

# Marine

## News

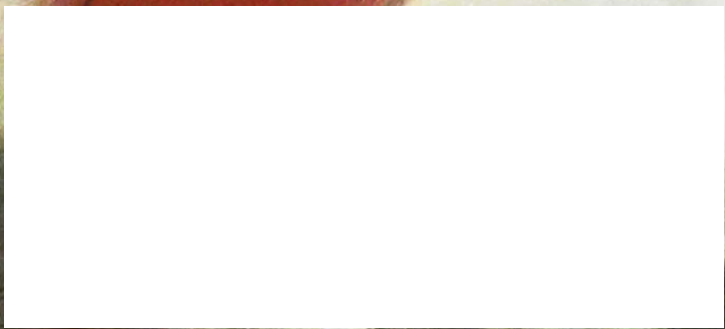
OCTOBER 2010

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OYSTER CREEK

13  
12  
11  
10

# 2010 Yearbook



### Insights Jim Stark

GICA proactive to promote  
Intracoastal waterway



### Inland Show the \$

In Obama's Plan, what's in  
it for the Rivers & Ports





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## 8 **TechFile** **InLine Thruster on JackUp Vessel**

Innovative wind power installation

## 10 **Blogs** **Mariner Missions Front Burner**

By Joseph Keefe  
MERPAC fate still unknown

## 12 **Insights** **Jim Stark, GICA**

By Raina Clark  
Advancing Gulf Intracoastal waterway issues

## 16 **Boat of the Month** **M/V Stephenson II**

New USACE Push Boat

## 26 **Yearbook** **Tug, Tow & Barge**

By Raina Clark • Cautious optimism

## 29 **Offshore**

By Quest Offshore • Momentum gaining

## 32 **Passenger Vessels**

By Jonathan Atkin • Opportunities opening

## 37 **Boatbuilding**

By Raina Clark • Mixed bag

## 42 **Raina on the Rivers** **Old Salts & New Cooks**

By Raina Clark  
Assessing the impact of a failing inland infrastructure aboard the Thomas E. Erickson



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## POSTMASTER Time Value Expedite



## On the Cover

# Which Direction?

Ask 10 people their views on market conditions and you will get 20 opinions. Coverage of the major workboat and offshore markets starts on page 26.

*Pictured is the Oyster Creek, recently launched by Chesapeake Shipbuilding for Vane Brothers.*



Photo courtesy Chesapeake Shipbuilding

## Legal Perspectives

# 18 The Moratorium is Unlawful

*By Larry DeMarcay*

## Salvage

# 22 Limitation of Shipowner Liability

*By Jim Shirley*

## Inland Report

# 24 Where are the Rivers & Ports?

*By Cornel Martin*

## 50 People & Company News

## 54 Directory

## 55 By the Numbers

## 56 Products

## 59 Classified

## 64 Ad Index

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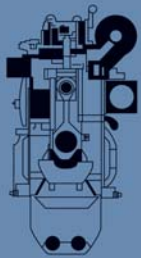
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In October I finish a series of articles emanating from my eight day trip on inland towboats on the Mississippi and Illinois Rivers. I want to give special thanks to all those who made the trip possible, including key people at AEP River Operations, Marquette Transportation and the Waterways Council, Inc. I am especially grateful to the crew of the Theresa Wood for teaching me so much about life on the river and always being ready to explain the workings of the boat and its tow. In the pages of this edition of *MarineNews* I describe being held up on the Mississippi River by failing infrastructure and compare the stories of an old-time towboater with those of a mariners who just stepped aboard. Look for the series, “A Day in the Life of a Towboater,” on our company’s online channels, such as [Marinelink.com](http://Marinelink.com) and [Maritimeprofessional.com](http://Maritimeprofessional.com), as well as in the pages of this and the last two editions of *MarineNews*.

October is also our 2010 Annual Yearbook edition, highlighting four main areas: tugs, towboats and barges; offshore; passenger vessels; and vessel construction. All of these markets report a mixed bag of conditions. While the tug, tow and barge markets tend to be relatively static, the passenger vessel market, especially in the New York / New Jersey area, have some very encouraging trends to talk about as far as public interest in charters and ferry transportation. Builders like All American Marine, who construct quite a few passenger vessels, continue to report strong interest in “green” passenger vessel construction projects. While vessel construction has been in a down swing for some time, diversified companies like Donjon Marine Co. demonstrated their optimism in that market by opening a new boatyard on the Great Lakes. The offshore industry, which has been hit very hard, continues in limbo while it waits for a new legal framework to drop from above. But industry analyst Quest Offshore Resources, Inc. described the long-term health for the offshore markets to be good, despite the current gloom.

A handwritten signature in black ink that reads "Raina Clark". The signature is fluid and cursive.

Raina Clark, Managing Editor, [rainaclark@marinelink.com](mailto:rainaclark@marinelink.com)

Want to hear more from behind the editor's desk? [Visit the MarineNews Notes blog at www.MaritimeProfessional.com.](http://www.MaritimeProfessional.com)

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# BIG BOAT TECHNOLOGY

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The Voith Inline Thruster/Voith Inline Propulsor (VIT/VIP) series starts with type 240-10, which means: an inner propeller diameter of 240 millimeters at an output of 10 kW. Previously, the VIT/VIP 850-300 was the most powerful unit in this class. But the principle of a propeller drive with a permanently excited electric motor housed in the hollow shaft and no maintenance require-

ments owing to sea water-lubricated bearings has also proven itself in larger vessels.

Currently under construction at the Chinese shipbuilder Cosco Shipyard, the jackup vessel of the Danish shipowner A2Sea is the best proof of this. For this reason, Voith will also build significantly more powerful Voith Inline Thrusters in the future.

In the jackup vessel, whose design originates from Gusto MSC, the VIT supports the three Voith Schneider Propellers (VSP) of the size 36R6ECR/285-2 as an additional drive system. Voith will deliver the VIT by August 2011. The launch of the vessel is scheduled for early 2012.

[www.voithturbo.com/marine](http://www.voithturbo.com/marine)



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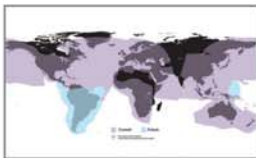
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*- Runar Gaarder, ICT Manager for Mowinckel Ship Management*



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### Naval Militia

# Maritime Version of National Guard

By federal law, the Naval Militia consists of the Naval Militia of the various states. Property of the Department of the Navy, including vessels and armament, may be issued to the various state Naval Militia if at least 95% of the members of the unit receiving the property are members of the U.S. Navy Reserve or the U.S. Marine Corps Reserve and the organization, administration, and training of the Naval Militia conform to U.S. Navy standards.

The Naval Militia traces its history back to the Revolutionary War, when various colonies formed their own Navies. The Commonwealth of Massachusetts reactivated its Naval Militia during the War of 1812. When the Spanish-American War started in 1898, fifteen States established Naval Militia. These were used to keep order on the waterfront and to defend coastal areas. In Cuban waters, the Naval Militia performed various scouting and blockading missions in support of the U.S. Navy. During



**New York Naval Militia member Bharath Bhola, an Aviation Boatswain Mate, pilots Patrol Boat 230 during a joint operation with the New York State Department of Environmental Conservation in the Hudson River.**

(Photo by Master Sgt. Corine Lombardo)

World War I, though, the U.S. Navy utilized the Naval Militia more as a source of trained manpower than as independent units to be mobilized. Naval Militia personnel were disbursed throughout the Fleet, losing their unique identity. Currently, seven states have active Naval Militia: Alaska, New Jersey, New York, Ohio, South Carolina, Texas, and Virginia. Five states have Naval Militia that are inactive: California, Connecticut, Georgia, Illinois, and Maryland. Personnel in the various Naval Militia may be enlisted or commissioned into the U.S. Navy, Marine Corps, or Coast Guard at the rate or rank for which they are qualified.

*Posted on MaritimeProfessional.com by Dennis Bryant*

## Reducing Engine Noise

At this year's CIMAC conference Wärtsilä presented a paper on noise reduction of medium speed engines. Changes made to the crankcase covers and camshaft covers brought the emitted sound level down by approximately 6dB(A). A multi-layer sandwich solution applied to the turbocharger casing and charge air cooler reduced noise levels 5dB(A). Engine noise was reduced by placing an additional covering on top of the existing cylinder head valve covers. It is proposed that these optional parts will be available for current and future Wärtsilä medium speed engines providing a noise reduction of approximately 5dB(A). At this year's CIMAC conference Wärtsilä presented a paper following a five year research program on noise reduction of medium speed engines. The test engine used was a seven cylinder 32 series engine of 3.5MW at 750 rpm with 320 mm bore and stroke of 400 mm. Changes made to the crankcase covers and camshaft covers included replacing the one piece cast aluminum covers by a two piece cast aluminum frame with bonded and bolted 2mm steel cover plate, giving greater rigidity and reducing noise radiation that brought the emitted sound level down by approximately 6dB(A). A multi-layer sandwich solution of fireproof fabric, mineral wool, aluminum plate and finally more fireproof fabric applied to the turbocharger casing and charge air cooler reduced emitted noise levels from these parts by 5dB(A). Tests showed that 27% of engine noise emanates from the top of the engine. Noise level from this area was reduced by placing an additional covering comprising a 2 mm vibro-acoustically treated steel plate with a 1mm corrugated micro-perforated plate on top of the existing cylinder head valve covers.

*Posted on MaritimeProfessional.com by Keith Henderson on 9/19/2010*

## Coast Guard's Mariner Missions on the Front Burner Again

DHS OIG Reports provide a shallow victory for USCG as another medical competency hearing kicks off. MERPAC's fate is still unknown as SOCP steps up to fill the void. American mariners might ask: Is this progress?

The final quarter of 2010 promises to be a busy one for the U.S. Coast Guard's National Maritime Center (NMC), its policy group in Washington and their overarching mission of handling the documentation and credentialing of more than 200,000 domestic mariners. Just one day short of commencing autumn, the ink is barely dry on two DHS reports that address (a) the Coast Guard's system for adjudicating suspension and revocation matters and (b) allegations of misconduct within the Coast Guard's Administrative Law Judge Program.

Meanwhile, the fate of maritime industry's Merchant Marine Personnel Advisory Committee (MERPAC) is still up in the air at a time when it is most sorely needed. How both situations are navigated by the Coast Guard — and the reaction that effort elicits from their domestic mariner constituents — will likely determine the tenor of the relationship between the two in the coming months and years.

*An excerpt of a post on  
MaritimeProfessional.com  
by Joseph Keefe on 9/22/2010*

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# Jim Stark

Executive Director, Gulf Intracoastal Canal Association

MarineNews spoke with Jim Stark, Executive Director of the Gulf Intracoastal Canal Association (GICA) about his background in the industry, current projects on the canal, issues facing GICA's nearly 250 members and his goals for the organization.

## What is your background and how did you come to be Executive Director for GICA?

I spent 28 years in the Coast Guard. I'm a commissioned officer and have served all over the country including a considerable amount of time on the Gulf Coast. I retired in 2005 as the Chief of Staff for the Eighth Coast Guard District which covers the 26 inland states, the entire inland waterways system as well as the Gulf Coast. For three years I was also the Commander of Coast Guard Group Mobile, which oversaw much of the operations, navigation and safety on the intracoastal waterway in the Mississippi, Alabama and Florida side of the Gulf.

After that, in the fall of 2005, I worked briefly as a government liaison / operations manager with Titan Maritime out of Ft. Lauderdale following Hurricane Katrina. Shortly after that I was asked if I would consider a job with FEMA and eventually I became the director for the Louisiana Transitional Recovery Office in New Orleans and then the Assistant Administrator for Gulf Coast Recovery overseeing the efforts of FEMA's longer term recovery actions on the Gulf Coast.

After FEMA I took some time off and did some consulting work, most recently with the folks at BP on the oil spill in the Gulf. Although that was pretty limited, it did expose me to some planning efforts and tools I've put to good use already with GICA in getting ready for the hurricane season.

I joined GICA on July 6 and immediately focused my efforts on planning for our 105th annual convention, which we concluded in August. The event was a two and a half day convention in New Orleans that brought together many of our members and several of our stakeholders, such as the Corps of Engineers, the Coast Guard and NOAA.

Now I'm starting to focus more directly on the mission of GICA which is to make sure the Gulf Intracoastal Canal is maintained, operated and improved so that it can provide the most efficient, economical and environmen-



(Photos courtesy GICA)

tally sound water transportation route in the country.

## What infrastructure projects are impacting the Gulf Intracoastal Canal right now?

The waterway runs from Apalachicola, Florida down to Brownsville, Texas and covers over 1,000 miles of waterway. It's used by several industries. We serve the petrochemical industries, refineries and farms and recreation uses the waterways quite a bit as well.

Right now the Corps is building some pretty substantial and impressive flood control structures on the Intracoastal Canal. Toward the East of New Orleans, the Inner Harbor Navigation Canal surge barrier at Lake Borgne is being built and we work very closely with the Corps and the Coast Guard to ensure that barge traffic is not effected while that construction goes on. The Inner Harbor Navigation Canal lock has been authorized for replacement but no monies have yet been allocated.

Another very large flood control structure south of the Harvey Canal is called the West Closure Complex (closing off surge coming from the Gulf of Mexico into the west bank of New Orleans in the event of a hurricane or large



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## INSIGHTS

storm). This is a monumental undertaking by the Corps that has included the input of the industry, through GICA, to make sure it's sized correctly and navigation interest are taken into account while it's being built.

We also asked the State of Louisiana, the Office of Coastal Protection and Restoration, to speak at the convention about their master plan for restoring the wetlands and coastal region of Louisiana, which may have some impact on navigation and our waterway. We thought it would be a good idea to get out in front with those state partners rather than finding out a year or two from now that their plan is going to impact the waterway.

One of the biggest challenges we face on the Gulf Coast is hurricanes and storms and surge. GICA also acts as a leader on the joint hurricane team that's been set up with the Corps, the Coast Guard and NOAA. Pre-storm, we work with all of our members and these government agencies to get out of the waterway and make sure we can find safe-haven. After a storm passes we work closely with

those same partners to open up the waterway as quickly as possible. It's in all of our best interest to get that going quickly because many industries depend on the commodities shipped on the waterway.

### **Beyond representing members in these projects, what other goals do you have for GICA?**

One of the things our members truly value is the flow of information and much of my time is spent reviewing conditions on the waterway and making sure our members are aware of trouble spots, like shoaling conditions, marine casualties or planned closures of the waterways. Getting that information out to our members and users of the waterways is important. One of the things I want to do is refine our system for accomplishing this and make it very user friendly and comprehensive. This way people won't always have the information pushed at them, but they can pull what they want, or tailor what information they need to see.

