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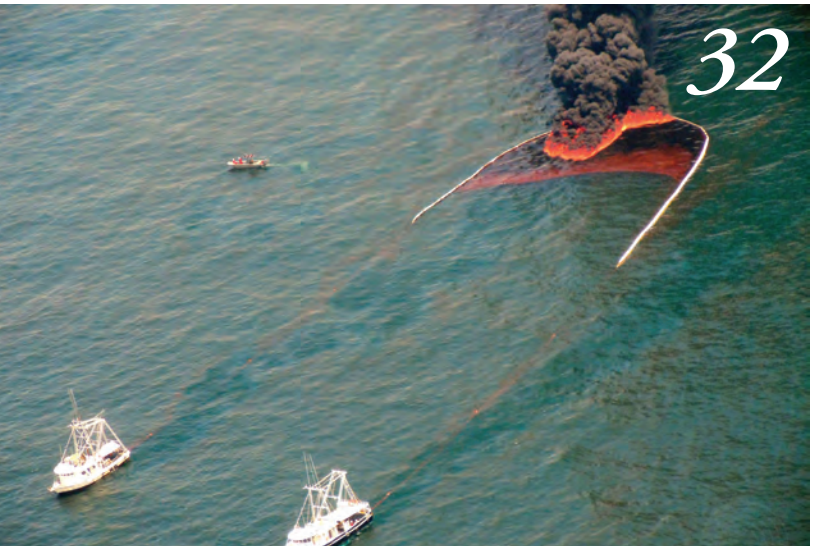

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tel: (561) 732-4368; fax: (561) 732-6984
New York: 118 E. 25th St., New York, NY 10010
tel: (212) 477-6700; fax: (212) 254-6271
www.marinelink.com

PUBLISHER
John C. O'Malley • *jomalley@marinelink.com*

Associate Publisher & Editorial Director
Greg Trauthwein • *trauthwein@marinelink.com*

Editor
Joseph Keefe • *keefe@marinelink.com*
Tel: 704-661-8475

Contributing Writers
Susan Buchanan • Raina Clark • Lawrence R. DeMarcay, III
Joseph Hudspeth • Randy O'Neill • Katharine Sweeney

PRODUCTION
Production & Graphics Manager Nicole Ventimiglia • *nicole@marinelink.com*

SALES
Vice President, Sales & Marketing
Rob Howard • *howard@marinelink.com*

Sales Administration & Office Manager Rhoda Morgan • *morgan@marinelink.com*
Sales & Event Coordinator Michelle Howard • *mhoward@marinelink.com*
Classified Sales Manager Dale Barnett • *barnett@marinelink.com*
tel: 212-477-6700

Advertising Sales Managers
National Sales Manager
Terry Breese • *breese@marinelink.com*
Tel: 561-732-1185 Fax: 561-732-8414

Lucia Annunziata • *annunziata@marinelink.com*
Tel: 212-477-6700 Fax: 212-254-6271

Frank Covella • *covella@marinelink.com*
Tel: 561-732-1659 Fax: 561-732-8063

Mitch Engel • *engel@marinelink.com*
Tel: 561-732-0312 Fax: 561-732-8063

Mike Kozlowski • *kozlowski@marinelink.com*
Tel: 561-733-2477 Fax: 561-732-9670

Dawn Trauthwein • *dtrauthwein@marinelink.com*
Tel: 631-472-2715 Fax: 631-868-3575

Jean Vertucci • *vertucci@marinelink.com*
Tel: 212-477-6700 Fax: 212-254-6271

Managing Director, Intl. Sales
Paul Barrett • *ieaco@aol.com*
Tel: +44 1268 711560 Fax: +44 1268 711567

Uwe Riemeyer • *riemeyer@intermediapartners.de*
Tel: +49 202 27169 0 Fax: +49 202 27169 20

CORPORATE STAFF
Manager, Accounting Services Rhoda Morgan • *morgan@marinelink.com*
Manager, Public Relations Mark O'Malley • *momalley@marinelink.com*
Manager, Marketing Jocelyn Redfern • *jredfern@marinelink.com*
Manager, Info Tech Services Vladimir Bibik • *bibik@marinelink.com*

CIRCULATION
Circulation Manager Kathleen Hickey • *mncirc@marinelink.com*

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On the Cover

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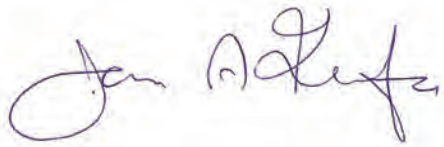
Offshore energy is a unique animal. I say that because, increasingly, the vessels that provide offshore service are becoming the mainstream of our bluewater merchant marine. Smaller than their containership or tanker cousins – although getting bigger every day – these vessels pack surprising amounts of innovation and technology into every precious inch of their uniquely shaped hulls. As shipyards and operators alike discover that they can build to this scale in a way that competes with foreign yards, the U.S. flag fleet slowly becomes more modern and visible. Along with that comes the realization that this sector has special needs, responsibilities and rules; all of which impacts our ability to produce energy.

MarineNews contributor Susan Buchanan spent much of the past month attending the BP trial in Louisiana. Her entry brings into sharp focus the issues facing industry today. So, too, does this month's Insights feature which, for many of our readers, introduces Chris Charman, the new Chief Executive of the Offshore Marine Contractors Association (IMCA). Representing nearly 900 members in 60 countries, IMCA has four technical divisions, covering marine/specialist operations, offshore diving, and many other disciplines. As well as a core focus on safety, the environment, competence and training, IMCA seeks to promote its members' common interests, to resolve industry-wide issues and to provide an authoritative voice for its members. As the international counterpart to our own domestic OMSA group, what Charman and IMCA have to say is especially important to offshore service providers.

Separately, and if the world of offshore energy is, as we assert, a unique animal, then nowhere is that more apparent than for the folks who provide SATCOM services for this sector. One size does not fit all, and as it turns out, there are very good reasons for that metric. As we dig deeper, it is apparent that not only can you afford VSAT services, you can actually get what you want, when and where you need it and at a price that won't break the bank. That shipboard management software, your engine monitoring technology and yes – your crew – demand nothing less.

Finally, the world of offshore service providers depends heavily, of course, on offshore energy commerce, and vise versa. In terms of emergencies, oils spill prevention and response, this is especially true. Hence, when you think about the Macondo oil spill, you must also think about what has been accomplished in its choppy wake. Oil spill research and innovation, stalled for at least ten years in a complacent world unaware of the dangers of deepwater drilling and emerging Arctic threats, has once again reemerged to provide substantial progress on this front.

As the ongoing spill trial in New Orleans is teaching us, safety and prevention have to be more than buzz words when it comes to the next wave of drilling. So, too, does oil spill response. That's covered in this edition, too. We've come further than you think. We've also got much still to do. Let's get back to work.



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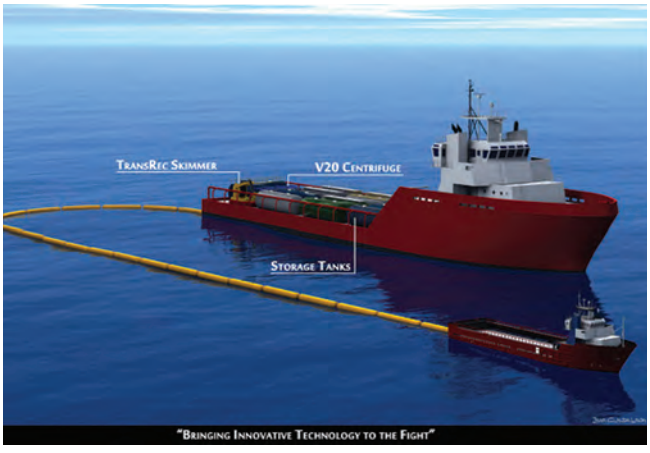
Oil Spill Response: The Coast Guard's Incident Specific Preparedness Review (ISPR) – January 2011

An explosion aboard the Mobile Offshore Drilling Unit Deepwater Horizon on April 20, 2010 set off a chain of events that led to its sinking and subsequent oil spill. That same day, the DHS Secretary declared the Deepwater Horizon incident a Spill of National Significance (SONS). Eventually, at least 47 offers of International assistance were received. Response to the incident required extraordinary coordination, a coordinated effort to secure the well, contain and clean up the oil among all stakeholders. This incident tested, and in some cases exceeded, the limits of the Nation's oil spill response resources and capabilities developed after the 1989 Exxon Valdez oil spill. The scope and duration of the Deepwater Horizon oil spill presented complex challenges which eventually provided the catalyst to adapt proven technologies, employ new ones and apply changing response tactics.

RESPONSE STATISTICS - BY THE NUMBERS (source: ISPR document)

Estimated amount spilled 4,928,100 barrels	Number of vessels of opportunity 3,200 vessels
Amount oil recovered from wellhead 689,934 barrels	Amount of hard boom deployed 3.8 million feet
Amount oil burned 246,405 barrels; 5%	Amount of soft boom deployed 9.7 million feet
Amount oil skimmed 147,843 barrels; 3%	Amount of dispersants used 1.8 million gallons
Amount oil chemically dispersed 394,248 bbls; 8%	Number of in-situ burns conducted 411 burns
Amount of oil naturally dispersed 788,496 bbls; 16%	Number of surveillance aircraft used 127 aircraft
Amount oil evaporated/dissolved 1,232,025 bbls; 25%	Number of incident command posts: 4
Amount of oil residual 1,281,306 bbls; 26%	Number of subordinate branches: 17
Number of response vessels 345 vessels	Number of equipment staging areas: 32
Number of responders 48,200 personnel	Number of aviation coordination centers: 1
Number USCG personnel: 7,000	Amount of liquid waste collected: 1.4 million bbls
Number USCG assets: 60 vessels / 22 aircraft	Amount of solid waste collected: 92 tons

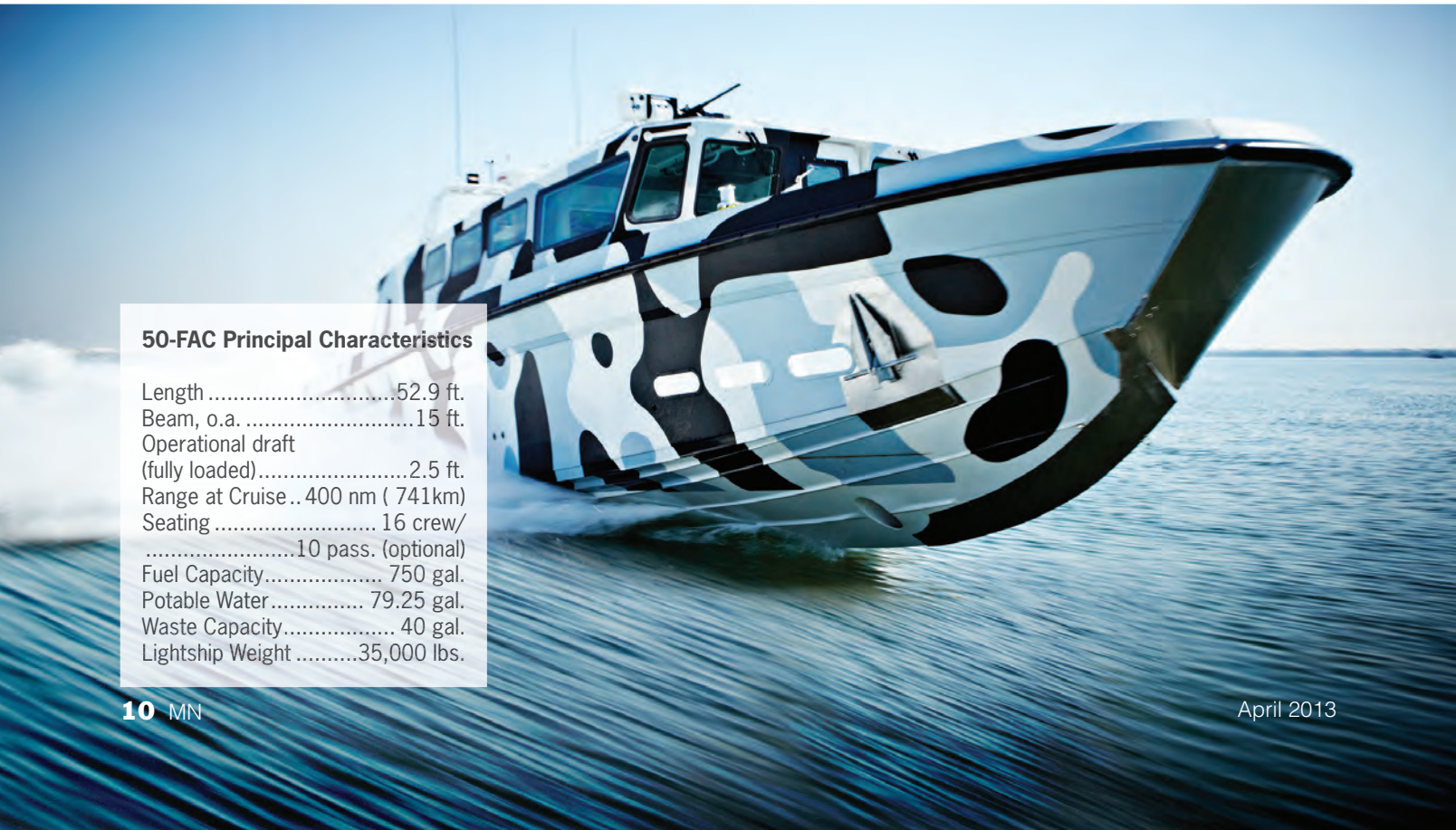
The event provided an excellent opportunity to evaluate the effectiveness of existing oil spill response doctrine, capabilities and the Nation's state of preparedness in responding to a very large oil spill. The ISPR concluded that, while there is intense interest programmatically (and politically) following a large spill event, interest quickly wanes as new challenges arise. This event has attested to the Coast Guard's need to renew its emphasis on oil spill planning, preparedness and response. Moreover, the ISPR concluded that the Coast Guard's marine environmental response (MER) preparedness and response programs have atrophied, probably as a result of (a.) competition with the service's enhanced homeland security responsibilities, (b.) the unintended consequence of placing many new people with little or no program experience into MER positions and (c.) was exacerbated, ironically, by the success of Oil Pollution Act of 1990 (OPA 90) driven prevention programs. Spill prevention initiatives for vessels and offshore facilities have been largely successful, resulting in fewer offshore spills and much less frequency between large spill events. This success has resulted in fewer Coast Guard personnel having large spill experience.



