Maritime Exchange VP Lisa Himber Appointed to National Maritime Security Advisory Committee

The Maritime Exchange is pleased to announce that Vice President Lisa B. Himber has been appointed by DHS Secretary Tom Ridge to serve on the National Maritime Security Advisory Committee. The committee, as mandated by the Maritime Transportation Security Act of 2002, is charged with providing advice to the Department of Homeland Security on matters such as national maritime security strategy and policy, actions required to meet current and future security threats, international cooperation on security issues, and security concerns of the maritime transportation industry.

“This appointment will undoubtedly be of great benefit to the Maritime Exchange, its members, and the Delaware River port business community as a whole,” said Exchange Chairman Richard DeGennaro. “In addition, Lisa’s participation in this group will help ensure the DHS is well apprised of maritime industry concerns.”

“Maritime Exchange members have a great deal at stake in homeland security issues…each new regulation enacted in the name of security brings with it a host of challenges that industry and government must work together to overcome. I am extremely pleased to have the opportunity to work with Coast Guard and DHS on these important issues,” Himber said.

The committee will consist of 21 members, and Himber will represent the Port Management/Port Authority Sector. Her term expires in December 2008.

“In a certain Ms. Himber’s knowledge and vast experience in the maritime industry will provide Secretary Ridge with essential insight into the issue of port security,” said Congressmen Frank A. LoBiondo, Chairman of the House Subcommittee on Coast Guard and Maritime Transportation, convened a hearing on the spill at Independence Seaport Museum in Philadelphia. Following is an extract of Exchange President Dennis Rochford’s testimony. Shown above, Congressman LoBiondo and Rochford at the conclusion of the hearing.

As a non-profit association, the Exchange serves as a Chamber of Commerce for the maritime industry. Much like my presence at today’s hearing demonstrates, the Exchange serves as the unified voice of the port on a variety of federal legislative, administrative and regulatory matters. But our work goes beyond an advocacy role. Since our founding in 1875, the Exchange has operated the region’s 24-hour vessel reporting system. Our role as the electronic communications hub is to coordinate and communicate the specific vessel movement information between those partners in the transportation chain both public and private sector with a right and a need to know. Over the years, this service has expanded dramatically, and in addition to providing information on scheduled vessel arrivals and departures, for example, it also now includes among other data the mass distribution of safety and security notices, weather bulletins, and a host of other critical information which helps ensure the safety, security and efficiency of the Delaware River port business complex.

In keeping with this mission, throughout the spill containment and cleanup operations, the Exchange acted as the liaison between the Coast Guard, Mariner’s Advisory Committee and the port business community. The Exchange promptly distributed and posted information provided by the Coast Guard, Pilots Association, and the contractor hired by the steamship line. The Exchange staff distributed and posted information provided by the Coast Guard, Pilots Association, and the contractor hired by the steamship line.

The purpose of the Corporation shall be to promote and encourage the trade and commerce of the Port of Philadelphia.”

Since its inception, the Exchange has communicated instructions to ships passing the shores of the Delaware. In the 1870’s, Philadelphia was a city of close to one million people. It was the country’s third largest city and home to the country’s second...
Like our members, the Maritime Exchange has felt the effects of the economic recession this country has faced over the last several years. Although we are a non-profit organization, the Exchange has had to deal with the same soaring health care, technology and other costs just as any other for-profit or public organization.

However, the Exchange has been able to seek partnerships with private companies, public agencies, and other non-profit associations which help us invest in technologies to support new programs and services that directly benefit port operators and their customers.

The Delaware River Port Authority and the State of Delaware have long partnered with the Exchange for program development and operation. More recently, the State of New Jersey, the Ben Franklin Technology Partnership in Pennsylvania, and the federal government, through the port security grant program, have provided funding to support our information technology projects. We’ve also partnered with companies like Lockheed Martin, Sony, and Ingersoll Rand — and the 130-year-old partnership with the Pilots Association has been a critical component of our operation.

Lately, our partnerships with our sister maritime exchanges under the MISNA umbrella have provided the potential for significant growth in both revenues that finance operating expenses and for new services to Exchange members. And of course, we can’t neglect to mention how our strong relationships with the Coast Guard, Customs and Border Protection, the Transportation Security Administration, the Army Corps of Engineers, and the National Ocean Service have helped us chart a course toward success.

