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## WHY SECTORS?

BY REAR ADMIRAL T. H. GILMOUR  
Assistant Commandant for Prevention, U.S. Coast Guard

Many of you thought everything was working just fine, even when the Coast Guard started to change their organization and the names of some of their units. But, truth be told, everything wasn't just fine. Beginning as far back as the 1980s the Coast Guard has experimented with combining units to increase efficiency and increase unity of command, first with Group/MSOs in LA/LB and Portland, OR and later, forming what we called "Activities" in New York, Baltimore, and San Diego. But the events of September 11, 2001, brought a new focus on these combined commands for new and more urgent reasons.

After 9/11 Maritime Homeland Security mission joined other missions as the top priorities of the United States Coast Guard. The security actions taken in the wake of 9/11 required the 24/7 combined commitment from all program areas as we tried to meet expectations for both maritime safety operations and maritime security operations. Since 9/11 our field units have increased our armed on-water presence and deterrence; they're now screening cargoes and people, controlling marine traffic, protecting critical infrastructure, planning for security threats and coordinating with other federal, state and local agencies. All this buzz of activity requires a blending of our prevention and response skill sets, and then, coordinating it so that we don't end up ready with a boarding team

all set to go, but no boat available to take them to the ship to board it.



RADM GILMOUR

The need for greater unity of command became quickly obvious and necessitated the adoption of integrated field commands, which we have called Sectors. This initiative will allow the Coast Guard to better support our homeland security responsibilities and achieve greater efficiency as we strive to become what the Secretary of DHS advocated as "one team - one fight." Group Offices, Marine Safety Offices (MSO), and Vessel Traffic Service (VTS) units, are being merged. Previously, a Group and its units performed Search and Rescue or SAR services, maritime law enforcement patrols, and recreational boating safety patrols, and maintained aids to navigation in a given area. MSOs enforced federal laws and regulations related to the safety and security of commercial vessels, port facilities, and the protection of the marine environment, while assisting other law enforcement agencies.

### Coast Guard Sector Organization

The new Sector organization represents a transformation from a Coast Guard organized around its operational programs, to one organized around core operational service delivery processes.

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**Soundings**

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It focuses the coordinated efforts of all assigned operational capabilities to accomplish Coast Guard mission objectives. It recognizes that, in a broad sense, all Coast Guard operational activities focus on prevention of an incident or illegal event, or in response to an emergency where prompt action mitigates the loss of life or property, or adverse environmental impacts. These two operational business areas are interrelated, but so sufficiently distinct that they can be managed as two separate but complementary processes, called Prevention and Response.

The first focuses largely on gaining private sector compliance with regulatory standards and the design and maintenance of waterway systems to prevent incidents. The second concentrates on activities associated with incident response and/or security enforcement. It was determined that “Prevention requires expertise in the technical understanding and practical conduct of verification inspections of vessels, waterway safety and security standards, and waterway analyses. Response requires proficiency in high tempo command, control and communication processes and the exercise of response and security enforcement expertise to accomplish incident command and crisis management.”

The Prevention Department consists of three divisions.

- Inspections Division manages and oversees the regulatory and inspection aspects of the Coast Guard’s safety, security, and environmental protection responsibilities for vessels and facilities.
- Waterways Management Division controls aids to navigation; safety and security zones; Regulated Navigation Areas; ice breaking; and VTS and Automatic Identification System.
- Investigations Division initiates inquiries into marine casualties, pollution, boating violations, and assessment of civil penalties.

The Response Department consists of two divisions.

- Incident Management Division addresses SAR, pollution, and all hazards response in the marine environment.

- Enforcement Division enforces all laws and treaties by conducting armed boardings, vessel escorts and security zone enforcement. This division works closely with federal, state, and local law enforcement and sister agencies within the DHS to respond to and mitigate the impact of maritime threats.