Access the full U.S. Coast Guard Report: http://www.uscg.mil/foia/docs/DWH/BPDWH.pdf

Tampa Yacht Manufacturing's TEMPEST 50-FAC

The Tempest 50-FAC from Tampa Yacht Manufacturing (TYM) is designed to provide Patrol and surveillance in shallow coastal and riverine waters by day and night in marshy areas of creeks with shifting sand bars, with low draft, high maneuverability and speed. The vessel's hull design, which includes forward center of projected planning area center to ensure controlled turning at extreme rudder angles at high speed for pursuit and evasion, is of conventional high speed modified-vee hull with engineered deadrise distribution and chine beam distribution for low accelerations and smooth performance in a seaway and high speed transport in calm seas. The vessel's bottom area supports large payloads and ensures performance under all loading conditions, TYM said. The 50-FAC is powered with twin MAN Model R6-800 - 800 mhp (588 kW) high speed, turbocharged, intercooled, common rail direct fuel injection, electronically controlled diesel engines, with ZF 500 hydraulic transmissions, driving MJP Ultrajet Model 410 - single stage, axial flow waterjet pumps. The 50-FAC's fendering system aims to protect it from damage during boarding operations. The arrangements of the 50-FAC maximize system functionality while minimizing crew fatigue. Built and outfitted to comply with all the applicable provisions and requirements of RINA Classification, ABYC and NMMA Rules, 50-FAC vessels will operate in varying sea and weather conditions, in littoral waters worldwide. Typical missions include locating, tracking and intercepting suspicious vessels. The 50FAC is mission capable for port security and pursuit of suspect vessels for the purpose of boarding and searching and, when necessary, arrest of violators and seizure of vessels and/or contraband. The vessel is equipped with night vision cameras, red LED lighting, flood lighting, spotlights and other equipment for night operability and with the helmsman and engineer having a radar and integrated chart plotter system, the 50-FAC is fully capable and comfortable in over the horizon missions. With integrated ballistic protection, 50-caliber machine gun armament, autopilot and the ability to cruise at any speed comfortably, TYM said the 50-FAC is suited for force protection. Main engines are turbocharged and tuned for quicker accelerations, along with shock mounted seating, making the vessel ready to rapidly pursue and aggressively maneuver at high speed, the manufacturer claims. The large aft deck and heavy duty aft platform make boarding simple and safe. With a full suite of electronics; enclosed cabin with galley, head, and two bunks and large open aft cockpit, the vessel switches missions to board the incapacitated and search for extended periods. The 50-FAC also features low observable profile, muffled exhaust, high speed, and large mission reconfigurable area, which can be rigged for launch and retrieval of small boats.



50-FAC Principal Characteristics

Length	52.9 ft.
Beam, o.a.	15 ft.
Operational draft (fully loaded)	2.5 ft.
Range at Cruise	400 nm (741km)
Seating	16 crew/ 10 pass. (optional)
Fuel Capacity	750 gal.
Potable Water	79.25 gal.
Waste Capacity	40 gal.
Lightship Weight	35,000 lbs.

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Chris Charman

Chief Executive, International Marine Contractors Association

Chris Charman took over as Chief Executive of the International Marine Contractors Association (IMCA) in December of last year. IMCA's Chief Executive leads the IMCA secretariat and is responsible for delivering the association's extensive global work program. Charman, perhaps not widely known to our North American readership, nevertheless brings impressive qualifications to this important advocacy group for the international offshore, marine and underwater engineering sectors. Representing nearly 900 members in more than 60 countries, IMCA has four technical divisions, covering marine/specialist vessel operations, offshore diving, hydrographic survey and remote systems and ROVs, plus geographic sections for the Asia-Pacific, Central and North America, Europe and Africa, Middle East and India and South America regions. As well as a core focus on safety, the environment, competence and training, IMCA seeks to promote its members' common interests to resolve industry-wide issues and to provide an authoritative voice for its members.

Chris Charman's working life began in the Royal Navy officer. Embracing a key goal for IMCA members of managing risk; Charman is a Fellow of the Institute of Risk Management and an Associate member of both the Chartered Institute of Insurers and Chartered Institute of Arbitrators. After leaving the Navy, he worked as a loss adjuster in London, Hong Kong, Papua New Guinea and Indonesia, travelling through most of the Asia Pacific region, dealing with the impacts of poor or failed risk management. Armed with this knowledge, he moved to the front end of the process, dealing with risk management and risk financing regionally for CURM in Singapore, returning to the U.K. as Managing Director in 1999 and overseeing the acquisition of the business by Thomas Miller. He has also served as the Interim Head of the Operational Risk Consortium at the Association of British Insurers. Charman's passion for managing risk should be of special interest to offshore companies everywhere. As such, his words this month are especially appropriate in an edition focused largely on OSVs.

You are the new IMCA Chief Executive, effective December of last year. Tell our readers about IMCA, what it does and why.

IMCA represents one of the most important industry sectors on the planet, providing risk management guidelines, practices, (and even certification) to those who work in offshore construction. Without the work of the members, no oil or gas or electricity would flow from offshore. IMCA represents the members' interests with governments, regulatory bodies and clients worldwide. We work with our members in a collegiate and inclusive style to deliver safer working practices (constantly wishing to raise standards), to pool knowledge and learn from each other in order to reduce risk, losses and damage to the environment.

If you had to accomplish just one thing during your tenure at the top of IMCA, what would that be? Why? And, is it possible?

To raise the global and public profile of the members, their work, the way they work and their focus on "doing the right thing" outside the energy sector. To give them the recognition they deserve as a major and vital component of the economy of the planet.

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Risk is everywhere on the waterfront. For IMCA members, however, tell us what the riskiest issue facing them today is and why.

This involves a lack of preparedness, an unwillingness to embrace change or to take the risks necessary for the industry to evolve safely for the benefit of all.

Define "risk management" as you know it. How do you go about it? Is it the same for every organization?

There is no single simple definition of risk management. The one I like the most is "Risk management is the process which aims to help organizations understand, evaluate and take action on all the risks with a view to increasing the probability of their success, and reducing the likelihood of failure." Risk management is relevant to all organizations whether they are in the public or private sector, whether they are large or small. It should form part of the culture of the organization, with an effective policy and program led by top management with clear responsibilities laid down for every manager and employee to be involved in the management of risk. It supports accountability, performance measurement and reward - thus promoting efficiency at all levels. Risk management differs for all organizations, but people are the common denominator. Two different vessels inside the same fleet can have two completely different risk cultures. This is driven solely by the attitudes of the different crews. Because of the complexity of the subject, I recommend The Institute of Risk Management who have compiled some benchmark (and free) guidelines, including The Risk Management Standard; www.theirm.org/publications/PUstandard.html and an insight to Risk Culture; www.theirm.org/RiskCulture.html.

IMCA caters to a largely international audience, while OMSA—the American-based Offshore Marine Services Association—represents American interests in roughly the same business domain. Where do you share synergy with OMSA and on what issues do you diverge? Why?

Both OMSA and ourselves share many common goals and are particularly aligned when it comes to safety standards and environmental operations. We too seek to promote and enhance the position and status of our members with governments and regulatory bodies worldwide. Obviously the Jones Act deals our members different cards, though some of them have two sets of those cards, in the form of U.S. and foreign flagged vessels. Having recently met with Jim Adams and his team, we have agreed to actively work on closer ties where possible - to solve problems, not to dig ourselves into entrenched positions which do not serve the interests of our clients in the Gulf.

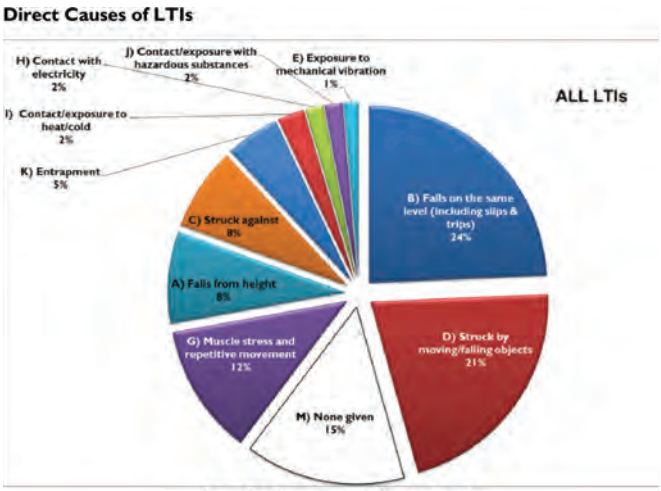

Figure 3 – Direct causes of lost time injuries

If IMCA exists "to help its contractor members deliver safe and efficient projects supported by other members up and down the supply chain," give us some measureable metrics and benchmarks that you have helped them achieve in the recent past.

Our members made a conscious decision to set the most challenging goals possible with the "holy grail" being "zero incidents." The objective is to become the best we can be at what we do and motivate a process of continuous improvement. We have come a very long way from our diving origins 30 years ago, and safety statistics have improved manifold since then. The accompanying charts and tables show both improvements achieved and the tasks which still remain to be accomplished.

Does industry as a whole have a good safety record? Are IMCA members' loss metrics any better than non-members? If so, what's the gap?

In an environment where the goal is "zero incidents," any accident is treated seriously, analyzed and invariably turned to use as a learning and loss prevention tool. As a result, we tend to look at losses empirically, rather than as "good" or "bad." Contractors are beholden to operate under the terms and conditions of the contracts with the clients, which often demand IMCA membership and behaviors as a prerequisite to tender. Cultures, geography and the nature of the task—for example inshore versus offshore—mean that (even if we did collect non-member statistics) direct comparisons

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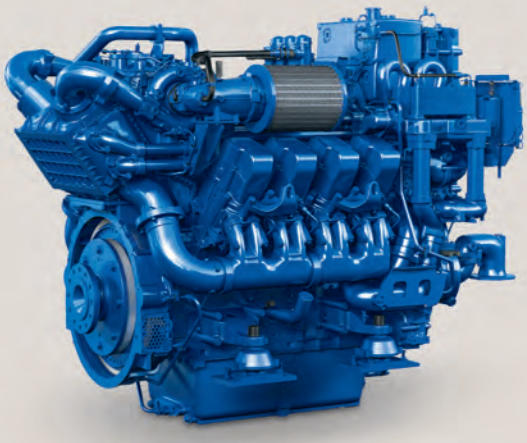

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would have limited value. It is the clients who drive choice, as it is their product, brand and reputation that is put at risk whenever they engage a contractor. They determine the most appropriate providers of the services they need. This in turn is driven by the factors above.

Where do IMCA members need the most help in improving? How will you help them to accomplish that?

There are two answers to this question; one is strategic and the other operational. The first need is to improve the global profiling and "voice" identified under question two above. To achieve this, we are collating as much statistical data as we can about the members and commencing a program to engage with the external world at the highest level possible. For example, early indicators are that members collectively turn over in excess of $150 billion annually, and employ more than 250,000 staff (and voters) across the world. Their contributions to the global economy in tax and spending are critical to many countries, but these same contributions are not properly recognized, valued or rewarded. At an operational level, members amass considerable amounts of loss data on events that happen inside their businesses, but despite their best intentions, these are not always reported persistently and consistently. I have a vision of an anonymized operational risk data base which collects incident data—including "near misses"—for analysis, review and the benefit of all.

Tell us one thing that a prospective business contemplating joining IMCA should know but probably doesn't? And, why is that important?

If you join IMCA to contribute, you will receive more than you give. We are a strong and friendly family, mostly working on the cutting edge of an exciting and critical industry. There is no greater pool of collective knowledge of our sector available on the planet. We constantly share knowledge to add depth to that pool and constantly improve the way we work and the quality of the services we deliver.

Historical Summary of Statistics

The statistics over the past fifteen years have been as follows:

	Overall								Offshore						Onshore			
	Contractors	Million hours worked	LTIs	LTIFR	Fatalities	Fatal Accident Rate	Recordable injuries	TRIR	Million hours worked	LTIs	LTIFR	Fatal Accident Rate	Recordable injuries	TRIR	Million hours worked	LTIFR	Fatal Accident Rate	TRIR
1997	23	47.6	236	4.96	3	6.3												
1998	32	52.9	257	4.86	2	3.8												
1999	28	52.8	196	3.72	4	7.6												
2000	31	65.6	227	3.46	5	7.6					4.25	10.1				1.05		
2001	32	54.5	162	2.97	4	7.3					3.77	10.1				0.86		
2002	32	197	244	1.24	3	1.52			62		2.96	4.83			135	0.44	0	
2003	31	200	198	0.99	5	2.49			66	133	2	6.03			134	0.49	0.75	
2004	36	145	164	1.13	3	2.06	645		72	120	1.65	2.75		8.87	72	0.61	1.39	
2005	51	160	189	1.18	6	3.13	864	5.42	102	172	1.69	3.93	742	7.29	58	0.29	1.73	2.1
2006	74	221	226	1.02	6	2.72	914	4.14	186	196	1.06	3.23	807	4.35	35	0.86	0	3.05
2007	100	310	339	1.09	6	1.94	1356	4.38	252	315	1.25	2.38	1180	4.68	58	0.42	0	3.05
2008	129	612	433	0.72	7	1.14	1531	2.5	465	341	0.74	1.08	1176	2.53	148	0.64	1.35	2.4
2009	152	602	395	0.67	6	1.00	1530	2.54	474	340	0.73	1.27	1291	2.72	127	0.43	0	1.88
2010	172	547	393	0.73	7	1.28	1499	2.74	389	328	0.86	1.29	1240	3.19	158	0.43	1.27	1.64
2011	194	583	370	0.64	3	0.51	1400	2.40	431	303	0.71	0.69	1133	2.63	152	0.44	0	1.76

Table 4 – Summary of IMCA safety statistics 1997-2011




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Safe Operations, Proven Results

A Response to "The Articulated Tug Barge (ATB) Quandary"

By Tom Allegretti, President & CEO of the American Waterways Operators

The recent editorial (MarineNews February edition) by Jeff Cowan entitled "The Articulated Tug Barge (ATB) Quandary" raised more than a few eyebrows here at the American Waterways Operators (AWO) and among AWO members who operate ATBs. Mr. Cowan has it backwards: far from being unsafe, ATBs in fact represent a significant advancement in safety in the coastal tugboat and barge industry and have a long history of safe operation. Mr. Cowan's piece also contained several factual errors and is based on the flawed premise that the regulatory standards for tankers should be applied rigidly to ATBs despite the differences in vessel characteristics. We would like to set the record straight.

First, while Mr. Cowan suggests that ATBs are a poor substitute for tankers, we have never heard industry experts argue that ATBs are, or should be, replacements for tankers. Rather, ATBs are replacements for towed barges, and as such provide substantial improvements in terms of safety, reliability, effectiveness, accommodation and comfort. Even so, one could nonetheless make the case that an ATB is as safe, or, in some cases safer, than a tanker. Consider a few key areas.

Vessel Design and Technology

Proven engineered systems for connecting the tug in the notch to the barge have been successfully deployed in the U.S. coastal trades since 1986. Mr. Cowan suggests that ATBs are prone to coming out of the notch in heavy weather, but in fact the opposite is true. They are designed to stay in the notch as a safety feature. In some coastal areas, including those around the Columbia River Bar, ATBs regularly operate safely in 15-25 foot seas or more.

Additionally, an ATB by design has more redundant systems than a tanker. All ATBs have two propulsion plants that operate independently, whereas all but six U.S. coastal tankers have single propulsion systems. Additionally, ATBs have two propellers and two rudders compared to the vast majority of ships, which only have one. ATBs are built to the same ABS standards as tankers and comply with all applicable IMO regulations.

THE AMERICAN WATERWAYS OPERATORS

Crewing and Safety Management

Tankers in the 330,000-barrel range typically have a 21-person crew that includes three stewards, compared with 14 on a similar-sized ATB, counting the cook. The difference in the number of personnel on the vessel is often made up with by larger shore-based maintenance crews. Tankers typically have nine officers compared with eight for a similarly sized ATB. There is one fewer on an ATB because there is less administrative work required of the master. As for watchstanding during cargo operations, a tanker typically has one deck officer and two able-bodied seamen (ABs), whereas a comparably sized ATB has one deck officer, one AB/Tankerman and one utility crew member. Several ATB operators don't just use ABs, but rather specially trained AB/Tankermen. These individuals are full persons-in-charge (PICs) and can, if needed, be in charge of oil transfer operations.

