

# MEETING MINUTES

## STATE OF WASHINGTON ~ BOARD OF PILOTAGE COMMISSIONERS

February 9, 2012

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Present:

Chairman: Harry Dudley

Commissioners: Norm Davis, Chuck Adams, Ned Kiley, Pat Hannigan, Don Mayer,  
Phil Morrell, Elsie Hulsizer

Administration: Shawna Erickson, Peggy Larson

Captains Andy Coe, Dick McCurdy, Gordon Wildes, Ivan Carlson, Ed Marmol and Mr. Walt Tabler:  
Puget Sound Pilots

Mike Moore, Jordan Royer: Pacific Merchant Shipping Association

Tom Paul: representing Captain Gordon Wildes

Andrew Gauthier: Crowley Marine Services

Rick LaBlond: Shell Oil

Loren Lee, Alex Johnson, Scott Coleman, Gregory Faust: Public

### CONTINUED PUBLIC HEARING

A continued public hearing of the Board of Pilotage Commissioners was convened at 9:35 a.m. by Chairman Harry Dudley in the Alki Conference Room, 2901 Third Avenue, Seattle, Washington. Commissioner Chuck Adams did not attend this proceeding.

**WAC 363-11: Practice and Procedure – Board of Pilotage Commissioners.** This continued hearing was re-continued to March 8, 2012 at 9:30 a.m. in the Alki Conference Room, 2901 Third Avenue, Seattle, Washington. The public hearing was closed by Chairman Dudley at 9:36 a.m.

### REGULAR MEETING

The regular meeting of the Board was convened at 9:36 a.m. by Chairman Harry Dudley. Newly appointed Commissioner Mr. Phil Morrell was introduced and welcomed to the Board. He represents American flag shipping.

***A CLOSED SESSION** was called from 9:38 a.m. to 10:15 a.m. regarding ongoing litigation and the investigation of the M/V LILY OLDENDORFF incident. In attendance were Chairman Dudley, Commissioners Davis, Kiley, Hannigan, Mayer, Hulsizer and Morrell; Tad Robinson-O'Neill, Shawna Erickson and Peggy Larson. Regular session was reconvened by the chairman at 10:20 a.m. following a five minute break.*

**Minutes.** The January 12, 2012 Minutes stand approved as written.

### OLD BUSINESS

**Discussion Concerning Setting the Number of Pilots in the Puget Sound Pilotage District.** The number of pilots in the PSPD is 52, set by the Board on September 30, 2010. Currently the number of licensed pilots is 51. Discussion ensued with regard to retirement projections, traffic projections and the progression of pilot trainees. Commissioner Hannigan stated that the TEC continually monitors these factors and additionally is noticing an increase in pilot jobs over the last few months. Motion: Hannigan/Hulsizer – keep this item on the March 8<sup>th</sup> meeting agenda and add the consideration “for resolution” – Carried.

### **Pilot's Report of Incident: PS Pilot Gordon Wildes – LILY OLDENDORFF, 10-4-11**

Upper turning basin - Hylebos Waterway	Vessel allided with the Manke Lumber dock while turning.  No injuries.  No vessel damage.	Board investigator Captain Dick McCurdy presented an overview of the incident, which included an addendum to his initial report showing the vessel's Engine Telegraph Logger. It was inconclusive in determining whether the vessel's engine actually brought power to bear as the pilot anticipated. The pilot's claim was that the engine did not respond as expected.	<u>Motion:</u> Adams/Hannigan File as an Incident with damage and possible pilot error – Carried – 6 in favor/1 opposed.  <u>Motion:</u> Kiley/Hannigan Issue additional training to be developed by the TEC and approved by the Board – Carried.
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**Consideration of Adoption of Board “Information Bulletin 11-1”.** Chairman Dudley asked the Tariff Policy Committee members to give him feedback on this document for discussion at the next meeting.

**NEW BUSINESS**

**Approval of Pilot License Upgrade Programs: Captains Larry Seymour and John Scragg.** Captains Seymour and Scragg are nearing completion of their third and second limited license year respectively. The TEC recommended a few modifications to Captain Scragg’s drafted program requirements. Motion: Hannigan/Adams - approve the license upgrade programs for Captains Seymour and Scragg as discussed and amended - Carried.

