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Sidelights

October 2013 Vol. 43, No 4

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MLC 2006 now in effect

MLC 2006 explained; rest hour gun-decking, and when will land-based centers become important?

Gulf of Guinea Piracy

Violent, Tanker Cargo targeted, masters criminalized, and more

International Maritime Fraud

What you need to know about Bill of Ladings, Letters of Credit, and more



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**2014 CAMM PDC-AGM
in Mystic, Conn.**



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The Council of American Master Mariners is dedicated to supporting and strengthening the United States Merchant Marine and the position of the Master by fostering the exchange of maritime information and sharing our experience. We are committed to the promotion of nautical education, the improvement of training standards, and the support of the publication of professional literature. The Council monitors, comments, and takes positions on local, state, federal and international legislation and regulation that affect the Master.

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In This Issue



ON THE COVER

"SULFUR ENTERPRISE"

Photo by Captain Terry Jednaszewski.

SIDELIGHTS

1525 N. Miranda Lane
Green Valley, AZ
360-901-1257
sidelights@mastermariner.org

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Captain Tom Bradley

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CONTRIBUTORS

A.K. Bansal	Klaus Niem
John A. C. Cartner	Sinclair Oubre
Peter Chelemedos	Andrew C. Strosahl
Jeff Cowan	Douglas Subcleff
John Dickie	Ray Toll
Bally Duggal	Will Watson
Michael Henderson	David H. Williams
R.J. Klein	

COPY EDITORS

Davyne Bradley	Pat Moloney
Liz Clark	Klaus Niem

DESIGN & LAYOUT

Davyne Bradley

PRINTING

Modern Litho, Jefferson City, MO

ADVERTISING MANAGER & ADMIN

Captain Tom Bradley
captbradley@mastermariner.org
360-901-1257

TO SUBMIT MATERIAL

We welcome your articles, comments, illustrations and photographs. Please email or send your submissions to *Sidelights* Chair Captain Tom Bradley at the above address. All submissions will be reviewed, but are not guaranteed to be published.

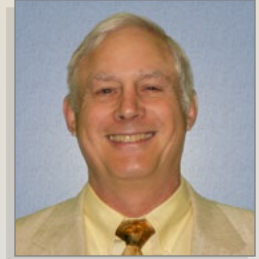
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Moving Forward: Captain R.J. Klein welcomes and promotes the revitalization of CAMM in the Northeast U.S. with the return of the 2014 CAMM AGM-PDC in Mystic, Connecticut. Also on his mind: Arctic ship design and the Polar Code.



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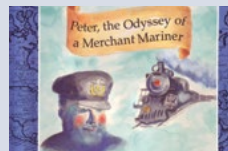
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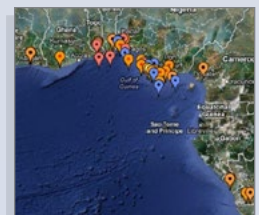
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NOTICE The articles in this magazine are entirely those of the writer, and do not necessarily reflect the views of CAMM nor its Board of Governors. CAMM is an independent professional organization and is not affiliated with nor endorses any union or political party.

The Council of American Master Mariners, Inc.



NATIONAL OFFICERS

President

Captain R.J. Klein

captklein@mastermariner.org
425-246-9814

First Vice President

Captain Joe Hartnett

capthartnett@mastermariner.org
410-867-0556

Second Vice President

Captain Dan Jordan

captjordan@mastermariner.org
503-338-8599

Treasurer and Secretary

Captain David Williams

captwilliams@mastermariner.org
352-637-1464

North Atlantic Regional Vice President

Captain Frank Zabrocky

captzabrocky@mastermariner.org
202-359-8494

South Atlantic Regional Vice President

Captain Jerome Benyo

captbenyo@mastermariner.org
727-791-0313

Gulf Regional Vice President

Captain Robert A. Phillips

raphillips60@aol.com
504-737-6619

South Pacific Regional Vice President

Captain Klaus Niem

captniem@mastermariner.org
707-255-6567

North Pacific Regional Vice President

Captain Carl Johannes

captjohannes@mastermariner.org
206-448-3433

Immediate Past President

Captain Cal Hunziker

capthunziker@mastermariner.org
253-862-7493

Council Chaplain

Father Sinclair Oubre

froubre@mastermariner.org
409-749-0171

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BOG at Large

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MAILING ADDRESS

The Council of American Master Mariners, Inc.
1760 E Littleton Ct.
Inverness, FL 34453

North Atlantic Region

NEW YORK / NEW JERSEY

Captain George Sandberg, President

captsandberg@mastermariner.org
631-375-5830 cell; 631-878-0579 home

Meeting locations TBD.

Mailing Address: Box 581

Center Moriches, NY 11934

BALTIMORE / WASHINGTON D.C.

Captain Joe Hartnett, President

410-867-0556
capthartnett@mastermariner.org

Meetings at 1130 monthly, except June - August. Check website for date and location. Locations vary between Baltimore and D.C.

Mailing Address: P.O. Box 700
Edgewater, MD 21037-0400

NORFOLK / HAMPTON ROADS / TIDEWATER

Chapter Inactive

Anyone interesting in restarting this chapter, please contact Regional VP Captain Frank Zabrocky.

Gulf Coast Region

MOBILE BAY

Captain Jerome "Rusty" Kligore, President

251-490-2741

Meetings on the 2nd Tuesday of each month at 1300. Felix's Fish Camp Grill: 1530 Battleship Pkwy, Spanish Ft., AL.

Mailing Address: 6208 Pier Ave,
Fairhope, AL 36532

NEW ORLEANS

Captain Karl Jaskierny, President

504-737-4849

Meetings at 1200 on the 2nd Thursday of each month, except July and August at Don's Seafood Hut, 4801 Veterans Blvd., Metairie, LA.

Mailing Address: 8112 Ferrara Drive
Harahan, LA 70123

HOUSTON

Captain Michael J. Mc Cright, President

captmccright@mastermariner.org

Meetings monthly, September - May. Check website for specific dates. 1130 hrs, TAMUG Blue Room, Galveston, TX.

Mailing Address:

4620 Fairmont Pkwy, Suite 203
Pasadena, TX 77504

South Atlantic Region

PORT EVERGLADES / MIAMI

Captain Paul Coan, President

captcoan@mastermariner.org

Meetings at 1200, the 3rd Thursday of the month, except July and August at the Deerfield Country Club Lounge, 50 Fairway Dr., Deerfield Beach, FL.

TAMPA BAY

Captain David H. Williams, President

352-637-1464
captwilliams@mastermariner.org

Meetings at 1130 on the 2nd Tuesday of each month, except July, August and September. Columbia Restaurant, 7th Ave. and 22nd St.

Mailing Address: 1760 E. Littleton Ct.
Inverness, FL 34453

North Pacific Region

SEATTLE / PACIFIC NORTHWEST

Captain Richard Klein, President

425-746-6475
captklein@mastermariner.org

New meeting location TBD.

Mailing Address: PO Box 99392
Seattle, WA 98139

COLUMBIA RIVER

Captain Vic Faulkner, President

360-798-9530
captfaulkner@mastermariner.org

Meetings are at 1200 on the 2nd Friday of each month. Red Lion Inn at the Quay in Vancouver, WA (I-5 and the Columbia River).

Mailing Address: 121 Hazel Dell View
Castle Rock, WA 98611

South Pacific Region

LOS ANGELES / LONG BEACH

Captain David Boatner, President

805-479-8461
captboatner@mastermariner.org

Meetings at 1200 on the 2nd Tuesday of each month, except August. Crowne Plaza Hotel, Beacon Room, 601 S Palos Verdes St., San Pedro, CA.

Mailing Address: 533 N. Marine Ave
Wilmington, CA 90744-5527

SAN FRANCISCO BAY AREA

Captain Klaus Niem, President

707-255-6567
captniem@mastermariner.org

Meetings on the 1st Tuesday of each month, 11:30, Sinbad's Pier 2 Restaurant in San Francisco, south of Ferry Building.

Mailing Address: 4207 Chardonnay Ct.
Napa, CA 94558-2562



Captain R.J. Klein
CAMM National
President
#1751-R

MOVING FORWARD

The Council of American Master Mariners started in New York in 1936, a region rich in maritime history.

Today the profile of CAMM in the Northeast needs a more public presence. Toward that end CAMM is making a concerted effort to be more active in the region by re-activating the New York Chapter and planning our next AGM in Connecticut. Captain George Sandberg is working with Captain Ed Gras on re-establishing the NY Chapter. They plan to hold a meeting in September. Anyone in the Northeast region interested in attending or joining the Chapter should contact Captain Sandberg at captsandberg@mastermariner.org.

2014 AGM at Mystic update

The dates for the 2014 PDC and AGM are set for June 12th and 13th at Mystic Seaport in Connecticut. All members are welcome and encouraged to attend. The PDC will be held on Thursday the 12th at the River Room at Mystic Seaport with an evening cruise aboard the SS SABINO to follow. The AGM will be held at the Hilton Mystic on Friday the 13th followed by the Closing Dinner at the hotel. A golf outing on Wednesday the 11th will be made available for those interested and Captain Bradley is working on a post-meeting cruise from Boston to Quebec. Registration information and more details will be in the next issue of *Sidelights* and posted on the website.

This location offers an excellent occa-

sion for CAMM members, especially those in the Northeast, to become acquainted with the organization. The annual meeting affords the opportunity to learn about CAMM — our vision, goals, how CAMM interacts with the maritime industry and how we conducts our internal business. The PDC agenda will be decided by the BOG in time for the next *Sidelights* addition. The Secretary General of IFSMA, Captain John Dickie, has indicated that he will attend and he will be asked to speak at both the PDC and AGM.

Lalonde Award

The Lalonde Spirit of the Seas Award was not presented last year as nominations were not received by the January 15th deadline. Nominations are now open. I am certain that there are worthy members in our organization but they must be nominated to be eligible for this prestigious award. While the deadline is January 15, 2014, I would encourage members to submit their nominations before the year end holidays begin. This will ensure that your nomination is in before the deadline. The qualifications for the award and the form needed for submitting a nominee is available on the CAMM website.

The X-Bow

I recently attended a presentation by Rear Admiral John Lockwood (USCG, Ret.), now with Vigor Shipyards. He discussed Vigor's bid to build the new class of Offshore Patrol Cutters (OPC) for the USCG.

Four shipyards are currently in the bidding, but only Vigor has designed a cutter with the new Ulstein X-Bow. If you have not seen this new bow design, you should check it out. Go to www.vigoropc.com and select X-Bow Testimonials to see a vessel with the X-Bow working in heavy seas.

Polar Code

In June, the IMO Secretary-General, Koji Sekimizu stated that a mandatory code for polar navigation is being prepared. Sekimizu said the Polar Code should be operational in 2015 and he expects it to be implemented in 2016. This is in line with CAMM's Position 2013-03.

CAMM Positions

All of CAMM's current positions and views are now posted on the website. They include new, continued and amended positions as voted on by CAMM at the 2013 PDC. My thanks to Positions Chair Lyn McClelland for her work and dedication on this committee.

Captain R.J. Klein



Secretary & Treasury Report



by Captain
David H. Williams
CAMM National
Secretary/Treasurer
#2318-R

The sun has gone past the Second Point of Aries, or the Autumnal Equinox for those of us in the

Northern hemisphere. Time to start thinking of next year.

We should all be involved in our membership drive. Spread the applications around to anyone who is eligible. We have several types of membership besides the full master or Regular membership. There are Regular Pilots, Associates, and Special types. The application form

is on our website at www.mastermariner.org. I can send you an application in the mail if you choose.

There are many good reasons to join the Council:

- International representation through IFSMA (International Federation of Shipmasters' Association). Your membership in CAMM includes membership in IFSMA (www.ifsma.org).
- *Sidelights* magazine, a thoroughly professional publication with many good and timely articles to CAMM members.
- National representation with the Congress and other professional groups such as the Propeller Club.
- Visit CAMM's web site at mastermariner.org
- If you live near one of the ports which has a CAMM chapter you can have the comradeship of meeting with other ship masters. The chapters are listed in *Sidelights* and on our web site.

One of the most important tasks for all members this year and coming years is to find and encourage new members to join CAMM. The program of awarding any member who brings three or more members into CAMM in a year will get his dues paid for the next year is still in effect.

Treasury Report

Our finances are in good shape. We are holding close to the budget and now expect a small surplus in our funds this year.

Membership dues this year are about the same as last year. I have sent out a notice to all who are in arrears. We have an election for the officers of CAMM and changes to our by laws in 2014. A note to anyone in arrears in his dues, you will not be able to vote in the election or run for office. You also will not be able to send in a proxy or vote at the Annual General Meeting to be held at Mystic Seaport in June next year. We

need all of you to participate.

At next year's convention we are looking for sponsors. A sponsor can be a donation of \$25 or \$100 or more. On the dues invoice for next year will be an opportunity for sending in donations. The more sponsors for the convention the better speakers and programs can be provided.

Check out the details of the convention in this issue of *Sidelights*. It promises to be a very good convention. ☆

Footnote: IFSMA was formed in 1974 by eight European shipmasters' associations to unite the world's serving shipmasters into a single professional coordinated body. It is a non-profit making apolitical organization dedicated solely to the interest of the serving shipmaster. The Federation is formed of nearly 11,000 shipmasters from sixty countries either through their national associations or as individual members.

Established to uphold international standards of professional competence for seafarers, IFSMA is a federation with a policy to ensure safe operational practices, preservation from human injury, protection of the marine environment and safety of life and property at sea.

New Members

Congratulations! You now have all the benefits of CAMM membership!

The Council of American Master Mariners, Inc.

- 3338-H** Rear Admiral **Thomas Cropper** of Vallejo, CA
President, California Maritime Academy
- 3339-R** Captain **Thomas C. Spain** of Washington, D.C.
Master USNE SODERMAN, 72,000 GRT
Sponsored by Captain Michael Murphy #3092-R
- 3340-A** Mr. **Paul Siracuse** of Battleground, WA
Marine Consultant, Former employee of Matson Steamship Co.
Sponsored by Captain William Good #1924-R
- 3341-A** Captain **Maija Holston** of Seattle, WA
Watch Operations Supervisor, WA State Ferries
Sponsored by Captain Don Moore #1513-L



Council Reports

1st VP Report: Government Relations

Captain Joe Hartnett, #2193-R

The International Labor Organization (ILO) Maritime Labour Convention (MLC) 2006 went into effect on August 20, 2013. It is widely known as the "Seafarer's Bill Of Rights". The intended goal is to achieve international minimum standards for seafarers and fair competition for ship owners. The countries who have ratified the agreement represent 50% of the world's seafarer's and 75% of the world's gross tonnage of ships.

After a quiet summer, maritime events in the Washington area have resumed. I recently attended the Washington Propeller Club luncheon which featured Hon. Steve Scalise (R-La.) as guest speaker. It was encouraging to listen to a member of Congress who is aware of the current state of the U.S. maritime industry and who takes an active role in educating his colleagues about the industry. Rep. Scalise is a strong supporter of the Jones Act and is committed to supporting the Harbor Maintenance Trust Fund. He recently passed an amendment on the House floor eliminating the need for repetitive visits to TWIC application centers.

All eyes of the Washington maritime community are focused on the possibility of likely Federal budget cuts and its effect on the maritime industry. MARAD recently reported that up to 15 ships in the Maritime Security Program (MSP) and the Ready Reserve Fleet (RRF) would be eliminated if Congress and the Administration do not reach a compromise with regards to the budget. It is imperative that all CAMM members contact their members of Congress and urge them to vote in favor of all of the programs which support the U.S.

Merchant Marine.

2nd VP Report: Pilot Relations

Captain Dan Jordan, #2193-R

No report submitted.

Sidelights & Website Report

Captain Tom Bradley, #1966-L, Chair

As our summer breaks come to an end, you will notice progress on our website. First, we have slowly been upgrading the website and have added advertisers; please note the top of each different page. {If you click on the ad, we get paid each time you do.} We have plenty of opportunities and we're looking for more to be able to pay for our website.

Sidelights needs more cooperation and input from everyone, especially the committees and the board, to report on what they have done, happenings during the preceding periods, and what they would like to see happen. Each committee, all officers and chapters should have a report for each issue of *Sidelights*, and is something we been striving for. We often receive requests for information as to what's going on with CAMM in this area or this chapter.

If you read further into this issue you'll see that we are trying to put together a post-AGM cruise. Information is available in other areas of this issue; if we get enough people we get a decent price.

The AGM this year is shaping up to be a tremendous affair. For more information please contact Captain Klein or better yet, read *Sidelights* and check our website; as information comes in we will post it.

North Atlantic VP Report

Captain Frank Zabrocky, #1964-R

You bet I'm goin' back to sea!

Almost coincident with our AGM at

Mystic, Connecticut, the Mystic Seaport museum is looking for a "Captain for the ceremonial 38th Voyage of the Charles W. Morgan."

As I remember it, the CHARLES W. MORGAN is a square rigged whaling ship and she is the premier artifact in the museum's collection. She will be operating as an Uninspected Passenger Vessel sailing from about mid-May until early August of 2014. The plan is to make a three month voyage in Southern New England with a lot of port time and visitors.

Applicants for the job must, as a minimum, possess a 500 ton Near Coastal Master license and have 10 years of command experience on traditional sailing vessels, with extensive knowledge in square-rig sailing.

That rules out most of the guys that I know, but if you're interested in applying, see the Mystic Seaport website. If you don't qualify for the master billet, they also are taking crew and passengers on the voyage.

New York /New Jersey

Captain George Sandberg, #1919-R

Chapter President

No report submitted.

Baltimore / Washington, D.C.

