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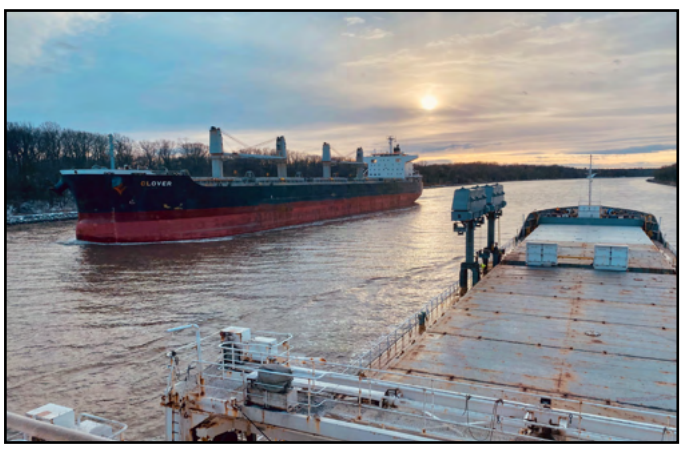
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# Ship calls gain big in 2021



*Cargo ships navigating the Chesapeake & Delaware Canal. Photo courtesy of Capt. Jonathan Kemmerley.*

"After a period of decline, it was a true pleasure to report the regional port vessel arrival statistics for 2021," said Exchange President Lisa Himber. "Though the industry remains plagued by severe supply chain congestion, the Delaware River ended the year in a strong position. From the perspective of ship calls, area marine terminals fared markedly better last year than in 2020,"

According to Exchange records, 2,312 ships arrived at Delaware River port facilities in 2021 compared to 2,195 arrivals in 2020. The region saw a 5.3% increase in vessel calls overall.

"Despite many challenges in 2021, it was a tremendous year for port growth and prosperity across Sector Delaware Bay. The port partnerships and coordination were, as always, instrumental in preserving the safety of our waterways, facilities, vessels, and most importantly, people," said Coast Guard Sector Delaware Bay Commander Jonathan Theel. "Robust communications kept maritime commerce flowing, even with extreme weather events, the ongoing COVID-19 pandemic, and global supply chain disruptions."

On the import side, steel ships saw the largest growth, jumping from 96 ships in 2020 to 121 in 2021, a 26% gain. Vehicles also saw a substantial increase, with year-over-year numbers climbing from 115 in 2020 to 135 last year, a bump of 17.4%. Containerized cargo continued its upward trend of the last few years, with 606 ships offloading containers in 2021 compared to 554 in 2020, a gain of 9.4%. Chemicals rounded out the top Delaware River imports, increasing from 91 to 103, or 13.2%. "Many factors are driving the cargo growth, most notably increased demand for building materials and new cars," Himber said.

*continued on page 7*

# Now hiring: the Delaware River

Looking for a job? The bustling Delaware River port complex is hiring, at least for the foreseeable future.

"As we talk with Exchange members around the region, one issue always rises to the forefront: a major shortage of workers," said Exchange President Lisa Himber.

Though now a front-burner issue, it is not entirely new to the maritime business community. For years, the world has faced a scarcity of seafarers to operate the commercial vessels that transport essentials such as food, fuel, and medicine around the globe. A July 2021 study found that a major seafarer shortage would be likely by 2026 if no action is taken to recruit and retain workers to fill this vital role.

The major constraints from a surplus of unoccupied jobs throughout the country are coming increasingly closer to home for most Americans. "Every industry has its own issues, and the logistics sector in the U.S. is struggling for lack of manpower. The shortage of labor on the U.S. West Coast, in particular truck drivers, port and warehouse workers . . . has spilled over to nearly all sectors of the U.S. logistics supply chain," said John Brennan, President of PSA Penn Terminals. "Ports, rail terminals, distribution centers, logistics facilities, etc. are all clogged with cargo and lack enough people to move it all."

Throughout the U.S., longshore labor has been particularly hard hit, and local ports are feeling the pinch. "While the Delaware River ports never closed a day due to the men and women of the ILA, there were days where we were short labor—in some cases certain jobs were significantly short workers," said Patrick Dolan, President of Ports of the Delaware River Marine Trade Association. "In addition, we also lost a number of long-term employees to a retirement incentive program."

The Biden administration has turned to creative solutions to attempt to fix the truck driver shortage. The Federal Motor Carrier Safety Administration will roll out a plan to authorize 18-20 year-old drivers to haul cargo across state lines. This federal apprenticeship pilot program is expected to train up to 3,000 young, new drivers, beginning sometime this year.

Although the program sounds promising, insurance limitations may prevent small- and medium-size trucking businesses from participating. "Insurance won't allow us to hire anyone under the age of 23, and anyone hired must have at least two years of CDL experience to begin with," said Robert Higgins III, Vice President of Bay Shippers. "Since the pandemic hit, the difficulty of hiring and retaining truck drivers has been like nothing I've experienced before. It has been extremely difficult to fill roles due to the number of drivers who have chosen to retire, coupled with the comparatively low freight rates from the container industry."

Pressure from other sectors has increased competition for drivers, causing many companies in the Delaware River to raise driver pay—in one case an astounding

*continued on page 9*




*Interview with*

## Harold Cohen

USA Representative
Global Reefers



*Harold Cohen has served as the U.S. Representative and Port Captain for Global Reefers since 2016 and boasts more than ten years' experience working in global logistics. Global Reefers formed in the 1980s and has shipped refrigerated cargo from Chile to the U.S. ever since.*

**Q: Please tell us about your role at Global Reefers and its key functions.**

**A:** I'm the local face for Global Reefers in the Wilmington area and Los Angeles, and I'm in charge of communicating information to customers, arrivals, and general updates about our ships.

On the operational side, I'm responsible for vessel temperature guidance, sending arrival instructions to the ships, monitoring speed, and everything related to the discharge. I work close to the ports in order to move the ships and cargo in the most efficient way possible, and I design stow plans for containers and general cargo and ensure that everything loads safely.

On the commercial side, I'm in charge of the southbound program for Global Reefers, loading reefer cargo, vehicles, and all types of general cargo from the USA to Chile.

**Q: What trends or developments do you foresee relating to Chilean trade?**

**A:** We used to hear that containers were the new future of the business, however the demand to load in our reefer ships is something we've never experienced before. The transit time and flexibility in our operation compared to that of container lines is making our specialized reefer charter ships more attractive than ever.

With all the change and chaos caused by the pandemic, Global Reefers is looking forward to creating a special service

*continued on page 11*




# Feeling nostalgic for meetings

As an organization whose very existence centers around communication and bringing people together, the ongoing pandemic protection measures have really cut into the Exchange's ability to meet it mission.

For the first year of the restrictions, from roughly March 2020 through March of 2021, a substantial majority of Exchange members, government and trade association partners, and other colleagues were largely teleworking. So every meeting was virtual for everyone. Then vaccinations became fairly common, we started to go forth into the world again, and we got a taste of "freedom." Then back to the gulag as the virus ramped up again.

(As an aside, it's amazing to recall my first live meeting after emerging from confinement. Last summer when the Ports of Philadelphia Maritime Society board decided to gather for an in-person meeting, the idea of actually getting into my car and driving to a meeting was utterly liberating! After sitting in traffic for 45 minutes heading to the Mariners' Advisory Committee meeting a week or so later, I was completely over it.)

The point is, after experiencing a sense of normalcy for several months last year, the need to go back into somewhat of a lockdown due to the Delta variant and then plunging into the Omicron wave before Delta was behind us was perhaps harder than if we'd stayed isolated throughout. That people are generally feeling more secure venturing out among others means many meetings are now hybrid, with some people in the room and others on the screen.

No one laments the efficiency of virtual meetings. They allow more people from an organization to participate, put extra time that would have been spent traveling back into the calendar, and of course they eliminate the costs of refreshments and meeting room space. And let's face it, the 20-foot commute from bedroom to home office has its upside on a cold February morning. But the regrettable reality is that this situation is far less satisfying.

The regrettable reality is that effective human interaction is severely hampered without all the body language and other visual cues that round out human communication and help us to better understand each other.

The regrettable reality is that it is simply impossible to build the relationships necessary to effectively work together during such crucial activities as incident response over a video conference. The pre- and post-meeting networking upon which many relationships are built is almost non-existent.

The regrettable reality is that most virtual meetings are monologues rather than dialogues.

And do you know what I really miss? Humor.

If you've ever tried to crack a joke during a virtual meeting, you'll understand what I mean. It usually falls pretty flat.

Despite all these shortcomings, when we fully emerge from the pandemic, whether by eliminating it (à la the Spanish Flu) or adapting to live with it, hybrid meetings are probably with us at least until teleporting becomes commonplace. Too many people find value in the efficiencies they bring. Whether those efficiencies take precedence over personal interaction once we move from pandemic to endemic remains to be seen.

*Lisa Himber*

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# *Thank you!*

The Exchange proudly hosted several Delaware River 101 and 102 programs over the course of 2021.

Thank you to members for making this educational program a success! Sincere thanks are due as well to the many speakers and moderators who took time out of their busy schedules to share their experience and knowledge with attendees:

Joe Benton, McAllister Towing
Andrew Bertolazzi, Ronin Security Solutions
John Brennan, PSA Penn Terminals
Sean Butler, U.S. Customs and Border Protection
Steve Clark, Host Agency
Lynn Cointot, Philadelphia Barge Company
Capt. David Cuff, Pilots' Association
John Deemer, PBF Energy
Pat Dolan, Ports of the Delaware River Marine Trade Assn.
Molly Doughtery, PA Emergency Management Agency
MAJ Brandon Drobenak, U.S. Army Corps of Engineers
John Ercolani, 721 Logistics
Ed Fitzgerald, GEODIS
Capt. Drew Hodgens, Pilots' Association
JaNi'a King, U.S. Department of Agriculture
Michael Lang, Blommer Chocolate
Christine Lassiter, Seamen's Center of Wilmington
John Martin, Martin Associates
Clint McFarland, U.S. Department of Agriculture, APHIS-PPQ
Patrick McGinn, Glovis
CDR Jodi Min, U.S. Coast Guard, Sector Delaware Bay
Edward Moriarty, U.S. Customs & Border Protection
Lindsay Pennington, Gulftainer USA Wilmington
Lisa Reeves, Reeves McEwing LLP
Capt. Stephen Roberts, Pilots' Association
Shannon Sked, Western Fumigation
CAPT Jonathan Theel, U.S. Coast Guard, Sector Delaware Bay
Glena Tredinnick, U.S. Coast Guard

Anyone interested in speaking at a future Delaware River 101/102 or any Exchange program should contact Christina Lista at clista@maritimedelriv.com.




## Welcome New Members

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www.daykahackett.com

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www.business.delaware.gov

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www.logistiwerx.com

# A long road to electronic crew processing

*CBP puts the I-418 paper form to bed after years of testing*

Efforts that began over a decade ago by the Maritime Exchange and others culminated in one more step toward a paperless environment when Customs and Border Protection announced the elimination of the paper CBP Form I-418 effective February 28, 2022.

"As part of our innovation efforts, Customs and Border Protection continues to work closely with our maritime stakeholders to modernize our business practices and eliminate redundancies," said Area Port Director for Philadelphia Joseph Martella. "Automating the transmission of the I-418 form used to report the crew and passenger manifest will help to streamline vessel arrival and departure processes and simplify vessel inspections. I look forward to working with the Maritime Exchange and our seaport trade stakeholders to identify future opportunities to drive innovation and efficiencies in our business practices."

Historically, CBP has collected crew and passenger information via the paper form for vessels arriving from and departing to foreign ports. The form includes crewmembers' names, dates of birth, nationalities, and other relevant information.

"The I-418 may be behind us, but we have still have much work to do," said Exchange IT Director Michael Fink. "Among other initiatives, we're working with CBP on the Vessel Entrance and Clearance System pilot, known as VECS, to electronically obtain approval to conduct cargo operations. This endeavor will eliminate yet more paper, in this case CBP Form 3171. We couldn't do it without the support, cooperation, and active engagement of our members and our federal partners."

Always looking for opportunities to automate manual processes, the Maritime Exchange, in cooperation with the World Shipping Council, originally proposed to CBP that the agency could use the data in the electronic U.S. Coast Guard Notice of Arrival and Departure in lieu of the I-418. The electronic NOA/D, which Coast Guard shares with CBP, already included most of the data elements from the paper form.

The Exchange, World Shipping Council, and CBP formed a working group to tackle the problem in December 2009 and ultimately agreed to launch a pilot program to test using NOA/D submissions to satisfy crew and passenger reporting requirements.

The National Association of Maritime Organizations added its voice in support of the initiative, and CBP launched the pilot a year later in a few U.S. ports, including Chester, Pa. and Wilmington, Del. By May 2013, CBP deemed the pilot a success, opened the program to all vessels entering U.S. waters, and coordinated with the Coast Guard to add missing I-418 data elements to the NOA/D.

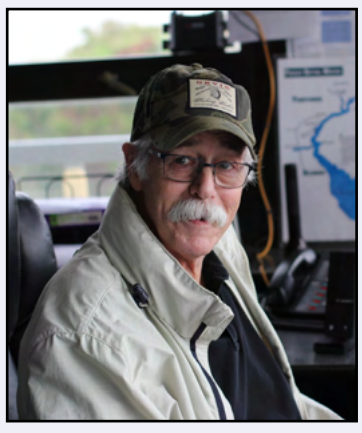
"The goal of the electronic filing of the NOA/D was to streamline the arrival and departure process, and CBP/USCG have more than met that goal," said Moran Office of Maritime & Port Security Compliance Specialist Andrew Black. "The NOA/D platforms are simple, straightforward, and user friendly, providing efficient and clear communications for vessels, agents, and CBP and the Coast Guard. Eliminating the paper I-418 will further that original goal of streamlining the port call process since crew details are already vetted by CBP in the NOA/D submission."