ATBs are manned to comply with STCW 95 requirements and all crew members work within the 12-hour rule. The main difference in manning between tankers and ATBs is in the food preparation department and the extra hands used for on-board maintenance. Under the ATB operating model, some of the maintenance is performed by shore-based contractors. This eliminates the need to do maintenance while underway, which at times can be unsafe for crews to perform. The use of computer-based maintenance systems like ABS Nautical Systems 5 also helps to manage shore-based maintenance. Several ATB operators use this technology, in close partnership with ABS, to document maintenance and inspections.

To suggest that self-propelled ships with larger crews are inherently safer than ATBs is simply wrong. The fact is that ATBs have never had a significant accident, while the Cosco Busan (a container ship) and the Exxon Val-

dez referenced by Mr. Cowan, were both ships with large crews that had major accidents. Contributing to the record of safe ATB operations are major industry improvements in safety management systems, including the AWO Responsible Carrier Program, the ISM Code, the Tanker Management and Self Assessment (TMSA) office audits and Ship Inspection Report (SIRE) customer vessel audits. These systems are subject to rigorous internal and external audits. While Mr. Cowan suggests that ATBs do not carry the personnel necessary to successfully implement a safety management system, the opposite is actually true. The fact that companies operating ATBs have enthusiastically embraced safety management systems is a major reason why the industry is able to transport millions of gallons of oil each year safely, securely and efficiently.

Regulatory Compliance

It is important to note that several AWO member companies operate ATBs that travel to foreign destinations that are more than 200 miles offshore. These vessels are compliant with STCW 95 requirements and will adhere to the Maritime Labor Convention 2006 when fully implemented. These vessels also comply with International Ship and Port Security Code requirements and have approved security plans on all vessels.

Moreover, contrary to Mr. Cowan's commentary, oil spill prevention regulations do not differ between tankers and ATBs. Tanker and ATB owner/operators use the same vessel response plans. And, while Mr. Cowan asserts that there is the potential for a spill of up to 400,000 barrels from an ATB, that is not only impossible (there are no 400,000 barrel ATBs), but also unlikely given the many layers of safety built into their operation.

The bottom line is that an ATB is no more likely to be involved in an accident than a tanker, and it is disingenuous to suggest otherwise. Our member companies take great pride in keeping their crews, their vessels, their cargo, and the waters upon which they operate safe and secure. Our industry will continue to advance this culture of safety as it moves the cargo upon which this nation depends.

Key Salvage Issues

For 2013 – and Beyond ...

Jonathan Waldron is Chairman of the ASA Legal Committee

This is a good time to look aft and reflect on the accomplishments achieved in 2012, as well as to the distant horizon to see what challenges loom in 2013, and beyond. It is fair to say that the Coast Guard and salvage industry have come a long way in the last few years with implementation of a salvage and firefighting final rule; first published in December 2008, delayed until February 22, 2011, to provide for harmonization with the changes to the vessel and facility amendments for response plans.

With the interpretation of this final rule largely having been worked out, this is nevertheless no time to rest. There are many other issues in other areas that still need a lot of work. Specifically, three key issues remain for the government and industry to prioritize for 2013. They include implementation of the nontank vessel response plan (NTVRP) final rule, places of refuge, and responder immunity.

Non-tank Vessel Response Plans

The industry has been waiting for years for the Coast Guard to finally implement regulations requiring non-tank vessels to meet response plan requirements. The Coast Guard and Maritime Transportation Act of 2004 (Pub. L. 108-293) contained a provision requiring owners and operators of all non-tank vessels of 400 gross tons or greater—as measured under the International Tonnage Convention (ITC)—to prepare and submit NTVRPs to the Coast Guard by August 8, 2005. On February 4, 2005, the Coast Guard issued Navigation and Vessel Inspection Circular (NVIC) 01-05, which was amended by NVIC 01-05, CH-1, dated January 13, 2006, in order to provide interim guidance for the development and review of NTVRPs.

Regulations were not issued over the next several years, but the Coast Guard issued a notice on June 23, 2008 to inform U.S. and foreign-flag non-tank vessel owners and operators that, effective August 22, 2008, it would begin enforcing the requirement to prepare and submit an NTVRP for certain non-tank vessels based on the requirements contained in the law. In the absence of such regulations, the Coast Guard has been enforcing NTVRP compliance for such vessels pursuant to the Ports and Waterways Safety Act. Finally, the Coast Guard issued a notice of proposed rulemaking (NPRM) on August 31, 2009. In the meantime, industry has waited patiently for the final rule to make its way through the Coast Guard and Department of Homeland Security review process. It now appears that the rule will finally be published in the near future. The Office of Management and Budget (OMB) commenced review of the final rule on March 9, 2013. OMB review of a rule generally takes 90 days. Hence, it can be expected that the final rule will be published in the Federal Register in June 2013 subject to OMB delaying publication or taking other action. This will be an important milestone in formalizing the response plan regime for the large number of non-tank vessels operating in U.S. waters.

Places of Refuge

Simply described, a place of refuge is an extension of the broadly accepted principle of force majeure at sea. Under principles of force majeure, those found at peril at sea should be assisted by any person to remove them from such peril. Similarly, in cases in which the ship itself and the ship's cargo are at peril, the obligation arises for countries to provide a place of refuge for a vessel to minimize additional damage and to make necessary repairs as quickly as practicable in order for the vessel to depart.

In the choppy wake of controversial incidents at sea involving the M/V Erica (1999), the M/V Castor (2000), and the M/V Prestige (2002) involving tank ship structural failures at sea, the International Maritime Organization (IMO) adopted a resolution entitled "Guidelines on Places of Refuge for Ships in Need of Assistance" on December 5, 2003.

The IMO resolution provides guidelines, not only for masters or salvors in need of places of refuge, but also guidelines for actions expected of port States. The resolution rightly recognizes the authority of the coastal State to exercise its authority in such cases taking into account the threat presented by the ship based on a number of factors. Importantly, when a master requests permission to enter a port for refuge, although there is no obligation

for a port State to grant it, under the resolution the port State is urged to consider and balance all the factors and risks in making a determination as to whether to grant refuge. The Coast Guard issued its policy on places of refuge on July 17, 2007 in the form of Commandant Instruction 16541.9. This policy essentially adopts the Incident Command System as the central process mechanism to address refuge cases should they arise. In such cases the local Coast Guard Captain of the Port (COTP) is responsible for granting or denying claims of force majeure and requests for safe refuge. This is similar to the Unified Command concept used for oil spill response cases in which all stakeholders participate (owner/operators, state and local representatives, salvors, oil spill removal organizations (OSROs)). This is a sound mechanism because it is the one that not only the government but also industry itself has used successfully over the years in pollution incidents. Of note, the recent incident involving the grounding of the 28,000-ton drill ship Kulluk in January 2013 after breaking tow lines during stormy weather demonstrates that the Unified Command system also works well for these types of incidents. The Unified Command was established when the tow could not quickly be re-attached. Ultimately, the Unified Command made a decision to allow the Kulluk to be grounded off of Kodiak Island. The Kulluk incident provides a good example of how things can and should work in such cases. That said, and in order to ensure future successes in this area, it is incumbent on industry and the Coast Guard to identify potential places of safe refuge and to conduct place of refuge exercises and drills on a routine basis around the country in the various COTP areas.

In addition to the issues described above, the issue of responder immunity still looms large in the porthole as a major point of contention. This combined with a raft of other pending environmental and safety regulatory efforts will keep both the United States Coast Guard and the industry that it oversees, extremely busy, well into 2013 and beyond. Mutual cooperation and communication will be a key ingredient to all of this as it unfolds. Much of it remains a work in progress.

Jonathan Waldron is Chairman of the ASA Legal Committee. He concentrates his practice in maritime, international, and environmental law, including maritime security. Mr. Waldron is a visiting professor at the Massachusetts Maritime Academy where he teaches on legal issues related to pollution response and spill management teams. He is a member of the Maritime Law Association and frequently speaks and writes on maritime issues.

Offshore Energy

Only Modern Data Should Drive Future Exploration Decisions

By Randall Luthi

How much can change in one generation? Let's take a look at the current generation entering your workforce born between 1980 and 2000; the Millennials. This generation grew up rarely hearing the phrase, "You can't do that." They have always known what a computer is, have no concept of the breakthrough of the bag phone and are just now discovering that records (vinyls) have songs on both sides. Easy access to infinite knowledge has always been at their fingertips via the internet. Their world has always held limitless possibilities because of technology. How odd it must seem to Millenials that with the world a thumb click away on a computer that fits in their pocket, the offshore industry (and the rest of the United States) is forced to rely on decades-old information regarding potential offshore oil and gas reserves on approximately 85% of the outer continental shelf (OCS).

The long-overdue Final Environmental Impact Statement (EIS) for Atlantic Seismic activity represents a first step in a scientific and technologically advanced approach to making decisions in the OCS. It may kick off a modern day assessment of the oil and natural gas resources in areas that have long been off-limits, like the Atlantic OCS. Unfortunately, this EIS is not connected to a lease sale, which may drastically limit its usefulness. Thus, it is not about drilling or even the production of oil and natural gas. It is simply about information gathering-- information that will allow our legislators and Administration to make the science based decisions they so proudly promote.

Modern day seismic data is collected by technologically advanced ships that utilize devices to produce sound waves aimed at the sea floor and picked up by receivers towed behind the ships. Previous techniques, much like ultrasound, were 2-Dimensional and did not produce data as accurate as that produced using today's 3-Dimensional and better technology. As an example, let's look at the Gulf of Mexico, where nearly all of the offshore oil and gas production takes place in the United States. Data collected from the Gulf using 2-D seismic in the 1980's proved to be way off. In fact, due to technological advances in seismic imaging and well as drilling and production, we have already produced more than five times more oil from the Gulf than was originally thought to exist.

Some opposed to the Atlantic Seismic EIS express concern that seismic testing will harm wildlife. In the name of science and conservation, seismic testing is closely monitored by both the federal government and industry. Human scanners are present 24/7 during testing and ensure that the area is clear of visible animals before the testing begins. As the testing begins, the seismic sounds are ramped up so any undetected wildlife has the ability to leave the area. If an animal is spotted during seismic testing, the operation is promptly shut down and only resumed once sensitive wildlife has left the testing area.

Studies have shown that some fish and mammals may temporarily leave an area during seismic testing, but are in no way harmed. A report by the National Academy of Sciences' National Research Council revealed that, "No scientific studies have conclusively demonstrated a link between exposure to sound and adverse effects on a marine mammal population." Even the Bureau of Ocean Energy Management (BOEM) has stated in a final Supplemental Environmental Impact Statement for Gulf of Mexico Oil and Gas Lease Sales that, "there are no data to suggest that activities from the preexisting OCS Program are significantly impacting marine mammal populations."

Proponents of the EIS point to the potential benefits of exploration and possible production of offshore oil and gas resources, if they are found in economically viable quantities. On top of increased domestic energy security, there is enormous potential for increased economic activity, increased revenue for government, and increased jobs. According to a recent report from the Institute for Energy Research, opening the Atlantic OCS to oil and gas activity could increase U.S. economic output by nearly $8 billion per year from 2013-2021 and $33 billion each year thereafter. That not only means much needed revenue being pumped into our economy to pay down debt but nearly 40,000 jobs created each year for the first eight years and over 160,000 jobs created each year thereafter. That is over

America's Offshore Energy Industry

1.44 million new jobs for a generation raised with access to limitless information and hungry for work.

The Atlantic Seismic EIS matters because it opens the door to the collection of information that will allow the Millenials and other generations the opportunity to decide whether and where it may or may not be appropriate to explore for and extract oil and gas in the Atlantic. How completely ridiculous it must seem to Millenials that in today's technologically advanced and information hungry society, we are using oil and natural gas estimates for most of the OCS based on seismic data that was collected with technology that predates their birth.

However, as good as the new seismic methods are; the true test of producing much needed energy for our nation will only come with actual physical exploration and development. That process will only take place if there is an actual lease sale in the mid and south Atlantic or Eastern Gulf of Mexico. Current projections of energy use for the next generation indicate that even with a much greater emphasis on nontraditional forms of energy such as wind, oil and natural gas will still be a major energy source and will be needed to supply the energy market and jobs. Nontraditional sources will only supply about 15% of our energy in 2035. New technology not only benefits the Millenials, but such technology allows exploration and development of oil and natural gas in new areas in a safe and efficient manner. For this generation and the following generations, we need to explore more of our outer continental shelf.

Randall Luthi became President of the National Ocean Industries Association (NOIA) on March 1, 2010. An attorney and rancher from Freedom, Wyoming, Luthi has had an exciting career holding various positions ranging from Wyoming Speaker of the House, director of a Federal agency, legislative assistant in the U.S. Senate, and as an attorney at both the Department of the Interior (DOI) and the National Oceanic and Atmospheric Administration (NOAA), where he worked on natural resource damages following the Exxon Valdez accident. Luthi most recently served as the Director of the Minerals Management Service (MMS) at DOI from July 2007 through January 2009.

Medicare Set Asides – and You

Jones Act and LHWCA employers must protect Medicare's interest or pay the price. It may be boring, but it is important. Read and heed.

By Gary English, President of Marine Forensic & Investigation Group, LLC.

Attention maritime entities that employ Jones Act Seamen covered by liability insurance, including self-insurance, or land based employees covered by no-fault insurance or any workers' compensation act: you MUST protect Medicare interests. These plans are also known as Non-Group Health Plans (NGHP). Failure could mean a fine of $1,000.00 per day per claim or liable to reimburse Medicare for payments made to a claimant. This reimbursement could be pursued from the insurance company, the insured, or even counsel, possibly including defense counsel.

Medicaid Medicare SCHIP Extension Act of 2007 (MMSEA) §111 has added mandatory reporting requirements with respect to Medicare beneficiaries who receive a settlement, judgment, award or other payment from an entity. This includes Jones Act and Longshore and Harbor Workers' Compensation Act (LHWCA) employers. Under this reporting scheme, these entities are designated as a Responsible Reporting Entity (RRE).

First of all, who can be considered an RRE is not so straight forward. It could be the employer or it could be liability insurer (including self-insurer), no fault insurer, or workman's comp insurer. In short, it can be a real "spaghetti monster." And, for any maritime attorney settling Jones Act and LHWCA 905(b) claims, this is a very important – and complicated – issue. In the end, all the analysis points to the conclusion that the employer will ultimately be held responsible.

According to MMSEA §111, RREs have a responsibility to: 1.) determine whether a plaintiff/claimant is entitled to Medicare benefits on any basis; and 2.) upon settlement of a Medicare beneficiary's claim, submit all information required by Centers for Medicare and Medicaid Services (CMS) with respect to the claimant to CMS. The actual RRE reporting is triggered by settlement, award, judgment or other payment to a Medicare beneficiary. A Medicare beneficiary is a person age 65 or older, a person under 65 with certain disabilities, and a person of all ages with end-stage renal disease. However, the analysis concerning the determination of a Medicare beneficiary is not as simple as it may seem. To satisfy these responsibilities, the RRE is required to input either a Medicare Health Insurance Claim Number (HICN) or the injured party's Social Security Number (SSN), the first six characters of the Medicare beneficiary's last name, his/her date of birth, and gender. Other relevant information may include the nature and extent of the injury or illness, facts about the incident giving rise to the injury or illness, information sufficient to assess the value of reimbursement, and information sufficient to assess the value of future care planning. RREs are ultimately responsible for complying with the reporting process including ensuring the accuracy of all reported information. While RREs may not contract away their obligation under this law, they may elect to use an agent for reporting purposes. RREs must report settlements, judgments, awards, or other payments regardless of whether or not there is an admission or determination of liability. **Table 1** provides when reporting requirements become mandatory after a Total Payment Obligation to the Claimant (TPOC) threshold is meet for Liability Insurance, including self-insurance.

