



National Maritime Safety Association

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July 2013

NMSA 2013 Annual Meeting

This year's NMSA Annual Meeting was held at the Silverado Resort in Napa, CA on June 26-28. The topic, "Future Safety Focus for the Maritime Industry," and all of its facets, were reviewed in-depth by a variety of speakers from academia, business and government. NMSA 2013 Program Chair Ed Hughlett, Ports America Regional Safety, Health & Security Manager in Northern California, was ably assisted by Messrs. Curtis Shaw, Mike Hall, Jerry Swanson, and Vince Lamaestra, all with the Pacific Maritime Association (PMA). The program was well-developed, thought-provoking, and interesting—and we thank all of the gentlemen for their time and efforts.

And, thank you again to our sponsors and exhibitors, shown on pages 6 and 7, and to Erin Adams (daughter of Billy Adams, SCSA) who was this year's unofficial photographer.

Thomas P. Sullivan Honored with NMSA "Man of the Year" Award

Mr. Tom Sullivan, Director, Labor Relations, United States Maritime Alliance (USMX), was this year's recipient of the NMSA "Man of the Year" safety award. Mr. Sullivan received the award for his tireless efforts to bring safety to the forefront of both the ILA rank and file and employers in the ports on the East and Gulf Coasts. He is a member of the recently formed ILA/USMX safety committee that travels to ports to assist in safety procedures and assists ports with disputes regarding safety.

Mr. Sullivan began his career in the maritime industry as a Marine Superintendent for Universal Maritime. In 1983, he joined Atlantic Container Line (ACL) where he served as a Marine Superintendent, Manager of Terminal Operations and General Manager of Terminals, North America. He subsequently served as Director, Workforce Development for NYSA, Inc. Mr. Sullivan has been with USMX since 2004, where his duties include oversight of the USMX-ILA CFS Trust Funds, including all Joint Training Programs. He serves on the Board of Directors of NMSA.

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Photo Courtesy of Erin Adams

Editor: Meg Kane

"Man of the Year" Honoree Tom Sullivan pictured (L-R) with NMSA Board Member George Brown, ILA Safety Representatives Bob Fiore and George Lynch, NMSA Board Member Mark Baker, and ILA Safety Representative Benjamin Bryan.

NMSA Technical Committee Chairmanship

Technical Committee Chairmanship—Mr. Ken Killough, Safety Director, South Carolina Stevedores Association, passed the TC Chairman's gavel to Mr. Ed Hughlett, Ports America Regional Safety, Health & Security Manager in Northern California, during the NMSA Annual Meeting. Mr. Killough has served as TC Chairman for the past seven years and is only the fourth Chairman since the committee's inception over 50 years ago under NMSA's predecessor, the Management Advisory Cargo Handling Safety Committee (MAXIE). The NMSA community and staff thanks Mr. Killough for the substantial time and effort he has put into the Chairman's position over the past several years—that time and effort has not gone unnoticed and is greatly appreciated. We now look forward to working with Mr. Hughlett, who has big shoes to fill.

NMSA 2013 Annual Meeting Presentations

Summaries of speaker presentations follow. PDFs of presentations are available on the NMSA website under 2013 Annual (www.nmsa.us).

Keynote Address

Mr. James Howe, President of Safety Solutions, gave an interactive presentation entitled "ANSI Z-10 Road Map: From Fighting Fires to an Effective Management System." Meeting attendees were encouraged to respond, using "clickers" on their tables, to a variety of questions throughout the presentation, which were then tabulated and presented on-screen in real time.

ANSI Z-10—Occupational Health & Safety Management Systems—emphasizes management systems as tools to improve health and safety, and advocates moving from program-based solutions to management-based solution systems and from being reactive to becoming proactive in corporate health and safety efforts.

In mobilizing an organization to improve safety, a careful analysis of major hazards and an assessment of risks is necessary, and old biases must be set aside. A plan should be developed and resources should be provided to implement the plan. Processes should be in place to monitor the implementation process, and a management review should be conducted to improve and adjust the plan. Z-10 also emphasizes the need for employee participation to build teamwork and collective knowledge. Mr. Howe also noted that, although everyone speaks about risk sensitivity, risk sensitivity declines over time.

Essentially, ANSI Z-10 suggests that occupational health and safety management systems can be broken down into four components: **plan** (establish a policy, prioritize and implement); **do** (implementation and operation, including risk assessment, education, and communication); **check** (monitor, measure, assess, correct); and, **act** (management review to assess risk and deficiencies and to review policies, priorities and objectives).

