Cybersecurity is reaching the maritime domain

With telecommunication and networking technologies so critical to supporting the systems that have become essential to our way of life, the recent rise in cybersecurity has come to the forefront function of the national agenda. In 2013, President Obama deemed cybersecurity as “one of the most serious economic and national security challenges we face as a nation.”

Though cybersecurity is certainly not new, the fears are reaching into the maritime industry. Most people are aware of the recent high-profile security breaches, starting in December of 2013 when Target announced that the credit and debit cards of 40 million customers had been compromised. This was quickly followed by similar revelations from Michaels craft stores, and more recently JPMorgan Chase and Home Depot. Let’s not minimize the electronic incursion attempts, sometimes successful, that have hit marine terminals, federal agencies, and other businesses involved in maritime transportation.

“It’s a matter of realizing the very real nature of this threat, not just to ports but particularly to small businesses, before an intrusion,” said Dennis Tully, president of Ronin Security Solutions. “Small business owners need to understand both the very real existence of cyber threats and the possibility that a breach could disrupt their operations beyond repair. This includes damage to their customers, supply chain, their ability to function on a normal level, and, above all, to their reputations. Once confidence is lost in a small business, it can be difficult, if not impossible, to regain the trust of clients and customers.”

Cybersecurity has been defined in many ways. In essence, it is the ability of a network or an information system to resist, at a given level of confidence, accidental events or malicious actions that compromise the availability, authenticity, integrity and confidentiality of stored or transmitted data and the related services offered by or accessible via these networks and system.

Cyber attacks are increasing dramatically. In its Internet Security Threat Report for 2014, security software giant Symantec Corp. reported a 91% increase in targeted attacks in 2013 compared with the previous year, security breaches in 2013 were 62% greater than in 2012, and twice the number of identities were stolen in 2013 than in 2011. In 2013, companies lost more than 800 million records in nearly 2,200 incidents.

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Admit it. You find it odd to see the words nature lover and 45’ project in the same sentence. But read on to understand how these two terms complement one another in a very positive way.

As noted on the front page of this edition of The Beacon, Vice President Joe Biden came to Penn’s Landing, Philadelphia, to express his support for completing the deepening of the Delaware River main shipping channel to 45 feet. With the completion of the last three contracts awarded by the Corps of Engineers this past summer, approximately 80% of the main shipping channel between the Ben Franklin Bridge and the sea will be at the full project depth of 45 feet. The economic benefit of the project to our regional economy and port has been documented time and again.

But it is worth noting that there are several environmental benefits associated with the construction of this project as well.

One deserving mention is the restoration of Broadkill Beach in Delaware.

In late October, I had the opportunity to make a visit to this community, walk the beach, and see firsthand the need to restore the bayside shoreline.

Broadkill Beach lies along the Delaware Bay bordered on the west by the Prime Hook National Wildlife Refuge, to the South by Beach Plum Island State Park, and to the north by Prime Hook Beach. This small community has been a favorite beach resort for people of the Broadkill Hundred since colonial times. During World War II, a contingent of the Home Guard, a part of the Coastal Defense Forces, was stationed at an observation tower erected along South Bayshore Drive.

While today Broadkill Beach is primarily comprised of vacation residences, it also affords public beach access for swimming and surf fishing.

In addition to these typical summertime recreational activities, Broadkill Beach is a haven for nature lovers to engage in all manner and means of bird watching and other wildlife observing activities. In 2000, Broadkill Beach became the official sanctuary for horseshoe crabs, the state marine animal and a “signature species” of the Delaware Bay Estuary. The beach has actually been designed to accommodate horseshoe crabs, whose eggs provide vital food and energy for millions of migrating birds every spring. In addition, special accommodations are being made to ensure the crabs’ safety during construction of the beach.

Approximately one million cubic yards of sand dredged from the adjacent channel (referred to as Reach E) will be placed on Broadkill Beach. This sand will be utilized to restore the upland beach and dunes, and the restoration will cover the entire length of the beach.

So there you have it. Nature lovers and the 45’ project can not only co-exist but can do so in an environmentally responsible and mutually beneficial manner. Grab your binoculars and see you at Broadkill Beach.

Nature lovers can appreciate benefits of the 45’ project

![Broadkill Beach](image)
New Port Director hits the ground running

Observations from the CBP Port Director

By: Susan Stranieri, Area Port Director
U.S. Customs and Border Protection

With great excitement and anticipation, I arrived in Philadelphia in March 2014 to assume the Area Port Director position with U.S. Customs and Border Protection. With 27 years of government service, primarily in South Florida and a brief stint in Virginia, I was pleased to become a part of this very energetic maritime community.

The enormous volume of cargo immediately struck me, particularly agricultural products, entering up and down the Delaware River from so many regions of the world.

As I ventured out to meet members of the maritime community, including participating in my first Maritime Exchange meeting, I was impressed with the great sense of community; so many of you came forward to offer support to the need for increased attention to security. Through those early days, I was able to become acquainted with your business endeavors and soon realized that many businesses began, and continue to operate, as family-run businesses. Your long-standing traditions have contributed to an already rich and vibrant maritime industry.

Fueled by a storied history in Philadelphia and throughout the region, I am pleased to report that CBP has played a small part in the local historical scene as well. Our port offices, located in Old City at 200 Chestnut Street, will celebrate our 80th anniversary at the Customhouse this November. This beautiful multi-agency government building underwent significant renovations last year. It is truly a local treasure. I invite you to visit us if you get a chance and to share our little piece of history.

