CBP Sets Deadline for ACE Transition

Customs and Border Protection (CBP) recently announced that after a six-month transition period, the Automated Commercial Environment (ACE) will be the only CBP-approved electronic interface for transmitting required advance information for ocean and rail cargo. The requirement to use ACE becomes effective September 29, 2012.

The March 29 announcement marks the beginning of the end of the legacy Automated Manifest System (AMS) that has served as the automated portal to ocean and rail importers for more than two decades.

CBP has been waging an aggressive awareness campaign. In order for carriers to remain compliant with the Trade Act of 2002, they must complete necessary programming changes to comply with the modified record formats in order to continue filing manifests electronically. Among the many filers affected by the migration to ACE include master vessel operating common carriers, non-vessel operating common carriers, rail carriers, terminal operators, port authorities, service centers and other companies that receive secondary party notifications.

Until September 29, CBP will continue to run ACE and AMS in parallel, duplicating information between both systems. This dual-mode approach has created additional work and has posed its own unique challenges, but both CBP and the trade agreed early on that the risks of running parallel systems outweighed potential problems that could have occurred had CBP decided to flip the switch on a single day – what would have been called the “big bang” approach.

Initial work on the design and development of ACE began

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Interview with Kurt Ferry
Chairman, Area Maritime Security Committee

In his day job, Kurt Ferry works for Greenwich Terminals, where he serves as Facility Security Officer at the Packard Avenue Marine Terminal. Having chaired the all-volunteer Area Maritime Security Committee (AMSC) Grants Sub-committee since 2006, Ferry was elected as AMSC Chairman in April. With his background in law enforcement, the fire service, and private port industry, he brings a unique perspective and a wealth of knowledge and experience to the position.

Q: While you are only just beginning your tenure as AMSC Chair, you’ve been an active member of the committee since its formation. Given everything the AMSC has undertaken in the last 10 years, what would you say are its most notable accomplishments?

A: The AMSC has achieved a great deal – including, for example, writing the Area Maritime Security Plan and providing a forum for maritime stakeholders to develop relationships and identify solutions to security challenges in a collaborative fashion. But from my perspective, our greatest success story has to be the Grants Sub-committee. This dedicated group of individuals has spent countless hours developing processes to solicit grant applications and evaluation criteria and reviewing them. And each year, the committee has awarded grants to projects that I believe will improve our region’s maritime security posture.

Q: As you look forward, what are the biggest challenges facing the AMSC?

A: Over the last several months, the AMSC Management Board has worked to align the committee along the lines of the Incident Command System (ICS), and implementing the new protocols will be extremely complex. First, we’ll need to familiarize many of the members with how ICS works and modify our approach to address issues in a more objective-based, goal-oriented manner than may have been the case in the past. Setting up the new structure, identifying section chiefs

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Significant Progress Made To Continue Federal Funding For 45’ Project

Dredging of the Delaware River in area Reach C during 2010.

Following its February decision to include $16.8 million in the Corps of Engineers FY12 Work Plan for the Delaware River Main Shipping Channel Deepening (45’ Project), the Obama Administration requested $31 million for the project in its proposed FY13 budget. In April, both the U.S. House and Senate acted positively to this request for continuing federal funding of the project. The House Appropriations Subcommittee on Energy and Water included $29.45 million for the project, and the Senate Appropriations Subcommittee on Energy and Water Development included the full $31 million funding request.

In advance of these federal funding initiatives, Pennsylvania has expended approximately $40 million for planning and dredging of two sections of the main ship channel. These dollars have been paid through the Philadelphia Regional Port Authority, the local project sponsor.

“The progress made over the last year to move the project forward has been phenomenal,” said Exchange President Dennis Rochford. “In addition to the sections of the channel already deepened to 45 feet, a third contract will be awarded by the Corps of Engineers this summer to dredge between Penn’s Landing in Philadelphia and Ess.

continued on page 3
Some Cause for Optimism

With an economic recovery that is unexpectedly slower than most had expected or hoped, ports and related businesses throughout the world continue to feel the negative effects of a stagnant consumer confidence level. The Delaware River area is no exception. We’ve certainly experienced our share of the overall decline.

As a result, the announcements last year that the Conoco Phillips refinery in Trainer would be idled immediately and the Sunoco Marcus Hook and Philadelphia refineries would be idled by July 2012 were a thunderbolt to the region. We all remember that it was only a few short years ago that the Delaware River was home to six of the largest refinery complexes on the entire East Coast, responsible for processing a million barrels of crude each day.

So despite the increase in ship arrivals and tonnage in 2011 compared to the previous year, it wasn’t necessarily with a great deal of optimism that we looked toward 2012.

Fortunately, it wasn’t long at all before the sun started to peer through the clouds. After a flurry of activity over last six months involving both the channel deepening project and lawmakers’ and the business and labor communities’ response to the refinery news, there are now clear signs of a positive path forward to both complete the 45’ deepening project and avoid the idling of those refineries.

As noted on page 1 of this issue of The Beacon, the House and Senate Energy and Water Appropriations Subcommittees are supporting funding for the 45’ Project. For the first time in over ten years, both the President and Congressional appropriators have acted to fund this project. Since final Congressional action is unlikely until after the November elections, it is imperative we take nothing for granted and vigilantly guard against the unsubstantiated criticisms of this project proffered by a dwindling number of opponents.

As has been documented by a number of professional economic analyses, the $300 million cost to deepen the Delaware River shipping channel will undergird upwards of $1 billion in port infrastructure investments in Pennsylvania, New Jersey and Delaware. These new or expanded terminal facilities will be able to accept larger ships and handle increased volumes of cargo, all of which will sustain and create good-paying blue collar jobs.