**MN**

**A tow on the Gulf Intracoastal Canal**



(Photos courtesy GICA)





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## BOAT OF THE MONTH

# M/V Stephenson II

### Jensen Maritime-Designed Push Boat for USACE

The Jensen Maritime-designed river push boat, the M/V Stephenson II, has been delivered to the U.S. Army Corps of Engineers for use in Gascondale, Mo., in the Corps' Kansas City district. Jensen performed the functional design and production lofting of the ABS Classed boat, which will provide operational support the district's operations and maintenance mission on the lower Missouri River as well as for general construction and mitigation projects. Patti Marine Enterprises Inc. (PME) of Pensacola, Fla., which built the vessel, hired Jensen to take the Corps' design for a smaller and narrower boat and create the functional design and production lofting. Lofting essentially involves taking a vessel design and creating a

building kit for the shipyard, including assembly drawings and directions for the cutting machines. This process helps optimize building productivity and quality.

As a day boat and support vessel, the M/V Stephenson II has no accommodations and no provisions for fresh water, although it does come equipped with an Incolet brand of head as a small crew comfort. Noise and vibration reduction of the exhaust system was important to the Army Corps, which wanted no more than 20% transmissibility. Jensen designed the system to use cable-mounted silencer isolators and pipe hangars, which greatly reduced the amount of noise and vibration transferred to the crew areas.



#### Specifications/Main Particulars:

Length, o.a. ....	58 ft
Breadth, molded ....	22 ft
Depth, molded ....	7 ft
Draft, designed ....	4 ft
Displacement ....	.80 LT
Main engines ....	2x Caterpillar C12
Total installed power ....	770 hp
Generators ....	1x Caterpillar C4.4
Radars ....	Furuno
Crew capacity ....	3
Heat exchangers ....	Fernstrum
Fuel oil capacity ....	1,200 gal

# AAM to Construct Advanced Survey Catamaran

C & C Technologies of Lafayette, La. signed a contract with All American Marine of Bellingham, Wash. to construct a new 134-ft by 37-ft aluminum catamaran for survey operations in the Gulf of Mexico. The two companies have been developing the design concept for the vessel for nearly two years. Teknikraft Design Ltd. of Auckland, New Zealand will provide the engineering and naval architecture services for the design, which is expected to be launched and delivered during the second half of 2011. Caterpillar has been selected to supply the prime movers, inclusive of twin C32 ACERT engines and twin C18 ACERT engines. The propulsion configuration will provide a cruise speed of 20 knots with a total of 2,153 bhp in each sponson. The pairing of two different engines allows for high speed transit to the

survey site using all four engines and a slower survey speed when using only the smaller engines. The C18s are coupled to ZF Marine gears with trolling valves to provide an economical speed range from three to 11 knots.



## Specifications/Main Particulars:

Length, o.a. . . . . .134 ft  
 Beam, extreme . . . . .37 ft  
 Draft, midship . . . . .6.5 ft  
 Propulsion engines  
 2x Caterpillar C32 ACERT, 1,600 bhp/2300 rpm  
 . . . . .2x Caterpillar C18 ACERT, 553 bhp/2,100 rpm  
 Construction . . . . .5383 Marine grade aluminium  
 Cruise speed . . . . .20 kts (laden)  
 Propulsion . . . . .4x Fixed pitch, 5-blade propellers  
 Deadweight . . . . .65 metric tons inclusive of AUV vans

## Capacities:

Fuel, standard tankage . . . . .6,600 gal  
 Additional tankage . . . . .4,400 gal  
 Fresh water . . . . .3,700 gal  
 Black water . . . . .1,100 gal  
 Ballast water . . . . .4,000 gal  
 Dirty oil . . . . .150 gal  
 Oily water . . . . .10 gal  
 Clean engine oil . . . . .175 gal  
 Hydraulic system oil . . . . .80 gal  
 Maximum range (total tankage) . . . . .3,800 nm,  
 . . . . .plus reserves  
 Cruising range . . . . .1,650 nm, plus reserves  
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 Complement (max) . . . . .26  
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# Why the Drilling Moratorium is Unlawful & Should be Lifted

By Larry DeMarcey



In response to the oil spill in the Gulf of Mexico, the Department of Interior (DOI) issued a moratorium on all deepwater drilling in the Gulf of Mexico and Pacific regions. Although only a portion of our industry is directly involved in the day-to-day work of offshore drilling, the entire industry is

being dramatically affected by this moratorium. Specifically, vessel owners and operators are watching their vessels sit idle and charters and master service agreements are being cancelled by well operators.

As the vessels currently available to the industry are not being utilized, the market to purchase, sell, or build new vessels has also collapsed. As orders for new vessels are not forthcoming, ship builders, repairers, and suppliers are all experiencing a reduction in work.

Thus, based upon the trickle-down effect from the offshore oil and gas exploration business, all aspects of the marine industry are significantly impacted by the issuance of such a ban.

Although the Obama administration appears to be dead set on curtailing offshore oil and gas exploration, various companies involved in oil and gas exploration have challenged the legality of the drilling ban. This article provides a description of what has happened to date and the reasons why the drilling ban should be declared invalid.

With regard to the history of the drilling ban, on April 20, 2010, a well blow-out and explosion occurred on a rig while it was working in the Gulf of Mexico, resulting in an oil spill. On April 30, 2010, President Obama directed the Department of the Interior to conduct a review of the incident and issue a report with recommendations for making oil and gas exploration safer. On May 27, 2010, in accordance with President Obama's April 30th directive, Secretary Kenneth Salazar issued a report entitled "Increased Safety Measures for Energy Development on the Outer Continental Shelf" (Safety Report). This report identified an initial set of safety measures that could be implemented to improve the safety of offshore oil and gas development. The Safety Report included a three page Executive Summary written by Secretary Salazar. This

Although the Obama administration appears to be dead set on curtailing offshore oil and gas exploration, various companies involved in oil and gas exploration have challenged the legality of the drilling ban.

Executive Summary was written after the report was complete.

The Safety Report did not assess how to implement the recommended safety measures, how long it would take to implement the measures, or whether any type of moratorium was necessary.

Nonetheless, Secretary Salazar's Executive Summary recommended an "immediate halt to drilling operations on all 33 permitted wells, not including the relief wells currently being drilled by BP, that are currently being drilled using floating rigs in the Gulf of Mexico" so as to "allow for implementation of the measures proposed" in the Safety Report. The Secretary instructed that drilling operations should cease for at least a six month period.

The Executive Summary to the Safety Report stated that the recommendations in the report were peer reviewed by experts identified by the National Academy of Engineering. Although these experts did participate in a peer review of the Safety Report, they were not provided with a copy of Secretary Salazar's Executive Summary that recommended the drilling ban. In fact, eight experts who had either peer reviewed or consulted on the drafting of the Safety Report stated that they did not agree with the six month moratorium on drilling. These experts further added that the moratorium would not reduce risk and would have a lasting impact on the nation's economy that could be greater than the oil spill. Furthermore, some of these experts also believed that the moratorium will make deepwater drilling less safe in the long run.

On May 28, 2010, Secretary Salazar issued a one page memorandum directing a six month suspension of pending, current, or approved offshore drilling operations of new deepwater wells in the Gulf of Mexico and Pacific

## LEGAL PERSPECTIVES

regions. On May 30, 2010, the Bureau of Ocean Energy Management (BOEM), in accordance with Secretary Salazar's direction, issued a "Notice to Lessees and Operators of Federal Oil and Gas Leases in the Outer Continental Shelf Regions of the Gulf of Mexico and the Pacific to Implement the Directive to Impose a Moratorium on All Drilling of Deepwater Wells," NTL No. 2010-N04 (NTL-4). NTL-4 directed lessees and operators to cease drilling all new deepwater wells and refrain from spudding any new deepwater wells for at least six months. It also notified lessees and operators that no new permits would be issued during this time.

On June 8, 2010, the BOEM issued another notice to lessees, NTL-5, in which the BOEM advised all lessees of ten new safety measures that they must comply with. These new regulations applied to all activities on the Outer Continental Shelf including the deepwater activities suspended under NTL-4 and shallow water operations that occur in less than 500 feet of water. This NTL requires operators to provide specific information to the government prior to the issuance of a permit. However, these hastily prepared regulations do not provide enough information to allow operators to comply with the requests. As such, operators are not able to obtain drilling permits for any offshore exploration because of the difficulty of complying with these new regulations.

On June 22, 2010, a federal judge enjoined the deepwater moratorium finding that the Department of Interior may have failed to properly reason through its decision making process prior to issuing a blanket

moratorium with facts developed during its 30-day review. Despite the clear pronouncement from the Federal Court, later that afternoon, Secretary Salazar issued a press release stating that he would be issuing a second drilling moratorium in the com-

ing days.

On July 12, 2010, Secretary Salazar imposed a second moratorium and instructed the BOEM to direct the suspension of the drilling of wells using sub-sea blowout preventers (BOP) or surface BOPs on floating



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## LEGAL PERSPECTIVES

facilities. Despite this small descriptive change, the second deepwater moratorium is materially identical to the first one. The validity of this second drilling moratorium, the one that is currently in place, is currently being challenged in federal court in New Orleans.

Now that we have walked through how the drilling ban affects the entire industry and the drilling ban's road to implementation, we can turn to why the implementation of this ban is not lawful.

Specifically, the Administrative Procedures Act (APA) mandates that government issued regulations require that decisions be made after a reasoned decision making process is complete, not before it has begun. The APA also requires that regulations be narrowly tailored to meet the desired goal. Furthermore, the APA requires that the Administration follow various notice and comment requirements of the Administrative Procedures Act prior to issuing new substantive guidelines.

The APA requires federal agencies, before issuing a formal or informal rule, to take a hard look at the question before it engages in a good faith, reasoned decision making process. However, before issuing the current deepwater moratorium, the Department of the Interior did no such thing. Instead of gathering facts and then issuing a decision based upon those facts, the DOI did exactly the opposite; they made a decision to clone the first deepwater moratorium and then attempted to gather evidence to justify it.

In the aftermath of the court's preliminary injunction on the first moratorium, the Department of the Interior had an opportunity to reconsider issuing a drilling ban, in good faith and with an open mind, pursuant to the requirements of the APA. However, DOI decided and publicly announced immediately after the first drilling ban was halted, that a second moratorium would be issued. The DOI then started out in search of reasons to support the pre-ordained result. Thus, the second drilling ban is arbitrary and capricious and should be set aside as it is not founded on any reasonable factual basis.

Additionally, the moratorium on offshore drilling covers all drilling activity in the Gulf of Mexico and Pacific regions. However, based upon the lessons learned on the Macondo well, the Department of the Interior could have issued a drilling ban that was narrowly tailored and only took into account the offshore activities that the DOI

deemed to be most dangerous. Specifically, the Safety Report provided a list of drilling activities that were less dangerous. However, the drilling ban does not allow these less dangerous activities to proceed. Specifically, the DOI failed to accurately consider and adopt a moratorium that could have permitted the five categories of deepwater well activities that the government's own experts recommended be permitted under the moratorium. The Department of the Interior rejected these activities by stating that they "still pose an unacceptable level of risk at this time." These generalized and conclusory justifications are not permissible under the APA. Thus, the second drilling ban should be held unlawful as it is not narrowly tailored to meet its goal.

Additionally, the APA requires federal agencies to issue notice and provide a comment period ensuring that federal agencies have the benefit of the views of effected members of the industry before it undertakes new regulatory requirements. On June 8, 2010, without any advance notice or opportunity for comment, the BOEM issued NTL-5 that implemented certain safety measures outlined in the Safety Report.

Because the safety measures imposed by NTL-5 are binding, substantive requirements, they should have been imposed only through the APA's notice and comment rule making process. However, DOI used an informal letter that was sent without any notice or input from the regulated community. As such, NTL-5 was promulgated without observance of the procedures required by law and should be set aside as unlawful.

Although it is too early to tell how the courts will handle these issues, it is evident that the Administration seems to be dead set on curtailing offshore drilling and that they are willing to avoid prescribed rules when curtailing such activities. Due to the important ramifications to our industry, it is important for everyone to understand where we are with regard to the ban, how we got there, and the legal issues involved in challenging the Administration's action. The collective efforts of the industry, through applying legal, political, and public relations pressure are needed to overturn this disastrous ban. **MN**

*Lawrence R. DeMarcay, III is a partner at Fowler Rodriguez Valdes-Fauli in the firm's New Orleans, La. office. He can be reached at [ldemarcay@frvf-law.com](mailto:ldemarcay@frvf-law.com) or 504-595-5122.*



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## Salvage Law Limitation of Shipowner's Liability

By Jim Shirley



In the wake of the Deepwater Horizon casualty there have been a number of proposals put before Congress for new legislation or amendments to existing legislation affecting vessel owners and operators. Many of these relate to liability for damages sustained as a result of the casualty or the oil spill that followed. Perhaps the oldest legislation to which amendment and / or appeal is being sought is a statute passed in 1851 to provide vessel owners with limited liability in respect claims brought against them in certain circumstances involving, amongst other things, marine casualties. This statute is unique to the United States, but the concept of allowing shipowners the right to limit their liability in casualty matters is not. Many countries, but not the U.S., are parties to an international convention that allows for such limitation, though on terms quite different from those in the U.S. statute. Indeed, according to its legislative history, the U.S. limitation act was enacted to encourage investment in U.S. shipping by putting the United States on a par with other countries that already had such legislation.

U.S. courts have held that limitation of a shipowner's liability is a procedural issue, and therefore the law of the forum governs. That is, if the matter is brought before a U.S. court, that court will apply U.S. law, i.e. the 1851 statute, to the issue of limitation. There may at the same time be legal issues in the case that the courts have held to be substantive rather than procedural, and to those the court hearing the case may apply the law of some other nation, e.g. the law of the nation where the casualty occurred or that of the flag(s) of the vessel(s) involved in the casualty. Therefore, for the purposes of this article, only the U.S. statute and the applicable civil procedural rules will be discussed. Even so, limitation of shipowners' liability is a complex and heavily nuanced subject. Space constraints allow no more than a brief overview of the subject in this column.