As for CBP history, since its creation in 2003, this agency has enjoyed a strong and successful partnership with the trade community, derived from a framework developed over two hundred years ago by the U.S. Customs Service and later with our partner agency, the U.S. Department of Agriculture.

The relationships we created, and the communication lines we forged together, have provided CBP the ability to collaborate successfully and seamlessly on important trade issues of today.

As there are more people and goods coming through our ports of entry than ever before, travel and trade play a critical role in the nation’s economic growth. CBP recognizes its role in driving that growth through our trade and travel facilitation mission and seeks to develop creative business strategies to successively address economic development.

Locally we seek new and creative ways to address increased workload challenges. Most recently, CBP Philadelphia identified and obtained technology that improves connectivity, enables faster release of cargoes, coordinates examinations of goods in ways that cause less disruption and impediment to transportation schedules, and identifies new resource opportunities to benefit the maritime industry.

In support of these increasing volumes, CBP developed a comprehensive Resource Optimization Strategy that includes Business Transformation Initiatives that identify alternate sources of funding to include public-private partnerships.

Section 559 of the Consolidated Appropriations Act, 2014 allows CBP to support requests for expanded services as well as improvements to infrastructure through both reimbursable service agreements and donation acceptance authority, respectively. Reimbursable services under Section 559 include customs, immigration, and agricultural processing; salaries for additional staff; and overtime expenses at airports. The new donation acceptance authority provides even greater flexibility through the General Services Administration to accept donations of real or personal property or non-personal services to be used for construction, alterations, operation, or maintenance of a new or existing port of entry.

CBP views these authorities as an opportunity to work proactively with stakeholders and communities to identify business solutions for a variety of border management needs.

Addressing cybersecurity challenges

continued from page 1

The risks in the maritime industry are vastly different from those in other sectors. As we have seen, in the physical world, threats in the maritime domain include the importation of dirty cargo or thespread of terrorists as weapons. “The maritime domain in particular . . . offers a broad array of potential targets that fit the terrorists’ operational objectives of achieving mass casualties and inflicting catastrophic economic harm,” according to a recent Government Accountability Office report on cybersecurity readiness.

“The increasing volumes of shipping data moving electronically, the fact that the partners are spread across the globe, and that marine terminals depend on automated systems to conduct operations all point to the need for increased attention to the security of the systems used in the cargo supply chain,” said Exchange Vice President Lisa Himber.

The federal government is stepping up to meet that challenge. The U.S. Department of Homeland Security fiscal year 2015 budget includes $1.25 billion for activities on cybersecurity initiatives, up from $778 million the previous fiscal year.

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The Beacon 4

ships—two laden crude oil on: there were commercial situation they hadn’t planned were faced with a challenging commercial environment. They and make safe mines in a exercise their abilities to locate Navy were participating to the U.S. Navy and Canadian throughout.

This is an Exercise…MARSEC 2 was directed by the Department concerns nationwide, our Sector intelligence about security Eventually, spurred by Exercise we established a Security Zone. of the lower Delaware Bay so needed to keep everything out lower Delaware Bay we received word mines detonated near the exercise ships.

This is an Exercise… But the weather and the divers and the equipment were all real and Hurricane GONZALO contributed challenges to the tasks for divers to try to find the mines. And here at Sector, the exercise Unified Command put a plan together to get as many ships as possible to be able to move despite losing access to the lower bay.

This is an Exercise… suddenly we received word there may be an exercise device at the Port of Wilmington. We set exercise MARSEC 3, evacuated the pier, and tried to find resources to deal with the new risk. More lives were at risk since three exercise ships were there at the pier. The economic consequences and ramifications to our region were mounting.

Exercise risks were popping up around the nation. We attempted to stay focused on reopening our port and waterway.

This is an Exercise…Port of Wilmington reopened, two ships safely evacuated from the exercise anchorage, exercise channel cleared. Well, we’re 95% sure it’s cleared…

And that’s the real fact that we took away from this exercise. Once everyone is finished with all their sophisticated equipment, there is no way to be 100% sure all the risk has been removed. If we don’t know how many mines went in the water, we have no way to be 100% certain they have all been dealt with. And that is one of the reasons why we exercise and why mines are still one of the most popular tools of war. ‘A mine is a terrible thing that waits’ is a phrase that the Navy uses to describe the threat, but the statistics are more worrisome: mines have seriously damaged or sunk four times more U.S. Navy ships than all other means of attack combined! And so, we all worked together to address the threat in this exercise. And we are all grateful, This was an Exercise!!

Frontier Sentinel comes to Delaware Bay

The Frontier Sentinel series is an annual exercise program focusing on interagency information exchange, planning, and response efforts between the U.S. Coast Guard, U.S. Navy and Canadian Joint Task Force Atlantic in the maritime arena. Created in 2006, the program focuses on security and defense threats and is conducted in various ports along the Atlantic Coast.

This year’s exercise was held from October 16 through October 24 and concentrated efforts on responding to a mine threat in the Delaware River region. Participants included personnel from Coast Guard Sector Delaware Bay, the U.S. Navy, Canadian Navy, as well as other federal agencies and local port partners such as the Pilots Association and the Maritime Exchange.

Though it takes a tremendous amount of time, money and energy to conduct this type of event, everyone agrees it is worth it. As you’ll read in Capt. Kathy Moore’s article, the exercise this year proved to be a success – it provided a valuable method to assess the ability of a multi-agency response force to integrate efforts as well as test regional response plans for any given threat. Exercises such as this provide a mechanism to evaluate emergency response procedures, identify areas for improvement and help achieve a collaborative attitude. As the saying goes, proper planning prevents poor performance.