We and our partners can take great pride in what we’ve accomplished over the last several years. Yet a lot remains to be done. We are still seeking opportunities to implement programs, such as the regional video surveillance program for example, which are needed improvements to our maritime infrastructure.

So, while we have had strong support in the past from a variety of associations, and our philosophy of partnering to reduce everyone’s costs remains unchanged, we recognize that the availability of public funds is becoming increasingly limited due to the fiscal constraints under which we are all operating today.

As a result, like our members and our partners, the Exchange has been forced to make some difficult financial decisions. Through the leadership and support of our Board of Directors and the hard work of our staff, we have weathered a difficult storm.

The Exchange is moving in new directions – we will need to if we are going to be able to generate the resources necessary to continue to serve our members today and in the future. For example, we are actively seeking new members and customers who will use our products. In the last year, we have expanded our revenue base by providing TRACS services to carriers and agents throughout the country, and by licensing our Ship Reporting software to other exchanges. This has dramatically increased our visibility, and we have been contacted by other organizations in other ports who have expressed an interest in obtaining this type of service.

This is something entirely new for a 130-year old organization, but if we are going to be able to continue to work to achieve our core mission – to promote and protect Delaware River maritime commerce – it is an adjustment we will have to make.

So as we enter a new year, and a new era for the Exchange, please allow me to take this opportunity to thank those who continue to support our efforts through financial partnerships and even just by relying on the Exchange as your “voice of the port” on critical issues facing our industry.
Regional Port to Host International Steel Industry

The American Institute of International Steel (AIIS) will hold its 2005 Annual Convention at the Society Hill Sheraton in Philadelphia on May 2 and 3. The conference agenda will include Customs and Border Protection issues of importance to steel importers and exporters, international and domestic steel market developments and related port and logistics issues.

“This will be an important conference for port operators here on the Delaware River, as well as at other ports around the country where large volumes of steel imports cross their docks,” stated BARTHCO International Vice President Jack Mallough who also serves on the AIIS and Exchange Board of Directors.

“I am encouraged by the fact that our regional port community is pulling together with both their time and financial resources to make sure this conference is an outstanding success,” said Mallough. It is anticipated over 200 attendees will participate in this year’s conference.

One key agenda item will deal with U.S. Customs and Border Protection (CBP) and an array of issues related to security concerns, commercial operations and import licensing. Steven W. Baker, Esq., Chairman of the AIIS Customs Committee, stated that the spotlight will be on proposed updates and revisions to the Customs and Trade Partnership Against Terrorism (C-TPAT) program.

“Given the pending changes to C-TPAT,” Baker said, “I expect there will be a lot of discussion and questions involving current and planned benefits, the costs of becoming C-TPAT compliant, the risks of not participating and how any planned changes might affect current participants.”

The changing dynamics of the steel marketplace will also be a prominent topic of conversation. “This annual conference follows the first twelve-month period where the steel import market has not been burdened by the Section 201 tariffs and during which time the U.S. has seen sustained economic growth,” observed Dave Phelps, AIIS President.

“Remains a volatile world market out there,” said Phelps, “so I am sure we will have our usually lively discussion surrounding the economic assumptions and predictions regarding where the steel market is going over the next year.”

In addition to the annual meeting, a number of other events have been planned for the two-day session. On Monday, May 2, a golf tournament will be held at the DuPont Country Club in Wilmington, Delaware. That evening, the Delaware River port community will host a reception aboard the battleship USS New Jersey anchored adjacent to the South Jersey Port Corporation in Camden, New Jersey.

“We want to take this opportunity to showcase to all the conference participants that the Delaware River port community values the importance of steel imports,” said Marty Masculini, Exchange Director and International Longshoreman Association Local 1291 Secretary/Treasurer, “and that as a port we can and do work together to best serve our customers.”

A reception and dinner will be held on Tuesday, May 3 following the conference.

For more information, contact AIIS at (202) 628-3878 or visit http://www.aiis.org.

Video Camera Project Streaming Along

Exchange Member Ingersoll-Rand Company donates camera for use at Delaware Bay Ship Reporting Station.

The Exchange is pleased to announce that Ingersoll-Rand Company has donated a high-end remote control camera for use at the Ship Reporting station in Cape Henlopen, Delaware. The camera, a Sony RZ30N pan/tilt/zoom model, will operate in extreme low light conditions with visibility optical at 25x translation. On a clear day, Cape May, New Jersey across the bay is clearly visible.

The Exchange staff and Coast Guard personnel will use the camera to remotely view ship traffic in the Delaware Bay via a web interface which includes the capability to lock on and track a target.