The pilot continued until the agency published an Interim Final Rule on December 28, 2021, a little more than 12 years after the first working group convened.

"Industry and CBP should be commended for a job well done for automating a process that eliminates a redundant and burdensome form," Fink said. "Many of the faces that began this initiative over ten years ago have changed, but the torch was successfully passed, and we've gotten just a little closer to a true paperless environment."

*For information on submitting electronic Notices of Arrival and Departure through the Exchange's Maritime On-Line® system, contact 215-925-1524 or ops@mxops.org.*

## *In Memoriam*



### William Bradford Bayard

It is with a heavy heart that the Maritime Exchange announces the passing of William Bradford Bayard, Operations Specialist for the Exchange, on Jan 14, 2022. Bill was a valued member of the operations staff since 2012 and will be truly missed.

Born in Wilmington, Del. in 1955, Bill ultimately settled near the beach with the love of his life, Donna. They had two daughters.

Bill was a great friend of the maritime community. His local knowledge of the river and past experiences allowed him to take to his job at the Exchange like a duck to water. Working from the Exchange Ship Reporting Tower in Cape Henlopen State Park, he once said that "the view was unparalleled, almost like the bridge of a ship."

Bill was a big fan of the outdoors, enjoying fishing, hunting, and traveling with his wife.

Bill, you have completed your final watch, now rest in peace.

In lieu of flowers, the family suggests memorial contributions to Ducks Unlimited at www.ducks.org.

# MOL upgrades: Past, present, and future

After finishing the massive export manifest program, Exchange staff changed course by focusing on enhancing Maritime On-Line.

In keeping with its MOL development philosophy of the last 30 years, the Exchange only updates the system based on need and funding availability, with regulatory changes taking top priority. "The Exchange includes a small allotment in its annual operating budget for minor programming," said Director of Operations Paul Myhre. "This is typically used for emergency changes spurred by CBP or Coast Guard mandates. The majority of Maritime On-Line enhancements are funded through state or federal grants."

**Accommodating COVID**

The Exchange recently rolled out two modifications to its TRACS cargo manifesting system directly resulting from the pandemic and its effect on the supply chain. The first facilitated permits to transfer, overcoming a limitation in the CBP system that prevented PTT transmissions with a "non-container" designation. CBP was compelled to alter its system in response to changing business practices in which shippers contracted with breakbulk carriers to move containers.

The second allowed filers to submit stow plans for vessels that do not have IMO numbers, normally a required data field. Once again, a change in industry operation—this one involving import containers arriving on barges, which do not necessarily have IMO numbers—demanded a system update.

"We strive to be as agile as possible given funding constraints, and we're pleased we were able to move quickly to incorporate these updates," Myhre said.

**AIS up next**

One of the most important factors in successful system operation is the user experience. With that in mind, the Exchange is now working to enhance its automatic identification system user interface. Though the new software will look a bit different, the system will maintain the functionality and user friendliness that MOL AIS participants have come to expect.

"The project will move the current system to a new product using the latest technology," said Corey Tucker, President of ICI Innovations, Inc. "This will ensure the AIS platform is viable for years to come."

The staff and development team are also conducting a full review of all back-end code, originally developed in 2010. The goal is to bring the system backbone current and improve overall system performance.

**Enhancements on the horizon**

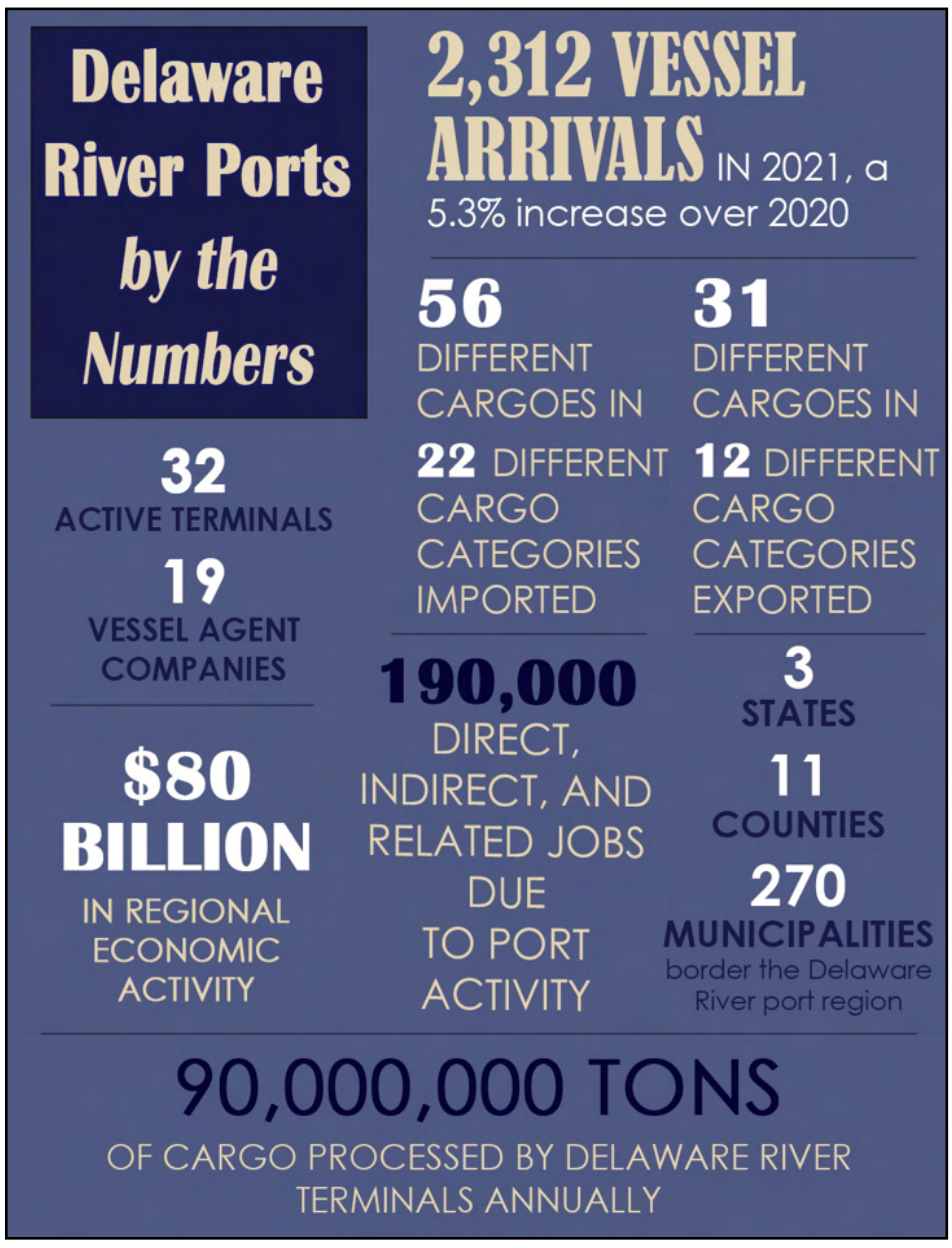
MOL system participants have driven system development since its earliest days, and the Exchange encourages users to suggest updates. At any given time, the future enhancements list includes from 10 to 30 ideas submitted by users and vetted by Exchange staff and programmers.

Future updates waiting for funding include updating the log-in screen, enhancing reports, and modifying copy functionality.

The Exchange is also poised for a major TRACS change to accommodate house bill release functionality, to update the bill of lading status message display, and to improve in-bond arrival/export processing.

"The Exchange has grant applications pending and hopes to begin work on these projects in the near future. And these examples reflect only a small portion of what's ahead for MOL," Myhre said. "We welcome user comments and encourage all participants to contact us with their suggestions."

To learn more, please visit https://maritimedelriv.com/mol or contact Paul Myhre at ops@maritimedelriv.com.











# Meet Maura Fry

## MOL Account Manager

Maura Fry is the newest member of the Exchange operations team, brought on to fill the opening created when Scott Anderson retired. No stranger to the industry, Maura has worked on the Delaware River since 2017.

Maura has some big shoes to fill. "I was lucky to work with Scott just before he retired," she said. "He was full of information and helped me get off on the right foot at the Exchange."

As part of the operations staff, Maura works closely with various Exchange members and system participants, providing technical assistance to Maritime On-Line users, updating vessel schedules, and disseminating vessel movement information to the community. In addition, she interacts daily with vessels via VHF radio, helping to ensure efficient transits as part of the Port Service Program.

"I'm excited to be part of the crew at the Maritime Exchange, because of the challenges each day brings and the great people I work with who care about our members," Maura said.

In her spare time, Maura enjoys soaking up the sun on the beach and spending time with her family. She is also an avid reader and likes to shoot billiards.

Maura earned her BS in Environmental Science from Lynchburg College, lives in Cinnaminson, N.J., and has a son and three daughters.

Please join us in welcoming her aboard!

# New tech to ease some pandemic woes

*Technology trends focus on meeting supply chain and other challenges*

Every cloud has a silver lining, right? Although COVID-19 challenges make this old adage difficult to swallow, the transportation industry might be getting a bit of an extra nudge from the virus through accelerated technology development to address supply chain problems.

While new tech may not be a silver bullet for the near term, a few advances might at least help alleviate some of the delays and congestion in the future.

**Autonomous vehicles**

Trucking companies have sounded the alarm; there is a serious deficit of available drivers to move goods from our ports. While human resource departments struggle to fill the gap, technology may provide some relief . . . some day.

As an example, Locomotion, a Pittsburg-based company founded in 2018, is developing a two-truck convoy system. Its solution will enable one driver to operate a lead truck while a second driver rests in the follower truck that is operating autonomously. Periodically, the trucks swap places to allow each driver to take turns leading and resting, thus extending driving times and cargo throughput.

As for fully autonomous vehicles, do not get distracted on the road looking for driverless trucks just yet. Terminals are more likely to see autonomous vehicles sooner as the risk is much lower for driverless equipment operating solely in a yard than barreling down the highway.

What is more likely on the freeway is an expansion of technology to augment drivers' safety and abilities by reducing distracted driving and detecting road hazards and reckless drivers. Such technology will not only improve the safety and productivity of experienced drivers but may shorten the training cycles for new hires.

**Vessel communication**

Satellite connectivity for vessels will improve and become more cost effective in 2022 and beyond. Multiple companies, including Iridium, OneWeb, and Inmarsat, are launching new low- and medium-earth orbit satellites this year to improve communication and reduce costs over the older geostationary VSAT technology.

The new satellite network also has direct human benefits. For seafarers, connecting with family and friends while at sea or in foreign ports is oftentimes prohibitively expensive or nonexistent. In an already COVID-strained industry, improved and cheaper communication may provide some incentive to attract or help keep younger seafarers in the workforce.

**Artificial intelligence**

Artificial intelligence often makes the list of any tech trends, and this year is no exception. Analysts expect AI will improve safer navigation in low-visibility conditions and support autonomous vehicle operation both at sea and on the road. Higher transportation costs and port congestion are driving the need to reduce fuel consumption and optimize schedules, challenges that AI can help the industry meet. Through sensors that read temperature, vibration, performance, and a host of other variables, AI can predict equipment failures and coordinate cost-saving preventative maintenance. From cybersecurity enhancements, route planning, plant and terminal operations, predictive maintenance, and fuel-use optimization, industry will start to see more real-life applications of AI in the coming years.

The pandemic is not in the driver seat of technological innovation, but it is becoming apparent that some of the pre-pandemic initiatives such as better remote workforce solutions, faster communication, autonomous trucks and ships, and digitization of manual or paper processes are certainly paying off now. These trends will certainly continue as the world perpetually retools in an endemic reality.

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# FMC data initiative aims to increase supply chain capacity

By: Carl W. Bentzel, Commissioner
Federal Maritime Commission

The coming 12 months will be especially important for the maritime industry as it continues to adjust to demands American shippers and consumers have made on the system throughout the COVID pandemic.

Two of the most important revelations revealed to the U.S. public as a result of supply chain congestion are the criticality of the maritime industry to the nation's economic vitality and the awareness that we cannot build our way out of port and freight congestion. The lesson learned through these revelations is that we must do better at managing our freight and transportation infrastructure to gain system capacity, especially in a constrained system environment.

An efficient U.S. transportation system relies on a physical infrastructure, but it is obvious to most that physical infrastructure takes years to develop and is increasingly challenged in population-dense urban environments. However, a 21st-century data infrastructure can improve supply chain performance with less cost and more immediate return on efficiency.

Last December, Chairman Maffei asked me to spearhead what we are now calling the Maritime Transportation Data Initiative, or MTDI. We intend to move aggressively on this effort and have scheduled weekly meetings with industry and federal partners. These meetings are webcast and open to public review; the full schedule of future meetings is included as a sidebar to this article. We encourage public comment on the MTDI via maritimedata@fmc.gov.

As freight moves through the supply chain, information about it is created at each key point and handoff, but it is not often shared effectively. Sometimes this is caused by lack of consistent taxonomy and lexicon, sometimes because systems do not "speak" to each other, and sometimes because information is provided to some but not others who need access. In addition, often two parties report status information that has not been synchronized, thus releasing inconsistent information. Because "ownership" of the data changes as the freight moves through the system, the lack of an efficient maritime data system cannot be solved by one party in the chain alone. It will take cooperation and collaboration.

