

Maritime Exchange for the Delaware River and Bay

Maritime Operations Committee

May 6, 2008

Minutes

Attendees:

Barwil Unitor	Steve Nutter	Moran Shipping	Dan Van Duzer
Delaware Valley Marine	Jean Cureton	Norton Lilly	Tom Johnston
Dependable Distribution	Harvey Weiner	US Coast Guard	Lamont Bazemore
GAC Rice, Unruh	Scott Miller		Kyle McAvoy
	Robert Olsson		Krysia Pohl
	Kubilay Ulucan		David Scott
General Steamship	Kevin Chambliss	US CBP	Al Martocci
	Dominic Colella		Dan Sedley
	Maylon Price	Urban Engineers	Mike Gabor
Inchcape Shipping	Jerry McDevitt	Western Fumigation	Miriam Borja
Maritime Exchange	Lisa Himber		
	Darleen Michalak		

Chairman Tom Johnston, Norton Lilly International welcomed the group and led introductions.

Coast Guard

TWIC/CG Update –The TWIC implementation has been postponed to April 15, 2009. Camden is scheduled for a June kickoff. CAPT Scott indicated with regard to TWIC, he will advocate a uniform Sector-wide enforcement date rather than facility-by-facility implementation. As always, the COTP will work closely with facility operators and other TWIC stakeholders to facilitate a smooth, fair enforcement process.

Port-wide Risk Assessment/Business Continuity Plan – CAPT Scott updated the group on the plan for this port. Last fall Congress appropriated \$6.2 million through FEMA for a Port-wide Risk Assessment/Business Continuity to analyze risks of our port. The focus is on post incident and port recovery in the event of an emergency. Tetrattech was selected by the Area Maritime Security Committee as a contractor, and a contract was signed last month. Throughout the summer, Tetrattech will work on the plan to provide a roadmap for \$19 million in grants, through the Fiduciary Agent-Maritime Exchange, which will be available after the plan is completed. Tetrattech may contact Maritime Operations Committee members for input. CAPT Scott stressed that as Federal Maritime Security Coordinator, he and the AMSC are tasked with ensuring the grant monies are spent in the most transparent, efficient and responsible manner possible.

Duty Tour - CAPT Scott announced that his duty at our port will extend through next summer. Other personnel will be transferred, including CMD Kyle McAvoy.

TWIC/NMSAC Update – Lisa Himber reported that people are still having problems getting cards. NMSAC will compile a list with recommendations to DHS. The Maritime Operations Committee was invited to forward any comments directly to Lisa at lisa.himber@maritimedelriv.com.

Industry Training Update – The CG held an Industry Training seminar in April to educate junior CG personnel of agent challenges, how the agents run their businesses and that CG decisions that are made effect port operations economically. The seminar proved to be very productive program.

Resulting from the seminar were two issues the CG addressed:

1. Security Boardings – can the agent be notified to save economic impact? CG indicated that the ship agent may want to engage verbally with them in the event they think a vessel may be boarded simply because of the last port history. When law enforcement boards the vessel, they will alert the Captain to contact the agent.
2. Boarding at Big Stone vs. Breakwater – can CG board at Big Stone especially if the vessel is already scheduled to anchor at Big Stone? The Coast Guard employs a risk based assessment matrix to determine the type of boarding necessary and the location where the boarding is to be conducted. The CG indicated that if the boarding is ISPS or a Priority I Exam, they will try to allow it to go to Big Stone, if the vessel is lightering anyway. If held in the lower bay, a COTP order is issued with instructions on where to go which should be enough time to delay labor, etc. One general characteristic is to show CG that a vessel is trustworthy.

AMSC Security Boardings Recommendation – Last year the Committee dealt with possible daylight only boardings, and among the topics discussed was an idea to explore the feasibility of creating a “trusted agent” status so that certain individuals might be informed in advance of Security Boardings. CAPT Scott is willing to review the AMSC recommendations, but indicated that advance alerts defeat security purposes. The Exchange will follow up with the Committee to pursue this initiative.

CBP

CBP Promotions – Allan Martocci was promoted to Port Director of local CBP effective May 11. Dan Sedley was named as Acting Assistant Port Director, Tactifful Operations. Both were wished success from the group.

D2 Issues - Crew members with a D2 are required to depart foreign via direct flight from Philadelphia prior to vessel departure. Agent members feel in some cases this is not practical because it is not known when a vessel will berth to be able to get flight schedules. CBP offered the following guidance on the issue:

While CBP prefers repatriating crew to fly directly foreign, repatriating crew members may fly from Philadelphia through another US port upon approval from CBP. However, if CBP

determines that the individual is deemed a risk, CBP will require the crewmember to fly directly foreign.

Such decisions are made on a case by case basis and are based on criteria including, but not limited to: the number of years with a vessel/company, the number of years in the maritime business, the record of the vessel/steamship line, history of deserters, crew member record, and/or other information.

Vessel Central sometimes gets involved and the agents think CBP is sometimes too hard-nosed. The bottom-line is that over the last two years, CBP has had a few situations where crew members have deserted. CBP continues to work with supervisors to be consistent with the policies.

Advance Information - CBP has requested that agents provide advance information on departing crew which will help CBP determine the course of departure. A list of persons to be D2'd should be provided in advance, even if the entire I408 is not totally prepared yet or the departure flight has not been scheduled. This will give CBP time to begin their investigative processes, although they cannot approve until a date is given.

Heavy Tourist Season – in heavy tourist season, it is more difficult to get a direct flight out of Philadelphia. It is not always feasible for crew to enter Canada or Mexico because their visa will not permit entrance. Agents requested approval for them to exit from Newark. CBP has approved this in the past. It can be advantageous to do so, but if there is significant concern about an individual, CBP would have to get Newark to allow and watch the individual and stipulations will include guards. In a majority of cases, CBP will work the situation as best they can.

Other Issues

10+2 – Although no official notification has been made, it is possible that the 10+2 additional data elements for the importer and carrier may be pushed back.

ACE Programming – ACE programming continues to progress with an end of October roll-out of ocean manifest submission into ACE. The Exchange is working on changes that will affect Automated Manifest System (AMS) transmission data. We will communicate directly with those who use the TRACS system to process manifests

CBP Summer Update – By the end of summer, CBP will have an influx of staff in the seaport. New equipment is scheduled for July and officers will be trained. The equipment will be placed in Wilmington and Packer. The VACIS equipment will remain intact.