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BILGE WATER PROCESSING EQUIPMENT: COMMENTS TO COAST GUARD DOCKET

Introduction: On January 20, 2006 the Gulf Coast Mariners Association submitted the following comments to the U.S. Department of Transportation, Docket Management Facility in response to a request for comments that appeared in a notice in the Federal Register at 70 FR 67066, Nov. 3, 2005 for Docket #USCG-2004-18939, Pollution Prevention Equipment.

GCMA research reports #R-401 & R-279 available on our internet website are listed as Enclosures #1 & 2 respectively in the pages that follow. Enclosures #3 & 4 are attached to the end of this report.

Dear Sir or Madam,

The Gulf Coast Mariners Association represents ñlower-levelò mariners who serve on vessels of up to 1600 gross tons on oceans, coastwise, inland and river service. As such, we represent both licensed and unlicensed engineers, ñdeckineers,ò oilers, tankermen, and ordinary seamen.

We offer our comments in response to the ñRequest for Commentsò in the Federal Register at 70 FR 67066, November 3, 2005. These comments were prepared in consultation with GCMA Director and Chief Engineer (Limited) Glenn L. Pigott with considerable practical experience with Oily Water Separator systems (OWS). Mr. Pigott is a member of the U.S. Coast Guardôs Merchant Marine Personnel Advisory Committee (MERPAC) appointed by the Secretary of the Department of Homeland Security.

In preparing these comments, our lower-level mariners find considerable professional support in the paper titled Initial Recommendations for Bilge Oily Water Separator System Design and Operation prepared by Hendrik F. Van Hemmen, PE, for the Society of Naval Architects and Marine Engineers Ad Hoc Panel 14. Our one caveat, however, is that our comments cannot and do not reflect the generation or use of steam because steam is not used on most vessels manned by our lower-level mariners.

GCMA Request #1: We commend Mr. Hendrik F. Van Hemmenôs interim report cited above to Coast Guard officials and to cognizant Members of Congress. We enclose a copy of that report **[Enclosure #4]** and respectfully request that it be entered as a part of this Docket.

Comment #1. Applicability. We opine that our Association has ñstandingò to offer the following comments on behalf of the ñlower-levelò mariners we represent:

33 CFR §155.100 (unchanged) cites Part 155ôs applicability to each ñshipò that is operated under the authority of the United States wherever located. ñShipò according to 33 CFR §151.05 means a vessel of any type whatsoever, operating in the marine environmentéò Consequently, for the purposes of this rulemaking, our mariners serve on ñshipsò (not ñboatsò) regardless of their size or tonnage.

Of the three categories of vessels impacted by this proposal (NPRM) our mariners serve on two of the categories mentioned under 33 CFR§ 155.350 (i.e., oceangoing vessels of less than 400 gross tons) and 33 CFR §155.360 (i.e., oceangoing vessels of 400 GT and above but less than 10,000 GT). Of the latter group, our concern is limited to mariners serving on vessels of less than 1600 GT. This tonnage applicable to mariners working on offshore supply vessels may now reach to 6,000 tons as measured by the International Tonnage Convention (ITC).[1] *[[1]CGD 96-058. Interpretative ruling authorized by §702 Pub L. 104-324, Oct. 19, 1996.]*

33 CFR §155.380 (changed, but not in the pertinent subsection) speaks to uninspected as well as inspected vessels. At present, towing vessels remain as uninspected vessels awaiting the promulgation of inspection regulations mandated by Congress in §415 of the Coast Guard and Maritime Transportation Act of 2004. In the past, owners built the vast majority of uninspected U.S.-flag towing vessels in coastwise and ocean service to admeasure less than 200 gross tons to avoid the expense of providing licensed engineers under the Officers Competency Certificates Convention (1936) and Act (1938). However, after the International Tonnage Convention came into force, the new ITC tonnage of some of these vessels exceeded 200 gross tons. Some new vessels exceed 400 gross tons, an important benchmark.

Comment #2: Most Lower-Level Engineers Lack Formal Safety and Vocational Training.

We sincerely regret that the Coast Guard finds it convenient to overlook the fact that ñlower-levelò engineers and the unlicensed ratings who often replace them receive little if any formal safety training or formal vocational training in how to operate or maintain equipment installed the machinery spaces owners hold them responsible for.