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Data sharing and transmissions in this organization. Educating employees is of vulnerabilities happen within an organization. We have to identify what doesn’t work?” how do we prevent it? What works and what doesn’t work?”

The John E. Babiarz Maritime Award, first presented in 1999, was created to recognize those individuals who have made a significant contribution to the Port of Wilmington, taking into account all aspects of the port’s activities and contributions to Delaware’s economy and its citizens.

This year, the Port of Wilmington Maritime Society proudly presented this esteemed award to Charles Meyers, senior operations project manager in the Operations Division of the Corps of Engineers, Philadelphia District received the Port of Wilmington Maritime Society 2014 John E. Babiarz Award on November 11. Hick Rowland, vice president of the Maritime Society, presented the award.

Charles J. Myers (left), Senior Operations Project Manager in the Operations Division of the Corps of Engineers, Philadelphia District received the Port of Wilmington Maritime Society 2014 John E. Babiarz Award on November 11. Hick Rowland, vice president of the Maritime Society, presented the award.

The presentation ceremony was held in conjunction with the POWMS Annual Dinner on November 11.

Infotech Tackles Security

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over the previous year. Further, the average number of security incidents detected in 2013 was 135 at each of the 500 businesses, law enforcement services, and government agencies surveyed. The study was co-sponsored by PricewaterhouseCoopers, CSO Magazine, Carnegie Mellon University and the U.S. Secret Service.

“Whether or not they only account for incidents that were detected. The true challenge of cybercrime is that it can go undetected for months or even years at a time.”

While each port has its own strategy for protecting its network, all agreed that identifying, planning, and implementing cybersecurity measures are, or should be, at the top of everyone’s IT agenda.

“We’ve progressed far beyond the days when setting up a simple firewall will get the job done,” said Joe Petruzzi, director of management information services for the Philadelphia Regional Port Authority. “What’s needed is a multi-layered solution that not only includes traditional protection measures and encryption, but also involves continual monitoring and alerts, education for employees, strategies to mitigate attacks, and recovery plans in the event of a breach. As we have seen, data breaches will occur despite active measures taken by organizations. We have to identify what a breach looks like and ask ourselves, how do we prevent it? What works and what doesn’t work?”

Petruzzi noted that the majority of vulnerabilities happen within an organization. Educating employees is a key step to prevent misuse of data. Data sharing and transmissions in this day and age are inevitable, but we do not want the information getting into the wrong hands and used in a manner for which it was not intended.

Infotech discussed both the technical hurdles to preventing electronic incursions and the tools to combat cyber attacks. Of primary concern are the challenges associated with obtaining internal staff and financial support for such endeavors. IT professionals recognize that network security is competing with revenue-producing operations and marketing initiatives for scarce budget dollars.

To raise awareness of the critical need for increased cybercrime countermeasures, Infotech is organizing a cybersecurity workshop in the spring of 2015. By educating port IT personnel about national and regional efforts underway as well as tools implemented successfully – and some that were not – the committee hopes to better arm attendees technically as well as help them educate their own stakeholders as to the pressing need for increased cyber preparedness.

“There is a wealth of information available to IT professionals to help combat cyber threats,” Fink said. “But for many, just getting started can seem like a daunting and overwhelming task. Through the seminar, we hope to demystify cybersecurity a bit for the uninitiated while still engaging more experienced personnel.”

Infotech members recommend that ports and other organizations consider using the National Institute of Standards and Technology Cybersecurity Framework. “The framework doesn’t prescribe a specific security regimen or specific tools,” Fink noted. “Rather, it provides a roadmap to help organizations of all sizes manage risk according to their own operations and level of risk tolerance.”

Organizations can use the framework to determine their current level of cybersecurity, set goals that are in sync with their business environment, and establish plans for improving or maintaining their cybersecurity. For those companies that already have a strategy and plan, the framework is meant to complement existing measures. Those without an existing cybersecurity program can use the framework as a reference to establish one. See www.nist.gov/ cybersecurityframework/index.cfm for more information.

Regardless of the size of an organization or the level of its technical sophistication, Infotech members have a message for colleagues: If you haven’t started thinking about protecting your network and data, you need to start planning now. And if you already have a plan and tools in place, look at it again. And again. Cyber criminals are certainly doing more than just thinking about it – they are constantly planning, evolving, and being creative. Are you?
World Trade Association Honors Horizon Lines

The World Trade Association of Philadelphia honored Horizon Lines as its 2014 Company of the Year at the Cescaphe Ballroom on September 17. Pictured (l-r) Richard Clark, Michael Bodanor, Steven Rubin, Mark Pagonis, John Catechis, Regina Walsh, Kenneth Anders, Geoff Thurston and Joe Rodriguez, from Horizon Lines.

Experts: Major cyber attack will hit in next 11 years

Almost two-third of technology experts expect a “major” cyber attack somewhere in the world that will cause significant loss of life or property losses in the tens of billions of dollars by 2025.

A survey released October 29, 2014 by the Pew Research Center found that many analysts expect disruption of online systems like banking, energy and health care to become a pillar of warfare and terrorism. The survey notes there was little disagreement among recipients that the spread and importance of the Internet in the lives of people, businesses, and government agencies exposes them all to new dangers.

See www.pewinternet.org/2014/10/29/cyber-attacks-likely-to-increase/ for more information.