Both Sunoco and ConocoPhillips indicated they would aggressively seek buyers for their facilities, and while the discussions and negotiations to achieve their goals have been – as they should be – conducted in confidence, recent reports indicate a measure of success.

The acquisition of Sunoco by Energy Transfer Partners was announced on May 1. Though this merger will not alter Sunoco’s plans to divest itself of the Philadelphia refinery, it may provide new opportunities for its refinery in Marcus Hook. In addition, the port community celebrated the news that Delta Airlines has acquired the ConocoPhillips Trainer Refinery to produce jet fuel.

Granted, at this point in time, a number of questions have yet to be answered. However, there is now reason to be optimistic that not only can our region look forward to the completion of the 45’ Main Channel Deepening Project and the multitude of jobs it will bring, but that it will not face a state of affairs where three major refining facilities are shuttered, and thousands upon thousands of jobs are lost forever.

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FEMA Releases National Preparedness Report

On May 3, the Federal Emergency Management Agency and its private sector partners released the National Preparedness Report (NPR). The report identifies significant progress the nation has made in areas of prevention, protection, mitigation, response, and recovery. Overall the report found that the nation has increased its collective preparedness, not only from external threats, but also for natural and technological hazards that face its communities.

The report was developed to meet the requirements of Presidential Policy Directive 8/PPD-8: National Preparedness. PPD-8 is aimed at strengthening the security and resilience of the United States through systematic preparation for the threats that pose the greatest risk to the security of the Nation, including acts of terrorism, cyber attacks, pandemics, and catastrophic natural disasters.

Overall, the NPR found the nation has made significant progress in enhancing preparedness and identifies several significant areas of national strength. For example, the nation has built the foundation for an integrated, all-hazards planning architecture that considers routine emergencies and catastrophic events. Operational coordination has also improved with the adoption of the National Incident Management System (NIMS), which provides a common doctrine for incident management. In addition, intelligence and information sharing capabilities are stronger thanks to a national network of fusion centers and Joint Terrorism Task Forces that bring together federal, state, and local law enforcement, Intelligence Community resources, and other public safety officials and private sector partners. The Report also identified opportunities for national improvement in cybersecurity, long-term recovery, and integrating individuals with access and functional needs into preparedness activities.

FEMA developed the NPR in close coordination with leaders of federal departments and agencies, and the Report reflects inputs from state, local, tribal, and territorial governments, private and nonprofit sector partners, and the general public. Data was also integrated from the 2011 State Preparedness Reports, which are state-wide self-assessments of the core capabilities submitted by all 56 U.S. states and territories through a standard survey. FEMA also conducted research to identify any recent, independent evaluations, surveys and other data related to the core capabilities.

The National Preparedness Report is the next step in implementing PPD-8. Since the directive was signed by the President in March 2011, FEMA and its partners have released the first edition of the National Preparedness Goal, the National Preparedness System description, and the working drafts of the National Planning Frameworks.

For more information on PPD-8 and to download the Report, visit www.fema.gov/ppd8 or contribute your ideas at http://fema.ideascale.com.
CPE Training to be held at Exchange

Training and professional development opportunities are important tools for business executives in managing sustainable and competitive operations, especially in the maritime and port industries. Ports around the world must recruit and retain top class management personnel to allow marine transportation systems to maintain a competitive status.

During the week of June 4, the Exchange will be the host venue for the MacDonnell Group (www.macdonnell.com) in its presentation of a five-day CPE Certified Port Executive™ Program. In response to the increased need for trained professionals, the MacDonnell Group has developed the CPE Certified Port Executive™ Program, which gives participants tools and knowledge to make their organizations more competitive and create a vibrant, sustainable future.

“CPE Certified Port Executive™ Program is a program designed to enhance the skill sets of port executives,” said Capt. Jeff Monroe, program designer and instructor. Monroe is also the former Portland Port Director and Deputy Port Director in Boston. This five-day course is designed to provide participants with a professional education opportunity related to the transportation system and operations of ports, vessels, and marine terminals.

“We needed to offer a program for executives that built on their experience and allowed both senior and up-and-coming personnel to enhance their management capabilities,” said Monroe. “This program is designed with an intensive focus on port management and development from the executive’s view point.”

Graduates of the program walk away with an all-encompassing knowledge base of the port and maritime industry that will foster success within their port operations. “Being relatively new to the port industry, the Certified Port Executive Program enabled me to fast-track my development and knowledge so that I could be a much more effective port executive with greater understanding of the transportation system, as well as the operations of ports, vessels and marine terminals. I refer to the course material often in my business life,” said Jeff Burton of Port Metro Vancouver.

The program is offered as a one-week seminar to allow busy port executives to take the course without spending a great deal of time out of the office. “It is very tough for a port director or senior staff member to get a great deal of time away to do this type of post-graduate program,” Monroe continued. “We have designed the CPE Certified Port Executive™ Program to be cost effective and intensive, and comments have been very positive from the courses we have completed to date.”

The course covers rapidly changing regulations and requirements that affect ports, marine facilities, intermodal transportation providers, vessels, and many diverse service providers. Among other topics, the course will cover: knowledge of the marine transportation system and operations; port governance, port authorities and organizations; recognizing types of vessels and their uses; port and terminal management; managing communications, media, port, and terminal administration; emerging requirements and regulations that affect ports, marine facilities, and vessels; managing risks and threats in the port environment; the scope of port security and safety plans; comparing various methods of cargo storage and handling; examining harbor geography and aids to navigation; and preparing a strategic plan, master plan, and business plan. Like the airport program, those completing certification can add the professional title of Certified Port Executive (CPE) to their titles.