**Pilot’s Report of Incident: PS Pilot David Grobschmit – HYUNDAI JAKARTA, 1-16-12**

Inbound to Hyundai Terminal, Blair Waterway, Tacoma	Aft assist tug reported that a barge moored at Graymont parted a line during the vessel’s transit into the waterway.	Pilot reported unknown cause for line to part. Commissioner Mayer, after discussion with WUT personnel, reported that as the barge came out one of the spring line winches paid out but didn’t actually break. PSP will follow up on issue of line configuration and integrity.	<u>Motion:</u> Adams/Kiley File as an Incident with damage and no pilot error Carried.
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**Pilot’s Report of Marine Safety Occurrence: NANUQ, 1-12-12**

Commencement Bay, Tacoma	On approach to the Hylebos Waterway an electrical synchronization problem prevented all thrusters to engage. Drifted in the bay while troubleshooting. Thruster restored to operational – transit completed.	Near-Miss	<u>Motion:</u> Kiley/Hulsizer File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: APL COMMODORE, 1-22-12**

Pier 5, Seattle	Ship’s bow thruster was not working. While undocking with two assist tugs, one tug’s line parted. Maneuver completed without incident.	Navigational Safety Concern	<u>Motion:</u> Hulsizer/Adams File as a Marine Safety Occurrence – Carried.
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**Pilot’s Report of Marine Safety Occurrence: APL COMMODORE, 1-22-12**

Northbound around Buoy SD	An electronic malfunction in the engine room caused a loss of rpms. System switched to the emergency control telegraph and condition improved. COTP ordered to anchor in Port Angeles.	Near-Miss and Navigational Safety Concern	<u>Motion:</u> Hulsizer/Adams File as a Marine Safety Occurrence – Carried.
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**Committee Reports.**

**Trainee Evaluation Committee:**

- The TEC met on February 8th.
- Training status of all trainees was reviewed - Captain Anacker is lined up to take the open position in PSP and should be ready by April for license consideration; Captain Anthony has about 60 trips left to take in addition to his final local knowledge exam; Captain Engstrom is progressing well and may finish training around the end of the year based on his current activity level; and Captains Carley and Lowery are in the observation phase of their programs.
- Based on one unexpected retirement, three impending retirements, and an elevation in vessel traffic of late, the TEC is recommending that two more applicants be invited to begin training. Motion: Hannigan/Kiley – start the remaining two applicants, on the waiting list from the 2008 exam, into training on May 1<sup>st</sup> – Carried.
- Due to limitations regarding the number of people on the bridge of an ATB, the TEC has devised a rotation system for the trainees in order to facilitate an even spread of “hard-to-get trips” into Bellingham.
- The TEC has asked for a volunteer to work with Commissioner Norm Davis and Captain John Scragg to move forward on the Train-the-Trainer class for all licensed pilots.
- After reviewing 2011 vessel traffic types and numbers in Grays Harbor, the TEC believes a one-year-or-less GH training program will be considered.

**Pilot Exam Committee:** *A Request for Proposal* for the development and administration of a pilot exam later this year is in the final stages of preparation for publishing.

**Legislative/WAC Committee:** No Report.

**Tariff Policy Committee:** No Report.

**Activity Reports.** Gary Nelson, representing Port of Grays Harbor, reported that YTD through January there were 4 ship arrivals for 10 jobs; the forecast for February is 10 arrivals - 3 ro-ro, 3 ag bulkers, 1 tanker, 1 logger, 2 pulp break bulk; Captain D'Angelo is on duty in February; PGH is coordinating with WSDOT and the Governor's office for a christening of the first set of SR520 pontoons in April; as well as working on the dedication of AGP silos and Port rail expansion in April.

Captain Andy Coe, representing Puget Sound Pilots, reported there were 630 assignments in January compared to 611 last January for an increase of 3%; 41 comp days were accrued and 42 used during January - decreasing the total to 3,137; 2 pilots are in E-Navigation training this month; PSP Waterway Guidelines are being reviewed; a 2-day meeting with the USCG regarding security is scheduled; and news clips regarding recent maritime activities were distributed.