Under U.S. law, there are two ways in which a shipowner involved in a marine casualty may raise the limitation issue. It may raise limitation as a defense in a case brought against it for damages arising out of the casualty, or it may

initiate a limitation action on its own. If there will likely be more than a single claimant, especially if those claimants might bring suit in different venues, then it will usually be to the advantage of the vessel owner to initiate a limitation proceeding. This may be commenced any time after the casualty up to six months from the date of receipt of the first written claim. The vessel owner may be encouraged to file early in order to exercise its choice of the several venues permitted by the rules where the matter may be heard. Once the limitation complaint has been filed, all claims against the vessel or its owner arising out of that casualty must be filed in or transferred to that action, creating what is called a concursus of the claims. The court will in fact enjoin claims from being filed elsewhere.

A limitation action differs from a typical legal action in several respects in addition to the injunction and concursus. It involves more documents being filed along with the complaint, a posting of security in the amount of the limitation fund, notice being given to all prospective claimants, and the "plaintiff" being the party who will defend against the claims asserted. The limitation fund is comprised of the owner's interest in the vessel at the end of the casualty voyage plus freight (or charter hire) earned. The vessel itself may be deposited with the court, but the owner will more likely post a bond or a P&I Club letter for its value. Its value will be assessed according to expert appraisers, reduced by the amount it will cost to repair the vessel. Insurance proceeds received by the owner, either for repair of the vessel or for its loss, are not included in the limitation fund. If the vessel is a total loss, the limitation fund may consist only of the freight earned plus net scrap value, if any. An exception applies in cases involving personal injury or death arising out of casualties on seagoing vessels. For those claims, if the limitation fund of the vessel will be insufficient to pay all losses in full, then the portion applicable to personal injury or death claims will be increased to an amount equal to \$420 per gross ton of the vessel.

Once the complaint has been filed, prospective claimants will be allowed an amount of time set by the court to file their claims, following which they will have to make a more rigorous showing to be allowed to file,



including a showing that their late-filed claims will not prejudice the timely filed claims. After all the claimants have answered, the matter will proceed in many respects like other litigated matters. That is, the parties will engage in evidentiary disclosure and discovery practice, motion practice seeking to limit the issues or for other purposes, engagement and discovery of expert witnesses, and then on through the trial itself, and perhaps on to appeal(s) in whole or in part of the trial court's decision. However, there are some differences. The limitation complaint will in fact be entitled a Complaint for Exoneration From or Limitation of Liability. That is because the initial trial burden will be on the claimants to prove there was either an unseaworthy condition or negligence on the part of the shipowner's vessel that caused the losses for which compensation is being sought. If that is not proved, then the shipowner will be exonerated from liability. If, on the other hand, the claimants meet that burden, the burden shifts to the shipowner to prove it lacked "privity or knowledge" in respect of the unseaworthy condition or the negligence of the vessel. In the case of a corporate owner, except for liability for personal injury or death, that privity or knowledge must exist at a high enough level in the organization to reach firm management. In the case of liability for personal injury or death on a seagoing vessel, the privity or knowledge of the Master of the vessel or the superintendent or managing agent at or prior to the commencement of the voyage will suffice.

If the vessel owner is found entitled to limit his liability, the limitation fund will be apportioned amongst the claimants proportionately to their claims, with the proportion due personal injury and / or death claimants,

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if any, being increased as described above from other resources of the owner. If the vessel owner is found not entitled to limitation, it will be required to pay the proved damages as awarded by the court.

In the U.S. the only parties that may be entitled to limit their liability pursuant to the limitation statute are the owner or bareboat charterer (owner pro hac vice) of the vessel. Also, not all claims are subject to limitation. The personal contract doctrine excludes from limitation claims arising under contracts in which the vessel owner has undertaken a personal commitment, e.g most charter parties. That is why one will often see in towing contracts a disclaimer that the contract is a charter of the towing vessel or a personal contract. Also, pollution claims under the Oil Pollution Act of 1990 are not subject to the limitation statute, but rather to the separate limitation provisions set out in OPA 90 itself.

If the 1851 statute were to be repealed, many maritime law practitioners would be in favor of the U.S. ratifying the 1976 Limitation Convention to which most modern seafaring nations subscribe. That would provide for broader limitation coverage, while at the same time establishing substantial limitation funds based on the vessel's tonnage that is not dependent on its post-casualty value. That would put the U.S. back on a par with other modern maritime nations. **MN**

*Jim Shirley is a Master Mariner, a former salvage master and retired maritime lawyer who specializes in maritime casualty and salvage matters, and now serves as legal counsel to the American Salvage Association and as Principal Consultant in JTS Marine LLC. Contact him at [jtsmarine@verizon.net](mailto:jtsmarine@verizon.net) or (609) 883-3522.*



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# In Obama's Plan, Where are the Rivers & Ports

By **Cornel Martin, President/CEO, Waterways Council, Inc.**



Waterways Council, Inc. (WCI) and its more than 200 members were surprised and disappointed with President Obama's announcement on September 6 that he intends to ask Congress for at least \$50 billion in funding for infrastructure but made no mention of waterways infrastructure projects.

The White House press statement said, "The goals of the infrastructure plan include: rebuilding 150,000 miles of roads; constructing and maintaining 4,000 miles of railways, enough to go coast-to-coast; shorter, high speed rail projects; and rehabilitating or reconstructing 150 miles of airport runways, while also installing a next generation air navigation system designed to reduce travel times and delays."

Roads, rails and runways — why not rivers?

WCI issued a press statement reacting to the Obama announcement: "While the nation celebrated Labor Day and all that the workforce has done to make America great, the waterways transportation industry was left disappointed and puzzled about why the President's

The waterways transportation industry was left disappointed and puzzled about why the President's announcement to fund at least \$50 billion in infrastructure projects over the long term does not include any waterways or port projects.

announcement earlier this week to fund at least \$50 billion in infrastructure projects over the long term does not include any waterways or port projects. Our inland waterways not only support people who work on our rivers, but workers in our agricultural community and the many industries who rely on our waterways for affordable transportation of their goods, both domestically and for world markets. To not include and dismiss our nation's most environmentally sound, energy efficient and congestion-relieving mode of transportation, when its lock and dam infrastructure consistently earns a 'D' grade, is unreasonable and unacceptable.

"For all these reasons and more, the inland waterways industry remains a solution for the future and its infra-

One of the two miter gates of the auxiliary chamber close behind the M/V Sir Robert at Locks 27 in Granite City, Ill.



Photo courtesy USACE

## INLAND REPORT

structure is critical to maintain a modern and efficient system of transportation for cargoes like grain, petroleum, corn, coal, steel, and aggregates that the United States and the world rely upon. In support of our nation's labor force, our nation's waterways have helped to make our country great. It is time to stop dismissing waterways transportation infrastructure and instead work together to keep America moving."

Given the climate in Congress and the reluctance to increase the deficit, this plan may go nowhere in the end, but the absence of waterways infrastructure projects as critical to receive funding is puzzling, discouraging and more than frustrating.

Transportation on our nation's rivers is simply the most energy efficient, congestion-relieving environmentally green way to move our critical commodities for domestic consumption and export. One jumbo barge is equal to 70 trucks on our already over-crowded highways. That means 1,050 trucks on your commute home are equal to just one

typical barge movement on our waterways.

Our nation became prosperous in large part because of the existence of the rivers to budding ports and cities. Commerce on those waterway routes allows our agriculture industry to feed the world, our citizens to turn the lights on each day and heat their homes, our pharmaceutical companies to develop life-saving medicines from chemical shipments, and our icy roads in winter to receive salt so that cars and school buses can move safely. To not include locks and dams in infrastructure spending is short-sighted to say the least. Leaving the waterways out of any equation is simply bad for America. **MN**

*Cornel Martin is President and CEO of Waterways Council, Inc. (WCI), and can be reached at [cmartin@vesselalliance.com](mailto:cmartin@vesselalliance.com) or 703-373-2261. WCI seeks to educate decision-makers, the news media and the general public about the importance of our nation's inland waterways and the need to sustain and increase their reliability.*

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# MN Yearbook

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# 2010

In *MarineNews*'s 2010 Yearbook edition we examine how the past year has treated the tug, tow and barge, the offshore and the passenger vessel markets, and we ask industry experts about the outlook for 2011. While tragedy struck the offshore markets and the recession continues to impact many companies, business leaders also have good news to share.



Photo by Jonathan Atkin

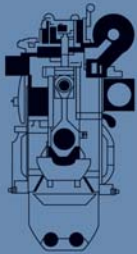
In the tug, tow and barge market, both Donjon Marine Co. and Mobro Marine seemed to agree that diversification is a powerful asset when dealing with turbulent economic times. Donjon was originally founded to provide marine salvage and wreck removal but has continued to branch out to related marine fields such as marine transportation, dredging, heavy lift stevedoring, demolition, scrap metal recycling and, most recently shipbuilding, when it added Donjon Shipbuilding LLC, in Erie, Pa.

John A Witte, Jr., Donjon's Executive Vice President, said "Donjon's business model has always been based upon providing professional but related services so that if one division is slow, one of the others can pick up the slack. To date, this approach has proven to be successful."

He said that "as a result of our diversity, 2010 has been a good year. While all of our divisions had their slow periods, overall, Donjon met our projections." Witte said the company remains optimistic about 2011 and will continue to rely on its flexibility and range of related marine



Donjon dredging operations.



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- HYDRAULIC MOTORS AND PUMPS



services. “With the addition of Donjon Shipbuilding, Donjon is hopeful to take advantage of the repair and new construction needs of the Great Lakes marine community. While slow over the last few years, all indications are that the Great Lakes marine needs are beginning to pick-up.” Mobro Marine, Inc. is a marine equipment company serving mainly U.S. contractors from the Southeast and Gulf Coast regions. These mainly consist of bridge builders, pile drivers and U.S. contractors working abroad and in the Caribbean.

Mobro Marine President John Rowland said “Business has steadily slowed down in the 2010 market, especially in our crane rental department.” However, he said his tugs and barges have maintained steady work and he foresees an increase in business in all aspects of the company. Rowland pointed to emerging markets in the Caribbean and opportunities in port expansions and construction. He said there is an increasing need for expansions of docks and piers to accommodate larger ships for both the cruise industry and foreign trade.

Regarding legislative issues that will impact the market, Witte said “The implementations of the pending modifications to OPA-90 will have a significant impact not only on our salvage activities but the marine community as a whole. ...We believe that the marine towing industry will also face change as a result of increased manning oversight and equipment inspection requirements.” **MN**

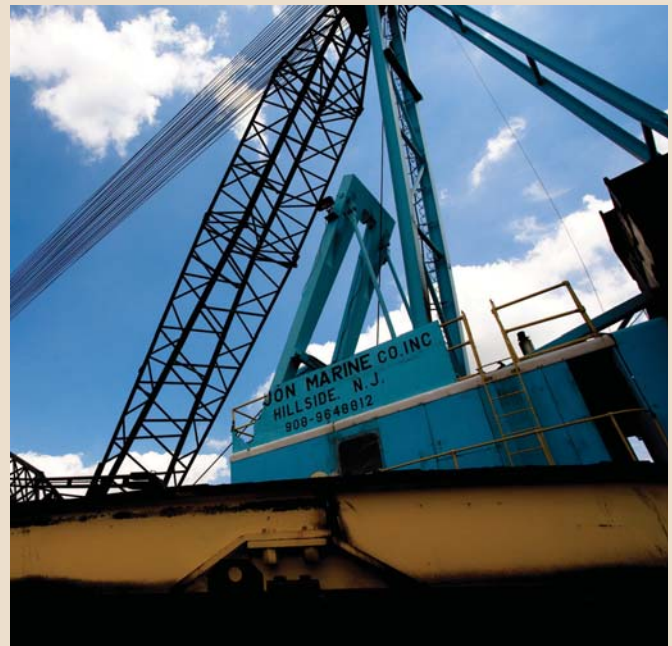


Photo courtesy Donjon Marine Co.

Donjon heavy lift operations.



Photo courtesy Mobro Marine.

Mobro Marine's tugs, the American and the El Puma Grande prepare to tow a shadow boat for its trip to the Miami Boat Show (a shadow boat shadows the main yacht).

Quest Offshore Resources, Inc., a data and strategic market intelligence company for the offshore industry, said that the global subsea industry appeared to regain momentum through the first half of 2010 despite the regional turbulence in the U.S. Gulf of Mexico (GoM) created by the deepwater Macondo spill in April. North America is expected to see a material decline in near-term awards as oil companies involved in exploration, appraisal or development drilling are currently in a holding pattern. However, Quest has seen forward movement on major capital projects like Chevron's Jack & St. Malo and Big Foot projects, as well as Shell's Mars B as specific oil companies are green lighting projects for sanction in the third and fourth quarters of 2010. These key project awards in the early stages of the anticipated up-cycle will greatly benefit a supply chain eager for work — particularly U.S. Gulf Coast fabrication yards.

The uncertainties surrounding the GoM have caused Quest to reduce the near-term demand for subsea equip-

ment as a result of delayed drilling and the increased risk that will be associated with operating in the GoM and the inability or unwillingness of some of the smaller independents to participate. Quest believes that this event will increase M&A activity as some of those smaller independents re-evaluate their GoM assets and the larger oil companies keep their eyes peeled for valuable avenues to increase their promising GoM portfolios. In an area where 65% of historic subsea tree award activity has been from independent oil companies, near-term demand will obviously be negatively affected as the area re-adjusts.