Table 1

Total TPOC Amount	TPOC Date On or After	Reporting Date
> $5,000	10/1/12	1/1/13
> $2,000	10/1/13	1/1/14
> $300	10/1/14	1/1/15

Table 2 provides when reporting requirements become mandatory after a TPOC threshold is meet for Workers' Compensation. These reporting requirements will result not only in added infrastructure cost (personnel and systems) for RREs, but also in additional steps in legal claim resolution by mandating verification of CMS benefits throughout litigation until resolution. To avoid lengthy delays, it is best to begin investigating a person's Medicare beneficiary status as soon as a colorable Medicare beneficiary claim arises.

Table 2

Total TPOC Amount	TPOC Date On or After	Reporting Date
> $2,000	10/1/13	1/1/14
> $300	10/1/14	1/1/15

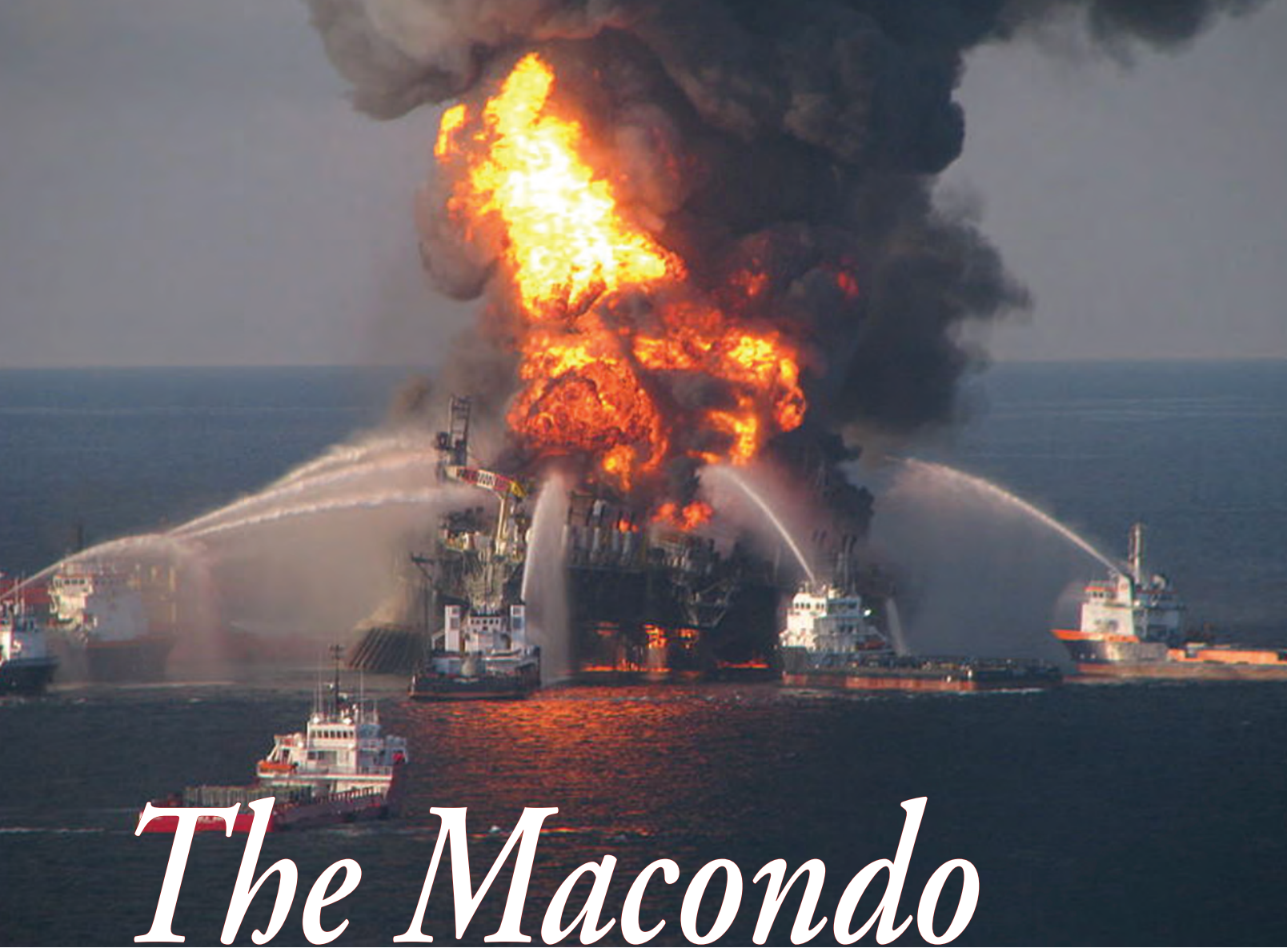
If the claimant/plaintiff was not a Medicare beneficiary at a time when the RRE assumed ongoing responsibility for future medical care, the RRE must continue to monitor the claimant's/plaintiff's Medicare status, because it may change over time. If the claimant/plaintiff becomes a Medicare beneficiary, the RRE must report when that individual becomes a Medicare beneficiary unless responsibility for ongoing medicals has terminated before the individual becomes a

Medicare beneficiary. If reporting entity's responsibility for future medical costs terminates before the claimant/plaintiff becomes a Medicare beneficiary, there is no reporting requirement. In cases involving more than one defendant, if more than one RRE has assumed responsibility for ongoing medicals, Medicare would be secondary to each such entity and, therefore, each such entity must report.

There is no safe harbor for an RRE, and the status of every claimant should be verified through the query process regardless of the claimant's age or any other threshold. It is critical to start the verification process at the onset of a new claim, or at the latest, when settlement appears to be a realistic near-term goal. The process takes time; so early submission is urged to capture any data that will be reported at settlement. Reported data is to be sent electronically from the RRE to the CMS Coordination of Benefits Contractor (COBC). Each RRE must assign or name an Authorized Representative. This individual must have the legal authority to bind the organization to a contract in the terms of MMSEA §111 requirements and processing. The Authorized Representative has ultimate accountability for the RRE's compliance with the reporting requirements and, therefore, cannot be an agent of the RRE.

Additionally, each RRE must assign or name an Account Manager. Each RRE ID can have only one Account Manager. This is the individual who controls the administration of an RRE's account and manages the overall reporting process. The Account Manager may be an RRE employee or agent. The Account Manager may choose to manage the entire account and data file exchange, or may invite other company employees or data processing agents to assist.

At the RRE's discretion, the Account Manager may designate other individuals to register as users of the Coordinator of Benefits Secured Website (COBSW) associated with the RRE's account, known as Account Designees. Account Designees assist the Account Manager with the reporting process and may be RRE employees or agents. There is no limit to the number of Account Designees associated with an RRE ID. In short, if you enter into a settlement, judgment, award or make other payments to a seaman or land based employee you must protect Medicare's interests. Failure could result in a fine of $1,000 per day per claim or you may end up reimbursing Medicare for a claimant's medicals years later.



The Macondo Spill Trial

Fire boat crews battle blazing remnants of the Deepwater Horizon rig the day after it exploded on April 20, 2010.

(Photo U.S. Coast Guard)

Offshore U.S. Gulf energy operators have already paid a steep price; more pain could come.

By Susan Buchanan

Drilling in the Gulf of Mexico is now close to levels seen before the April 2010 Macondo spill that took 11 lives and caused the nation's worst offshore oil spill. Almost two years after the disaster, companies operating in the Gulf are trying to comply with safety requirements finalized last year, according to the Bureau of Safety and Environmental Enforcement. BSEE's new safety rules for offshore drillers set standards for casing and cementing, third-party certification and verification; blowout preventer capabilities, testing and documentation and well-control training. BSEE now requires documentation from rig operators that its contractors, including offshore supply vessel owners, have a Safety and Environmental Management System or SEMS program in place.

But offshore drilling remains inherently dangerous, and companies are in it to make a profit. The bigger ones report to shareholders. Testimony in the Gulf spill trial, underway in U.S. District Court in New Orleans, is alleging that offshore operators sometimes cut corners, putting profits above safety.

Before the spill, government fines for violations were considered a cost of doing business. And even with new regulations and heightened awareness about safety, a temptation to defer maintenance on vessels and equipment remains. Fines for failing to comply in a timely way arguably weren't particularly burdensome before the 2010 spill and still aren't.

Trial Examines Profits vs. Safety

In an admiralty trial that began on Feb. 25 without a jury, U.S. District Judge Carl Barbier in New Orleans is deciding blame between Transocean, BP and Halliburton in the Macondo well explosion. Swiss-based Transocean, the world's top offshore drilling contractor, owned the Deepwater Horizon rig at the well. U.K.-based BP PLC leased the site from the feds and operated the well. Halliburton, headquartered in Houston and Dubai, was contracted by BP to provide cement.

Judge Barbier also considered liability on the part of Cameron, the maker of the blowout preventer sold to Transocean, and M-I LLC, which was contracted by BP to provide drilling fluids. But Barbier dismissed charges against Cameron and M-I in mid-March, saying he'd heard nothing to indicate they contributed to the blowout.

Testimony about what happened on the Deepwater Horizon, a submersible drilling unit, has focused on negligence in a dangerous, offshore environment. In the accident, workers prepared to temporarily cap the Macondo well more than 4,000 feet under water when it exploded.

On March18, Geoff Webster, the plaintiffs' expert witness on the Horizon's seaworthiness, told the court that delayed maintenance had been a growing problem. Rig audits "clearly show that there were not enough people on board, there was not enough equipment for spares and the rig was going downhill," he said. The rig was in trouble mechanically, hydraulically and probably electrically, Webster said. Maintenance was behind on everything from pumps and alarms to lifeboats. The rig's blowout preventer hadn't been recertified in nine years though certification was required every five years by the federal Mineral Management Service and by Cameron, the BOP's manufacturer.

The rig's maintenance duties were being closed out or checked off a list though the required tasks often weren't performed, Webster said. Audits showed "there is no follow-up going on. There is no follow-up by the crew themselves, and there is no follow-up by the shore maintenance people, the rig manager and then ultimately the designated person," he testified.

When asked what he thought of the vessel's maintenance history, Webster termed it "reckless neglect." He said, "This rig should have gone to a shipyard, at which time all these items could have been taken care of. The vessel had been running for nine years without any major overhaul or any dry dock period."

In September 2009, Transocean engaged Lloyd's Register Group, a maritime and risk-management organization, to study five of its drilling rigs, including the Deepwater Horizon—following four deaths on four of its rigs over 92 days. In a related July 2010 report, Lloyd's pointed to "a fundamental lack of hazard awareness" within Transocean's North America division.

In his mid-March testimony at the trial, Webster was asked about a comment from a Transocean employee included in Lloyd's analysis of the company's North American rigs. The employee had said "run it, break it, fix it. That's how they work." Transocean was more interested in production than safety, Webster told the court. "When the rig is idle, it's not making money," he explained. "When the rig is in dry dock, it's not making money. So they try to keep it out there as long as they can."

Lloyd's also found "a significant level of reported mistrust between the rigs and the beach" at Transocean's North American operations. Webster said, "That can lead to disaster because the crew are not telling the shore people exactly what's going on; they are not reporting near-miss accidents; they are not reporting major hazards." He also said "the crew is afraid to report accidents [and] nonconformities to the office for fear of being fired."

But offshore drilling remains inherently dangerous, and companies are in it to make a profit. The bigger ones report to shareholders. Testimony in the Gulf spill trial, underway in U.S. District Court in New Orleans, is alleging that offshore operators sometimes cut corners, putting profits above safety.

BP Knew of Problems on Transocean's Rig

In his opening statement at the start of the trial, James Roy of Domengeaux Wright Roy & Edwards, LLC in Layette, La., a plaintiffs' lawyer representing individuals and businesses, pointed a finger at BP, Transocean and Halliburton.

Roy said BP was aware of design and maintenance problems on the Deepwater Horizon but nonetheless chartered the rig in late 2009 to finish the Macondo well. BP's executives pressured BP rig management to reduce costs by cutting corners and rushing through work. Roy said "Macondo was described variously by BP personnel as the well from hell, a nightmare well and a crazy well." He said a push to complete the well caused so many changes to plans that John Guide, BP's wells-team leader in Houston, said three days before the disaster "the well-site leaders have finally come to their wits' end."

Roy said BP's executives created a culture that valued profit and production over safety. From 2008 to 2009, BP management slashed costs by $4 billion and laid off 20% of its world workforce, with plans for another $1.4 billion in cuts in 2010.

Tidewater's Damon Bankston, Working Next To Rig, Saved Most of Its Crew

The Deepwater Horizon was located 41 miles off Louisiana's coast in Mississippi Canyon block 252, with a 126-member crew when it exploded on April 20, 2010. Nine Transocean personnel and two M-I employees died. As things went terribly wrong on the rig, Tidewater's supply vessel, Damon B. Bankston, was anchored alongside it, ready to help. The Damon B. was pumping heavy drilling mud from the rig through a hose when a flood of mud poured off the rig's drill deck, according to testimony from the vessel's captain Alwin Landry to a federal panel in May 2010. He was advised by coworkers that evening to disconnect the hose and move his vessel away from the rig.

In his 2010 testimony, Landry said he heard a loud hiss that lasted for 30 seconds or more. It was later attributed to a surge of methane rushing up the drill pipe to the rig's deck. A distress call went out from the rig's radio. An explosion occurred at 9:50 p.m. As fire enveloped the rig, Deepwater Horizon workers rushed to life boats and some of them plunged into the sea, Landry said. The rig's two lifeboats cleared the burning rig but a smaller life raft couldn't get free. A Damon Bankston rescue boat pulled up next to the trapped life raft and handed its crew a knife, which they used to cut free, Landry said. Eventually, Damon B. Bankston's crew rescued 115 workers from the rig.

Outlook: Safety Stepped Up, but Enforcement not Enough

Last month, Eileen Angelico, New Orleans-based spokeswoman for BSEE, said that following the April 2010 explosion, "offshore operators are required to ensure that their contractors have a Safety and Environmental

Management System or SEMS program in place. The two new regulations published since Deepwater Horizon are the Drilling Safety Rule and the Workplace Safety Rule or Safety and Environmental Management System." She added "I'm not aware of any provisions with the Drilling Safety Rule that affect OSVs."

BSEE doesn't make demands directly on contractors, she said. "BSEE requires documentation or demonstration from the operator that its contractors exercise a Safety and Environmental Management System program."

Meanwhile, the offshore enforcement process is more stringent than it was before the Macondo blowout, but not greatly so. Inspectors continue to conduct mostly scheduled reviews of drilling rigs, and they issue incidents of non-compliance for violations--starting a process that can lead to civil penalties but seldom does. Companies have several opportunities to appeal citations and proposed penalties.

Civil penalties are capped at $40,000 per incident a day – an amount some say is not enough for oil companies spending up to $600,000 a day to rent a drilling rig.

The Macondo tragedy has already cost BP and Transocean dearly. BP has spent or committed over $37 billion for cleanup, restoration, payouts, settlements and fines (so far), still facing billions more in. On January 29, BP pleaded guilty in Eastern District Court of Louisiana to 14 criminal counts, including 11 felony counts of manslaughter, and it agreed to pay $4 billion in penalties in the biggest U.S. criminal resolution ever. On Feb. 14, Transocean was fined $1 billion after pleading guilty to one misdemeanor count of violating the Clean Water Act, and agreed to pay another $400 million in criminal penalties.

