is to release a Policy Letter to ensure that proper emphasis is given to any casualty report submitted to the Coast Guard regardless of the source."

We pointed out that very few mariners ever read Coast Guard policy letters. However, if the best we could get would be a policy letter, we were willing to settle for it. Well, almost a year later, we asked: “[where is the promised policy letter?](#)”

GCMA queried the Chief of the Coast Guard’s Investigations Division at Headquarters in Washington about Coast Guard Investigations Policy letter in May 2005 – about a year later.

Internal Coast Guard policies that explain how various programs are supposed to function appear in the [Marine Safety Manual](#) (MSM). In recent years, the MSM has been available on the internet.

“Investigations” appears in MSM Volume 5. At present, Vol. 5 is divided into chapters on Investigations. We admit that keeping policies current and up to date can be a challenge – but it is their job, not ours!

The Coast Guard replied to our request for information as follows:

“This letter is in response to your (GCMA) fax request of May 24, 2005.

“We are currently in the process of a major re-write of the Coast Guard [Marine Safety Manual](#), Volume V, Investigations and Enforcement. This re-write is incorporating all policy letters into a single source reference document for all investigating officers. We have opted to add a section to this manual, rather than draft a new policy letter, to ensure investigating officers understand the policy that all incidents reported to the Coast Guard are investigated. The applicable section in Part A, Chapter 5, reads as follows:

“All incidents reported to the Coast Guard, regardless of the source, will be investigated. However, the OCMI/COTP must determine on a case-by-case basis what investigative actions are appropriate for a specific case based on the likely value to marine safety, available resources, and risks in a given port. This policy does not limit or change OCMI/COTP authority or responsibility to determine appropriate actions. For example, a minor collision (damage less than \$25,000) of a towboat and a moored casino vessel may highlight significant safety concerns that would demand a formal investigation, or the OCMI/COTP may decide to conduct an informal investigation of three deaths from a fishing vessel sinking if the added cost and complexity of a formal investigation would not bring appreciable benefit. In such cases, the usual process of investigating, determining causal factors, reporting, entering information into MISLE, and record keeping must be followed...” s/ W. D. RABE,, Chief, Investigations Division.

[GCMA Comment: Full correspondence on this matter appears in Coast Guard [Docket #2002-12580](#) pdf. We maintain a file at GCM-60 on this matter.

[GCMA Comment: We appreciate the fact that the Coast Guard will report all reported incidents and urge any injured mariner to be sure the Coast Guard is notified of any injury that requires “treatment beyond first aid” (e.g., a hospital visit).]

[GCMA Comment: We routinely follow-up on vessel accidents and personal injuries when we learn they are never reported to the Coast Guard.]

PUTTING THE SEAFARER FIRST

By Efthimios E. Mitropoulos
Secretary-General, International Maritime Organisation

[Source: International Transport Workers Federation (ITF), Transport International, Issue #20, July/Sept. 2005, pgs 25-26. Emphasis by underlining is ours.]

There can be no doubt that shipping plays a pivotal role in underpinning international trade. It has always provided the only really cost-effective means to transport large quantities of raw materials, components, finished goods, fuel and foodstuffs over any great distance. Ships and the seafarers that man them therefore fulfill a vital role in today's global economy.

That is why, the International Maritime Organization (IMO), the United Nations specialized agency with responsibility for the safety and security of shipping and the prevention of marine pollution by ships, places considerations of the human element at the center of its work.

Issues of concern to seafarers such as stress, fatigue, workloads, training standards, safety, security, and environmental protection are all of prime importance to the committees and sub-committees of the organization. In the course of their work in developing international standards, the experts who serve on these committees take the "human element" into consideration, particularly when reviewing the adequacy of requirements and recommendations for the operation of ships and their equipment.

As an example, the simplification and standardization of terminology in international industry is a pre-requisite, and careful consideration is given to factors such as user friendliness, safety of use, harmonization of essential safety features and the need for clear, easily understandable and up-to-date operating and technical manuals.

The Importance of Standards

Shipowners today clearly recognize the benefits to be gained from employing seafarers who are not only properly qualified but who also display the profession standards and technical competence needed to manage today's ships safely and efficiently. That is why IMO's revised Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), which is designed to make sure that the human resource available to the shipping industry meets the required standards, is one of the most important measures to be considered by the IMO in recent years.