It will be vital for the GoM to maintain a universe of companies that find value in marginal fields that have historically made-up the bulk of developments in the region. Without this bread-and-butter development activity, there could be a permanent shift in the GoM's development profile with fewer, but perhaps larger opportunities for oil service companies. In addition, some subsea demand has shifted to the right as key projects currently at the end of

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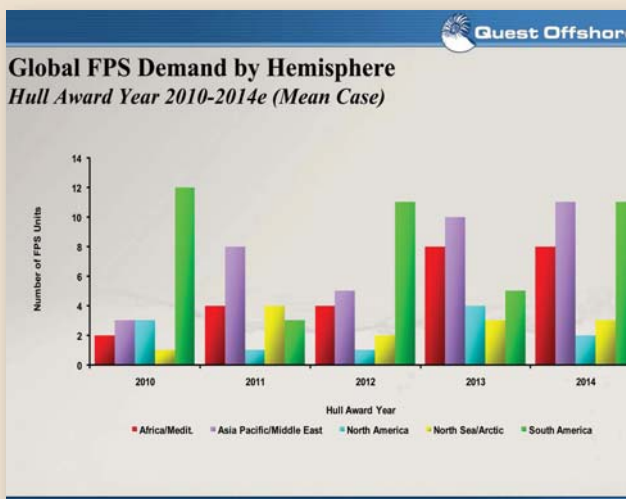
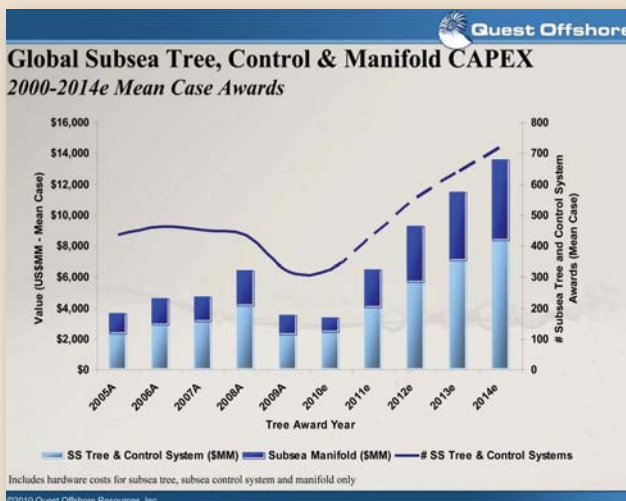
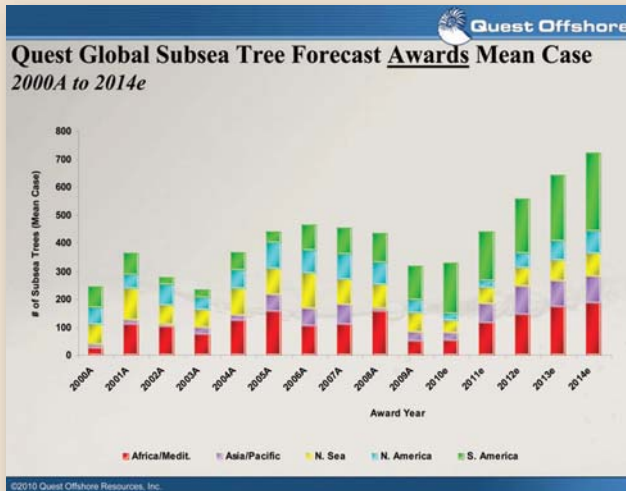
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our forecast period are presently contingent on appraisal drilling and those campaigns are at a standstill. Reactions to the moratorium from operators in the GoM are beginning to materialize, as well as those from governments worldwide. The Canadian Senate Committee on Energy, the Environment and Natural Resources has recently stated that there is no need for a moratorium on offshore drilling because the risk of accident is low. In Norway, the country's head of the Petroleum Directorate has stated that there will probably be delays in the awarding of licenses offshore Norway. Also, the chief executive of Oil & Gas UK recently made remarks against the European Union's moratorium. As for the response from the offshore oil and gas industry, in July International Oil Companies including Chevron, ExxonMobil, ConocoPhillips, and Shell announced a plan to put together a rapid response system that will be available to capture and contain oil in the event of a future underwater well blowout in the deepwater GoM. The four companies have committed \$1b to fund the initial cost of the system, and will form a non-profit organization called the Marine Well Containment Company to operate this system. This level of material commitment to the GoM clearly communicates the future importance of the region and its contribution to global demand across deepwater segments.

### Outlook for Future Developments

While the drilling moratorium has undoubtedly affected offshore developments, many planned projects are still moving forward. Prior to recent events, demand for floating production units was expected to finally make a recovery in the GoM, with three awards in 2010 (Chevron Jack St. Malo Semi, Big Foot and Shell Mars B TLP), leading to a substantial recovery in awards. With the initial effects of the spill now being digested, it appears that it is likely that all three of these units will still be awarded this year with there being some possibility of one slipping into 2011. The effects of the spill on floating production are likely to be less severe than other market segments, as the operators active in the GoM FPS market are primarily major oil companies who should not be affected by any new liability requirements.

### Assets In and Out of the GoM

Following the tragedy of the Deepwater Horizon and the resulting Macondo oil spill, many feared a large exodus of deepwater rigs would hamper operators' future GoM plans.



# 2010

However, many operators appear poised to wait out the moratorium with a view towards resuming drilling schedules. With that in mind, there have been a few notable movements of deepwater drilling assets. For instance, Murphy Oil has mobilized one deepwater rig formerly in the GoM to West Africa, and they have stated that if they can keep their deepwater rig busy there, then they probably will not bring it back to the GoM. Currently they do have the option to bring that rig back sometime in the second quarter of next year, but have stated that they would have to feel very comfortable that they have all the approvals necessary to get their work done. Plains Exploration & Production announced that they have studied their GoM operations over the past few months and are now planning to reduce GoM exposure and related capital spending. The company has set goals to secure \$1b to \$2b of value from its GoM assets through third party joint ventures and / or asset sales to support capital spending with operating cash flow. Hess had only one operating rig in the Gulf, the Stena Forth. This rig left the Pony #3 well in June as part of a pre-existing farm-out agreement. Depending on the results of the legislation in November, Hess may send the Stena Forth to Ghana when she is supposed to return in the fourth quarter of this year. Statoil's rigs are currently still in the GoM area and, as of right now, they are looking at where these assets could be deployed elsewhere which could mean more exploration in areas out-

side the U.S. Currently, Statoil does not see any real reason to leave the Gulf having stated that deepwater offshore is part of their core business and they see no reason to change current strategy in the region. Super-majors Shell and Chevron will not only maintain their current floating rig fleet in the GoM but also plan to stay on track to bring more deepwater rigs to the Gulf from 2011 forward.

### The Marine Construction Market

Of interest to the region's demand for marine construction assets is the near-term loss in working vessel days that will be required each year. Again, while 2010 and 2011 were not poised to be significant years of demand for this market segment, the real impact will be felt in 2012 through 2014, as many working vessel days will be displaced to later years. However, the regions still presents a favorable opportunity for installation players going forward.

Acergy believes that there will be a backlog of activity in the GoM and that an increase in the demand for the types of services they provide will be seen in the near future. The company also anticipates that deepwater projects due to be awarded over the next 12 months will likely be delayed until 2012 or possibly later. Soon-to-be merged partner, Subsea7, has other activities going on in the IRM side of the business that still seem to be very buoyant. The company thinks the outcome of the moratorium will have some benefit to companies similar to Subsea7 and that there will be increased IRM activities as a result.

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“Securitay, Securitay — Molinari departing Whitehall bound for St. George.” Twenty-four hours a day, in NY/NJ harbor the VHF bridge-to-bridge Channel 13 crackles a non-stop symphony of thousands of “security calls.” It is a veritable orchestration by captains of the Staten Island Ferry, dozens of water taxis crossing the North River or streaking up Buttermilk channel, tug boats and barges, container ships coming ‘round Bergen Point, sea-going palaces leaving three cruise ship terminals as well as dozens of passenger vessels, motor and sail, jostling for camera angles at the Statue of Liberty.

The Port of NY/NJ, is the nations third largest port. Henry Mahlmann, President of Sandy Hook Pilots said recently, “We are at the top of the food chain when it comes to diversity, as this port shares its waterway with

**Artist rendering of the Hornblower Hydrogen Hybrid (H3)**

everything from kayaks to cruise and container ships over 1,000 feet on a daily basis, seamlessly.” Nearly 12,000 deep draft ship arrivals and departures in the NY/NJ region share the same waters with passenger vessel operators. As ferry traffic routes, dinner boats, charter vessels of all persuasion and tug and barge transits expand, along with increased sailings by recreational vessels ranging from paddlers to mega yachts, it is no wonder the USCG Vessel Traffic Service annually handles over 408,000 vessel movements in the port.

With AIS movements viewable on ones computer, the ultra high maritime traffic in NY/NJ can be easily understood by the mariner and non mariner alike. The busy port hosts over 700 annual marine events, according to USCG Sector NY. As if boat races, regattas, fireworks, and



(Image courtesy Statue Cruises)

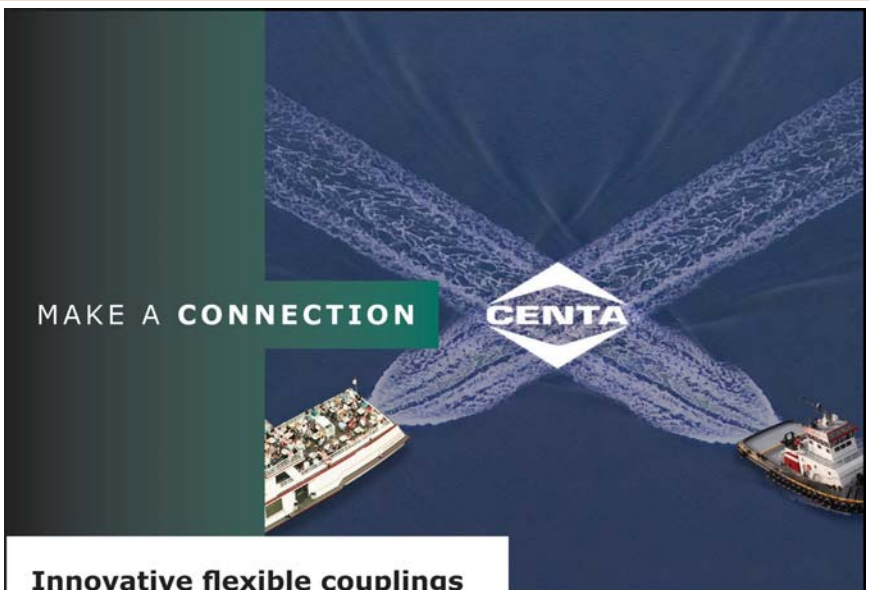
parades were not enough, the Red Bull air race, Macys fireworks, last years Quadracentennial of Henry Hudsons visit, Fleet Week and the arrival of the USS New York, were highlights in the port. Passenger vessels benefitted from increased opportunities for charters, dinner cruises, sunset sailings and sightseeing for the events.

The NY/NJ waterway has reached “unprecedented visibility” according to Tom Fox, founder and advisor to New York Watertaxi. He cited five governmental agencies that are seriously studying the growth and expansion of ferry service including the NYC Economic Development Commission, the Office of Emergency Management, the Port Authority of NY/NJ, NYC Planning Commission, and the National Parks. Fox said he eagerly awaits NYCs East River Ferry Service scheduled to begin in 2011.

This year, the ferry eyes of the world were focused on New York/New Jersey port, as the Interferry Conference came to New York, a change from Istanbul, a year ago. To emphasize Foxs view, USCG Sector NY reports 60 million people utilize the NY/NJ ferry system annually. Arthur E Imperatore Jr., NY Waterway President reported the region is recovering and NY Waterway ferry ridership has rebounded to 30,000 daily passenger trips. Imperatore stated, “NY Waterway has held the line on fares and taken other steps including expanded free bus service to address customers’ price sensitivity.” While looking forward to an improved

2011, Imperatore mentioned how visibility of the New York harbor increased as customers on the 90 Minute Harbor Tour remain interest-

ed in the details of the “Miracle on the Hudson,” in which NY Waterway ferry crews rescued 143 of the 155 passengers on Flight 1549, the most



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Classic Harbor Lines Captain Sarah Greer, reported, “We didnt have a sunset cruise that didnt sell out this year,” with their two very visible schooners, Adirondack, Adirondack III and the motor yacht Manhattan. Last year, she lamented it wasn’t the economy as much as the weather impacting Classic Harbor Lines bottom-line. She looks forward to growth in 2011 as Scarano Boat Building of Albany, delivers a new classic 105 foot schooner, named America 2.0, harking back to the early Americas Cup ves-

sels. “It will be a tribute,” said Capt Greer “to Americas Cup, and a tribute to contemporary design as a ‘green vessel’ with electric propulsion, a freestanding carbon fiber rig and very up-to-date below the waterline configuration.” The new 75 pax schooner emphasizes Capt Greers credo, “People like to sail.”

Mathias Chouraki, Sailtime NY and Luxury Yacht Partners owner, echoed the popularity of sailing. His 2011 plans will add two new 30-40 foot sailboats and two 70-80 foot motor yachts. “Customers are ready to spend

**NY Water taxi in Red Hook serving the IKEA store.**



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money again,” Chouraki commented, “More and more people are now aware of our waterfront not simply as something to see from their apartment window or landscaped promenade but how easy it is to charter a boat in Manhattan and enjoy this wonderful resource.”

The resource has also not been taken for granted by Statue Cruises (Hornblower). The national impact, resulting from the wide reporting of the Statue of Liberty’s crown reopening increased their bookings. “Our Ellis Island and the Statue of Liberty ferries are the clydesdales of the operation,” according to Hornblower corporate public relations spokesperson, Tegan Firth. She reported Statue cruises is expanding their dinner boat and exploring new charter markets. Currently, at Derektor Shipbuilding in Connecticut, the Hornblower Hydrogen Hybrid vessel dubbed H3 is taking shape. Scheduled to be splashed April 2011, the design features wind turbines and solar power. Upgrading their entire fleet, all their vessels will be re-engined with Tier II power plants. Firth echoed the USCG’s statistics regarding marine events by mentioning the upcoming 125th anniversary of the Statue of Liberty’s dedication in NY Harbor.

The Port of NY/NJ is busy and operators look forward to a robust 2011. The variety of vessel traffic is growing. Passenger vessel operators are part of the intense maritime activity. “The fact that the system operates efficiently and safely is a testament to the culture of safety and best practices followed by the ports stakeholders” said Robert H. Pouch, Deputy Commander, Operations NYNM/New

York Division of Military and Naval Affairs.

Sandy Hook Pilots President Mahlmann emphasizes how the harbor community shares the NY/NJ waters with diverse stakeholders, and the need for situational awareness on the part of all operators. In spite of the wonders of AIS, GPS, VTS, Integrated Bridge Systems and I NAV apps on cell phones, Mahlmann succinctly counsels: “Look out the [expletive deleted] window!” **MN**

**NY Harbor, Little Lady ferry traverses North River with the Empire State building in background**





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In the vessel construction market, small boat builder All American Marine of Bellingham, Wash., and RIB builder Wing Inflatables of Arcata, Calif. both reported a satisfactory 2010 in their niche markets, with good reasons to be optimistic about 2011. Bollinger Shipyards, a major builder in the offshore market also had a good 2010, but is bracing for the impact of the drilling moratorium going into 2011. Meanwhile, new yard, Argosy Boat Company, of Pierre Part, La., is still working to establish itself as a diesel-electric, Z-drive towboat builder.

