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May 18, 2001

- ◆ We are pleased to announce the addition of Steve Candito (National Response Corp.) and Bill Ferroli (Compliance Associates, Inc.) to the SCAA Board of Directors. Each gentleman was nominated by Dave Usher in accordance with SCAA's by-laws to fill two vacancies on the Board that arose recently. The rest of the board of directors includes Dave Usher (MPC), Mark Miller (MEG), Ralph Bianchi (JBF/Slickbar), Mike Hobin (SPC), Les Stanfield (Acme), John Parker (IMS), Cliff Berry (CBI), Nelson Fetgatter (OOPS), Don Erickson (Bay West), Don Toenshoff (MSRC), Jim Weber Jr. (SWS), and Keith Bailey (FHI). The contact details for each Board member can be found on SCAA's web site at www.scaa-spill.org.
- ◆ The Partnership Action Team ("PAT") of the Quality Partnership for Marine Safety and Environmental Protection met this week in Carpinteria, California at the Clean Seas facility. In addition to Clean Seas' Darryle Waldron who hosted the meeting, attendees included Dave Usher (SCAA), John Parker (SCAA), Marc Shaye (SCAA), Gene Johnson (APICOM), Roland Miller (APICOM), Capt. Dave Westerholm (USCG), and LTCDR Scott Bates (USCG). Highlights from the meeting include:
 - 1.) The Coast Guard provided an overview of some current events/industry topics, including (a.) **2003 Response Caps** – The current work plan for the response caps calls for a draft Environmental Impact Statement to be completed by fall 2001, a Notice of Proposed Rulemaking completed by October 2001, the Final Rule completed by October 2002, and the effective date of the cap increases to be June 2003. (b.) **Revised OSRO Guidelines** – The revised OSRO guidelines are expected to be complete this month (May). (c.) **Salvage and Marine Firefighting** – The Coast Guard expects to have the Notice of Proposed Rulemaking for Salvage and Marine Firefighting complete by September 2001. (d.) **STCW Class Waiver Status** – The OSRV NVIC addressed this issue, but stalled out in the Office of Compliance ("MOC"). Both the MOC and National Maritime Center ("NMC") have stated their position against allowing vessel waivers (i.e., waivers of the STCW requirement for OSRV's), and future meetings with the MOC and NMC will be required to adequately address this issue. (e.) **Work Hours for OSRV's** – The OSRO NVIC addressed this issue, but since the NVIC was never published, the issue is again being discussed. Under section 8104(p) of Title 46, USC, an amendment was made stating that the Secretary of Transportation may prescribe watchstanding and work hour requirements for an oil spill response vessel. (f.) **Hazardous Substance Response Planning Requirements** – The Interim Rule for Hazardous Substance Response Planning requirements for vessels will be published in the Fall of 2001. For facilities, the Interim Rule will be published in the spring of 2002. (g.) **HAZWOPER Training for Marine Oil Spill Workers** – The pamphlet/guidebook initiative addressing HAZWOPER Training for Marine Oil Spill

Workers that was undertaken in recent years stalled out at the end of the last administration. The Coast Guard will draft a letter to the current OSHA Administrator to try and re-ignite their interest.

- 2.) The PAT discussed the involvement of the private sector in responding to terrorist incidents involving weapons of mass destruction, and including the private sector in national preparedness initiatives. ***Editor's Note: It is unfortunate that the private sector response community has not been included in any national preparedness initiatives thus far, but we are hopeful that the current administration will be more open to recognizing the vast number of professionally trained and equipped personnel that are available from our industry. I recently read an editorial in the National Domestic Preparedness Office newsletter "The Beacon" that was entitled "Domestic Preparedness and The Sharing of Knowledge Among Emergency First Responders". The gist***

of the editorial is summed up in its final paragraph, which reads “If emergency first responders are not ‘ready’ when the face of terrorism is upon them, they, too, will likely fall victim to its disastrous consequences. The choice is simple: be prepared or be among the victims.” Let’s hope the current administration and agencies responsible for domestic preparedness take heed of this sentiment, and begin recognizing the private sector response community as the viable and essential resource it has been for more than thirty years.

- 3.) The PAT discussed the activities of the work group focusing on BOA issues, and reviewed the concerns contractors have with the negotiation and maintenance of their BOA’s. (Note: ***We will keep the membership informed on the progress of the BOA work group through this newsletter.***)
 - 4.) The PAT agreed that a workgroup focusing on OSHA issues would be formed and convened as needed.
 - 5.) The notion of the Coast Guard providing Incident Command System (“ICS”) Training to other agencies and possibly private sector entities was discussed. In short, the Coast Guard does conduct ICS training for their own groups as well as other agencies. During such training courses, the private sector is sometimes invited to attend and/or participate in the training. SCAA’s concern is that the Coast Guard may be competing with the private sector to provide ICS training. The PAT agreed to look into this issue further.
 - 6.) The CTAC subcommittee on Hazardous Substances Response Planning Standards was discussed. SCAA maintained its contention that it should have been included on the subcommittee from its inception, and remains concerned about its continued lack of direct involvement on the subcommittee. (Note: ***The subcommittee met this week in Houston, and various SCAA members sent representatives to attend since the meeting was open to the public. We’ll provide more on the outcome of this meeting in next weeks’ edition.***)
 - 7.) The State of California’s regulations regarding spill prevention and planning were discussed, as were the actions being contemplated by various industry groups to address various concerns with existing and/or proposed requirements.
 - 8.) The PAT discussed the potential development of a mechanism to fund private sector involvement in SONS or PREP exercises. ***Editor’s Note: The private sector response community cannot afford to participate in exercises pro bono, nor should they be asked to do so. It is imperative that the viability of private sector response organizations be maintained to ensure a national response capability, and such funding would be one way to ensure that this professional expertise and resource is available when and where needed.***
 - 9.) We wish the best of luck to Clean Sound’s Roland Miller, who will be retiring on June 1.
- ♦ ***Work/Life/Health:*** Is price-dropping an effective way to attract and keep customers? According to data recently released by the Marketing Science Institute (“MSI”), loyal customers are attracted by quality and not price. Over a period of four years, the MSI data showed that customers consistently turned their backs on price-droppers in favor of companies that kept their quality high. Some companies initially interpreted the data to indicate that price-dropping works, because in one instance, 58% of buyers switched to the lower price choice. As time wore on, however, most of those that switched went back to the higher cost, higher quality choice. In fact, after four years only 2% of those who switched for price will still buying the lower-quality choice. (Source: *Quality Manager’s Alert*)
 - ♦ ***Quote of the Week:*** “Nations are not truly great solely because the individuals composing them are numerous, free, and active; but they are great when these numbers, this freedom, and this activity are employed in the service of an ideal higher than that of an ordinary man, taken by himself.” – Matthew Arnold (1822-1888), *Democracy [1861]*