Looking Forward

Phase One of the spill trial is expected to continue to late April, barring a settlement before then. A Phase Two trial could start in September to examine spill-response evidence and the amount of oil that escaped the well. A third phase, probably in 2014, will consider environmental and economic damages. Energy producers will be watching all of it closely, benchmarking their operations and trying to ensure that they do not suffer a similar fate. More than being safe and environmentally correct; it's also good business.

Tidewater's vessel Damon B. Bankston rescued 115 surviors from the Deepwater Horizon rig on April 20, 2010.

(Courtesy of Captaint76, released to the public domain.

Innovation Driven by Demand

Oil Spill Response

Oil spill equipment manufacturer Elastec brings new and sophisticated tools to a market in need of better, faster, more efficient and environmentally sound tactics. Just what the doctor ordered.

By Joseph Keefe

The X150 in tank doing what it does best: cleaning up spilled oil.

Elastec/American Marine may well be the largest manufacturer of oil spill and environmental equipment in North America, but it is technology and innovation that are quickly propelling the firm to the top of the markets. With six U.S. locations, three foreign offices and a network of global dealers, ISO 9001 certified-Elastec produces a range of products that includes oil spill equipment (skimmers, containment boom, fire boom, dispersant application equipment), incinerators, vacuum systems, portable tanks, pumps and a dozen more entries.

While the firm serves more than one niche segment, Elastec's design and manufacturing of patented drum and grooved disc oil skimmers, containment and fire booms and the recently acquired BoomVane boom deployment system are perhaps its most exciting and readily visible products. In the beginning, CEO Donnie Wilson and Vice President Jeff Cantrell combined their knowledge and skills of welding, manufacturing, and oil field service with the invention of a drum oil skimmer and established Elastec in 1989. Since then, the firm has been defined by its development of innovative products and systems, some strategic acquisitions and ever-increasing sales in over 145 countries.

The Exxon Valdez oil spill in 1989 was a defining moment in the success of Elastec's sister company, American Marine, with fire boom (developed in conjunction with 3M), a containment system for the controlled burning of oil spills. Eventually, Elastec and American Marine merged in 2012, but not before the two firms' combined response team was deployed to the U.S. Gulf for three months to lead the controlled oil burn operation after the Macondo blowout. Wilson and Cantrell, along with a team of employees, corralled more than 300,000 barrels of oil with the patented Hydro-Fire Boom system, a state-of-the-art inflatable fire resistant, water-cooled boom designed to contain and burn surface oil offshore to protect sensitive shoreline habitats.

More recently, Elastec/American Marine were awarded the $1 million first place prize for a remarkable and historic achievement for cleaning up crude oil: Grooved Discs. The competition involved more than 350 entrepreneurs, engineers, and scientists worldwide to develop innovative, rapidly deployable, and highly efficient methods of capturing crude oil from the ocean surface. According to Donnie Wilson, the award – beyond its utility and the good that it can accomplish – was especially rewarding to Elastec shareholders, since he had expended almost $500,000 of their money to make it happen.

The effort to improve and develop rapid response methods and equipment to aid oil spill response efforts led Elastec in 2012 to acquire the marketing and manufacturing

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Donnie Wilson, Elastec CEO

rights for BoomVane. Developed and patented by ORC of Sweden, BoomVane simplifies the challenges of deploying containment boom in rivers and tidal waters without the need for boats or anchors. The technology combines the science of sailing with the art of flying a kite, in the water. The result is faster response time and less recovery expense.

Finally, Elastec and Kvichak Marine Industries, a designer and manufacturer of high performance aluminum workboats, formed an alliance in 2013 to better serve customers of MARCO Filterbelt skimmer systems and Kvichak/MARCO Oil Spill Recovery Vessels (OSRVs). The alliance, created to meeting the needs of responders, provides reliable and effective oil spill response vessels and technologies. Today, Elastec both commissions and trains customers in the use of their systems and also supervises burn control operations.

Three for the Money

On the water today, Elastec's three premier products involve the newly acquired BoomVane technology, the newly invented Grooved Disc Oil Skimmer and its patented line of oil spill, fire retardant booms.

In Situ Burning: Elastec is active in developing Arctic Specific response technology. That said, Arctic response methods change depending on the season. So, what do you build for? What Elastec found was that burning in ice is extremely effective. In fact, it works under most, if not all conditions. The downside of burning is the particulate matter that eventually dissipates; hence this method of response is usually seen offshore. Wilson said "typically, you need to be three to four miles offshore. It can be done in inland waters, too, but the permitting process is more in-depth."

In terms of oil spill response, fire booms are a real specialty item and only three firms sell them today. For its part, Elastec produces two types: a seawater cooled system and one other; a ceramic model. The former works well as sea water is pumped through the boom to protect the fire retardant fabric that covers the boom. Ceramic booms, while simpler to use, are not as robust. Not as much training is needed pre-deployment and the booms are less expensive. As one might expect in this type of business, however, they have about half the life expectancy of their water-cooled cousins.

Elastec personnel and equipment more than proved their mettle during the recent Macondo Gulf oil spill. Donnie Wilson managed the controlled burning of oil for BP America with a team of employees and response contractors. The company's fire boom systems were responsible for containing and disposing of more oil than any other system during the burn operation. In charge of all controlled burns, Wilson initially had three teams on site but that grew to 14 by the end of the crisis. In total, Elastec lit 411 fires and burned 300,000 barrels during continuous deployment of more than 80 days. Wilson's crew used floating booms to corral surface oil and burn it and the effort required 80 total systems with 500 ft. booms; and 48,000 ft. of boom in total.

Wilson explains the process of controlled burns by saying, "Oil will not burn unless it is at least 1/8- ¼" in. thick. About one inch of oil burns every 10 minutes. We light the spills with hand-held igniters consisting of jelled fuel."

When it was all said and done, however, watching all that petroleum go up in smoke inspired Wilson and his firm to develop a high-volume drum skimmer that could collect more oil, rather than wasting it.

Eventually, Elastec created a skimmer that removes oil from the water with 90% efficiency, a much higher rate than any other skimmer on the market. That's not surprising, since he and his team invented oil drum skimmers, way back in 1989. In fact, the new skimmer collected an unheard of 4,670 gallons a minute. Elastec/American Marine hopes to have units ready to deploy by the end of this year.

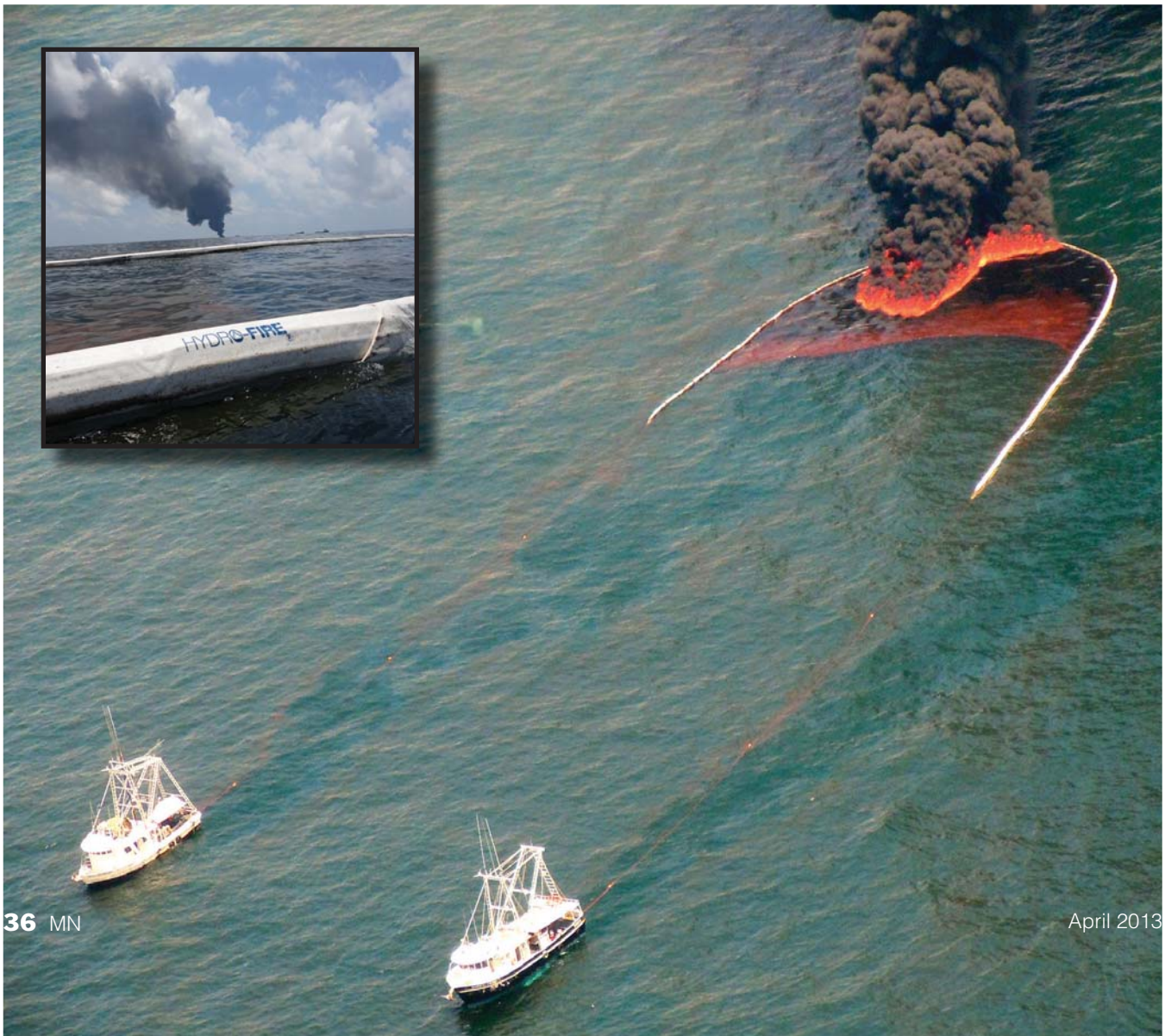
Grooved Disc Skimmer: The Grooved Oil Disc Skimmer, so far only

recently commercialized, is in the process of being developed into full system which will include a self-contained launching system and the BoomVane. In actual practice, the skimmer is towed at as much as two to three knots, much faster than the 0.75 knots common for lesser skimmers. According to Donnie Wilson, the advantages are many. "You can stay clutched in and still maintain steerage and not all vessels are set up or equipped for launch and retrieval," he said.

Used in conjunction with the Grooved disc Skimmer, the Swedish designed BoomVane, built specifically to deal with oil in inland waters, deflects oil to shore where skimmers can efficiently pick it up. The BoomVane "holds the boom open" as it is deployed. The entire system could be ready by the end of this year. As a one-two punch, the two constitute perhaps the most powerful (combined) innovation in oil spill response in more than 50 years. The X-150, with its groove disc system has a capacity of 660 gallons per minute. The Boom vane system corrals the oil, with just one captain in charge of operation whereas other systems or methods need two boats. This represents, in and of itself, significant cost savings. The boom vane itself rudders the boom away from the shore.

BoomVane: This powerful device allows for rapid boom deployment in a wide range of environments such as rivers, canals and estuaries without the use of boats, anchors or fixed installations. The patented BoomVane can also be partnered with a boat to operate a single vessel sweep system without the need for an outrigger arm. A cascade of vertical vanes under the wave-rider float allow the BoomVane to advance against the water current at speeds of 0.5 to >5 knots. The system can be operated in waters with heavy traffic and debris. The lightweight design and control rudder allows for easy retrieval and relaunching. BoomVane also folds up for compact storage and transport in boats and utility vehicles. It can be reassembled without tools in minutes. Specifically designed for shore based river operations in shallow waters, it can also deployed off a towing vessel to reach near the shoreline with booms and

Hydro Fireboom



absorbents, where it is too shallow for the vessel to go.

The largest BoomVane – the Ocean BoomVane – is designed for coastal and offshore single vessel operations with medium to large oil booms and advancing containment and recovery systems. All BoomVane units are built for maximum performance in water speeds ranging from one to five knots and are self-balancing, so no adjustments or trimming is required.

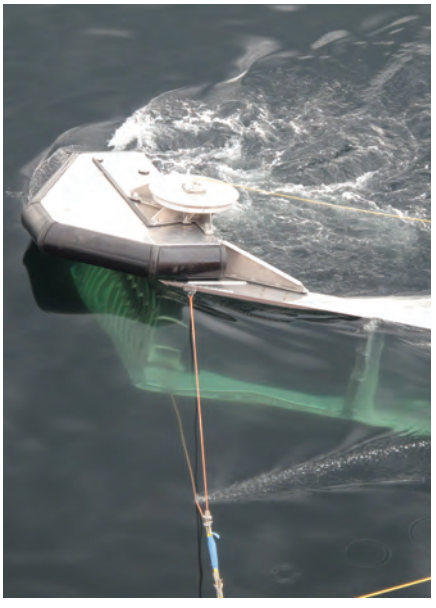
More than 400 BoomVanes have been supplied around the world, helping responders to quickly and efficiently contain and/or deflect oil to protect shorelines and sensitive aquatic habitats. No doubt, and in conjunction with Elastec's new X-150 skimmer, hundreds more will be sold in the near term. Ultimately, the environment will be the real benefactor.

Looking Back: Working Forward

A common complaint in the wake of the EXXON VALDEZ disaster was that oil spill response research – when it wasn't being thwarted by regulatory constraints here at home – was too oil tanker centric and not focused enough on the emerging threats of Arctic melting and the burgeoning oil & gas, deepwater markets. There was (perhaps) merit to that argument, but not when it came to the efforts of Elastec and its innovative efforts. The best may be yet to come.

With three primary technologies driving the oil spill response markets of today – all of which seem to emanate from Elastec itself – innovation may be the least of our problems. The question of what comes next is likely being drawn up as you read this article, in the workshops of Elastec. Count on it.

Ocean Boomvane.



A Tailored Approach to

VSAT for Workboats

ESSI Corporation and Hughes team up to address the unique requirement of this hardworking maritime sector.

By Joseph Keefe

When ESSI Corporation and Hughes teamed in 2009 to deliver broadband VSAT services to the workboat industry, they quickly discovered that not only was this a unique industry, but also that when it came satellite communications, several important requirements had to be satisfied to keep these customers happy. As a service provider, a customized service tailored to those needs evolved.

According to ESSI Corporation's Emil Regard, offshore workboats and OSV's first and foremost demand a certainty that the bandwidth ordered will be available, anytime, especially in the worst of conditions. Secondly, the transparency to view bandwidth usage in real time in order to make informed decisions about how much bandwidth is needed at any given time had to be a standard service. Finally, contract terms had to be consistent with the workboat market itself. All of that is easier said than done – but, apparently not impossible.

As ESSI fine tuned its offerings to the offshore sector over the course of the next few years, the market also evolved with it. That's because as corporate IT organizations began using the VSAT link to push applications and content to the vessels, it became more difficult to frame the bandwidth need in terms of speed (i.e. 128kbps X 256kbps), and Workboat companies began to demand more applications to help increase operational efficiencies and reduce costs. In answer to all of that, ESSI, in concert with Hughes, assembled a service package that is perhaps as unique as the niche markets that they now serve.

Who is ESSI?

ESSI services more than 3,500 structures in the Gulf of Mexico and provides Supervisory Control and Data Acquisition (SCADA) via VSAT. To be sure, however, ESSI Corporation is not new to the offshore sector. It has

serviced the offshore energy market for over 20 years, and along with its parent, Hughes, introduced Hughes Maritime Broadband satellite communications services to the workboat market about four years ago. As their client base grew, it did so in every region of the world, from the Gulf of Mexico to Brazil, Mexico, Southeast Asia, the Middle East, and Africa and in Europe, too. ESSI's customers include three of the top five companies in this market. In an industry with a lot of competition, they set out to differentiate and provide more than just internet and voice packages.