Wing Inflatables builds sponsons for rigid inflatable boats (RIBs) whose missions range from disaster relief and protecting the U.S. fleet to whale watching excursions. President Bill Wing said “Wing Inflatables has been steadily growing and 2010 will end well.” The company expects stable growth in its core sponson business and has launched its newest product, the P-4.7 Combat Rubber Raiding Craft (CRRC). The CRRC is used in littoral operations and can be broken down, folded up and transported.

“As fuel prices continue to rise, we believe more and more agencies will consider RIBs or inflatable alternatives in lieu of totally rigid constructed boats. The weight savings translates into lower fuel consumption and lower operating expense,” Wing said. “In boarding situations, RIBs are particularly well-suited because they allow contact with the subject vessel without inflicting or incurring damage and they offer shock mitigation, and flotation of course.”



**Above:**  
Production on the floor  
of All American Marine’s  
facilities in Bellingham,  
Wash.



**Right:**  
All American Marine  
President Matt Mullet

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(Photo courtesy Bollinger Shipyards)

Artist rendition of the USCG's Sentinel Class 154-ft Patrol Boats currently under construction at Bollinger Shipyards.

## Matt Mullett

"I have been a bit surprised by the number of contacts we have made this year who are looking to start up new passenger vessel service."

All American Marine (AAM) President Matt Mullett said "We started 2010 with an encouraging backlog and the new contracts we recently signed will ensure a steady workload lasting well into 2011." AAM specializes in the construction of custom aluminum catamarans and monohulls for survey, research, ferry, patrol, eco-tour, fishing and dive applications.

"We went back to our roots and are in the process of building several Bristol Bay sternpicker fishing boats this year. Our founding partner worked with our naval architect (Teknicraft Design, Ltd.) to offer a newly engineered design for this niche market. The fishery has rebounded, prices are up, buyers are paying a premium for fish that have only been refrigerated and the maturation of capital construction funds are sparking strong interest in new fishing vessel construction."

There are other interesting highlights in vessel construction, Mullett said. "I have been a bit surprised by the number of contacts we have made this year who are looking to start up new passenger vessel service. Economic hardships and environmental concerns may finally be pushing commuters harder to seriously consider waterborne transit as a viable option."

Also Mullett said "One market segment that seems to remain isolated from the effects of the recession is the oceanographic survey and research vessel market. We are speculating that the demand for these specialized vessels will only grow as the planning of offshore wind farms commences and regulations are implemented in

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The advertisement features several images of marine deck fittings and equipment. On the left, there is a large metal fitting. In the center, there is a complex mechanical device with rollers. On the right, there are smaller fittings, including a circular one and a rectangular one. At the bottom right, there is a piece of equipment that looks like a winch or a similar mechanical device.



the offshore oil fields.”

On the other end of the spectrum, Bollinger Shipyards builds offshore oil field support vessels and fast military patrol boats among other types of vessels and has 12 shipyards between New Orleans and Houston. Benjamin G. Bordelon, Executive Vice President, Repair, at Bollinger Shipyards said “Coming off of a down market in 2009 we finished the year on a high note with the award of three options on our USCG Sentinel Class Patrol Boat program. Bollinger entered 2010 with optimism as the oil and gas market showed signs of rebound.”

“Our new construction backlog was fairly constant in 2010. We delivered OPA'90 tank barges to Bouchard Transportation and K-Sea Transportation, and multiple DP II classed OSV's. Our backlog was solidified when we announced the award of the next generation tugs for Crowley as well as several other barge contracts. Our workforce will remain strong for the remainder of 2010.” However, Bordelon said, “As for 2011, we are prepared to go through a down market for the majority of our business segments. The current deep-water drilling moratorium is creating uncertainty in the market and has created a situation that makes it nearly impossible for companies to make any future plans. We are also seeing that the de facto moratorium in the shallow waters is playing a similar role for that market.”

From a fledgling yard's perspective, Dave Reidt of Argosy Boat Company said “2010 has been a really difficult year for us as we spent over 18 months finding sufficient funding for

our new yard. As a new start up shipyard it is difficult to secure customers in such a depressed market. 2011 will be substantially better, especially

when we prove our fuel savings are not just speculation, they are real.” Argosy Boat Company builds diesel-electric powered inland river tow-



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**Above:**  
Wing Inflatables President Bill Wing.

**Left:**  
Wing Inflatables Factory in Arcata, Calif.

(Photo courtesy Wing Inflatables)

## Coast Guard Commandant on Ship Budget

In September, the Congressional Shipbuilding Caucus hosted a meeting with the Commandant of the Coast Guard, Adm. Robert J. Papp, to discuss the Coast Guard's ship force structure needs, its missions, future threats and the U.S. shipbuilding industry. Admiral Papp conveyed the difficulty the Coast Guard has in keeping its major programs funded sufficiently. The Admiral discussed specific programs such as the National Security Cutter (NSC), the Fast Response Cutter (FRC) and the Offshore Patrol Cutter (OPC). The Admiral acknowledged that the fleet has grown far too old, citing the High Endurance Cutter (HEC), which has an average age of 41 years despite a life expectancy of 20 years. He called the Offshore Patrol Cutter his "pet project," and that he intends to make sure this class of cutters is well on its way in production during his tenure as Commandant. While fewer OPCs will be built than the class they will replace, he assured the audience that they will be much more capable. He emphasized that the Coast Guard needs to keep working to increase its acquisition budget.

The NSC consumes half the entire acquisition budget of \$1.4b, making it extremely difficult to include all the items the Coast Guard needs to meet its various missions. Moreover, the Office of Management and Budget mandates that the Coast Guard buy each vessel in whole in one fiscal year. One option Adm. Papp proposed was to work for more flexibility in its acquisitions by spreading funding for vessels over multi years as is the Navy's practice. He added that Secretary of Homeland Security Janet Napolitano has opened discussion with OMB regarding this approach. Underscoring the fiscal constraints on the Coast Guard is its polar icebreaker fleet, which the Admiral stated is a program that clearly needs attention. Although the USCGC Healy is operating in the Arctic, there is currently no heavy duty icebreaker capability available to the Coast Guard, and the Admiral added that the Antarctic region cannot be overlooked. There is currently no projection for new icebreakers in the budget and while Congress added \$57m to overhaul the Polar Star, a decision has to be made regarding the future of this fleet.

# 2010

boats with Z-Drive azimuth thrusters. "We stay focused on 1,200 hp to 6,000 hp vessels for the Inland waterways. Our new unique design will save operators at least 30% per day in fuel cost."


The yard's plan is to get in on an emerging market. "Diesel electric and Z-dive technology will drive the next round of new vessels," Reidt said. "Things change very slowly in our market but the time has come for more aggressive build strategies and use of 'green' technology. The next big market we feel is going to be LNG barges."

Reidt also believes that changing Coast Guard rules for inspected vessels will create a strong need for refurbishing and repairs of older boats. But he doesn't think much of how the government in general has supported the maritime industry.

"MARAD is totally unavailable for the little guy," Reidt said. "Our government talks a great game about things like the Great Marine Highway Initiative, which to date has done nothing but line politicians' pockets. The investment in our water borne systems and their vessels would return more benefits, such as immediate increases in high paying blue collar jobs, thousands of construction jobs fixing the deteriorated condition of our locks and dams, than anything else in Congress."

"Without barges and towboats," he said "a single loaf of bread could cost over \$55 just to get the grain to a mill to turn it into bread."

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## A Day in the Life of a Towboater ... Part III:

# Old Salts & New Cooks

*Last August MarineNews' Raina Clark began the story of her eight day trip on the Mississippi and Illinois Rivers on the towboats Theresa Wood and Thomas E. Erickson, both chartered by AEP River Operations and owned by Marquette Transportation. To date we've examined the working lives of the crew, how the relationship between the boats and the lock facilities has changed since 9/11, a river boat captain who built his crew into a tightly knit team and the uniqueness of the Upper Mississippi. In this final installment, we relay the experience of a first time towboater, the tales of a salty captain and **being held up on the river waiting on failing infrastructure.***

### Story & Photos by Raina Clark

I left the Theresa Wood and her tow at Lock 10 in Gutenburg, Wis. on the upper Mississippi River. My AEP River Operations contact, Sharon Tharp, who had picked me up at the St. Louis airport and delivered me to the boat five days earlier, was again waiting by the company SUV. By afternoon we had driven to Pekin, Ill. to meet the Thomas E. Erickson, which I would ride down the Illinois River until I was once again on the Mississippi.

Even though Pekin is a small, blue-collar town, the kind of town Bruce Springsteen would sing about, finding the tug company that was to deliver me to the Thomas E. Erickson wasn't easy. After driving up and down one of the roads running along the banks of the Illinois River, we stopped at a gas station to ask for directions. One man told us he had no idea about any tug company, but we should speak to his friend who knew every person and



business Pekin had seen in the last 30 years. His friend in turn told us, "I've lived in this town my whole life and I've never heard of a tug boat company."

It wasn't surprising, considering how unaware the general population is of maritime commerce, even in its own backyard. We finally found the company behind a non-descript chain link fence hung with black and white DHS notices. We'd already passed it twice and I decided Joe Q. Public could be forgiven for not knowing the tug boat company even existed. Ultimately, however, the search was in vain. We were told the tug would not be able to deliver me to the towboat after all. Security reasons.

*Captain Towns has been on the rivers since 1971. He started when minimum wage was 90 cents an hour and came out on the river for \$17.50 a day.*



Plan B was to wait further up river where crew members from the Thomas E. Erickson picked me up in a flat bottomed skiff. Little was said during my first 24 hours on the boat. If I was unsure of what to do with myself, with no specific responsibility other than to observe life on a towboat, the crew was even less sure of what to do with me. I spent the next morning wandering the decks with my camera and seeing few crewmembers until after lunch when I visited the galley. Sheila Prince, the cook, gave me a smile and asked if I was hungry with a sweet Tennessee drawl. Even though the crew had already eaten and she was surely on her break, she started listing

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Relief Captain John Towns in the pilothouse of the Thomas E. Erickson.

the dishes she'd prepared since that morning: I ate while Sheila told me about the crew.

Almost everyone aboard was relief crew, including herself, filling in for the regulars who were taking their time off. They were a very quiet bunch, keeping to themselves, she told me. But the regulars she had met when she first came aboard were just as loud as the crew I'd met on the Theresa Wood, "always laughing and carrying on and teasing each other."

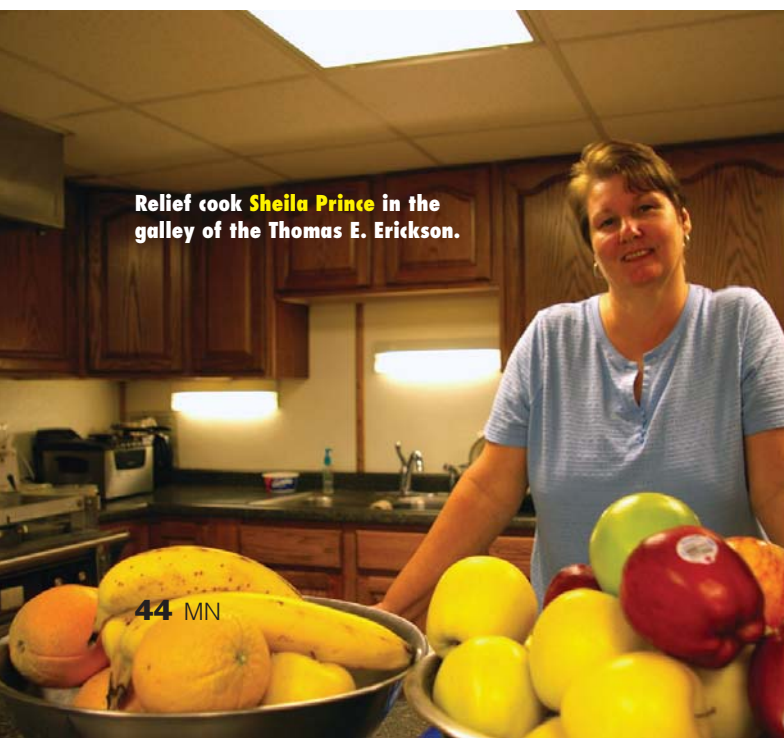
I understood then why my first day on the Thomas E. Erickson was nothing like my introduction to the Theresa Wood. It was the difference between a regular group of towboaters and a crew in transition; a group of people

who knew what to expect from each other and their jobs and one that has yet to chart it all out.

Sheila was brand new herself, just finishing up her first trip on a towboat. Her husband, a preacher in Tennessee, had become very sick with diabetes. They knew she would need to find a way to be self-supporting as his illness progressed, so she applied for a cook position with Marquette Transportation, listing her qualifications as cooking for her family and working at a kindergarten. She was terrified at first, she said, especially of the Thomas E. Erickson's relief captain.

"I was scared to death of John when I first came on," Sheila said. Captain John Towns looked to her like Yosemite Sam with his great long beard and gruff appearance. Although the boat was a far cry from her kinder-

*Captain Towns had been told there would be 12 boats waiting to get through the Melvin Price Locks ahead of us and we were in for a 16 hour delay. Each boat would have to break its tow to get through the 600-ft chamber because the 1,200-ft chamber was down. Twenty-four hours later the Thomas E. Erickson held its position alongside the Issaquena, another Marquette Transportation towboat, at the edge of the river, still waiting to get through the lock. Now we were told the 600-ft lock was also down.*



Relief cook Sheila Prince in the galley of the Thomas E. Erickson.

garten, the job wasn't much different than cooking for her family. And, she said, "John is really a very nice man." After a couple days of eating Sheila's cooking, Towns said he would have requested her as regular cook if he was a regular captain.

Unlike Sheila, Captain Towns has been on the rivers since 1971. He started when minimum wage was 90 cents an hour and came out on the river for \$17.50 a day. Up in the pilothouse, on the last day of my trip, he told me he was born and raised in Southern Illinois and was in the Army for four years and the National Guard out of Paducah for another six. He traveled the world with the military and has driven the outer rim of Australia and all through Alaska on bikes (of the Harley Davidson persua-

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**The crew of the Thomas E. Erickson works to keep the vessel clean.**

sion). In an almost *Forest Gump* turn of events, in 1969 Towns said he ended up at the most famous hippy event in history while he was on R&R from the Army. He was 17 years old and went to visit a friend who told him there would be lots of girls hanging around his farming community.

“When I got there,” Towns said, “no one was around. My friend’s grandmother said everyone went to this field down the way. So we went to find the girls.” And that’s how John Towns went to Woodstock.