Mr. Howe stated that there are three subcomponents to a safety culture: (1) a reporting culture that encourages participation of the workforce; (2) the creation of a reporting culture in which employees can report their errors and near misses without being punished; and, (3) a learning culture in which the organization learns from its mistakes and makes changes. Mr. Howe noted that new hazards and hazardous situations are introduced into the workplace through new processes, new equipment, new materials and changes to existing processes, materials, and methods.

Developing and enforcing safety procedures is the best way to prevent injuries. The hierarchy of controls over safety, from most effective to least effective is: eliminating hazards; substituting the less hazardous for the more hazardous; improving the engineering of systems to increase safety; using warnings such as signs and back-up alarms; using administrative procedures and training; and, using personal protective equipment.

Panel Topic: New Frontiers in the Cargo Handling Industry

This panel, moderated by **Mr. Ron Signorino**, President of The Blueoceans Company, reviewed the efforts of the Occupational Safety & Health Administration (OSHA) to regulate and improve maritime safety, the efforts of the California Air Resources Board (CARB) to reduce air pollution near the ports, the efforts of the maritime industry to improve its environmental footprint, and the efforts of individual ports to meet environmental requirements while enabling ports to modernize and expand.

Ms. Barbara Goto, OSHA Deputy Regional Administrator for Region IX, stated that OSHA expects to publish a notice in the *Federal Register* soon that will rescind the two provisions (flat racks and interbox connector inspection requirements) overturned by the U.S. Court of Appeals for the District of Columbia in *NMSA v. OSHA* and include a request for comments on the two provisions. In tandem, OSHA will amend its "Tool Shed" Directive for the marine cargo handling industry. She noted that members of the recently re-chartered Maritime Advisory Committee on Occupational Safety & Health (MACOSH) should be approved soon. The crane and gear certification forms are now electronic, and few problems have been found in audits. Regarding compliance assistance, Ms. Goto noted that pictograms will now be used for hazard communication in the maritime industry, and will be required by 1 June 2015. The OSHA maritime website includes "Fatal Facts" information. Ms. Goto said that the agency expects to continue moving ahead with its Injury & Illness Prevention Program (I2P2) which the

NMSA 2013 Annual Meeting Presentations (continued)

agency considers a way to increase safety and health at workplaces. The core elements of the I2P2 proposal are: management commitment, worker participation, hazard identification, control and prevention, and training. Ms. Goto also commented on the safety problems related to undeclared container weights, and the heat exposure and fall awareness campaigns currently being undertaken by OSHA.

Mr. Jack Kitowski, Assistant Chief, Stationary Source Division, California Air Resources Board (CARB), spoke about the “Clean Air Frontier.” CARB has been using regulations in an effort to reach a near zero emissions freight program in conjunction with the ports and industry. Thus far, CARB has adopted: cleaner diesel fuel rules, port and rail yard truck rules, truck idling and refrigeration unit rules, ship fuel and shore power rules, and harborcraft and cargo equipment rules. Mr. Kitowski noted that industry efforts have shown high compliance rates and a successful voluntary anti-idling program. Now, there is a need to move to cleaner technologies, such as, hybrids, battery-electric and alternative fuels. In order to achieve cleaner air goals, infrastructure planning must be paired with technology development and incentive programs should be used. CARB has targets for a sustainable freight system in its “Vision 2050” which includes a 2020 greenhouse gas emission target and 2023 ozone and particulate matter goals. A change in equipment will be required if CARB is to reach its target of an 80% decrease in these emissions. Elements required for the California sustainable freight initiative include: use of cleaner, more fuel efficient ships and aircraft, electric cargo equipment at ports/rail yards, shifting freight from trucks to rail, and the use of zero emission trucks in high use freight corridors.

Mr. Kevin Krick, Senior Director of Security and Environment, APL Limited, reviewed the “environmental angle” to cargo handling in the future. To set the stage, Mr. Krick noted that the shipping industry is the “most environmentally-friendly” way to move large quantities of material and goods. Container shipping requires only 10 grams of carbon dioxide to carry 1 ton of cargo one kilometer. In contrast, rail requires 21 grams, truck 59 grams, and air freight 470 grams. International shipping is responsible for only 2.7% of global CO2 emissions. APL’s 2015 goal is “to reduce greenhouse gas emissions associated with cargo transportation and handling to 30% below 2009 emissions levels.” The Clean Cargo Working Group is developing tools to measure and manage environmental performance and to standardize the calculation of the industry’s carbon footprint. The North American Emission Control Area hopes to reduce sulfur dioxide emissions by 96% by 2020. California cold ironing requirements hope to reduce emissions by 80% by 2020. However, there are cost and benefit calculations that need to be completed in order to reach goals. There is also the issue of how state regulations, including environmental regulations, stifle business development and retention.