Captain Joe Hartnett, #2193-R

Chapter President

The Baltimore/Washington, D.C. chapter participated in the Propeller Club Annual Crab Feast on August 8th. Our chapter will also participate in the Baltimore Maritime Exchange 10th Annual Port Party and Shrimp Feast on September 18th. Both events are well attended by members of the maritime community and are excellent venues to promote CAMM and recruit

cont'd on next page

COUNCIL cont'd from pg. 7

new members. We continue to support the seafarer's centers with donations and raffle participation.

Our chapter will be sponsoring a hole and participating in the Propeller Club Fall Golf outing on Oct. 10th.

We are in the process of scheduling our October meeting in Washington, D.C.; please check our web page for details.

South Atlantic VP Report

Captain Jerry Benyo, #773-R

No report submitted.

Miami / Port Everglades

Captain Paul Coan, #3021-R,

Chapter President

No report submitted.

Tampa Bay

Captain David H. Williams, #2318-R

Chapter President

The Tampa Bay Chapter will resume meetings after the summer break on October 8 at the Columbia Restaurant in Ybor City in Tampa. The chapter has retained about 45 members and has good attendance at meetings. Chapter finances are solid.

The Chapter donates its proceeds from the 50-50 drawing to the Special Operations Warrior Foundation. Many members donate the winnings also. This year the chapter donated \$700. The Foundation serves the families of fallen and severely wounded special operations

warriors.

Gulf VP Report

Captain Robert Phillips, #1310-L

No report submitted.

Mobile Bay

Captain Rusty Kligore

Chapter President

No report submitted.

New Orleans

Captain Karl Jaskierny, #2852-R

Chapter President

Six chapter members met on May 9th, 2013 to wrap up the season and the chapter resumed meetings on September 12, 2013.

Houston & Cadets

Captain Michael J. Mc Cright, #2753-S,

Chapter President

Cadet classes are up and rolling right along here at Texas A&M Maritime Academy, and signals the return of joint chapter meetings with CAMM members and Cadet members. We are now meeting the 4th Wednesday of the month in the private dining room adjacent the TAMUG cafeteria. A number of speakers have volunteered to present; schedules to be confirmed. Please check website for up-to-date information.

The local Nautical Institute has invited CAMM members to attend their upcoming events, and likewise, we invite their members to attend our meetings.

South Pacific VP Report

Captain Klaus "Nick" Niem, #2167-R

No report submitted.

Los Angeles / Long Beach

Captain David Boatner, #2162-R

Chapter President

The Los Angeles / Long Beach Chapter meets at noon the second Tuesday of the month [except August] at Crowne Plaza Hotel's Beacon Room in San Pedro. We usually have anywhere from six to ten members in attendance. Like many CAMM chapters, LA/LB struggles to increase numbers at local meetings. Our members take an active interest in their profession and encourage all Masters living or visiting in the area to participate in our monthly meetings.

San Francisco Bay Area

Captain Klaus Niem, #2167-R

Chapter President

After a two month hiatus, the San Francisco Council resumed their meeting on the 6th of August at Sinbad's Restaurant.

Discussions centered on the return of the CMA's *GOLDEN BEAR* so we can get together with Captain Harry Bolton (#2692-R) and Rear Admiral Thomas Cropper (#3338-H) to establish a CAMM Cadet Chapter.

The Estate of Captain and Mrs. Hal Robinson (CAMM member #2011-R, *d. Jan 2011*), bequeathed to the San Francisco Chapter \$2,500 which has been deposited in the SF Chapter account. The membership has been requested to submit suggestions on where to donate some of the money. Captain Hal and Mrs. Robinson also bequeathed \$25,000 to the California Maritime Academy to establish the Captain & Mrs. Robinson Scholarship Fund.

The September 3rd meeting featured the usual suspects with Captains Chick Gedney and Mark Shafer winning the raffle. We watched the schooner *AMERICA* sailing toward the Bay Bridge, furling sails and motoring toward Pier 34. The races for the America Cup, which started on September 7, can be watched from the

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500 GRT or greater USCG Master's License

Cadet or instructor at a maritime training school

Other high maritime industry distinction

**A full list of membership qualifications are listed on CAMM's website.*

Please remember applicants must include a copy of their current USCG Master's License for timely processing. \$100 application fee includes application processing and current year member dues.

www.mastermariner.org/membership



bleachers on the Marina Green. Golden Gate Arena in conjunction with the JEREMIAH O'BRIEN priced their dynamic viewing seats at \$350 a pop. The catamarans look impressive but are subject to the winds on San Francisco Bay. Any other sailing rig enjoys the brisk winds on the bay, except the America Cup catamarans who sail bow first into the bay at 20 knot winds.

We discussed also the AGM for next year in Mystic, Conn. on June 12 - 13, 2014. According to CAMM's International Constitution, the PDC and AGM should only be conducted in April or May.

I have informed the S.F. membership, that after the AGM in Mystic, a two-week cruise from Boston to Quebec, with stops in between and return to Boston, will take place tentatively.

North Pacific VP Report

Captain Carl Johannes, #2147-R

No report submitted.

Columbia River

Captain Vic Faulkner #2898-RP

Chapter President

The Chapter continues to meet the second Friday of the month. At our September meeting, we held a short memorial for Betty Faulkner, my beloved wife and CAMM supporter, who passed away last May.

Seattle/Pacific Northwest

Captain Doug Subcleff, #2329-R

Chapter Secretary

It has been a busy summer for the Seattle Chapter. Our July 3rd field trip to the California Maritime Academy's (CMA) training ship, *GOLDEN BEAR*, was well attended. A total of 26 boarded the ship at Seattle's Pier 66 for a luncheon meeting graciously hosted by Captain Harry Bolton (#2692-R).

During lunch, Captain Bolton spoke about the ship's mission and itinerary. On board this trip were 320 cadets and 55 faculty and staff. The ship's summer cruise departed from San Francisco on May 12th. Port calls included Lahaina,

HI., Cabo San Lucas, Mexico; Seattle; and Portland before returning to Vallejo on July 12th. The *GOLDEN BEAR*, formerly the oceanographic vessel *USNS MAURY*, was transferred out of Suisun Bay lay-up to CMA in 1996. The ship is 499 ft long, beam 72 ft and draft of 30 ft 6 in. Propulsion: twin diesels, 17,000 shp, single 5-bladed propeller, speed 20 knots.

Captain Bolton explained the meaning behind the 'Lyman's Lounge' sign posted in the Officer's mess. It was placed there in honor of CMA graduate, Captain Dave Lyman, '65, Hawaii Harbor Pilot who died in January 2006 during a pilotage assignment off island of Kauai. In 2007, a scholarship fund was created in his name that provides four years of assistance for a student from Hawaii attending CMA.

Receiving accolades at the luncheon was CAMM Seattle member Captain Jack Cox (#1069-R). Captain Bolton recalled when he first shipped out as a messman on a ship with Captain Cox as Master. He described Captain Cox as a lasting role model, still using lessons learned after his own 29 years of sailing as a master. The luncheon was concluded with an expression of appreciation to the members of the steward's department that prepared our special meal.

A total of 16 attended our August meeting at Rock Salt Restaurant. New Associate member Maija Holston (#3341-A) was introduced. Maija is a Watch Operations Supervisor with Washington

Captain R.J. Klein (2nd from left) and Mr. Gary Stouffer (2nd from right, top) with the first place team at the charity golf fundraiser.

State Ferry service. She was accompanied by her mother, Marilyn Arechavala, who spoke to chapter members about the recent passing of her husband, Captain Eduardo Arechavala (#1643-R), and invited everyone to attend the memorial service to be held one week later on the Edmonds ferryboat.

On Thursday, August 29th, our sixth annual Bob Magee Charity Golf Tournament was held at Mt. Si Golf Course, Snoqualmie, WA. 64 golfers braved wet and windy conditions at the 1000 hours tee time. Fortunately, the weather improved, the course dried out and everyone enjoyed the rest of the day that included a clubhouse meal, silent auction and raffle. Event organizer Captain R.J. Klein reported that we might have raised as much money as we did last year for the Youth Maritime Training Association (YMTA). The final numbers will be announced at our October meeting when a check will be presented to the YMTA President Mr. Gary Stouffer.

Our restaurant of many years, the Rock Salt Steak & Seafood, has closed. As a result, the September Chapter meeting was canceled. A new venue will be arranged before October. ☆



Seattle /PNW CAMM Chapter aboard CMA's GOLDEN BEAR in Seattle.

PHOTOS: DOUG SUBCLEFF

CROSS'D THE FINAL BAR

CAPTAIN JAMES L. COX #1643-R

James L. Cox (Dec 46), 89, of Seattle and Pattaya, Thailand, passed away on February 3, 2013, in Seattle at Swedish Medical Center. He was the son of Ralph and Stella (Reynolds) Cox of rural Herrin and Johnson City where he grew up on the family homestead on "Death Curve." He served during WWII in the Pacific. He spent many years as a sea captain of both cargo and passenger ships based out of NOLA (New Orleans) employed by Delta Shipping Lines, serving for several years along the coast of Africa transporting cargo and from NOLA to South America. After his retirement, he became a harbor pilot in Puget Sound, WA, until he reached the age of mandatory retirement of 70. He traveled the world and lived for the past several years in Pattaya, Thailand, overlooking the China Sea. He left two sons and many nieces and nephews.

CAPTAIN EDUARDO ARECHAVALA #1736-L

Captain Ed Arechavala passed away June 13, 2013, in San Luis Obispo, Calif. This Basque was born in 1933 in Manila, Philippine Islands from a line of Spanish Sea Captains and grew up under Japanese occupation.

He spent his 17th and 18th birthdays as a young U.S. Marine in Korea, surviving the Chosin Reservoir Battle. General MacArthur in a platoon review acknowledged Ed as the son of one of his sea pilots when escaping Corregidor.

Archie was a Chief Mate for Alaska Steamship while running ammo ships to Vietnam from 1965-1969. His fourth war was as a Master on the *USNS NORTHERN LIGHT* in Dessert Storm in 1990-91. Captain Arechavala retired with 20 years from American President Lines in 1993. He was also a member of the Shriners Sabbar Temple (Tuscon, Arizona) and Washington Fly Fishing Club.

He leaves a wife of 60 years, four children and three grandchildren.

CAPTAIN ROBERT M. CUSICK #1741-S

Captain Robert M. Cusick Jr., 90, a merchant marine officer who survived the wreck of the *SS MARINE ELECTRIC* and then helped lead a major reform of U.S. maritime safety standards, died peacefully in his sleep in New Hampshire on Thursday, September 12, 2013.

Against the advice of many friends and colleagues, Captain Cusick testified at a U.S. Marine Board of Investigation and detailed how inspectors and company officials overlooked numerous holes in the hatches, decks and hull of the *MARINE ELECTRIC*, an old, dilapidated World War II era tanker converted to coal carrier.

The reforms that Captain Cusick's efforts helped establish included the creation of the now famous U.S. Coast Guard Rescue Swimmers service, the scrapping of 70 old unsafe

ships and the requirement of survival suits aboard North Atlantic run vessels.

"Bob Cusick was a brave and humble everyman hero who spoke up at a time when he easily could have remained silent," said Robert R. Frump, the former maritime writer for *The Philadelphia Inquirer*. "His testimony was crucial to ending a bad system that had sent dozens of old and unsafe ships out to sea and seamen to their deaths."

By most standards of survival and hypothermia, Captain Cusick, the chief mate of the *SS MARINE ELECTRIC*, ought to have perished with dozens of others in February 1983 when the ship foundered during a severe storm spilling 34 men into icy cold water where they faced sixty foot waves and below-freezing winds. Captain Cusick managed to find a half-submerged lifeboat and as he felt himself fading sang out a song written by Canadian folk singer Stan Rogers with the lines, "Rise again, rise again! Like the Mary Ellen Carter, rise again!"

Captain Cusick's testimony would bring the ire of the ship's owner, Marine Transport Lines, and company attorneys sought to pin the responsibility for the wreck on Cusick.

However, Captain Cusick kept detailed records of his complaints to the captain of the *MARINE ELECTRIC*, with drawings of holes and other maintenance problems on the old ship. His logs, cross-checked against Coast Guard inspections, showed the hatches were approved by the Coast Guard at a time when the hatches were not even installed on the vessel.

Captain Cusick's testimony helped convince the Board of Investigation to write a highly critical report, calling on the Coast Guard to crack down on inspections. Marine Transport Line later pleaded guilty to a felony criminal count brought by federal authorities. Over the previous 20 years, old ships such as the *MARINE ELECTRIC* had accounted for more than 500 deaths at sea. More than 70 were scrapped in the wake of Captain Cusick's testimony.

Captain Cusick grew up in Boston and at the beginning of World War II, he shipped out as a merchant seaman at a time when German submarines were taking a terrible toll of Atlantic Coast shipping.

He would later gain his master's license and sailed for three decades on U.S. flag ships as an officer. He preferred to sail as chief mate – the number two position on a merchant ship – so that he could deal directly with ship mates. He was a popular officer with a kind heart and a quick wit, often taking young crewmen and officers under his wing for mentoring.

His actions are detailed in a book, *Until the Sea Shall Free Them*, written about the wreck of the *MARINE ELECTRIC*.

Captain Cusick is survived by his wife, Bea, his daughter, Carol, both of Hillsborough. A memorial service was held on September 19 at St. Mary's Church, followed by a sendoff at the Legion Hall. ☆

Dear CAMM,

Shared Prize Money and Sidelights

I was recently a winner in the CAMM lottery. CAMM has always served our profession well so I would like to share the prize money with the organization as an extra donation this year. A check is enclosed as a small token appreciation for all who contribute much time and effort to promote Master Mariners and our profession in the United States.

I also want to express this member's opinion about *Sidelights*. It gets better and better with every passing year thanks to the contributions of many. The publication is very professional and informative. I became a member about 35 years ago (where do all the years go??) and, as a professional mariner, I have watched a very good publication, *Sidelights*, get even better with each passing year. Thank you for the time you put into this. Your efforts are certainly recognized and appreciated.

Sincerely,

Daniel MacElrevey #1437-R

Crossing the Atlantic from Gibraltar to Charleston, SC winter of 1988

With amusement I read Capt. Kevin Coulombe's Voyage Report.

Sailing as Chief Mate and Master on the *AMERICAN KENTUCKY*, which in 1985 was one of the largest container ships in the world next to the other 11 Econ ships of US Lines. After the demise of US Lines, I started with Farrell Lines on the *EXPORT CHAMPION*. Was I in for a rude awakening. This vessel, a C3 Type, two hatches forward of the house and three hatches aft of the house, fwd. of the engine. The *CHAMPION's* Nav. Equipment consisted of the obligatory Radars, Weather Fax, and VHF Radios, RDF and of course Loran C. Office equipment consisted of typewriters and a jellyroll copy machine and a RO in his Radio Shack. Navigation was done by DR, Sextant, bearings and Loran. No Sat-Nav, GPS, or computers.

The winter season was approaching soon. After loading several thousand tons of cacao bean in several holds, cacao butter in containers below and on deck in several West African ports, we had to make a detour into the Med. for discharging KW trucks and general cargo in Haifa. Back loading 500 crates of Uzies and Ammo for discharge in Charleston. From Haifa to Brindisi in Italy to load heavy lifts. Sailing Brindisi, a concise cargo message had to be transmitted via SSB to the Company. The RO provided us with weather reports for the Atlantic, which showed severe lows. After topping off with bunkers in Gibraltar, we proceeded toward Charleston, SC with the weather deteriorating by the minute. We stared to

encounter 45 knots wind just 100 miles out of Gibraltar. No weather routing was available to us. Farrell Lines didn't believe in modern conveniences, which cost money. I had my HP67 programmed for stability and bending moment which didn't amount too much. The seas and wind increased to 55 knots with seas breaking over the bow and foredeck. I wasn't worried about the cargo though, but with the vessels performance. The Captain came to the Bridge at 0500 and asks us if we had enough of this bouncing around. Chief Mate set a Rhumb Line course for 6 miles off Funchal, Madeira Islands, and we will steam triangular course patterns until the weather abates. With the weather getting worse and the engine on slow ahead, we finally made it to Funchal which had twenty knot winds. After three days of steaming in the Lee of Funchal, with the weather improving, we crossed the Atlantic at 18 knots and arrived in Charleston at Christmas Eve. No reprimand from Farrell Lines or our agent how come you arrived four days late, but with no damage to ship and cargo, everybody was happy.

Captain K. Niem, #2167-R

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Annual General Meeting

Professional Development Conference

June 11-13, 2014 ☆ Mystic, Conn. USA

Hosted by CAMM National



Location

Mystic, Connecticut. Thursday events will all take place at Mystic Seaport with time in-between the PDC and dinner cruise to go back to the hotel. Friday's General Meeting and Closing Dinner will take Place at the Hilton Mystic. Transportation between Hilton Mystic and Mystic Seaport (1.1 miles) will be provided.

Agenda

Wednesday, June 11, 2014:

- Golf Outing (TBD)
- Welcome Social (Hilton Mystic Hospitality Suite)

Thursday, June 12, 2014 at Mystic Seaport

- Professional Development Conference
- Companion Outing (TBD)
- Evening Dinner & Cruise aboard Steamship SABINO

Friday, June 13, 2014 at Hilton Mystic

- Annual General Meeting
- Closing Dinner

National Officer Nominations

2014 is an officer election year. Each chapter will nominate a delegate to the nominating committee to Captain Klein no later than November 1, 2013. Any Regular member in good standing may submit a written declaration as a candidate for a National office endorsed by at least 50 members in good standing. The nominating committee must announce their slate of candidates to the Board of Governors no later than January 15, 2014. (By-Laws 7.1)



Lalonde Spirit of the Seas Award Nominations

Nominations for the 2014 Lalonde 'Spirit of the Seas' award are now open and available online. Nominations are open to any member, living or deceased, with all the following attributes: humanitarianism, professionalism, seamanship, life-time achievements and noteworthy accomplishments, along with contributions to the maritime industry and the 'spirit of the seas' in their everyday lives.

