



## **OCTOBER NEWSLETTER**

### **Coast Guard Certification for the Next Generation of OSRV's is in Jeopardy**

The Deepwater Horizon clearly demonstrated that our fleet of Oil Spill Response Vessels (OSRV's) must be modernized. Due to an outdated Coast Guard policy letter, these vessels are currently limited to just 500 Gross Tons in size.

Last fall, and after years of discussion, the Coast Guard promised that a larger, more capable OSRV would be authorized. Based on this commitment, OMSA members made business plans to build and operate a new generation of OSRV's. These vessels are critical to improving our response capability in the Gulf and initiating offshore exploration in Alaska.

Just two weeks ago, OMSA was disappointed to learn that the Coast Guard has altered its plan to provide the immediate regulatory clarity necessary to deploy a more capable class of OSRV.

Working with the affected member companies, OMSA is petitioning both the Congress and the Coast Guard for a decision that will allow the United States to apply the best technology in our offshore oil spill response plans. OMSA has received strong support on Capitol Hill and we hope this situation will be favorably resolved very soon. There is simply no reason why bureaucratic second guessing should stand in the way of doing our best to protect the safety of life and the environment at sea.

### **Positive Development on Notice of Arrival on the OCS**

On September 8<sup>th</sup>, the House Transportation and Infrastructure (T&I) Committee passed the Coast Guard Authorization Act that included a provision that proposes an exemption of U.S. vessels from having to report a Notice of Arrival (NOA) on the Outer Continental Shelf unless that vessel is coming from a foreign port.

OMSA President Jim Adams was pleased with the action, stating "I want to sincerely thank Congressmen Boustany and Landry for their continued leadership and support of

the offshore service vessel industry. They recognize how this unnecessary regulation is an unworkable and expensive burden to the U.S. domestic fleet”.

The language was passed without objection or recommended changes by the Committee. Representative Charles Boustany introduced this language and Representative Jeff Landry was the sponsor of the language in Committee. This provision also had the support of Representative Don Young of Alaska. The Authorization Bill was introduced in the Senate on October 8<sup>th</sup> and we will keep the membership updated as the bill progresses through Congress.

OMSA continues to work with Coast Guard Headquarters on adjusting the regulation so that it makes sense for OMSA members. OMSA will present a formal proposal to HQ at the end of October that proposes using AIS to provide the Coast Guard with the most up-to-date information/location of our vessels.

The Authorization Act can be read here with the NOA provision at the very bottom <http://www.govtrack.us/congress/billtext.xpd?bill=h112-2838>.

### **Coast Guard Releases NPRM on New Towing Vessel Regulations**

The Coast Guard released its long awaited Notice of Proposed Rulemaking on the draft towing vessel inspection regulations on August 11, 2011. Comments to the docket are due December 9<sup>th</sup>, 2011. To download a copy of the NPRM, click [here](#).

The following towing vessels are exempt from this proposed rulemaking:

- Vessels less than 26 feet, unless moving a barge carrying dangerous or hazardous materials;
- Vessels used for assistance towing;
- Workboats operating exclusively within a worksit;
- Seagoing towing vessels greater than 300 GRT that are subject to inspection under 46 CFR Suchapter I;
- Vessels inspected under other Subchapters that may perform occasional towing.

Exempted vessels in the first three bullets above will be addressed in a separate, future rulemaking.

Here are some highlights of the proposed regulations:

- Establish a new 46 CFR Subchapter M containing nearly all of the requirements for inspected towing vessels.
- Requires towing companies to implement a safety management system. Companies that choose not to implement a safety management system would require annual Coast Guard inspections of towing vessels.

- Provides two compliance options:
  - 1) Compliance via the use of an approved Towing Safety Management System (TSMS) and Coast Guard-approved third parties; **OR**
  - 2) Compliance via annual inspections of the vessel by the Coast Guard

The OMSA staff has held two working group meetings to review the rulemaking and develop comments to the docket on behalf of the industry. OMSA has also participated in a Towing Safety Advisory Committee (TSAC) working group along with the American Waterways Operators (AWO) and other towing companies throughout the country.

The Coast Guard will hold four public meetings, including a meeting in New Orleans on Wednesday, October 26, 2011 from 9 a.m. until 5 p.m. at the Crowne Plaza (New Orleans-Airport), 2829 Williams Blvd., Kenner, LA 70062. The OMSA staff will give comments at this meeting and encourages all OMSA towing vessel operators to attend the meeting.

### **Congressman Landry's POWER Act to Create Offshore Jobs Passes through Committee**

The House Committee on Natural Resources unanimously passed the Providing for Our Workforce and Energy Resources Act (POWER Act), a bill introduced by Congressman Jeff Landry. This bill aims to close a loophole in existing law that allows offshore renewable energy resources to be installed or serviced by foreign workers. The POWER Act boosts job opportunities for U.S. citizens and increases worker safety.

