

Maritime Exchange for the Delaware River and Bay

Agents/Operators Committee Meeting
Sector Delaware Bay Public Outreach Workshop
February 7, 2006

Minutes

Lt. Chico Knight, USCG opened the meeting.

Tom Johnston, GAC Rice Unruh Reynolds, Committee Chairman thanked the CG for hosting the meeting and stressed the importance of the federal agencies interacting with the port business community to resolve issues of concern. Mr. Johnson also noted the strong federal agency presence at this and prior Agents/Operators Committee meetings.

Capt. David L. Scott, USCG welcomed the group and stated that the outreach session was needed to discuss issues so the port community is aware of the many CG programs and initiatives that affect their business operations. The end result of the session should help the attendees understand the regulations and policies as well as whom to contact at the CG for issue resolution. Capt. Scott further stated that the CG does not want to be an impediment to commercial business activity, and they are well aware that time is money for port business.

Vessel Arrival Process - Alan Martocci, CBP stated that all arrival processes are conducted through Vessel Central. Vessel Central screens all documents, works with CG for security concerns, approves inbound vessels, checks bonds, crew member transmittal, timely cargo transmissions and targets cargo for action or non-action. They have an enforcement responsibility to secure the waterfront and make sure people are properly documented. CBP has operated as consolidated port since 2004 and is slowly but effectively implementing additional features which should be helpful to the trade community. A recent Pipeline, which was distributed to the Agents/Operators Committee, notified the port community that all permits to unlade (CF3171) are handled through Vessel Central as well as entrance and clearance. Immigration, Agriculture and Customs all work together. When CBP boards a vessel, it is always for a specific reason. Dan Sedley, CBP, added that there are regulatory requirements for every vessel. Enforcement and advance targeting will interface with CG. They work to coordinate with each other wherever possible.

USCG Port Security - Lt. Marvin Kimmel, USCG discussed the agreement between USCG and CBP regarding crew security plans. He said that the CG and CBP screen every vessel, and when a crew member is known to be high risk, the Coast will issue a COTP order requiring a security plan on behalf of CBP. CBP lets the CG know when the plan is approved, and unless there are other concerns, the vessel is authorized to enter the port.

Armed Guard Requirement – There was significant discussion concerning the requirements for armed guards. Mr. Martocci specifically indicated state law will be a factor considered when a final decision for requiring armed guards is made by CBP. In that instance, the carrier or his

agent should inform CBP of the contradiction and indicate what other steps can be taken to alleviate CBP concerns. CBP remains flexible.

Security vs. Safety Boardings - CG will notify agents for Port State Control boardings, but of necessity, it is impossible to provide advance notice of a security boarding. In some instances, CG may board the vessel first for security, then allow the vessel to dock for a safety boarding. Security boardings normally take two hours, while safety boardings take four-six hours. It is possible, therefore, for a vessel to be delayed for as many as eight hours.

A committee member expressed concern that if a boarding is random and labor has already been ordered, the costs are extreme. CG responded that they call the agent for 95% of boardings. The committee members requested that boardings always be consolidated to the extent possible.

It was noted that one terminal is charging \$475 per ship and charges each ship vendor \$175 for each delivery. The facility claims the reason is to offset costs of compliance with Coast Guard requirements. Capt. Scott responded that the CG does not have anything to do with fees a terminal charges.

Coast Guard Contact Information - The following contact information was provided by the CG:

24/7 Contact:	215-271-4807
Supervisor Enforcement:	CDR Vicke Huyck 215-271-4952
To be replaced in May by:	CDR Spence Wood 215-271-4860
PSC:	CDR Kyle McAvoy 215-271-4850 LCDR Dan Gainor 215-271-4852
Port Security/Enforcement:	LT Chico Knight 215-271-4989 LT Jason Aleksak 215-271-4902 LT Marvin Kimmel 215-271-4884
Safety:	B LTJG Ben Robinson 215-271-4855 CWO Rob Moorhouse 215-271-4854

The CG assured that you can get a message to any of the above personnel by leaving a message on the 24/7 contact line.

Open Discussion

I418 and CF3171 –The committee questioned the ongoing requirement to submit hard copy crew/passenger information in advance of vessel arrival. At a previous committee meeting, CBP indicated that they would discontinue this requirement once Enforced Compliance (October 1, 2005) of the new regulation went into place. However, Mr. Martocci and Mr. Jordan indicated that CBP is still detecting significant discrepancies between the hard copies provided and the electronic submissions. Accordingly, CBP will continue to require redundant copies until further notice.

Subsequent to the meeting, Mr. Jordan informed the Committee that carriers could request their compliance rates from CBP.

Another question arose regarding the ability to submit 3171s electronically. CBP is looking into this, however, the signature on the form is a problem.

Vessel Central – Mr. Martocci announced that CBP plans to expand the operation of Vessel Central ability to 7 days/week. This is welcome news as currently agents and CBP both scramble on Friday afternoons to complete paperwork for weekend and Monday arrivals.

APIS Bond Requirement – There have been many questions surrounding the January 9 announcement by CBP that a carrier would be required to file an international carrier bond for APIS processing. Mr. Jordan indicated that CBP would soon issue a Pipeline clarifying procedures to implement this requirement.

Note: As of this writing, the Pipeline has not been received.

eNOA/D - The CG is still seeing errors on the ETA's of vessels on the eNOA. CG instructed that any change in the ETA over six hours needs to be submitted as an update. The ETA for CG purposes is arrival at the terminal. If the vessel is lightering, the ETA is the anchor time. Letters of deviation are now handled by CG for navigational equipment.

Coast Guard ID -- CG mentioned the recent MSIB, which states that CG boarding teams will present ID and sign-in when boarding a vessel. This does not apply to other government agencies.

ACE International Trade Data System (ITDS) – Lisa Hember explained the request from ITDS for a list of government agencies that have not been identified that could have a role in ACE. Handouts were distributed with the request to complete the information and return to Lisa Hember or Darleen Michalak.