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Executive Director Capt. Kip Louttit. "The Long Beach Vessel Traffic Service," said they're active users of the Los Angeles-Long Island, N.Y. and like many of us, loved the sea and headed to Fort Schuyler. He graduated in 1942 with a third engineer's license and went to sea in the U.S. Merchant Marine. It would not be long before his Grace Line ship would be torpedoed in the North Atlantic, but he survived and soon after got his next ship. By war's end he was sailing Chief Engineer and came ashore to work for Westinghouse.

It was at Westinghouse where he heard about a project of William Francis Gibbs to build the fastest passenger ship in the world. Bill would move to Newport News, Va. to supervise the installation of the Westinghouse steam turbines that would provide 225,000 horse power to the "SS United States." He stayed with the ship until she was launched in 1952 and then made eight round trips as a guarantee engineer for Westinghouse. His wife Jean of almost 70 years would say he also managed to wear out the seat of his tuxedo in the ship's bar on those eight round-trip voyages.

Bill continued to hold executive engineering positions in N.Y. until 1971, when he was tasked by the Central Intelligence Agency to supervise construction of the spy ship "Hughes Glomar Explorer" in Chester, Pa. Using the cover provided by Howard Hughes, the ship would go on to raise part of a Russian nuclear submarine in the Pacific and go down as one of the most successful feats ever completed at sea. Unlike many crew members who would reveal the details to the press, Bill would never talk about the operation because of the secrecy oath he had taken with our government. It would not be until 1979 when I would finally meet this amazing man after I was transferred from Brussels to Wilmington with DuPont. Bill had joined DuPont a few years earlier as Principal Engineer for DuPont's marine fleet. For the next 35 years we would remain the best of friends, and we saw each other often. We talked most about the "SS United States," and he visited her many times here in Philadelphia. Recently I brought some of his family to spread his ashes near the ship he loved so much.

I know that friends and colleagues such as Hick Rowland, Art Sulzer (Bill was a classmate of Art's father), Nick Manzi, and Susan Gibbs (her grandfather designed the ship and knew Bill) will miss him like I do.

For those who didn’t know Bill Wilbert, you now know something about this great man.

Fair winds and following seas.

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MISNA members serve ports throughout the country

continued from page 1

last few decades, and nowhere is that more evident than here in New York. "Like MAPONY, and other member-based organizations such as the Virginia Maritime Association, the Port Bureau in Houston divides its efforts between vessel movement information development, maritime advocacy, and providing a forum for networking in the busiest port in the country. "We're the 4-1-1 of the port down here," Diehl said.

Similarly, the Merchant's Exchange of Portland, Oregon, headed by Executive Director Liz Wainwright, manages the state’s Maritime Fire and Safety Association – an organization which provides an umbrella oil spill contingency plan/vessel response plan to members transiting Oregon's coastal and inland waters.

The Marine Exchange of Southern California runs a very different organization. "For those working in our ADR, or carrying passengers for hire, we have a mandate to ensure that they're active users of the Los Angeles-Long Beach Vessel Traffic Service," said Executive Director Capt. Kip Louttit. The system is operated by the Exchange in partnership with the U.S. Coast Guard – which maintains active duty billets at the Marine Exchange – the L/LBS VTS tracks vessels, maintains traffic lanes, and checks transients in/out of the nation’s largest container port complex.

The Marine Exchange of the San Francisco Bay Region balances its non-VTS vessel tracking responsibilities with close working relationships with local, state, and federal authorities. "The Coast Guard’s Harbor Safety Committee was a product of the Marine Exchange and has served as a model for the state committee" said Capt. Lynn Korwatch, executive director of the Exchange. Similarly, Baltimore and Jacksonville both provide ship-to-shore communications and real-time traffic information while working with the local Coast Guard to coordinate local Harbor Safety Committees.

The Maritime Exchange for the Delaware River and Bay has added to its portfolio of advocacy and vessel reporting services by providing access to CBP's Automated Commercial Environment through its TRACS program, and it has developed an automated electronic tool to submit advanced vessel arrival, departure, and crew list information to the Coast Guard to meet federal reporting requirements. "With three states and multiple public port authorities in this region, we were asked by the local port community to undertake the role to facilitate federal information filing," according to Exchange President Dennis Rochford.

Perhaps the most expansive – and certainly the most technically challenging vessel tracking projects belongs to the Marine Exchange of Alaska. From its homeport in Juneau, Capt. Ed Page and his team have installed over 90 AIS sites over a 2,000 mile expanse from the Canadian Border to the remote Aleutians. "We have a team of adventurous men who think nothing of packing a sleeping bag, bear protection, and tools, and heading off to remote areas of Alaska on a boat, helicopter, or float plane to build an AIS site," Page said.

With products and services ranging from research/advisory roles to active administration/management to 24-7-365 vessel tracking, MISNA is a vibrant organization with tangible impacts in ports across the country. Have questions? No matter what port you’re operating in, the answer is probably just a local phone call away.

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Crossing the final bar

We have recently lost an important part of the Delaware River history, and I have lost one of my best friends. Because Bill Wilbert was a quiet modest man, most people may not recognize his name. He grew up on Long Island, N.Y. and like many of us, loved the sea and headed to Fort Schuyler. He graduated in 1942 with a third engineer’s license and went to sea in the U.S. Merchant Marine. It would not be long before his Grace Line ship would be torpedoed in the North Atlantic, but he survived and soon after got his next ship. By war’s end he was sailing Chief...
Episcopal Church of the Ascension Receives Seafarer’s Friend Award

The Seamen’s Center of Wilmington bestowed this year’s Seafarer’s Friend Award upon the Episcopal Church of the Ascension, located in Claymont, Del. The ceremony took place on November 11 at the 37th Port of Wilmington Maritime Society Annual Dinner.