With Hughes as the well-funded and reliable parent and the Hughes Maritime Broadband network at their disposal, ESSI is arguably the perfect service provider and conduit to the maritime customer; utilizing U.S. built Hughes hubs and modems, selling to end users and providing tier one and two support. For those who buy these services strictly on the basis of price, Emil Regard contends that the buyer gets exactly what he pays for. And, he concedes, "Although we have competitive pricing, we haven't won any business yet on being the low cost provider. We're mid-range in that re-

"At GulfMark, we were interested in more than just VSAT for internet and voice service, we are looking for new applications to enhance operational efficiency and safety."

Lee Johnson, SVP & CIO, GulfMark Offshore

spect, but customers enjoy a high level of trust, service and reliability with ESSI and our equipment." And in a business where many companies spend just $300 to $700 monthly per vessel in a highly controlled situation, that's saying a lot.

OSV Operators Look Deeper

Companies looking for high power Very Small Aperture Terminal (VSAT) services often discover that they are told that they are paying for and receiving a certain amount of bandwidth, but is very often oversubscribed. Because workboats often toil in close proximity to one another, ESSI was the first to introduce – followed by others now, to be sure – guaranteed bandwidth. And to make sure that customers get what they pay for, ESSI proves it by allowing customers to have access to their hub. Regard said that it goes much deeper than that, however. "Customers like that we can and do integrate engineroom monitoring, voice and data services. For example, we can help them do monitoring and trending that will incorporate alarms at set intervals if something isn't right. And, this is something which clients increasingly want."

Regard knows that no offshore company has static needs. Boats get laid up, or more are added. Customers need to have flexibility to add bandwidth for software and or engine room monitoring needs, or subtract, if necessary. Regard said, "if a customer has to lay up a boat, then they can scale down their plan in terms of bandwidth. After all, if the boat is not working, we're not getting paid. If it is, we are. This policy operates within reason, of course, but it illustrates just one more aspect our commitment to this market." Finally, says Regard, if an antenna fails, ESSI will install an Iridium and/or Inmarsat replacement unit to tide them over.

Not Just Bandwidth: a Wider Menu

The ESSI/Hughes value-added menu is a wide one now. Now fully evolved for the demanding, increasingly sophisticated offshore markets, the breadth of services now available make it clear that VSAT providers must do much more than just provide bandwidth and data services. ESSI's offerings now include:

Vessel Mapping

This global service, developed by ESSI, tracks the precise location of a vessel and maps it on a web accessible map (including a lease block overlay in the Gulf of Mexico). It shows vessel Latitude and Longitude to four decimal places, speed (knots) and heading, updating every 15 minutes. The service records this information in history for up to one year. History shows the path and heading of the vessel over time. For fleets; the entire fleet, or sub sets such as regions, vessel types, or customers can be shown in separate groups with independent log in credentials.

Deck Vision: This global service, developed by ESSI, adds a snap shot of the back deck each time Vessel Mapping records position data. A thumbnail view of this appears on a call out box in the "Map View", and lists the photos in "Current Status" mode. The vessel can be monitored for safety and logistics management. For many customers, this is an especially desirable feature. Shoreside personnel can see a snapshot photo of what's happening

on deck. With the click of a mouse, operators can see if the deck is fully loaded. Can one more stop be made to maximize the inbound trip? Beyond this, the use of safety equipment can be spot-checked. Unsafe conditions can be spotted in almost real time and eliminated.

Engine Monitoring

This service, developed by ESSI, provides temperature, pressure, RPM and fuel information for remote viewing from anywhere there is an internet location. Users can see the most recent poll of information or request a real-time poll of all information including alerts. The system also produces historical graphs to show macro trending over time. The timing and management of the data can be customized and is independent of engine make or model.

Enterprise Package Delivery (EPD)

This web-enabled content broadcast service, developed by Hughes, transforms any maritime VSAT network to a private broadcast network. EPD can be used to deliver any kind of content, such as security software updates, safety or equipment manuals, charts, training videos, etc. EPD allows the user to set up broadcast groups and schedule data for delivery to any PC or device on the vessel and can even attach an executable command. Overhead bandwidth is used to ensure normal operation is not affected by the broadcast. EPD reports successfully delivered content and will rebroadcast until each package is delivered in case a vessel is not on the network. Instead of sending out thumb drives, or CDs and waiting for crew changes; or multiple point-to-point connections, vessel operators can use this one simple tool to control content over large fleets.

Content Filtering

This service applies corporate internet use polices to the vessels. It can be created by region or vessel and can be changed at anytime.

On Demand Streaming (ODS)

ODS is a technology unique to Hughes Maritime Broadband that "reserves" bandwidth for any identifiable application. It is the next higher level of bandwidth management as compared to "Prioritization" or "Guaranteed" bandwidth. ODS reserves a private Committed Information Rate (CIR) immediately upon recogniz-

"We needed more than VSAT, we needed a way to increase the efficiency by which we managed the fleet. We wanted to see the vessel loads in near real time to assist in logistics decision making."

David Cantu, VP of IT at Black Elk Energy Offshore Operations, LLC

ing a voice call, video stream or other application. ODS reserves the CIR for the entirety of the connection. This ensures that the most important and critical applications are completely uninterrupted or affected by other traffic on the network.

Change the conversation:

Traditionally, Workboat companies had to choose internet plans based on speed, like 128 kbps X 256 kbps, to determine the amount of satellite through-put needed per vessel. Network schemes like contention ratios or sharing make this approach difficult or at least unreliable since most VSAT providers program network sharing ratios differently. ESSI and Hughes have pioneered two ways to combat this: one is to have a very low contented network, and dedicated bandwidth options, to ensure all vessels can access the bandwidth they need, anytime they need it; and by providing real time network access to "see" the bandwidth usage by vessel, and local area network (LAN) on the vessel. The other is a new way to allocate bandwidth, and that is by "response time" of applications, not just bandwidth. A response time for an application is easier to define how much bandwidth is needed and at what contention/sharing ratio. In essence, the customer should not have to worry about the bandwidth allocation or sharing policy.

Evolving Markets, Happy Customers

Although the ESSI customer list is a long one and reads like a "who's who of the maritime offshore business community," Emil Regard prefers to keep that knowledge largely

under the Radar. Nevertheless, and in March, David Cantu, Vice President of IT at Houston-based Black Elk Energy Offshore Operations, LLC told *MarineNews*, "We needed more than VSAT, we needed a way to increase the efficiency by which we managed the fleet. We wanted to see the vessel loads in near real time to assist in logistics decision making. A VSAT solution that included precise vessel mapping and integrated photos of the back desk was critical to our decision. The ESSI Deck Vision solution coupled with the Hughes Maritime Broadband service helps us operate more efficiently than ever."

Lee Johnson, SVP & Chief Information Officer at GulfMark Offshore echoed those remarks when he declared, "At GulfMark, we were interested in more than just VSAT for internet and voice service, we are looking for new applications to enhance operational efficiency and safety. GulfMark is reviewing applications such as engine monitoring, document synchronization, global mapping & redundant fail-over by leveraging VSAT's value proposition. This helps increase the value of the investment GulfMark has made in the overall solution."

For offshore service providers, the increasingly sophisticated nature of doing business is driving the need for more bandwidth and VSAT services, packaged attractively and with real utility. Emil Regard, recognizing today's offshore conditions and also alluding to the comments above, finished by saying simply, "The buyer is now much more sophisticated now in the offshore markets. It is typically not the office manager anymore; it is corporate IT. And because that's where Hughes came from and who they have always dealt with, both ESSI and Hughes like where the market is evolving."

Caterpillar's *Marine Center of Excellence*

Highly automated, fully variable assembly process allows Cat to provide uniform service to a myriad of marine customers. But, MCOE is only one part of Cat's new business strategy.

By Joseph Keefe

In August of 2007, the first Cat marine engine left Caterpillar's new Marine Center of Excellence (MCOE) in Greenville, South Carolina. In the ensuing years, countless engines have gone through the same process. And, according to Caterpillar's Manufacturing Engineering Manager, Brad Fischer, "By creating a unified process for marine engines, Caterpillar has benefited by being able to deliver unique processes to marine customers where necessary while leveraging common processes across all engine manufacturing."

Caterpillar Marine Power Systems brings together all the sales and service activities for Cat and MaK branded marine products within Caterpillar Inc. The organization provides marine power solutions (high and medium speed with outputs from 11 kW to 16,000 kW) and customer service from a single source for the global ocean-going, commercial and pleasure craft markets. With a sales and service network of more than 2,100 worldwide dealers, Cat says it is well positioned to support customers wher-

CAT Marine Center of Excellence.

ever they are. Arguably, the epicenter of that effort depends on the Greenville, SC-based Caterpillar MCOE. An early January site visit by ***MarineNews*** brought the impressive capability of this ultra-modern facility into full focus.

Over time, the Cat vision of delivering products to marine customers that meet and exceed expectations has not changed. As the MCOE facility matured, it has added new capabilities to meet these needs as well as robustness and efficiency to its processes. Starting from an original headcount of 65 MCOE factory, engineering and marketing employees, the Greenville site has now grown to more than 150 support staff, with another 250 working on other Cat tasks. The DNV and ISO:9001-2008 certified center has been in this location for 17 years and now is home to high volume engine production that sees annual audits by all the major classification societies. And, while bigger and medium speed engines are processed in Cat's Lafayette, Indiana location, nowhere is the concept of engine "marinization" more important than it is here in Greenville.

Engine Marinization

Although Cat utilizes the same engine block for land and sea applications, that's where the similarities end when it comes to making sure that an engine is ready for a demanding life on the water. Indeed, the power requirements of marine engines, operating conditions and multiple vessel design configurations for cooling drive the unique requirements for marine engines.

Corrosion protection is also a critical part of the marinization equation. For this reason, Cat applies paint prior to assembly; they uses a thicker paint application benchmarked to ensure optimal coverage and endurance. And applications do vary – pleasure versus commercial. For this reason, a conscious effort to upgrade and change the regulations of land-based paints to marine engine applications is underway. The coating process at MCOE, as ***MarineNews*** discovered in January, is highly technical, computerized and versatile. Only after this aspect of preparation with each component is complete will an engine part then leave the paint shop for the assembly line.

Brad Fischer explained, "The design of our paint process is intended to deliver corrosion protection and cosmetically meet customer fit and finish requirements. Some elements of the finishing process we've selected could be varied by another manufacturer's choice while achieving similar effect, but varying others would degrade customer performance."

MCOE provides the ideal manufacturing environment, blending both high-speed and highly controlled processes with the ability to produce an order-specific build product. Beginning with the engine block itself, an innovative monorail transport system, comprising 20 engine car-

riers and ultra-modern PC tooling equip¬ment, provides flexibility in engine assembly. All six different C series engine models, each with numerous different ratings and customized configurations, can be assembled in random order. Regarding MCOE production capacity, Cat officials would say only, "The facility meets current customer output demands, with room for growth."

Work instructions are computer driven with color coded parts. Assembly line workers "badge in and badge out" for quality control. Even torque control is automated – the same exact amount of torque is applied to each bolt and clamp, every time. Electronic tooling with RFID chipped socket wrenches complete the picture of the fully modern assembly process. Nevertheless, the assembly line is versatile, changeable and audited throughout to allow close monitoring of the process.

Every completed engine undergoes application-specific testing to ensure that the final configuration meets the desired performance and quality levels. Three test cells, designed especially for marine engines, enable comprehensive dyno testing of any conceivable operating situation. To ensure maximum compliance with engine specifications, the average testing time has been increased to about 45 minutes per engine. The data collected during the hot test process is available to the Cat Dealer for use in understanding that particular engine's performance on board compared to in the factory. An additional benefit stems from the fact that the data from all tests is available internally for analyzing product and process performance.

After successfully completing the performance test, the engine undergoes final painting and another detailed inspection prior to being released for shipment.

One Size Does Not Fit All

At MCOE, Cat has made dramatic changes from past market experiences and now sees what industry wants

– understanding each individual industry segment. Since 2007, Cat has talked to more than 300 customers in focused, 1.5 hour interviews. What they discovered was that one size does not fit all anymore, and it also became clear that customers wanted one integrator. A new business strategy then emerged, focusing on 10 different industry segments. Fischer continues, "We are committed to remaining a market leader in the marine industry and strive to build long-term partnerships with our customers. Understanding our customers' key value propositions has guided Caterpillar Marine Power Systems to engage in a strategically-segmented approach to the marine industry and adjust to our customers' short-term needs. Our segments include offshore, tug and salvage, pleasure craft, cruise, ferry, fishing, dredge, cargo, governmental and inland waterways. We are currently experiencing significant growth in our offshore segment and are uniquely suited to leverage the synergies between marine and oil and gas divisions in this particular segment."

Along the way, the differences in the requirements and concerns for each of the sectors also became clear. Fischer told ***MarineNews*** that OSV's, for example, might be more concerned with reliability than they might be with fuel efficiency because no one wants downtime in this high-dollar day rate game. Others want to know about owning, operating lifecycle costs, while for some marine operators, the solid relationship with their engine supplier comes first and foremost. Lowering their environmental footprint and measurable emissions is still a big concern of course, especially from the cruise industry.

Spending twice as much in research and development now, as it was just three years ago, Cat continually strives to be the industry's one stop shop that melds business and technology into one service.

Beyond MCOE: Innovation, Integration and Technology, too

During our visit site visit, Fischer also took us beyond MCOE with a closer look at other developments at Cat. Referring to Cat's new and aptly named gplink, the new satellite/cellular based tracking, monitoring, and notification system is specifically designed for Cat engines, he said, "Caterpillar's use of satellite and cellular remote monitoring is just one component of our value proposition to our customers; we want customers to have one source for all of

Brad Fischer, Caterpillar's Manufacturing Engineering Manager

their power needs, from main propulsion engines to generators to auxiliary power units. These engines, along with their controls and switchgear, can all be serviced by our 191 Cat Dealers worldwide. Remote monitoring adds an additional dimension of safety and enables our dealers to swiftly serve customers, minimizing downtime and increasing bottom lines."

CAT began marketing the optional add-on gplink service in June 2012. One day, they envision that the service will be a standard feature for all CAT engines. Monitoring "Advanced Condition Based" maintenance and data, the system is also designed to predict failures – before they happen. Non-Engine metrics can also be monitored, including bilge alarms, air conditioning systems, smoke detectors low batteries, power interruption and other similar warning systems. Especially applicable for yachting community, the use of the gplink can also trigger a break in insurance costs much in the same way that homeowners with home security systems can gain similar leverage with their casualty insurance brokers.

Fischer adds, "All over the world, numerous Caterpillar customers are realizing the incredible utility that remote monitoring offers in a relatively inexpensive package. For some, avoiding even a few days downtime is a matter of tens of thousands of dollars and detecting potential problems early on will minimize time for maintenance. Indeed, there is the possibility in the foreseeable future that many Cat engines will include remote monitoring as a standard feature."

Also recently introduced to Cat's ever-expanding line of marine solutions is the Cat C1175-16 Engine. The diesel, dual fuel and gas engine is targeted for the marine and offshore markets – ideal for offshore support vessels, tugs and workboats. Designed to improve total vessel profitability by providing durability with unmatched power output, Cat billed the engine as "the new industry standard in terms of hard-working, revenue-producing power." Bob Hallengren, Caterpillar Marine Power Systems product director said recently, "Naval architects can design vessels around the Cat C175 engines with the confidence these engines will deliver in terms of power and load carrying capability."