Previous course participants have included port authority executives, terminal management, government agencies at all levels, maritime attorneys, importers/exporters, and a host of other port stakeholders.

For more information on the CPE Certified Port Executive™ Program, or to register, please contact the MacDonnell Group at (902) 425-3980.

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In January of this year, the Board of Directors approved operating and capital budgets that reflect the specific needs of the Exchange, its members, and the overall economic climate within the port industry. This budget will allow the Exchange to begin new projects on behalf of the regional maritime community, as well as continue work on efforts already underway.

Foremost among these is the massive effort required to keep the 45’ Main Channel Deepening Project moving in the right direction. There is no denying that the strides taken over the last year to propel the project forward were as substantial, as they were necessary.

On behalf of a group of port stakeholders, in May of last year, the Exchange entered into an agreement with a public affairs consultant, who would help garner support for federal funding of the project. The goal was to secure funding for the project in the FY12 and FY13 budgets and we note with pride that the port community contributed over $100,000 to support the agreement.

The overall effort was coordinated with Mr. Charles Kopp, Esq., Chairman of the Philadelphia Regional Port Authority, the local project sponsor. The Exchange and its coalition rallied the support of elected officials at the federal and state levels, key Delaware River stakeholders, and business and labor leaders throughout the region. These individuals undertook a massive-letter writing campaign to President Obama, Vice President Biden, and then-budget director Jacob Lew, to stress the critical nature of the project and support for the necessary funding.

Ultimately, this effort was successful. In February of this year, after an unprecedented bipartisan regional effort, the Administration included $16.9 million in the Corps’ FY12 budget and an additional $31 million in the President’s FY13 budget for the project. This was no small feat, and the Delaware River maritime community is to be commended on its substantial amount of energy last year, in the dialogue between the Exchange, its members, and CBP continues. We also engaged with the Coast Guard, Bureau of Ocean and Energy Management, the Mariners Advisory Committee and other interested parties to address proposed offshore wind farms. Additionally, in the latter part of the year, the Exchange joined other regional stakeholders to discuss the Sunoco and ConocoPhillips Refinery closings.

And, as it has for the last decade, the Exchange continued efforts with various Department of Homeland Security agencies to help shape policy, such as the Supply Chain Security Strategy, in order to improve the overall security posture of the nation’s ports. Most notable of these initiatives is the continuing work as Fiduciary Agent for the Port Security Grant Program. Since 2007, the region has been awarded almost $70 million for security projects implemented by port businesses, law enforcement and first responders in the tri-state region.

As busy as we were on the public policy and advocacy initiatives, the Exchange Information Technology and Operations staff were equally engaged.

2011 found the Exchange focusing IT resources towards preparation for the conversion of TRACS to the Automated Commercial Environment (ACE) Multi-Modal Manifest System (M1).

The Exchange is one of several national ACE early adopters, working directly with CBP programmers to help test and debug ACE M1. While the transition to ACE should be relatively seamless for TRACS participants, significant changes were

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Most of the time when you take a cruise it will be a novel and enjoyable experience. This short discussion will focus on the occasion when the experience is more like a version of the movie The Poseidon Adventure and everything seems to go wrong. It being the 100 year anniversary of the Titanic, the more recent catastrophe of the Costa Concordia, and the fire aboard the Carnival Splendor stripping the ship of its power demonstrate that anyone who is a passenger on a cruise ship could have a Poseidon experience.

A modern cruise ship can have as many as 4,000 passengers and a crew of an additional 1,500 persons. It is a floating hotel. It can be longer than three football fields and higher than a 10 story building. As a passenger you can be in a life threatening maritime emergency when you will have but a short time to abandon ship in one of the cruise ship’s lifeboats. The Costa Concordia has raised some troubling questions as to the overall stability of a modern cruise ship.

An important first step for understanding your rights is to carefully read the ticket. The ticket is a legally binding maritime contract, and it is governed by United States maritime law. The ticket will set out the terms and conditions incident to travel on a cruise ship including your responsibilities as a passenger. A passenger assumes the known risks incident to the travel. By way of example, the availability of medical care may be limited, and a cruise ship may be susceptible to severe weather systems.

A passenger warrants that he is physically fit to travel and must notify the cruise line of any physical disability or medical condition that may require special assistance during the voyage. He also agrees during the course of the voyage to follow the directions of the ship’s Master and his authorized agents. He acknowledges that shore excursions and tours and many services provided aboard the vessel such as shops, spas, beauty salon, fitness centers including a sick bay and medical facility are operated by independent contractors, and the cruise line neither supervises nor controls their actions. The independence of these services is arguable and in many instances subject to significant supervision, oversight and control by the cruise ship operator and ship’s Master.

It is of utmost importance that a passenger understands that the ticket contains important limitations on the rights of a passenger to assert claims against the cruise line and the vessel, their agents and employees, and others, including forum selection, arbitration, limitation of liability and waiver of the right to a jury trial for certain claims. If a passenger is injured, the passenger must show that the cruise line deviated from the standard of care. A cruise line owes its passengers a duty to exercise ordinary and reasonable care under the circumstances of the act or omission causing the injury resulting in the harm. What is reasonable under the circumstances does take into account that the circumstances surrounding maritime travel are different than those encountered in daily life. The act or omission may involve more danger to the passenger which will determine how high a degree of care is reasonable in each case.