SCW first honored the Pilots’ Association in 2004 and has annually selected a maritime business, organization, church or individual as a means of recognizing community members that have gone above and beyond in their dedication to seafarers and the Seamen’s Center of Wilmington.

Episcopal Church of the Ascension has been a true stand out in its support of the Center. “The small Ascension congregation is a passionate group that supports many causes, and it does so with high goals and very limited funds. They are truly the ‘Little Engine That Could’ in our long list of dedicated supporters,” said Joan Lyons, SCW executive director. For many years church members have gathered hundreds of items to be included in ditty boxes for the Christmas at Sea program, and they follow up by bringing a group into the building to help with the packing and wrapping. Last year 12 volunteers spent two hours in the Center and quickly filled and wrapped over 200 ditty boxes. Just like everything that seems to happen at Ascension, once the Outreach Committee carefully selects a cause, everyone jumps in to back that journey in helping others. Ascension member Mike DuRoss became a volunteer at the Seamen’s Center back in 2008. He immediately started recruiting others to join the SCW crew. One Ascension member, Leo Mozzoni, who also happens to be the owner of Naaman’s Beverage Mart, often provides beverages for the Seamen’s Center Spring Tug Boat Cruise. “The Center has been proud to work with such a dedicated, caring group of individuals who set goals, challenge each other and work to help those less fortunate,” Lyons said. Their efforts have not only reached seafarers arriving in Delaware, they have also helped relief funds all over the world, food closets, the homeless, the local Boys and Girls Club of Delaware and even the local fire company.”

Visit www.scwde.org for more information on the Center and its activities.

Governor Corbett and port welcome new Brazilian service to Philadelphia

Pennsylvania Governor Tom Corbett visited the Philadelphia Regional Port Authority’s Tioga Marine Terminal on September 10 to officially welcome the cargoes of Fibria Celulose, a major Brazilian pulp and paper company. Fibria selected Philadelphia in December 2013 after many meetings with Governor Corbett’s office, the Philadelphia Regional Port Authority, and Delaware River Stevedores, the operator of the Tioga Marine Terminal.

During the welcoming ceremony, the first Fibria ship “Toki Arrow” unloaded cargo in the background – the first of an expected 18 to 20 ship calls a year. Joining the Governor (podium) were (l-r) ILA President Boise Butler III, Capt. Jonathan Kemmerley of the Pilots’ Association for the Bay & River Delaware, PRPA Chairman Charles G. Kopp, DRS President Robert Palaima, Colin Bilton of Fibria, and Fr. Peter Stube of the Seamen’s Church Institute.
SCI fights for the men of the “Nikol H”

By: Trish Johnson, Director of Communications
Seamen’s Church Institute of Philadelphia and South Jersey

In April, the “Nikol H” discharged its load of Cocoa Beans and during a routine Coast Guard inspection was cited with operational deficiencies and ordered not to sail until repairs were made. It remained at the pier for a month until the Coast Guard deemed her safe to sail. By that time however, it became clear to vendors and the pier operators that the company was no longer paying bills, and they joined together to sue the ship owners in federal court, causing the ship to be stopped in her tracks and arrested on the Delaware River.

The ship, with its 23 crew members on board, became a floating prison from May to August. With the help of John Coleman of Coleman Launch, the Seamen’s Church Institute, or SCI, was able to visit the ship to provide comfort, necessities and worship services to the men on board.

Around this time, the story was picked up by Linda Lloyd of the Philadelphia Inquirer and eventually the Associated Press. This press coverage helped us get the story out and draw the public’s attention to the issue.

When the “Nikol H” finally docked at the Navy Yard, life did not get much better for the seafarers. Their 29-day parole had expired, and they were unable to obtain an extension which would allow them shore leave, so they remained stuck on board. The men wanted to leave the ship to get the recuperation they needed, and SCI was determined to make it happen.

SCI and the ship agent, Rodney Richards of G.M. Richards, worked with Edward Moriarty, assistant port director for Customs and Border Protection to get these men the proper documentation. In early September our efforts paid off. We were able to extend visas for the seafarers, and they were finally able to enjoy some much needed relaxation outside the confines of the ship.

During that time, the men continued working on their ship, doing repairs and maintaining the vessel as they awaited news about their future. SCI continued supporting the men through access to shore leave and weekly worship services on board. Fr. Bill Rex looked forward to his Sunday worship services with the seafarers, saying, “Whatever issues they had from the week seemed to lift off their shoulders during our time together.”

Finally, in late October, a buyer emerged. As of the end of the month, all the men of the “Nikol H” were on their way home to see their families after a six-month ordeal. SCI was with them every step of the way, and we are overjoyed that they finally get to continue on with their life’s journeys.

The ship sailed in November after a new crew had come aboard under the new owners. They continued to work on the ship, completing the necessary repairs to get it ready to sail. SCI remained involved with this new crew, providing them the same support while they were here in Philadelphia.

We also continue our work with local government officials to ensure processes work more smoothly in the event something like this happens again. While it is inevitable that ships may be arrested and stranded here, it is our hope that we can collaborate with CBP to expedite the process of getting seafarers visa extensions. No person should be confined to such a small space for such an extended period of time. We greatly appreciate all the support from everyone in the maritime community as we extended a helping hand to the crew members of the “Nikol H.”

