

BY JOHN A. WITTE JR., PRESIDENT, AMERICAN SALVAGE ASSOCIATION

GOOD THINGS COME TO THOSE WHO WAIT

New Year's Eve is traditionally a time to celebrate the past and look ahead to the future. From the perspective of the American Salvage Association (ASA), New Year's Eve 2008 fulfilled this tradition, as the United States Coast Guard issued the long anticipated modifications to OPA-90 regarding Marine Salvage and Firefighting.

Almost 11 years in the making, this modification to OPA-90 provides more specific guidance to vessel owner/operators as to the question of what constitutes an acceptable salvor in response to the requirements of OPA-90. While covering a myriad of issues relating to marine salvage and firefighting, one of the highlights of these modifications is a list of 15 selection criteria that must be used by a vessel owner/operator when selecting a service provider as part of their Vessel Response Plan.

While the American Salvage Association is pleased with the implementation of these modifications, and applauds the United States Coast Guard and all other regulatory agencies who are responsible

for this final step in the implementation process, we are equally pleased with the ASA's ability to assist the decision-makers involved in this legislative review to reach agreement on how best to move forward with the process of Final Implementation. One of the many reasons the issuance of these modifications had been delayed was as a result of a misunderstanding by the marine community at large as to the goals and ultimately the costs to the vessel owner/operators of implementing these modifications. As a result of an ASA initiative, dialogue between a significant portion of the private sector players involved in this process was begun to discuss each other's concerns involving changes to OPA-90 and the practical result of the Final Implementation on the private sector. Suffice to say that at the end of the day, we all recognized that there was more agreement than dispute. Ultimately, the U.S. marine community (including foreign owners/operators) approached the United States Coast Guard as a united front which assisted in removing some of the impediments that delayed the implementation of these proposed modifications. The ASA recognizes that the best way to assist the Federal, state and local regulators with new legislation that will impact our business is to become part of the process itself. Only then can we hope to positively impact the environment in which we perform. The ASA continues to look forward to the opportunity to work within the system for the benefit of us all.

While the implementation of the modifications to OPA-90 issued New Year's Eve 2008 was the primary reason the ASA opened its doors over eight years ago, time has shown that there are many

other different areas where our collective experiences and abilities could be of value to our industry and our nation as a whole.

We are an organization driven by marine professionals. From ASA's First President, Mr. J. Arnold Witte, through those who followed, Mr. Dick Fairbanks and Mr. George Wittich, as well as the membership as a whole, the ASA has stayed focused on the need to see the implementation of the modifications to OPA-90.

Now that we have reached that goal, one might ask are we ready to pack it in? In short, not a chance. While we may not be able to say, "a day without a Salvor is like a day without sunshine," we can say that without a strong and capable home-grown professional salvage presence, the United States is not prepared to face the future as we continue to deal with the threats to our waterways and environment resulting from both mother nature as well as those who would look to harm our nation through terrorist activities.

In closing, thanks to the U.S. Coast Guard and the regulatory process as a whole, 2009 is off to a good start.

Now let's keep the momentum going.

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