Available today in the 2001 to 2168 bkW power range, starting in early 2013 it will be offered in the 2239 to 2550 bkW range. With unrestricted continuous and heavy-duty ratings, the engine provides (13%) more power, room for growth, and maximizes productivity, while minimizing cost of ownership.

The C175-16 is simply one plank in the Cat platform to broadly expand its strategic focus on maritime assets and their power needs, according to Nigel Parkinson, Managing Director, Caterpillar Marine Power Systems. Offering maximum performance along with EPA Marine Tier 3 and IMO Tier II emissions compliance with no after treatment, it is positioned to comply with EPA Tier 4 and IMO Tier III rules.

Tucked away in a quiet corner of South Carolina, the Cat Marine Center of Excellence might be easy to miss if you didn't know what you were looking for. Clearly, however, Cat knew exactly what it was looking for when it assembled the state-of-the-art assembly plant back in 2007. The dividends of that effort are only now beginning to become apparent as Cat not only augments its product and service lines, but also alters how it does business in a rapidly changing marine landscape. But, you don't need to travel all the way to the Palmetto state to understand that.

Using Mediation:

Eliminate Risk and Conserve Litigation Expenses

By Larry Demarcay

When doing business in the maritime industry, someone will inevitably file a legal claim against your company, or you will file a claim against someone else. Although litigation is always good for your legal team, it is often not good for the litigants. Litigation forces a company to utilize resources that could be working on more productive areas of your business. While the litigation process progresses, you will have to use your employees' time to respond to written discovery requests, participate in the deposition process, all while paying your legal team's attorney fees and costs. As such, in many cases, it makes sense to try to resolve the claim short of having the matter evaluated by the judge or a jury. Mediation has proven to be an effective tool in resolving legal conflicts.

The benefits of mediation

The cooperative resolution of a legal claim can be advantageous to your company for several reasons. For starters, you can wrap the claim up without continuing to incur legal costs and expenses. Secondly, allowing a judge or jury to decide the fate of your claim involves risk due to the uncertainty associated by having a third party evaluate your case. Beyond this, you can exert some control over the outcome of the litigation and try to shape a resolution that helps your company. Lastly, it prevents the court from making law that may not bode well for either your company or the industry in the future.

What is Mediation?

Before you can make an educated decision as to whether to mediate a claim, it is important to understand what mediation is. Essentially, mediation is a voluntary process where parties to a legal dispute attempt to negotiate the mutual resolution of a claim using a neutral third party to assist in the process of finding a mutually agreed upon settlement. The mediator does not take sides and will work with both parties to try to reach a compromise. In fact, if a mediator does his job well, both sides will be happy that the claim has resolved while not being entirely happy with the outcome.

Mediation is confidential and non-binding. As such, the mediator cannot force you to accept any compromise and anything that is discussed during the mediation cannot be used as evidence during the trial of the matter. For example, if you concede a contentious point in an effort to reach a resolution, and the matter does not settle, you are still free to dispute the point as if it was never addressed during the mediation.

Mediation can be scheduled at any time; from the first notice of the claim all the way to after trial judgment is on appeal. However, for the process to be effective, both parties need to have a good handle on the facts so that reasonable negotiations can occur. The process works best after a reasonable amount of fact discovery is completed but before the parties incur significant fees and expenses on the trial preparation process. Mediations scheduled too early in the process often fail because the parties do not fully understand the factual positions. Mediations that are scheduled too late are often ineffective if the parties are prepared for trial and the costs associated with forging on to trial have already been incurred. Trial preparation expense often serves as a motivation for reaching a resolution.

The Process

The mediation process is usually started by the attorneys representing the litigants after the case is in a position to discuss settlement. Mediation can also be required pursuant to a contract between the parties as part of an agreed upon dispute resolution process, usually before suit is filed. Many judges also strongly recommend that mediation be performed prior to the trial of the matter. Although judges cannot force the parties to attend mediation as part of the rules of civil procedure, it is always wise to heed such a suggestion and do your best to resolve the claim at the conference.

Once the parties agree to mediate, the parties must select a mutually agreeable mediator, time and location. Although one would expect that the process should be easy, the parties often have problems working out these details. Although a party's objection to a mediator or the location may seem ridiculous to others, it is important to work through these objections and reach a compromise for the process to have a chance to resolve the claim. For example, a defendant that does not trust the mediator will be less likely to listen to him with an open mind and agree to put

up a reasonable settlement if the mediator points out flaws in the defense. Similarly, a plaintiff that does not trust the mediator will not listen to the mediator when he or she explains that his case is not quite as certain as he or she believes it is. The "buy in" by both parties on the front end is crucial for the success of the process. The parties should also agree on how the mediator should be paid for his services. Ideally, the parties should share the expenses equally, because anyone that is not willing to invest in the mediation is probably not serious about resolving the claim.

Once the mediation is set, the attorneys will prepare confidential position papers that are submitted to the mediator in advance of the mediation. These position papers are not exchanged between the parties and the mediator will not reveal the contents of the papers to the other side. The review of the position papers allows the mediator to understand the case before the mediation begins.

On the day of the mediation, the parties usually begin in a conference room where everyone meets with the mediator. The mediator will introduce himself to the litigants, explain the process and make sure that everyone is willing and ready to begin. Then, each party's attorney will make an opening presentation stating their position and the reasons why they believe that they are entitled to a big recovery or that they should pay significantly less, depending upon which side that they are on. Once the attorneys are finished, the mediator will often ask the parties if they would like to add something to the presentation. At this time, the plaintiff can take the opportunity to "get it off his chest" and let the defendant know why he or she is upset and the defendant also has an opportunity to say that they are sorry, if the situation warrants such an apology. Many times this discussion can break the ice and allow for productive negotiations when the parties had been at an impasse.

Once the introductions are complete, the negotiation process begins. The process can be long, tedious and frustrating. The mediator will separate the parties into different rooms and shuttle back and forth between the rooms exchanging information and settlement offers. As the parties usually start with unreasonable offers, the day is spent negotiating towards a reasonable settlement number, a dance that is hard to appreciate for a business manager that is used to direct and reasonable negotiations in the commercial setting. During each caucus session, the mediator will listen to the party's argument as to why their case is so good and then try to explain to you why your case is not as good as you think that it is. The process is frustrating and the mediator's job is to serve as a devil's advocate. It is important to keep in mind that he is doing it to both sides. As such, the parties are often not happy with the mediator at the end of the day.

Resolution

If a successful resolution is reached, the mediator will prepare a written agreement stating the terms of the settlement. This simple agreement is usually limited to outlining the payment terms such as the amount of settlement, the timing of the funding for the settlement and, if there is more than one defendant, how the settlement amount will be split among the defendants. Once the settlement is ready for funding, the parties will exchange settlement funds in return for a full release of liability and the parties will file a joint motion to dismiss the suit. At that time, the matter has been fully resolved.

In the event that you are involved in litigation, whether it is a commercial dispute or a personal injury claim, mediation, when scheduled at the right time, is an invaluable tool to use in resolving legal matters prior to trial. Matters settled during mediation are always resolved on terms that are acceptable to the parties. Taking the matter to trial is expensive and the outcome may not be to your liking, despite the strength of your claim and your legal team. Bottom line? Successful mediation of a claim can save your company time, money and eliminate risk.


Markey


Hall


Cleveland


Peterson


Moore


WCI

Michael Jean Markey Passes Away

Michael Jean Markey died peacefully on March 2, 2013. Mike was born in Seattle, Washington, on Halloween 1932. He graduated with a Bachelor's Degree in Engineering from Stanford University in June 1954. In 1958, Mike joined his father, William C. Markey, at the family firm, Markey Machinery Company, Inc. in Seattle. MMCo was founded in 1907 by Mike's grandfather, Charles H. Markey. Mike was with the company until his retirement in 1996. Mike is survived by his wife, Norma Markey; his daughter, Jocelyn Markey; his first wife, Mel McConnell; his stepdaughter, Debra Dana; his stepson, Mark Dana; and Mark's daughters, Rachel and Jennifer.

IBIA appoints New Chief Executive

The International Bunker Industry Association (IBIA) appointed Captain Peter Hall as its new chief executive. A former CEO and harbor master of the Gibraltar Port Authority, Peter Hall's 40-year career in the shipping industry has encompassed a wide range of roles including 18 years at sea, operations manager of a towing company and harbor master.

Cleveland Appointed at RPG

Resource Power Group (RPG) has appointed Chandler Cleveland as its Branch Manager, Doral (Miami) Operations effective immediately. In his new role, Cleveland will oversee the sales and operations for the southeast U.S., south Florida and Caribbean. He will also continue to handle certain key accounts on the Gulf Coast. Cleveland previously worked in both service and shop management of MaK products at RPG-Doral as well as in sales.

Petersons Join Kadey-Krogen

Kadey-Krogen Yachts appointed Bob Peterson as sales executive, along with wife Jeni Peterson, based out of the company's corporate office in Stuart, Florida.

Looper Reed Expands Practice

Looper Reed & McGraw announced the addition of Julia Palmer and Carrie Weitinger as members and Shannon Thorne and Monika Moore as associates to its Houston office. Julia M. (Adams) Palmer is an active member of the admiralty and energy bar. Carrie Weitinger focuses her litigation practice in the areas of maritime, insurance and general tort claims. Monika Moore focuses on several practice areas including admiralty and maritime, litigation and insurance coverage counseling.

Springfield Hires Walker

Springfield Marine Company announced the appointment of Bill Walker as Upper Midwest Regional Sales Manager.

Port Authority Elects New Officers

The Cleveland-Cuyahoga County Port Authority's Board of Directors elected officers to new one-year terms, effective immediately. The Board elected Marc Krantz as Chair, Chris Ronayne as Vice Chair and Diane Downing as Secretary. Krantz is managing partner of the Cleveland law firm of Kohrman Jackson & Krantz. He has served on the Board since 2009. Ronayne and Downing were both appointed to the Port Board in 2011. Ronayne is president of University Circle. Downing is SVP and regional manager of corporate affairs for Huntington National Bank.

Kaplan Joins HydroComp

HydroComp, Inc. added Adam Kaplan to the staff in Durham, NH as Project Engineer. Adam will be the lead for development of new versions of PropExpert and PropCad software.

Person Joins Klüber Lubrication

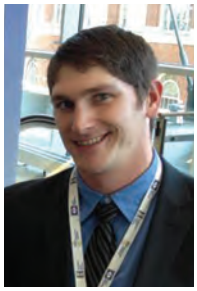
Klüber Lubrication said that Ron Person has joined its North American operations as director of business development for oil and gas.

Senator Durbin Earns WCI Leadership Award

U.S. Senator Dick Durbin (D-IL) (center) was presented Waterways Council, Inc.'s (WCI) 12th Annual Leadership Service Award for his strong leadership on ports and inland waterways issues, most recently serving to help keep the Mississippi River open to shipping during the drought-inflicted low-water crisis. Senator Durbin was presented the Leadership Service Award at WCI's Washington Seminar on March 19, 2013 in Washington, DC.


Walker


Krantz


Kaplan


Person


Crowley


CPE

Crowley Honored for USSMA Contributions

Crowley Maritime Corp. President, Chairman and CEO Tom Crowley became an honorary alumnus of the United States Merchant Marine Academy (USMMA) during a special banquet held in his honor. The USMMA Alumni Association and Foundation recognized Crowley for his years of support of the academy and its cadets in front of more than 130 guests, including past and present Crowley employees and USMMA graduates, at the University Club in Jacksonville, Fla.

17 Professionals Graduate from CPE Program

The Certified Port Executive Program (CPE) welcomed seventeen new graduates who completed the program on March 15 at the Port of New Orleans in New Orleans. The new graduates join a growing alumnus of port, transportation, coast guard and military personnel who have participated in the program since its creation in 2010. The CPE Certified Port Executive Program is a five-day professional education course focused on the operations of ports, vessels, marine terminals and the related transportation system. Course topics include an overview of the worldwide intermodal transportation system; port and terminal operations; cargo management; safety and security; emergency planning and response; public and media relations; environmental management; and strategic, master, and business planning.

AWO, TVIB Agree on Auditor Training, Certification

The American Waterways Operators President and CEO Tom Allegretti announced that AWO entered an agreement with the Towing Vessel Inspection Bureau under which the TVIB will take over the responsibility for training and certifying AWO Responsible Carrier Program auditors later this year. The first TVIB-led auditor classes will be held this summer.

Braemar Engineering Announces LNG Fueling One Stop Shop

Braemar Engineering has launched a new venture which recognizes the LNG as a global maritime fuel source. Geoff Green, Managing Director of Braemar Engineering, said Braemar will take its experience and skills in dynamic positioning (DP), LNG in the marine environment, LNG supply and application to a new operation that will advise on every aspect of the use of LNG as a fuel source in the offshore sector.

Seaway Navigation Season Begins

The 2013 Great Lakes shipping season began on March 2 with the sailing of the tug/barge unit Prentiss Brown/St. Mary's Conquest, which departed its winter lay-up berth in Milwaukee and sailed for Charlevoix, Michigan, where it loaded 9,200 tons of cement for delivery to Chicago. Over the next several weeks, 52 more U.S.-flag lakers will return to service and spend 10-plus months hauling the raw materials that are the foundation of the industrial heartland.

PVA, Coast Guard Agree on Fire Protection Guidelines

The Passenger Vessel Association (PVA) and the U.S. Coast Guard signed an agreement on policy regarding Coast Guard approval of fire protection for newly constructed high-speed vessels. This agreement is critical to the U.S. shipbuilding industry to ensure delivery of Coast Guard-approved high-speed passenger vessels. The agreement, the product of a chartered working group of experienced PVA member industry experts and Coast Guard policy specialists, details guidelines for pre-approved design criteria including seating arrangements and space dimensions. This solution allows boat builders to meet the standards of fire safety while facilitating the building of lightweight high-speed aluminum vessels, currently in strong demand. The revisions to Coast Guard Navigation and Vessel Inspection Circular (NVIC) 9-97-1 were produced utilizing research advances in fire modeling from the designs of working vessels to most accurately test dimensions and configurations with performance-based engineering analysis.

WQIS, ASA Agree

The Water Quality Insurance Syndicate (WQIS) have been accepted as a Corporate Associate member of the American Salvage Association (ASA).

JK Fabrication's Emergency Towing Reel

By Joseph Keefe

You've got an emergency towing wire. Of course you do. It's rusted beyond belief, probably retired from primary service two years ago when it developed that kink and those nasty fishhooks. And, it's deployed where it should be; out on deck, in the open and exposed to the elements. Will it perform when you need it most? Probably not. It doesn't have to be that way. According to JK Fabrication, the current system of storing wire on a front splash plate insures that the wire will fail as it has very tight radius bends and is rusted in a very short time. When pulled hard in an emergency, the wire will break from tight radius fatigue in rusted areas.

Moving forward with a proven design of a non-required, but nevertheless key safety item, JK Fabrication has already installed several of their patented Emergency Towing Reels. Already being purchased by industry despite the lack of classification society or Coast Guard mandate, the JKF emergency towing reel is a simple and proven means of storing an emergency tow line and facilitates fast and safe deployment when that becomes necessary. Already in service on a number of major operator's barges, the units have been successfully deployed to avert disaster in the face of parted towing lines and other casualties.