The FMC is not in cargo contents, but rather status of movement and the status of operations that effect the movement of the cargo through the entire chain. In the coming months, I, my fellow Commissioners, and FMC staff will take the following actions.

**Step 1**: Catalogue the status quo in maritime data, storage, and access across the transportation chain

**Step 2:** Identify key gaps in data definitions/classification

**Step 3:** Develop recommendations for common data standards and access policies/protocols

This work will culminate in an FMC/Maritime Industry Data Summit in June.

On a more personal note, I was saddened to learn of the passing of Dennis Rochford last July. He was a great leader of this Exchange, and his presence will be sorely missed. I wish Lisa Himber the best of luck in her new duties as president, and I look forward to continuing to work closely with her and the Maritime Exchange for the Delaware River and Bay toward our shared goal of a more efficient and capable ocean-linked supply chain.

# Chilean plums to return to Delaware River

On January 25, the USDA relieved the Chile-U.S. plum trade of requirements that imposed limitations severe enough that the entire line of trade to the U.S., and its economic benefits, came to a halt during the height of the season.

In April 2021, the USDA ordered that Chilean plums could enter the U.S. using irradiation to mitigate pest risks. Yet because this process is only available at a single facility in Mississippi, the mandate was unworkable.

The USDA changed course in November when it announced it was considering authorizing a systems approach and the option of fumigating with methyl bromide for Chilean plums.

"This was a very positive development," said Exchange President Lisa Himber. "But the major issue was timing. The Chilean season runs from November through April each year, and the comment deadline wasn't until January 3, 2022. Not only would we lose at least three months, Exchange members were concerned that a delay by USDA in reviewing the comments and making a final determination would put the entire season in jeopardy."

Chile sends 99% of its plum exports to the U.S. market, and the Delaware River is the destination of choice for Chilean plums and stonefruit.

The Maritime Exchange, in collaboration with the Chilean Embassy, ProChile, the Chilean & American Chamber of Commerce of Greater Philadelphia, and the World Trade Association of Philadelphia, advocated with USDA to reverse the requirements hindering Chilean plum imports. "We urged the USDA to expedite the review and clearance so this essential trade could resume," Himber said.

The efforts were rewarded when the USDA revised the requirements on January 25. With the new measure in place, plums from Chile can safely be imported under a systems approach for pest mitigation, with an additional option for fumigation with methyl bromide.

"We are very pleased with USDA's swift decision in permitting the systems approach for preventative measures on imported Chilean plums along with the continuance option of fumigation," said Edward A. Fitzgerald, Senior Director of Trade Services for GEODIS. "This is especially significant since the Chilean fruit season is already underway and that a majority of the plums are imported through our ports along the Delaware River. This is a great example of a collaborative effort between USDA, Chile, and the industry stakeholders located in the Delaware Valley."

Himber said Exchange members were astounded that USDA completed its comment review a mere three weeks after the January 3 deadline. All attributed it to the outstanding partnership between the growers, the USDA, and the maritime industry.

"The revised requirement for Chilean plums is further evidence of the deep collaboration between Chile and the USA," said John Ercolani, Vice President, J&K Fresh East, div. of 721 Logistics. "Considerable effort and focus by so many valuable stakeholders, including our partners and friends in Chile, the Embassy of Chile in Washington DC, the Maritime Exchange, Chilean and American Chamber of Commerce of Philadelphia, countless members of the ports of the Delaware River, and many U.S. receivers/importers. I applaud the USDA for its comprehensive commodity import evaluation and swift action to include systems approach or fumigation as an option for entry conditions."

## MTDI Meeting Schedule

*Each Tuesday through April 19 from 3:00 p.m. 4:00 p.m.**

Obtain the meeting link from https://www.fmc.gov/events/ before each meeting

**February 2022**

| | |
|---|---|
| February 15 | Ocean Transportation Intermediaries (Forwarders and NVOCCs) |
| February 22 | UPS/FedEx/Amazon |

**March 2022**

| | |
|---|---|
| March 1 | Large Aggregators (Flexport /C.H. Robinson/ Kuehne + Nagel Inc.) |
| March 8 | Maritime Labor |
| March 15 | Available Technology/Platforms |
| March 22 | International Standards/FMC Agreements |
| March 29 | Marine Terminal Operators (MTOs) |

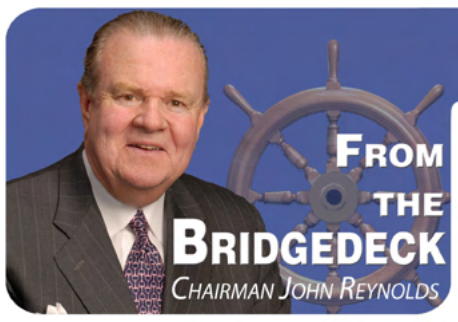
**April 2022**

| | |
|---|---|
| April 5 | Marine Terminal Operators (MTOs) |
| April 12 | Carriers (1) |
| April 19 | Carriers (2) |

**June 1: FMC Maritime Transportation Data Summit**

**Meetings subject to change. Additional meetings may be added as needed.*






# Quarantine: A familiar concept for the maritime industry

After two years of dealing with the pandemic, "quarantine" has become a household word. We all probably use it every day, and in many cases, we have physically quarantined ourselves to avoid spreading the virus presently disrupting our lives. While this experience is new to most people, our industry has been dealing with the need to quarantine seafarers and the goods their ships carry for hundreds of years.

The early quarantine stations were called Lazarettos, after the parable of Lazarus the beggar, and located all over the maritime world. Lazarettos can be ships permanently at anchor, isolated islands, or mainland buildings.

The Philadelphia Lazaretto, located in Essington, Pa. on the Delaware River, was built in 1799 in response to the 1793 yellow fever outbreak that killed over 10,000 people out of a population of 50,000. It served as the first stop for incoming ships whose passengers, crew, and cargo had to be quarantined until passing their health inspections.

Once docked, ships were searched for sick passengers and crew, infested cargo, or the bodies of those who died during the voyage. Any sign of illness would result in sterilization and fumigation of the clothing and baggage—all crew and passengers had to quarantine at the Lazaretto hospital, which could accommodate up to 500 persons, for a period of days, weeks, and sometimes months.

In 1893, the Commonwealth of Pennsylvania took over from Philadelphia and ran the quarantine station through 1895. By then, most of the screening had passed to the National Quarantine Station near Lewes, Del. or the station at Reedy Island, below Philadelphia. In 1913, state authorities consolidated screening procedures at a facility at Marcus Hook, Pa.

After its closure in 1895, the Lazaretto began a new life as the Orchard Club, a recreational site owned by the Philadelphia Athletic Club, where wealthy Philadelphians found refuge from the heat and crowding of the city. The Club operated until 1915 when the Mills family took over the site to operate a seaplane base, flight school, and marina. In the spring of 1917, as the U.S. prepared to enter World War I, the U.S. Army trained military pilots at the site. While the aviation base closed in 1937, seaplanes continued to operate there for some time. In fact, aeronautical charts still show the site as a seaplane operating area.

The Lazaretto passed ownership several times until finally purchased by Tinicum Township in 2005 to prevent a developer from demolishing the buildings for an airport parking facility. At that time, the Lazaretto Preservation Association of Tinicum Township was created to oversee the preservation of the site, which in 2008 was awarded a historic marker by the Pennsylvania Historical and Museum Commission. In 2020, after a lengthy restoration of the main building, Tinicum Township moved its municipal offices into the building.

If you would like to see this Delaware River national treasure, check out the Association site at www.lazaretto. site for details. The Lazaretto is located between the fire station parking lot and the River.

## More cargo equals port growth and jobs

*continued from page 1*

"And the explosion in e-commerce and demand for consumer goods are unlikely to slow any time soon."

David K. Cuff, President of the Pilots' Association for the Bay and River Delaware, remains optimistic. "Traffic is holding steady. Imports are up and the future is looking promising!" he said.

The regional port continues to benefit from continued upward growth in export cargoes, a trend that started slowly in 2016 and has since gained momentum. Exports in the natural gas liquids segment remain strong, going from 239 outbound gas ships in 2020 to 313 in 2021, a 31% gain. Export steel grew by 9.8% at 41 to 45 ships year over year, and 835 ships departed the Delaware River laden with containers in 2021, representing a 6.9% increase over 2020.

"It was encouraging to see the uptick in vessel traffic on the Delaware River," said Michael Reagoso, Vice President of Mid-Atlantic Operations for McAllister Towing. "The entire region benefits from the increase in goods moving in and out of the area, from product availability to good-paying jobs on the labor side."

Delaware River ports handle on average over 90 million tons of cargo each year. "The port is a huge economic engine for the tristate region," Himber said. "It is responsible for nearly $80 billion in total economic activity and $2.6 billion in state and local taxes. All in—including direct, indirect, and related jobs—over 190,000 people owe their livelihoods at least to some extent to the regional maritime industry."

"The Delaware River port complex ended 2021 on a positive note," said Exchange Chairman John Reynolds. "Moving forward, I'm eager to see continued growth not just in cargo numbers but also innovation. Our region has many state-of-the-art projects in store—including investments from the Infrastructure Investment and Jobs Act and offshore wind development. It's an exciting time to be in the Delaware River maritime community."

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# In Memoriam: Philip F. Mullen, III

By: Rick DeDonato, Marketing Manager
Ecolab Specialty Pest Services



The Maritime Exchange is saddened to announce the death of Philip F. Mullen, III. Phil was responsible for fumigation of goods at the Port of Wilmington and at Penn Terminals for over two decades.

He passed away peacefully at the age of 65 on December 22, 2021, surrounded by his family and friends.

Phil was born in 1956 in Darby, Pa. After graduating high school, he joined the U.S. Army in 1974 and served his country proudly for 17 years. He married his high-school sweetheart, Lenora, in 1976, and together they spent 10 years in Germany under Phil's deployment and the rest of his military years stateside.

After his honorable discharge, Phil and Lenora settled in Wilmington, Del. where they raised their son Philip.

Phil worked for Western Pest Services then moved to Royal Fumigation/Ecolab where he was a well-respected authority on pest protection of food and other commodities. His expertise of protecting imports and exports from pests naturally connected him to the maritime industry.

Phil was an avid golfer and never missed a golf outing that supported the ports, from Philadelphia to Florida! And he was in the winner's circle for many of them.

Phil is survived by his beloved wife of 45 years, Lenora Maile Mullen, and his son Phil Mullen, of Wilmington, his sisters Catherine Kelly and Linda Shannon and Linda's husband Bernie of Woodbury, N.J., and many loving family members and friends.

In lieu of flowers, the family requests donations be made to the Bayada Hospice of Delaware at www.bayada.com.

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# A novel approach for keeping pests out of wood packaging material

*Importers are learning that relying on the ISPM#15 mark to ensure that solid wood packaging material is pest free can be a costly mistake. Gary Lovett, forest ecologist at the Cary Institute, and Diana Davila, Houston branch manager at UTC Overseas, put forward a solution.*



*Photo courtesy of U.S. Customs and Border Protection.*

You may be well aware that international trade using solid wood packaging material (WPM) such as pallets, crates, and dunnage can transport wood-boring insects into the USA, and that these pests are one of the biggest threats to forest health in this country.

The international regulation known as International Sanitary and Phytosanitary Measures #15 (ISPM#15), adopted by the U.S. in 2006, was supposed to solve this problem by mandating treatment of WPM to kill embedded insects through heat, fumigation, or other approved treatments. Treated wood is marked with an official stamp.

Research has shown that this has only been partially effective, and the USA regularly receives WPM that is marked as having been treated, but is nonetheless infested with insects.

This can occur either because the treatments are not 100 percent effective, or because they were improperly applied—or not applied at all and fraudulently marked by trading partners.

This is a big problem not only for our forests, but for shippers and importers as well. Importers purchase wood and dunnage marked with the ISPM#15 stamp expecting it to be pest-free, but Customs and Border Protection (CBP) inspectors at ports often find insects in the wood.

In an average year, CBP finds insect infestations in WPM in about 700 incoming shipments. Depending on the type of insect, this can result in a large fine for the importer or shipper (up to the value of the cargo) and they could also be required to re-export the infested cargo immediately. The re-exportation can be especially costly if an entire ship needs to be turned around and sent elsewhere because of infested WPM on board.

In a recent example, the Pan Jasmine, a 590 ft (179.8 m) Panamanian-flagged vessel, was found by CBP . . . to have infested dunnage on board and was turned around before it could dock at the port of New Orleans.

These events often cost importers hundreds of thousands of dollars each time they happen, and in some cases the total cost for a single incident can be in the millions of dollars.

Importers are learning that relying on the ISPM#15 mark to ensure that WPM is pest free can be a costly mistake. To try to address this problem, a coalition of shippers that use the port of Houston established a committee to investigate the issue and try to come up with solutions.

The committee, called the Houston WPM and Dunnage Coalition, includes a core group that includes the Cary Institute and UTC Overseas, plus Peter Svensson of Clipper Americas and Richard Brazzale of Lake Shore Associates. The full group includes representatives of several other shipping companies, and we also work with staff from the USDA Animal and Plant Health Inspection Service (APHIS) and CBP.

We suggest a new approach by which importers can help prevent insect infestations of their WPM. Importers routinely use international inspection companies to check merchandise before it is shipped. Working at the loading port, these companies make sure that the cargo is what was ordered and that it is in good condition.