“Remote camera capabilities at our Delaware station will give our Philadelphia staff visibility to the bay and its inbound and outbound traffic,” said Exchange President Dennis Rochford. “Not only does this aid us in our vessel reporting mission by providing visual confirmation, but we can also aid the Coast Guard in their Maritime Domain Awareness mission.

The American Federation of Maritime Officers (AFM), which includes the Delaware Port Corporation and Ingersoll-Rand Company, donates this camera to the Exchange as part of their ongoing efforts to increase the visibility of maritime traffic in the Delaware Bay. The camera is expected to operate year round, 24/7, providing real-time surveillance and tracking of vessels in the Delaware Bay.

The Delaware Bay is a busy port with over 2,000 vessel calls per year, and it is estimated that approximately one million containers are shipped through the port each year. The camera will provide real-time surveillance and tracking of vessels in the Delaware Bay, providing valuable information to the Coast Guard and other maritime stakeholders.

Additional information about the camera project can be found at http://www.aiis.org.
Exchange Services and Programs: Expanding and Evolving to Meet Members' Needs

While the core mission of the Maritime Exchange has changed little since its incorporation on February 28, 1875, the founders of this dynamic organization could little have dreamed of the innovations in shipbuilding technology, the advent of personal computers, and the unavering support of the maritime community to bring the Exchange to where it is today. But what hasn’t changed is that protecting and promoting the businesses of Delaware River port industries remains the underlying premise through which we develop and implement programs and services – services to the membership that continue to make the Exchange a vibrant component of the Delaware River port business community.

■ Recording vessel movements and disseminating that information to the community as a tool to enhance and facilitate port operations remains one of the highest priorities of the Exchange, just as it did 130 years ago. And as the requirements to report information beyond vessel movements evolved to cargo and crew, the Exchange, with the support of the community, expanded its systems to develop one of the most comprehensive and complex port information systems in the country. Maritime On-Line, which includes the Ship Reporting, TRACS, Notice of Arrival and Sensitive Cargo modules, is now in use by over 700 registered subscribers and members to enhance their own operations and meet the ever-growing needs of port security and federal reporting requirements.

■ Logically complementing these efforts, the Exchange’s government affairs program serves and continually evolves to protect and promote our port at a local and national level. Through the support of the membership, we have successfully affected and influenced policy and regulatory decisions over the many years to the benefit of the community as a whole. The Exchange’s committees – the Agents/Operators Committee, the Credentialing Workgroup, the Non-Federal Dredge Committee, the TRACS Technical Committee, and other ad hoc committees – provide the membership with a chance to meet directly with government officials, business partners, and even competitors to discuss port issues and provide developmental direction to the Exchange’s services and systems.

■ Likewise, the Exchange’s publications – The Beacon, Port Directory, monthly President’s Report to the members, Federal Register Highlights, web site, and the various navigation and security alerts – complement the other services to keep the membership informed of initiatives, meetings, and issues that directly affect the port industry. This year the Federal Register Highlights, a daily synopsis of the official daily publication for federal rules and notices, is now included in the basic membership package.

■ Because of the unique role in the region, the Exchange’s answering service provides a cost effective and specialized alternative to traditional services. The Exchange staff’s institutional knowledge of port operations and its business network provide the backbone to a service that goes beyond just “taking a message.” The 24 hour support staff can often field general questions about ship schedules, navigational restrictions, and other port related information on behalf of subscribers.

■ The Exchange offers HAZMAT and online Port Security training courses to help members meet federal requirements. As an association, the Exchange is able to provide these courses at a discounted rate to members and will expand course offerings as the needs of the membership grows.

■ New this year, the Exchange is planning to provide a resume referral and maritime job posting service through its web site. As the port community grows, so does the demand for new talent that will keep our port moving through the next 130 years and beyond. As the communication hub for the region, the Exchange is often contacted by individuals seeking employment in the industry – and by prospective employers. The new service will help the membership match their requirements to individuals with specialized maritime training and/or experience.

The Exchange’s membership programs and services continually evolve to meet the demands of the time. Some of the services provided over 100 years ago, or even 25 years ago, are no longer applicable or in demand, and have been retired. But at the same time, innovations in technology and the ever-changing business and political climate have opened the door to the many new services now offered.