Captain Mike Moore, representing Pacific Merchant Shipping Association, reported that y-t-d through January vessel arrivals are up by 5 – cargo up 12, tank vessels down 6, ATB's down 1 - there was no data available to date regarding pilot assignments and revenue for January. PMSA wrote in a letter to the Board dated February 8<sup>th</sup> their comments regarding the NTSB Safety Recommendations on Fatigue Management which encouraged our Board to utilize staff reports to undertake more in-depth discussion of dispatch, rest and workload issues to identify potential improvements in Washington state. A similar review is being undertaken by the California Board of Pilot Commissioners with like comments from PMSA in a letter dated January 26<sup>th</sup>. An overview of pending state legislation was shared.

Chair Dudley asked Shawna to share her 2011 year-end spreadsheet regarding pilot revenue and activity with both major stakeholders as well as Board members with an eye toward expansion to include pilot rest and workload data. This useful tool will be responsive to PMSA's comments regarding fatigue management as well as setting the number of pilots and tariffs.

**Legislative Update.** Agency request legislation, SB 6579 relating to the public disclosure of evaluation and testing materials for vessel pilots has passed out of the Senate Transportation Committee. Senate Bill 6171 regarding private yacht exemptions is moving forward. This amendment to the current law, if passed, will raise the upper tonnage limit from 500 gross tons to 750 gross tons (international) as one of the qualifying criteria for a vessel exemption in Washington waters.

**BPC Staff Report.** Governor Gregoire's response to the NTSB Safety Recommendations was finalized and sent - copies will be forwarded. A letter was sent to Edison Chouest regarding the MSO report involving the *NANUQ*. Amendments to WAC 363-116-200 have been filed and will become effective on March 1<sup>st</sup>. The other seven WACs which were adopted on January 12<sup>th</sup> just returned from the Code Reviser for proofing and will be filed shortly. All new rules will be posted on our web site. Our Board has offered to host the next biennial Regional Pilotage Authority meeting and will soon start coordination of the event. Proposed dates range from fall of 2012 to spring of 2013. Senate confirmation hearings will soon be scheduled for Commissioners Mayer, Morrell, Adams and Hulsizer. If a new appointee is named to the foreign flag representative position, he or she will also be included. A request has been made for the Board to consider adding a north region physician to the group of Board-Designated-Physicians. PSP will coordinate with Chairman Dudley and Peggy to follow up. Consideration will be given to amending the vessel exemption rule with regard to fees and necessary housekeeping if SB6171 is enacted.

**Public Comments.** Mr. Loren Lee urged the Board to develop a procedure or process with respect to lessening the chances of a subsequent incident similar to the *LILY OLDENDORFF* in the Hylebos Waterway turning basin. Mr. Rick LaBlond from Shell Oil asked questions about the two recent issues involving the *NANUQ*.

**Confirmation of Next Regular Meeting Date.** The next regular meeting is scheduled for Thursday, March 8, 2012. The continued hearing concerning WAC Chapter 363-11 will begin at 9:30 a.m. followed by the regular Board meeting. The hearing and meeting will be held in the Alki Conference Room, 5<sup>th</sup> floor, 2901 3<sup>rd</sup> Avenue, Seattle. There are quorum issues with regard to the April 12<sup>th</sup> meeting date so alternative dates will be discussed at the March meeting.

**Review of Pilot/Trainee Physical Examination Reports.** Motion: Adams/Davis - accept the physicians' reports for Captains V.K. Justice, M.D. Wood, G.R. Wildes and S.D. Semler for annual pilot license renewal - Carried. Captain S.D. Semler was declared fit for duty on 1-28-12 and was returned to work by Chairman Dudley after reviewing his physical report from his Board-Designated Physician. Motion: Kiley/Adams – affirm Chairman Dudley's action to reinstate Captain S.D. Semler's state license in order to return him to work – Carried.

There being no further business to come before the Board, Chairman Dudley adjourned the regular session Board meeting at 1:20 p.m.

Respectfully submitted,

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Peggy Larson, Executive Director

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Harry H. Dudley, Chairman

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Commissioner Charles F. Adams

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Commissioner Edmund I. Kiley

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Commissioner Patrick M. Hannigan

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Commissioner Donald W. Mayer

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Commissioner Philip Morrell

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**VACANT**  
Foreign Shipping Member

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Norman W. Davis, Acting Vice Chairman

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Commissioner Elsie J. Hulsizer