Dr. Robert G. Kanter, Managing Director of Environmental Affairs & Planning, Port of Long Beach, CA, reviewed the “New Frontier of Environmental Requirements.” Dr. Kanter talked about the POLB’s Green Port Policy, which is intended to enable port modernization and growth, build “community and political support,” make the port sustainable, and keep the port both in compliance with, and ahead of, regulatory actions affecting it. The Port believes in being proactive, rather than reactive, which allows management to handle environmental issues, as well as other issues, in the best possible way, and on its own terms. Air studies in 2000 linked “diesel pollution, transportation corridors and ports to increased health risks,” leading to a clean air action plan at POLB. The primary source (62%) of diesel pollution was identified as coming from ships, followed by harbor craft (15%), trains (9%), cargo handling equipment (9%), and trucks (6%). In response, the port developed plans, and provided monetary incentives in some instances, to transition vessels to more expensive low sulfur fuels, and replace trucks through the Clean Truck Program, for example. As a result, by 2013, diesel particulate matter was reduced 75%, nitrogen oxides reduced by 50%, sulfur oxides down 80%, and greenhouse gases down by 23%. The POLB has the ability to enforce its environmental requirements through lease requirements, tariff changes, incentives and voluntary measures.

Panel Topic: New Frontiers in Terminal Operations

CAPT Marc MacDonald, USCG (Ret), formerly Vice President of Accident Prevention at Pacific Maritime Association (PMA), moderated this second panel discussion, which reviewed new technology and equipment on its way to a terminal near you.

Mr. Mike Boyles, Director of Engineering, Taylor Machine Works, provided an overview of how technology has improved the safety of container handlers. Mr. Boyles also noted the need for a partnership between the equipment users and manufacturers in order to address equipment hazards. For example, load scales options to improve safety can include audible and/or visible alarms for overloads, height sensors, and controls that would limit vehicle speed based on load/lift height. Sensors have become more reliable. Ancillary devices are also important for safety, and include lateral flashing lights on the rear of a machine, obstacle detection, exterior seat belt fastened lights, open door alarms, environment specific work lights, container deflectors to warn of overhanging containers, and high visibility paint. Vision Plus monitors pedestrians around vehicles, detecting them and tracking them for vehicle operators 360 degrees around a vehicle.

Who would have guessed that lighting technology could hold an audience’s attention? **Mr. Tom Ward**, Chief Engineer for Ports America, spoke about “New Lighting Technology” for the ports. As an essential safety device, lighting is dictated by OSHA regulations (29 CFR 1917.123), but OSHA regulations do not provide a good definition of the quality of lighting to be used.

NMSA 2013 Annual Meeting Presentations (continued)

Additionally, at night, and especially at twilight, our vision is less precise regarding curves, depth, and perspective, so lighting is especially important. At the moment, all terminal lighting is provided by high-pressure sodium (HPS) fixtures of about 1,000 watts, and each pole and foundation costs approximately \$300,000 to replace. HPS fixtures, however, consume a great deal of energy, last only about two years, and provide high light pollution but poor light quality. New lighting technology is providing new energy saving options with brighter and improved light: LEDs, metal halides, and light emitting plasma. All of these options provide about a 50% energy savings, uniform lighting, very white light, and about double the service life as compared to HPS fixtures. However, careful consideration is necessary because of initial cost outlays.

Mr. Ross Clarke, Head of Design & Innovation, APM Terminals, The Netherlands, reviewed “Technologies Supporting Improvements in Container Terminal Safety.” The goal of APM Terminals is to reach zero fatalities; the challenge to APM Terminals is to inculcate a safety culture in less developed countries (LDCs). APM’s priorities are safety, productivity, cost competitiveness, and innovation. Automated terminals will reduce man vs. machine hazards, but new risks from automation need to be identified and addressed. Electronic personnel proximity detection and warning systems provide an additional layer of detection for equipment operators, but must be an add on to good driver training and good operating procedures. Around the corner detection ability is provided by MineSite magnetic field technology, and Zone Safe RFID technology also assists in vehicle safety. However, non-operational employees should be removed from areas first. When changing systems at a terminal, proper risk assessment is necessary, operator complacency can become a risk itself, and alarms need to be infrequent. Stack profiling systems are used to prevent load collisions—3D laser scanners build a map of where containers are on a ship or in a stack, enabling the “flight path” of the container to be automated. Remotely operated cranes improve the working environment for crane operators, who work two hours at a time. Soft landing systems use automation to remove containers from ships, and once containers are clear, an operator moves them to the ground. Personnel proximity warning systems can also be used to warn crane operators if lashers are working near a spreader.

Topic: Future Safety Focus—Industry and Labor Perspectives

PMA President & CEO **Mr. James McKenna** noted that the common goal for industry and labor is to send workers home safely. There are new demands on the labor force and new skills needed because of automation. The PMA/ILWU 2008 labor agreement included an automation agreement that permitted the elimination of some ILWU positions. Industry and labor must be proactive in improving safety through training and changes to cargo handling. West Coast ports currently have Joint Area Accident Prevention Committees at the ports.