There are several large international inspection companies that provide this service to importers for a fee. If the inspectors could be trained to also check for signs of insect infestation in the WPM, the problem could be addressed prior to shipment, reducing the risk of fines and re-exportation when the cargo reaches the USA.

We have spoken with several inspection companies that are eager to provide this service, and we believe that many shippers and importers will conclude that these pre-loading inspections can save them money by avoiding the high risk of fines and re-exportation.

To move forward with this programme, inspection companies need to have their personnel trained to spot pest infestations in WPM. CBP has the most experience in this, and we hope they will agree to offer training sessions, or at least provide training material.

We also believe that importers and shippers would benefit from creating an organisation to oversee the programme, certify inspectors and collect information on reliable producers of pest-free WPM.

We hope a pilot programme can be started within the next year, and that a full programme can be ramped up after that.

While we are proposing this for cargo bound for the USA, the system is in concept applicable to cargo moving anywhere in the world. And while we focus on insects in WPM, the same approach could be used to inspect for other invasive species; for instance, seeds on the floor of a shipping container or insect egg masses on containers or cargo.

This programme offers a private-sector solution to the problem of infested WPM and represents the first step being sought within the industry

*continued on page 13*

# Denmark receives 2021 SCI Spirit of the Port Award



The Seamen's Church Institute of Philadelphia & South Jersey recently announced that Roy E. Denmark, Jr. is this year's Spirit of the Port recipient.

The award recognizes an individual who embodies the spirit and humanity of the Delaware River regional port community.

"After regretfully canceling the event last year amid the pandemic, we are proud to resume the tradition with Roy as our honoree," said Executive Director Helene Pierson.

"I am in awe of this honor, especially after having worked in the port for so many years and seeing all the challenges—and being part of solving those challenges," Denmark said. "It is extremely gratifying to be recognized in the same company as those many admirable individuals who have received the award in the past."

Denmark has enjoyed a long and distinguished career in the Delaware River area. He started as a staff biologist for the U.S. Army Corps of Engineers, Philadelphia District and assumed increasingly responsible positions during his tenure there, culminating in his work as Deputy District Engineer for Programs and Project Management, the senior civilian position in the District.

He moved from the Corps in 1991 to the U.S. Environmental Protection Agency-Region III and served in various capacities before returning to the Corps in 1998. After retiring from the Corps in 2011, Denmark joined Urban Engineers, Inc. as Vice President and General Manager of Ports, Waterways and Environmental Services, leaving the company in 2017.

Now in semi-retirement, he is an associate with Hazzouri & Associates, working on a variety of port related issues. He remains active in the maritime community, serving as a director (and past president) of the Seamen's Church Institute as well as on the boards of Historic Fort Mifflin, Inc. and the Society of American Military Engineers.

Denmark said he believes he is the first non-uniformed government employee to receive the award. "I want to accept this award on behalf of all the civil servants out there who have been working for so long in support of the port," he said.

Raymond Heinzelmann, chair of this year's Spirit of Port event, said, "Roy's many years of service to our port community and his unwavering support of the Seamen's Church and its mission exemplify exactly the kind of individual we want to recognize. Though the committee considered many worthy candidates this year, Roy's commitment and dedication placed him squarely at the top of the list."

The SCI will present the Spirit of the Port Award at a luncheon on Feb. 25, 2022. Starting at 11:30 a.m., the event will take place at The Waterfall, 3416 Philadelphia Pike in Claymont, Del.

For tickets and sponsorship information, contact Helene Pierson at 215-940-9900 or hpierson@sciphiladelphia.org.

## We are hiring

*continued from page 1*

five times in one year—and even raise the sign-on bonus by 500%. Though unsustainable, Higgins said these offerings are "what is needed to stay competitive."

Patrick Bastian, Director of Sales-Delaware Division for Leonard's Express, said, "The driver deficit, hovering around 160,000, has doubled over the past few years." This huge deficit makes retention extremely difficult, as anyone "could leave today and have another job by tomorrow."

Bastian hopes the federal pilot program would allow trucking companies to spread the word to high school students that trucking can be a lucrative job. He said, "Trucking is not an easy or glamorous occupation, but it is a good-paying one."

The regional Delaware River maritime industry supports thousands of family-sustaining jobs, but as the economy continues to grow, these shortage issues will only make a bad situation worse.

Brennan sums it up well. "For current staff at these locations, this leads to high levels of overtime. High overtime leads to good take-home pay, but it also leads to tired people. Over the long haul, more workers are needed to meet regional demand," he said.

There is a bright side. "Working with Delaware County Community College, Philadelphia Works, and the ILA, we have hired a large number of new employees to start filling in the vacancies and shortages," Dolan said. "Training is an ongoing process for all new employees, and re-certification for long-term employees occurs daily."



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# DBRC evolves to support renewable energy

By: Rich Gaudiosi, President
Delaware Bay and River Cooperative




*The "Delriver" is just one of an array of DRBC assets. DBRC's fleet is strategically staged throughout the waterway to facilitate deployment and recovery of boom throughout the Delaware Bay and River. In case of emergency spill, DBRC deploys its fleet and other protective measures necessary for emergency cleanup operations.*

It's hard to believe the Delaware Bay and River Cooperative, Inc. has been serving the Delaware Valley for more than 45 years.

DBRC was incorporated on May 16, 1994 from the consolidation of Delaware Bay and Delaware River Cooperatives originally formed in 1976. This nonprofit corporation is fully funded by its members to provide prevention, preparedness, and response to oil spills in the Delaware River and Bay. We cover the area from the Betsy Ross Bridge to offshore of the Delaware Bay, the tidal portion of the Schuylkill River, and the Chesapeake & Delaware Canal west to Elkton, Md.

As with any organization with this much history and longevity, evolution of services and structure must be an essential part of doing business. The DBRC has grown from the eight original member companies to twelve member companies today. And in 2014, the board authorized the creation of an Industrial Fire Group Committee as a standing committee along with the existing Operations Committee.

Although DBRC's beginnings stem from oil spill preparedness and response, their underpinnings are rooted in environmental protection. After all, DBRC's mission since inception has been to protect the environmentally sensitive areas along the Delaware River. In 2016, DBRC created a training program for its members aimed at building expertise in preparedness and response and validated that this expertise results in enhanced environmental protection. The next step is to develop an environmental protection education program.

DBRC prides itself on being agile to address the ever-changing structure and economics of the port. Being small enough to change with the needs of the maritime community has been an asset to the company throughout its years of service to the Delaware Valley. So, when the government placed considerable emphasis on the development of renewable energy sources, the board and I viewed the movement as a new opportunity for DBRC to serve the region as a whole.

Offshore wind is a growing industry along the eastern seaboard, particularly in the mid-Atlantic. Several offshore wind projects are planned for leases off the New Jersey, Delaware, and Maryland coastlines, consisting of hundreds of wind turbines and offshore substations.

While the benefits of this development to power thousands of homes and businesses are obvious, they come with the risk of an offshore oil spill. Although the risk is low, the prudent operator must plan for the unexpected and arrange for oil spill response assets.

DBRC is uniquely positioned to provide this coverage with its oil spill response vessel "Delriver," staffed 24/7 and moored at the University of Delaware's College of Earth, Ocean, and Environment in Lewes, Del. This capable vessel is able to respond to offshore wind projects in four hours or less with onboard containment boom and oil removal skimmers and crew with the necessary expertise.

Maintaining an ocean-going oil spill response vessel is challenging. Vessel maintenance, crew qualifications, and annual certifications and inspections are not cheap, so spreading the costs across increasing numbers of port stakeholders who join the DBRC is a win for all. The growth of offshore wind fits into DBRC portfolio perfectly, and US Wind has recently contracted with DBRC for its Maryland offshore wind projects.

DBRC is a dynamic, nimble company dedicated to the protection of the environment and the communities of the Delaware Valley. We must keep an eye on the future and be flexible enough to shift our focus in ways to meet the needs of the port while maintaining our commitment to the environment. DBRC has been an important player in environmental protection in our port for nearly five decades, and we plan to continue our commitment to the environment well into the future.

# Bringing Panama to the tristate region




*(l-r)* Exchange President Lisa B. Himber and Chairman John Reynolds join Georgia Athanasopoulos, Consul General of Panama in Philadelphia, and Dominic O'Brien of PhilaPort at a Panama Trade and Investment Summit last fall. Hosted by ProPanama, the Ministry of Commerce and Trade, and the Consulate General, the event explored trade and investment opportunities for U.S. businesses looking to expand to Panama. "Participants were treated to an abundance of information demonstrating Panama's value as a hub for distribution to Central and South American markets and its tremendous growth as a manufacturing center," Himber said.

# From the lighter side

*Words and phrases that should just go away*

Each year, various organizations publish lists of the worst passwords (yes, 12345 is still at the top). Every year the dictionaries also release their additions. The Oxford English Dictionary, that bible of word nerds everywhere, says most new words in 2020 were related to COVID-19, and last year they sprung primarily from the climate crisis—a 2021 favorite is "degrowth," meaning the act of spoiling something.

Yet another source for an annual list is the Lake Superior State University. These rational minds develop a collection of words that should be banished altogether from the English lexicon. The criteria? Misuse, overuse, and simple uselessness.

So here for your enjoyment is the LSSU 2021 list of banished words.

1. Wait, what?
2. No worries
3. At the end of the day
4. That being said
5. Asking for a friend
6. Circle back
7. Deep dive
8. New normal
9. You're on mute
10. Supply chain




Surprised to see that last one? No sooner does the importance of goods movement enter the public consciousness than the public is ready to push it out again.

I know, right?

# Q & A with Global Reefers' U.S. rep.

*continued from page 1*

to Wilmington during the off season focused on different varieties of fresh perishable fruits and vegetables.

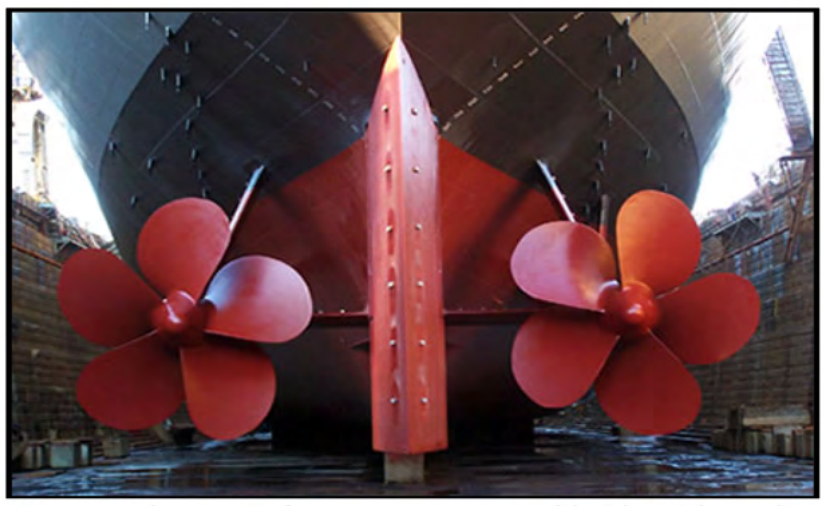
**Q: What are some goals and achievements that you and Global Reefers share?**

**A:** Over the years, Global Reefers has proudly improved communication with customers and receivers, reduced discharge and loading times, and increased sales year after year in our program of southbound cargo. We continue to strive to create closer relationships between a majority of the parties involved in the business.

All of these goals and achievements would not have been possible without the help of others. I would like to thank and express my sincere respect to all the individuals who work around this beautiful business: harvesters, growers, ships' crew, expeditors, agents, receivers, sales, truckers, Customs brokers, port workers, authorities, repack workers, and so many others colleagues who make it possible to connect our fresh fruit from Chile to the U.S. market.

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**Crane Capacity:** 50 tons
**Channel Draft:** 10m (35 ft.)