Passengers are not skilled mariners; however, mariners are expected to be experts in their knowledge of their ships, the sea and its perils. A cruise line may arguably only be found negligent in regard to an alleged defective or dangerous condition on board the ship when it has actual or constructive notice of the defect or danger. A cruise line has no duty to warn a passenger of an open and obvious danger. A cruise line is also responsible for exercising reasonable care to protect passengers from harm committed by other passengers. Passengers have a duty to exercise reasonable care for their own safety, and the comparative fault doctrine applies in passenger cases. Thus contributory negligence will reduce recoverable damages. If liability is established, a passenger can recover virtually the same damages as a land-based victim of a civil wrong, including lost wages, medical expenses and pain and suffering. A passenger’s claim is subject to the admiralty and maritime jurisdiction of our federal courts.

The adequacy of health care on a cruise ship varies with the cruise line and the size of the ship. Most cruise ships will have a doctor, possibly a physician assistant and one or more nurses. It is not unusual that these persons will not have the level of training as an American trained, licensed and certified medical professional. You can be a victim of medical malpractice on a cruise ship. If the medical professional is found to be an independent contractor thus not an agent or employee of the cruise line, it may be very difficult to obtain jurisdiction over that medical person and compensation for the injury. This could be a very contentious aspect of liability of the cruise ship operator. The provision for 24/7 adequate medical facilities and care is an inducement for many elderly persons to enjoy cruising. If the cruise ship’s medical facilities are incapable of dealing with the passenger’s illness, there is a duty of reasonable care to secure medical help. This duty is usually fulfilled by a requirement that the Master must put in and divert to the nearest port or arrange for prompt medical evacuation. These situations generally involve a life-threatening injury and or illness where prompt emergency medical care is an absolute necessity for survival. Helicopter evacuation of a passenger is not an unusual circumstance where emergency medical care is required.

Cruise lines have placed limitations in their contracts as to where and when they can be sued. These provisions require passengers to provide written notice of injury generally within six months of the injury. Furthermore, cruise lines can impose a one year limitation on an injured passenger’s right to sue. Failure to give notice and bring a timely action will result in total bar of the claim no matter that the injury is serious and the claim is meritorious.

They also insert venue provisions in the contract limiting the place where the suit can be brought. Most cruise lines designate Miami, Florida as the only location where they can be sued. The significance of the notice, limitations and venue provisions cannot be stressed enough since you could lose your right to compensation.

The law of country of the ship’s registration, the laws of the United States, law of the country and port-of-call the ship is visiting, and international treaties may apply to cruise ship accidents and incidents. An overriding consideration is the uniform application of the general maritime law no matter what the cruise line or country of registration. The applicable law and standards should be similar or the same.

In 2010 Congress passed the Cruise Vessel Security and Safety Act, which mandates reporting of kidnappings, sexual assaults and other crimes. It requires vessels to be equipped with cabin peepholes and video surveillance systems, among other security measures. A ship is also required to have at all times a licensed physician or registered nurse with three years of postgraduate graduate and registration clinical practice in general and emergency medicine and hold board certification in emergency medicine, family practice or internal medicine. Although these requirements are in the context of treating sexual assault victims, the net effect is to provide qualified medical personnel aboard a cruise ship. Sexual assaults and physical assaults were the leading crimes on cruise ships.

Practical considerations about taking a cruise include: be prepared, use a travel agent that specializes in cruise ship travel, purchase trip insurance, consider additional insurance for overseas health coverage including medical evacuations, do not travel alone – a traveling companion is a must and can be your advocate if seriously injured and or seriously ill – you may have to make noise to get promptly evacuated, do not travel if you are acutely ill, and carefully read the cruise ship brochure and the ticket contract. Be impeccable about cleanliness, use sanitizers and keep washing your hands. Pay attention and participate in safety drills. Try out your life jacket and know where your muster (gathering) and lifeboat station is located and how to get there by different routes. Getting off the ship safely can be a major challenge.

The cruise line ticket can be like reading a short novel but in general the law will enforce the terms of the ticket.
Capt. Kathy Moore Takes the Helm at Sector Delaware Bay

CAPT Kathy Moore graduated with honors from the University of Maryland with a Bachelor of Science degree in Mechanical Engineering and worked as a technician at the Naval Research Lab and an associate scientist at Martin Marietta Laboratories before joining the Coast Guard in 1990. In 1994, she earned a Master of Science degree in Engineering Management from the University of Maryland and in 2002, she graduated from the University of Rhode Island with a Master of Marine Affairs.

CAPT Moore’s first tour was as a Staff Engineer in the Machinery Branch at the Marine Safety Center. She also served at Coast Guard Headquarters in the Standards Directorate, first as a Regulation Development Manager and then as the Chief of the Environmental Standards Division, where she managed the Coast Guard’s Invasive Species Program and served as Assistant Head of the U.S. Delegation to the Maritime Environment Protection Committee at the International Maritime Organization.

Her field tours have included assignments in vessel inspections and investigations at Marine Safety Office Group Los Angeles-Long Beach, Chief, Inspections Department at Marine Safety Office San Juan and Prevention Department Head, Sector Honolulu. In 2009, she established the Investigations National Center of Expertise to build the capacity and competency of marine casualty investigators across the Coast Guard.

CAPT Moore’s command cadre tours include serving as Deputy Sector Commander at Sector Honolulu and Deputy Sector Commander at Sector Air Station Corpus Christi.

CAPT Moore’s personnel awards include the Meritorious Service Medal (with Operational Device, 3 awards), the CG Commendation Medal (with Operational Device, 3 awards), and the CG Achievement Medal (3 awards) and the Commandant’s Letter of Commendation (2 awards). She holds the Marine Safety Designation and the Boat Forces Designation. She has also received the Department of State’s Superior Honor Award and has received an honorary commission as an Admiral in the Texas Navy.