Topic: The Fully Loaded Cost of Lost Time Incidents

Mr. Richard D. Weeks, Vice President, Lamorte Burns & Co., spent some time reminding employers of proper accident investigation procedures and of the need for a post-accident/injury action plan. Regarding employer response to accidents, Mr. Weeks commented on the need to: respond promptly, show compassion, treat the injury before investigating, move the employee to a comfortable location, determine the root cause of the accident, don’t place blame, be conscious of the employee’s perception of your response (comments, facial expressions), keep a positive attitude, record ALL information, and treat ALL accidents the same. Mr. Weeks noted that there are administrative costs to providing compensation and medical benefits to an injured employee. He said that, in the stevedoring industry, that cost is about 36 additional cents for every dollar of benefits delivered to the user. Bottom line: “conduct a thorough investigation, generate detailed documentation, know the status of the injured worker, recognize and report red flags, and insist on zero fraud tolerance.”

Topic: Meeting the Training Requirements for the Future Workforce

Dr. George Haber’s (Manager, Instructional Systems Design, DuPont Sustainable Solutions) presentation revolved around how best to instill a good safety culture in your employees, and the type of training necessary to do so. He noted that the purpose of a good safety culture is to make someone acting unsafely feel out of place. In addition, if you have a mission statement, e.g., Pepsi’s “Beat Coke,” don’t allow a disconnect or contradiction between that mission statement and reality at the company. Sacrificing your business’ traditional learning theory for more rapid training can lead to unwanted results—less safety, less understanding of the company’s mission statement. Ensure that your method of training and selection of the medium of training do not compromise your overall training goal: have your corporate culture drive the design of your training rather than the other way around, and align them with your corporate strategies. Risk/benefit analysis is a good way to drive home safety training. Using diagrams, for example, determine the risks and benefits of cellphone use in the car—injury and death are two risks, but what are the benefits compared to these risks, and include in your analysis the effects on family and friends. In forming a training program, several steps should be followed: an analysis of the audience and overall course goals, the objectives of the course, the competencies expected at the end of training, and the production of high quality training materials. Finally, training should comprise three elements: affective (being safe is the only way to be), cognitive (how we operate), and psycho-motor (specific skills).

Other News

Vertical Tandem Lifts (VTL)—The Department of Labor's (DOL) recently released "Spring" Regulatory Agenda shows that OSHA expects to remove from the VTL rule the two provisions that the Court of Appeals remanded to the agency because there was insufficient evidence on the record that they were technologically feasible. The Department's regulatory agenda indicates that OSHA expects to publish a notice in the *Federal Register* requesting comments on these two issues in April 2014.

Injury and Illness Prevention Program (I2P2)—The recent DOL Regulatory Agenda also notes that OSHA is developing a rule to require employers to implement Injury and Illness Prevention Programs and expects to publish a Notice of Proposed Rulemaking (NPRM) in the *Federal Register* in January 2014.

Workplace Injuries and Illnesses—Two NPRMs are expected this year. First, in July 2013 OSHA expects to produce an NPRM on "Improved Tracking of Workplace Injuries and Illnesses" to modernize the OSHA reporting system and enable a "more timely collection of data." The second NPRM, expected in November 2013 at this point, is "Clarification of Employer's Obligation to Make and Maintain Accurate Records of Work-Related Injuries and Illnesses." OSHA wants to clarify in its regulations that the duty to "make and maintain an accurate record of an injury or illness" does not expire "if the employer fails to create the necessary records when first required to do so."

MACOSH—The MACOSH was re-chartered earlier this year, but we are still awaiting an announcement from the Department of Labor (DOL) regarding its membership. DOL says that all the MACOSH nominees have been vetted and they have the correct representation on the committee. The names are now making their way through the DOL bureaucracy for approval.

New Labor Secretary Confirmed—Mr. Thomas Perez, currently Justice Department Assistant Secretary for Civil Rights, was confirmed on July 18, 2013 as the new Secretary of Labor, replacing Secretary Hilda Solis who resigned earlier this year. Along with overseeing labor laws, employment benefits, and jobs data, Mr. Perez is expected to also to involve himself in immigration reform and civil rights issues. Republicans had been blocking the vote on his nomination because of his left-wing ideology and, according to the Senate Republican leader, his willingness "to bend the rules to achieve his ends."

NMSA 2014 Annual Meeting – March 19 - 21, 2014



Ponte Vedra Inn & Club

Ponte Vedra Beach, Florida (near Jacksonville)

2014 Program Chairperson – Susan Winfree, NYSA

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