A trade association is only as successful as the prosperity enjoyed by its membership. The Exchange will always remain sensitive to the current needs of the membership and will continue to develop programs that serve the Exchange’s mission of protecting and promoting the Delaware River port community.
HAZMAT a Core Part of Overall Maritime Training

The recent events surrounding the November 26, 2004 oil spill on the Delaware River cannot underscore enough the need for proper HAZMAT training to first and foremost reduce the likelihood of such an incident, and second to ensure that responsible entities and/or individuals are prepared to respond in full compliance with federal regulations and avoid costly penalties.

The Federal Hazardous Materials Transportation Law is the basic statute regulating the transportation of HAZMAT in the United States. The Office of Hazardous Materials Safety of the Research and Special Programs Administration, U.S. Department of Transportation formulates, issues and revises the Hazardous Materials Regulations (HMR) under this law. The HMR cover hazardous materials definitions and classifications, hazard communications, shipper and carrier operations, training and security requirements, and packaging and container specifications.

Employers are required under Title 49, Code of Federal Regulations 172, Subpart H to provide training to all personnel handling hazardous materials involved in documentation for these materials. According to the regulations, HAZMAT training for new hires must be completed within 90 days of employment or change in job function. The regulation also requires re-certification every three years.

According to OHM’s Hazardous Materials Shipments report, hazardous materials traffic levels in the U.S. now exceed 800,000 shipments per day and result in the transport of more than 3.1 billion tons of hazardous materials annually.

It reports that “more than one-third of the Department’s enforcement actions pertaining to violations of the hazardous materials transportation regulations involve the failure of hazmat employers to provide training or maintain test records. In most cases violations are attributed to failure to provide function specific training. For example, an investigator questions incorrect entries on a shipping paper prepared by a hazmat employee who responds that he was not instructed, nor tested, by his hazmat employer regarding the preparation of shipping papers.

The Exchange regularly offers HAZMAT training courses to both members and non-members. The two-day course covers all pertinent material to satisfy the federal regulations, including the document preparation and handling of shippers responsible for HAZMAT cargo.

For more information on OHM, federal regulations, and training requirements, visit http://hazmat.dot.gov. For more information or to register for the Exchange’s HAZMAT course, contact Jim Lombardo at jlombardo@maritimedelriv.com or 215-925-2615.

Dredging Worldwide: ... and Local

We take pride in our ability to meet our customers’ needs. Our successes with even the most complicated projects have made us the largest dredging company in the U.S. and one of the largest in the world. Throughout our 115-year history, we have been involved in dredging projects of every kind worldwide, not only in America but also in Africa, the Middle East, the Far East and throughout Latin America. We’ve also been involved in the Philadelphia/Delaware River region, where we have undertaken numerous capital and maintenance dredging projects, and look forward to the planned Delaware River Main Channel Deepening Project.

Although our fleet features a variety of dredging tools, we take particular pride in our hopper dredges. In the 1970s, GLDD responded to a challenge from the Corps of Engineers to provide cost-effective private hopper dredging services. Within a few years, we had developed a fleet that allowed the Corps to retire (or reduce the use of) their own more expensive dredges. Today we deploy eight hopper dredges to handle a variety of dredging applications from maintenance and deepening of ports and waterways to beach replenishment and emergency services. The newest member of our hopper dredge fleet, shown above, was launched in 2002.

We continue to work closely with our clients—port authorities, the Corps of Engineers, and private companies—to make best use of their dredging dollars. We respond to emergencies, but also assure that dredging projects are undertaken in the most cost-effective manner possible: efficiently, safely, and with environmental sensitivity. We are proud to be part of the maritime community of the Delaware River Basin, and we look forward to being of service in the future.

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In Memoriam

The Exchange regrets to announce that G. Fred DiBona Jr., President and CEO of Independence Blue Cross, passed on January 11, 2005 after a courageous fight with cancer. He was 53.

Mr. DiBona’s career in the business of the Philadelphia region was a remarkable combination of public and private service. We in the maritime community knew him when he was head of the Philadelphia Port Corporation, predecessor to the Philadelphia Regional Port Authority. Since that time, he worked to untangle the stifling bureaucracy of the city’s zoning board, integrate the local Chamber of Commerce, and transform a struggling health insurance plan into one of the nation’s leading managed care companies. Mr. DiBona gained a reputation as a decisive leader who fearlessly championed with equal passion the best interests of his businesses and his community.

The Exchange extends its deepest sympathy to Mr. DiBona’s family, friends and colleagues.