The following excerpt from a National Maritime Center letter of December 22, 2005 summarizes the problem and effectively places the focus upon Congress that, alone, has the authority to mandate adequate safety and vocational training:

ñEngineers are currently only required on inspected vessels greater than 300GRT or that operate only on rivers, harbors, lakes (except the Great Lakes) bays, sounds, bayous or canals. We can only mandate training and approve courses for the types of licenses authorized in the regulations for the ñlower level,ò such as for the Offshore Supply Vessel (OSV) Engineers. All other licensed engineer training, such as the three levels of Designated Duty Engineers (DDEs), would only be on a voluntary basis.ò

GCMA published two reports dealing with workboat engineers. We submitted GCMA Report #R-401, Rev. 1 **[Enclosure #1]** to Congress on March 8, 2005. This report speaks to safety and vocational training on the nationôs 5,200 uninspected towing vessels. We sincerely hope that cognizant Members of Congress consider the situation described in this report when it examines the adequacy of the U.S. Coast Guard rulemaking on the ñinspectionò of towing vessels in Docket #USCG-2004-19977.

From our vantage point, we have good reason to question why 1,305 uninspected towing vessels sank, capsized, or flooded during the last 12 years. We urged the Coast Guard to investigate this matter. We assert that consistently overlooking engineroom training ignores the possibility that action or inaction of untrained personnel assigned to operate and maintain vital machinery including pumping systems may play a significant role in these accidents. Unfortunately, only the Coast Guard maintains the records that could shed further light on this subject. Although we question the quality and depth of these ñaccidentò records, GCMA can only request the Coast Guard to conduct a formal investigation (and have done so).

GCMA Report #R-279, Rev. 5 [**Enclosure #2]** prepared with the help of Mr. Pigott discusses problems our licensed and unlicensed ñlower-levelò engineers face on Offshore Supply Vessels ï many of which are equipped with oily-water separators (OWS).

This NPRM seeks to add complexity to new equipment in order to make enforcement easier. We protest that employers task many of our mariners with operating equipment they never were trained to operate adequately and in depth and whose functions they may not understand.

We want to point out that Coast Guard officials (even those without graduate degrees in Education) should be able to understand that adequate training must precede authorization to operate any piece of equipment. Remedial training after a piece of equipment is used, abused, or operated in violation of an international convention, statute, or regulation closes the barn door after the cow wanders away!

Training is necessary to protect any complex piece of machinery as well as to optimize its efficient operation. GCMA believes that adequate training also serves to protect our mariners, their employers, and the environment. It is only reasonable that a training regime and must be in place before severe civil and criminal penalties can be imposed fairly.

We opine that both GCMA reports **[Enclosures 1 & 2]** reflect ñhuman factors.ò Both reports should be considered as an integral part of this docket.

Request #2: We respectfully request that this rulemaking be amended to mandate formal safety and vocational training in equipment operation and maintenance (e.g., factory training) as well as regulatory training in the proper method of Oil Record Book (ORB) entries for any person expected to operate OWS equipment.

Comment #3. The Educational Background of Lower-Level Mariners?

The 1995 STCW amendments changed training requirements to require assessments based upon the assumption that mariners would receive formal training. However, this change did not include an adequate infusion of government funding as occurred in Europe and throughout the world. The GCMA Education Fund, a separate entity, was fortunate in obtaining funding from the U.S. Department of Labor for STCW. However, none of this federal grant was earmarked for training engineroom personnel in equipment operation and maintenance. However, some was used in lifesaving and firefighting training for engineers. The Coast Guard must acknowledge its failure to request adequate funding for mandated training for ñlower-levelò mariners to comply with the 1995 STCW amendments.

This regulatory proposal involves the operation and maintenance of technologically advanced and expensive equipment. It is appropriate, therefore, to look into the training that will be required to operate and maintain this equipment. Because the proposed rule cites a benefit to the government in the improved enforcement of pollution prevention regulations, there is a much greater chance that a mariner operating, improperly maintaining, or inaccurately (falsely) reporting the use of this equipment will bring problems upon himself and his employer. These problems cannot be ignored and include:

- Possible monetary civil penalties.
- Administrative penalties such as suspension and revocation of licenses or merchant mariner documents.
- Termination of employment or blacklisting throughout the industry.
- Criminal penalties including jail time.