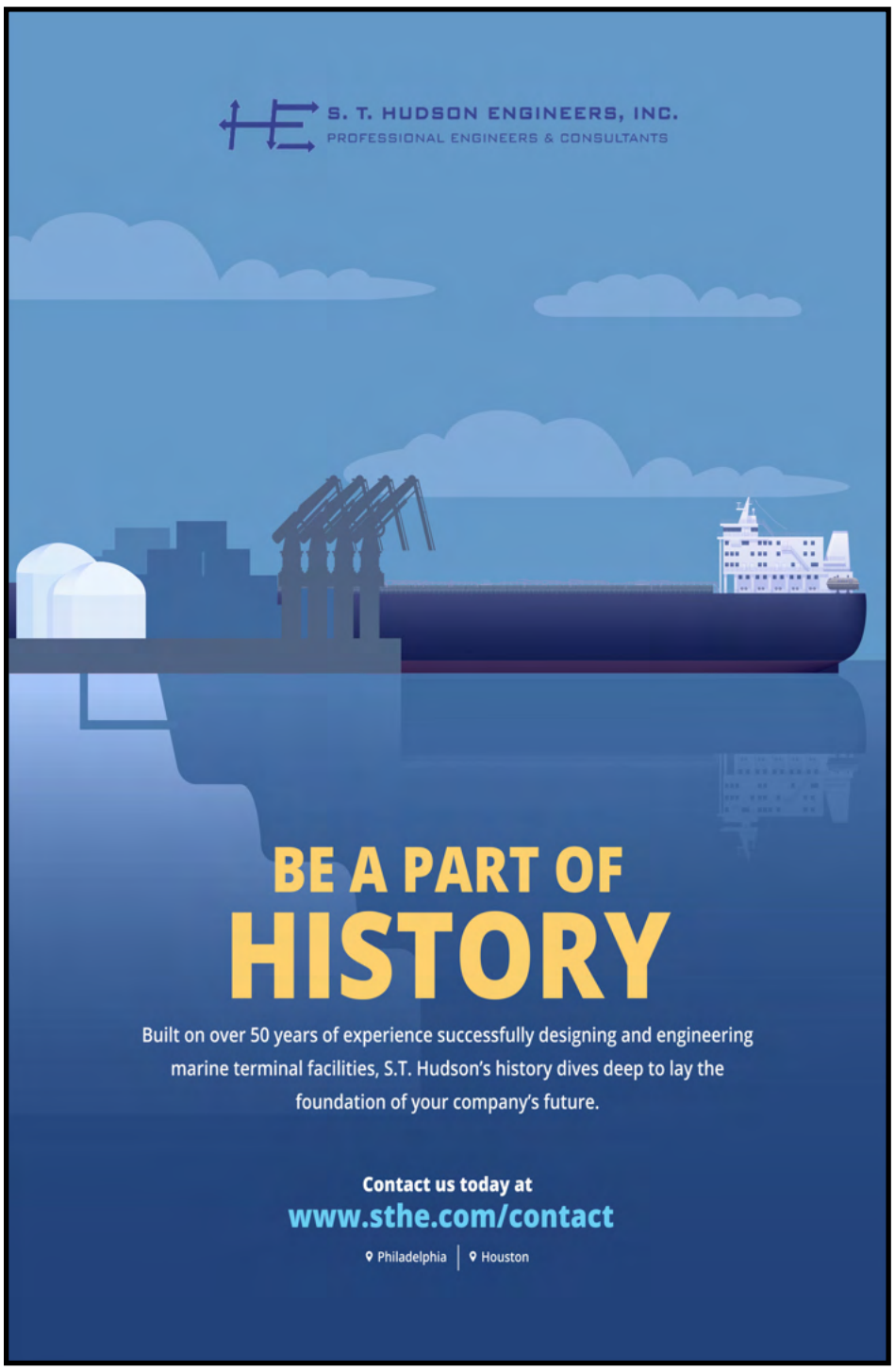
**Boston Graving Dock**
Displacement: 65,000 tons
Length: 350.5m (1,150 ft.)
Breadth: 37.8m (125 ft.)
**Crane Capacity:** 65 tons
**Channel Draft:** 12.2m (40 ft.)

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# SCW: The guiding light

By: Christine Lassiter, Executive Director
Seamen's Center of Wilmington

The Seamen's Center of Wilmington is booming with activity—relatively speaking.

As the worldwide crew-change crisis eases a bit and more seafarers are allowed the luxury of shore leave, we have been able to open the Center more often, and we have increased the number of transports we're able to provide to the mariners.

On top of that, we continue to help seafarers get their COVID-19 shots, and we've added boosters into the mix. Between delayed vessel arrivals and pharmacist availability, this activity requires a great deal of time and coordination. I liken this to nailing Jello to a wall, but the level of appreciation is so humbling to witness that it is worth the effort. In fact, this is exactly the type of service captured in our founders' vision when they established our mission as a broad call to "meet the needs of the seafarers calling at Delaware ports."

Our 2021 Christmas as Sea program has been so successful that we continue to deliver gifts. Every year it is heartwarming to see the outpouring of care and thoughtfulness from our community, and this year our knitters outdid themselves. We have enough hand-knit hats to last throughout the winter.

As always, we can't thank our donors, knitters, wrappers, and packers enough! Take a look at the accompanying photo to share in our pleasure of seeing the mariners' ear-to-ear smiles as we distribute gift packages.

We also gratefully acknowledge those volunteers who are staffing the Center to assist seafarers with receiving packages, communications home, or who just want to hang out on land for



a while. Just as important are the drivers who take them where they always want to go most—shopping! So here's a shout out to John Anderson, Linda and Tom Beran, Tony Bosworth, Preston Cooper, Clem Dinsmore, Jim Gestwicki, John Hampton, Jon Jaffe, Randy Keim, Dick and Linda Lawyer, Kherun Merchant, Phyllis Muyskens, Ravi Rangan, Joe Ryan, Jack Skehan, Allen Streett, Tom Talley, and Gene Zaiser.

So, 2021 turned out to be another successful year for the Seamen's Center of Wilmington amid the challenges of COVID. Our Center volunteers have been the guiding light for these seafarers by offering a sense of normalcy.

The Seamen's Center is looking for more volunteers to help us on our way back to full operation. Please spread the word to recent retirees, your churches, sports leagues, civic organizations, anywhere you might find kindhearted people who want to be a guiding light to these supply chain heroes!

Please contact me at scw@scwde.org or 302-575-1300 or visit scwde.org, for more information. Thank you!

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# SJPC welcomes the Exchange staff



As part of ongoing member outreach efforts, Exchange staff visited the South Jersey Port Corporation in December to discuss port issues, labor shortages, automation opportunities, and a host of other topics. On hand were *(l-r)* SJPC Chief Financial Officer Bruno Cellucci, SJPC Executive Director and CEO Andrew Saporito, SJPC Chief of Staff and External Affairs Jonathan Atwood, Exchange President Lisa Himber, Exchange IT Director Michael Fink, SJPC Director of Business Development Brendan Dugan, SJPC Chief Operating Officer Kevin Duffy, Exchange Communications Manager Christina Lista, and Exchange Director of Finance and Administration Joseph Calabretta. Also participating was SJPC Manager of Marketing and Business Development Rose Hope. Thanks to the crew at SJPC for sharing their time, knowledge, and hospitality!

# Maritime Society to award six scholarships

With a mission to aid and assist the development of the Port of Philadelphia and its maritime community, the Ports of Philadelphia Maritime Society sees its scholarship program as a way to support the tristate port industry in a meaningful way.

"Never has this been more necessary than now," said Society President Nathan Hauser. "The concerns about maritime workforce development rose to the forefront several years ago, and the pandemic-driven labor shortage across the entire maritime transportation chain has only intensified it."

The Maritime Society has been awarding scholarships to Pennsylvania, Delaware, and New Jersey residents and employees seeking education and advancement in the local maritime industry since 2012. The scholarship program offers assistance in three distinct areas: an industry degree for a current or future college/academy student; mariner advancement, which provides tuition toward Coast Guard-required training for an original credential, license, or upgrade; and professional development, which funds participation in a certificated professional development course related to marine, maritime or port-related subject and/or employment.

**Applications due April 15, 2022**

Each candidate must complete a category-specific application and return it to info@portsof philamaritimesociety.com. Applications are available via the Society website at www.portsofphilamaritimesociety.com.

"Because of the past generosity of our sponsors, the board has been able to approve six scholarships of $2,500 each," Hauser said. "We are very excited to provide this level of assistance to help reinforce our industry."

The Society will make the awards in conjunction with National Maritime Day in May.

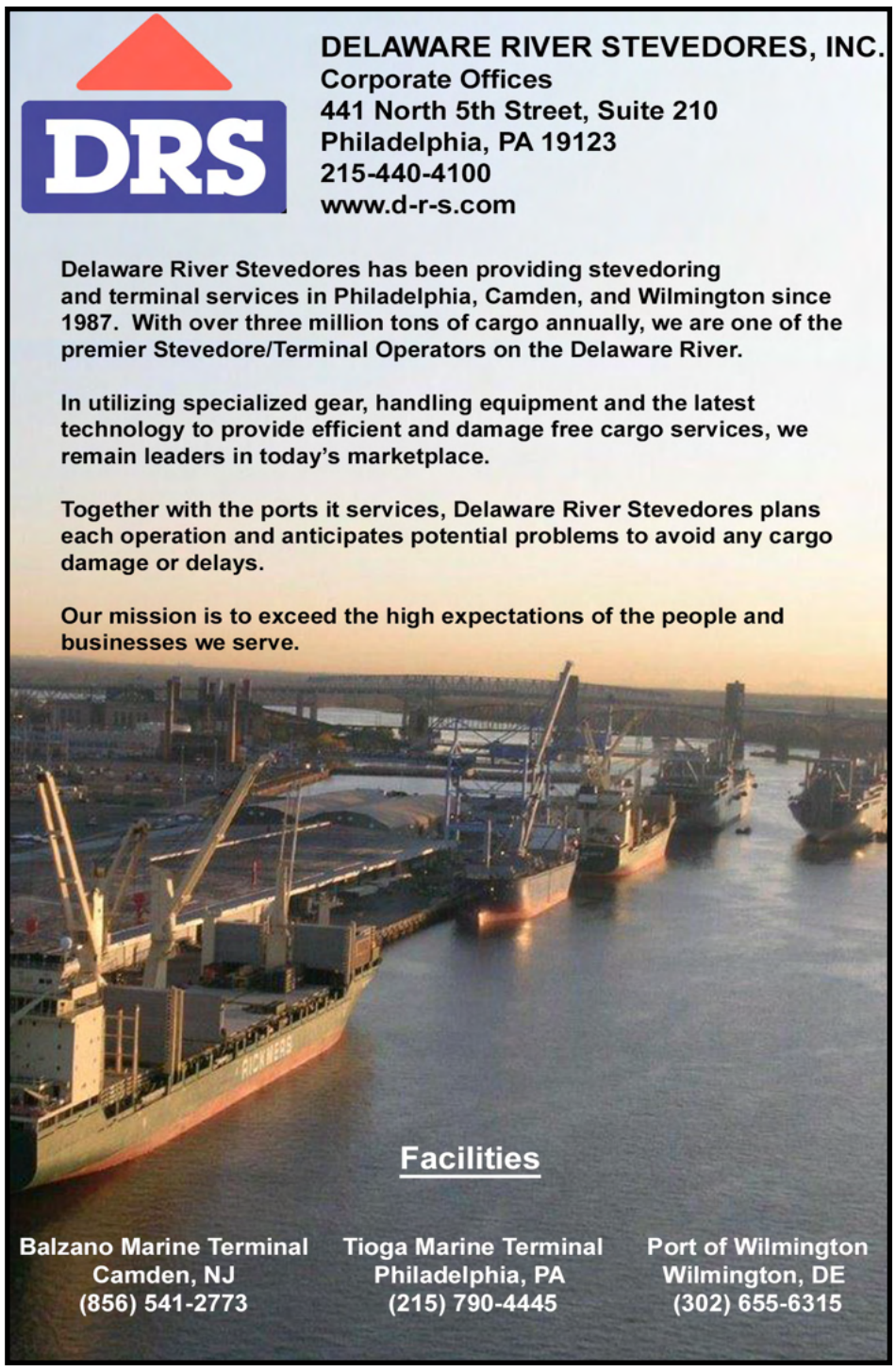
# What to do with wood packaging materials

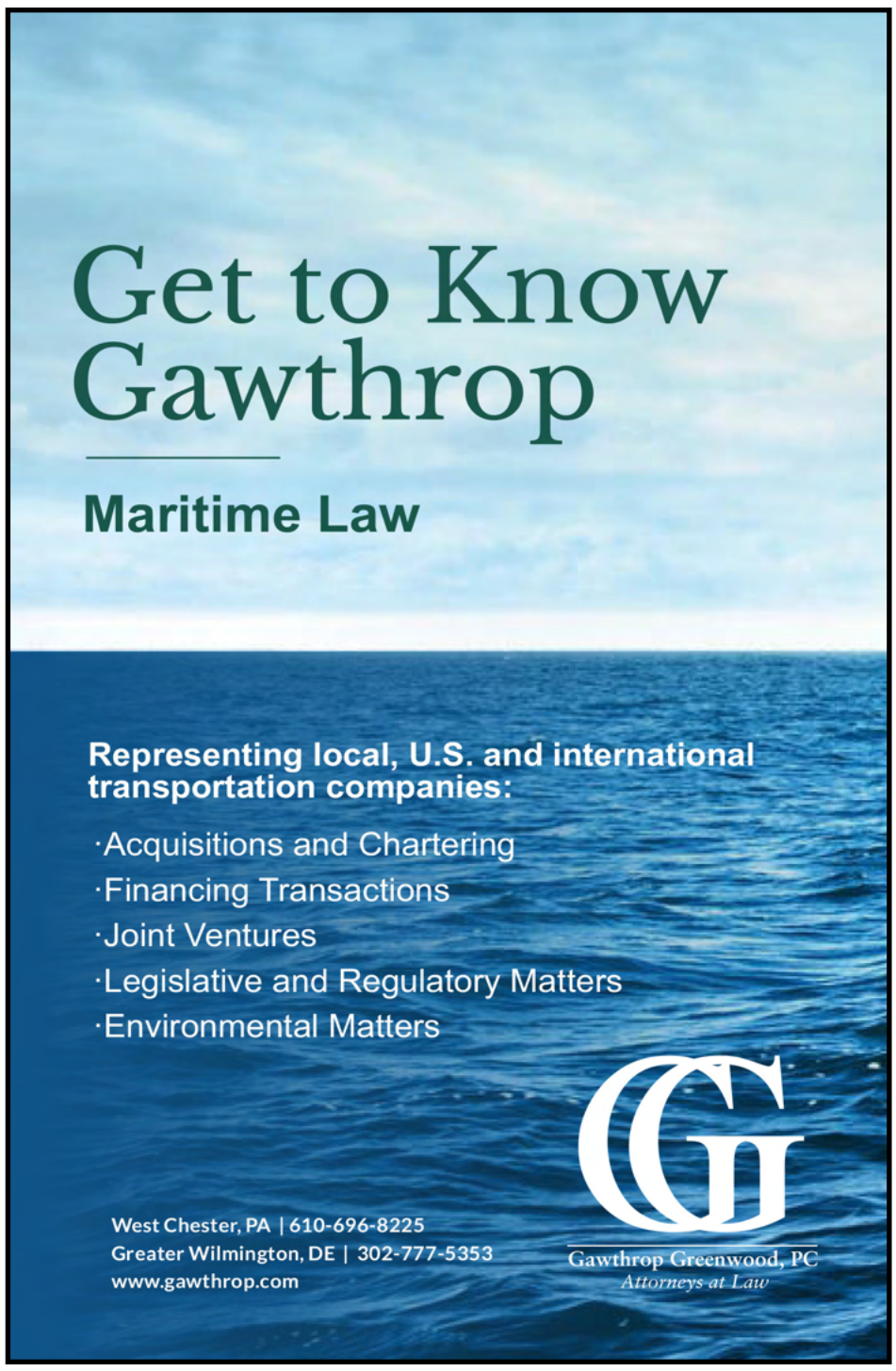
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to mitigate the risk of pests arriving to the USA, and the loss of confidence in the ISPM#15 certification being provided by WPM manufacturers.