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A Stowaway - What Do You Do?

Legal Ease

By: Eugene Mattioni, Esq. Partner, Mattioni, Ltd.

It is not uncommon for a vessel arriving in one of the ports along the Delaware River to bring with it an occasional unwelcome guest—stowaway. The statutory definition of a stowaway is any alien who obtains transportation without the consent of the person in command of any vessel through concealment aboard such vessel. The reasons for flight will vary. They could include entry for purposes of finding work because of poverty and lack of opportunity in his home country, or they could also include a dangerous criminal or terrorist seeking to bring harm to the shores of our country.

Stowaways have been found secreted within shipping containers, within the holds hidden with the cargo, in lifeboats, steering engine rooms, paint lockers and any place aboard a vessel where they believe they will avoid detection. In doing so, they expose themselves to dangerous and life threatening environments due to lack of water and food, oxygen depletion, and extremes of temperature. Precautions, policies and procedures can and should be in place to minimize the risk of stowaways; however, once detected the immediate question is what to do with them. They may be injured or ill, and in some cases deceased.

What to Do

When a stowaway is discovered, there are a number of actions that should be taken:

- Immediately notify your owner and port agent that stowaways have been found aboard the vessel;
- Immediately notify the U.S. Coast Guard Command Duty Officer at (215) 271-4800;
- Immediately notify the U.S. Customs and Border Protection (CBP) at Vessel Central (215) 597-4565, Monday – Friday 9 a.m. to 5 p.m., Airport E & C Desk (215) 663-4271/4272 daily 6 a.m. to 11 p.m., or use the 24-hour telephone number 1-800-X-SECTOR (215) 271-4800.
- Immediately notify your P&I representative;
- Immediately notify the terminal at which the vessel is expected to berth and have them alert the local police.

The Beacon 6 January/February, 2005

Asylum and Repatriation

A stowaway who indicates a credible fear of persecution and intends to apply for asylum shall be removed from the vessel and detained in the custody of a CBP Officer. If a credible fear of persecution is not found or asylum is not granted, it is the owner’s responsibility to arrange and pay for repatriation. The asylum procedure is an expedited procedure, and if adjudication does not occur within a specified time frame the cost of maintaining the government is the responsibility of the Master, even though the vessel is at sea. Failure to comply with an order to repatriate the alien can result in a civil penalty.

Stowaways present a formidable logistical problem and potential costly expense of maintenance, detention, fines and finally repatriation. In particular, secure detention of the stowaway is a significant aspect of the problem. Vessel crew members are not well suited or trained to act as guards. Even traditional civilian guard services are not well suited for this task. In addition, the stowaway issue often surfaces during a holiday or weekend when it is difficult to find trained personnel to guard stowaways pending turnover to CBP personnel. Owners and agents should contact and have available access to trained law enforcement professionals to act in the capacity as guards during the time a stowaway is in the owner’s custody and control. There do exist private investigative services that have the training and expertise to take custody of a stowaway.

Many security professionals believe our country is vulnerable to attack via sea borne containers and in particular as a means of infiltration by potential terrorists. As such, stowaways must be considered a serious matter. Vigilance and a protocol must be in place to detect and apprehend them and turn them over to the responsible governmental agencies.

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Exchange Testifies at Athos I Hearing
continued from page 1

Within a very short time frame, ship movements were commencing. From a business perspective, the issues we faced were several: ships in port had to wait for the contractor and subsequent Coast Guard inspection before they could depart (by Wednesday, December 1, Coast Guard announced it would allow companies to use private contractors to accelerate the clean up process). This limited the ability of ships waiting at anchorage to make their way to their ultimate destinations. In addition, despite the full willingness of Tsakos Shipping, the owner of the T/S Athos I, to take responsibility for the spill and its expenses, several ship operators had concerns about entering a contaminated waterway. Fortunately, these were few, and for the most part we were able to effectively allay any concerns.

It goes without saying that we all acknowledged the foremost priority was to contain and clean the spilled oil. However, in recognition of the fact that getting products to store shelves is also important, it must be noted that the Coast Guard as incident commander, immediately invited the business community into the Unified Command structure and worked diligently with industry in an effort to minimize the impact on port operations. On behalf of the Mariner’s Advisory Committee (MAC), Capt. Michael Linton, President of the Pilots’ Association for the Bay and River Delaware, worked with the Coast Guard to help identify measures that could be taken to get the port back open for business and prioritize the movement of vessels while restrictions were in place.