Lt. Col. Chris Becking to Assume Command at COE District

Prior to joining the Corps Philadelphia District, LTC Becking served as a NATO engineer operations staff officer at Supreme Headquarters Allied Powers Europe (SHAPE), Mons, Belgium.

His previous assignments include Battalion Executive Officer, Battalion S3, Brigade S4 & Engineer, 34th BCT, 10th Mtn Div, in Fort Drum, New York and Afghanistan, Battalion S3 and Senior Observer/Controller, 3rd Bn, 315th Regt, New Cumberland, Pennsylvania, B Company Commander and Asst Div Engineer LNO, 41st Engineer Battalion, Fort Drum, Battalion Maintenance Officer, 2nd Engineer Battalion, Camp Castle, Korea, and Company Executive Officer, Light Equipment Platoon Leader, and Combat Engineer Platoon Leader, 37th Engineer Battalion, Fort Bragg, North Carolina.

LTC Becking earned a Bachelor’s Degree in Mechanical Engineering from the University of Michigan and a Masters Degree in Mechanical Engineering from Auburn University.

Among other military schools, he is a graduate of the Army Command and General Staff College, the Infantry Captains’ Career Course, and the Engineer Officer Basic Course. He is a registered professional engineer in the Commonwealth of Virginia and is a registered PRINCE2 Practitioner.

LTC Becking’s military awards and decorations include the Bronze Star Medal, the Meritorious Service Medal, the Army Commendation Medal, the Army Achievement Medal, the Humanitarian Service Medal, the Military Outstanding Volunteer Medal, the French National Defense Medal - Silver, the Senior Parachutist Badge, the Ranger and Sapper Tabs, the Air Assault Badge, and the Bronze de Fleury Medal.

LTC Becking married his college sweetheart, Sarah, who is originally from Pittsburgh, Pennsylvania. They have two energetic daughters, Katherine and Rachel.

The Exchange looks forward to working with LTC Becking on the issues of importance to the Delaware River port business community.
REpower Selects POW as Mid-Atlantic Gateway and Distribution Center

On April 23, the Diamond State Port Corporation (DSPC) welcomed the first shipment of wind turbine blades manufactured by REpower Systems SE (REpower) with the arrival of MV Star Hansa at the Port of Wilmington, Delaware. REpower, a Suzlon group company, ranks as the world’s fifth largest wind turbine manufacturing group specializing in both onshore and offshore wind turbines.

The Port of Wilmington, Delaware has been handling progressively more complex windpower projects since 2001. The Star Hansa discharged 45 REpower wind turbine blades each of which were over 147 feet long and destined for one of the largest wind projects in Pennsylvania, the Twin Ridges Wind Farm in Somerset County.

“We welcome REpower to the Port of Wilmington, Delaware and are extremely honored to be selected as its supply chain partner for the discharge, storage and delivery of its wind turbine blades to the Twin Ridges Wind Farm,” said Gene Bailey, DSPC executive director. “The Port of Wilmington is a perfect fit for windpower cargo. Delaware boasts a strategic mid-Atlantic location, excellent rail and highway connectivity, ample berth and storage space as well as modern heavy lift equipment. Most importantly, our greatest asset is our skilled, experienced and highly productive workforce. They facilitate the safe and timely delivery of this delicate and high value project cargo to its destination. Furthermore, Delaware’s unique collaboration between the State’s Departments of Transportation and Public Safety and Homeland Security ensures the timely and cost effective truck permitting and police escort services for quick and unimpeded movement through Delaware to the construction site,” Bailey added.

POW sets tonnage record in 2011

The DSPC announced that in 2011 the Port of Wilmington handled 5,084,478 tons of cargo, a 26% uptick year over year, and achieved the highest general cargo tonnage throughput since the 1995 acquisition of the port by the State of Delaware. Increased import and export tonnage was experienced in all major cargo categories during the past year.

The largest growth in tonnage was recorded in the dry bulk segment which increased by 106% to 1.451 million tons. Breakbulk, RoRo and livestock cargoes totaled 487,770 tons, a 25.68% increase. At 1,750,451 tons, containerized shipments of perishable, forest products and vehicles exceeded last year’s results by 5.50%. Overall container count, in twenty foot equivalent units (TEUs), increased by 2.85% and totaled 189,940 TEUs. Bulk Liquid products also produced a strong performance at 1.395 million tons surpassing 2010’s volume by 9.57%.

Handling cargoes such as wind turbine blades requires specialized skill. The Port of Wilmington has made a name for itself in this growing area.

PPMS Pays Tribute to the Life of Russ Larsen

At its annual dinner on May 9 at the Cescaphe Ballroom in Philadelphia, the Ports of Philadelphia Maritime Society held a tribute to the life of the late Russ Larsen. Russ was a regular fixture at the Maritime Exchange, working on the Port Directory production staff and as our building manager. A familiar presence among the port community, Russ was highly regarded by all and an active member of the Maritime Society. One of the big hits of the evening was radio and TV personality Big Daddy Graham, sports radio host and comic, a fact that Russ, with his ready wit and sense of humor, would have appreciated.

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Chairman’s Remarks

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required to the TRACS back-end systems to accommodate the new requirements. The migration to ACE production will occur later this year.

In conjunction with the ACE M1 project, the Exchange also developed a major enhancement to the Stow Plan system. Requested by system users, the upgrade has been designed to better accommodate changes to CBP’s requirements, and it will provide TRACS participants with enhanced tools to submit stow plans, even if the manifest is not filed through TRACS.