For additional information, applications, or guidelines and rules, go to the CAMM website or contact your chapter president or Regional V.P. All nominations must be received by no later than January 15, 2014.

Constitution & By-Laws

Any submissions for changes to CAMM's Constitution or By-Laws must be submitted no later than February 10, 2014 to National Secretary Captain Dave Williams. (By-Laws 13.1.1)

Professional Development Conference confirmed speakers*

Captain John Dickie

Secretary-General, IFSMA (International Federation of Shipmasters' Associations)

Dr. Captain John A.C. Cartner #2574-R

International Lawyer and principal author of the *International Law of the Shipmaster*

Father Sinclair Oubre #3220-A

CAMM Chaplain and President, Apostleship of the Seas USA.

Annual General Business Meeting

Discuss the general business of CAMM; highlights include Positions Statements. The meeting is open; however, only CAMM members have a voice.

Closing Dinner

The Closing Dinner is a semi-formal event featuring a keynote speaker, presentation of 2014-2016 Slate of Officers, and presentation of the Lalonde Spirit of the Seas Award, if awarded.

Event Registration

Event registration will be available later this fall. Please check the website for details.



Accommodations

Reservations group code for the Hilton Mystic will be posted on the website and in future issues of *Sidelights*. Rates are \$139/night Sunday-Thursday and \$179/night Friday and Saturday.

Transportation

Closest Airports: Bradley Int'l in Hartford, CT (BDL), 68 miles; Boston Logan in Boston, MA (BOS), 108 miles; and LaGuardia Airport in New York, NY (LGA), 128 miles.

Budget Car Rentals: Budget Car Rentals offers 30% off using BCD Number U303173. CAMM will receive a small kickback. www.budget.com.

Sponsorships Available

Please contact Captain Klein for sponsorship opportunities.

Event Chairperson

Captain R.J. Klein, captklein@mastermariner.org.

*Subject to change.

The Seafarer Welfare Community Welcomes the Enforcement of the MLC 2006



by Father
Sinclair Oubre
CAMM Chaplain
#3220-A

August 20 brought many different feelings for many different people.

If one was a ship operator, and had not worked diligently to bring his or her vessels and operations into

compliance with the new convention, then August 20 was one big headache. For Port State Control (PSC) officers, it could have been a day of confusion. It is one thing to sit in a class, study the regulations, and learn the procedures, but when August 20 arrived, many PSC officers found themselves asking, "Now, what did they tell me about this situation in class?"

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For Port State Control (PSC) officers, it could have been a day of confusion. It is one thing to sit in a class, study the regulations, and learn the procedures, but when August 20 arrived, many PSC officers found themselves asking, "Now, what did they tell me about this situation in class?"

For those of us in the seafarer welfare community, August 20 brought feelings joy and concern. On the one hand, it was a day to celebrate. Finally, an enforcement mechanism was put in place to guarantee minimum living and working standard for seafarers. On the other hand, Regulation 4.4, which is a key element for the survival of land-based seafarer welfare agencies, and the development of port welfare committees, was largely overlooked by ratifying countries. In the rush to get PSC up and running, and get flag state vessels in compliance, the issue of "promoting" seafarer welfare facilities, and "encouraging" port welfare committees was put to the side for "more important" concerns.

The question that the seafarer welfare community has is, "When will land-based seafarer welfare facilities and port welfare committees have their opportu-

nity to be 'important' concerns?" Will the MLC 2006 implementation just be a replay of the Maritime Transportation Security Act implementation?

Back then, when the issue of TWIC escorting and the transportation of seafarers arose, too many facility security plans just defaulted to the "seamen's mission." This was done by the facilities

"When will land-based seafarer welfare facilities and port welfare committees have their opportunity to be 'important' concerns?"

without discussing these new responsibilities with the missions, reviewing the mission's resources, or developing the means to meet these additional responsibilities.

Recently, the International Seafarer Welfare and Assistance Network (www.seafarerswelfare.org) hosted a daylong seminar on port tariffs*. This is an inexpensive way (each vessel pays a small tariff of \$100.00 or less) for the seafarer welfare facility to have the cash flow, and the resources necessary to provide the personnel and equipment necessary to provide timely and quality services to all seafarers. Sadly, this idea of shared sacrifice runs contrary to many shipping companies' operating principles: "Dodge

responsibility."

Too many operators say, "If your shipping company pays its voluntary tariff, and I can stiff the seamen's mission, but still get my guys ashore, I've just saved \$100." Such a system cannot be maintained, and it will eventually collapse.

Before that happens, I hope that the MLC 2006 signatory nations will "encourage" the implementation of a mandatory seafarer welfare tariff in their ports. Then the MLC will not only rid our seas of substandard ships, but it will rid our ports of "free riders." ☆

**The ISWAN Report Port Levies and Sustainable Welfare for Seafarers can be found at: http://www.seafarerswelfare.org/index.php?option=com_k2&Itemid=32&id=45_3e56da1c1b854230b36ef49dab3c5976&lang=en&task=download&view=item.*

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Ten Points to Rationalize and Revitalize the United States Maritime Industry



by Captain
Dr. John A.C. Cartner
#2574-R

Piecemeal and stopgap measures added to existing and increasingly cumbersome and antiquated laws

are not working to foster strong U.S. merchant marine foreign trade fleets and domestic fleets which are essential to the international and internal economy.

Trade requires transport and the most efficient form of transport is by water. Indeed, some 94% of all international trade is by water. International export trade was valued by the World Trade Organization for the United States in 2012 at \$3,882.7 billion, of which approximately 95% was carried by ships.

International trade is the foundation of our national security. Hence a vital, strong, modern and competitive merchant marine is essential to international trade and, therefore, domestic trade.

The Department of Transportation should recognize these facts and take the proper steps required by law to encourage, rationalize and revitalize the United States commercial water shipping sector and infrastructure for both the foreign and domestic trades.

A complete review of all maritime laws should be undertaken. Congress should be encouraged to amend or abolish antiquated or ineffective laws to take into account the following concepts as national policy for the maritime industry.

1. Reform the Maritime Laws

New or amended laws should institute

comprehensive and integrated legislative and regulatory reform in both civil and criminal jurisdictions. Laws and regulations should be coordinated with conventions, ratified treaties or those observed as customary law, and international regulations. Mechanisms should be put in place by such laws to ensure that changes in international regulations are easily implemented. These should all be done with the goal of increased employment opportunities in the U.S. flag fleet, shipyards and ports and reducing the tendency toward criminalization of heretofore civil torts of seafarers, putting them on the same footing as shore-side maritime workers. With such a strategy, the U.S. will not only meet but lead international and domestic waterborne economic activities in a vigorous and well-governed maritime industry in all its sectors. Archaic.

2. Provide Shipyard Economic Opportunities

Policy should require that publicly-owned vessels, and any vessels used for government policy purposes from any department or agency of the government, be built in United States shipyards with all materials purchased and produced in the United States and with all labor supplied by United States citizens or properly certified resident aliens. The policy goal should be to increase employment and to maintain a shipbuilding industrial base ready for times of national need and for the expected opportunities a new national maritime policy will provide.

An example of such an opportunity may be the United States export of liquefied gases which should be carried on vessels manned by U.S. citizens, on vessels either partially or totally constructed in U.S. shipyards, depending on availability of technology for gas containment systems. An established transition period should be allowed for use of foreign technology until domestically-developed systems can be designed and implemented.

3. Reduce Impediments to the Free Market

A rational and sensible maritime policy should provide any ship-owner registering or enrolling ships in the United States under its laws the liberties to pursue their own economic interests, independent of shipyard building requirements as might be done under Paragraph 6. Further, policy should provide any ship-owner registering foreign-built ships in the United States for the foreign trade meaningful tariff reduction or deferral, coordinated with a reformed taxation regime for the shipping industry for the purchase of such ships.

Policy should provide expanded government guarantees for shipbuilding in the United States for financially qualified and approved United States ship-owners registering ships in the United States and engaging in the foreign trade, and for ship-owners enrolling ships in the cabotage trades and for ship-owners registering ships in other trades. Before any such guarantees may be awarded the appli-



cant ship-owning entity should provide an assessment and determination of the financial strengths of the applicant by a party that is independent of the entity and its auditors and financiers.

4. Increase Employment Opportunities

All maritime policies should create comprehensive and integrated employment opportunities by law, maximizing the economic employment of United States citizens and resident aliens in the maritime industry, consistent with the expansion of the foreign trade fleet, domestic fleets and other fleets and for publicly-owned vessels where needed. All employment opportunities must be consistent with national defense and security needs.

Policy should require insofar as practicable that credentialed officers in the foreign trades to be United States citizens or resident aliens and credentialed officers and credentialed ratings in the domestic and cabotage trades and other trades to be United States citizens or resident aliens. Exceptions or waivers would be determined as described in Paragraph 8. A transition period should be included as reformed training and credentialing policies are put in place to ensure a supply of maritime employees meeting those standards and prior to a policy that no exceptions or waivers be granted.

Policy should require the development of the U.S. Marine Highway System in the cabotage trade in order to (1) stimulate the entire industry including shipbuilding and vessel manning and operation; (2) relieve traffic congestion on major coastal interstate highways; (3) reduce maintenance costs on coastal interstate highways; (4) reduce emission gases nationwide; (5) provide alternatives to north-south land routes experiencing a shortage of willing drivers; and (6) provide a method to recapitalize the current U.S. Ready Reserve Force fleet with a modern dual use fleet of active commercial tonnage and active-sailing mariners. The policy should

also (7) establish incentives to encourage large retailers and shippers to partner in developing and using such a system of transportation.

5. Reform the Maritime Tax Regime

A modern and rational maritime policy should require a reformed taxation regime for United States ship-owners to be consistent with international practices and a reformation of taxation policy for United States citizens and resident alien mariners in the foreign trade to be consistent with other United States citizens employed as ex-patriots. Such reform is necessary and fair in any maritime policy.

6. Strengthen Cabotage and Open New Registries

Cabotage laws should be clearly stated and made more flexible for United States owners.

A sensible and prudent maritime policy should reform and strengthen cabotage laws, clarifying and reinforcing the legal concept of cabotage, which is an important component of United States national security.

A prudent maritime policy should establish a new registry for near-foreign and United States possessions and territories, but not sovereign states in voluntary affiliation with the United States. Such a register should provide ships listed in it preference for cargoes originating in the United States or when servicing U.S. naval vessels as extraterritorial possessions. Ships in the register should require manning by all United States officers and ratings as an enhancement to national security.

A competitive maritime policy should establish a bare-boat charter registry where ships can enter and leave the registry easily, irrespective of source, if meeting safety requirements, with low costs and no penalizations and having all United States officers and ratings as an enhancement to national security. Time limits for charters may be set to regulate the cabotage trade and near

foreign trades as demand fluctuates. This is in the alternative to chartering waived foreign tonnage with foreign officers and ratings and permits United States owners to have available such ships as needed.

7. Rebuild the Marine Infrastructure

A fiscally sound maritime policy should reform the taxation regime for incoming cargo and port and harbor infrastructure and establish trust funds related to the purposes of such taxes. In the case of waterways, ports and harbors, policy should isolate those funds and expend them regularly to maintain and improve the ports and harbors infrastructure essential to currently and future trading of large ships (such as Super Post- Panamax vessels), in current or new maritime trades and provide increased employment opportunities for United States dredging companies and ports and in the fleets in the domestic and foreign and other trades under United States registry. The proper policy should require any contracts let and paid for by these funds to be only to entities registered in the United States and meaningfully controlled by United States citizens.

8. Coordinate the Stakeholders

A necessary maritime policy is the establishment of The Office of the independent National Maritime Transportation Coordinator, which would (1) deal with the disparate needs and requirements of the stakeholders in the maritime industry; (2) make more efficient communications among the stakeholders; (3) mediate disputes presented voluntarily among or between commercial stakeholders; (4) determine interagency disputes in consultation with other industry stakeholders; and (5) other similar duties. The purpose of the establishment of this office is the efficient operation and reform of the marine transportation system and to

cont'd on next page

10 POINTS cont'd from pg. 15

make decisions regarding the application of certain laws.

Specifically, the policy should require that entities enjoying the privileges of registering or enrolling vessels in the United States be meaningfully controlled by United States citizens as necessary for national security and the necessity and convenience of the public as determined by the Coordinator after appropriate consultation with the stakeholders and following the requirements of the Administrative Procedures Act.

Further rationalization would remove authority for cabotage waivers from the Maritime Administration and give those powers to the Coordinator. Policy should require agencies in disputes regarding maritime transportation and related matters with other agencies to submit such disputes to the Coordinator for decisions based on national need, economic need and appropriate governance.

9. Rationalize and Remediate Federal Agency Organization

An intelligent, efficient and correct policy should be designed to integrate and improve the usefulness of federal agencies that regulate U.S. foreign and domestic maritime trades, entities and labor. It would also increase coordination with the Departments of Transportation and Homeland Security and Defense.

This should be done by transferring the Coast Guard functions of maritime safety and mariner credentialing and qualifying to the Maritime Administration within the Department of Transportation, including the adjudication of credentialing cases.

Matters of international regulation and representation should be moved to the Maritime Administration from the Coast Guard to focus the Coast Guard's law enforcement mission and allow the civil aspects of regulation be performed by a civil agency as is done in all maritime states except the United States. This includes putting flag registration and marine safety inspections in shipyards under the purview of the Maritime

Administration. The Coast Guard and the Maritime Administration can coordinate at-sea inspections and port state control activities.

A clear, obvious and necessary remedial policy to enhance national security in the maritime industry and to remove redundancies of cost, effort and effectiveness, is the removal of the Transportation Worker Identification Credential program from the Transportation Security Agency as it relates to mariners and port and harbor workers. The TWIC program should be integrated with Coast Guard programs under exclusive Coast Guard management. The Coast Guard has the experience, expertise and knowledge substantively greater than the Transportation Security Administration as to the maritime industry and has performed, and performs, the same or similar functions as the Credential program and is capable of facilitating the purpose of the program within the maritime industry with greater effect to rational and effective maritime security than the current agency manager.

The placement and maintenance of aids to navigation should properly be a business of the U. S. Army Corps of Engineers, the agency responsible for rivers, harbors and waterways rather than the Coast Guard. The Corps of Engineers is capable and experienced in the waterways and can perform this function efficiently and can coordinate effectively with the Maritime Administration on seafarer and other maritime civil matters. Such a move would permit the Coast Guard concentrate on security and criminal matters as a law enforcement agency. Similarly, other civil maritime agencies such as the National Oceanic and Administration and the Marine Fisheries Service should be placed under Maritime Administration coordination with the training of their officers at Maritime Administration facilities.

10. Provide for Research and Development and Training

An enlightened maritime policy should coordinate and establish

research funds administered through the Maritime Administration and made available to all public and private and organized labor training facilities. The purpose would be to develop technologies for training mariners, establish clear career paths in all segments of the industry, especially in the petroleum industry, and meet national security and defense needs.

Policy should be designed to integrate the needs and requirements of the maritime degree-granting institutions and fund them appropriately and adequately to meet national shipping needs.

Such an enlightened policy should establish the United States Maritime Institute to fund research and development of maritime matters as an independent body administered by the Maritime Administration but under the direction of a board of comprising members. Comprising members should be drawn from the Departments of Defense, Homeland Security, Commerce, Transportation, Interior and selected independent agencies and foreign and domestic academic institutions along with United States ship-owning and shipyard and labor and ports entities and non-governmental organizations. Policy should remove the International Maritime Organization functions of the U.S. Coast Guard to the Maritime Administration to free the Coast Guard to perform more efficiently its domestic functions under the Department of Homeland Security as a law enforcement agency. The Maritime Administration would then function as a civil agency. ☆

© 2013 John A. C. Cartner, all rights reserved. Captain Cartner is an unrestricted Master Mariner (U.S.) and maritime lawyer practicing in Washington, D.C. and in London. He is the principal author of *The International Law of the Shipmaster* (2009, Informa Lloyds) and works on piracy. He can be reached at jacc@cflaw.net.

Rest Hours and the MLC 2006



by Captain
Jeff Cowan
#3070-R

hours of rest and work for mariners. This type of regulation regarding rest requirements is not new, but may change how ships are manned, given the extra scrutiny that will ensue.

Funny how references to work hour limits have been replaced with rest hour minimums (both are mentioned in separate but closely aligned paragraphs Standard A2.3 paragraph 5a and 5b). In doing the math, a seafarer could be limited to 72 hours of work in paragraph 5a but in paragraph 5b the seafarer must have a minimum of 77 hours rest in a week but could work 91 hours which may be why companies follow Standard 2.3 paragraph 5.b.

According to paragraph 12, seafarers shall receive a copy of their daily rest hours which shall be endorsed by the Master, or a person authorized by the Master and signed by the seafarer. There is no excuse for a seafarer not getting rest because everyone of competent authority signed the sheet verifying knowledge of the seafarers rest hours.