One of the other essential features required for these new Sector Commands was in house logistics support. Therefore a third primary department was established - The Logistics Department. This department will perform the following functions for the entire Sector:

- Engineering Support and Maintenance
- Personnel and Medical Support
- Finance and Supply

Command and control will be centralized to serve all three components and other field units. Those Groups that are far removed from the Sector homeport will be designated as Sector Field Offices and will support other outlying field units. Marine Safety Offices that do not merge with a Group to become a Sector will be renamed as Marine Safety Units (MSU) and will report to a parent Sector command.

Unity of command for Maritime Homeland Security activities is essential to best use the resources at our disposal, and Sector Commands are the vehicle to accomplish this. Consolidation of the 40 MSOs, 39 Groups, three Activities, and nine VTS units will yield 35 Sectors by the end of 2006. Each geographic area of the United States and its territories falls within a Sector area of responsibility. The Coast Guard expects that Sectors will create one-stop shopping for its services and improve its effectiveness. There is no anticipated reduction in Coast Guard presence where it already exists, and adoption of Sectors will not cause a change in personnel strength.

**Vertical Alignment**


Sectors were a first step, but one that requires a follow on step, which is a process based vertical alignment of Districts, Areas, and Headquarters Staffs to match the Sector primary arrangement of Prevention & Response. This has happened,

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with the final phase having been implemented at Headquarters on January 1, 2006.

The Commandant has directed Sector Commanders to seek out opportunities to address our external customers and to solicit feedback. One of the common concerns expressed by the maritime industry, and one of particular concern to me, is that the creation of large sector commands will dilute access and attention to industry issues. We have taken this into consideration in locations where there were separate ports and constituencies within a single sector zone. Several coastal Marine Safety Units retain the COTP/OCMI title, even though they report to a parent Sector Commander.

I understand that there are still maritime industry concerns in some areas and I assure you that you will continue to have opportunities and venues to discuss these issues and develop relationships with your local Coast Guard Sector Commanders and their Staffs. You must take advantage of these opportunities, and contact the Sector Commander when you have problems. This new organization will continue to balance marine safety, security, and environmental law enforcement with the flow of maritime commerce as the Coast Guard has always done.

*Rear Admiral Gilmour became the Assistant Commandant for Prevention (the former Marine Safety, Security and Environmental Protection) on June 30, 2003. In this capacity, he directs national and international regulatory programs for port, vessel, and facility safety and security; waterways management including navigation systems, bridge administration and marine transportation system policy.* 

## ISU New Year Agreement Breaks Scopic Rates Deadlock


The International Salvage Union (ISU) and the International Group of P&I Clubs reached an agreement at the start of the new year which cleared the way for an increase in the tariff rates for personnel engaged in salvage operations

under Lloyds Form where the SCOPIC Clause (Special Compensation P&I Club) has been incorporated and invoked. This agreement was supported by the organizations representing shipowners and property insurers.

SCOPIC was introduced in 1999, following lengthy negotiations between the ISU, the P&I Clubs, shipowners and property insurers. SCOPIC has largely superseded the 1989 Salvage Convention Article 14 Special Compensation provisions, which were found to be unworkable. The Special Compensation provisions were originally introduced to encourage salvors to respond to maritime casualties in low value or high risk situations where a conventional no cure – no pay salvage contract might fail to produce an appropriate reward.

SCOPIC remuneration is based on pre-agreed tariff rates. These rates have not been increased since the introduction of the SCOPIC Clause. The ISU and the P&I Clubs found it difficult to reach agreement on a change in the tariff rates but the negotiations have now resulted in an agreement which provides for a 10 percent increase in personnel rates, in respect of Lloyds Form contracts agreed on or after January 1, 2006 where the SCOPIC clause is invoked.

The tariff rates for vessels and equipment will remain unchanged until at least September 2006, pending the completion of an ISU-led costs survey. The survey results will be considered by the SCR Committee – the joint industry body administering SCOPIC.

ISU President Hans van Rooij said, “I am pleased we have reached this understanding with the Clubs. The ISU and the International Group also agreed that future reviews of SCOPIC rates should be carried out on a triennial basis, unless the SCR Committee is satisfied that circumstances warrant an earlier review. This should ensure we do not encounter such difficulties in the future.” 