For more information about SCI or its mission, or to donate or volunteer, please visit sciphiladelphia.org.
Aramark to receive Friend of Chile award

The Chilean American Chamber of Commerce will host this year’s annual award luncheon on November 19. This annual event celebrates and recognizes the strong and deep commercial, trade, cultural and diplomatic relationship between the Greater Philadelphia region and the Republic of Chile.

Receiving this year’s Friend of Chile Award is Aramark. With approximately 20,000 employees, Aramark is the largest employer in Chile. Its operations are based in Santiago where Aramark predominately serves the country’s education, healthcare, mining, and business and industry sectors.

Also part of the festivities this year, John Anderson, chairman, president and CEO of the Oppenheimer Group, receives the Lifetime Achievement Award.

Oppenheimer was one of the first produce companies to create a large-scale winter fruit shipping program from Chile to the western U.S. and Canada in the late 1960s and early 1970s. The company opened an office at the Port of Wilmington in 1985, enabling it to bring apples, pears and kiwifruit from New Zealand to customers in the eastern U.S.

Four years later, Oppenheimer brought its first Chilean product into the Port of Philadelphia, and it now utilizes four major facilities on the Delaware River to import grapes, berries, cherries, citrus, kiwifruit and stone fruit from Chile. In a typical year, Oppenheimer receives 4.5 to 5 million cartons of Chilean produce through the Delaware River region.

Congratulations to both Aramark and Mr. Anderson on your achievements!

CCAC will present its Lifetime Achievement Award to John Anderson, chairman, president and CEO of the Oppenheimer Group at its annual luncheon.
New class of shipping vessel calls Port of Philadelphia

“Monte Rosa” starts a new phase of shipping

In October, a new class of shipping vessel called the Port of Philadelphia to begin a new phase of transport along the Delaware River. The “Monte Rosa,” a 5,500 TEU vessel operated by Hamburg Süd, docked at the Packer Avenue Marine Terminal in South Philadelphia for the first time, marking a substantial expansion of existing refrigerated cargo capacity between North and South America.

“The ‘Monte Rosa’ represents the next generation of refrigerated cargo ships to dock in Philadelphia,” said David Whene, president of Greenwich Terminals LLC, which operates the Packer Avenue facility. “As the first of several 5,500 TEU ships to be phased into the existing East Coast-Brazil service line, this vessel will greatly increase our capacity to deliver fresh South American produce to the Philadelphia market and beyond.”

The “Monte Rosa” is one of 10 “Monte” class vessels built by Hamburg Süd. The ship was completed in 2005 and has an on-board capacity of 5,562 TEUs, of which 1,356 slots can be used with refrigerated container plugs for transporting perishable cargoes. The ship is the first of seven 5,500+ TEU vessels to begin weekly service between the east coast of the U.S. and South America. Hamburg Süd is a longtime shipping partner with the Port of Philadelphia, having actively called the port for the past 40 years.

CBP Port Director addresses the issues

continued from page 3

Last spring, CBP Philadelphia provided support to many local businesses during the solicitation of the 559 program, and I am proud to report that Philadelphia-area businesses were accepted into the program at a higher rate than in any other region in the nation. CBP is expected to announce a second 559 application period in early 2015, and CBP Headquarters has a team in place to provide support and guidance to prospective applicants. Locally, CBP Philadelphia will continue to advocate business leaders to take part in this innovative program.

CBP Philadelphia will continue to identify new technology options, solicit additional resources, and seek to revitalize its community outreach programs relating to maritime security. Working first with our federal and law enforcement partners, we will begin direct discussions with maritime stakeholders on issues relating to vessel and container security all along the Delaware River. Each of us plays important roles to ensure cargo that enters the U.S. from foreign is free from infiltration of contraband of any type. CBP Philadelphia will be meeting with vessel security, vessel agents, terminal operators, and other business leaders to improve lines of communication and to facilitate information exchange opportunities in the maritime environment.

As we begin fiscal year 2015, CBP Officers, Import Specialists, Agriculture Specialists, Entry Officers and I remain committed to working in partnership with you to move goods efficiently and safely into our economy. Thank you again for your assistance in my transition and my best to all of you in the coming year.
Eugene Mattioni appointed to Navigation Commission

Eugene Mattioni, shareholder at Mattioni, Ltd. and Exchange Director, has been appointed by Philadelphia Mayor Michael Nutter to the Navigation Commission for the Delaware River and its Navigable Tributaries. “The citizens of Philadelphia and I are grateful to you for assuming this important role and for helping to ensure the safety of our local rivers,” Mayor Nutter said in a letter.

The term extends through November 2018.

Mattioni is a long-time supporter of the Delaware River maritime community. In addition to his service on the board of the Maritime Exchange and regular contributions to this newsletter, he is a founding Member of the Maritime Academy Charter School and currently serves as its Chairman. Most recently, Mattioni received the Ports of Philadelphia Maritime Society “Person of the Year” award. He is also a recipient of the United States Merchant Marine Academy Meritorious Alumni Service and Outstanding Professional Achievement awards and was president of the Philadelphia Chapter, USMMA Alumni Association.

Since its inception in 1907, the Navigation Commission has been vested with the authority to grant licenses to Pennsylvania pilots and regulate the services they provide. Included among the Commission’s many responsibilities is the authority to decide differences which may arise between masters, owners and consignees of ships and vessels, and pilots. It also establishes regulations governing the application, qualifications, recruitment, selection and training of apprentices. Further, the Commission has the power to promulgate regulations, and it is authorized to impose penalties on licensees who do not follow the Navigation Act and its own regulations.