After the military, Towns’ first trip on a towboat was 56 days long, “back when they’d let you ride as long as you’d stay on,” he said. “When I got off I said ‘if this is towboatin’ they can go to hell.’” But he was 21 years old and after a couple weeks back home he was broke.

“They called me again and I said, ‘Yeah, I’ll go out one more time.’” Towns smiled, holding up one browned and sun-freckled finger. Here he is today, looking forward to retirement and taking on relief work when he’s not at bike rallies.

The Thomas E. Erickson eventually took me back to the same stretch of the Mississippi where I’d boarded the Theresa Wood, several days earlier. Captain Towns had been told there would be 12 boats waiting to get through the Melvin Price Locks ahead of us and we were in for a 16-hour delay. Each boat would have to break its tow to get through the 600-ft chamber because the 1,200-ft chamber was down.

Twenty-four hours later the Thomas E. Erickson held its position alongside the Issaquena, another Marquette Transportation towboat, at the edge of the river, still waiting to get through the lock. Now we were told the 600-ft lock was also down. Delays at the lock are common place,

but before the Melvin Price Locks replaced Lock 26, it was even worse, Towns said. Lock 26 only had one chamber and Towns once waited 35 days to get through.

“All the crew did was soogee and chip and paint,” he said.

It may have been painfully boring for the crew, but preparing to go through Lock 26 turned the pilots’ hair gray. The lock was built at such a place on the river that vessels had to flank (turn and slide sideways with the current) just before lining up to go through.

“It was hell getting through there,” Towns said.

My plan to travel through the locks was eventually scrapped. Sharon drove to where the boat was holding position near a highway paralleling the river. Looking out for Sharon’s car I stood on the deck with Sheila who was also waiting to be picked up. A crew van was due to take her to the company’s office where her husband would meet her and take her the rest of the way home. Sheila wouldn’t be to the office for several more hours, but her husband, who couldn’t wait at home any longer, had already started driving to meet her.

I crossed the tows of the Thomas E. Erickson and the Issaquena and was ferried across a stretch of shallow water in a little skiff and finally climbed up a rock embankment to Sharon’s waiting car. The relief mate who pulled the skiff across with a rope told me he’s gotten off boats in many more creative ways. It reminded me of the stories Captain Rusty of the Theresa Wood told me about wearing plastic garbage bags around his legs to hike through muck between a skiff and shore. When it’s your time to go home, he told me, you do what you have to do.

I’d been home for a month when I got a call from Sheila. “You’ll never guess where I am,” she said. I figured she was done with her two weeks off and already in the middle of



**Raina's Ride**  
**The crew of the Issaquena and the Thomas E. Erickson lower a skiff to ferry Raina to her roadside pick-up.**



her second trip. "They put me on the Theresa Wood," she said. "Captain Rusty asked me to come on regular."

"That's really great news!" I told her, happy for both her and the rest of the crew on the Theresa Wood. I could see them enjoying all the twice-baked potatoes, pork chops,

steak and eggs, fresh pies and big chocolate cakes they could eat, and Captain Rusty with his tender grilled chicken breast on a bed of fresh greens. A good crew is a second family and I know Sheila and the rest of the crew of the Theresa Wood are looking out for each other. **MN**

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## MetalCraft Marine Delivers FireStorm 70



MetalCraft Marine of Kingston, Ontario & Clayton, N.Y. delivered a new CBRNE FireStorm 70 to

Jacksonville Fire/Rescue, Fla. The \$4.7m dollar vessel was purchased with a 2008 Port Security Grant.

### Specifications/Main Particulars:

Length, o.a. ....70 ft, flush deck  
 Beam, o.a. ....22.8 ft  
 Draft .....3.5 ft  
 Speed .....41 kts fully loaded  
 Engine .....Quad Caterpillar C18 @ 1015 hp  
 Jets .....Quad Hamilton HJ403  
 Pumps4x Hale 8 FKF pumps producing over 14,000 gpm at 150 psi  
 Monitors1x Remote Stang, 2x remote Elkhart and 2x manual Elkhart's

## NY Power Authority's Havasu II Christened



The New York Power Authority's newly constructed pedestal crane barge was christened at Great Lakes Shipyard, Cleveland, Ohio. The barge will be used for deployment and retrieval of an ice boom placed across the Niagara River at Buffalo, N.Y. to prevent ice from blocking the hydro-electric water intakes of the New York Power Authority. Bristol Harbor Group Inc., Bristol, R.I., designed the barge and acted as its representatives during construction.

### Specifications:

Length, o.a. ....80 ft  
 Beam .....34 ft  
 Depth .....5 ft  
 Design draft .....2.5 ft  
 Displacement .....124 LT(est)  
 Watertight door ...1x Nabrico, DF-605-2460LP  
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## Another Truckable Tug from Mid America

Mid America Shipyards LLC, of Fort Smith, Ark., has delivered another



er of its truckable tug boats. The vessel has been shipped to a project in up-state New York. This tug boat was constructed in 30 working days which was done in half the time of Mid America's last tugs. The J-KRAB is the seventh vessel to leave the yard so far this year. John Deere 6081's give the vessel 660 hp.

## Tug Boat Oyster Creek



Chesapeake Shipbuilding launched the new tug boat Oyster Creek. The Oyster Creek is the fifth of six tug-boats that Chesapeake is building for Vane Brothers of Baltimore, Md. The tug will now go into its outfitting stages. Each of the six tugs are 94 ft

### Specifications:

Length .....25.5 ft  
 Beam .....14 ft  
 Hull depth .....5 ft  
 Max draft .....3.3 ft  
 Propulsion .....Twin screw  
 Twin disc transmissions .....5075 SC  
 Propellers .....34 in  
 Propeller Shafts .....3 in stainless steel  
 Vessel weight .....Approx. 41,000 lbs

long and have a 32 ft beam. They are equipped with a single drum hydraulic winch from JonRie of N.J. and twin Caterpillar 3512 main engines capable of producing a combined 3,000 hp. The Oyster Creek was designed by naval architect Entech & Associates Inc. and Chesapeake Shipbuilding Corp.

### Specifications/Main Particulars:

Length .....94 ft  
 Beam, molded .....32 ft  
 Draft .....11.5 ft  
 Depth, molded .....13.3 ft  
 Towing winch .....JonRie Intertech Series 500  
 Construction .....Welded steel  
 Displacement .....331 Long Tons (light ship)  
 Main engines .....2x Caterpillar 3512C,  
 .....1,500 hp each at 1,800 rpm, Tier II  
 Generator .....2x John Deere 6068, 99 kW  
 Shafts .....8 in  
 Propellers .....2x 4-blade 87 in x 63 in,  
 Steering .....Huber elec/hyd  
 Sewage .....Owens Kleen Tank Model B

## SeaArk Delivers Vessel to National Park Service

SeaArk Marine, Inc. has delivered a 42-ft Dauntless class vessel to Cumberland Island National Seashore in St. Mary's, Ga. The vessel, Loggerhead, is tasked with transporting park rangers, personnel and light equipment from St. Mary's to Cumberland Island and jurisdictional waters within the Park Service. The SeaArk 42-ft Dauntless is constructed of all-welded marine grade aluminum. The design incorporates a two-man pilot-house and a 20-passenger aft crew cabin. The Loggerhead will be replacing the current service vessel, General Greene, also built by SeaArk Marine.

### Specifications/Main Particulars:

Length, o.a. ....42 ft  
 Length, w.l. ....38 ft  
 Beam .....14 ft  
 Draft hull, max .....4 ft  
 Dead rise .....22 degrees  
 Displacement .....28,601 lbs  
 Fuel .....500 gal  
 Speed, max .....33 kts  
 Speed, service .....30 kts  
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## PEOPLE & COMPANY NEWS



**Dr. Bruno**



**Macklin**



**Hahne**



**Childress**



**Reeve**



**Abbott**

### **Bruno Appointed Chairman of Marine Board, NRC**

Dr. Michael Bruno, Dean of the Schaefer School of Engineering and Science at Stevens Institute of Technology, has been selected as Chairman of the Marine Board, under the auspices of the Transportation Research Board (TRB) and the National Research Council (NRC).

### **Macklin Ops Manager, Cosalt Wind Energy**

Cosalt Wind Energy has appointed Adrian Macklin as its new Operations Manager. Macklin first joined Cosalt in 2001 as Manager of the Grimsby branch and was promoted to North East Area Manager.

### **Hahne Heads Resolve's New Orleans Base**

Resolve Marine Group has opened a New Orleans base of operations at 643 Magazine St., Suite 304, headed by former Coast Guardsmen Matthew Hahne. Hahne joins the company as Director of Regulatory Affairs and will focus on OPA-90 implementation, offshore immediate response regulations and tank barge response, among other marine services for tanker, cargo and other large commercial vessels.

### **President of Childress Marine Launches Foundation**

Don Childress announced the

launch of The Childress Foundation and Research Group, Inc. Based in Gulf Shores, Ala., The Childress Foundation and Research Group's mission is to protect our marine environment by building awareness and promoting public engagement to address environmental issues. Childress is the President of Childress Marine, Inc. which builds and repairs vessels subject to U.S. Coast Guard inspection.

### **Reeves Joins Robert Allan Ltd.**

Henry Reeve, P.E. (BASc, UBC Mech 95, Masters, NA and Offshore Engineering, Berkley '97) has joined Robert Allan Ltd. as a Senior Naval Architect. Reeve's areas of expertise include hydrodynamics and motions, mooring, resistance predictions, stability (ship and offshore), model testing, CFD analysis, regulatory and classification issues and vessel survey.

### **Godwin Pumps Mourns Loss of Joseph Abbott, Jr.**

Godwin Pumps, worldwide manufacturer and supplier of the Dri-Prime automatic self-priming pump, shared the news of the passing of Joseph L. Abbott, Jr., the company's National Sales Manager. Joining the Godwin Pumps team in 1989, Abbott brought sales and manufacturing expertise to the company from the sewer rehabilitation industry. Abbott helped build Godwin's distri-

bution network throughout the United States and Canada, managed product pricing and oversaw bids.

### **Bouchard Transportation Hires Zash**

Bouchard Transportation Co., Inc. announced that Matt Zash has joined its team in the capacity of Business Development / Sales. Zash joins Bouchard after graduating from Duke University in 2006 with a bachelor's degree in Economics and Hofstra University in 2008 with a master's degree in Education.

### **Small Promoted at Bay Diesel & Generator**

Bay Diesel & Generator promoted John Small to the position of Inside Sales Coordinator. Small will support all of Bay Diesel & Generator's sales staff in the marine, industrial and power generation markets. Servicing the Mid-Atlantic States, Small will be based out of the Bay Diesel & Generator office at 809 Granby St., Norfolk, Va.

### **New St. Lawrence Seaway Board Members & CEO**

The St. Lawrence Seaway Management Corporation announced the following recent changes to its Board of Directors. Ian MacGregor assumed the position of Chair of the Board on August 18, 2010. MacGregor replaces Guy

## PEOPLE & COMPANY NEWS



**Zash**



**Small**



**Second Sentinel-Class Cutter**



**ACL expands warehouse space**

Véronneau, who recently left the Board after serving as Chair for the past four years. MacGregor is a director of Seaway Marine Transport and Chairman of Golden Star Resources Ltd. David L. Muir, FCA joined the Board of Directors in May 2010 as the representative of the Federal Government. Muir is Senior VP, Collins Barrow Ottawa Management Consultants Inc. Jonathan Bamberger joined the Board of Directors on August 28th as the industry representative for the Corporation's "Other Members." Bamberger is President, Redpath Sugar Ltd., based in Toronto, and Vice President, Commodities, American Sugar Refining Inc. The St. Lawrence Seaway Management Corporation also announced the appointment, effective November 1, 2010, of Terence F. Bowles as President and Chief Executive Officer to replace Dick Corfe who has served in the position since 2003. Bowles served as President and CEO of the Iron Ore Company of Canada from 2001 until early 2010.

### Second Sentinel-Class Cutter Contract Option Awarded

The Coast Guard awarded a \$166.1m contract option to Bollinger Shipyards of Lockport, La., on September 14 to begin production of four Sentinel-class Fast Response Cutters (FRCs). This option award

brings the total number of FRCs under contract with Bollinger to eight with a current contract value of \$410.7m. The current FRC contract contains options for up to 34 cutters and is worth up to \$1.5b if all options are exercised.

### ACL to Expand Warehouse Space

American Commercial Lines Inc. (ACL) has entered into an industrial

development agreement with CNW Resources of Naperville, Ill., a provider of metallurgical, chemical and foundry products. Under the industrial development agreement, ACL will construct a new warehouse at its barge terminal in Lemont, Ill., located 25 miles southwest of Chicago, to store and transport product for CNW. The new multi-purpose warehouse will significantly

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## PEOPLE & COMPANY NEWS

### Markey Machinery DEPCF-42 Winch for Offshore Tug



Markey Machinery Company of Seattle, Wash. recently delivered a model DEPCF-42 40HP Electric Render/Recover Winch to Eastern Shipbuilding for installation on the new Bisso Offshore tug, Beverly B. This hawser winch features capacity for 500 ft of 8-in soft-line, proven Render/Recover capability to 180 ft/min. line-speed and a brake that will hold 150 tons. All electric controls and a line-tension display system with data-logging rounds out the system. A Markey type CEW-60 2-Speed Electric Capstan on the stern is provided for general line-handling.

increase the indoor storage capacity of the company's Lemont terminal. ACL's existing 48,000 sq ft climate-controlled warehouse in Lemont is in its third year of operation. As a result of the new industrial development agreement with CNW, ACL will add 20,000 sq ft of new indoor storage capacity in Lemont.

### Towboat Emission Reduction Program Complete

On September 24, officials of Ingram Barge Company and the Mississippi River Corridor – Tennessee (MRCT) announced the results of an air emissions reduction program for towboats operating on the Mississippi River. Funding for this effort was awarded to MRCT by the U.S. Environmental Protection Agency as part of the Clean Diesel Emerging Technologies Program. The diesel oxidation catalyst (DOC) units were manufactured by Environmental Solutions Worldwide Inc., a retrofit technology provider. Testing of the units was performed by Emissstar, an energy and emissions consultancy. Ingram participated in the program by retrofitting six towboats in its inland marine fleet with a unique DOC and closed crank case

emission control system. The device fits inside the exhaust system of a towboat engine and reduces the amount of pollution resulting from burning diesel fuel.