In addition to its role in mass communicating region-wide updates, as part of its vessel dispatching activities the Maritime Exchange is responsible to provide information on individual ship movements, such as estimated and actual arrival and departure times to the terminal operators, tug companies, line handlers, and the nearly 40 other businesses which “go into action” every time a ship arrives on the Delaware River. Through the involvement of the MAC in the command structure, we were able to quickly disseminate information on which ships were authorized to move to those port businesses which needed to be able to respond quickly to a continually changing schedule.

There is no doubt in my mind that the spill had far less negative impact than might have been the case because of the strong and close working relationships among governmental agencies, between government and industry, and among industry partners. Our ability to achieve this level of success in a geopolitical environment that involves three states and multiple overlapping federal jurisdictions should not go unrecognized.

Given the magnitude of the event, it is clear that the framework needed to effectively respond to the oil spill was well in place at the Delaware River. The fact that the port was 100% open for business by December 8 is a testament to the training and preparedness of the Coast Guard, federal and state environmental agencies, the environmental response community and industry.

BARTHCO Opens New Facility

In December 2004, BARTHCO International held an open house to inaugurate its new South Philadelphia office. Among the hundreds of attendees at the event were (l-r) Exchange President Dennis Rochford, Dennis J. Colgan, BARTHCO CEO, and Thomas J. Holt, Sr., Holt Oversight.

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The biggest port, with more than 7,000 vessels arriving and departing annually. According to records from the period, in 1878 over 1,600 foreign trade vessels, comprised of 500 American flag vessels and 1,100 foreign flag vessels, called on Philadelphia. During this same year, there were over 5,800 arrivals in the coastwise trade, 4,000 of which were schooners. This was also an era which saw sail slowly giving way to steam. Then, as today, the shipping industry had a significant impact on the city's economy and on the livelihoods of many of its residents. And for those who follow the 45’ foot main channel deepening project debate, we’d like to take this opportunity to note that the depth of the main shipping channel at that time – the natural depth of the Delaware – was 17 feet.

In 1885, the first comprehensive project to improve the Delaware River from Philadelphia to the sea was undertaken and took the depth of the channel down to 26 feet. It took another fifteen to twenty years to deepen the channel to its current authorized depth of 40 feet. As we are today, the Maritime Exchange was as involved in the three previous efforts to deepen the shipping channel in order to accommodate the larger cargo ships and keep our port competitive.

The language in the Maritime Exchange charter is equally applicable to the services we provide to our tri-state regional port complex where public and private facilities dot the Delaware River shoreline from Trenton, New Jersey to the sea. Perhaps this is best captured in a Philadelphia Inquirer editorial written on May 9, 1975 in recognition of the Maritime Exchange’s 100th anniversary. It stated in part “the Exchange was founded on the premise that, despite intense competition among shipping interests, they all had the common purpose in promoting and improving the Port of Philadelphia.” The Maritime Exchange continues to serve as a unifying force so that competing port interests can come together to support those initiatives that will promote and encourage expanding trade on the Delaware River.

According to Exchange President Dennis Rochford, “It is interesting to note that in a 130-year-old organization, I have only six predecessors. As even the tenures of our staff today demonstrate, the Maritime Exchange is a place that engenders loyalty and dedication to the organization’s mission.” He noted that most recent Exchange retirees, Bill Harrison and Eileen Collins had 25 and 35 years with the organization respectively; and of the current 14-member staff, nine have between 8-20 years of service.

Although the port has certainly changed, the overall mission of the Exchange has remained constant. And although we’ve significantly expanded the scope of services provided to members today, our number one priority remains the same.

The U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS) is amending its fruit and vegetable regulations to allow the importation of clementines, mandarins and tangerines from Chile into the U.S. under certain conditions. Based on the evidence in a recent pest risk assessment and an accompanying risk management document, APHIS believes these articles can be safely imported from all provinces of Chile, while continuing to protect the U.S. against the introduction of plant pests, such as Brevipalpus chilensis, a mite that is not easily detected through visual inspection.

To ensure that plant pests do not enter this country through the importation of these commodities, APHIS is requiring that the fruit be imported from Mediterranean fruit fly-free areas using the systems approach method. Under the systems approach, the clementines, mandarins or tangerines must pass through a series of pest mitigation measures, including phytosanitary inspection. Once fruit has passed through this series of mitigation measures, the Chilean plant inspectors will issue a phytosanitary certificate stating that the fruit has been inspected and found free of plant pests. This certificate must accompany each shipment of clementines, mandarins and tangerines offered for importation into the U.S from Chile. Citrus products that do not meet any of these conditions must be fumigated with methyl bromide or cold treated to ensure they are free of pests. APHIS selected these measures, among others, to mitigate the risk of introducing plant pests.