The unit is capable of carrying a number of different diameters and lengths of wire cables in a compact, easy to access and quickly deployable fashion. JK Fabrication continues to look for Coast Guard approvals or other regulatory mandates for this type of equipment, but in general, emergency towing arrangements are required only on tankships 20,000 deadweight tons and above, while tank barge towing and anchor arrangements are based primarily on route and service. That doesn't mean it isn't a good idea.

Emergency Towing Reel Capacity

Cable Diameter	Capacity
1-3/4" cable	1,600 feet
2" cable	1,200 feet
2-1/4" cable	900 feet

The unit can include a hot-dipped galvanized finish or a two-part marine epoxy coating. The storage reel is designed and engineered to survive in harsh salt water conditions and to provide years of reliable service with its large wire capacity, stainless steel tension brake, bolt-down mount and protective cover. With the bolt-down mounting design this system can be simply switched from barge to barge or stored in the warehouse for the next voyage. Simple to deploy, when the pick-up line is pulled, the emergency tow line runs completely off of the reel and engages with the auxiliary tow chain, allowing you to continue the tow and complete your voyage. To date, JK Fabrication has sold about 10 units to industry for service on fuel barges and container barges. It goes without saying that they hope that their device will become the new standard in design for retrieving a loose barge, ship, ferry, or any other marine vessel.

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Seawork International is the biggest and fastest-growing UK event for the commercial marine and workboat sectors, attracting 450 international exhibitors and 7,200 high-calibre visitors from 40 countries

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www.seawork.com

PRODUCTS

Rule's EV8000-100 Portable Pump

With 8,000 gallons per hour capacity, this pump is an alternative to portable gasoline and diesel pumps. A 25-foot cable equipped with clamps allows for the easy reaching to a deep cycle battery. Designed for heavy work, the EV8000 can suck up water without absorbing litter. The EV8000 is equipped with two independent 4,000 GPH motor pumps.

www.rulepumpsupply.com

Global Satellite Self-Contained Tracker

Global Satellite USA launched GSatMicro, powered by GSatTrack.com, a self-contained satellite tracking device that can track and monitor assets globally, utilizing the Iridium network. Built with security in mind, it has 256-encryption and measures 42mm x 51mm x 32mm in size and includes a battery, modem and antenna. GSAT Micro is best suited for tracking and monitoring boats, fleets of ships simultaneously (one unit per ship), tenders, crew or even equipment. The tracker can be set to prevent a boat beyond its boundaries to start up again.

www.globalsatellite.us

Honda BF250 Engine

Honda's BF250 is the flagship of its V6 range and combines a 3.6L V6 EFI engine with the world's first direct air induction system in an outboard to deliver improved overall performance and fuel economy.

www.marine.honda.com

Speed Boat Entrapment Device

BCB International's Buccaneer Lightweight Interceptor (BUC LWI) enables security teams to intercept, entrap and disable fast vessels used in narcotics trafficking, piracy or terrorist acts without using deadly force. The Buccaneer Lightweight Interceptor (BUC LWI) uses compressed air and interchangeable barrels to project floating entanglement lines and other vessel disabling projectiles. The BUC LWI is an ideal non-lethal solution because it can fit inside Rigid Inflatable Boats used by security teams and stop in its tracks a suspicious vessel travelling up to 40 knots without the unnecessary loss of life.

www.bcbin.com

John Deere Power Systems

John Deere Power Systems manufactures and markets diesel engines to meet marine customer needs in commercial and recreational applications worldwide. John Deere PowerTech marine engines are built for power, reliable performance, long life, fuel efficiency, quiet operation, ease of maintenance and simplified integration. The John Deere lineup of propulsion engines offers power ratings from 56 kW to 559 kW (75 hp to 750 hp).

www.JohnDeere.com/marine

Laborde Repowers Bahamas RoRo Carrier

Laborde Products recently put a second pair of Mitsubishi engines in service in Nassau, Bahamas for the RoRo Company. The first boat repowered was the 165' KCT, which has a pair of Mitsubishi S6R-Y2MPTK engines rated 630 hp at 1,600 rpm installed. The second vessel, the 190' Vi-Nais, has a pair of S6R2-MPTK2 engines rated 927 hp at 1,400 rpm installed.

www.labordeproducts.com

Rolls-Royce Propulsion for Battery Powered Ferry

Rolls-Royce plc signed a contract for the delivery of its Azipull propulsion and control system for the 'ferry of the future', a new vessel which will operate on battery power alone. The tender called for a ferry that was 15-20% more energy efficient than existing vessels. The Rolls-Royce Azipull propulsion system, which utilizes pulling propellers as opposed to conventional azimuth thrusters will help the battery powered, aluminum catamaran meet these standards. The ferry will charge its lithium-ion batteries while loading or unloading cars.

www.rolls-royce.com

Cummins Tier Three Engines

Cummins Inc. announced the availability of its U.S. EPA Tier Three certified QSK19 and QSK60 marine engines. Cummins Tier Three solutions reduce emissions in-cylinder without aftertreatment. Cummins Tier three marine product line will serve as the platform for future, more stringent emissions in the U.S. and globally. Representing a 50% reduction in particulate matter (PM) and a 20% reduction in NOx compared to Tier 2 standards, the EPA's Tier three marine emissions regulation went into effect January 1, 2012 for Cummins engines between 3.5 and 7.0 liters per cylinder and continues through 2014.

www.marinecummins.com

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PRODUCTS

CS Unitec's Pneumatic Long-Reach Scrapers

CS Unitec's Trelawny Long-Reach Scrapers feature one tool with multiple applications – chipper, scraper and descaler. The air-powered long-reach scrapers consume 4.5 CFM of air at 90 PSI and are safe for use in hazardous areas. They remove residue, corrosion, adhesives, paint, chemical spillages, bituminous products, plaster, mortar and more. CS Unitec's offers a series of "LITE" models up to 6' long that weigh less than 8.5 lbs. All long-reach scrapers can be converted to needle scalers by changing the scraper/chisel with a needle attachment.

www.csunitec.com

Oil Filter Technology Cuts Costs, Meets EPA, IMO Regs

Filtration Technology Group (FTG) offers full-flow, cleanable and reusable filters that are designed to last beyond the life of the engine. The reusable filters replace lube oil and other filters with a cleanable stainless steel wire cloth filter and are available in configurations that spin directly onto existing mounting heads, or in remote-mount models well-suited to space-constrained, below deck, marine applications.

www.ftginc.com

TerraMar, ORBCOMM Launch Satellite AIS

TerraMar Networks Ltd. entered an agreement with ORBCOMM Inc. to create a satellite AIS service that receives a ship's identification, position and other critical data to assist in vessel tracking, maritime navigation and safety. Its integration with TerraMar Networks' proprietary fleet management portal, called tracpoint, will provide customers with a global tracking service for a range of vessels and drilling rigs in coastal and deep ocean waters.

www.terramarnetworks.com / www.orbcomm.com

Metal Non Skid for Workboat Deck

Silvagrip offers extreme grip made of Aluminum with ceramic or titanium abrasives. Silvagrip is fabricated with technical alloys. These metals hold a matrix of sharp abrasives, including ceramics and titanium. Silvagrip is very ductile and capable of being shaped or bent, but at the same time give a strong non-skid wear surface.

www.silvagrip.com

Uniseal's Positive Pipe-to-Tank Seal

Uniseals from TOPP Industries, Inc. are a positive pipe-to-tank seal for flat or curved surfaces excellent for marine industries. Designed for holding tanks, these uniseals work well in any application where pipe penetrations are required, including wastewater lift stations, valve boxes, sump risers, pump stations, dispenser pans, junction boxes, cooling systems and boats. TOPP uniseals are designed for pipes with standard outside diameters and are ideal for use with PVC, galvanized steel, copper, EMT, rigid conduit, fiberglass and polyethylene pipe. Features include easy installation, tight seal requiring no adhesive, hardware or threads and a tough, pliable thermoplastic material construction. Uniseals also provide resistance to most chemical compounds, petroleum products, methanol, ethanol and most soil compounds.

www.toppindustries.com

Raymarine's CHIRP Powered Dragonfly

Raymarine's high-performance Dragonfly Sonar/GPS brings the power and crisp detail of advanced CHIRP sonar to underwater imaging at an affordable price. The new easy-fit, stand-alone Dragonfly is a dual-channel CHIRP sonar and GPS chartplotter combination and comes complete with its own dual-element CHIRP transducer; ideal for smaller boats of almost any kind. Dragonfly's dual channel CHIRP technology enables detailed exploration of the underwater structure with photo-like clarity using Dragonfly's high resolution, DownVision sonar. Dragonfly's many potential applications include in underwater surveys, underwater search and recovery, angling and diving.

www.raymarine.com/dragonfly

Harrington Hoists HSC Grade 100 Sling Chain

Harrington Hoists recently released super strong, Grade 100 Sling Chain which is used to make chain slings when appropriate sling fittings are attached. Typical applications include the lifting of heavy loads or repetitive lifting situations in foundries, steel mills, and heavy machining processes. Harrington Grade 100 Sling Chain is durable, flexible and will tolerate a wide range of temperatures. Economical due to its long wear life and is easy to inspect, handle and store, this product is currently offered in three chain diameters of 9/32" (7mm), 3/8" (10mm), and 1/2" (13mm).

www.harringtonhoists.com

Bouchard Transportation Co., Inc.

2nd Tug Mate
Qualifications:
- Minimum of a 200 ton Mate Near Coastal with Radar Observer, TOAR, STCW and VSO endorsements
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- GMDSS operator/maintainer a plus

Asst Engineer
Qualifications:
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- MMD DDE 1,000 to 4,000 HP
- STCW
- TWIC

Tankerman AB/Cargo Mate
Qualifications:
- Minimum of a AB Tankerman PIC (BARGE)
- STCW
- TWIC

Send all resumes to
personnel@bouchardtransport.com
Or Fax to **631-390-4966**

Shore-Based Launch Engineer

Job Location: Canada, Victoria, BC

About the Organization
The Pacific Pilotage Authority (PPA) is the federal Crown corporation responsible for providing safe, reliable and efficient marine pilotage and related services in the coastal waters of British Columbia, including the Fraser River. The mandate of the Authority is to establish, operate, maintain, and administer, in the interest of safety, an efficient pilotage service within this area of jurisdiction.

About the Opportunity
Currently, the Pacific Pilotage Authority is looking to hire a full-time Shore-Based Launch Engineer in Victoria, British Columbia!

To apply for this role, you must have at minimum a 3rd Class Marine Engineer's Certificate of Competency, or an equivalent amount of experience.

Our ideal candidate will have theoretical and practical experience in operating, maintaining, and repairing small vessels.

As a Union employee of the PPA, you can also look forward to the following benefits:

Full benefits as per the collective agreement!
Three weeks paid vacation!
Professional development subsidies!
If you are looking for a job like no other, and want to work for an Authority that can make a true difference to the marine industry, then this is the role for you - Apply Now!

To find out more and to apply, please visit: **http://jobs.applyfirst.ca/jobs/42368**
Employment Office

BC Canada
Email: **helen.lavercombe@theemployentoffice.ca**

Deck Department Faculty, Simulation

Job Location: USA, Fort Lauderdale

This position is considered a mid career level job, with potential for advancement. Simulation Instructors work directly under their respective Department Heads and are responsible for delivery of STCW compliant simulation courses; focusing on DP, ECDIS, and Ship Handling. This is a full time position.

Skill Requirements:
All applicants will need to possess a current STCW compliant management or operational level license, preferably of Unlimited Tonnage. Additionally, certification as a DPO will be a requirement of this position. Applicant will need to have a thorough understanding of Microsoft Office Programs and comfortable working with them. Experience working with Transas software and MT software is desired but not required. Certification in Train the Trainer is required, applicants without Train the Trainer may receive the training as part of their orientation package.

Salary Range:
Salary shall be discussed with individual applicants, however the range will be
$55,000- $80,000 per year, with health insurance and additional benefits.

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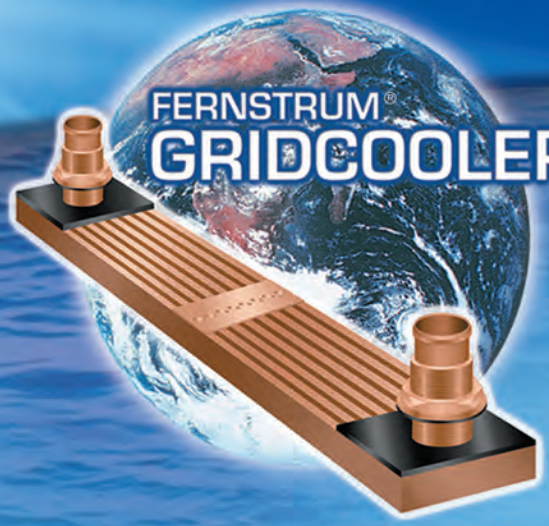

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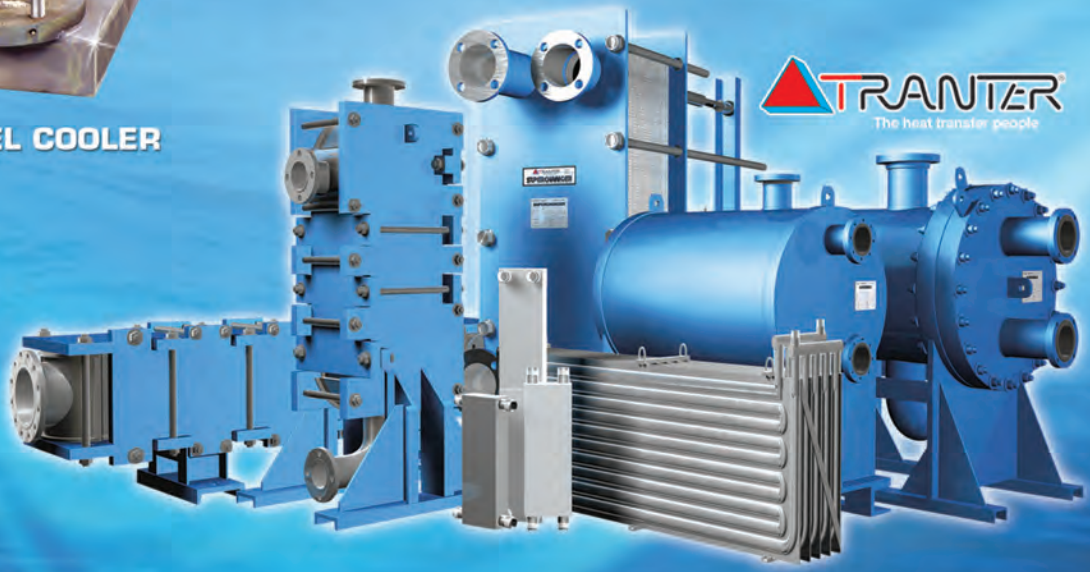

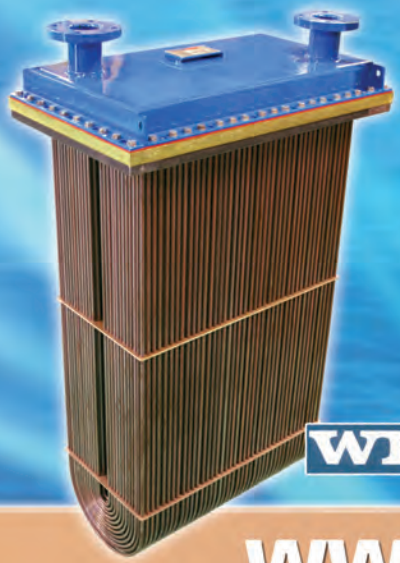

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