Recently, an associate, while aboard a ship and speaking with the Master, asked to see the rest log. Everyone in the crew had exactly the same legal hours of rest and work! Upon further investigation of the logbooks, the reviewer discovered the whole engine department was resting

while taking bunkers (fuel used for ships propulsion and auxiliary machinery)! Having sailed for 35 years, I only heard of this type operation once where the deck department loaded bunkers aboard a tanker. The ship in question was not a tanker but a bulk carrier. After speaking with the Master regarding the anomaly, the Master admitted falsifying the rest records. On a charter ship in this instance the operating expenses and crew costs were fixed, meaning they absolutely could not go over budget but the crew still had jobs to perform while making the most money possible for the company. The shipmaster, wanting to make it most equitable for his crew, minimized work hours to legal limits on paper, even if the rest data showed they were resting in the middle of work hours (i.e. bunkering). Obviously the crew acquiesced by personally signing the rest log, necessary to protect their jobs because they have families to feed and house.

In another incident further illustrating the problem, while reactivating a ship and trying to make the deadline for berth availability, a crew was working long hours taking care of the myriad problems of bringing a dead ship out of lay up while making schedule. As part of the break out procedures, the ship required an International Ship Management (ISM) certificate titled "Shipboard Management Certificate" (SMC) and needed the Document of Compliance (DOC). This entailed having an ISM audit while bringing the ship out of lay up. These audits include interviews with crew members from various ship departments: Deck, Engine and Steward. In this instance, most of the crew were not that familiar with their

break out ship and the interviews took much longer than expected. Needless to say, the final meeting with the ship management team (Master, Chief Engineer, Chief Mate, First Assistant and Steward) was held at 2200 (10:00pm)! Most probably the team had been up since 0600 and didn't stop for any rest during the day. In this instance would the MLC 2006 have held sway? Could that ship have stayed alongside to allow crew sufficient rest before getting underway at 0300 (3:00 am) without the ship Master suffering the company ire and becoming unemployed? The maritime industry with its

Everyone in the crew had exactly the same legal hours of rest and work! Upon further investigation... the whole engine department was resting while taking bunkers!

"can do" spirit would have seen that ship sail at 0300. In other words, it is okay to trouble the crew during rest periods if an official piece of paper is involved because the MLC 2006 is waived, right?

Our counterparts who fall under the Federal Aviation Authority (FAA) would have stayed on the ground. According to the FAA, an airline pilot needs a 10-hour minimum rest period. The rule sets a 10-hour minimum rest period prior to the flight duty period. The rule also mandates that a pilot must have an opportunity for eight hours of uninterrupted sleep within the 10-hour rest period. Could the shipmaster described in the previous paragraph comply with

cont'd on page 19

Ship masters transiting the Gulf of Guinea are caught between pirates and coastal state officials



by
Mr. Will Watson
#3256-A

It's now been over a year since a commercial vessel transiting the Indian Ocean or Gulf of Aden has been captured by Somali pirates.

And it remains a fact that no vessel that was protected by armed security teams has been captured and its crew held for ransom. Unfortunately, just as waters to the east of Africa are calming, waters to the West— especially in the Gulf of Guinea— are becoming even more dangerous.

According to the International Maritime Bureau (IMB), piratical attacks in the Gulf of Guinea increased by over 50% from 2011 to 2012 and current trends point to even higher numbers of attacks this year. Unfortunately, the world's attention has not been drawn to this region as it was to the waters off the Horn of Africa and most coastal states have been resistant to solutions that

on the other side of the continent. Off Somalia, as we all know, vessels are attacked by pirates in small skiffs, forced to travel to Somali waters and then held for ransom. Incidentally, there are still nearly 100 seafarers being held for ransom both aboard ship and ashore. Unfortunately, in most cases, the vessel owners have abandoned their ships and crews and the mariners' fates are unclear. In the Gulf of Guinea, the pirates generally are after tanker cargoes. They also attack from skiffs but they hold the tankers captive, bring small tankers or barges alongside and steal the cargoes which are then sold on the black market. Gulf of Guinea pirates are much more violent than their Somali cousins and have badly injured or killed numerous seafarers.

Trouble in Togo

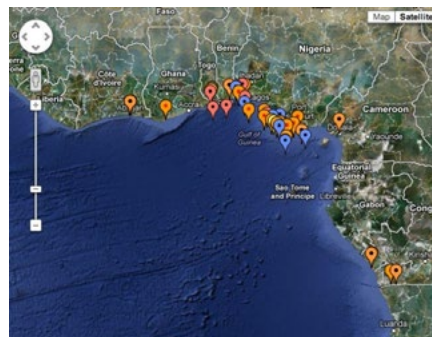
When Captain Sunil James' tanker *OCEAN CENTURIAN* was attacked by pirates in mid-July, the Indian master made port in Lome, Togo to report the attack and to seek medical attention for injuries sustained at the hand of the West African pirates. Togolese officials then released the ship but clapped the captain

and a couple of his crew in jail "for investigation." Now, the captain's wife is leading a call for international pressure to be brought on the government to release Sunil and his crewmates. The Indian government and others are working for the master's release and hopefully he will be free by the time this article is read.

Solutions in Benin

Located in between the countries of

Togo and Nigeria, seen as piracy central, is the small republic of Benin. There, President Dr. Thomas Boni Yayi has made a pledge to improve maritime security and counter piracy efforts. He, unlike his Nigerian neighbors, is welcoming outside help from at least one



IMB Piracy & Armed Robbery Map for the Gulf of Guinea. www.icc-ccs.org; link is also on CAMM's website.

Private Maritime Security Company (PMSC) – AdvanFort International. The plan is to better patrol its waters, ports and terminals, train local security forces to eventually replace visiting experts and to allow the Privately Contracted Armed Security Personnel (PCASP) teams that have been successful off East Africa to operate in Benin's waters. This is critical because West Africa's offshore waters are rich with oil and gas reserves and companies anxious to explore for petroleum resources are not anxious to have

Piracy in the Gulf of Guinea is a completely different model... pirates generally are after tanker cargoes ... which are then sold on the black market.

proved effective against Somali pirates... armed security teams aboard calling and transiting commercial vessels.

Piracy in the Gulf of Guinea is a completely different model than piracy



mariners, platform workers or Offshore Supply Vessel crews become the latest victims of the violent pirate gangs.

Nigeria is the key

The biggest problem spot in the Gulf of Guinea continues to be Nigeria, where pirates and rebels abound and the government takes a hard line against ship owners and operators who want to protect themselves while calling at ports like Lagos and Port Harcourt. Armed PCASP teams must lock their weapons when crossing into still-dangerous Nigerian territorial waters and rely on hired off-duty armed Nigerian military guards for protection. In some cases, the visiting PCASP teams and vessel crews have been arrested on firearms charges even when they have fully sought to adhere to the nation's strict gun laws.

Also, with rich oil and gas reserves both ashore and offshore, Nigeria is a mecca for tanker traffic. Unfortunately, the low and slow tankers are prime targets for pirates and this threat is causing owners, operators as well as seafarers to refuse to visit the dangerous waters. Regional governments and their economic ministers and international petroleum interests are pushing for improvements across the board. Safer and more secure ports and waters are at the top of the list and one needed asset being sought by the IMB and others is a regional intelligence and coordination office like the cross-continent counterparts - United Kingdom Marine Trade Operations (UKMTO) operated center and the Maritime Security Center - Horn of Africa (MSCHOA). ☆

William H. Watson is President of AdvanFort International, Inc., a PMSC operating globally, including in the Gulf of Guinea. Will is also a member of the Baltimore-Washington Chapter of CAMM.

MLC 2006 cont'd from pg. 17

the sample FAA ruling? Absolutely not!

Final example, some boats less than 1600 gross tons involved in international trade may only carry one engineer. The boat in question has a Safe Manning Certificate issued by a competent authority that states only one licensed engineer is required aboard the boat. Alas due to the lack of technical engineering personnel aboard this boat, most of the repairs are performed by shore based entities while the boat is in port. Most of the time these repairs are super-

vised by the boat's engineer because that engineer will ultimately have to live with any outcome. The repairs occur at all hours due to berth scheduling. Our engineer has been up without a "rest period" for 15 hours! When questioned upon his lack of rest, the engineer stated, "When the boat is tied up I am considered a shore based engineer so the rest rules do not apply." Considering when the boat lets go and proceeds to its next berth our engineer will be required to work, will the Port State Control tasked with enforcing the MLC 2006 put an end to this practice?

Effective ship manning is the byword. One fellow associated with a shipping company stated, "You could have 40 crew aboard ship and still have fatigue problems because it comes down to fatigue management." Given the norm for crewing most ships now is 20 crew versus the hypothetical 40 crew, aboard ships with 20 crew, who will be called to replace an individual due to lack of rest when there is no one to replace our fatigued crewman?

Yes, it is fine to increase crew sizes but under the present monetary compensation system, increasing crew size means someone is going to make less money. On charter ships as in the first example

the crew will make less money collectively if more crew are added. The easy answer is to increase rates to provide for the increased crew or suffer the cost of a detained ship. Which is cheaper?

Human error is responsible for over 58% of all ship casualties and fatigue represents the largest portion of human error for major claims according to a Protection and Indemnity Club. How can fatigue be reduced? By using the

When questioned upon his lack of rest, the engineer stated, "When the boat is tied up I am considered a shore based engineer so the rest rules do not apply."

MLC 2006 to effectively enforce its mandates equally and unilaterally and getting experienced Port State Control inspectors who are able to understand operations and decipher the "gun

decking" (falsifying records) on rest logs. Unless the MLC is enforced unilaterally throughout international trading fleets, there will remain a competitive advantage for those who gun deck the rest logs. ☆

Captain Jeff Cowan sailed aboard various containerhips as Master, capping a 35-year sea-going career.



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jacc@cflaw.net
202 429 2500

The Northwest Passage: Legal Issues and Regulatory Solutions for the Arctic



by Captain
Andrew C. Strosahl
#3320-S

Due to reduction in ice coverage, in recent years the Northwest Passage has become open for longer durations throughout the year.

Corresponding with the increase in ice-free conditions, maritime commercial traffic has increased in the Arctic and is likely to increase. Yet due to the historic incapability of transiting the passage, the Arctic has not been a recognized viable area for traffic to pass. With little traffic passing through it, the Arctic escaped many international regulatory schemes that other frequently transited areas have had regulations apply. Also, the Northwest Passage traverses areas subject to maritime boundary delimitation disputes. These disputes and the lack of regulation potentially jeopardize the freedom of navigation through the Northwest Passage.

Canada's Maritime Boundary Claim under United Nations Convention on the Law of the Sea (UNCLOS)

A central issue surrounding the Northwest Passage and maritime transit through the Arctic region is the maritime boundary delimitations. Canada claims the waters of the Northwest Passage are internal, and thus Canadian consent is necessary for passage. Canada also asserts the right to impose environmental regulations on vessels transiting the

Northwest Passage.ⁱ The United States and European Union Member States regard the straight baselines drawn by Canada around its Arctic islands as inconsistent with international law.ⁱⁱ The United States rejects the Canadian claim because it does not meet the criteria for historic title and application of Article 35(a) of UNCLOS, which prevents drawing of straight baselines to create internal waters that were not previously considered internal, renders the Canadian claim unlawful.ⁱⁱⁱ

Effects of Canada's Claim

There are great differences between the rights of vessels in internal waters, archipelagic sea lanes, and international straits. In internal waters, a vessel is subject to the port state control and laws of the sovereign in which the vessel is located.^{iv} In an archipelagic sea lane, a vessel is limited to the right of innocent passage.^v In an international strait, a vessel may conduct transit passage, which includes continuous and expeditious transit in the vessel's normal mode of

operation.^{vi} These differences in vessels' rights are the foundation for the fight over maritime boundary delimitation over the Northwest Passage.

If Canada's claim of internal waters stands over the Northwest Passage, then each vessel that transits would be subject to the regulations of Canada. Further, if this claim is not contested, then Canada will control access to these waters and may legally expel the freedom of navigation in these waters. Canada could require compulsory pilotage with ice-breaker escorts, as well as charging tariffs to pass through these waters, and Canada could shut down the Northwest Passage anytime it desires.

Regulatory Solutions

There are many ideas floating around on how to regulate shipping in the Arctic. The purpose of this section is to present suggested frameworks for Arctic regulation and propose a framework and policy scheme for the future. As warned by Donald Rothwell, Professor of International Law at Australian National University College of Law, the reality is that in the near future, a rapidly changing Arctic Ocean environment may see large tracts of ocean space susceptible to surface navigation, marine scientific research, and marine living resource exploitation, which would not, in the current legal framework, be one which would be susceptible to comprehensive

i. J. Ashley Roach, *International Law and The Arctic: A Guide to Understanding the Issues*, 15 Sw. J. Int'l L. 301, 311 (2009).
 ii. E.J. Molenaar, *Arctic Marine Shipping: Overview of the International Legal Framework, Gaps, and Options*, 18 J. Transnat'l L. & Pol'y 289, 296 (2009).
 iii. J. Ashley Roach, *International Law and The Arctic: A Guide to Understanding the Issues*, 15 Sw. J. Int'l L. 301, 311 (2009).
 iv. United Nations Convention on Law of the Sea, art. 2, Dec. 10, 1982, 1833 U.N.T.S. 397.
 v. United Nations Convention on Law of the Sea, art. 53, Dec. 10, 1982, 1833 U.N.T.S. 397.

vi. United Nations Convention on Law of the Sea, art. 39, Dec. 10, 1982, 1833 U.N.T.S. 397.



management and control by the Arctic States.^{vii}

The International Maritime Organization (IMO) is the specialized United Nations agency for developing standards for shipping and the oceans.^{viii} The IMO has published recommendations in its *IMO Guidelines For Ships Operating In Polar Waters* and *Guidelines for ships operating in Arctic ice-covered waters*. The IMO designed these guidelines because poor weather conditions and the relative lack of good charts, communication systems, and other navigational aids pose challenges for mariners in the Arctic.^{ix} The remoteness of the area makes search and rescue or environmental cleanup operations difficult and costly.^x Cold temperatures may reduce the effectiveness of numerous components of a ship, ranging from deck machinery and emergency equipment to sea suction.^{xi} Additionally, when ice is present, it can impose additional loads on the hull, propulsion system, and mechanical appendages.^{xii} The *Guidelines for ships operating in polar and ice-covered waters* are intended to address those additional provisions deemed necessary for consideration beyond existing

requirements of the Safety Of Life At Sea (SOLAS) and Prevention of Pollution From Ships (MARPOL) Conventions.^{xiii} The Guidelines were written taking into account the climatic conditions of polar waters in order to meet appropriate standards of maritime safety and pollution prevention.^{xiv}

Paralleling the development of the Guidelines, the International Association of Classification Societies (IACS) developed a system of Polar Classes, a set of unified requirements, which address essential aspects of construction for ships of Polar Class in addition to general classification society rules.^{xv} Classification societies set standards for construction and safety of ships. In order for a ship to maintain classification, it must pass inspection, annually for some vessels, by a classification society representative, or surveyor.

The *IMO Guidelines For Ships Operating In Polar Waters* and *Guidelines for ships operating in Arctic ice-covered waters* should be mandatory for all ships operating in the Arctic. In order for this to take effect, both SOLAS and MARPOL need to be updated to add the recommendations of the guidelines. By amending SOLAS and MARPOL, regulations that the maritime industry is familiar with, no new regulatory scheme would need to be added. This would be an efficient manner to provide safety and environmental regulations to protect mariners and the Arctic environment.

Conclusion

xiii. *Guidelines for Ships Operating in Polar Waters*, International Maritime Organization (IMO) Res. A.1024 (26), at 4 (Dec. 2, 2009). See also *Guidelines for Ships Operating in Arctic Ice-covered Waters*, IMO, MSC/Circ.1056, MEPC/Circ.399, at 4 (Dec. 23, 2002).

xiv. *Guidelines for Ships Operating in Polar Waters*, International Maritime Organization (IMO) Res. A.1024 (26), at 4 (Dec. 2, 2009). See also *Guidelines for Ships Operating in Arctic Ice-covered Waters*, IMO, MSC/Circ.1056, MEPC/Circ.399, at 4 (Dec. 23, 2002).

xv. J. Ashley Roach, *International Law and The Arctic: A Guide to Understanding the Issues*, 15 Sw. J. Int'l L. 301, 315 (2009).

Maritime traffic in the Arctic will increase from now into the future. With an increase in traffic, security, safety, and environmental concerns will broaden and ripen. There are elements for a legal framework for regulation in the Arctic waters that already exist. There are also proposed legal instruments that will have a positive influence on regulating Arctic waters, especially those surrounding the Northwest Passage.

The time to implement regulation is now. By implementing and enforcing regulations in the Arctic now, all parties involved will learn and better comply with the law and regulations because they will be familiar with them from the start of their shipping experiences in the Arctic. By waiting to implement regulations, the environment and personnel may be in peril from harm caused by a lack of regulation.