In 2011, much work was also completed to more adequately address disaster recovery and business continuity planning. The Exchange performed system failover testing, updated documentation, and revised procedures to ensure continuity in the event of any failure at the main Philadelphia office and data center.

With all that has been accomplished, the Exchange cannot rest on its laurels. Of course, there is much yet to be done to keep the 45’ deepening project moving. And though there was little activity in the Delaware River region on Transportation Worker Identification Credential project last year, the Transportation Security Administration has recently released the long-awaited TWIC Reader Pilot Program report; the Exchange and its members can expect to re-engage later this year if and when the next phase of the TWIC reader rulemaking is published. In addition, the IT and Operations staffs will also be developing and testing modifications to the NOA/D On-Line system to accommodate changing Coast Guard Requirements over the next six months.

In all, we can look back on 2011 with pride at our achievements. We also look forward to an active, productive 2012.

CBP to Retire AMS

continued from page 1

in August of 2001. In June 2003, 41 importers volunteered to establish ACE Secure Data Portal accounts and serve as champions during the initial deployment phases of the system. Since then, the trade community has been actively involved in ACE development and design through such venues as the Trade Support Network, the Trade Leadership Council, and the Customs Electronic Systems Action Committee.

In 2011, a core group of early adopters – including the Maritime Exchange – volunteered to test ACE Multi-Modal Manifest (M1). Their work helped lead to the deployment of ACE into a production environment in December 2011. The Exchange has been preparing for this transition for over two years. Plans to convert the TRACS manifesting system will be implemented well in advance of the final deadline.

For more information on the Exchange’s automated systems, contact Michael Fink, IT Director, at mfink@maritimedelriv.com or 215-925-2615 ext. 305.

WITA’s Woman of the Year

Eileen Bartlomiejus

The Women’s International Trade Association (WITA) is honoring Eileen Bartlomiejus with its Woman of the Year award on May 31, 2012 at Nicole Renee Occasions in Philadelphia. Eileen first started in the Philadelphia port community when she was hired by the Maritime Exchange in 1988 as the secretary to Bill Harrison, then executive director. In 1999 Eileen went to work for General Marine Refrigeration as administrative assistant, responsible for all administrative functions, including human resources and accounting, of General Marine. Eileen is very active in the port’s various associations, is a past president of WITA, serves as Treasurer for the Ports of Philadelphia Maritime Society, previously served as Secretary for the Mariner’s Advisory Committee and helps organize and plan the bi-annual Vessel Owners’ and Captains’ Association meetings.

The event is from 5:30-8:30. To register, contact Margaret Owens at 856-261-2926 or email wita1979philly@gmail.com no later than May 24. The Maritime Exchange congratulates Eileen on this much-deserved award!
Port Community Thanks Delaware Governor Markell

On Monday, May 7, an event honoring Delaware Governor Jack Markell was held in the Lincoln Room of the Union League of Philadelphia. Governor Markell has taken a leadership role in support of the 45’ Channel Deepening Project and the Delaware River ports in general.

Governor Markell stated, “there is no one project that is more important to the current and future growth of the Port of Wilmington, and for that matter, the entire regional port complex, than deepening the Delaware River shipping channel from 40 to 45 feet.”

Q&A with Kurt Ferry

and work group leads, determining priorities, and setting objectives will probably take at least 12-18 months.

The AMSC also needs to take a hard look at the region’s Strategic Risk Management Plan (SRMP). First completed in August of 2008, it’s time for us to document how we are using port security grant money to buy down risk in the maritime domain. Simply stated, what did we buy, where is it, and is it being used effectively? The Committee is extremely fortunate that our immediate past Chair and Vice Chair, Russ Sweeney and Dennis Tully – along with Kurt Reuther of the Delaware Department of Safety and Homeland Security – have agreed to lead this important effort.

My own personal challenge will be to fill Russ’ and Dennis’ shoes. For the last several years, Russ Sweeney and Dennis Tully provided leadership and direction, and they brought a high level of professionalism to the Committee. If I can achieve even half of what they were able to do, I will consider my tenure as chairman a success.

Q: So what do you think maritime security stakeholders should focus on moving forward?

A: Foremost is the need to expand and improve our information sharing regime. We need to streamline processes to eliminate redundancies, ensure the right people are getting the information they need – and in the time they need it. Ideally, we’d like to see a dedicated maritime intelligence briefing. And of course, we need to successfully find the balance between effective information sharing and information overload.

Beyond that, we simply need to keep doing what we’ve been doing so well – keeping the port secure and open for commerce.

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Shown (l-r) are Captain James Roche, President, Pilots Association for the Bay and River Delaware, Governor Markell, and Stuart Griffin, Pilots Association.
May 22, National Maritime Day

Since 1933, the United States has acknowledged May 22 of each year as National Maritime Day. The Congressional resolution proclaiming the event lauded the 1819 sailing of the steamship The Savannah as the first successful transoceanic voyage under steam propulsion. Thus, those depression-era lawmakers recognized the importance of ocean transportation. Congress urged the people of the United States to observe National Maritime Day by displaying the flag at their homes or other suitable places and government officials to display the flag on all Government buildings on May 22 of each year.

While banks and the federal government remain open, and department stores don’t have “Maritime Day Sales,” those who depend on the maritime transportation system for their livelihoods certainly recognize the importance of merchant shipping. What may be lost, sometimes, is the storied and often dangerous history of our MTS ancestors.

