

Channel Shipyard Company, Inc.  
P. O. Box 926  
Highlands, Texas 77562

DEPARTMENT OF  
TRANSPORTATION  
MARINE OPERATIONS

APR 21 10 00

April 21, 2011

Docket Management Facility (M-30)  
U.S. Department of Transportation  
West Building Ground Floor, Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001

VIA FACSIMILE: 202-493-2251

Re: Marine Vapor Control Systems  
(Docket ID No. USCG-1999-5150)

Dear Sir or Madam:

Channel Shipyard Company, Inc. is a privately-owned facility providing services related to the gas freeing and cleaning of inland river tank barges as a necessary step to prepare barges for repair services and/or changes of cargo. Located at the intersection of the Houston Ship Channel and San Jacinto River in Baytown, Texas, Channel Shipyard employs approximately 35 people. Channel Shipyard is not a transfer facility and does not transfer cargo in bulk. Only residual cargo is stripped from barges during the cleaning process.

With this context, Channel Shipyard offers the following comments on the notice of proposed rulemaking to modify the regulations for marine vapor control systems. We elaborate on these comments with specific examples and recommendations below.

- 1. The Coast Guard should not impose new requirements on facility operators that do not materially increase industry safety.** While Channel Shipyard believes that government has an important role to play in establishing an appropriate regulatory floor, in a number of cases, the NPRM proposes requirements that will force significant operational changes, and impose substantial costs, on facility operators that we do not believe are justified on the basis of safety. We elaborate on these cases below and propose specific changes aimed at ensuring that the proposed regulations add value without imposing unnecessary operational disruption or cost.

- **Mandate recertification of a vapor control system (VCS) only after significant changes are made to the system.** The requirement at 33 CFR §153.2021 that “each facility VCS must undergo an operational review by a certifying entity within three years of its initial certification or last operation review” is excessive and not needed to ensure safety. After a system is initially certified, recertification should be required whenever major changes are made to the system, rather than at a specific time interval. Regular maintenance and replacement of ordinary parts should not be considered changes to the system. Costs to certify can be as much as \$28,000 and take personnel away from their jobs an average of two days to handle implementation and documentation. This is both an economic and a manpower burden to a small company.
- **Eliminate arbitrary acceptable pipe lengths between the detonation arrestor and facility vapor connection.** A number of the proposed requirements set arbitrary length requirements for VCS pipes that do not increase safety and impose an unnecessary burden on the cleaning facility.

33 CFR §154.2105(d)(1) and §154.2110 mandate that the pipe between the detonator arrestor and the facility vapor connection be no more than 18 meters. Current industry practice is to place these items as close together as practicable for the individual facility. This practice has proven safe and effective and we recommend that the Coast Guard should use this more flexible performance standard rather than prescribe a specific separation distance.

- **Do not prohibit electrical bonding cables from being placed from the facility to the vessel before cargo transfers.** 33 CFR § 35.35-5 prohibits the “use of external bonding cables or straps to achieve electrical bonding” between the vessel and the shore cleaning facility before stripping operations. This would amount to a significant, and in our view inappropriate, operational change. Cleaning facilities have safely and successfully used bonding cables to bond a barge to the dock for years. Additionally, the use of such cables is helpful for grabbing current and reducing the risk of an unwanted explosion. The Coast Guard should allow barge-to-dock cable bonding and clarify this in the regulations.

2. **The Coast Guard should not subject tank barge cleaning facilities to the same regulations as tank vessel loading facilities where their fundamental operational differences make identical regulations impracticable.** Tank barge cleaning facilities differ from tank vessel loading facilities both in the way they operate and in the types of dangers inherent to the procedures performed. Channel Shipyard urges the Coast Guard to bear these differences in mind in reviewing the proposed regulations and tailor the requirements to the specific hazards present at each type of facility.
  - For example, 33 CFR §154.2020(c) describing the certifying requirements for a cargo line clearance system which states: "Prior to operating a VCS to control tank vessel vapors during cargo line clearing back to the vessel cargo tanks, the cargo line must be reviewed by a certifying entity for compliance with the requirements of 33 CFR §154.2104." A cleaning facility does not clear back to the vessel, but from the vessel. We remove liquid from the vessel, extracting vapors. Since liquid is not being added (transferred) to the vessel, vapors do not have the opportunity to generate.
  - Many other sections in the NPRM (i.e. 33 CFR 154.2030, and all sections under "Transfer Facilities-VCS Design and Installation) are specifically directed to transfer facilities, and not cleaning facilities.

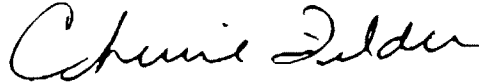
Thank you for the opportunity to comment. We would be pleased to answer questions or provide further information as the Coast Guard sees fit, or to arrange a visit to our facility to allow the Coast Guard a firsthand look at the operations affected by this notice of proposed rulemaking. We would like to emphasize, again, that cleaning facilities are not transfer facilities. On average we remove much less than fifty barrels of oil from the barges we clean. Our operations are directed at removing vapors, not creating a situation (loading) that creates more vapors. Regulations guiding the operations of cleaning facilities should be specific to those operations.

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We look forward to working with the Coast Guard and other stakeholders to ensure that the updated regulations achieve their intended goal of modernizing the marine vapor control system regulations and ensuring operational safety without unnecessary disruption to the efficiency of industry operations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cherrie Felder".

Cherrie Felder

Vice President-Governmental and Legislative Affairs

Direct Line: 504-371-5964