### Rapp Hydema Winches for Alaska Research Vessel

Rapp Hydema NW has been awarded a major contract for supply of a complete suite of winches including oceanographic traction, hydrographic and CTD winches, two storage reels, side-handling boom, control systems and other equipment for the Alaska Regional Research Vessel (ARRV). The vessel is being built at Marinette Marine Shipyard. In addition, Rapp was awarded integrative services as Scientific Handling Services Integrator (SHSI) for the project. The vessel is to be operated by the University of Alaska-Fairbanks.

### Furuno: Multi-Million Dollar USCG Contract

Furuno USA, Inc. has been awarded a multi-year, multi-million dollar U.S. Coast Guard contract. The contract is for the replacement of up to 200 aging Radars on the USCG Cutter Fleet. The Cutter Fleet consists of a variety of vessels including,

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## PEOPLE & COMPANY NEWS

87-ft coastal patrol boats, 140-ft ice breaking tugs, 160-ft inland buoy tenders, 225-ft seagoing buoy tenders and 399-ft nuclear icebreakers. Each of these vessels will receive replacement IMO Radars that consist of single or multiple Black Box Radar processors, a 6.5-ft open array antenna and single or multiple displays.

### Jo-Kell Ranked Among Fastest Growing Companies

Jo-Kell Inc., an electrical distribution and engineering company, has earned a position on the 2010 Inc. 5000 annual ranking of the fastest-growing private companies in America. As an Inc. 5000 honoree, Jo-Kell shares a pedigree with such notable alumni as Inuit, Zappos, Under Armour, Microsoft, Visa among others.

### Ellicott Dredges 125th Anniversary

Ellicott Dredges, founded in 1885, celebrated its 125th anniversary by taking a dinner cruise around the Port of Baltimore aboard the turn of the century paddlewheel riverboat The Black-Eyed Susan. Almost 150 people celebrated Ellicott's 125th anniversary including employees, customers, board members, investors and government officials. Ellicott's President, Peter Bowe, attributed Ellicott's longevity to four factors: building good products, serving customers well, having good people and man-



### STIDD Seats On 2010 ISS Design Award Finalist

Ergonomic seating from STIDD Systems is installed on the Miss Lisa and Sycara IV, finalists for International Superyacht Society (ISS) 2010 International Design Awards. The 92-ft Miss Lisa from Citadel Yachts is a finalist for an ISS award in the "Best Power" category for superyachts from 24 to 40 meters and 151-ft Sycara IV from the Burger Boat Company is a finalist in the "Best Power" category for superyachts from 40 to 60 meters.



agement and having adequate capital to back it all up.

### ACMA Relocates Corp. Office

Alan C. McClure Associates (ACMA), a naval architecture and engineering firm, recently relocated its corporate office to 2929 Briarpark, Suite 220, Houston, Texas 77042. The company's new headquarters occupies 6000+ sq ft and includes an expanded drafting area as well as a room dedicated to housing the company's extensive computer systems that provide specialized analysis in-house and that can be accessed from remote locations.

### Donjon-SMIT Relocates Offices

Donjon-SMIT, an OPA-90 alliance, has moved its principle office to 909 North Washington St., Suite 300, Alexandria, Va. 22314. The relocation to larger facilities will support additional staff required to meet the

new U.S. Coast Guard Salvage and Marine Firefighting regulations. All phone numbers, including the emergency number, remain the same. The number is (703) 299-0081.

### TRAC Ecological Products Represented by PAC West

TRAC Ecological Products has appointed Pac-West Marketing to represent its product line in the western U.S. and British Columbia. Marine growth and scale build-up are major causes of water-cooled equipment failure. Traditional methods of cleaning (such as mechanical brushing or harsh acids) can damage equipment and are potentially harmful to the user and the environment. TRAC Ecological has developed a line of safe, biodegradable chemicals that efficiently and economically dissolve scale, barnacles, zebra mussels, calcium, rust, lime and other mineral deposits that can reduce water flow.

# DIRECTORY: CAD/CAM SOFTWARE & DESIGN

## 3D Measure Inc.

19 Loyola Terrace, Newport, RI  
www.3dmeasure.com  
Andrew Williams • tel: 401-848-4575  
email: info@3dmeasure.com  
Marine hull laser scanning

## Allswater Marine

1111 Bedford Highway, Halifax, NS B4A1B9  
Canada  
www.allswater.com  
C. MacEachern • tel: 902-444-7447 Ext. 154  
email: cmaceachern@allswater.com  
Allswater provides comprehensive marine engineering services to the marine and offshore industries

## Autoship Systems Corporation

Suite 1451, United Kingdom Building  
409 Granville St.  
Vancouver, BC V6C 1T2 Canada  
www.autoship.com  
Kal Uppal • tel: 604-254-4171  
email: sales@autoship.com  
Our full line of marine CAD/CAM software assists naval architects and builders in the design and construction of vessels from yachts and pleasure craft to large ships

## Bray Yacht Design & Research Ltd.

P.O. Box 75175, White Rock, BC V4B 5L4  
Canada  
www.brayyachtdesign.bc.ca  
Patrick Bray • tel: 604-531-8569  
email: pat@brayyachtdesign.bc.ca  
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## C. Raymond Hunt Associates

5 Dover St., New Bedford, MA 02740  
www.huntdesigns.com  
tel: 508-717-0600  
email: info@crhunt.com  
C. Raymond Hunt Associates offers a full range of design, naval architecture and engineering services to the marine industry, commercial and military operators, private clients and manufacturers

## DLBA Robotics, Ltd.

1320 Yacht Dr., Chesapeake, VA 23320  
www.dlbarobotics.com  
Doug Blount • tel: 757-543-1300  
email: dblount@dlbarobotics.com  
Utilize CAD/CAM to provide CNC machined casting patterns and large composite patterns

## Entech & Associates Inc.

P.O. Box 1470, Houma, LA 70361  
www.entech-associates.com  
Frank J. Basile P.E. • tel: 985-868-5524  
email: frankb@entech-associates.com  
Naval architecture and marine design


## HydroComp, Inc.

13 Jenkins Court, Durham, NH 03824  
www.hydrocompinc.com  
tel: 603-868-3344  
email: info@hydrocompinc.com  
HydroComp provides naval architects and ship builders with resistance and propulsion analysis solutions of the highest technical excellence


## Jensen Maritime Consultants, Inc.

1102 SW Massachusetts St., Seattle, WA 98134

## KEMEL USA INC.



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www.jensenmaritime.com  
tel: 206-284-1274  
email: mail@jensenmaritime.com  
Naval architecture & marine engineering firm

## JMS Naval Architects & Salvage Engineers

34 Water St., Mystic, CT 06355  
www.jmsnet.com  
tel: 860-536-0009  
email: mail@jensenmaritime.com  
Descr: A specialty maritime engineering firm with expertise in naval architecture, marine engineering, shipboard operations, salvage engineering and marine science

## Kubotek USA

2 Mount Royal Ave., Marlborough, MA 01752  
www.kubotekusa.com  
Dan Baar • tel: 508-229-2020  
email: sales@kubotekusa.com  
Geometric based 3D engineering software tools.

## Lay, Pitman, and Associates, Inc.

13891 Atlantic Blvd., Jacksonville, FL 32225  
www.laypitman.com  
Matt Pitman • tel: 904-221-7447  
email: LPA@laypitman.com  
Naval architect, marine design & engineering firm

## Maintech Maintenance Inc.

1795 N. Fry Rd., Katy, TX 77449  
www.maintech-usa.com  
Rob Peters • tel: 832-242-4283  
email: rpeters@maintech-usa.com  
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5555 Garden Grove Blvd., Westminster, CA 92683  
www.nenastran.com  
Dave Buckman • tel: 714-899-1220 Ext. 205  
email: dave.buckman@neisoftware.com  
NEi Nastran, FEMAP, NEi Fusion, NEi Explicit, MAESTRO

## Robert Allan Ltd.

230-1639 2nd Ave., W Vancouver, BC V6J 1H3,

Canada  
www.ral.ca  
tel: +1-604-736-9466  
email info@ral.ca  
Robert Allan Ltd. is Canada's most senior privately owned consulting naval architectural firm, established in Vancouver, BC in 1930

## Simerics, Inc.

303 Williams Ave., Ste 123, Huntsville, AL 35801  
www.simerics.com  
Tom Colbey • tel: 256-489-1480  
email: contact@simerics.com  
Simerics is a CAE software developer providing fluid flow analysis solutions for the fluid pumps and motors industry

## ShipConstructor Software Inc.

#304 - 3960 Quadra St., Victoria, BC V8X 4A3,  
Canada  
www.ShipConstructor.com  
Tracy Coghlin • tel: 250-479-3638  
email: Tracy.Coghlin@ShipConstructor.com  
ShipConstructor is a leader in CAD/CAM software for the shipbuilding and offshore industries

## Spatial Integrated Systems, Inc.

2815 Rouse Road Ext., Kinston, NC 28504  
www.sisinc.org  
Ken Ferguson • tel: 252-522-1456 Ext. 103  
email: ken.ferguson@sisinc.org  
Engineering products and services

## Think3, Inc.

7723 Tylers Place Blvd., Suite 106, Cincinnati, OH  
www.think3.com  
John Collins • tel: 312-480-0076  
email: john.collins@think3.com  
ThinkDesign Engineering, ThinkDesign Professional, TD PLM

## Timothy Graul Marine Design

211 North Third Ave., Sturgeon Bay, WI 54235  
tel: 920-743-5092  
email: information@TimGraul.com  
www.timgraul.com  
Naval architects & marine engineers



# BY THE NUMBERS

## Offshore Rig Fleet by Region

Region	%	No.
Africa – West	87.0%	(47/54)
Asia – SouthEast	83.5%	(71/85)
Europe - North Sea	90.1%	(64/71)
Mediterranean	52.4%	(11/21)
MidEast - Persian Gulf	78.4%	(76/97)
N. America – Mexico	66.7%	(22/33)
N. America - US GOM	63.8%	(51/80)
S. America – Brazil	83.9%	(52/62)

Source: Rigzone

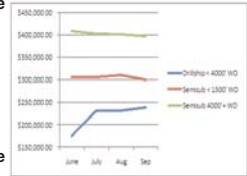
## Offshore Rig Utilization by Type

Type	%	No.
Drill Barge	80.0%	(8/10)
Drillship	76.5%	(39/51)
Jackup	77.5%	(274/363)
Semisub	85.1%	(143/168)
Submersible	0.0%	(0/1)
Tender	80.0%	(24/30)

## Offshore Rig Day Rates

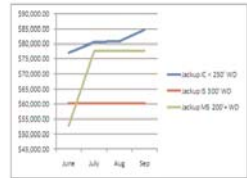
### Floating Rigs

Rig Type	Rigs Working	Total Rig Fleet	Average Day Rate
Drillship < 4000' WD	6 rigs	8 rigs	\$237,900.00
Drillship 4000'+ WD	35 rigs	45 rigs	\$420,324.13
Semisub < 1500' WD	10 rigs	18 rigs	\$300,278.57
Semisub 1500'+ WD	67 rigs	85 rigs	\$311,396.89
Semisub 4000'+ WD	74 rigs	90 rigs	\$397,858.97



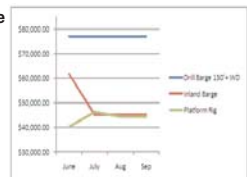
### Jackup Rigs

Rig Type	Rigs Working	Total Rig Fleet	Average Day Rate
Jackup IC < 250' WD	35 rigs	52 rigs	\$84,708.33
Jackup IC 250' WD	39 rigs	65 rigs	\$98,574.84
Jackup IC 300' WD	86 rigs	124 rigs	\$108,101.69
Jackup IC 300'+ WD	111 rigs	142 rigs	\$143,495.57
Jackup IS < 250' WD	5 rigs	7 rigs	—
Jackup IS 250' WD	8 rigs	10 rigs	\$137,000.00
Jackup IS 300' WD	2 rigs	5 rigs	\$60,300.00
Jackup IS 300'+ WD	0 rigs	3 rigs	—
Jackup MC < 200' WD	3 rigs	16 rigs	\$30,333.33
Jackup MC 200'+ WD	12 rigs	28 rigs	\$48,666.67
Jackup MS < 200' WD	2 rigs	2 rigs	—
Jackup MS 200'+ WD	4 rigs	19 rigs	\$77,813.33



### Other Offshore Rigs

Rig Type	Rigs Working	Total Rig Fleet	Average Day Rate
Drill Barge < 150' WD	18 rigs	39 rigs	—
Drill Barge 150'+ WD	6 rigs	9 rigs	\$77,000.00
Inland Barge	39 rigs	74 rigs	\$45,243.75
Platform Rig	147 rigs	250 rigs	\$44,463.33
Submersible	0 rigs	6 rigs	—
Tender	24 rigs	32 rigs	\$117,780.00



Source: Rigzone

Source: Charts courtesy of Waterborne Commerce Statistics Center, New Orleans, La. (<http://www.iwr.usace.army.mil/ndc/wcsc/wcsc.htm>)

## TSA Surcharge

### West Coast

Date	\$/MT	ch/\$	ch/%
Sep 20	452.50	-1.50	-0.3
Sep 13	454.00	-2.00	-0.4
Sep 6	456.00	+12.50	+2.8
Aug 30	443.50	+1.00	+0.2
Aug 23	442.50	-3.00	-0.7
Aug 16	445.50	-24.50	-5.2
Aug 9	470.00	+4.50	+1.0
Aug 2	465.50	+1.50	+0.3
July 26	464.00	+14.00	+3.1
July 19	450.00	+9.00	+2.0
July 12	441.00	+11.00	+2.6
July 5	430.00	-24.00	-5.3

### East Coast

Date	\$/MT	ch/\$	ch/%
Sep 20	459.00	-1.00	-0.2
Sep 13	460.00	+1.50	+0.3
Sep 6	458.50	+4.00	+0.9
Aug 30	454.50	+6.00	+1.3
Aug 23	448.50	-3.00	-0.7
Aug 16	451.50	-15.50	-3.3
Aug 9	467.00	+4.50	+1.0
Aug 2	462.50	+6.00	+1.3
July 26	456.50	+6.00	+1.3
July 19	450.50	+6.00	+1.3
July 12	444.50	+16.50	+3.9
July 5	428.00	-24.00	-5.3

