

Safety Initiatives & Subchapter M

Brian S. Bailey

Our Industry

- ❖ Vital segment of America's transportation system
 - Safe, secure and efficient
- ❖ 760+ million tons of cargo moved annually
 - Including 60% of exported grain, energy sources (coal, petroleum) and other bulk commodities
- ❖ Industry's fleet consists of...
 - Nearly 5,500 tugboats/towboats
 - 31,000+ barges
- ❖ That transits 25,000 miles...
 - Inland and intracoastal waterways, Great Lakes and the Atlantic, Pacific and Gulf coasts
- ❖ 50,000+ Americans = family-wage jobs
 - Including 38,000 mariners



Commitment to Safety


- ❁ Safety is AWO's #1 Priority
- ❁ AWO has and remains committed to leading and supporting its members and the industry in continuously improving safety, security and environmental stewardship
- ❁ Proud of collaboration with key partners within and outside industry to effectively navigate safety challenges and opportunities
- ❁ Workforce is what creates and drives value so its safety must be paramount
- ❁ Important that businesses establish safe workplaces through the creation and adoption of strong safety cultures that involve everyone



Safety Leadership 3.0

- ❁ Roadmap for the future
- ❁ AWO members:
 - Aspire to exceed regulatory minimums
 - Aim to create a culture of safety and continuous improvement and not simply a culture of compliance
- ❁ Focus areas:
 - Leadership
 - Data
 - Member resources and communication

AWO SAFETY LEADERSHIP 3.0



Goal 1 of AWO's strategic plan, *Charting the Future*, directs the association to lead and support members in continuously improving safety, security and environmental stewardship. This commitment to safety leadership was reinforced by the Board's unanimous approval of the 2011 recommendations of the Task Force on the Future of AWO Safety Leadership, which articulated the vision that:

"AWO members, by creating strong safety cultures, will lead the industry in safety and environmental stewardship by exceeding regulatory minimums, striving for continuous improvement and measuring performance."



Significant changes have occurred in the regulatory and safety landscape since the FOSL Task Force completed its work, including most notably publication and implementation of Subchapter M. AWO must ensure that its safety work meets member needs, reflects member priorities, and provides real value to members in this changed environment. To that end, in October 2018, the Board of Directors directed that the AWO safety portfolio include the following objectives and work.

1. Leadership

- Focus on and communicate AWO's commitment to a culture of safety
- Maintain and strengthen the integrity of the Responsible Carrier Program and promote third-party audited compliance with safety management systems as a means of driving continuous improvement
- Provide forums and opportunities for senior executives and safety professionals, and other stakeholders including government partners and shipper customers, to share experiences and learn from each other on safety issues
- Identify other transportation modes and industries that are safety leaders and find ways to transfer learning to our industry

2. Data

- Capitalize on data derived from the transition to Subchapter M, including nonconformities and deficiencies identified and corrective actions approved by the U.S Coast Guard and third-party organizations to educate members and ensure their smooth transition to towing vessel inspection



The American Waterways Operators

www.americanwaterways.com



Environmental Stewardship

- ❖ Beyond just preventing oil spills
- ❖ Working Group of members, government partners and regulators, and external third-party experts
- ❖ Plan to map out innovative solutions and best practices
- ❖ Embrace of sustainability and conservation
- ❖ Expand on industry's commitment to its people and the environment



Crew Fatalities

- Goal of zero incidents and zero harm to human life
- Must do all we can to understand reasons behind crew fatalities
- Preventative measures can be taken to reduce mariner risk?
- 2014 = 4 fatalities vs. 2016 = 8 fatalities vs. 2017 = 6 fatalities
- Permanent Subcommittee on Operational Crew Fatalities
 - Developed recommendations for prevention
 - Examples include usage of stop work obligation and hands-on training
 - Reviewed past incidents and causal factors
 - Reexamined recommendations and best practices developed previously
 - Plan to socialize recommendations and associated implementation plan



Subchapter M

- ❖ Responsible Carrier Program, established 1995
- ❖ Improve marine safety and environmental protection through adoption of industry operating principles and practices as standards of conduct
- ❖ RCP recognized in 2016 as an existing SMS
- ❖ Coast Guard and Maritime Transportation Act passed in 2004
 - Added towing vessels to the list of vessels subject to Coast Guard inspection
- ❖ Took effect on July 20, 2018, with two compliance options:
 - Implementation of a Towing Safety Management System
 - Annual Coast Guard inspection of each vessel a company's fleet
- ❖ New regulations are critical in elevating safety standards
- ❖ Sets baseline safety standards for all towing vessels
- ❖ Coast Guard can focus its resources on higher-risk vessels



Since July 20, 2018

- Helping navigate transition to inspection
- No interruption to maritime commerce
- Requirement to obtain a Certificate of Inspection phased in over four years from implementation date
- Providing opportunities to review and make recommendations to Coast Guard policy and guidance
- Three key advocacy priorities:
 - Guarantee consistency in the interpretation and enforcement of requirements across OCMZ Zones
 - Improve transparency in Coast Guard decision-making by facilitating information-sharing among units and with industry
 - Ensure that OCMZs embrace the TSMS Option and deploy their limited resources in a risk-based way



Subchapter M Member Survey

- ❁ 70-member companies = 304 COI applications submitted
- ❁ 91+% have been issued at least one COI
- ❁ 199 COIs have been issued with 105 applications in queue
- ❁ Average processing time is two-to-three months
- ❁ Respondents identified issues:
 - Lack of clarity regarding the casualty notification and investigation process
 - Application or interpretation of requirements for machinery and electrical systems and equipment
- ❁ Respondents reported that the area in most need of improvement is lack of consistent decision-making across COTP zones



Thank You

Brian S. Bailey

bbailey@americanwaterways.com