

Maritime Exchange for the Delaware River and Bay
Maritime Operations Committee
November 3, 2011

Minutes

In Mr. Johnston, Committee Chairman's absence, Ms. Himber welcomed the group and led introductions. The list of attendees is attached.

US Coast Guard (CG)/Mariners Advisory Committee (MAC)

Upper River Dredging and Draft Restriction Updates – Mr. Schmidt reported several incidents when no updates were delivered and upon calling the Pilots and CG received conflicting or no information. He requested correct information in a timely manner to avoid vessel diversions and inability to book vessels for arrival.

In the absence of Capt. Steve Roberts, MAC Chairman, Ms. Himber reported that the Maritime Exchange distributes all CG and MAC navigation notices to the Maritime Operations Committee and Exchange Navigation Distribution Group. Capt. Austin noted that Marine Safety Information Bulletins are forwarded to the Exchange for distribution and current restrictions included the Fairless turning basin and below the Burlington Bristol Bridge due to dredging.

Action Item: Follow-up will be made with the Pilots to address getting updates distributed.

AMSTEP Exercise – Capt. Austin announced a combined exercise for an oil spill response planned for April 2012. The exercise is a combined event with the National Preparedness for Response Exercise Program (PREP) and Area Maritime Security Training and Exercise Program (AMSTEP). CG will begin to reach out to agents, facilities and vessels for participation and noted there will be increased CG activity due to the event.

Customs & Border Protection (CBP)

Crew Processing Issues – Ms. Himber led the discussion suggesting that some of the problems reported regarding crew processing seem to be communication issues that perhaps CBP and the affected agent members should regroup and discuss. She noted that the requirements are in place and CBP works with agents to the extent that they can, but the fact remains that there are a lot of unhappy port customers which warrants corrective action.

Mr. Moriarty reported that CBP has not changed any requirements, but may be more strict with enforcement than in the past due to the Philadelphia past history of absconders and deserters. He noted sixteen occasions that officers were present and the vessels were not. More structure is needed to provide response times to the trade.

Mr. Miller indicated that his agency situations are different and they cannot always provide 48-hour notice for 408s. Mr. Moriarty agreed that the GAC business model is unique and CBP will make adjustments on case-by-case situations.

Ms. Harris questioned the requirements for crew flights prior to vessel departure when the flight they were scheduled to board is unexpectedly cancelled. Mr. Moriarty indicated that exceptions can be made as long as CBP knows there is a place for the crew to go.

Mr. Nutter reported that if a request to CBP is made on a certain issue, and CBP shifts change or the original person who received the request is no longer on duty, the CBP staff on duty is not aware of the request because the information had not been passed on to next shift.

Ms. Howe reported that they have a team consisting of 12 people. They have recently combined into two groups and are experiencing some growing pains. She noted improved organization and that hopefully things will get even better. Mr. Moriarty also explained that, at the time, CBP may get half the information, then when they get the rest of the information, all the pieces of information have to be put together so all CBP staff can pick up where someone else left off.

Mr. Johnston and Mr. Strong reported that they were told CBP cannot do D2s on the weekends. There were differences of opinion on whether CBP received the correct vessel information or not for the particular instance being referenced. It was noted that CBP did experience inability to do D2s due to building closures when moving offices. Mr. Martocci stated that D2s can and will be done on weekends, though Ms. Howe discourages the practice due to limitations of the CBP building. Again, Ms. Himber stated that these seem to be communication issues.

Following are a series of items for which the committee had requested updates.

CBP/Agriculture Preparation for Automated Commercial Environment (ACE) – Mr. Martocci reported that CBP local inspectors are currently in training to use the new ACE system. The Philadelphia Client Representatives are well versed in ACE and Lou Domenico is the ACE Coordinator. Ms. Michalak added that the Exchange is continuing testing ACE with CBP. The transition to ACE should be mostly transparent to the filers. It is more a different means of communicating electronically with CBP that is handled through the Exchange as a port authority/service center system. Carriers will continue to receive and send the manifest data through TRACS as before. There will be additional status notifications for holds and hold removals since a lot more government agencies will be participating in ACE. It is expected to be released sometime in 2012.