It was less than a decade after Congress sought recognition for National Maritime Day that war broke out in Europe. When the U.S. entered the conflict in 1941, the merchant marine and American shipyards were crucial to victory. Then, as now, the U.S. armed forces could not fight an overseas war without the merchant marine and commercial ships to carry the tanks and torpedoes, the bullets and the beans. Merchant mariners and their shipmates of the Navy Armed Guard sailed across the Atlantic, the Pacific, through the Indian Ocean, and across the Arctic Circle to Murmansk. They carried nearly 270-billion long tons of cargo—an average rate of delivery in 1945 was 17-million pounds of cargo every hour. They had been the first to go to war; merchant ships were being captured and sunk even before the United States officially entered the war. And they were the last to return. It was ships sailed by merchant mariners that brought the GIs home.

It was dangerous work. Nearly one in 30 of those who served in the merchant marine did not return. More than 6,000 American seafarers and more than 700 U.S. merchant ships fell to enemy action. No branch of the armed forces, save the Marines, suffered a higher casualty rate. None suffered a higher death rate.

Even now, the work can be equally dangerous as sailors throughout the globe continue the escalating incidence of piracy and the sophistication and organization of today’s pirates. Yet, particularly with an increasing dependence on imported products, an efficient system of waterborne commerce is certainly more crucial to Americans now than it was in 1933.

Please join the Exchange staff in observing National Maritime Day and taking time to honor the memory of those who have served in the past and to recognize those who serve today.

Hamburg Sud Moves Uptown

Exchange President Dennis Rochford congratulates Hamburg Sud on the opening of its new Philadelphia office. Hamburg Sud, among the port’s larger customers, has long been a driving force in the region. Shown (l-r) are: Dennis Rochford, Jeff Parker VP Customer Service, Juergen Pump, Senior VP, and Mike Wilson, Senior Vice President.

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In response to growing concerns among the maritime industry, at its May 16 meeting the National Maritime Safety Advisory Committee (NMSAC) adopted a series of recommendations to Department of Homeland Security Secretary Janet Napolitano. These recommendations, designed to alleviate pressure on crew members and ocean carriers from severe federal policies for crew security plan requirements, are expected to form the basis of further dialogue between industry, Coast Guard and Customs and Border Protection.

At issue are requirements implemented in 2005 after Coast Guard and CBP signed a memorandum of understanding regarding detention of certain crew members. Since that time, ship agents within the Delaware River port community and throughout the U.S. have been concerned about requirements for armed personnel, who are generally not sworn law enforcement officers, and frustrated by inconsistent application of policies.

“We understand DHS’s concerns relating to foreign crew members arriving on ships at U.S. ports,” said Exchange Vice President Lisa Himber, who chaired the NMSAC Working Group. “But industry has equally valid concerns about the way these policies are affecting port operations, maritime security, and crew well-being.”

Among the recommendations, NMSAC suggest that DHS issue additional guidance to clarify the nature of the risk and change policies where necessary to appropriately respond to it. For example,

- For a crew member who does not possess a visa, clarify that the individual is not necessarily classified as a threat to national security but rather may pose a risk of deserting his ship (i.e., illegal immigration vs. security threat).
- If an individual is not deemed a threat to national security, armed guards should never be required. If at any time armed guards are required by federal mandate, a DHS-issued “use of force” policy should be provided and followed.
- If an individual arriving at a U.S. port is deemed to be a threat to national security, the responsibility of mitigating that threat must be placed on the appropriate federal, state or local authorities, not a vessel master.

Other suggestions included modifications to policies regarding repatriating crew members. Ron Branch, retired Coast Guard Captain and current President of the Louisiana Maritime Association noted that “The security environment at marine terminals has changed dramatically since the MOU was signed. The implementation of facility security plans and tighter controls on vessel and terminal access should certainly alleviate many of the federal concerns.”

In addition to NMSAC, the National Association of Maritime Organizations has also been working with CBP to address the issues. Coast Guard has responded swiftly to the concerns following the discussions at the January NMSAC meeting. An ALCOAST bulletin which seeks to clarify policies was drafted shortly after the meeting and should be released shortly. In addition, Coast Guard Sector New York recently released a Maritime Security Information Bulletin stating that, “in most cases, the Captain of the Port New York–New Jersey will no longer mandate ‘armed’ contract security guards onboard commercial vessels.”

“It is our hope that CBP and Coast Guard will continue to review and modify policies to ensure they adequately reflect the current environment and appropriately balance the threat against the consequences,” Himber said. “We look forward to continued progress on these issues.”
On April 25, the Maritime Academy Charter School (MACHS) hosted Career Day assemblies with the Women’s International Trade Association (WITA). Joining were MACHS Chief Executive Officer Dr. Ann G. Waiters, Principal Edward Poznek, and Co-Founder and Chairman of the Board Eugene Mattioni, Esq. WITA members received a tour of the MACHS campus in the Arsenal Business Center complex then spoke to 10th and 12th graders about its mission to raise awareness, inform and educate, and to promote the exchange of ideas. Students were made aware of the wealth of opportunities available in the maritime, shipping, transportation, trade and logistics fields.

Anyone interested in partnering with WITA on similar events or projects should contact WITA1979Philly@gmail.com.
Saying Good-bye is never easy . . .

Well, these three years have certainly gone by very fast! The port has changed a bit since I first got here – new businesses, new facilities, new cargoes have come in and some have left, the channel deepening project has begun and the economy has affected us all. The one thing that hasn’t changed has been the great spirit of cooperation, the willingness to work together throughout the port that makes the Delaware River and Bay such a great place to be.