The Exchange extends its sincere congratulations to Gene on this prestigious appointment.
In October, the Philadelphia Regional Port Authority released a Request for Expressions of Interest, or REI, for the development of its Southport Terminal Complex, located on the Delaware River in South Philadelphia.

The request invites respondents to submit development concepts for the following sites in the Southport Complex: the Southport Marine Terminal (119 acres); the Southport West Terminal (75 acres); and Pier 124 North Berth, a 1,132-foot long finger pier adjacent to the 119-acre site.

The PRPA, an independent agency of the Commonwealth of Pennsylvania, is interested in exploring one or more public-private partnerships for the design, build, finance, operation and maintenance of the sites. Respondents may submit expressions of interest for one, two, or all of the sites. Permitting, pre-construction and site configuration work have already been undertaken at each of the sites, but PRPA encourages respondents not to feel constrained by previously-envisioned uses for the Southport sites. All development concepts consistent with PRPA’s mission to enhance trade and commerce will be considered.

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PRPA issues REI for Southport

Multiple parcels of land available for maritime and general industrial use

A short video presentation summarizing the REI can be accessed via https://vimeo.com/106387964.

For copies of the official REI contact Robert Blackburn (rblackburn@philaport.com), Sean Mahoney (smahoney@philaport.com), or Kate Bailey (kbailey@philaport.com) of the PRPA.
Increasing cybersecurity awareness

The Department of Homeland Security has deemed October as National Cybersecurity Awareness Month. In our daily workdays, most of us don’t spend a great deal of time thinking about cybersecurity.

This is exactly the point. DHS wants to get us thinking about it.

Cyber attacks generally fall into one of two broad categories. The first, cybercrime, is typically financially motivated and includes such activities as fraud, identity theft, and software piracy. The second is cyber terrorism, which is generally politically motivated and designed to instill economic chaos, fear, or worse.

In the maritime industry, we need to be concerned about both.

Certainly we might be attuned to announcements that our favorite retailers have been compromised and pay attention to our accounts for a while. Many have obtained identity theft protection, and that is certainly a good idea.

But how proactive are we about our own practices? Even today, a substantial number of people still use 1-2-3-4 as a password, or use the same password for multiple accounts. About 76% of network intrusions involved weak credentials, according to a recent Verizon study. And that is just the tip of the iceberg. There are many other opportunities for criminals to access our systems.

As employers, we need to implement policies that mandate frequent password changes and prevent the use of similar passwords over time. As users, it is essential that we follow good password management practices, such as using combinations of upper/lower case letters, numbers and special characters. This is a great place to start, but it is only the beginning.

On October 17, President Obama signed an Executive Order calling for “all agencies making personal data accessible to citizens through digital applications” to “require the use of multiple factors of authentication and an effective identity proofing process.” This is the right approach. Using only a login name and password is no longer sufficient protection, particularly when we learned this past August that a Russian crime syndicate was able to amass a staggering 1.2 billion stolen user name/password combinations and 500 million individual email addresses. More recent reports indicate the group is still active and gaining ground.

Multi-factor authentication involves the use of at least two of three forms of identification: something you know (password, answer to a challenge question); something you have (token or smart card); and something you are (biometric). While this is at once more expensive to install and time consuming to use, moving forward it seems clear most of us would want the added security.

In this issue of The Beacon you’ll read two articles which highlight both the needs for and challenges of implementing additional cyber protections. If you haven’t read them yet, we encourage you to do so.

Think about what would happen if your computer network were down for an extended period of time because someone stole an employee’s password or exploited a backdoor or faulty firewall configuration. Like with many risks, it may not be possible to eliminate cyber threats altogether, but there are steps that can be taken to mitigate them.

We tend to be reactive rather than proactive when it comes to security measures. This is one we can see coming.

Let’s not wait until it’s too late before taking steps to protect ourselves.

USDA cold treatment “pilot” update

As we’ve often said in this column, the wheels of government often turn slow, but sometimes they turn exceedingly fine.

Such was the case in mid-September, when the Exchange received a response from Osama El-Lissey, deputy administrator for the USDA Agriculture and Plant Health Inspection Service Office of Plant Protection and Quarantine, to a letter we had written earlier in the summer.

As a reminder, the Exchange and its members had expressed concerns over public announcements that appeared to suggest that USDA was beginning a new cold treatment pilot program at the Port of Savannah, a program that was purported as being somehow unique to that port.

Mr. El-Lissey wrote the following:

In your letter, you stated that the APHIS stakeholder announcement had led to widespread misconceptions. You were also correct to point out that other ports are eligible to receive these commodities if proper cold treatment is completed before the containers are removed from ships.

To clarify the matter, USDA issued a new public statement. We thank Mr. El-Lissey for his responsiveness. Sometimes you can indeed fight City Hall.

*Editor’s Note: it is entirely possible at Delaware River ports to discharge containers undergoing cold treatment at any stage and continue cold treatment dockside if necessary. Just sayin’ . . .
The Court of Appeals for the Federal Circuit (CAFC) issued an en banc decision on September 16 that potentially places individuals involved in the import process, but not acting as an importer of record, at risk for penalty liability on importations made by their companies. Buyers, compliance personnel, import managers, and others who “introduce” goods into the United States may be held jointly liable with the importer of record even for simple negligence, with no requirement for actual knowledge or intent to violate any laws or regulations.

The case itself, United States v. Trek Leather and Harish Shadapuri, involved an owner and officer with apparent (but never actually admitted) actual knowledge of the failure to declare certain assists. Customs asserted joint and several liabilities for both the company and the owner/officer, alleging fraud as well as gross and simple negligence.