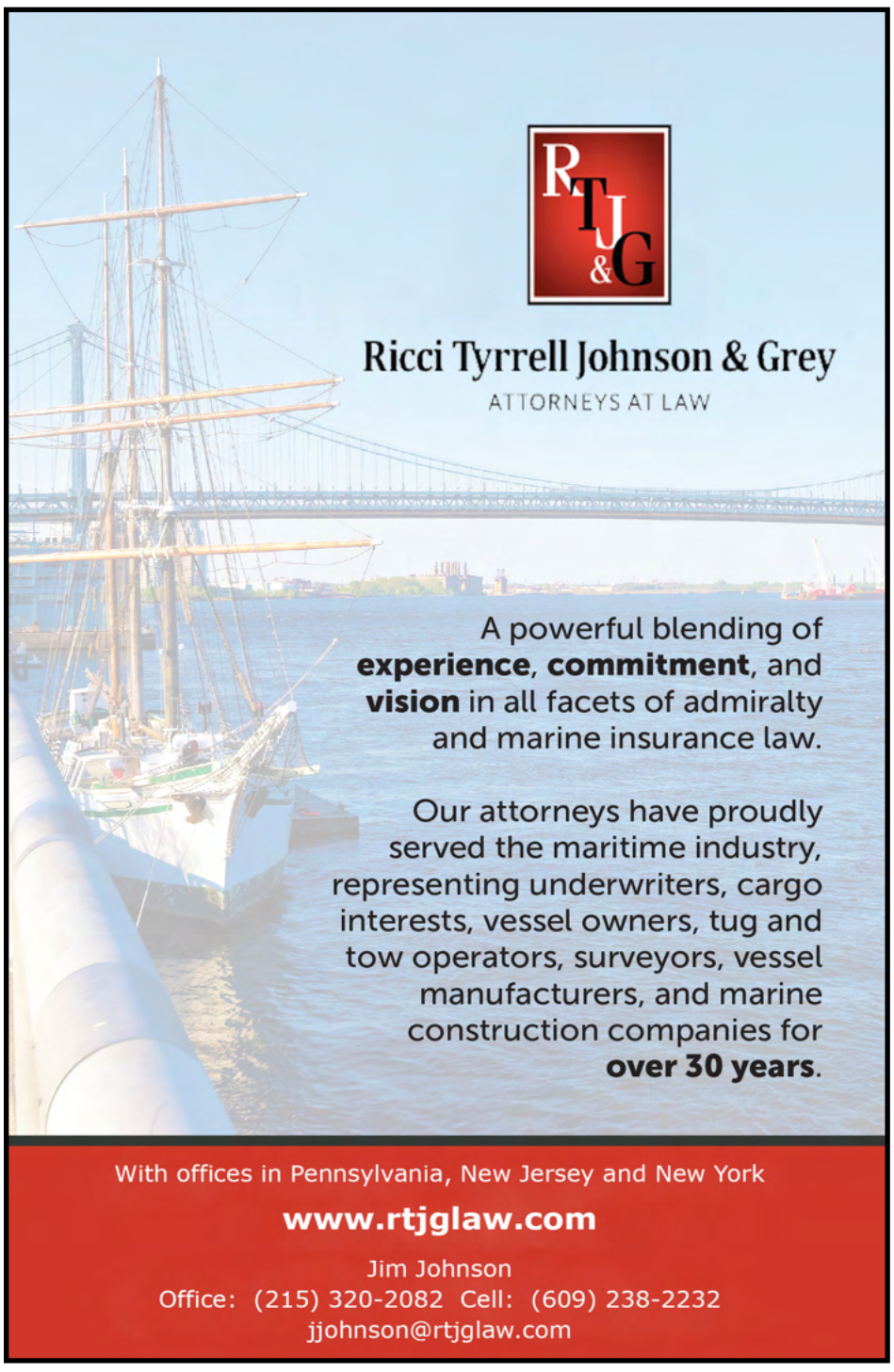
The programme would supplement, not replace, ISPM#15 regulations, and importers would still be required to use ISPM#15 compliant WPM. However, this would reduce companies' reliance on the ISPM#15 system, which has proven undependable. Developing this system for international shipments of WPM would provide a win-win—good for shippers and importers, and good for forests around the world.

*This article originally appeared in the November/December 2021 edition of* HLPFI *and is reprinted by permission.*







# Wolf administration announces additional $246 million investment at Port of Philadelphia




*Pa. Gov. Tom Wolf announced additional funding for Philadelphia ports in a press conference in South Philadelphia on February 4.*

The Packer Avenue Marine Terminal in Philadelphia was a fitting backdrop when Pennsylvania Gov. Tom Wolf announced a $246 million state investment into the Port of Philadelphia.

"The port is an economic driver, not only in Philadelphia, but across the commonwealth," Gov. Wolf said. "[It] supports jobs, encourages trade, and builds connections that help businesses and communities across Pennsylvania thrive. This new $246 million investment will help the port build on its success over the past few years and will help Pennsylvania build on our commonwealth's economic success and job growth, too."

In 2016, Gov. Wolf announced his Port Development Plan to redevelop underutilized areas of the Port of Philadelphia by investing more than $300 million in the port's infrastructure, warehousing, and equipment. Investments included acquiring three new super post-Panamax cranes at the Packer Avenue terminal, building two new state-of-the-art warehouses, and developing the SouthPort Auto Terminal. Since implementing the infrastructure improvement plan, the port has realized record-breaking cargo volumes, nearly 60% container growth, and created thousands of new jobs.

"Gov. Wolf's leadership and vision breathed new life into the Port of Philadelphia," said PhilaPort Executive Director and CEO Jeff Theobald. "He has given us the tools to take our meaningful place as the gateway of choice for global cargoes."

Joining the governor at the Port of Philadelphia for the announcement were PhilaPort Board Chairman Jerry Sweeney, state Sen. Nikil Saval, and Pennsylvania Department of Transportation Secretary Yassmin Gramian.

"In the history of the Port of Philadelphia, there has been no greater ally than Governor Tom Wolf in terms of capital investment, vision, and consistent support," Sweeney said. "Our dramatic cargo and jobs growth are a direct result of his leadership."

U.S. Sen. Bob Casey has staunchly supported the regional port industry over the years. "The Port of Philadelphia is one of the most critical links in the country's supply chain," he said. Sen. Casey said the $246 million investment will create jobs not only at the port but also for workers who transport goods across the region and the country and that the dollars will ease current economic challenges by making operations smoother, getting goods to people faster, and helping lower the costs of everyday items families need.

"The need to strengthen and invest in infrastructure at our ports and throughout the supply chain has been thrown into sharp focus in recent months," said Secretary Gramian. "PennDOT is proud to support the Port of Philadelphia to help improve the port and improve connections with the rest of our transportation network."

**Breaking cargo records in '21**

PhilaPort saw record-breaking growth in 2021, recording double-digit increases in containers, breakbulk, and overall port tonnage for the year.

Year-to-date TEU volumes have increased 15% to 739,323 TEUs, with imports growing 16% and exports 15%. PhilaPort surpassed its 2020 total TEU count of (640,799), marking another new milestone.

"It has been an interesting year full of challenges and opportunities," Theobald said. "Not only did we surge in container volumes, but some BCOs [beneficial cargo owners] shifted to breakbulk shipments. PhilaPort is one of the only U.S. ports that has several facilities purpose-built to handle breakbulk. PhilaPort steel volumes were up 196%, cocoa volumes went up 106%, and wood pulp and lumber volumes increased over 10%."

Breakbulk YTD cargo volumes grew 19% to 1,288,226 metric tons, and overall port tonnage YTD volumes grew 10% to 7,062,523 metric tons, crushing the port's highest record of 6,868,747 metric tons set in 2017.

Other December 2021 year-end highlights include:

- Steel Tonnage +196% YTD
- Wood Pulp +11% YTD
- Lumber +11% YTD
- Cocoa Beans +106% YTD
- Vessels +7% YTD

# SJPC closed 2021 with record-breaking cargo volume

At 4,636,097 tons, a 54% increase over 2020, SJPC broke its previous record by 6%.

"That's the best in the history of the South Jersey Ports, and we're expecting 2022 to be a very strong year that may top 2021," reported Andy Saporito, Executive Director and CEO of South Jersey Port Corporation, at a recent board meeting. "This milestone is a testament to the skilled workers and partners who keep goods moving through the supply chain while our team seeks solutions to improve efficiency, attract business, and build for the future. The ongoing collaboration with SJPC's labor force and industry partners lifted the port to this extraordinary record during the challenging time of the COVID-19 pandemic," said Saporito.

The dramatic increases in tonnage came from nearly all the SJPC's prime cargo sectors: steel, plywood, recycled metals, cocoa beans, cement, and gypsum

Rebounding steel imports led the way with 2,399,076 tons, a 141% increase over 2020. The majority of this increase occurred at the Paulsboro Marine Terminal, which moved 1,760,018 tons of steel slabs. Plywood import tonnage increased by 98%, totaling 220,812, demonstrating the Camden terminals as a premiere plywood portal on the East Coast. Cocoa beans totaled 76,108 tons, a 36% increase verses 2020 totals. Exports of recycled metals increased by 10%, and cement increased by 8%.

The number of ship days was 960 days compared to 549 in 2020, a 75% increase. "Ship days is the number of days a ship is loading or unloading at its terminal" explained Kevin Duffy, Assistant Executive Director/Chief Operating Officer. "We've worked hard to ensure we continue to operate safely and efficiently to move the increased cargo and have space to meet our customers' needs."

Brendan Dugan, Assistant Executive Director/ Director of Business Development, expects the cargo activity at South Jersey Ports to remain strong for the foreseeable future due to the national infrastructure plan and New Jersey's leadership role in the $109 billion offshore wind industry. EEW Group, which is building a $300 million manufacturing plant at the Paulsboro Marine Terminal to provide the massive steel monopiles for the offshore wind farms along the entire eastern seaboard, will ultimately require 150,000 tons of imported steel annually to meet customer demand.

To build on this momentum, SJPC is conducting a study of the Port of Salem, a smaller port just down river from Paulsboro that could become an important supply port for the local offshore wind support services industry.

"The challenge is to build the infrastructure to grow the port while operating more efficiently to meet current demands," Dugan said. South Jersey Ports received a $6 million grant to upgrade the rail infrastructure at one of its Camden terminals and a $9 million grant for wharf infrastructure improvements at the Salem Terminal.

"We continue to focus on upgrading technology and automation to optimize the fluid movement of cargo through our terminals and to ensure our customers' storage and inventory needs are met," added Duffy.

# Paine retires after over 23 years at MITAGS

*Eric Friend, appointed by MATES Program trustees, to assume the executive director role*

The Maritime Institute of Technology and Graduate Studies and Maritime Conference Center recently announced the retirement of long-time Executive Director Glen Paine.

Paine initially began his maritime career sailing for the Masters, Mates & Pilots after graduating from the U.S. Merchant Marine Academy in 1978. He also worked for the Pilots' Association for the Bay and River Delaware.

"MITAGS was up and running when Glen took over from Capt. Pillsbury in 1998, but Glen's tireless work, vision, and dedication transformed it from just another union training school to one of the premier maritime training facilities in the world," said MM&P President Don Marcus.

Eric Friend has replaced Paine in the leadership role. "The trustees' decision to select Eric as the next executive director has made the transition much easier. Eric has been running the Academic Division for several years and involved in most major decisions," Paine said. "Eric is smart, dedicated, and respected by the trustees, students, and industry. He has all the attributes to take the school to the next level."

# CBP selects new G.O. warehouse

On Jan. 31, 2022, the CBP Area Port of Philadelphia notified the port community that Associates Warehousing, Inc. would be the region's new general order proprietor. The previous operator announced it was ceasing operations, which opened up the G.O. warehouse opportunity for local bid.

A general order is the status applied to import cargo that CBP cannot clear in a timely fashion, primarily for missing documentation and unpaid duties or fees. CBP may also classify the cargo as G.O. if it remains unclaimed at the port facility.

Importers have 15 days to claim and/or clear arrived cargo before CBP orders the merchandise moved to a G.O. warehouse, a bonded facility that CBP authorizes to handle and store the uncleared cargo. If cargo remains in storage for more than six months, CBP may seize and dispose of it, including destruction or public auction, depending on the type and value of the merchandise

The Associates Warehousing facility is located at 700 Pattison Avenue in Philadelphia. Exchange members can contact Associates Warehousing at 215-426-8685, billjr@wmparker.com, lisa@wmparker.com, inventory@wmparker.com or by visiting www.associateswarehousing.com.