Lastly, the delimitation issues surrounding the Northwest Passage need to be resolved. Due to Canada's maritime claims and the United States' disagreement with those claims, tensions will only rise in the Arctic region. If these issues can be ironed out peacefully before the Northwest Passage becomes the maritime highway through the Arctic, the possibility of rational and peaceful agreement is much greater. ☆

Captain Andrew C. Strosahl is a third-year law student at the University of Maine School of Law in Portland, ME. A 2005 graduate of Maine Maritime Academy, Andrew sailed with Military Sealift Command and the International Organization of Masters, Mates & Pilots prior to law school. Recently, Andrew interned for the Office of Chief Counsel of the Maritime Administration at the U.S. Department of Transportation headquarters. Currently, Andrew serves as research fellow for the Oceans and Coastal Law Center and teaching assistant for Ocean Law and Policy.

vii. Donald R. Rothwell, *The Arctic in International Affairs: Time for a New Regime?*, Austl. Nat'l Univ. Coll. L. Res. P. No. 08-37, 11.

viii. International Maritime Organization, Introduction to IMO, www.imo.org/About/Pages/Default.aspx (last visited Apr. 20, 2013).

ix. *Guidelines for Ships Operating in Polar Waters*, International Maritime Organization (IMO) Res. A.1024 (26), at 4 (Dec. 2, 2009). See also *Guidelines for Ships Operating in Arctic Ice-covered Waters*, IMO, MSC/Circ.1056, MEPC/Circ.399, at 4 (Dec. 23, 2002).

x. *Guidelines for Ships Operating in Polar Waters*, International Maritime Organization (IMO) Res. A.1024 (26), at 4 (Dec. 2, 2009). See also *Guidelines for Ships Operating in Arctic Ice-covered Waters*, IMO, MSC/Circ.1056, MEPC/Circ.399, at 4 (Dec. 23, 2002).

xi. *Guidelines for Ships Operating in Polar Waters*, International Maritime Organization (IMO) Res. A.1024 (26), at 4 (Dec. 2, 2009). See also *Guidelines for Ships Operating in Arctic Ice-covered Waters*, IMO, MSC/Circ.1056, MEPC/Circ.399, at 4 (Dec. 23, 2002).

xii. *Guidelines for Ships Operating in Polar Waters*, International Maritime Organization (IMO) Res. A.1024 (26), at 4 (Dec. 2, 2009). See also *Guidelines for Ships Operating in Arctic Ice-covered Waters*, IMO, MSC/Circ.1056, MEPC/Circ.399, at 4 (Dec. 23, 2002).

Marine Technology Society and NOAA Lead U.S. IOOS® Super Storm Sandy Impact Study



MARACOOS

by Ray Toll
Regional Coordinator/
QARTOD Technical
Coordinator
MARACOOS

Data Streams Help Save Lives, Reduce Damages From Sandy

The Marine Technology Society (MTS) and the NOAA National Ocean Service co-hosted a one-day meeting in the harbor. Many vessels were diverted from the ports of New York and New Jersey to other east coast ports that had the capacity to handle the cargo volumes and types. In just two ports, more than 23,000 TEUs were safely delivered and then trucked or shipped via rail to the NY-NJ metropolitan region. This ensured that the critical Christmas shopping season occurred without disruption.

6700 containers were diverted to Virginia due to Hurricane Sandy. The cost estimate for these containers is approximately \$1 Billion.

Navy

U.S. Navy's Atlantic Fleet Headquarters sortied approximately 80 ships out of Hampton Roads ports and shipyards at a cost of \$10 million two to three days prior to the onset of 50-knot sustained winds associated with Sandy. All safely exited with no damage or loss of life. NOAA advanced warnings from IOOS observations were deemed crucial to a safe evacuation in a timely and orderly fashion. Based on historic damage to the fleet from past hurricanes, a storm of Sandy's magnitude otherwise could have caused \$500 million in damage to ships and pier facilities. Sustained winds of 50 knots or greater causes damage to both the pier and the ship.

Hoboken, NJ

1,700 buildings were severely flooded, impacting up to 34,000 people. These people were spared discomfort, injury, or worse from advanced warnings provided by NOAA. All information came from (IOOS) high-resolution storm

surge forecasts. The Mayor ordered an evacuation of "all ground floor apartments" by midnight Sunday night. This single decision saved a significant number of lives, because there are thousands of street-level and basement-level apartments in the city. The Mayor also advised against leaving cars in low-lying areas of town— advice that saved thousands of cars from damage, as any car left on all but a few streets in the city were at least partially submerged in salt water.

Oil and Gas: Buckeye Partners/Impact Weather/ NJ OHSP

Buckeye Partner Pipeline in NJ was the first utility company to come back online, within 48 hours. Per Patrick Hodgins, Houston-based Director, Buckeye Partners Pipeline was the only utility to use an industry service provider, Impact Weather (www.impactweather.com), to lead their prep work, which started 7 days prior. Impact Weather, like the vast majority of private firms, does not collect their own data but relies exclusively on NOAA products and services.

We conclude this evaluation shows substantial return on the investment that the federal government has made in the U.S. IOOS system (www.ioos.noaa.gov), which is implemented nationally and regionally throughout the U.S. IOOS remains a healthy public-private partnership through its eleven IOOS Regional Associations (www.ioos.noaa.gov/regional.html). We appreciate the on-going opportunity to share these stories with you in *Sidelights*. ☆

December where 25 selected subject matter experts from all sectors worked with MTS leadership to develop a statement on the value that U.S. IOOS® observations had on preparations and damage avoidance from Superstorm Sandy. A one page summary was developed that provides a credible estimation of the consequences if IOOS had not provided the data streams it did, as expressed in terms of additional lives lost and additional financial damages. Additionally, where possible, an estimate was provided of the potential projected benefit (in similar metrics) if the Full Operating Capability had been in place. The focus was on NOAA's contribution to U.S. IOOS and the efforts of the IOOS Regional Associations. Emphasis was placed on lifeline sectors within the categories of emergency management (response, restoration and recovery), forecast guidance, and observational operations.

Shipping

Prior to landfall, the marine transportation industry began to make preparations based on forecast products derived from IOOS observations. In the ports of New York and New Jersey, all vessels were moved from anchorages in

Federal agencies remapping coastal areas damaged by Hurricane Sandy



by CMDR
Michael Henderson
NOAA Office of the
Coast Manager
#3239-A

Three federal agencies have announced plans for remapping parts of the East Coast, where Hurricane Sandy altered seafloors and shorelines, destroyed buildings, and disrupted millions of lives last year. NOAA, the U.S. Geological Survey, and the U.S. Army Corps of Engineers are using emergency supplemental funds provided by Congress to survey coastal waters and shorelines, acquiring data that will update East Coast land maps and nautical charts.

Using ships, aircraft, and satellites, the agencies will measure water depths, look for submerged debris, and record altered shorelines in high priority areas from South Carolina to Maine, as stipulated by Congress in the Disaster Relief Appropriations Act of 2013. The areas to be remapped will be based on their relative dangers to navigation, effects from the storm, and discussions with state and local officials as well as the maritime industry.

“Our approach is to map once, then use the data for many purposes,” said NOAA Rear Admiral Gerd Glang, director of NOAA’s Office of Coast Survey. “Under the Ocean and Coastal Mapping Integration Act, NOAA and its federal partners are taking a ‘whole ocean’ approach to get as much useful information as possible from every dollar

invested to help states build more resilient coasts.”

The data, much of which will be stored at NOAA’s National Geophysical Data Center, and through NOAA’s Digital Coast, will be open to local, state, and federal agencies as well as academia and the general public. The information can be applied to updating nautical charts, removing marine debris, replenishing beaches, making repairs, and planning for future storms and coastal resilience.

The three federal agencies are collaborating for greater topographic and hydrographic coverage and to promote efficiency. Earlier this year, a NOAA navigation response team surveyed the waters around Liberty Island and Ellis



NR2 at the boat ramp: In Sandy’s immediate aftermath, NOAA survey vessels responded to calls for assistance from storm-ravaged areas in New York, New Jersey, Delaware Bay, and Virginia. This navigation response team cleared a path to launch at Marcus Hook.

Island in New York harbor, measuring water depths and searching for debris that could cause a danger to navigation. Also, NOAA Ship THOMAS JEFFERSON began surveying the approaches to the Delaware Bay in June.

NOAA plans to contract with commercial hydrographic firms for additional hydrographic survey projects off the coasts of New York and New Jersey, and will also contract with firms to acquire high resolution topographic and bathy-

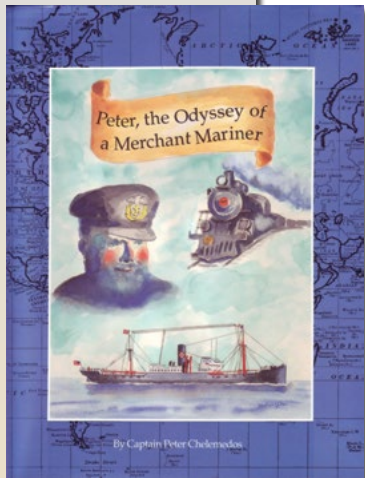
metric elevation data and imagery of the coasts from South Carolina to New York.

The U.S. Geological Survey will collect elevation data to support scientific studies related to the hurricane recovery and rebuilding activities, watershed planning and resource management. USGS will collect data in coastal and inland areas depending on their hurricane damages and the age and quality of existing data. The elevation data will become part of a new initiative, called the 3D Elevation Program, to systematically acquire improved, high-resolution elevation data across the United States.

The Army Corps of Engineers and its Joint Airborne Lidar Bathymetry Technical Center of Expertise are covering particular project areas in Massachusetts, Virginia, and New Jersey. They will coordinate operations, research, and development in airborne lidar bathymetry and complementary technologies for USACE, NOAA, and the U.S. Navy.

For a visualization of the mapping projects for all three agencies, see the SeaSketch map (www.tinyurl.com/Seasketch-Sandy) produced by the Integrated Working Group on Ocean and Coastal Mapping.

Preliminary U.S. damage estimates are near \$50 billion, making Sandy the second-costliest cyclone to hit the United States since 1900. There were at least 147 direct deaths recorded across the Atlantic basin due to Sandy, with 72 of these fatalities occurring in the mid-Atlantic and northeastern United States. This is the greatest number of U.S. direct fatalities related to a tropical cyclone outside of the southern states since Hurricane Agnes in 1972. ☆



by Captain
Peter Chelemedos
#1671-R

News events
-North Africa:

The February battles at Kasserine Pass that pitted General Patton against Erwin Rommel's forces had been fierce. Getting through opened the way for an assault on Tunis in early May.

In the South Pacific, the Japanese landed at Salamau, New Guinea in March.

After our marriage, Kay and I visited her home in Fall River, Massachusetts, before taking the train out to San Francisco. On the westbound trip, we stopped at Silvis, Illinois, to introduce Kay to the Engholms, and at Denver where we became godparents to Esther's baby.

When I brought Kay over to Albany to introduce her to my parents, the reception we got was rather cool. We found a hotel room in 'Frisco to stay in until I shipped out.

In April 1943, I went to the Masters Mates and Pilots office in San Francisco to see about shipping out again. When I had left Captain Sorensen at Waterman Steamship Company's office in Mobile, he told me I could join the *CAPE SAN MARTIN*, which would be leaving from San Francisco in late April, if I wished. I had my doubts about wanting to make a career with Waterman, as they were based in Mobile.

I was sent over to War Shipping

Peter, The Odyssey of a Merchant Mariner

Chapter 17: Island Mail March 1943-July 1944

Administrations office and was offered a Junior Third Mate's berth on the *MS ISLAND MAIL* with American Mail Lines, a West Coast company. I took it.

I went up to the offices of Williams, Dimond & Company and was introduced to my new captain, Dick Williamson, before heading down to the ship. The *ISLAND MAIL* was a diesel-powered Sun Shipyard C-2 type, sister ship to the *CHINA MAIL* and *OCEAN MAIL*, and was to be a nucleus of the North Pacific peacetime trade of American Mail Lines. The war had changed their plans somewhat. The *OCEAN MAIL* went to the British on a lend-lease deal, and the two remaining C-2s joined a fleet of C-1s and Liberty ships being operated under an agency agreement with the War Shipping Administration.

The *ISLAND MAIL* was converted to carry about 1,500 troops in the 'tween decks, and cargo in the lower holds and had refrigerated spaces at Number Four hatch.

I had brought Kay to San Francisco, and she was left to find a house or apartment when I sailed. I was happy to get her letter that she had located a rental at San Mateo.

The *ISLAND MAIL*'s first stop was Suva, Fiji Islands, to discharge some army cargo. Willie Maul, the second mate, and I went to the local hotel for a swim in an outdoor pool during a rain squall. We figured we would be wet anyway before we got back to the ship, so we might as well do it in style.

From Suva, we went around the west

coast of the island to Latoka to discharge more supplies for the army hospital there. I walked about two miles up to a hotel to find some magazines for the ship. As I was passing the bar in the hotel a voice called out, "Hey, Pete, what are you doing here?"

I didn't recognize either the soldier or the voice, until he said, "You were on the *KUNGSHOLM* a year or so ago. We were the MPs on the ship and you used to give us sandwiches from your messroom while we were on guard duty."

Then he turned to his compatriots and re-introduced me. They were in Fiji on R&R after the Guadalcanal campaigns. They each had to buy me a drink and wouldn't let me get by with just a sip. I wound up with thirteen triple gins lined up on the bar. I did drink them. Then I walked across the road and climbed into the back of an MP jeep.

After a few minutes, an MP came out and asked me what I wanted. I said, "I have to get back to my ship, and I'll never make it under my own power. Can you please take me back to the pier?"

"Sure, Pete," was the welcome response, and he drove me back to the ship. Since we didn't have a gangway down, I had to climb up a rope "save-all" net to the deck at Number Three hatch. Fortunately, we had a spaghetti and tomato dinner being served to help me digest the gin. I will never forget that climb, nor those friendly soldiers. I know if I'd had to walk back to the ship that day I'd still be in a sugar cane field somewhere.

We then sailed to Noumea, New



Caledonia, where I visited again with Lucien Baumier and his family, whom I had met while there on the *JOHN ERICSSON*. I also went aboard the *CAPE SAN MARTIN*, which was at the ore dock, to visit with Mr. Murray, who had been second mate with me on the *CAPE DECISION*. I hadn't seen him since that midnight in January on the bridge of the ship in the middle of the Atlantic.

Mr. Murray told me of his experiences with the chief mate, Cadet Shafter and the others who had sailed the other lifeboat west to Ile Saint-Barthelemy where they landed after fourteen days. There, they had lived in an abandoned schoolhouse and found the only other inhabitants to be a herd of wild goats. They were spotted and returned to the States after spending a week or so on the island eating wild goat meat along with their lifeboat rations.

The *ISLAND MAIL* returned to San Francisco in time for Kay's birthday in June. She had made a trip home to Massachusetts and hadn't returned yet. After I received her letter that she was en route, I met her train ferry the next day.

We had a few days to catch up with each other before I sailed for Port Hueneme with Captain John Smith, who had relieved Captain Williamson. On the way down, I got a bad toothache and, when Kay met me there, it was to take me to a dentist to get an abscessed tooth pulled. Then we went to the beach so Kay could get her first swim in the Pacific.

We sailed with a bunch of navy CASUs (Casual Replacements for men killed or wounded at sea) for the South Pacific. When we crossed the Equator, we had the usual ceremonies. An announcement over the public address system said, "We will be passing a mail buoy at eight p.m. Letters can be mailed from there." Six sacks of mail were collected and, of course, put into storage.

A day or two later, one of the CASUs asked me about that mail, since he couldn't remember us stopping. I reminded him of the destroyer we had sighted near the horizon the previous

evening and told him that was the mail boat, and that we had signaled them the position of the mail buoy we had dropped, assuring him that his mail was safely on its way. He said he was happy to know so much was being done for them.

This was the same young fellow I told about burning sea water for fuel when he asked me why he never saw any smoke coming out of the ship's smokestack. I showed him the overboard discharge water coming out of the side of the ship and told him that we processed sea water and took out some of the chemicals, which were burned, and what he saw was what we couldn't use. A few days later, he told me his chief thought I as not giving him the straight dope.

On our approach to Noumea the night before arrival, we had passed a C-1 and her escort shortly before sunset. Our course indicated that about 7:30 we were to make a ninety-degree right turn to the north, which would have taken us across the path of the ship we had just passed. The night was pitch black by then, so I told the Armed Guard officer that I was going to sound the ship's whistle when I made the turn.

He told me that if I did, I'd have all 1,500 troops on deck in alarm. I told him to alert his lookouts astern to keep a very good eye out for the other ship for me as well as their usual submarine alert.

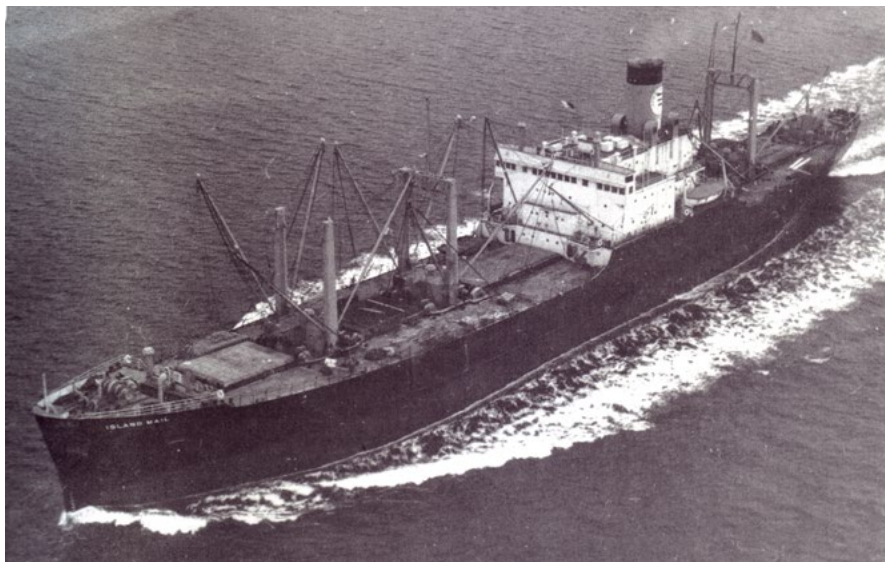
Shortly after I changed course, we saw two star shells in the area of our starboard. Then a glare of searchlight flashed on and off. The radio shack messenger brought up a message "AM UNDERGOING ATTACK BY SURFACED SUBMARINE. LAT 22-57S, LONG 166-26E. SEA WITCH."