The CAFC made clear that negligence, including simple negligence, and not actual knowledge of the false information was needed. The decision was not based on the individual being an owner and officer, but on the submission of false information. It was not necessary to “pierce the corporate veil” as the individual had personally committed a wrongful act, and was not relieved of liability by the fact it was performed on behalf of another.

The CAFC also set forth a broad definition of “introduce,” finding that it “covers actions that bring goods to the threshold of the process of entry by moving goods into CBP custody in the United States and providing critical documents (such as invoices indicating value) for use in the filing of papers for a contemplated release into the United States commerce even if no release ever occurs.” One commentator has stated that position may be broad enough to include freight forwarders and Customhouse brokers, as well as company employees, provided that negligence involving false documents or information can be shown.

It is too early to know whether an appeal will be filed, or how Customs may apply the determination. Individual liability has been asserted by Customs in the past for higher level personnel, and is being used much more often in anti-corruption and export violations. The threat of personal liability may be used to induce testimony regarding an employer’s activities. It would seem prudent for persons in positions where liability could be asserted to make extra efforts to correct discovered errors quickly and intensify compliance activities.

Steven W. Baker is the principal of the Law Offices of Steven W. Baker. He has practiced Customs and International Trade Law in the San Francisco Bay Area for over 35 years.

Steven W. Baker, Esq.

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Notes & News

In October the Ports of the Delaware River Marine Trade Association (PMTA) Executive Committee unanimously agreed to promote Gina M. Petrille from director of operations to vice president. In addition to serving as vice president, Ms. Petrille also serves as a trustee of the PMTA-ILA Benefit Funds as well as the PMTA-SOP&GU Fringe Benefit Funds. She is a graduate of Rutgers University with a Bachelor’s Degree in Business Management and a resident of South Jersey. Congratulations, Gina!

Ms. Trish Johnston recently joined the team at the Seamen’s Church Institute of Philadelphia and South Jersey. Ms. Johnston comes to SCI through the Episcopal Diocese of Pennsylvania’s Servant Year program. A native of Wilmington, Del., she recently graduated from St. Lawrence University with a B.A. in Sociology and eventually hopes to obtain a Master’s in Social Work. She is looking forward to serving at SCI this year, serving as a ship visitor, volunteer coordinator and director of communications. Welcome aboard, Trish!

Rawle & Henderson’s 2014 Komen Race for the Cure race team Henderson for Higgins Struts for the Sabos was honored at the Komen Appreciation Celebration in Philadelphia. The race team won the First Annual Law Firms for the Fight Award and was the biggest and highest-fundraising law firm team in 2014. The firm’s race team had 68 participants and raised $8,592. Over the last seven years Rawle & Henderson’s team has raised over $51,000. The race team honored, for the seventh year in a row, former partner Ann-Michele Higgins, who lost her struggle with breast cancer in September 2007. Nancy J. Sabo, wife of partner Michael G. Sabo, Esq., lost her courageous fight against breast cancer in January at the age of 53.

In October H & M International Transportation, Inc. and J. Cloffi Cargo Management announced an agreement to merge their Medley, Florida trucking operations. This combination brings together the best of both companies to do more for its customers. Charles Connors, president and chief operating officer, will continue to lead H & M Terminals Transport Corp. A steering committee has been formed to oversee the integration for both employees and customers.

Welcome Aboard

Nanco Distribution Company
3333 South Front Street
Philadelphia, PA 19148
215-463-3300
nanco@procaccibrothers.com
www.procaccibrothers.com

River Services
The Navy Yard, Building 669
5120 South 17th Street
Philadelphia, PA 19112
610-742-0299
scottcointot@outlook.com

Wide Area Security Corp.
1950 Butler Pike, Suite 140
Conshohocken, PA 19444
800-561-1769
info@wideareasecurity.com
www.wideareasecurity.com

Members on the Move

Philadelphia-Israel Chamber of Commerce
200 S. Broad Street, Suite 910G,
Philadelphia, PA 19102
215-703-3135
Email: picc@phillyisraelchamber.com

Calendar of Events

11/18/14 Philadelphia Regional Port Authority Board Meeting
Traffic Club of Philadelphia Industry Night
Villanova University, Pa.
Contact Maureen Waddington: tcpphil@gmail.com

11/19/14 Chilean & American Chamber of Commerce Annual Friend of Chile Award Luncheon, Hyatt at the Bellevue, Philadelphia, Pa.
Contact Ricardo Maldonado: 215-790-3769 or ricardo@greatphilachamber.com
DRPA/PATCO Board Meeting

11/26/14 Seamen’s Center of Wilmington Board Meeting

12/10/14 Maritime Exchange Executive Committee Meeting
DRPA/PATCO Board Meeting

Contact Eileen Bartmanes: 856-488-8500 or ebart513@gmail.com
Mariners Advisory Committee Meeting
The Ristorante LaVeranda, Philadelphia, Pa.
Contact Scott Anderson: 215-925-1524 or sanderson@maritimedelriv.com

12/16/14 Philadelphia Regional Port Authority Board Meeting

12/17/14 DRPA/PATCO Board Meeting

01/13/15 Tri-State Maritime Safety Association Board Meeting

01/14/15 Maritime Exchange Board Meeting

01/20/15 Seamen’s Center of Wilmington Board Meeting
Philadelphia Regional Port Authority Board Meeting

01/21/15 DRPA/PATCO Board Meeting

01/22/15 Traffic Club of Philadelphia Annual Dinner
Westin Hotel, Philadelphia, Pa.
Contact Maureen Waddington: tcpphil@gmail.com

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