“The members of the Offshore Marine Service Association are extremely grateful for Congressman Landry’s leadership in moving the POWER Act”, stated OMSA President Jim Adams. “It will ensure that all federal laws and regulations apply to offshore renewable energy development, making for a more certain market to attract investment. His actions promote new opportunities for South Louisiana’s mariners and boat companies while promoting safety and protecting the ocean environment”.

The POWER Act was the focus of a hearing of the House Subcommittee on Energy and Mineral Resources on September 13<sup>th</sup>. Mr. Joe Orgeron of Montco gave very robust testimony in support of the POWER Act before the Committee and highlighted the advantages the bill would bring to the offshore industry. In follow up questions from the committee, Mr. Orgeron stressed the incomparable safety record of the U.S. domestic offshore industry and vessel operators.

## **Congressman Landry Adds Standby Vessel Amendment to Coast Guard Authorization Bill**

Congressman Landry's Standby Vessel Section amendment to the Coast Guard Authorization Act would require that one year after enactment, owners/operators of manned facilities would be required to station a vessel within 3 nautical miles during drilling, P&A and work over operations. Additionally, a standby vessel would have to be on station within 12 nautical miles of manned production facilities.

The amendment allows Coast Guard District Commanders to lessen these distances if adverse weather conditions hamper a standby vessel's response time or water temperatures lessen the time before hypothermia sets in. District Commanders must provide 72 hours before reducing the distances.

The legislation allows one standby vessel to cover multiple platforms provided all covered vessels are within the specified distance (either 3 NM or 12 NM depending on the activity). The amendment defines a "standby vessel" by reference to 33 CFR 143.330 which requires an EEP, a fire monitor and other minimal safety and inspection requirements.

The date for floor consideration has not been announced. We will keep the membership informed as this moves through the legislative process.

## **OMSA Submits Comments on Supplemental Notice of Proposed Rulemaking on STCW Amendments**

The OMSA staff submitted a 13-page comment letter along with individual OMSA members to a Supplemental Notice of Proposed Rulemaking (SNPRM) released by the Coast Guard to address the 2010 STCW amendments. It is expected the Coast Guard will work to get the regulation changes implemented before the amendments go into effect on January 1, 2012.

While the 2010 proposal is an improvement from the 2009 edition, it still has points of concern, particularly with the proposal to reduce liftboat sea service credit to one day for each three days elevated. Another issue of concern that may help OMSA members is a requirement for other countries to implement their own programs to combat drug and alcohol abuse by mariners. This may help by clarifying the legality and feasibility of the Coast Guard requiring U.S. vessel operators to perform mandatory chemical testing under 46 CFR 16 on non-US citizens. The Coast Guard has denied the final administrative appeal of the Brazilian drug testing problem and we have now taken that battle to our legislative delegation and Congress.

The OMSA staff will continue to work with the Coast Guard to keep making progress on these issues and will keep the membership informed as more details become clear.

## **Members Corner:**

**OMSA's Fall Golf Tournament is Wednesday, October 19<sup>th</sup> at:**

Farm d'Allie Golf Club  
1235 Beau Bassin Road  
Carencro, LA 70520

We will have a double shotgun with 30 teams in the morning round and 30 teams in the afternoon round. Don't forget to register your team online at [www.offshoremarine.org](http://www.offshoremarine.org) and click on events calendar. Please note the deadline to drop without penalty is Monday, October 10<sup>th</sup> any no shows will be charged to the company if notice was not received.

**OMSA's 4<sup>th</sup> Quarter General Membership Meeting is Tuesday, October 18<sup>th</sup> at:**

Crowne Plaza Lafayette  
1801 W. Pinhook Road  
Lafayette, LA 70520  
337.233.8120 or 1.877.227.6963

Please make your sleeping room reservations by **Monday, October 10<sup>th</sup>!** OMSA's room rate is \$119 single/double (cancellations must be made 72 hours prior to arrival). Don't forget to mention your OMSA affiliation to receive the special rate.

Go online today and register for the meeting. Once you have completed your online registration an invoice will be emailed to you automatically. Our invoices are now emails.

To register for both the meeting and golf tournament, please register online at [www.offshoremarine.org](http://www.offshoremarine.org) and click on "meetings & events".

**Please welcome new OMSA members:**

**Jackson Offshore Operators, LLC**  
**Broadpoint, LLC**  
**Viking Life Saving Equipment**

**Regular Member**  
**Associate Member**  
**Associate Member**

Golf tournaments are OMSA fundraisers and your support helps us fight the fight in Washington. So thank you for support and we look forward to seeing you in Lafayette.

## **Sponsorship Wanted:**

If you are interested in sponsoring the OMSA Newsletter, please contact Kelly Pettigrew for more details. The OMSA Newsletter is sent to roughly 250 member companies. The sponsorship would include a full page layout and company logo on every page of the newsletter.



**Have a safe and Happy Halloween!**

**Your OMSA Staff**