Of course, we sounded General Quarters and I had all the troops on deck anyway. We watched various tracer bullets and flashes of gunfire for about three hours. Then over the horizon the beam of a signal searchlight blinked out "ALL OK. ALL OK.:"

When we had anchored and I was riding ashore in the water-taxi, we stopped alongside the *SEA WITCH* to pick up one of her mates to take to shore. I asked him, "What went on last night?"

What we put together was that the *SEA WITCH* had come to the South Pacific from San Francisco under army orders, and somebody had neglected to let the Navy know she was coming. The escort for the C-1 that I had passed had challenged this strange ship but the recognition codes had not been updated. She had fired a star shell to illuminate the ship; at the same time, the *SEA WITCH* had fired a star shell to light up the low silhouetted vessel that was approaching. The result was they apparently blinded

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MS ISLAND MAIL after a post-war reconversion, 1947.

PETER cont'd from pg. 25

each other.

The escort fired a shot across the *SEA WITCH*'s bow, which went over the heads of the forward gun crew. They in turn fired a round from their three-inch gun, which went between the stacks of the escort. When the escort turned on her searchlight, the gun crew on the *SEA WITCH* shot it out with their twenty millimeters. Fortunately, no one was hurt in all this, but when it was finally sorted out it gave everyone a sense of relief.

About two weeks later a Japanese submarine was sunk in the area.

We anchored in Noumea for a few days awaiting orders. While ashore, I learned that a group of navy nurses had come in on one of the other ships from Oak Knoll hospital in Oakland. I wondered if Bea Hankin, the nurse I had met in Oakland before I went to New Orleans last fall when she was on her way to get her graduation certificate as a nurse and later joined the Navy, would be among them. She wasn't. She had been assigned to the dispensary at Boulder, Colorado.

Her letter told of her disappointment, since she had joined the Navy to see other parts of the world, and I had painted such a beautiful word picture of the tropics in my short conversations with her.

Later in the day, I was walking up toward Lucien Baumier's house, my mind going over the events of the fourteen months since my last visit. The new Lieutenant's bars I was wearing, New Orleans, and my marriage to Kay, when I heard a voice bellow, "Hey, you!"

I turned to be confronted by a blustering army major. "Why didn't you salute me when you passed?"

"I didn't see you, sir," I responded.

"That's no excuse. Don't you know you are supposed to salute your superior officers?"

"Why yes, sir. Anytime I meet one I consider superior, I do salute him. How do you qualify?"

"I want your name, rank and serial number and what ship you are stationed on."

"James Patrick Royal, sir. Number 323235569, and I am stationed on the *EDGAR ALLAN POE*." (This was a Liberty ship with a great torpedo hole in her side that was being used as a supply ship at the pier.)

When I went aboard my ship, I mentioned the incident to the Navy Armed Guard officer. He showed me a directive from the Port Director's office that stated: "The Armed Guard officers on merchant ships may have shore leave, but not liberty unless they take two men from their crew as shore patrol with them and turn in to the Port Director's office the names of ten enlisted men who fail to salute him." He said he wouldn't even go ashore under those conditions. I hadn't known the Merchant Marine rated so highly.

When I visited with Lucien, he drove me up to visit the nickel mine where his office was as well as other places of interest on the Island. Later that afternoon when I returned to my ship, as I came up the gangway, a navy chief asked me, "Is your name Chelemedos?"

"Yes, Chief, it is," I answered.

"Do you have a brother in the navy named Fred?"

"Unfortunately, yes," I said.

"Well, he and I were on the *COUGHLAN* together and when the ship was being repaired, the new orders came up. Fred and I flipped for them, and Fred is now at Bremerton to take out a new baby flat-top. And I am herding this bunch of CASUs to the Russell Islands north of Guadalcanal."

By the flip of a coin, I missed the opportunity to know I had dropped off my brother on some faraway island in the South Pacific.

After we left off the navy people and their equipment at Russell Island, we sailed to Efate in the Hebrides for orders. We anchored in Efate Harbor on Monday morning and promptly blinked a message to the Port Captain identifying our ship and the fact that we were in for orders.

Tuesday morning the Port Captain's message queried, "What ship? Why are

you here?"

Our reply: "*ISLAND MAIL*, awaiting orders."

Wednesday morning: "What ship? Why are you here?"

Our reply: "*ISLAND MAIL*, awaiting orders, same as Monday and Tuesday."

That afternoon their message read: "Am sending fifty sacks of mail for your next destination. Can you spare any potatoes?"

Our reply: "Affirmative."

Soon an LCM (landing craft medium) came alongside with the fifty sacks of mail marked for San Francisco, but no orders. We gave them some potatoes and waited.

Thursday morning: "What ship? Why are you here?"

Our reply: "*ISLAND MAIL*, awaiting orders. We have received mail for next destination but no orders. Please follow up."

Later that afternoon, an LCM came alongside and we were handed orders that read: "Proceed to Pearl Harbor at your utmost speed." We hoisted anchor and pushed the ship up to seventeen knots to Pearl Harbor. Arriving there, we were boarded by a pilot who took us to the dock. As I lowered the gangway, a navy lieutenant came aboard and asked, "How much cargo do you have and where is it stowed?"

I answered, "No cargo. We have fifty sacks of mail for San Francisco, but no cargo." He raised his hand to his forehead and said, "Jesus Christ, who done that?" and went ashore again. Soon another pilot came aboard and we shifted ship out to the "X-ray" berths, buoys on the Pearl City side of the harbor. When we were tied up, the pilot asked, "Where's Pearl City from here?"

I pointed it out and asked why he as a pilot on the harbor didn't know where Pearl City was. He replied, "I just flew in from Halifax this morning. This is the first time I've been here."

We lay out there for thirty days awaiting orders. I used the time to sit before the Steamboat Inspectors to get my Second Mate's license.



The *ISLAND MAIL* was finally shifted to a berth and loaded equipment and troops for the Makin Island invasion (November 11- 24).

News from the European theater was mostly about the landings at Anzio beach-head in Italy.

When we returned from Makin Island, we discharged our retrograde cargo in Honolulu and loaded 1,800 cases of pineapple for San Francisco arriving there on Thursday, December 16.

I went down to 643 Birch Street, San Mateo, to spend some time with a very expectant Kay. We sat up late that night talking about things in general and about her troubles with the landlady. The landlady had decided she could get around the rent control ceiling and raise the rent if Kay would move out and she could move in for a while. But Kay didn't want to move from such a quiet neighborhood, at least until I returned and the baby was born.

That Saturday night, I took Kay over to the hospital and went back to the ship in Oakland. I called the hospital later to find that we now had a son. When I went to meet the new captain, E. J. Stull, I was told that I was now Second Mate. When I told him of the baby, he sent me home for the day.

On Tuesday night, when the *ISLAND MAIL* sailed for Pearl Harbor, we carried a deck crew of Greek seamen whose ship was in the shipyard awaiting parts for her engine. Captain Stull was pacing back and forth on the top bridge, and I asked him why he was so nervous.

"This crew," he replied, "they're all Greeks."

"So what?" I said, "they're all seamen."

"Yes," he said, "but suppose something happens. How are you going to tell them what to do?"

Just then, the navy telephone talker came over and reported that the door to the radio shack was open and a light showing. Captain Stull said, "How are you going to shut that door?"

"That's easy," I said, turning to call to

the lookout on the wing of the bridge. "Say, Alephoritis, epXomai etho." When he came over and saluted, I said, "Clise ta borta on casa rathio."

"Okay," he said and went off.

Captain Stull said, "Why, Mr. Chelemedos, I didn't know you could understand Greek."

I said, "I can't."

"But didn't you just speak to him in Greek?" he asked.

"Yes, sir, but he understands the stuff," I replied.

He said, "I'm not going to worry about you," and he walked off the bridge.

I didn't have the heart to tell him that the only Greek I knew was "come here" and "elise ta borta" and had made up the rest of the sentence in what Spanish I could remember.

When Alephoritis came back, I asked him to teach me to give course changes in Greek.

I learned later that Captain Stull's previous trip was on the Liberty ship *SAMUEL PARKER*, which, following air raids and strafing attacks in Tripoli and shuttle runs between Alexandria and the beach-heads of Italy, was pretty well scarred up. While at the Sicily beachhead, the ship again come under attack and, by the time she sailed back to the States, she had so many shell holes in her that she was scrapped rather than repaired. No wonder he was so nervous!

We participated in the invasion on Kwajalien Island (February 1-7). On board we carried a unit of Seabees who were to handle the cargo. Troop commander this trip was a naval reserve lieutenant, Paul V. Petty, who decided that he, as senior naval officer on board, would take charge of the cargo operations.

Anyways, when the ship was approaching the entrance to the reefs, we were using untranslated Japanese charts and aerial photographs of the reefs to navigate by.

On entering the reefs we were to make a sharp turn to starboard. I heard the Lieutenant Petty tell his petty officer, "As soon as we entered the reefs, I want the



Second Mate, *MS ISLAND MAIL*, Spring 1944.

'M' boat [which was stowed 'thwart ships on Number Three hatch] hoisted up from its cradle and swung over the side so it will hit the water at the same time as the anchor is dropped.

I tried to point out, "Since 'M' boat is to be picked up by the ship's jumbo boom and hand on a single hook with nothing to steady it, that's not a good idea. It should be left in its cradle until we are anchored."

Of course, the Merchant Marine isn't supposed to tell the United States Navy what to do, so as soon as we entered the reef he gave the signal to hoist. When the thirty-five-ton 'M' boat was about three feet off its cradle, we made our course change and the ship took a roll to starboard in the cross wake. The boat on the end of the falls started to swing and knocked askew the troop head on one wing of the hatch and the troop shower

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PETER cont'd from pg. 27

on the other wing. I respectfully asked the lieutenant, "Is this procedure what the Navy refers to as a 'clean sweep'?"

After the troops were put off in the landing craft, we began discharging cargo from the lower holds. Petty's method of cargo handling was by use of the ship's public address system: "Now hear this, gang from Number Three hatch prepare to load 'M' boat alongside" etc. The P.A. System suddenly ceased to function. The lieutenant came up to Number One hatch and saw that his men were discharging ninety-pound sacks of cement on a cargo board to the landing craft alongside with the long slings that had been used to discharge the landing craft. He asked the petty officer, "how many sacks are you putting on each cargo board?"

"Twenty sacks, sir."

"There's lots of room in those slings and we must speed up this operation. Put forty sacks on the boards."

"Forty sacks???" But sir -"

"Forty sacks, that's what I said."

The petty officer called down to the holdmen, "The lieutenant wants forty sacks on the next board."

"Forty sacks???"

"That's what the lieutenant said."

The men put forty sack on the next board, then all climbed out of the hatch. The lieutenant asked, "Here, where are all these men going?"

"It's lunchtime, sir. Besides, that is all we will be doing here for a while."

When all the men were clear, he gave the signal to the winchman and the pallet was hoisted up out of the hold to just about deck level when the pallet broke and all forty sacks dropped the fifty feet or so to the lower hold and broke, sending a cloud of cement dust up through the troop quarters in the lower 'tween deck and the ship's hospital area in the upper 'tween deck. The petty officer turned to the lieutenant, saluted and said, "Forty sacks, sir."

When we sailed, I noticed fire hoses being led down the troop companion-way into Number One hold. I called the

engine room and told the engineer not to put water on deck until I called him. Sure enough, the lieutenant intended to have his men wash down the cement in the hold. When I explained that this would be a sure way to have us go into the shipyard when we returned to Pearl Harbor to get our bilge lines unplugged, he changed his mind.

While en route back to Pearl Harbor, we received the news of the sinking of the aircraft carrier USS LISCOMBE BAY and the torpedoing of the USS LEXINGTON and USS INDEPENDENCE in a sea battle west of the Marshall Islands, as well as the massive American raid on the Japanese Naval base at Truk.

When we returned to Pearl Harbor in early February, I went up to Honolulu to find a valentine to send to Kay. I looked over the selection carefully before picking out a cartoon booklet type I figured would appeal to her, signed it and mailed it off.

When I returned to the ship and received my own mail from her, I found the valentine she had sent, which contained the same set of cartoon characters as mine and the same sentiments. Talk about two minds being on the same track.

Our return to Pearl Harbor also brought us another short run to San Francisco with a load of pineapple. While loading at Honolulu, I watched the longshoremen load pallets of canned pineapple onto a four-wheeled cart in the hold and pull it back into the "wings" to unload it and stack the cases. I asked the stevedore superintendent why he didn't put a forklift truck into the hatch to carry the pallets into the wings. He tried it, but they didn't have any lift trucks with a short enough mast to get under the "coaming" around the edge of the square of the hatch. In later years, they came out with shorter masts on the lift trucks and many were used for this purpose. I only regret I didn't know I could have gotten a patent on this idea.

While at San Francisco one day in

early March, I thought to give Kay a day off on her own. I took the three-month-old baby, Peter Steven, down to the ship with me. I had Steven on my bunk, blocked in with pillows and was sitting in the chief mate's office next door when one of the shoregang sweepers walked through the passageway. His partner followed him and happened to glance through the open door into my room to see the baby peeking over the pillows taking in his surroundings. I heard him call out to his partner, "Hey, Joe. There's a baby on this here ship!"

"Nah, there ain't. You're trying to con me."

"But there is. I seen him myself."

"Nah. I ain't biting. You handing me a line."

After this went back and forth for a bit, the first one finally came back to see for himself.

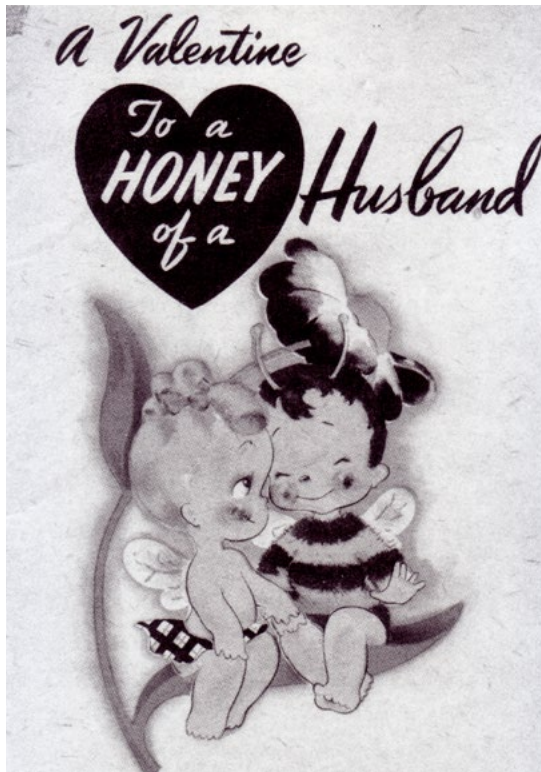
Captain Stull heard this conversation and came back to see what was going on. I took the baby over to the captain's office. While the captain was holding the baby up, standing on his desk, he turned to me and said, "He's certainly built like the proverbial brick outhouse, isn't he?"

Just at that moment, the baby christened the captain's desk with a fountain that wouldn't shut off. I grabbed a towel and started to blot it up, apologizing, of course. Captain Stull said, "Don't worry about it. He's just like my grandchildren."

That evening, when I boarded the streetcar for home with the baby, a woman said, "I thought I saw you bringing that baby off the pier. What is he doing there?"

"Oh, he's our ship's mascot," I replied. "We're raising him aboard ship."

She seemed to have trouble believing this. I pointed out the suntan he had acquired on our recent trip to the West Pacific (Kay says he would kick his blankets off and enjoy the sun at their outings in Golden Gate Park), and added we were just going to see some of the waterfront places of the port. When I got off to transfer to the McAllister Street line, she was still shaking her head and muttering: "I don't believe it. That little



Duplicate Valentines, February 1944

baby..."

We returned to Pearl Harbor and reloaded for another invasion. Lieutenant Petty had been promoted to lieutenant commander and was on one of the other vessels in our convoy.

While en route to a new destination, our attention focused on the radioed news report of the Allied landings at Normandy, which everyone followed with much interest.

One morning I came on watch at four o'clock. I expected, at daybreak, to see only the six ships that were in our convoy group when we were the last ships to leave Pearl Harbor. Imagine my astonishment when I went out on the wing of the bridge to get my early morning star sights to look out at ships covering the sea from horizon to horizon. I counted more than 750 ships that I could see.

I asked our convoy commodore about them, for I hadn't seen that many ships at Pearl Harbor. He showed me a book, each page of which was the itinerary of a single ship for the past six months or so,

tracing them from ports in Alaska, along the West Coast of the United States, down the coasts of South America and to islands of the South Pacific, each one spinning a strand of a giant spider web across the Pacific to center in on this morning's rendezvous for the assault on Saipan Island.

We arrived at anchorage south of the sugar mill that was the landmark on the West coast of Saipan. Our assigned anchorage was south of the *MOUNT WHITNEY*, the communication vessel for the invasion. Early the next morning, the guns on Tinian Island opened fire on the airfield near us, and the trajectory of the shells appeared to be coming right over our ship. After watching a few of these go over, we picked up the anchor and steamed around to the other side of the *MOUNT WHITNEY* and dropped the anchor. Only this time we missed the bottom.

It seemed the shelf of the island dropped off sharply from less than 100 fathoms to possibly more than 1,000 fathoms. The result was that all of the eight shots of chain ran out before the

anchor stopped dropping. Fortunately the chain was shackled in and the pad eye held. Anyway, it took the combined pulling of the Number One cargo winches to assist the anchor windlass in pulling up the chain. While we were working at this, we were drifting seaward, but finally managed to get to a more secure anchorage.

All the time we were there we were on alert for a foray threatened by the Japanese fleet. We did have some alerts for submarines in the area, and later learned that admirals Turner and Halsey had headed off the main Japanese fleet near Surigao Straits in what came to be known as the Battle of the Philippine Sea.