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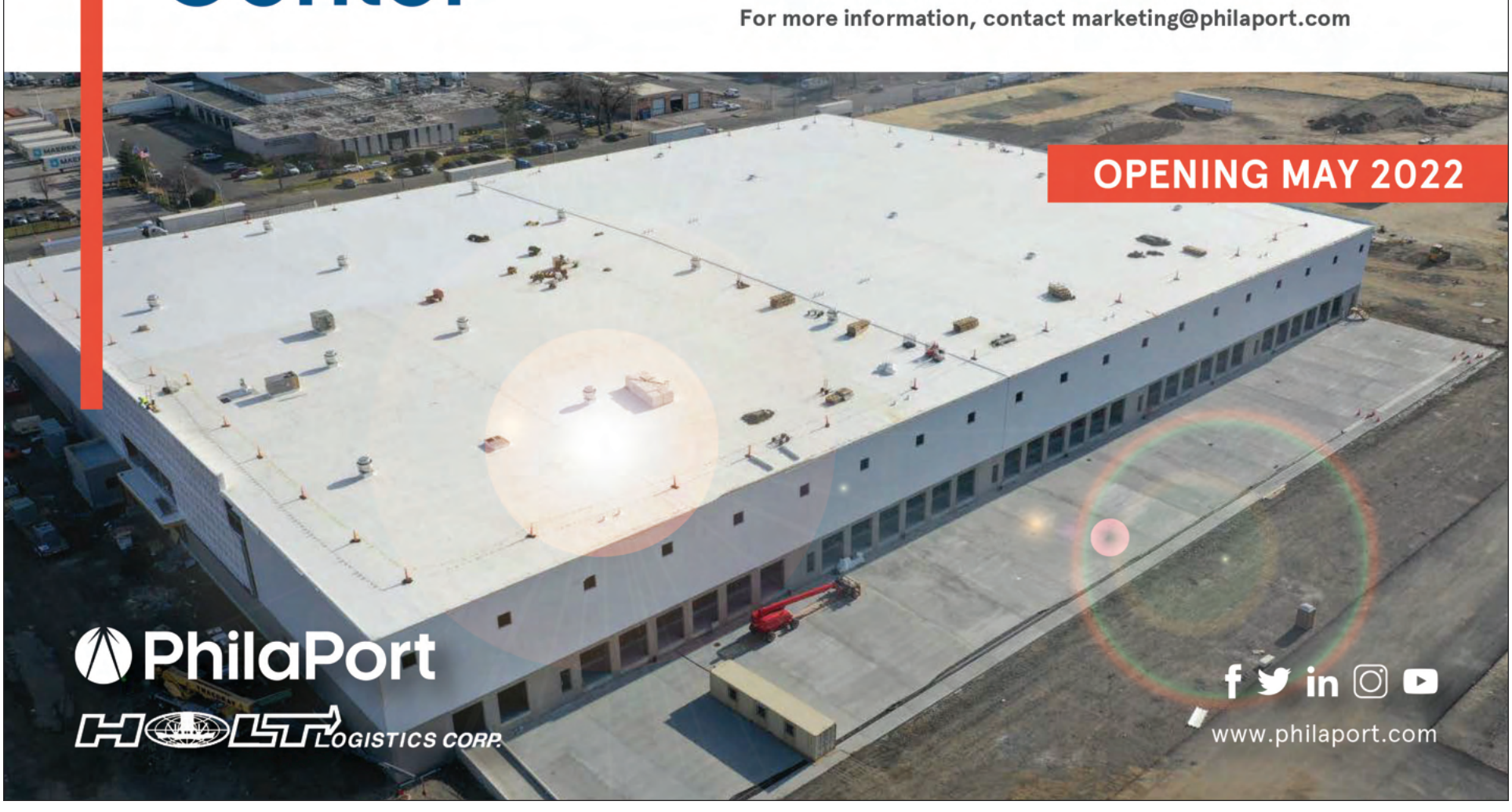
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# Editorial

## NJ DEP missing the mark on air quality

Everyone wants cleaner air and a healthier climate. Yet in its effort to meet these laudable goals, the New Jersey Department of Environmental Protection has proposed a rule that would further disrupt an already fragile food supply change and jeopardize thousands of regional jobs and millions in revenues and wages. This without demonstrating how the rule would create additional protections for area residents or the environment or providing any justification based on data or science.

While the proposed rule would tighten restrictions on several industries, the new mandates on fumigation activities would directly affect New Jersey residents and the tristate region as a whole.

Fumigation is proven effective in controlling pests in food handling and production facilities and protecting U.S. agriculture from non-native species. Because the process uses a regulated gas, applicators must comply with the federal Insecticide, Fungicide and Rodenticide Act and the Food Safety Modernization Act. The USEPA, the USDA, and FDA all closely monitor the process.

Fumigations have been performed as an integral part of the import/export industry for decades without a single reported injury to bystanders. This perfect safety record is largely due to the fact that fumigations are already strictly regulated by the EPA.

New Jersey proposes turning hundreds of annual fumigations into "point sources." That is, the DEP would require an air quality permit for virtually every fumigation activity, no matter how small. Even the fumigation of a single shipping container would trigger the proposed permitting requirements under the proposed rule. Obtaining an air permit can cost tens of thousands of dollars and take up to six months. Needless to say, the import/export industry simply cannot operate on such extensive lead times, especially with perishable products like fruits and cocoa beans. We consumers want our fruit fresh and our chocolate abundant.

For larger fumigation activities, such as the "structural fumigation" of a warehouse, the proposal seeks to establish strict permitting requirements that would effectively make compliance impossible. This is in addition to the already stringent regulatory compliance in place for such operations. If finalized, the requirements would be so severe that businesses would find it impractical to use vital fumigation services as a component of their health and safety programs.

In addition, the need to obtain the permits would in many cases prevent rapid response to pest outbreaks. And what's more, the volume of permit applications would completely overwhelm the NJDEP permitting staff. NJDEP is essentially proposing a rule that would hinder pest mitigation that it cannot effectively manage.

So while the proposed rule does not seem to provide any benefit, there's no doubt of its economic harm. According to one assessment, if fumigated commodities were directed away from just one New Jersey port facility, the surrounding area could lose 1,660 total jobs and personal income of over $142 million. Businesses would lose about $93 million in revenues, and local and state governments would suffer from the loss of over $17 million in taxes. Those figures represent just a small fraction of the total economic impact within New Jersey.

The bottom line? Without reliable access to fumigation services, importers and warehouses will be unable to comply with federal laws or mange pest infestations in a timely manner. Should the proposed rule go into effect as written, their only recourse will be to move this important business out of the state.

Industry representatives have repeatedly asked NJDEP to withdraw the proposal and work collaboratively to identify a solution that satisfies the agency's concerns while protecting jobs and revenues. So far, the NJDEP has paid only the minimum of heed to these requests. This is a big mistake.

We encourage NJDEP to engage in meaningful conversations that will result in a workable regulatory framework. Too much is at stake to press ahead on the current course.

## Thanks to Lt. Gov. Hall-Long and Sen. Poore

Delaware is different.

In such a small state, everyone generally knows everyone else. It is all but impossible to go to the store, the park, the mall, a restaurant, or just about anywhere without seeing a friend, colleague, or acquaintance.

State government personnel are neighbors and friends. Elected and appointed officials show up at community fairs, they serve on boards of local committees and business associations, and they tend to take an active interest in their constituents' concerns.

This is one side of what is frequently called "The Delaware Way." (The other side, which can have negative connotations, is not a topic for this newsletter.)

The Delaware Way recently evidenced itself in the most positive manner possible when Delaware's Lt. Gov. Bethany Hall-Long and Sen. Nicole Poore (D-SD12) asked the Maritime Exchange to facilitate a meeting of Delaware port stakeholders. No ulterior motive, no agenda. Their goal was simply to listen to port businesses' concerns and discuss how the state might be able to help.

In the space of about an hour, three key issues emerged: an inadequate number of workers—especially in the trucking industry—insufficient TWIC enrollment capability in New Castle County, and again as always, infrastructure.

We also discussed opportunities to combat these challenges.

Two weeks later, the Lt. Gov. reached out again requesting follow-up actions. The Exchange hopes to announce a few new initiatives in the coming weeks that result directly from these conversations.

In Delaware, it is not unusual that citizens have opportunities to engage with state officials. Yet we in the maritime community recognize that there are innumerable competing demands for their time and attention. As a result, we are always pleasantly surprised when the port gets positive, proactive attention—that is, not in response to some disaster—in our state capitols.

On behalf of our members in Delaware, the Exchange takes this opportunity to express its sincere thanks to Lt. Gov. Hall-Long and Sen. Poore for their interest in and support of the maritime industry.

## Good luck, Dr. El-Lissy

Most Exchange members would agree that working with regulators is not always easy. The red tape and their inability to share certain information can at times prohibit progress.

On the other hand, we also know that working with government is often extremely effective. The Exchange prides itself on bringing public and private stakeholders together for open conversations and to develop solutions to common problems. This interaction would not be possible without civil servants who understand that working with industry is a necessary, and even fruitful, part of the job.

A prime example of this type of leader is Dr. Osama El-Lissy, former Deputy Administrator for APHIS Plant Protection and Quarantine. The Exchange and the industry at large were surprised to learn in December that Dr. El-Lissy would be retiring at the end of the year.

**The El-Lissy Legacy**

Dr. El-Lissy began his tenure as Deputy Administrator for APHIS PPQ in July 2013. In this position, he led a nationally dispersed staff that safeguards U.S. animal and plant resources from destructive pests and diseases and facilitates the global trade of U.S. agricultural products. To achieve these goals, Dr. El-Lissy worked with many members of the U.S. agricultural sector and import/export community, forming strong relationships with a vast network of producers, businesses, industry associations, government agencies at all levels, and many others.

The Exchange and its members worked closely with Dr. El-Lissy and his staff to solve numerous commodity and pest-related issues over the years. Our first major success was a Delaware River program to test incineration for non-compliant dunnage that led to a change in national policy. Under Dr. El-Lissy's leadership, we opened a regular, ongoing dialogue to address concerns surrounding Agricultural Quarantine Inspection user fees after they were so drastically increased in December 2015. And as an outgrowth of that activity, Dr. El-Lissy spearheaded the creation of our Innovations Working Group, comprised of the USDA team and Delaware River port stakeholders. Its purpose is to identify opportunities to improve processes and decrease costs.

Dr. El-Lissy always made himself available to the industry, encouraging participation from all players, and most importantly, listening.

Thank you, Dr. El-Lissy, for your leadership, for driving positive change, and for being a great friend to all. We wish you the best of luck!

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***The Beacon*** is the official newsletter of the Maritime Exchange for the Delaware River and Bay. The Exchange encourages its readers to submit letters to the editor at any time in response to articles that appear in *The Beacon* or to address other topics of interest to the port community.

Please direct any correspondence, comments, or inquiries regarding the contents of this newsletter to:

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# Covid vaccine mandates: immunizing your company from employment claims

Legal Ease

By: Anthony Sabitdky, Esq.
Reeves McEwing LLP

COVID vaccine mandates have been thrust into the public eye recently with an unprecedented spike in infections, the Occupational Safety and Health Administration publishing an emergency vaccine and testing policy, and the detention of Novak Djokovic in Australia due to his failure to comply with the country's vaccine mandate. With no end in sight for COVID, many employers are taking a serious look at implementing their own vaccine mandates but face uncertainty as they try to traverse an unfamiliar legal landscape.

This article intends to provide a general framework for implementing a vaccine policy in your workplace and to highlight some possible issues that may arise. The scope, requirements, and restrictions surrounding vaccine mandates vary from state to state and are constantly changing as states and the federal government continue to face new variants and related issues.

In November of 2021, OSHA published an Emergency Temporary Standard (ETS) for large employers, requiring businesses with 100 or more employees to either be vaccinated or undergo weekly testing, and also mandating that they wear facemasks on the job.

This ETS has been the subject of expedited litigation, resulting most recently in the U.S. Supreme Court's 6-3 decision blocking its enforcement and sending the case back to the appellate court. The central issue in this decision was the federal government's authority to issue such a requirement. In turn, OSHA withdrew the mandate in its entirety. However, this does not affect private employers' own vaccination policies.

Before implementing vaccine mandates, employers should look to both state and federal laws to determine 1) if the policy is legal and if so, 2) what accommodations must be made.

Many states' discrimination laws mirror the federal anti-discrimination laws, so this article will look at what employers must do to conform to federal statutes. However, when crafting your own policy, it is important to consult with an attorney on complying with the specific laws of your state.

The federal Equal Employment Opportunity (EEO) laws apply to employers with over 15 employees, including the Americans with Disabilities Act (ADA) and others. These do not prevent an employer from requiring all employees physically entering the workplace to be fully vaccinated against COVID-19 as long as certain accommodations are made.

Title VII of the Civil Rights Act is the first federal law that employers should be cautious of when implementing vaccine policy. In short, Title VII prohibits employment practices that discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of the individual's race, color, religion, sex, or national origin.

The protected class that is most likely to present a challenge to the vaccine mandate is religion. Under Title VII, employers have a duty to accommodate religious practices and observances, as long as they do not impose an undue burden on the conduct of the business. The question of what constitutes an undue burden can get complicated, so taking a cautious approach is best, especially when navigating something as new as vaccine mandates in the workplace.

