

Maritime Exchange for the Delaware River and Bay
Agents/Operators Committee Meeting
May 25, 2004
Minutes

Attendees:

GM Richards	Rodney Richards
Inchcape Shipping	Tom Speers
Kerr Norton Strachan	Keith Murray
Manatee Marine	Kevin Godfrey
Maritime Exchange	Lisa Hember
	Glenn Hann
	Darleen Michalak
Rice, Unruh Reynolds	Tom Johnston
Ruggiero & Ogle	Scott Riepen
Seamen's Church	Rev. Jim Von Dreele
Terminal Shipping	Jim Taviano
US Coast Guard	Vickie Huyck
	Kevin Sligh
	Robert Ward
Customs	Nieves Cardinale
	Evan Davidow
	Lou Domenico
	Joe Heath
	Robert Jordan
	Al Martocci
FDA	Joe Brady

Mr. Tom Johnston, Committee Chairman, welcomed the group and lead introductions.

UPDATE ISSUES:

July 1 Vessel/Facility Security Plan Update: USCG Facility Security Plan reviews are currently being done by Washington DC. All Delaware River ports have completed Stage II overview and USCG will be visiting all facilities to determine if security measures are in place and to check for any deficiencies through July 1. If security measures are not in place by July 1, USCG wants contingency measures and will give recommendations until the facility's plan is approved.

USCG reported that every vessel, as of July 1, will require International Ship and Port Facility Security Code (ISPS) boarding. A Document of Security (DOS) between the agent and the facility must be available. If the DOS is not available, USCG will contact the facility. USCG outlines procedures in the Navigation & Vessel Inspection Circulars

(NVIC's) which is available on the Maritime Exchange web page at www.maritimedelriv.com.

Requests for Documentation From Ships:

It was previously reported that agents expressed difficulty having to fax, telex or send via internet numerous pages of certificates to the USCG, as well as being a cost burden. USCG reported that only the first page of certificates need to be transmitted to eliminate large amount of pages, unless the documents are out-of-date, and confirmed that the new form clearly states the single page requirement. Certificates are presented at the first US port and USCG is supposed to enter the information into the MISLE database. If the information in the database cannot be retrieved at the second port arrival, USCG may request the information again. The committee agrees we need to work to resolve the USCG database issues.

USCG mentioned that they are finding a number of vessels arriving for examination that do not have a Continuous Synopsis Record (CSR). Should this occur after July 1, the vessel will be required to cease cargo operations and leave port.

Vessels Arriving From Non-ISPS Ports: USCG reported if a vessel loads at a non-ISPS port and can document to USCG that it raised its security procedures on board from a Level 1 to a Level 2 while in that port, then USCG will not likely place any restrictions on that vessel's entry into port so long as that vessel has a good history with USCG. However, if a vessel loads at and arrives from a non-ISPS port and cannot demonstrate that it has raised its on-board security level, it will be subject to an ISPS Priority 2 boarding which is the same type of boarding as the vessel would encounter on its initial examination by USCG.

MARSEC Requirements at Various Alert Levels: Vessels are required to have security measures in place as security levels are elevated. When levels heighten, COTP will communicate level elevations to the vessels and facilities. When notified, the vessels/facilities will be required to contact the COTP within 12 hours to confirm the security plan has been implemented for the new MARSEC level. USCG will fax facilities and check their contact lists to communicate within the 12-hour time period for MARSEC level changes. They will also call vessels/facilities that have not responded. DOS's need to be updated as MARSEC levels change.

USCG will also follow-up to make sure MARSEC levels are posted to the web site.

AMS Issues and CESAC Bulk Working Group: The newly formed Bulk Work Group compiled a list of AMS issues that were presented to the Customs Electronic Systems Action Committee (CESAC) on May 18. CBP representative are evaluating some of the items to identify resolutions (i.e., carriers/agents using multiple service centers). Other items simply cannot be resolved within the AMS system, such as eliminating the packing unit field for bulk carriers in the AMS submission. Attached are the Notes and Recommendations to the committee.

APIS/eNOA/D: It was anticipated there would be an early May publication of a joint CBP/Coast Guard rulemaking mandating the electronic submission of crew and passenger information at seaports through the Coast Guard electronic Notice of Arrival/Departure system. We are now looking at a possible rulemaking sometime this summer.

Immigration Issues:

1. **Boardings** – It was previously reported that CBP refused to provide identification, to include signing log sheets when boarding vessels. Nieves Cardinale, CBP advised CBP issued a directive to all inspectors to comply with ports' identification requirements. USCG indicated that it also will comply.
2. **Crew Lists** – The question was raised whether crew lists needed to be submitted to USCG and again to CBP. Robert Jordan reported that agents are not required to fax crew lists to CBP unless requested to do so. CBP has access to USCG crew lists.

Vessel Central: Al Martocci reported Vessel Central is still in the process of organization. Cross training continues with CBP, Immigration and USDA. It is projected this will take considerable time. CBP is considering consolidation of the Port of Wilmington and Philadelphia port districts for vessel central.

BTA – Facility Registration and Prior Notification: Prior Notification comment period has been extended to July 13. Beginning on June 4, the third phase of the Bioterrorism Act (BTA) was implemented. Phase III requires that CBP and the Food and Drug Administration (FDA) receive prior notice of all food for humans and animals imported or offered for import into the United States. Failure to provide prior notice will result in the merchandise being refused entry. Under the BTA, food products shipped by truck are required to file two hours prior notification, 4 hours for rail and air, and 8 hours for sea. The final phase remains on schedule for August 12 implementation.

The next Agents/Operators Committee meeting will be held in September.