We returned to Pearl Harbor and then on to San Francisco, arriving in time for Kay's birthday in late June.

After I paid off the *ISLAND MAIL*, I attended the July class at the Maritime Service upgrading school in San Francisco, then sat for my Chief Mate's license. ☆



by
Captain John Dickie
Secretary-General

number of interventions and being heard fighting for the rights of the Shipmaster and raising safety levels on board ships. This is a never ending task and every step we take will make a difference for those on board. Our efforts are not appreciated by all and the changing face of the IMO means that NGOs are coming under more and more scrutiny and their attendance and contribution are being questioned; if they are not making a contribution, their continued attendance at the IMO may be revoked. This has already happened to a couple of organizations and obtaining recognition to attend the IMO is becoming harder.

Transformations

It was during the COUNCIL 110th Session that while I sat listening to how the IMO operates and the concerns over the budget and ability to balance the books that I realized that this affects IFSMA and its Member Associations. The IMO Secretary-General is doing a great job and his transformation of the IMO will take place over a number of years. But no matter what he wants to achieve, he will be limited by how to achieve goals while keeping costs down. The first of these changes has been to reduce the number of Sub-Committees from 9 to 7 and this alone will save a substantial amount of money, but is only part of the overall plan.

With this in mind, I have started researching and developing a raft of pro-

Good Day to Everyone who is reading this article.

IMO

IFSMA has been busy at the IMO and made a num-

ber of interventions and being heard fighting for the rights of the Shipmaster and raising safety levels on board ships. This is a never ending task and every step we take will make a difference for those on board. Our efforts are not appreciated by all and the changing face of the IMO means that NGOs are coming under more and more scrutiny and their attendance and contribution are being questioned; if they are not making a contribution, their continued attendance at the IMO may be revoked. This has already happened to a couple of organizations and obtaining recognition to attend the IMO is becoming harder.

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Criminalization

In respect of the criminalization of the Shipmaster, it is increasing in the number of cases that are being raised in different regions of the world. It is regrettable to see the vast majority of these Shipmasters have no cover when such events occur. They do not belong to IFSMA and they are not members of their National Association and this leads to a rude awakening of their exposure and to what legal costs are.

Too many times when investigating cases and trying to piece together what has taken place there is a continuous theme and misunderstanding that the P&I Club would take care of them and when this does not happen there is shock and bewilderment as the future opens before them. This is not to say that P&I Clubs do not care. This could not be further from the truth. Many have been found to have gone far beyond their remit to assist personnel, but the core fact remains that they represent the shipowner and the shipowner's interests

must come first.

The other part of this is legal costs. It is not a matter of frightening people but something has to be done to make sure that Shipmasters are aware of their exposure and what the bottom line can be. One viable option is that of affordable professional indemnity insurance and this needs to be sourced and made available to all Shipmasters whether they are members or not of an association. The problem that this raises is that of skepticism; that scare mongering is being used to ensure financial gains can be made by everyone involved at the expense of the Shipmaster.

One fact that cannot be ignored is that of liability and that shipping is looking to blame anyone that it can, and of course the Shipmaster is the prime target. There are Shipmasters in prison and have been for years waiting for trial, and for that to take place, they need the finances to retain the lawyers to fight the case.

Many cases are brought to my attention in my role at IFSMA, but while we try to do the best we can for non-members, such work devours resources and at that point it is only scratching the surface. I cannot deplete the limited financial resources that IFSMA has to assist a person who is not a member, and that could result in a one of our members being denied the support that they deserve. IFSMA has a Criminalization Task Force and takes note and observes as much as it can, but this is limited.

My belief is that it is a core task of IFSMA to make sure all members are aware of their position and exposure to risk and make sure that they protect themselves. The direction that IFSMA takes on this matter will be determined by the membership, and it is spreading from Shipmasters to other maritime professionals and the work that they do. 🌐

Report a Piracy Attack in Togo. Get Arrested



by Captain
Dr. John A.C. Cartner
#2574-R

The Togolese have now taken a bold and foresighted step in the fight against West African piracy.

By splendid acts of legal perversion it has criminalized the reporting of pirates.

The

Togolese Republic is one of those African states which is not. It is a Category F flag state (some ten ships said to be registered) and a Category D port state (1000 – 2999 vessel movements reported a year). More interestingly, it is a state which rules by law — such as it is — but has little rule of law. Rule of law requires due process, a fair hearing, no unnecessary detention and other standards which are met in most industrialized states for the criminally accused. The fairness of the criminal code is the best way to estimate whether a state has a rule of law or a legalistic and perverted and manipulated rule by law.

Criminalization of seafarers occurs in states with a strong rule by law ethic. That ethic may have come from a sliding away from rule by law or it may be just the way things are. Think Panama, Equatorial Guinea, The United States—each a state where criminalization of seafarers is a real and worrisome phenomenon. States tending toward failure are notorious for rule by law for political means. Seafarers are good targets. They have no political constituency, they are usually foreigners, they can be colorably argued to be flight risks and they are— well, seafarers. Their reputations in many cultures are not stellar.

The Fund for Peace Failed State Index ranks Togo as 46 out of 177 in functionality. The larger number is a highly functioning state. Transparency International ranks Togo as 121 of 180 in perceived corruption. The World Bank ranks Togo on a scale of 1 – 100 (100 is best) in government effectiveness (4), regulatory quality (15), rule of law (23) and inversely rule by law (77), control of corruption (15) and political stability (40). Togo is not where one wants to spend his leisure time away from home. Togo is unsafe for seafarers. Therefore it is no surprise that Captain Sunil James is caught in the cross-hairs of a rule-by-law and corrupt legal system with no regards for the rights of the accused. Now, do you really think the Togolese Republic, a sliver of a state squeezed in between Benin and Nigeria is serious about West African pirates or the rule of law? Think again.

Captain Sunil James, 38-year old Indian master of the *OCEAN CENTURION*, a parcel chemical carrier flagged in the Republic of the Marshall Islands, and two of his staff have been detained in Togo, mostly in jail, since July 30. Captain James' real crime? He was master. Therefore he was responsible in the Togolese legalistic and corrupt mind.

The alleged crime? Captain James, had stopped at Togo to report pirates who had attacked his vessel on July 16 off Lagos and to obtain medical attention after an affray with a band of those doughty lads. Pirates had boarded the vessel off Lagos the same day from speedboats some 45 nm east of Port Lome. They took two of the staff and disembarked from the ves-

sel with the rescue boat after stealing the ship's and crew's currency and personal property, reported the International Maritime Bureau. The staff members were released; two staff members were injured as was Captain James.

The Togolese prosecutor has alleged that Captain James was conniving with pirates. Why? Captain James is Indian. Some of the pirates later arrested were Indian. In a brilliant stroke of Togolese legal analysis, Captain James must be conniving with his fellow Indians!

Seafarers are good targets. They have no political constituency, they are usually foreigners, they can be colorably argued to be flight risks and they are — well, seafarers.

Captain James has been sailing for 15 years as an officer with an unblemished record. In the last week of April, he left his residence in Mumbai on a four-month contract with Union Maritime, Ltd., a UK-based operator. He flew to Lagos and took command of the vessel. He was scheduled to return to India in August.

Pirate activity is increasingly worrisome in the Gulf of Guinea which includes littorals of Nigeria, Togo, Ghana and Ivory Coast. The states are exporters of oil, cocoa and metals. Unlike along

cont'd on page 33

MLC 2006

by Captain
Bally S. Duggal
VP Marine &
Commercial Tanker
Operations
Sanko Kiesen Corp

The International Labor Organization (ILO) adopted its Maritime Labor Convention (MLC 2006) at its International Maritime Conference in February 2006.

It is being hailed as the “bill of rights” for the world’s seafarers. The convention, which is complex and broad in its scope, has been referred to as the “fourth pillar” of maritime legislation after SOLAS, STCW, and MARPOL.

Prior to 2006 there was no uniform policy on maritime labor standards. Those policies that were in existence were fragmented in content and application, thus preventing any level playing field. MLC, 2006 was a result of a five

year process of intense international tripartite consultation engaging ILO members, governments, ship owners and seafarers. The 300 delegations attending the Maritime Labor Conference in Geneva adopted the convention unanimously.

Objectives

Irrespective of the crew nationality, or the flag the vessel flies, the objective is to establish the seafarer’s right to decent working and living conditions globally. MLC 2006 aims to be globally applicable, easily understandable, readily updatable and uniformly enforced. Once enforced, the rights of seafarers and all parties concerned are guaranteed.

Functions

- Consolidates and updates more than 68 existing ILO Conventions and Recommendations into one universally accepted standard.
- Sets minimum standards for seafarers work.
- Addresses conditions of employment, accommodation, recreational facilities, food and catering, medical care, welfare and social security.
- Promotes compliance by operators and owners while preparing their Declaration of Maritime Labor Compliance part 1 for individual ships.
- Provides for seafarer complaints.

The Regulation and the Code of the MLC are organized into 5 areas called “Titles”:

Title 1 Minimum requirements for seafarers to work on a ship	Title 2 Conditions of employment	Title 3 Accommodation recreational facilities, food, and catering	Title 4 Health Protection, medical, welfare, social security protection	Title 5 Compliance and Enforcement
<ul style="list-style-type: none"> • Minimum age • Medical certificate • Training and qualifications • Recognized recruitment 	<ul style="list-style-type: none"> • Employment agreements • Hours of work and rest • Entitlement to leave • Repatriation • Compensation for ship • Loss and foundering • Manning levels • Career skill development • Opportunity for employment 	<ul style="list-style-type: none"> • Accommodation & recreational facilities • Food & catering 	<ul style="list-style-type: none"> • Medical care ashore/ onboard • Ship owners liability • H&S Protection • Accident prevention • Access to shore based • Welfare facilities • Social security 	<p>Flag State responsibility:</p> <ul style="list-style-type: none"> • General principles • Authorization of organizations • MLC & Declaration of compliance • Inspection and enforcement • Onboard complaint procedures • Marine casualties <p>Port State responsibilities:</p> <ul style="list-style-type: none"> • Onshore seafarer complaint • Handling procedures • Labor supplying responsibility



Enforcement

This is the responsibility of the Flag State under Title 5 of the Convention. Title 5 also establishes Flag State requirements, provides for inspections and a certification system, and procedures for handling seafarers complaints both onboard and ashore.

Application

The Convention will apply to all ships, whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing or in similar pursuits and ships of traditional build such as dhows and junks. This Convention does not apply to warships and naval auxiliaries.

As an international legal instrument it does not apply directly to ship owners, ships or seafarers. Instead, like all international law, it relies on implementation by countries through their national laws or other measures.

Structure

MLC 2006 is organized into 3 main parts:

1. **The Articles** which set the key principles and obligations.

2. **The Regulations** which incorporate core requirements supported by the Code and reflect issues which may have to be addressed by Member States national law prior to the Member State ratifying the new Convention.

3. **The Code** which is comprised of Part A and Part B. Part A sets the Standards which are mandatory. Part B provides Guidelines which are not mandatory but which support the implementation of Part A.

Part A and B of the Convention are interrelated. This allows certain amount of flexibility of implementation. If a Member State does not follow the guidance given in Part B it has to provide alternatives to the guidance given, and such alternatives should be recorded in

the Ship's Declaration of Maritime Labor Compliance.

Ratification and Implementation

To come into force, the MLC had to be ratified by 30 member States with total share in world gross tonnage of ships of 33 percent. The first country to ratify was Singapore. On August 20, 2012 the Philippines became the 30th country to ratify it and therefore the convention came into force on August 20, 2013. ☆

Captain Balwinder "Bally" S. Duggal is an unlimited Master Mariner who served aboard tankers, ULCCs and VLCCs, including the JAHRE VIKING as Chief and the SEA SPLENDOR as Master. He is a member of the Company of Master Mariners of India and is currently employed as VP Marine & Commercial Tanker Operations, Sanko Kiesen Corp., in Connecticut.

ARRESTED cont'd from pg. 31
the Horn of Africa, no effective naval forces are active.

Since being in jail, Captain James has been without proper food, sleep or fresh water or sanitary facilities in a cell designed for 20 with 79 others of his co-wretches. He has had an eye infection and has had no proper medical attention. His condition is deteriorating according to his wife. Captain James has told the *Times [India] Now* that the prison officials— who do not speak English— coerced him and his staff members to execute documents. "We do not even know what we are signing." He had no legal representation supplied by the owner or flag state after arrest.

The Indian Government, as is typical in these situations, is not helpful to one of its citizens. A month ago an inter-ministerial panel formed to deal with hostage crises on pirate ships with Indian crew is still "reviewing the situation." The Indian Embassy in Lome has done nothing to effect Captain James' release. One person from the embassy has visited the jail to confirm his name

and his presence in the jail. The embassy appointed Togolese lawyers prior to the hearing denying his release. Neither the Indian nor Togolese authorities have informed Captain James or his family of the charges against him. Milind Deora, Minister of State for Shipping is reported to have said "The DG of Shipping and the Ministry of External Affairs deal with such matters. I will check the status of the same and only then would be able to make any comment." He apparently is still checking. The operator of the vessel, based in the UK, has similarly not been helpful nor has the flag state.

The upshot: Captain James is stuck with little or no help from his natal state, the owner or the flag state. He may stay in jail a long time in Togo. After all, he may have connived with pirates.

The case is suggestive of the Bulgarian master who is detained in Panama upon whom I have reported in this journal earlier. He remains in jail after 18 months with no criminal charges. Captain Lyubomirov Sobadzhiev was master of the *MAAS TRADER*, a ship registered in the Netherlands. When the vessel docked in

Cristobal, Panama on March 30, 2011, Panamanian authorities, said to be acting on a tip, boarded the vessel. They allege that they found 168 packets of what has been said is cocaine. The vessel was detained. The officers and ratings were interrogated. Within a few days the vessel and officers and ratings were released, except Captain Sobadzhiev. He was detained and placed in La Joya prison where he currently resides despite the efforts of Bulgarian, Netherlands, British and American parties and lawyers.

Rule by law is alive and well much to the detriment of rule of law and to any master caught in its jaws. ☆

© 2013 John A. C. Cartner, all rights reserved. Captain Cartner is an unrestricted Master Mariner (U.S.) and maritime lawyer practicing in Washington, D.C. And in London. He is the principal author of *The International Law of the Shipmaster* (2009, Informa Lloyds) and works on piracy. He can be reached at jacc@cflaw.net.

International Maritime Fraud



by
Captain A.K. Bansal
Company of Master
Mariners of India

As a general rule, fraud is usually against ignorance of another and is not seen as a fraud, till it is too late.

A successful maritime fraud being International in nature, involves parties in different countries, thousands of miles away and mostly unknown to each other.

There are many types of maritime frauds. Being a cardinal shipping document and negotiable instrument, a Bill of Lading (B/L) lends itself as a vehicle through which to perpetuate frauds involving ships and masters. If freight is prepaid, the B/L is marked freight paid, otherwise freight to pay. Since a B/L is also a document of title, its holder is owner of goods covered by it.

In most voyage and time charters including NYPE 93, there is usually a clause which provides that the master shall "sign Bills of Lading as presented." But it is usually connected with payment of freight or hire due to owners and has nothing to do with the master's right to endorse a B/L about quantity and condition of cargo loaded. Obviously, if a B/L is endorsed freight prepaid, it is of more value than a B/L endorsed freight to pay. Charterers and shippers prefer to obtain a B/L endorsed freight prepaid. There is usually another clause in the same charter party (C/P), which stipulates when and how freight is to be paid, which is usually a number of days **after** B/L is signed. Commercially it allows charterers or shippers to negotiate his B/L against the Letter of Credit (L/C),

realize his money and pay freight or hire out of THAT money which is inclusive of freight. If real nature of these two clauses is not fully understood and the master does not take due precautions, he can get into a lot of trouble.

No C/P clause prevents a master to endorse a B/L, truly describing quantity and condition of cargo loaded on board. In fact it is his legal duty to do so, under international maritime law. Charterers, shippers and ship agents often try to persuade the master not to endorse a B/L as to quantity or condition of cargo loaded because the C/P stipulates that a master is to sign B/Ls "as presented." Sometimes they offer him a Letter of Indemnity (LOI) in exchange for a clean B/L. If the master agrees to such inducements, he becomes party to International fraud against buyers of the B/L in a different country, who buy it for value, in good faith, on the basis of what is endorsed on it.

Another example is when the last date of shipment stipulated in the L/C has expired, and agents **and** shipper try to persuade the master to sign or authorize ante dated B/Ls. This is nothing but a fraud against the importer who has established a L/C with the precondition that goods must be shipped before a certain date. If that date expires, the L/C expires and no bank is authorized to honor it.

The Master never sees the L/C, therefore his thoughtless act to sign or authorize an antedated B/L validates the L/C with banks because they only go by the date written on the B/L. This perpetuates a fraud against the importer. Even if the

shipper or charterer offers a LOI against such ante dating, it is of no value against the importer or receiver of the cargo in another country; firstly, because monies covered under the L/C would have been already paid, and secondly because generally, LOIs can be enforced only against the party who issued it and in the same country, not in another country against a different party, because of the principle of Sovereignty of Nations.

These are simple maritime frauds not in connivance with the master, but by taking advantage of his ignorance in commercial legal matters. It may prove fatal for the master to go by the advice of his local agents who may have different interests to cater to, in their own country, than to look after interests of the ship and master. A master's best source for advice and assistance should be owners and their P&I club. Correspondents of P&I clubs in a foreign country, even if of the same nationality as agents and receivers, may not advise him wrongly, as any liability on the ship may eventually fall on the P&I Club.

Then there are more complicated and mostly pre-planned international maritime frauds. Here are some examples.