While engineers on deep-sea ñshipsò increasingly come from the ranks of Academy graduates, this simply is not true of almost all the ñlower-levelò engineers our Association represents.

We find it necessary to point out that in 1973 the Coast Guardôs ñNewman Report,ò reflecting a one-year study requested by U.S. Senator Russell Long of Louisiana and authored by Captain C.T. Newman (USCG), verified the low educational attainment level of mariners in the entire Gulf Coast area.

Captain Newman described our ñlower-levelò mariners in his report. Copies of the report are available commercially from Marine Education Textbooks, Inc. As an educator by profession, I pointed out the severe deficiencies in formal education to Coast Guard officials on many occasions both in writing and in face-to-face meetings at various Federal advisory committee meetings.

The Coast Guard needs to understand that there is no formal training available for the vast majority of our ñlower-levelò engineers (oilers, deckineers, deckhands, etc) on

tugboats, towboats, small passenger vessels, and offshore supply vessels ï and there hasnôt been any for the past thirty years. The lack of formal training or any requirement for this training means that a great many individuals received training to properly use or maintain existing oily-water separating equipment. In addition, there are thousands of mariners employed on the nationôs waterways that do not even possess a merchant mariner document. These mariners never received any formal training in pollution prevention. Many of these individuals serve as ñdeckineersò and are placed in charge of enginerooms and left to their own devices on how to dispose of waste and oily water.

As a former Army officer, I understand the importance of requiring operators and maintainers to receive formal training in how to use valuable and technologically advanced equipment before they are allowed to use it. **For example,** The Army trained us for ten weeks to operate a missile system; they held a one-year course teaching maintenance on the same system! Yet, the Coast Guard does not apply this thinking in their role of superintending our lower-level mariners as a part of the U.S. Merchant Marine (46 USC §2103). They allow untrained personnel to be put in charge of operating complex and expensive machinery on thousands of workboats[(1)] and have done so for over 35 years. By doing so, the Coast Guard discouraged effective training for these important and environmentally sensitive jobs. Bilge-water disposal is a serious problem for many small vessels ï a problem largely ignored by the Coast Guard especially on uninspected vessels. *[(1) "Workboats" is a general term describing where lower-level mariners are employed.]*

As a taxpayer, I always assumed that the Coast Guard required its own seagoing personnel to be trained in the use of their own equipment provided by the same tax dollars that built and maintained the elaborate Army equipment I managed many years ago. Consequently, I cannot understand why Coast Guard regulators historically put the cart before the horse as they attempt to ñsuperintendò lower-level merchant mariners.

The proposed rule (as well as the existing rule dating back to 1983) makes no provision to require engineer training on the oily-water separating equipment. This is a serious omission! A brief look at History shows that the Coast Guard failed to require training for operators of radar equipment on towing vessels until after the Bayou Canot accident killed 45 people. The resulting NTSB report took the Coast Guard to task for that for valid reasons. This obvious shortcoming in ñtrainingò lower-level mariners became an immediate political embarrassment and led to a mad scramble to provide interim training.

Today, Coast Guard officials continue to live in an ivory tower. **For example**: Coast Guard regulations required installation of Automatic Identification Systems (AIS) on a large number of vessels without requiring training first. These decisions show that the Coast Guard is locked into the same pattern in this attempt to upgrade oily-water separators ï one of putting the horse before the cart. Although the NPRM was well written, the proposed regulations discount or ignore the importance of training before installation and operation.

In the early 1990s, the Coast Guard began to pay greater attention to ñhuman factorsò as the cause for a majority of maritime accidents and began to less attention to purely mechanical issues. The catchwords ñPrevention Through Peopleò (PTP) are still around although this NPRM drowns in technical issues without adequate consideration of human factors. In the case of oily-water separation equipment, one of the keys to improving the operation of this equipment is formal training ï something conspicuously absent from this NPRM. Unless formal, ñapprovedò and mandated in-depth equipment training is required, our Association will be unable to support this rulemaking. However, such training must not be at our marinersô expense.