Headquarters Implementation of Document Image System (DIS) – The DIS allows trade partners to submit document images and associated data to CBP and Participating Government Agencies (PGAs) using EDI communication which will speed up processing of cargo. Mr. Moriarty reported that the regulations will need to be updated to allow electronic submissions as opposed to original hardcopies of documents.

Agriculture Manpower for Increased Seasonal Inspections – Mr. Martocci reported that CBP has no increased staff for seasonal inspections. It currently has a crew of 26 agriculture specialists in Philadelphia and four in Wilmington, and two canine with few opportunities to bring in more people. The border operations require more CBP personnel, and sea and air suffers. They have requested new officers, but it depends on funding. CBP is currently juggling

to do better and working together with the trade will help. Any problems that arise can be discussed with Mr. Fingerman.

Mr. Fingerman reported that launch companies must be certified with the USDA to transport garbage. Delaware Bay Launch is currently the only company certified for this area. Mr. Moran reported that Hueber Launch Service is in the process of getting certified. Mr. Fingerman reported that CBP will send information to all launch companies to get certified.

Agriculture Combined Resolution Unit (CRU) Contact Information – CBP issued Pipeline 2011-002 with specific email instructions for cargo release inquiries. Ms. Henry questioned the method of sending the vessel arrival information. Mr. Fingerman responded that vessel arrival information should also be sent to the CRU email.

Electronic I-418 Update – Ms. Himber reported CBP has been working with industry to eliminate the paper I-418 forms since January. The impact to carriers has been minimal; all of the significant changes have been within CBP. To expand the program, it was decided to open it up to all ports for anyone interested in participation. Any carriers interested in participation can contact Ms. Himber. She thanked CBP for its hard work on this project.

Guard Service Requirements – Several members of the committee requested that CBP give a reason when requiring guards that can be passed on to the vessel owners. There was lengthy discussion, but CBP insisted it cannot relate reasons why guards may be required. It was determined that this is a national issue. Ms. Himber has asked that it be included on the agenda for the next National Maritime Security Advisory Committee meeting.

Action Item: After further discussion, it was decided that the Work Group being formed to address communications issues would also discuss potential actions regarding Security Plan/Guard Requirements.

Coastwise Empty Container Reporting – Mr. Strong explained that filing of empty containers due to move coastwise is not always possible 48 hours after the ship sails. Since this issue is specific to Norton Lilly, the discussion was taken offline.

Center for Disease Control and Prevention (CDC)

Updates – Ms. Torres informed the group that the CDC has confirmed a measles outbreak imported from foreign. A couple of the cases were in Philadelphia. She reminded the group of the importance of vaccinations including influenza with the season upon us.

The meeting was adjourned at 1130.

Attendees

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| Atlantic Commercial Materials | Hillary Harris |
| Banacol Marketing | Tom Kopacz |
| Capes Shipping Agencies | Jim Cooney |
| Centers for Disease Control | Julie Sinclair |
| Centers for Disease Control | Jennifer Torres |
| GAC Shipping (USA), Inc. | Scott Miller |
| GAC Shipping (USA), Inc. | Kubilay Ulucan |
| Greenwich Terminals LLC | Bill McGinnis |
| Greenwich Terminals LLC | Bill Sawyer |
| Inchcape Shipping Services | April Hale |
| Inchcape Shipping Services | Chris Rummel |
| Manatee Marine Agency, Inc. | Jennifer Henry |
| Marine Guard Service | Bill Moran |
| Maritime Exchange | Lisa Hember |
| Maritime Exchange | Darleen Michalak |
| Maritime Exchange | Paul Myhre |
| Norton Lilly International | Tom Johnston |
| Norton Lilly International | Bert Strong |
| T. Parker Host | Will Schmidt |
| U.S. Coast Guard | Austin, Meredith |
| U.S. Coast Guard | Todd Wiemers |
| U.S. CBP, DHS, Agriculture | Todd Edelschein |
| U.S. CBP, DHS, Agriculture | Hal Fingerman |
| U.S. CBP, DHS, Tactical Group | Bruce Albright |
| U.S. CBP, DHS, Tactical Group | Antonio Blackwell |
| U.S. CBP, DHS, Tactical Group | Bernadette Howe |
| U.S. CBP, DHS, Tactical Group | Allan Martocci |
| U.S. CBP, DHS, Tactical Group | Ed Moriarty |
| Wilhelmsen Ships Service, Inc. | Steve Nutter |