After an employer has implemented a mandate, if an employee states he or she cannot comply with the new policy because of a sincerely held religious belief, practice, or observance, the employee may be entitled to reasonable accommodations. Note, employers can request supporting information if they are aware of facts that contradict employees' claims.

An employee exempt from the mandate under EEOC laws is entitled to an accommodation. The EEOC lists some examples of possible accommodations: "wear a face mask, work at a social distance from coworkers or non-employees, work a modified shift, get periodic tests for COVID-19, be given the opportunity to telework, or finally, accept a reassignment."

Employers should also be sure they comply with the ADA, which is very similar to Title VII. If an employee can show that he or she cannot get the COVID vaccine due to an ADA-recognized disability, the employer may not require compliance for that employee unless it can demonstrate that the individual would pose a "direct threat" to the health or safety of the employee or others in the workplace. A "direct threat" is a "significant risk of substantial harm" that cannot be eliminated or reduced by reasonable accommodation. This compels employers to make reasonable accommodations for an employee who cannot get the vaccine for medical reasons.

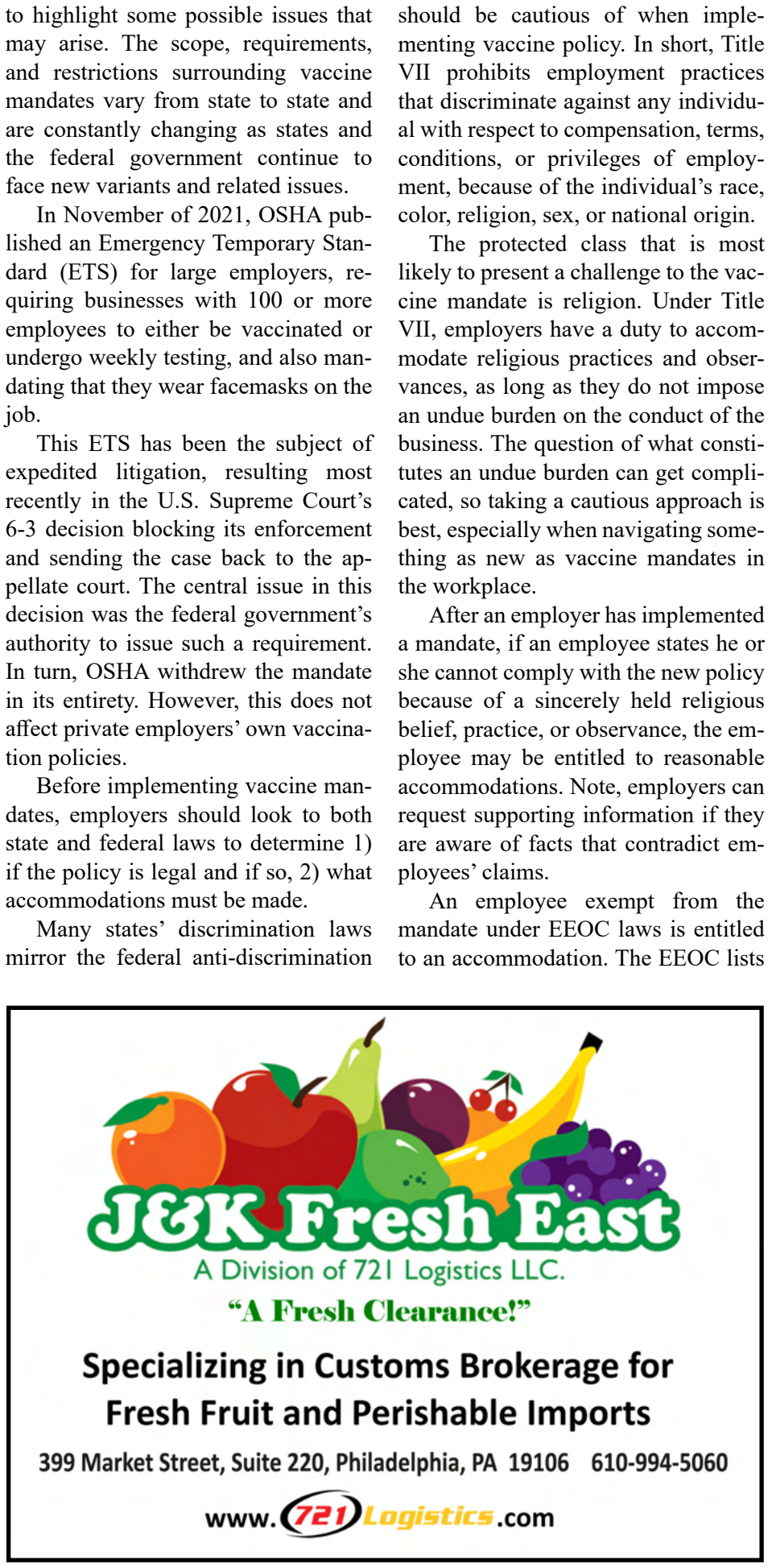
Some maritime organizations have already adopted vaccine mandates. For example, effective January 1, 2022, in an effort to accommodate seafarers working aboard commercial vessels, the Seafarers International Union and Crowley/Intrepid Personnel & Provisioning agreed to implement vaccine mandates for seafarers onboard vessels operating in the Jones Act trade. Importantly, SIU has also highlighted protocols to accommodate unvaccinated seafarers, including subjecting

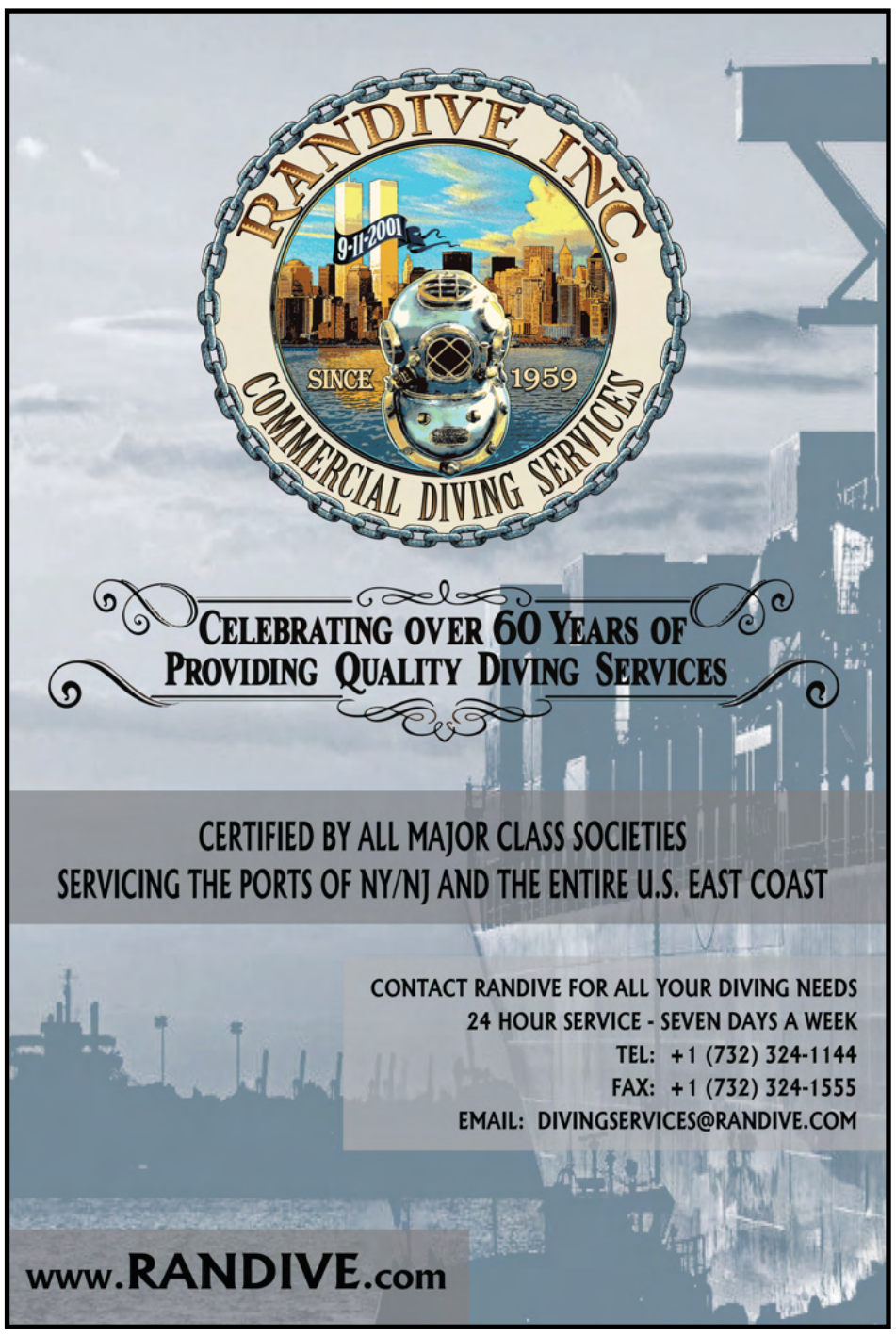


unvaccinated seafarers to additional testing requirements at sign-on and for the period of time they are onboard and masking mandates.

In conclusion, employers can require employees to be vaccinated but should have procedures in place to accommodate those who are exempt under state or federal laws.

Most importantly, this article is intended to alert employers to these considerations and should not be construed as legal advice. As this area of the law is still evolving, this article should not be viewed as a comprehensive review of the law. Employers are urged to consult with maritime and employment lawyers if they have specific questions or concerns.



## Notes & News

As of January 1, 2022, **Warehouse Service Inc** of Camden, N.J. has merged with **Jillamy Warehousing** and discontinued operations in Camden. The new 215,000 sq ft warehouse is located at 1104 New Ford Mill Road in Morrisville, Pa. Congrats and good luck in the new digs!

**PSA Penn Terminals** recently welcomed a new Chief Operating Office, **Stijn ("Stan") Bogaers**. Stijn joins Penn Terminals from a PSA sister entity, Antwerp's MPET terminal, the single largest container terminal in Europe at 8m+ TEUs. Welcome aboard, Stijn!

Congratulations to **South Jersey Port Corporation Assistant Director/CFO Bruno Cellucci**, who was named among the top CEOs/CFOs by "South Jersey Biz" magazine. Cellucci joined the port staff in 2014. Bravo Zulu!

In other SJPC news, veteran engineer **Chris Perks** was named Director of Engineering. In addition to his vast public experience, Perks was responsible for integrating and completing over sixty projects in Camden, home to the port's headquarters and the Balzano and Broadway terminal facilities. Congratulations, Chris!

**Duffield Associates, Inc.** has merged with five other companies to form **Verdantas**, a national consulting company focused on improving the world by addressing the toughest challenges facing natural and built environments and offering a comprehensive suite of environmental, energy, water, civil infrastructure, and green and sustainable engineering services.

## Members on the Move

**ByrdGomes**
10 Corporate Circle, Suite 215
New Castle, DE 19720
302-757-8300
info@byrdgomes.com
www.byrdgomes.com

**Jillamy Warehousing**
(formerly Warehouse Service)
1101 New Ford Mill Road
Morrisville, PA 19067
gilbert.benjamin@jillamy.com
610-517-0171
www.jillamy.com

## Calendar of Events

| | |
|---|---|
| 02/17 | WISTA Meeting<br>5:00 p.m. to 7:00 p.m., Maritime Exchange office<br>240 Cherry Street, Philadelphia PA<br>Contact Sandra Methven, Sandra.Methven@hudsonmarine.com |
| 02/18 | New Castle County Chamber of Commerce 15th Annual Economic Forecast<br>11:30 a.m. – 12:30 a.m.<br>Register at www.ncccc.com |
| 02/22 | Philadelphia-Israel Chamber of Commerce, The Circular Economy<br>12:00 noon, Virtual<br>register at www.phillyisraelchamber.com |
| 02/25 | Seamen's Church Institute Spirit of the Port Luncheon<br>11:30 a.m. – 2:30 p.m., The Waterfall, Claymont, DE<br>Contact Helene Pierson, hpierson@sciphiladelphia.org |
| **03/01** | **Maritime Exchange Operations Committee**<br>1:00 p.m. – 2:00 p.m.<br>Contact Darleen Michalak, dmichalak@maritimedelriv.com |
| 03/04 | USCG/AMSC General Members Meeting<br>9:30 a.m. – 12:00 noon, 1 Washington Avenue, Philadelphia PA<br>Contact Glena Tredinnick, glena.t.tredinnick@uscg.mil |
| **03/09** | **Maritime Exchange Board of Directors & Annual Meetings**<br>**Maritime Exchange Annual Election,** 12:00 noon to 2:00 p.m |
| 03/10 | Mariners' Advisory Committee (MAC) Meeting<br>11:00 a.m. – 2:00 p.m., Popi's Restaurant, Philadelphia PA |
| 03/16 | World Trade Center of Delaware Board Meeting<br>12:00 noon – 3:00 p.m., Port of Wilmington, DE |
| **04/12** | **Maritime Exchange Innovations Working Group**<br>10:00 a.m., Virtual<br>Contact Christina Lista, clista@maritimedelriv.com |
| **04/13** | **Maritime Exchange Executive Committee Meeting** |
| 05/02 | New Castle County Chamber of Commerce 100th Annual Dinner<br>Chase Center on the Riverfront, Wilmington, DE<br>Visit www.ncccc.com |
| **05/03** | **Maritime Exchange Board of Directors and Organization Meeting** |

*For a complete schedule and event details, visit www.maritimedelriv.com.*

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