Unfortunately, boat companies often assign ñlower-levelò personnel to engineroom duties but are under absolutely no obligation to train them on installed equipment for this duty or even to give them basic training in engineroom safety so they can safely enter a working engineroom. While not training engineroom personnel saves on training expenses, it generates expenses from equipment abuse or misuse, accidents and injuries ï many of which are not reported. The industryôs accurate reporting of personnel injuries of lower-level mariners is abysmal. However, while the boat companies are willing to pocket their perceived ñsavingsò in vocational training costs, we are unwilling to let them off the hook when they fail to offer comprehensive formal safety training.

We discusses safety training in GCMA Report #R-401, Revision 1 titled Crew Endurance and the Towing Vessel Engineer ï A Direct Appeal to Congress. As the title implies, our Association moved the issue of Engineer training from beyond the Coast Guard to the appropriate Congressional oversight committees last year.

In summary, whether a vessel is over or under 400 gross tons, it is a possible pollution source and requires trained equipment operators and maintainers to maintain, run, and monitor every item of engineroom equipment. If the Coast Guard regulators expect complex equipment like oily-water separators to work properly, its operators and maintainers must understand both the equipment and the regulations that govern its operation.

Comment #4: Regulatory Training.

The regulations contained in this Notice of Proposed Rulemaking are written at a level that is very difficult for lower-level mariners to understand. A readability review performed on these regulations shows them to be written beyond the 12th grade level. While an Academy graduate might be able to understand them, our lower-level mariners most likely would find accurate comprehension pretty hard going if they attempted to read the regulations at all.

As a textbook author and editor, I can appreciate the clarity of the NPRM regulations and how difficult it would be to render them in the ñplain Englishò regulatory format introduced by the previous administration or to reduce them to a level our ñaverageò lower-level mariner assigned to engineroom duty could understand by ñplain reading.ò Rewriting this NPRM, however, will not solve the problem.

The best way around this obstacle is through formal training where an instructor breaks the equipment down into its principal components, describes the science and function of each component, and thoroughly explains the regulations and the legal obligations followed by a meaningful examination. Only after such training is completed and certified, is any ñenforcementò for violating the regulations justified.

Comment #5: Alternative to Oily Water Separators.

The ñfirst generationò of oily-water separators created by several dozen manufacturers has been around for many years. Our mariners, represented by Chief Engineer Glenn Pigott, spoke with Mr. Ken Olsen of G-MSE on this issue several months ago. In short, much of the existing equipment has been little short of a disaster for many of our lower-level engineers. The enhanced ñenforcementò following the installation of a ñsecond generationò of equipment will not appeal to many mariners who, if this rulemaking is not changed, will have good cause to seek another career. Going to jail is not an attractive alternative to going to sea!

We believe the main thrust of the NPRM is misdirected. The existing equipment consists of products of many different manufacturers over many years. The Coast Guard (and IMO) must ensure that new equipment is thoroughly field-tested, standardized, and properly supported by mandatory ñfactoryò training for any person expected to use it. Mr. Van Hemmen makes the point of standardization very effectively.

This equipment must work when it goes to sea ï a place where the environment is salt water (not fresh water) and where, unlike in a laboratory, waves rock the boat causing turbidity in the bilge. The universal complaint is that when this equipment goes to sea it does not work!

Engineroom personnel on workboats often are evaluated on the cleanliness of their machinery spaces. Sometimes, cleanliness is the sole criteria for judging their performance. Mr. Van Hemmenôs term ñBilge Water Processing Systemsò is much more meaningful to mariners than the overly technical term ñoily-water separatorò (OWS). Bilge water and its disposal is the real problem on workboats. Restated: ñStop the stuff from going into the bilge, pump it ashore; give the owners a choice of storing it for the trip; (either) minimize the amount (of bilge slops) or pay for machines that donôt work.ò Mr. Van Hemmen states the problem well:

> ñThe newer regulations were developed to allow oil separation from liquid mixtures that contain emulsifiers. Emulsifiers, liquids similar to soap, reduce the ability of oil to separate from water by gravity alone and, therefore, should ideally be excluded from a shipôs bilge since they will cause the OWS to malfunction. Unfortunately, it is difficult to predict what type of liquids enter the bilge and often, inadvertently, chemicals that act as emulsifiers end up in the shipôs bilges, with resultant problems in bilge separation.
>
> ñVarious new designs have now been developed to deal with the emulsified test liquids. Those units that are approved are capable of separating oil from those emulsified test liquids in laboratory conditions. Unfortunately, experience with these test liquids and those improved OWS units indicate that the ability to separate oil from the test liquids is heavily dependent on *agitation* at the point of entry into the OWS and *operating temperatures*. If separation of test liquids is a process that requires specific operating conditions, it can easily be concluded that real-life liquids will also require specific operating conditions, which, in turn, makes it doubtful that the newer models are truly automatic. Van Hemmen, H. Op. Cit., p.6. Emphasis is ours.

Our ñlower-levelò mariners are most concerned about machinery space bilges that are a natural collection basin for leaking or spilled oil, water, soaps, detergents, liquid mud, and solids. Sometimes, in the quest for cleanliness, the amount of soap and water may exceed the amount of oil in forming the nasty emulsion in the bilge. Although 33 CFR §155.70 is a clear warning that prohibits draining (engine) oil into the bilges, there are no regulatory requirements that spell out exactly how this oil should be drained and what should be done with it after it is drained. Such details belong in an operations manual that the vessel owner or operator must promulgate, the engineroom personnel must be able to read, understand, and comply with, and the Coast Guard must inspect to determine that it is reasonable and actually works. This is especially true on towing vessels of all tonnages that the Coast Guard never had the authority to inspect over the past 35 years as well as vessels under 100 GRT even where these vessels do not have oily-water separators.

On many vessels where our lower-level mariners serve, excessive amounts of water often enter engineroom bilges through leaking stuffing boxes. While it makes sense to trap this ñcleanò water and pump it directly overboard before it can mix with oil in the bilge, this is a risky proposition as result of the boatôs motion in a seaway. Once mixing occurs, there must be adequate on-board tankage to store the resulting emulsion until it is pumped ashore to an approved reception facility. Furthermore, the vessel owner must make provision to pump the boat and dispose of the bilge slops ï a task that may involve considerable expense and is not always accepted by operating companies as a ñcost of doing business.ò This means that, from a practical standpoint, pumping the bilge often is relegated to a poorly trained or untrained person assigned to the engineroom.

Unless the individual is licensed or documented, the Coast Guardôs Administrative Law system may not effectively control him. We have seen the Coast Guard go after a licensed or certificated mariner because he is an ñeasy targetò within the Administrative Law system. The Coast Guard often hesitates to cite an owner or operating company with protracted Civil Penalty proceedings that require extensive Coast Guard resources. However, these companies, rather than our mariners are more likely to have the financial resources to fix the problem.

Our mariners, left to their own devices, cannot swallow oily emulsions to dispose of them. Their predicament of how to dispose of oily bilge slops legally and in an environmentally friendly manner discourages many lower-level mariners and contributes to the high turnover rate of lower-level mariners throughout the industry both in inland and offshore waters.

While the equipment manufacturers can ñbuildò and the Coast Guard can ñapprove,ò the owners, vessel operators, and their engineroom personnel must live with the inadequacies of the equipment. To date, these inadequacies have been considerable! Consequently, we believe the Coast Guard should consider a system of properly designed and engineered holding tanks as an attractive regulatory alternative to installing equipment that is unreliable and difficult to maintain on vessels manned by lower-level mariners. Mr. Van Hemmenôs report[(1)] cites a ñverticalò OWS design concept involving holding tanks that might be

manageable even if it does not include a well designed OWS. However, training in pollution control must be a prerequisite to operating any bilge water processing system. *[(1)Van Hemmen, H. Op. Cit., p.20.]*

Request #3. Consider properly designed and engineered holding tanks as a regulatory alternative to installing OWS equipment that is unreliable and difficult to maintain on small vessels manned by lower-level mariners. Do not ignore any vessel by applying artificial ñtonnageò measurement criteria. Realistically evaluate the problems faced by a person maintaining the machinery spaces during the ñplan approvalò phase of vessel construction or refitting.