## National Maritime Day, Transportation Week to be Commemorated


In 1933, Congress decreed May 22 as National Maritime Day and each year since then, it has been a day for the United States to observe its proud maritime heritage, honor the men and women who serve and have served as merchant mariners, and recognize the many benefits that result from our American maritime industry. Not coincidentally, National Maritime Day also follows on the heels of National Transportation Week, which the U.S. Department of Transportation has announced will run the week of May 14-20.

This year, as a way to underscore the critical importance of the maritime industry to the national transportation network, ASA, the U.S. Maritime Administration (MARAD), supported by the U.S. Army Corps of Engineers, the American Association of Port Authorities, The Propeller Club of the United States, Waterways Council, Inc., and other maritime groups, have introduced an awareness campaign designed to focus national attention to the maritime industry. Called, "Maritime Matters," the campaign will help to communicate the value of the maritime industry in relation to the economy, national security, jobs, environmental protection, agriculture, quality of life, recreation and more.

According to MARAD:

- U.S. water carriers annually generate a gross output of \$32 billion, purchase \$24 billion in goods and services from other industries, and employ more than 57,000 workers.
- Our Nation's coastal and inland waterways support our commerce, our recreation, and our national security. The Nation's ports and waterways support the annual movement of more than 2.5 billion tons of domestic and international commerce.
- Our Nation's ports support nearly \$1 trillion dollars in U.S. waterborne foreign trade.
- Public ports generate significant local and regional economic growth, directly creating jobs for more than 1 million Americans,

and indirectly creating jobs for another 3.8 million. Waterborne commerce also generates more than \$16 billion in federal, state, and local taxes.

Commemorative activities take place across the nation—at seaports and along inland waterways—in combination with National Maritime Day observances in Washington, D.C., on May 22. If your port or city is planning an event, MARAD would like to know about it. Please visit [www.marad.dot.gov](http://www.marad.dot.gov) and click on the "National Maritime Day" toolbar to inform MARAD of your plans. This Web will provide up-to-date information on National Maritime Day commemorative activities across the country, along with a history of why the observance day came into being and how the maritime industry has evolved to touch each and every American life. 

## President's Message

BY GEORGE WITTICH  
President, American Salvage Association

When will the regulations be finalized? This issue has been the primary focus of the ASA since its inception and the status of the pending salvage regulations has been a topic often opined upon by my predecessors in this column. We are all well aware of the myriad of benefits that the publication of the final rule would bring to all stakeholders involved in a marine casualty - and therefore, I will not waste time or space restating what Mr. Arnold Witte and Mr. Dick Fairbanks have so effectively presented in past issues of this newsletter.

Common sense tells us that finalizing these regulations will result in a professional, timely, and better organized response. So the question remains, "What's taking so long?" All of us in the maritime community acknowledge that the rulemaking process can be painfully slow at times - but this process has been ongoing for the better part of 15 years! Let's put that time frame in a salvor's perspective. If we dispatched a salvage tug from New York to circumnavigate the



WITTICH

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globe at an average speed of 13 knots, it would take 73 days to complete the voyage and return to its departure port. Assuming we were making continuous back-to-back voyages, (and that we somehow escaped the inevitable four major overhauls for each main engine) that tug would be on its 75th world crossing voyage right now as we wait for the regulations to be completed.

So where are we in the process? The present status of the salvage and firefighting regulations is detailed below. The good news is that the process continues to move forward, and to the best of my knowledge, that aspect has been consistent throughout the ASA's involvement in the rulemaking. The not-so-good news is that the current schedule has the final rule slated to be published in the first half of 2007.

Presumably, this latest delay is unavoidable and has been caused by the organizational restructuring within the U.S. Coast Guard (*see Admiral Gilmour's cover story in this issue*). The primary designation between Preparedness and Response within the Coast Guard ranks has resulted in some assignment changes among those involved in the rulemaking. We are confident that there is no attempt to alter the course set with respect to completing this rulemaking process.