When Tropical Storm Irene threatened the east coast from North Carolina up to New England, we all worked together before, during and after the storm to minimize any possible damage, keep everyone safe during the event and get the port reopened as soon as possible once the winds died down. Having such strong partnerships established well before the storm formed in the Atlantic ensured our preparations went well.

I want to thank everyone for making my job easy these past few years. I value your insights, advice and willingness to open your offices, vessels and facilities to help my personnel in training billets earn their qualifications. Together, we make the port stronger, safer and more secure.

I know you will welcome CAPT Kathy Moore into the port community as warmly as you did me as I depart for my next assignment as the 14th Coast Guard District Chief of Staff in Honolulu, HI.

Aloha!

Meredith Austin
Captain, US Coast Guard
Commander, Sector Delaware Bay

. . . and sometimes it’s harder than others

Given that a typical Coast Guard tour of duty is three years, and the Corps of Engineers District Engineer stint is only two, perhaps we should be used to saying goodbye to the people with whom we work most closely on a regular basis.

While we might be used to it, seeing colleagues move on is always difficult.

So it is with sadness that we say goodbye to CAPT Meredith Austin, outgoing Coast Guard Captain of the Port, and LTC Philip Secrist, who is ending his tour as District Engineer.

Of course there’s the running joke that they leave as soon as we get them trained. But in all seriousness, we in the Delaware River maritime community have been extremely blessed to have had a lengthy parade of federal partners who have been supportive of issues that are most important to us. That LTC Secrist and his staff worked so hard on the channel deepening project to ensure the Army Corps of Engineers met its obligations was as instrumental to the forward momentum of the project as were the efforts of the tri-state business and labor community to secure the funding.

As helpful as it has been to work in close concert with the Corps of Engineers, that type of collaborative relationship is even more essential with federal agencies – such as the Coast Guard – which regulate our industry. As an advocate for maritime businesses, it isn’t always necessary to have federal agency partner backing, but it certainly does help.

During her tour here, CAPT Austin worked closely with the port community to address issues as they arose and reach consensus on solutions. That being said, we’re also very pleased to note that in the last three years, Exchange members brought nary a single issue of concern related to Coast Guard operations to our attention. Given the diverse array of items we deal with on a regular basis, if this factoid doesn’t highlight the positive working relationship CAPT Austin developed with our community, we don’t know what would.

We wish the best to Phillip and Merrie as they move on to their next assignments. Fair winds and following seas!
SS United States is Backdrop for New Movie

On April 23, principal photography began aboard the SS United States for “Dead Man Down,” a major motion picture from IM Global. The film stars Colin Farrell, Noomi Rapace, Terrence Howard, and Dominic Cooper. The Philadelphia shoot will continue into June.

Visit http://vimeo.com/41401057 to view an eight-minute clip of the film shoot.

Also, stay tuned for more information on “SS UNITED STATES: Made in America,” a documentary which many in the Delaware River Port community recently had the opportunity to view. The film, a successor to the award-winning film SS United States: Lady in Waiting includes extensive new footage and tells the riveting story of the ship past and present.

And as always, we encourage readers of The Beacon to support the work of the United States Conservancy, which is working diligently to restore the ship to her former glory. See www.ssusc.org for more information.

Loading props for “Dead Man Down,” filmed, in part, aboard the SS United States.

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Notes & News

Maritime Exchange Director James D. Schine has joined Delaware River Stevedores, Inc. as Director of Business Development. Best of luck, Jim!

Western Pest Services announced Karen DeChristopher as the recipient of its second annual Women of Distinction Award. DeChristopher, who currently serves as marketing administrator for the company’s Fumigation Division, has been with the company for more than 15 years. The Women of Distinction Award recognizes women at Western Pest Services, a subsidiary of Rollins, Inc., who demonstrate outstanding personal leadership, are involved in the community, help develop women leaders within the company and contribute to the growth of the pest control industry. Congratulations Karen!

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Women’s International Trade Association Woman of the Year Award Dinner
Nicole Renee Race, Occasions, Philadelphia, PA
Contact Margaret Owens: wita1979philly@gmail.com or 856-261-2926

06/13/12
Maritime Exchange Executive Committee Meeting

06/14/12
Mariner’s Advisory Meeting, La Veranda, Philadelphia
Contact Scott Anderson: marinersadvisory@yahoo.com or 215-925-1524

06/18/12
World Trade Association Annual Golf Outing
Little Mill Country Club, Marlton, NJ
Contact: Jon Fuhrer at 609-352-0462

06/20/12
DRPAPATO Board Meetings. Followed by Committee Meetings
Philadelphia Regional Port Authority Board Meeting

07/01/12
Tri-State Maritime Safety Association Board Meeting

07/11/12
Maritime Exchange Board Meeting

07/17/12
Seamen’s Center of Wilmington Board Meeting

07/18/12
DRPAPATO Board Meetings. Followed by Committee Meetings
Philadelphia Regional Port Authority Board Meeting

07/27/12
Area Maritime Security Committee Managing Board Meeting

08/08/12
Maritime Exchange Executive Committee Meeting

08/15/12
DRPAPATO Board Meetings. Followed by Committee Meetings
Philadelphia Regional Port Authority Board Meeting

08/17/12
Area Maritime Security Committee Meeting

09/11/12
Tri-State Maritime Safety Association Board Meeting

09/12/12
Maritime Exchange Board Meeting

09/14/12
Ports of Philadelphia Maritime Society Annual Golf Outing
Springfield Country Club
Ports of Philadelphia Maritime Society Annual Crab Feast
Deck at Harbor Point, Essington, PA

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