Comment #6. Oil Record Book.

It is not surprising that a number of our mariners have come to grief in making entries in the Oil Record Book. The Coast Guard must ask and answer these questions:

- Who was ever assigned the task of teaching our mariners to use the Oil Record Book? Why were they left to perpetuate ignorance through ñon-the-job trainingò (OJT) in a noisy engineroom where you canôt hear yourself think and where the blind lead the blind.
- Why arenôt unlicensed or lower-level engineers (e.g., DDEs) ever tested by the Coast Guard to see if they use the Oil Record Book correctly? If not, is a Coast Guard inspector or a classification society surveyor prepared to provide remedial instruction or at least delegate that job to the operating company on an 835 or equivalent?
- Are oil record books checked in detail at every vessel inspection as well as during vessel boardings?
- Why donôt local Marine Safety Offices maintain a stock of Oil Record Books? These books are supposed to be furnished by the government and are the property of the government. The mere presence of non-governmental publications aboard American-flag ships indicate the government books are not always readily available.
- Should additional vessels, for example those on inland waters, be required to carry an Oil Record Book?

Comment #7. Scope of the Rulemaking.

While we understand that this NPRM is intended to bring U.S. regulations in line with the IMOôs MARPOL convention and improve global enforcement, **we believe the problems as expressed in Mr. Van Hemmen's report must be resolved before moving ahead**. We believe his Ad Hoc committee has made a credible start in the right direction by revealing the true problems engineroom personnel face. As lower-level mariners, we represent a majority of all U.S. mariners.(1) We believe the Coast Guard must address our legitimate complaints and, where justified, pass our concerns along to Congress. *[(1)Refer to GCMA Report #R-353, Lower-Level Mariners Are a Majority of All Licensed Mariners on our website.]*

In our view, this NPRM is ineffective because it fails to require our many of our lower-level mariners to obtain proper training in environmental protection and pollution prevention and abatement. Like everything else the Coast Guard has done as a result of STCW-95, it leaves the question of who must pay for necessary training unanswered. Our mariners cannot take time off from work without pay to attend classes and pay tuition at the rate of several hundred dollars per day. This problem must be solved first!

Comment #8. Reconsider OSV Exemptions.

ñSection 5209(b) of Public Law 102-587 exempts Offshore Supply Vessels from any law applicable to tank vessels. Section 5209(c) of the same law states that the Coast Guard may regulate the operations of OSVs and other exempted vessels to ensure the safe carriage of oil and hazardous substances.ò(1) This means that unlicensed engineroom personnel on many OSVs do not receive the training in environmental protection and pollution abatement they would be required to have if they were certificated as tankermen. Yet, many of these OSVs carry over 100,000 gallons of diesel fuel, oil base liquid mud and other chemicals in below-deck tankage. It is time to train and document OSV personnel who perform engineroom duties in pollution prevention. *[(1) G-MSO letter of October 26, 1999 to the National Association of Maritime Educators.]*

Comment #9. Replace "Letters" With Pollution Training for Bunkering Towing Vessels.

The same sad situation exists with ñdeckineersò and unlicensed engineers assigned to serve on uninspected towing vessels. However, the Coast Guard still has the opportunity (and, hopefully, the guts) to remedy this situation by requiring properly trained engineers on tugs and towboats in the rulemaking in progress in Docket #USCG-2004-19977.

Our file #GCM-35 dating back to 1999 clearly shows the Coast Guardôs unwillingness to expend time and resources to look into offshore oil spills.

A similar loophole exists in the towing industry where 33 CFR §155.715 (in referring to §155.710(e)(2)) requires only a **letter** from an employer designating its ñé holder as a person-in-charge of the transfer of fuel oil. This letter must state that its holder ñé has received sufficient formal instruction from the operator or agent of the vessel to ensure his or her ability to safely and adequately carry out the duties of PIC described in 33 CFR 156.120 and 156.150.ò Many of our licensed mariners are concerned that the training their ñdeckineersò or unlicensed engineers receives from their employer is cursory, questionable, possibly unsubstantiated and insufficient to prevent a fuel oil spill while bunkering. Many deck officers worry about the vulnerability of their own licenses because unlicensed engineers or deckineers have nothing to lose if they are careless or irresponsible. We want to point out that a Master or Mate/Pilot of a towing vessel cannot be in two places at the same time, specifically, in the pilothouse and on deck supervising vessel refueling and completing a detailed Declaration of Inspection (DOI).