The STCW Convention, which underwent complete revision in 1995 has been updated with amendments since then, focuses on the demonstration of competence, not just the acquisition of knowledge. The implications of this have been significant for trainers and seafarers alike, and not least for the long-term impact the revised standards may have on the maritime casualty statistics, which continue to demonstrate an improving safety and environmental protection record for international shipping. Some of this improvement can be attributed to improved technology but, with statistics also suggesting that some 80 percent of accidents are attributable in

some way to human error, the improving record is a testimony to the skills and dedication of today's seafarers.

Another major part of IMO's work, which closely relates to the human element at sea, has been the introduction of the International Safety Management (ISM) Code. As its name suggests, this mandatory code deals with management and, in particular, the responsibility of management to play a full and active part in building a safety culture onboard ship and within the company, to the benefit of all concerned. The code puts management squarely in the safety chain and, should something go wrong with the ship at sea, does not leave the Master as solely responsible but takes the issue as far as the boardroom.

Addressing seafarer shortage

Turning now to wider issues, common with others involved in shipping today, IMO is deeply concerned about the widely reported upcoming shortage of seafarers. A number of international, regional and national research studies have highlighted the scale of the problem if action is not taken so it needs to be tackled before it reaches unmanageable proportions. In this regard, recent decisions in some parts of the world to criminalize inadvertent polluters will do little to encourage youngsters, when they are weighing up the pros and cons of the various career options before them, to choose shipping.

IMO has now taken up this matter, following a proposal that the organization, in cooperation with the International Labor Organisation (ILO), should consider the development of appropriate guidelines for the fair treatment of seafarers in such situations. This is a difficult issue but I believe it is a cause for optimism that, notwithstanding the complex and delicate nature of the subject, something positive is now being done to address it at the international level.

The first session of the Joint IMO/ILO Ad Hoc Expert Working Group on the Fair Treatment of Seafarers in the Event of a Maritime Accident met in January this year and agreed that guidelines should be adopted as soon as possible, in order to ensure that seafarers involved in a maritime accident are fairly treated and their rights are not violated. A draft resolution on this matter was agreed, for adoption by the IMO Assembly (which meets in November 2005) and the ILO Governing Body.

If the global pool of competent, properly qualified and efficient seafarers is to be increased, seafaring must be seen as a viable career choice for people of the right caliber. This clearly dictates that efforts should be made to ensure that the employment conditions for seafarers should be at least comparable with those found in other industries – particularly in view of the obvious impact that the quality of the shipping industry's workforce has on safety at sea and protection of the marine environment.

I am convinced that, through a rigorous and well-orchestrated campaign, and through paying attention to the details of such issues as seafarers' training, welfare, pay, conditions and so on, the attractiveness of seafaring as a profession, in what today has become a very competitive and international employment market, can be significantly enhanced.

Operating the complex ships of today is a skilled job at all levels, from Master to deckhand. It demands that seafarers really do possess the skills necessary to carry out the various functions for which they are certificated. A troubling complication in this regard is the incidence of fraudulent practices related to obtaining statutory certificates attesting competency. This is an extremely serious matter because people could be put in positions of responsibility that they are not capable of undertaking and, thereby, jeopardize the lives of others and the marine environment.

Clearly it is essential that certificates can be relied upon and that their validity can be verified. It is therefore imperative that these practices should be stamped out. Research undertaken by IMO has highlighted the issues involved and action has been taken by the relevant IMO sub-committee through a series of circulars giving appropriate guidance to training institutes, maritime administrations, and shipowners. But seafarers themselves have a role to play, too, and are encouraged to take whatever steps are necessary to draw to the attention of the authorities any instances of fraudulent certification which come to their attention.

Strengthening Security, Protecting Rights

At IMO, we have, regrettably, had to join other UN organizations in strengthening our existing measures to address the issue of maritime security following the recent terrorist incidents around the world, foreshadowed by the September 11th attacks in the United States. Part of the guiding philosophy has been to create specific responsibilities on ships, in companies and ashore in ports, a chain of accountability and, through training, to ensure that all concerned have the appropriate skills they need to fulfill the responsibilities with which they have been entrusted. Seafarers have a central role in maritime security measures, which entered into force on 1 July 2004.

In implementing the new security regime, it was important to balance the needs of security with the needs of facilitating maritime trade. IMO was also concerned to ensure the correct balance between tightening security provisions so that criminals and terrorists cannot gain access to ships and ports by posing as seafarers, while ensuring that innocent seafarers are not themselves unfairly penalized as a result – for example, by denying them shore leave.