From a regulatory standpoint, a draft Programmatic Environmental Assessment (PEA) was conducted and completed in November 2005. This study was conducted to update an Environmental Assessment which was completed in 1992 regarding the requirement to implement VRPs for tank vessels. This PEA was initiated to address public comments received by the Coast Guard on the Notice of Proposed Rulemaking (NPRM) - what we refer to as the "salvage regs." The draft PEA was then open for public comment through February of this year.

After reviewing the docket for comments, we became aware of the fact that there still exists some erroneous or misguided thinking on the part of certain other private sector interests. Although this opposing group supports ensuring the professional qualifications of salvage and firefighting service providers and identifying certain required services and capabilities, it has taken exception with what it considers highly prescriptive response time requirements. On behalf of the association, and

with assistance from our Director, I responded to the docket appropriately.

Clearly, no intelligent party would argue that time is not of the essence during a response to a vessel casualty. Therefore, I can only conclude that this group that opposes these regulations is simply misguided and does not understand that the response times in the NPRM are "planning guidelines" and not "performance standards." We have clarified this issue many times with the Coast Guard and they have specifically verified this point to us - "planning guidelines" not "performance standards"!

I am hopeful that with this clarification and this environmental assessment hurdle behind us, we will be on the road to concluding this long and arduous process. Be assured that our staff will closely monitor the progress of these regulations as they approach finalization, being ever vigilant to react when the process varies off the mark by even the slightest degree.

With no further road blocks, we are expecting to see the final rule published within the next 15 months - before our fictitious salvage tug completes its 81st voyage from New York to the Cape of Good Hope across the Indian Ocean to the Tasman Sea, across the South Pacific through the Panama Canal and up the Eastern Seaboard back to New York AGAIN. 🗣️


## From the Editor

BY JIM BLADH  
Managing Editor - *Soundings*

This is our 10th issue of *Soundings*, since its inception in the spring of 2003. The interest and support that we have received from our members has been gratifying.

The articles presented in *Soundings*, such as the feature in this issue titled, "Why Sectors?" by Rear Admiral Thomas Gilmour, USCG, Assistant Commandant for Prevention, are the type that make the publication a valuable resource to the salvage and response industry. Previous editions included articles by Captain Jim Wilkins, USN, Supervisor of Salvage & Diving; Captain Joseph Saboe, USCG, Chief of Response, and Gary P LaGrange, President & CEO, the Port of New Orleans, to name just a few.

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ASA continues to prosper and evolve as an organization and as a means for disseminating information to our community. The General Membership has recently increased to 16 with the addition of both Magone Marine Services and Svitzer Wijismuller. Our membership includes the prime movers in salvage and wreck removal response in the United States. 



## ASA Agrees on Actions for 2006 and Beyond

At its Spring Board Meeting, held March 20 at the Connecticut Maritime Association's (CMA) SHIPPING 2006 conference in Stamford, CT, ASA agreed to several key actions to be undertaken over the next several months and beyond. ASA:

- welcomed SvitzerWijismuller as the Association's 16th General Member.
- elected Tim Beaver, Global Diving and Salvage, Inc; Jim Calhoun, Bisso Marine Company, Inc.; and Neil Williams, American Marine Corporation, as members of its newly created Executive Committee.
- will establish a committee to review the ASA-created Salvage Safety Standards, to be chaired by Joe Farrell, Resolve Marine Group.
- welcomed new associate members to the association.
- bestowed its Rapid Response Award (*see page 8.*)
- will hold its Spring Board meeting each year in conjunction with the CMA's SHIPPING conference in Stamford, CT.
- will continue to push for the inclusion of the U.S. Coast Guard developed standardized salvage response plan template in all of the Area Contingency Plans established across the country.

- will work with *Marine Log Magazine*, which was selected to manage the National Maritime Salvage Conference 2007. 