The final rule became effective January 10, 2005.

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The U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS) is amending its fruit and vegetable regulations to allow the importation of clementines, mandarins and tangerines from Chile into the U.S. under certain conditions. Based on the evidence in a recent pest risk assessment and an accompanying risk management document, APHIS believes these articles can be safely imported from all provinces of Chile, while continuing to protect the U.S. against the introduction of plant pests, such as Brevipalpus chilensis, a mite that is not easily detected through visual inspection. To ensure that plant pests do not enter this country through the importation of these commodities, APHIS is requiring that the fruit be imported from Mediterranean fruit fly-free areas using the systems approach method. Under the systems approach, the clementines, mandarins or tangerines must pass through a series of pest mitigation measures, including phytosanitary inspection. Once fruit has passed through this series of mitigation measures, the Chilean plant inspectors will issue a phytosanitary certificate stating that the fruit has been inspected and found free of plant pests. This certificate must accompany each shipment of clementines, mandarins and tangerines offered for importation into the U.S from Chile. Citrus products that do not meet any of these conditions must be fumigated with methyl bromide or cold treated to ensure they are free of pests. APHIS selected these measures, among others, to mitigate the risk of introducing plant pests.

The final rule became effective January 10, 2005.
Himber Appointed to NMSAC
continued from page 1

Tom Carper (D-DE) and Congressman Mike Castle (R-DE) signed a joint letter supporting her nomination to the committee, saying “Ms. Himber has been a strong advocate for the business community along the Delaware River, particularly through her efforts in leading the implementation of a number of new security measures.”

And in Pennsylvania, Congressman Curt Weldon (R-PA) cited the need for the ideal candidate to have a practical understanding of the complexity of working with various federal, state, and local agencies as well as national customs and security affairs. “Ms. Himber [will] bring to the Committie her wealth of experience in these areas . . .” he said.

On behalf of Secretary Tom Ridge, Admiral Thomas H. Collins, Commandant of the Coast Guard said, “We look forward to working with the Committee to continue strengthening our efforts to protect our ports and waterways while keeping them open for commerce.”

The Exchange will be sure to keep its members informed of committee activity.
Rapid Emergency Response a Testament to Delaware River Maritime Community Cooperation

By: Jonathon D. Sarubbi, Captain U. S. Coast Guard

In the wake of the November 26 oil spill, the Unified Command — the multi-agency team that coordinated the response — worked closely with the Mariners’ Advisory Committee and Delaware Bay and River Pilots’ Association to develop protocols for managing and authorizing vessel movements. The Maritime Exchange for the Delaware River and Bay quickly disseminated information to the port community. On the evening of November 26, 2004 and throughout November 27, 2004, the port was closed to deep draft vessel traffic. On November 28, 2004, the Unified Command permitted commercial inbound vessels to transit through the safety zone with certain restrictions.

By December 8, 2004, the river was open to all marine traffic, with the exception of wake restrictions, and a channel survey had been completed, validating that the channel was clear of obstructions.

The groundwork for mounting a successful response began long before the incident. The Oil Pollution Act of 1990 (OPA-90) was key to the preparedness of the port in responding to this very dynamic and challenging oil spill. Among other mandates, OPA-90 required the establishment of an Area Committee for the port, development of an Area Contingency Plan, and participation in the National Preparedness for Response Exercise Program. In addition to port preparedness, OPA 90 required tank vessels to create vessel response plans detailing actions to be taken to mitigate the impact of an incident such as what occurred to the T/S ATHOS I.

In addition to OPA-90, the National Oil and Hazardous Substances Pollution Contingency Plan, under which the Captain of the Port and District Commander have the authority and responsibility to direct oil spill response operations, provides for special teams that can be called upon for technical assistance. These teams were invaluable to the T/S ATHOS I response; they rapidly responded to our request for support and performed exceptionally.

Over the past few years the Delaware Bay and River port community, which includes federal, state and local government agencies, the maritime industry, and other interested parties has come together in an unprecedented way to work as a team in preparing to respond to incidents threatening the marine environment, public health and safety, and maritime commerce. There are three significant actions the port community took prior to the ATHOS I incident that are noteworthy.