A Greek vessel on time charter (T/C) to Dutch charterers was subchartered to carry a load of sugar to Somalia. She was kept idle by charterers in Bangkok, waiting for cargo. During this time the charterer's agent invited the master ashore many times, entertained him lavishly with every facility, courtesy and hospitality. Suddenly, on a Saturday afternoon few barges came alongside and loaded 6874 bags of sugar as against 6874 tons



nominated by the master for his 8200 DWT ship.

Loading finished at 0200 early Sunday morning when the same agent of charterer, who had lavishly wined, dined and entertained the master, told him that they had no more cargo and he should sail forthwith to save them more loss. He added that dead freight and demurrage will be paid but that this early on Sunday morning, neither manifest, nor B/L could be prepared. He promised to forward all papers to discharge port. At the last moment just before shaking hands with the master the agent dramatically produced a one line letter from his pocket which stated, "I authorize my agents Messers So and So to sign B/L." Master fell for it and signed a clean letter of authority.

A L/C for \$ 5.9 million was negotiated in the bank early Monday morning against a cleverly prepared B/L for 11,000 tons of sugar, signed under the master's clean authority. The ship was detained by Somali authorities at Berbera, as she should have carried 11,000 tons of sugar for which \$5.9 million were paid by L/C. Master explained that a 8200 DWT ship cannot carry 11,000 tons of sugar.

He had nominated 6874 tons and loaded only 6874 bags. But he could not convince Somali authorities that he had not taken part in a clever fraud against Somali people. Imprisoned for 9 months and released under amnesty, the Master died after arriving in Greece. The ship was towed to Greece after 5 years.

In this case the loaded quantity was exactly 6874 bags instead of 6874 tons. Even if the Master did not give a blank authority letter to charterers agent but authorized them to sign B/L for 6874 bags, the authority letter could still have been forged with the word tons instead of the word bags, unless the letter of authority stipulated the number of bags in letters as well as figures.

It is not only commercial parties who indulge in maritime frauds. Governments of highly respected countries are no exception. When South Africa was under Arab boycott due to

their Apartheid policy, the government of South Africa found ways and means to get badly needed oil which they could not get otherwise from any Arab country.

The *MT SALEM* was chartered by nationals of a European country. She loaded a full load of oil in Kuwait ostensibly under a B/L for that country outside the Arab boycott list. Kuwaitis knew that the oil was going to Durban but closed their eyes. The ship was directed to Durban after sailing and her name was painted over during the voyage to read *LEMA*. After discharge at Durban, the ship took in full load of seawater in all cargo tanks to make her appear fully loaded. The name *SALEM* was repainted.

The ship was scuttled off the African Horn during the voyage. There was no loss of life. Huge claims were made against underwriters for total loss of ship and cargo. But investigations showed that she did not sink suddenly through an explosion, but was in fact scuttled.

Masters should be wary of people who come on board and throw their weight and rank around. Even if promises made to them by local authorities are genuine, the master can get into trouble in International Trade and Commerce once outside the jurisdiction of that country.

Usually, a B/L is transacted through the exporter's bank in his country and sent to the importer's bank at destination. Upon receipt of the original B/L, the importer's bank, which usually establishes the L/C, delivers it to the importer, debits him and remits the monies to the exporter's bank who has either already paid the exporter or pays him upon receiving money from importer's bank. The importer in turn presents the B/L to the ship's agent to take delivery of his cargo. Theoretically, if an importer receives the goods without producing a B/L to the shipping company, he gets the goods free because he has not bought the B/L for value from his bank.

In practice, if there is delay to receive B/Ls through banks, an importer normally furnishes a guarantee by his bank to obtain delivery of goods without the

B/L. In such cases, the bank which gives the letter of guarantee maybe and usually is the same bank which established the L/C. In an important case in Finland on this point, a steamer agent delivered the goods to the importer without taking possession of the B/L. The Supreme Court of Finland held that as the agent delivered the goods without taking possession of the B/L, he is liable to exporter in damages because he did not get paid by the buyer's bank for goods he shipped.

To prevent such international maritime frauds it is typical to endorse the original B/L as 'ACCOMPLISHED' with date and signature when cargo is delivered and B/Ls are in hands of the carrier. This makes them null and void.

In another case, a container was delivered at destination against production of a fraudulent B/L. British Court of Appeals held against ship owners and ruled that "B/L represents and secures legal title to goods and to their physical possession. A ship owner issues a B/L to serve as *the key* to the goods, and ought to usually be well placed to recognize its own B/L. Only very clear wording would exempt a ship owner from his liability to deliver goods except against a genuine original B/L".

Conclusions

In this 21st century, it is just NOT enough for Masters of foreign-going ships to be trained navigators and ship handlers. They have many other responsibilities. To protect commercial interests of the ship is one such responsibility. It is time that the international community included education in the upbringing of seafarers to become effective Masters of foreign-going merchant ships of today, trading world wide, and not just train them in seafaring techniques which has been the order of the day for centuries. ☆

Captain A.K. Bansal is a member of the Company of Master Mariners of India, teaches Master revalidation courses, and though qualified as a Bar-at-Law in India and the UK, does not actively practice law.

U.S. Shale Gas

by Captain
Bally S. Duggal
VP Marine &
Commercial Tanker
Operations
Sanko Kiesen Corp

Shale Gas is a natural gas which is found trapped within shale formations.

Shale constitutes fine grained clastic sedimentary rock composed of mud mixed with other minerals like clay, quartz and calcite. Sedimentary rocks which are formed by accumulation of sediments at the Earth's surface and within bodies of water are a rich resource of petroleum and natural gas. Sedimentary rocks include sandstone, limestone and shale. Shale gas is found in shale "plays" which are shale formations containing significant accumulations of natural gas and are similar in geologic and geographic properties. Across the U.S. from the West Coast to the Northeast, shale gas sources are predominantly recognized in some 19 geographic basins. Significant shale gas productions occur in the Barnett Shale, Texas; Marcellus Shale, West Virginia; Antrim Shale, Michigan, Lewis Shale in San Juan Basin and New Albany Shale in the Illinois Basin.

The evolution of extraction technology has sparked an upheaval in natural gas production leading to rejuvenation of the natural gas industry in the United States. Until recently the natural gas in these formations was not thought to be recoverable. However, today shale gas extraction is achieved with advancing technology which combines hydraulic fracturing (also referred to as "fracking") and horizontal drilling. Fracking is also used to extract oil from rocks called "tight oil".

Typically, exploitation of a shale play using hydraulic fracturing and horizontal drilling technique proceeds through three distinct phases, from the discovery stage, through drilling and reservoir evaluation, to production (reference figure opposite page).

In the first stage of hydraulic fracturing, explorers drill down vertically over one mile and then turn ninety degree angle horizontally into gas bearing shale deposits. This horizontal drilling is a form of directional drilling where drill bit can penetrate a much greater number of pockets of natural gas than it ever could with vertical drilling. On average horizontal drilling wells produce three to five times the amount of natural gas that vertical does.

This is followed by shaped charged blasts which make series of hole along well walls.

In the third stage frac fluid (99.5% water and sand with small amount of special-purpose additives) is pumped under high pressure into the shale formation to create fractures and open fissures. Sand is used to accelerate opening of the newly created fractures which in the final stage allows natural gas to flow into wellbore and up to the surface where it is collected.

Hydraulic fracking is performed only once in the life of a well. The average depth of a shale gas well is more than 7,500 feet and can reach depths greater than 13,000 feet.

Over the last decade U.S. shale gas production has increased 12-fold and now comprises about 25% of total U.S. production. Increased dry shale gas production went from 0.39 trillion cubic

feet in 2000 to 4.80 trillion cubic feet in 2010 accounting 23% of U.S. dry gas production. As per U.S. EIA Annual Energy Outlook 2013 early release overview, growing shale gas production has spurred an increased use of natural gas in industrial and electric power sectors and projection over next 15 years in the industrial sector (excluding lease and plant fuel) will be increase by 16 percent, from 6.8 trillion cubic feet per year in 2011 to 7.8 trillion cubic feet per year in 2025. Natural gas share of total generation is expected to increase 27 percent in 2020 and 30 percent in 2040 as natural gas reaches other new markets such as exports, as fuel for heavy-duty freight transportation (trucking) and as feedstock for producing diesel and other fuels. U.S. shale gas, with current recoverable reserves conservatively estimated at 500 to 1000 trillion cubic feet.

Shale gas as a source of energy is flexible fuel capable of wide variety of usages like heating homes, fueling industrial boilers, providing feedstock for the petrochemicals industry and shale gas in future will be capable for use in road transportation. It is cheaper to generate electricity from gas while at the same time the process releases 50% less carbon dioxide than coal. In terms of capital cost for building gas power stations in comparison to nuclear power stations are relatively cheap to build.

On the other hand the main disadvantage of shale gas as source of energy is it is difficult and expensive to transport. Gas pipelines are much more expensive to build as compared to oil pipelines. Alternatively shale gas can be shipped in liquid form i.e. LNG but projects to



liquefy gas also require big investments upstream and down stream.

LNG trade today is around 240 million tons per year with 18 nations exporting and 27 importing. Analysts forecast that by 2020 the number of exporters will rise to 24 and number of importers to 40 and by 2030 global LNG production could be as high as 550 million tons / year.

With abundance of shale gas reserves, in the U.S. there has been an intense debate as to whether stepped up LNG exports from U.S. will be good or bad for the country's long term interests.

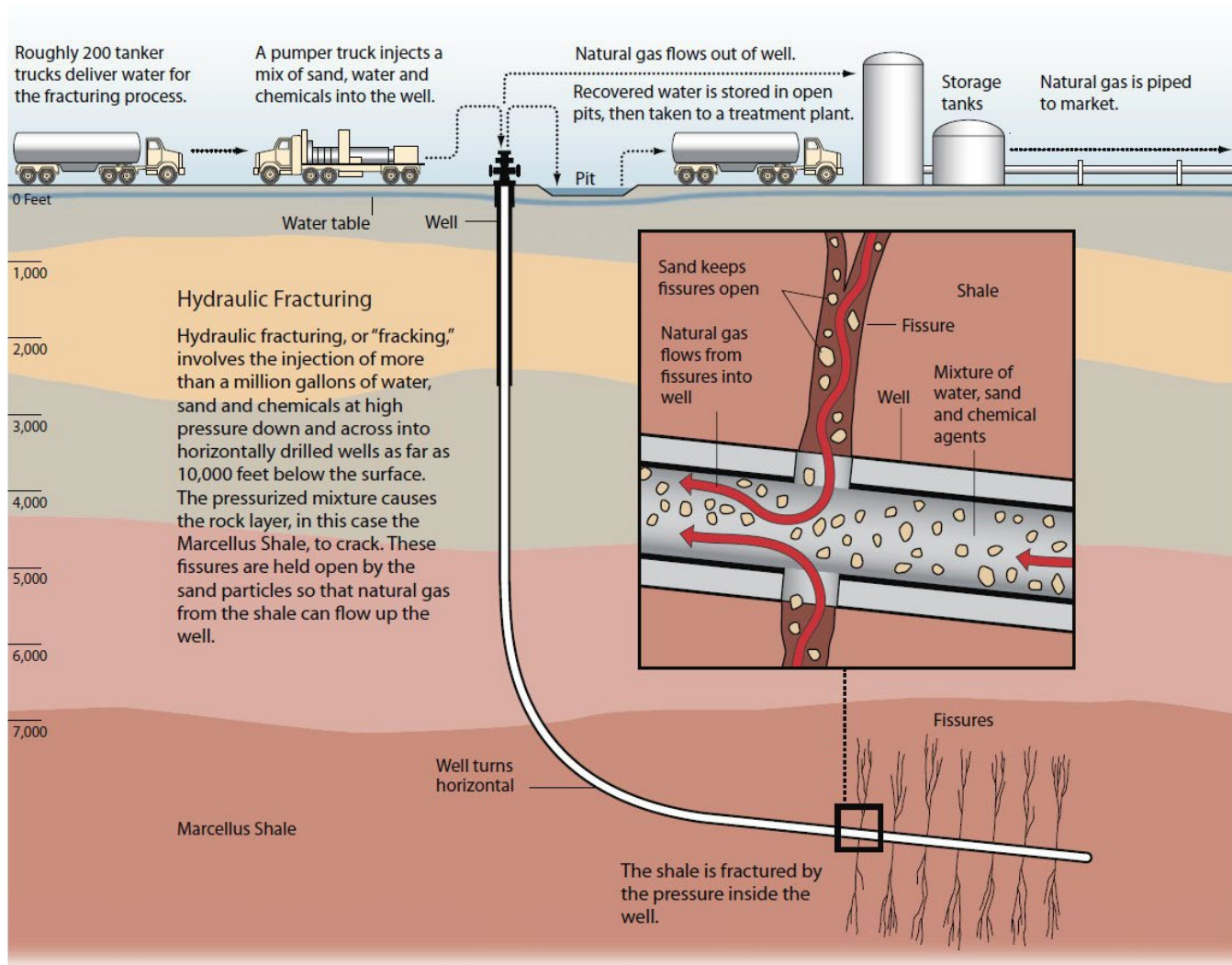
On 5th December 2012 an U.S. Department of Energy (DoE) commissioned report on macroeconomic

impacts of LNG exports from U.S. was released.

The study projects that economic benefits increase as exports volume increases and outweigh the effects on domestic natural gas prices. Net economic benefits are projected to be highest with large quantities of low cost natural gas from shale reserves, fast global demand growth, and limited LNG supply from other countries. As per report natural gas price variations due to exports remains relatively small across all scenarios. Part of the workforce from other industries will shift to industries related to natural gas production but under no scenario is the shift to exceed normal

rates of employee turnover. Overall this study is a positive sign for industry, as it presents the ongoing shale boom and potential of U.S. LNG export market moving forward. ☆

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Graphic by Al Granbera



Membership Application

The Council of American Master Mariners, Inc.

I, _____ (Print Full Name) _____, hereby apply for membership in The Council of American Master Mariners, Inc., and attest to my qualifications below.

Birthplace (city, state, country): _____ DOB: _____

	Home	Business
Address		
City, State, Zip		
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Present Occupation:

- At Sea: Position: _____ Vessel: _____ Company: _____
- Ashore: Position: _____ Vessel: _____ Company: _____
- Retired: Position: _____ Date: _____ Company: _____
- Cadet: Institute: _____ Expected Graduation Date: _____

Present USCG License:

Type:	Limit:	Expiration:
Pilotage Endorsements:	Limits:	

Original USCG License:

Type:	Date Obtained:
Place/Institution obtained:	

Membership Type: All Regular, Special and Pilot members must be U.S. citizens.

- R - Regular:**
- (RU) Unlimited Master Mariner License and commanded vessels over 5,000 GRT on ocean voyages.
 - (RP) Senior or First Class Pilot with minimum of one year experience on vessels 20,000 GRT or more.
- S - Special:**
- (S) Valid USCG Unlimited Master's license and has not commanded a vessel(s) over 5,000 GRT on voyages.
 - (SP) Second or Third Class Pilot on vessels less than 20,000 GRT.
 - (S16) Valid USCG 1600 ton Master's license and commanded a vessel or vessels on voyages.
 - (S5) Valid USCG 500 ton Master's License and commanded vessel or vessels on voyages.
- A - Associate Membership:** I am not a U.S.C.G. licensed Master Mariner or Pilot, but do have the following maritime affiliations:
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 - Cadet: Student at a Maritime Institute.
 - Maritime Distinction: education, training, research, regulation or government.
 - U.S. water transportation company in an executive, administrative or operational capacity

Sea-Going Qualifications: Years of Service: _____ (Check boxes that apply. See above for key)

Vessel Served	GRT	Date(s)	Route(s)	R	S

Pilotage Qualifications: Years of Service: _____ (Check boxes that apply. See above for key)

Vessel Served	GRT	Route(s) (dock/harbor/sea bouy)	License Issuing Authority	R	S

Please return this application with a copy of your Master or Pilot's license with a \$100 check (\$60 annual dues + \$40 application fee) payable to: The Council of American Master Mariners, Inc. Mail to Liz Clark, CAMM Membership Chair, 2231 NE 46th St, Lighthouse Point, FL 33064-7252.

To the best of my knowledge, the above information is correct and I agree, if elected member, to abide by the Constitution and By-Laws of The Council of American Master Mariners, Inc.

Signature: _____ Date: _____

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The Council of American Master Mariners, Inc.

Annual General Meeting

Professional Development Conference

June 11-13, 2014 ☆ Mystic, Conn. USA

Hosted by CAMM National

Wednesday June 11

Golf Outing
CAMM Welcome Social
Hilton Mystic

Thursday June 12

Professional Development Conference
Mystic Seaport

Evening Dinner & Cruise
Steamboat SABINO

Friday June 13

Annual General Meeting
Hilton Mystic, lunch included

Closing Dinner
Hilton Mystic

Venues:



Hilton

Group code: Available at a later date

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Secretary-General



Dr. Captain John A.C. Cartner, #2475-R
Maritime Lawyer
Principal Author, "The International Law of the Shipmaster"



Father Sinclair Oubre, #3220-A
CAMM Chaplain; President, Apostleship of the Sea USA

* Additional speakers TBD

CAMM Business Meeting

CAMM Views and Positions
CAMM Strategic Plan

Closing Dinner

Formal evening
Keynote Speaker (TBD)
Lalonde Spirit of the Seas Award Presentation
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* Registration will open later this fall. Please check www.mastermariner.com.
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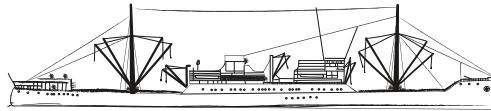
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Ralph J. Mellusi Esq.

Jacob Shisha Esq.



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