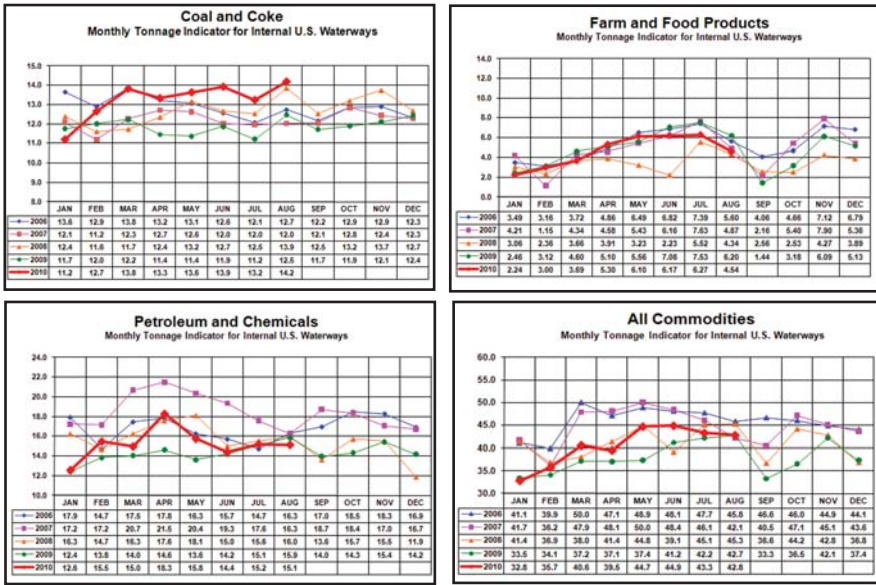
Source: Bunkerworld.com

<http://www.bunkerworld.com/markets/surcharges/tsa#>

## Indicative World Steel Prices

Indicative prices		Change
SBB HRC world price \$/t	684.846	+20
SBB Rebar world price \$/t	637.756	+31
SBB World Price Tracker	237.461	+6

Source: Steel Business Briefing  
<http://www.steelbb.com/steelprices/>



## Bunker Fuel

Port	IFO 380	IFO 180	MDO	Del. Date
Corpus Christi	460.00	495.00	720.00	D 2010-09-24
Houston	435.00	460.00	—	W 2010-09-24

Source: BunkerIndex.com - <http://www.bunkerworld.com/markets/prices>

Port	IFO380	IFO180	MGO	MDO	Barge	Updated
New York	455.00	476.00	—	722.50	\$7.50	Sep 24
Houston	438.50	468.00	—	692.50	\$7.00	Sep 24
Los Angeles	443.00	470.50	703.00	712.50	\$5.80	Sep 24

Source: Bunkerworld.com - <http://www.bunkerworld.com/markets/surcharges/tsa#>

# PRODUCTS

## Autohydro from Autoship

Autohydro is a complete hydrostatics and stability calculations program for naval architects, ship designers and marine engineers. A true floating simulator, Autohydro reports the reaction of the model to various conditions such as a loading configuration, a damage situation, conditions involving outside forces, wind or high speed turning momentum or some combination of these. Autohydro can also be used to obtain hull form characteristics and capacities. Vessel attitude is displayed graphically and in text on the screen. Report information, text and graphs, can be shown on the screen, edited, printed, saved or exported to other Windows applications.

<http://cadcam.autoship.com>

## PropElements from HydroComp

PropElements is a new software product from HydroComp for detail propeller design and analysis. PropElements provides the ability to uniquely capture the performance of a particular propeller on a particular vessel and provides a measure of technical scrutiny that has been absent. Naval architects can work in partnership with propeller manufacturers to insure that a proposed custom or semi-custom propeller design will perform as specified.

[www.hydrocompinc.com](http://www.hydrocompinc.com)

## ShipConstructor 2011 Released

ShipConstructor Software Inc. has released ShipConstructor 2011, the newest version of the company's AutoCAD-based CAD/CAM application. Multiple hierarchies can now be used to generate production output as well as analysis. To ensure that the ShipConstructor

SQL database is always optimized for maximum performance, ShipConstructor 2011 now provides a simple method for scheduling database maintenance operations including the cleanup of unused data, compacting of database files and the re-building of database indexes. The project revisions dialog has also been enhanced to make it easier to localize and examine project revision history.

[www.shipconstructor.com](http://www.shipconstructor.com)

## Foran in Acergy Havila Project

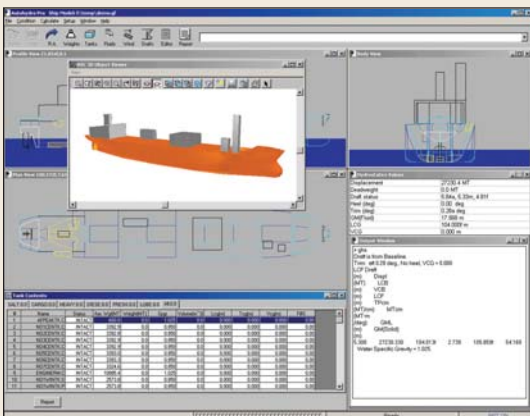
Foran was the CAD/CAM system used to engineer the Acergy Havila Project, a new Diving Support Vessel built after the agreement between Acergy and Havila Shipping. As there were many companies involved in the project, different subcontractors have acquired the new FCM module, which is a Foran solution developed by Sener for visualization and checking purposes. The Acergy Havila will have high transit speed, an ice-class hull and class-3 dynamic positioning. The ship has been nominated for the Ship of the Year award in Norway 2010.

## Aveva's New 64-Bit Versions

Aveva Group plc, provider of engineering design and information management solutions for the plant, power and marine industries, announced the release of the first 64-bit versions of its powerful visualization and design communication technologies. This enables designers to take advantage of the increased processing power of the latest 64-bit computers to create highly detailed and easily navigable 3D design visualizations of even bigger and more complex capital projects.

[www.aveva.com](http://www.aveva.com)

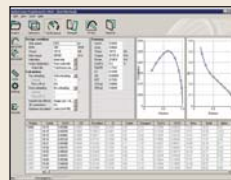
Autohydro



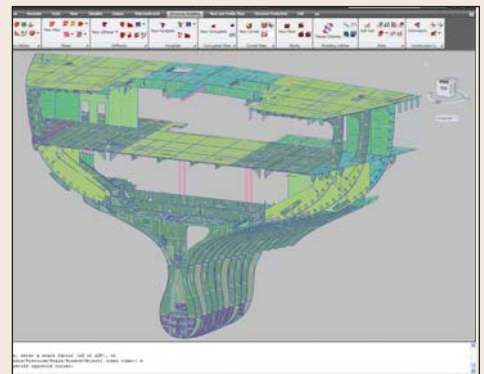
Aveva's 64-Bit Versions



Hydrocomp



ShipConstructor 2011



## PRODUCTS

### Miller's Filtair SWX Series Fume Extractors

Miller's new Filtair SWX Series space-saving wall-mounted welding fume extractors are available in either the self-cleaning SWX-S model or the disposable filter SWX-D model. SWX-Series extractors can be fastened to a variety of wall surfaces, allowing companies to improve air quality and protect employees without cluttering their shop floors. The SWX-Series uses surface-loading nanofiber filters designed specifically to capture the 95% of sub-micron particles found in welding fumes, including hexavalent chromium and manganese.

[www.MillerWelds.com](http://www.MillerWelds.com)

### Weldcraft Gas Lenses

Weldcraft offers multiple styles of precision-machined gas lenses to optimize shielding gas coverage and help ensure consistent, quality TIG welding performance. With styles available for both its WP Series and Crafter Series air and water-cooled TIG torches, Weldcraft's gas lenses provide superior current capacity, while effectively dissipating heat for longer, trouble-free performance. Weldcraft offers three main styles of gas lenses: standard size, large diameter and "stubby" to fit TIG torches with 10N or 13N series front-end parts.

[www.weldcraft.com](http://www.weldcraft.com)

### ESAB's Origo MIG Family of Welders

ESAB Welding & Cutting Products introduced the Origo MIG family of welders. Origo MIG 320, 410 and 510 are 230/460 V 3 ph 60 Hz step-switched power sources for medium (320) to heavy-duty (410 and 510) MIG welding.

[www.esabna.com](http://www.esabna.com)

### NEW DPC 2000 Documenting Process Calibrator

The new DPC 2000 from E-Instruments International is a documenting process calibrator with accuracy up to 0.015%. The DPC 2000 measures and simulates: DC voltage, DC current, 13 types of thermocouples, 13 types of RTDs, frequency, loop supply (24V), pressure and source pulse trains.

[www.e-inst.com](http://www.e-inst.com)

### Marine Panel Mount Computer Shock Tested

Comark Corporation announced that its 12-inch marine panel mount display with integrated computer and touch-screen options has passed the MIL-901D Grade A light-weight shock test. Testing was conducted at Sypris Test & Measurement Labs in Wayne, N.J. and consisted of multiple hits from a 400 lb. hammer dropped from a height of one ft, three ft, and five ft in three axis. The MDU12PC is available with both standard brightness and sunlight readable versions, up to 1000 NITs. Other features include a touchscreen interface, Core 2 Duo processing and multiple storage options.

[www.comarkcorp.com](http://www.comarkcorp.com)

### Horn Machine Tools 2010 Elite Series Tube Benders

Horn Machine Tools, Inc. introduced the 2010 Elite Series of tube bending machines with capacities ranging from 1-1/4 in. to 10 in. The Elite Series offers a 50% reduction in set-up time, user-friendly features, extended service intervals and faster bending speeds. The series features 12 models of heavy-duty tube benders, extended service intervals and a new main drive motor with higher hp for faster open/close and bending speeds.

[www.HornMachineTools.com](http://www.HornMachineTools.com)

### Miller's Filtair SWX



### Weldcraft Gas Lenses



### ESAB's Origo MIG Family



DPC 2000

### Horn Tube Benders



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### Production Manager

Job Location: Bahamas, Freeport

Position Summary

Manage all aspects of Production in the shipyard and all jobs from the time it is turned over by commercial to completion. Work closely with Project Managers to ensure timely job completion and accuracy. Manage Production workers and Trade Managers to ensure the jobs are properly staffed. Overall responsibility for budget and schedule adherence.

Responsibilities of the Position:

These shall include but not be limited to the following

Plan and schedule Jobs

Manage supervisors of all skilled Labor

Ensure the review of all job specifications and Variation orders

Responsible for tracking production progress and ensuring that production schedules are adhered to and dead lines are met.

Maintain an adequate skilled workforce to meet the shipyards needs by working closely with Human Resources for the hiring and training of the labor force.

Submit to Senior Management and report on Monday, Wednesday and Friday a production report including progress on each job, percentage complete, estimated total value for each job, including estimated gross profit

Coordinate efforts with other personnel involved in production, estimating, engineering, purchasing and project management. Reviews project proposals to ascertain time frame, funding limitations and to determine methods and procedures for accomplishment of the project.

Confers with staff to outline the project plans, designate personnel who will have re-

sponsibilities for the project, and establish scope of authority.

Required skills

Excellent interpersonal and communication skills, both oral and written

Must have excellent leadership skills and be able to motivate staff to achieve goals

Must be a self starter with the ability think independently and use good judgment in resolving issues with minimal supervision.

Must be able to function effectively in a fast-paced environment.

Must possess a positive attitude and is a Team player.

Must have a willingness to learn new skills and grow with the company

Fluency in multiple languages is highly desirable

Demonstrated knowledge of all aspects of the repair and refitting of ships is required.

Must be proficient in computers and have a working knowledge of standard software.

Minimum Qualifications

College degree preferred but not required, Technical training is required

Minimum 15 years experience in a supervisory role in a shipyard required

Bryan Spencer

Spencer Services

P.O. Box 25187

Colorado Springs CO 80936 USA

Phone: 719-522-1077

Fax: 719-522-1095

Email: [bryan@spencerservices.net](mailto:bryan@spencerservices.net)

### Broker

Job Location: USA, Coupeville, WA

30 year-old international shipbrokerage specializing in the sale, charter and appraisal of workboats is expanding and seeking to immediately hire another broker. This is a commission-based position with a base stipend for the broker's introductory period. Successful applicant must relocate to Whidbey Island, Washington, USA.

Position Skills:

- Three to four years experience in operating and/or surveying commercial work-



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Chief engineers for Coastal and Inland tugboats. Must possess a valid **DDE** (Designated Duty Engineers) license or greater. Valid **MMD** (Merchant Marine Document) required. Two years engine room experience required.

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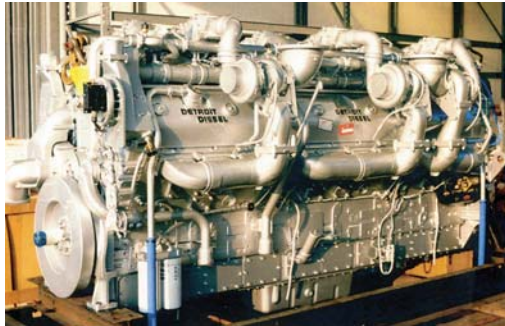


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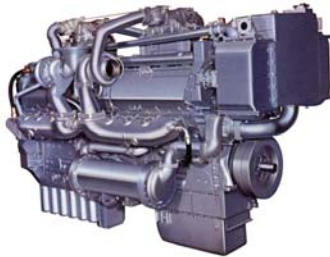
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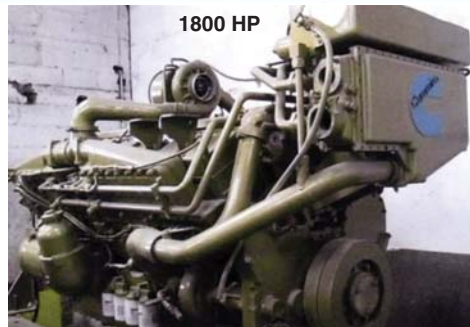
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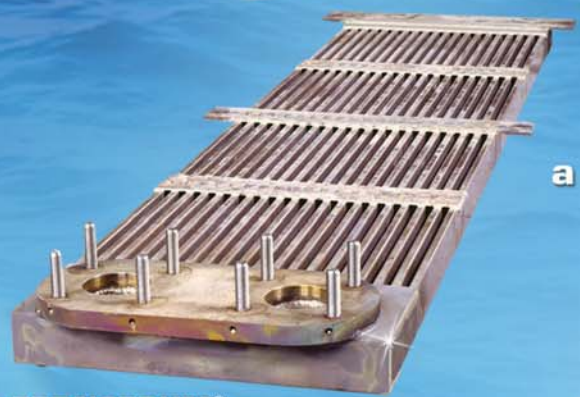
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