### *Spotlight on Martin, Ottaway, van Hemmen & Dolan, Inc.*



A THIRD GENERATION OF VAN HEMMENS ENJOYING A NICE SALVAGE JOB.

No, Martin, Ottaway, van Hemmen & Dolan is not a law firm, it is a technical consulting firm that has been providing services to the marine industry since 1875. The firm's founder was Captain Francis Martin, a grandnephew of Robert Fulton, who left the firm to his son and grandson. The firm has continued to be a family affair into the 21st century with two generations of Ottaways and two generations of van Hemmens (with occasional help of an emerging third generation of van Hemmens).

While initially the firm's focus was on the port of New York, after World War II the firm became more involved in the resolution of marine problems on a world-wide basis and now also has an office in New Orleans and representation in London, Piraeus, Singapore and Rotterdam.

At present the firm is owned by three partners, James Dolan, Rik van Hemmen and David Tantrum, and consists of 10 consultants based in New Jersey and New Orleans who provide technical, operational, surveying and valuation services to ship owners, salvage companies, cargo owners,


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## Spotlight on Martin, Ottaway, van Hemmen & Dolan, Inc.

regulatory agencies, terminal owners, attorneys, shipyards and underwriters.

Within the salvage industry, members of the firm have served as owner's consultants, underwriter's surveyors, salvage masters, salvage naval architects, cargo surveyors, appraisers and arbitrators. On many occasions the firm's consultants have served as expert witnesses in the type of incidents that required salvage assistance.

Martin and Ottaway's consultants enjoy the interaction with the salvage community because the salvage approach "there's a problem, doing nothing is not going to make it better, so let's get started and get the job done" also describes the firm's approach to problem solving in all its activities, whether it is related to a complex financial problem or initiating an industry-wide effort at improving Oily Water Separator system efficiencies.

Martin and Ottaway is proud to be associated with the ASA. It is extremely satisfying to see that the salvage approach also can be applied to the formation and organization of an industry organization and all of its members are to be commended for their ability to cooperate so well when cooperation is needed. 

## UPCOMING EVENTS

			
<p><b>May 16-17</b> Tugs &amp; Barges 2006</p> <p><b>May 22</b> National Maritime Day</p> <p><b>September 12-13</b> Green Ship 2006</p> <p><b>October 18-19</b> Clean Gulf</p>			

## Meet the ASA Membership

For membership information, please contact Brad Rosello, Chairman, ASA Membership Committee via email at [bjrosello@esi-ll.com](mailto:bjrosello@esi-ll.com), or Dick Fredricks, ASA Director, via email at [fredricks@vesselalliance.com](mailto:fredricks@vesselalliance.com).

### Associate Corporate Members



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**CAPT Richard P. Fiske**, USN (Ret.)

**CAPT "Chip" McCord**, USN (Ret.)

**CAPT "Bert" Marsh**, USN (Ret.)

**CAPT Jim Wilkins**, USN

## Maersk Line, Limited and Foss Maritime Captains Receive Award

ASA bestowed its Rapid Response Award to Captain Sam Nelson and crew of Foss Maritime's JUSTINE FOSS, and to Captain Eric Franzen and crew of Maersk Line, Limited's SEALAND COMMITMENT. Captain Nelson and Franzen received the awards for their swift response to the dire needs of the crew of the 135-foot tug VALOUR and the barge M-192 while in heavy weather and rough seas during the early morning hours of January 18, 2006. It was through the heroic efforts and seamanship skills of both crews that five men were rescued from the water and the fully laden tank barge was prevented from impacting a North Carolina beach.

The awards were presented at the Connecticut Maritime Association's SHIPPING 2006 conference in Stamford, CT, on March 20 by ASA President George Wittich (left). Accepting the award for Captain Franzen was Captain Jerome Eker, Maersk Line, Limited's Director of Marine Operations (middle), and



accepting for Captain Nelson was Paul Gallagher, Director of Sales – Marine Transportation, Foss Maritime (right).

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### General Members



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**Parker Diving Service**  
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