First, and most important, was the unwavering commitment by all port partners to invest their time in building relationships with one another. Two very important committees, the Area Committee and the Area Maritime Security Committee, provided the opportunity to bring together a wide range of port partners on a regular basis to conduct joint training, discuss issues of the port, and develop comprehensive port response and security plans.

Second, the National Incident Management System (NIMS), Incident Command System (ICS) was the cornerstone in bringing together the 1800 person organization that was necessary to respond to this incident. Twenty agencies and numerous commercial entities committed to using ICS enabled the Unified Command to rapidly build an integrated team that had a common set of objectives and priorities.

The strength of ICS is that it transcends the different organizational structures and unique terminology and processes that agencies use internally and provides a common model that enables those in the response community to join forces. Without a strong commitment from all response entities to use ICS, the Unified Command would not have been able to leverage the resources necessary to manage the multitude of operational issues that the incident presented, nor could the Unified Command provide the public with a clear and cohesive message.

Third, through an aggressive exercise program, we developed and honed critical capabilities through collective training during several challenging scenarios. Our November 2003 exercise had many similarities to the actual T/S ATHOS I incident and we immediately set about implementing the many lessons learned in our ACP.

Another key component was our effective communications during the initial response. The first press briefing with the Unified Command was held on November 27, and subsequent briefings were conducted at each. This provided a predictable, consistent release of information from the key members of the Unified Command. A website was established November 27, 2004 at http://www.incidentinfo.com on the Maritime Exchange website. All the daily news releases, photos and fact sheets were posted on the website for public viewing. The website received more than 500,000 hits in the first 10 days.

The importance of the team and the close port relationships fostered the coordination and support of this response. Because we simply cannot afford to work at odds, the use of a Unified Command and a single response management system is absolutely necessary. Our pre-incident planning and port community preparedness put us in a position to succeed.
Maritime Industry Says Goodbye to Two Long-Time Supporters

Loy to Leave DHS
The Department of Homeland Security (DHS) has announced the upcoming departure of Deputy Secretary Admiral James Loy, who will remain at DHS until March 1, or until his successor is confirmed. Admiral Loy joined DHS in December 2003 as Administrator of the Transportation Security Administration, where he was a strong advocate of the Transportation Worker Identification Credential (TWIC) program. Prior to that appointment, Admiral Loy served as Commandant of the U.S. Coast Guard.

Those of us who worked with Admiral Loy will miss his forthrightness and dedication.

Shubert Leaves MarAd
The maritime industry will lose a strong advocate when Capt. William Shubert leaves his post as Administrator of the U.S. Maritime Administration in February. "Capt. Shubert and his Deputy John Jamian visited the Exchange on several occasions over the last several years," said Exchange President Dennis Rochford. "He was clearly interested in helping solve the challenges facing U.S. maritime interests and took the time to understand the issues and help identify solutions. We will miss his leadership."

Deputy Administrator John Jamian will serve as Acting Maritime Administrator during the White House selection process for a new Administrator.

Quotable Quote
"The brain is a wonderful organ. It starts working the moment you get up in the morning and does not stop until you get into the office."

Robert Frost
Notes & News

BARTHCIO Trade Consultants announced that Stephen F. Kreminski, Ph.D. has joined their firm. BARTHCIO Trade Consultants was formed to provide importers and exporters with needed services above and beyond traditional customs brokerage and forwarding. Welcome aboard.

Eula Walden retires from U.S. Customs and Border Protection in January. The Exchange first started working with Eula in 1988, when she was with the AMS Manifest Branch and helped guide us through our AMS certification. Ms. Walden has been with CBP for 41 years. Best wishes on your retirement, Eula, we'll miss you.

DBA Innovations, Inc., the technology consulting firm who worked with the Exchange to develop the Maritime On-Line system, has announced that David Ashenfelter has rejoined the company to head up its Business Development initiatives. In addition to the programming work on Maritime On-Line, DBA has recently worked on projects with state agencies in West Virginia and Connecticut.

Congratulations to Delaware River Port Authority’s Chief Executive Officer John J. Matheussen for being named Humanitarian of the Year by the South Jersey Office of the Arthritis Foundation, and its Vice Chairman Jeffrey L. Nash for being honored with the Southern New Jersey Council of the Boy Scouts of America 2004 Distinguished Citizen Award. Great Job!

Welcome New Members

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