Oil and chemical spills in inland waters can have a substantial impact on local communities as well as large cities. The recent benzene spill at Harbin, Manchuria (China), that deprived a city of one million inhabitants of safe drinking water is an example of an inland spill with a significant impact.

We doubt that the statutes and regulations cited in Comments #8 & 9 that were drafted at the insistence of the offshore oil industry and inland towing industry would be supportable in the event of a major urban or offshore spill.

Comment #10. TOAR – Don't Go There!!!

It may be true, yet taken for granted, that any good tugboat or towboat Captain will come ñupò through the engineroom.

Unfortunately, as previously stated, there is very little formal engineroom vocational or safety training. Considering the noise, heat, danger, and dirt the trip through the engineroom is cursory at best. The emphasis and the money tends to gravitate to the pilothouse.

During the five-year period from May 21, 2001 until May 21, 2006 a new Towing Officer Assessment Record (TOAR) spells out in minute detail the practical demonstrations a new Apprentice Mate/Steersman must perform to prove he can operate a towing vessel with a degree of proficiency the Coast Guard, Industry, and Labor consider sufficient.

The TOAR is part of the preparation for a deck officerôs license. It has nothing to do with engineroom safety or vocational qualification ï and it must NOT become so in the future. The reason is simple and was previously stated: A Master or Mate/Pilot of a towing vessel cannot be in two places at the same time, specifically, in the pilothouse and in the engineroom. An engineer or ñdeckineerò should receive engineroom safety and vocational training before he ever trains for service in the pilothouse. The regulations allow a year and a half for this deck (and engine) training.

Comment #11: "Crackdown on Oily Water Separators."

The Gulf Coast Mariners Association is not a labor union. However, we respect the professional engineers who are members of unions like the Marine Engineers Beneficial Association (MEBA) and the American Maritime Officers (AMO) who perform such commendable service for our nation as fellow officers in the United States Merchant Marine. We also respect (and are envious of) the training that the Seafarers International Union (SIU) provides to unlicensed engineroom ratings. Unfortunately, very few of our ñlower-levelò mariners are union members and are unable to take advantage of the excellent engineer training opportunities union membership provides. We regret that few operators of OSVs and even fewer towing vessel operating companies offer any meaningful, formal training for engineroom personnel.

We want to express our concern with the article titled Crackdown on Oily Water Separators that appeared in a recent edition of the MEBAôs Marine Officer **[Enclosure #3]**. Their advice to their Engineers is: ñIf there is even the slightest doubt that an OWS is not, in fact, functioning correctly you must not run that piece of equipment.ò

Based upon our study and consultation, we do not believe that most lower-level engineers ever received the training and developed the expertise to know whether their OWS is operating correctly. Many only use this equipment at the time their vessels undergo inspection. Consequently, our advice to our lower-level engineers will be ñDo not use oily-water separator equipment unless and until you receive the necessary factory-level training to operate it effectively and within legal limits.ò

Furthermore, our Association could never support the intimidation and harassment of our mariners (or foreign mariners) that this article mentions. We hope that it is not true although we consider the source publication reliable. We intend to pursue any official who, in any capacity at any time and in any place, harasses, intimidates, or mistreats one of our lower-level mariners because of malfunctioning oily water separator equipment on which, in our opinion, they may have received inadequate trained, supervised, factory-level training or under circumstances where they may be pressured by their employer to operate outside legal tolerances.

Request #4. We request that the Coast Guard consider revising 46 CFR §4.05-1, Notice of Marine Casualty, whenever OWS equipment fails in service or whenever oily-water accumulates in sufficient quantities in the bilge of a vessel to endanger personnel or propulsion and auxiliary machinery.

ENCLOSURES:

#1 – GCMA Report #R-401 (on GCMA Website. Printed copies available on request.)

#2 – GCMA Report #R-279 (on GCMA Website. Printed copies available on request.)

#3 – Attached.

#4 – Attached