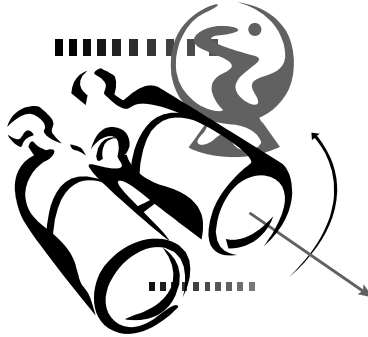
Shipping relies heavily on the initiatives, cooperation and constant vigilance of seafarers to help prevent breaches of maritime security and, without their support and wholehearted commitment, the system the International Ship and Port Facility Security (ISPS) Code aims to put in place will be severely weakened. It is crucial therefore, that seafarers are not made to feel that their services are not sufficiently recognized.

Fast turnaround times mean port stays are short these days, and the pressure on seafarers is growing all the time. For the sake of safety and efficiency as well as for the security aspect, they need adequate opportunity to relax and recover before they take their ships out to sea again in pursuit of their peaceful objectives in the service of the world trade. Their opportunities for shore leave should, therefore, not be unnecessarily restricted.

Thanks to the efforts of IMO and others, ships are now designed, built, equipped, operated and manned to standards more exacting than ever before. Nevertheless, every year too many seafarers are either injured or lose their lives in maritime

accidents. More often than not, their injuries and deaths go largely unrecorded and are soon forgotten by all but close friends and families.

To mark the 50th anniversary of IMO in 1998, a trust fund dedicated to seafarers was inaugurated – generously supported by ITF. The fund has been used, among other things, to create a permanent memorial to seafarers at IMO headquarters, which acts as a constant reminder of the important role they play and of what the work of the Organisation is really all about. In pursuing our mission statement of “Safe, secure and efficient shipping on clean oceans”, we never forget that achieving such objectives would be simply impossible with the vital contribution of the seafarer.



UPDATED GCMA “BROWN-LIST”

GCMA fields a significant number of complaints on employment issues from lower-level mariners in as fair a manner as possible. When a mariner gets a “raw deal” we do what little we can to get to the bottom of the problem. However, we are not and never have been a labor union.

The vast majority of our “lower-level” mariners work as “employees at will.” Unfortunately, this means that they do not work under a labor contract negotiated through collective bargaining that controls their conditions of employment and provides the machinery to resolve their grievances. Without such a contract, most of our mariners can be fired or demoted at any time, for any reason whether fair or not. There is little recourse for most of our mariners unless such termination is clearly illegal – and only then with the help of an attorney.

When one of our mariners is mistreated, we take the matter very seriously. As a mariners Association, we keep track of these incidents. When our mariners look for a new job, we want them to obtain jobs with employers who respect them and will treat them fairly. We assign companies whose names appear in our records as having mistreated one or more of our mariners to our “Brown List.”

Mariners must make their own decisions about their employers. As a service to dues-paying members of GCMA (only) we can inform you of some of the specific incidents that led us to “Brown List” a company. Then you can decide whether you want to learn the same lessons the hard way by working for a “Brown Listed” company.

Company:

- Abdon Callais Offshore.
- American River Transportation Co.
- American Commercial Barge Lines
- Coastal Towing, LLC & TLC Marine Svc.
- Delta Towing.
- ENSCO.
- Frazier Towing
- Global Marine
- Gulf Pride Marine Service, Inc.
- Guidry Brothers/Harvey Gulf Marine
- L&M Botruc Rentals
- Maryland Marine
- Stapp Towing
- Tidewater Marine
- Trico
- Torch, Inc -• **R.I.P. and good riddance!**



The past month saw the demise of one of our “Brown Listed” companies., Torch, Inc. An article in the August 2005 issue of Workboat magazine (p. 18-19) states that a U.S. District Court judge ordered them to liquidate their assets. Apparently, unsecured creditors received nothing. First they screwed their mariners and then their investors. Good riddance.

INDUSTRY LOSES ANOTHER DECKHAND CRUSHED BETWEEN BARGES

[Source: The Waterways Journal, July 15, 2005]

Robert A. Pollard, a 60-year-old deckhand with McGinnis Inc., was killed July 9th, in an accident near the Beckjord power plant on the Ohio River, The People’s Defender newspaper of West Union, Ohio, reports.

Pollard was reported to have been working on the M/V. GLENNA M when he became pinned between two barges. He was pronounced dead at the scene.

Pollard was a deckhand with The Ohio River Company for 38 years before working with McGinnis, the newspaper reported.

This is the fourth case of a mariner being crushed between two barges brought to the attention of GCMA within the past year. We will be examining these cases in detail in future issues of this newsletter.



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- Able Bodied Seaman/USCG-approved (testing done on site)

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