



MARITIME EXCHANGE  
240 Cherry Street  
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# THE BEACON

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## Decades in the making

*USDA approves systems approach for Chilean table grapes*



“On the surface it’s a dream come true,” said Maritime Exchange director Barbara Hunter, a former executive at Western Fumigation. “We worked on this for over 20 years.”

Hunter was referring to a June 25, 2024 report that USDA’s Animal and Plant Health Inspection Service would be allowing certain table grapes to be imported from parts of Chile under a systems approach. Commodities authorized for import under a systems approach protocol would not require mandatory fumigation or other quarantine treatment upon arrival at U.S. ports of entry.

Acceptance of the systems approach marks a significant advancement in agricultural trade between Chile and the U.S.

On July 19, 2024 APHIS notified the public of its decision to allow growers from Atacama, Coquimbo, Valparaiso, and parts of other regions to export table grapes to the U.S. when they have implemented their systems approach protocols.

“The Maritime Exchange has consistently and enthusiastically supported federal measures designed to facilitate international trade, especially with such important trade partners as Chile,” said Exchange President Lisa Humber. “This action will greatly streamline cargo processing on arrival at our ports.”

To be eligible, growers must follow stringent procedures that include registration with SAG—the USDA counterpart in Chile—and oversight at production sites. SAG is responsible to ensure the grapes meet all systems approach requirements, which include integrated pest management measures, insect trapping, phytosanitary inspections, and cold treatment protocols for certain plant pests.

Exporters in Chile are extremely enthusiastic about the potential for the increased market value of their products and having a more even playing field with other grape-producing countries exporting to the US. “With the approval of the systems approach for our table grape shipments to the United States, we will be able to supply fruits with better quality and condition to importers, supermarkets, and especially to U.S. consumers. All of this will be further aided by the increase in new varieties, which

*continued on page 9*

## Delaware helps fund new port at Edgemoor

*New site to expand Port Wilmington container capacity*

In a move that will make Port Wilmington one of the largest employment centers in the state, Delaware announced it will join Enstructure, the private operator at Port Wilmington, in developing a new terminal at the 137-acre brownfield site in Edgemoor, Delaware. The taxpayer-owned Diamond State Port Corporation purchased the industrial site in 2017 and subsequently secured the necessary permits to construct the new facility.

“This is very positive news for Delaware, its residents, and its maritime and inland freight transportation business communities,” said Maritime Exchange President Lisa Humber. “The new terminal will open a host of opportunities for regional maritime and related businesses.”

The \$635 million infrastructure project will build the largest marine terminal in Delaware since the Port of Wilmington opened in 1923. The new state-of-the-art “green port” is



*The planned Edgemoor facility is being built on a former DuPont site, two miles north of the existing Port Wilmington.*

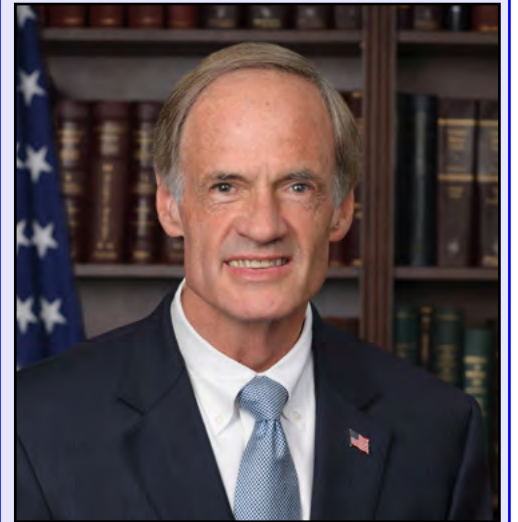
expected to quadruple the state’s capacity for container cargo and service vessels of up to 16,000 TEUs. Construction of the Edgemoor site, which will be known as “Delaware Container Terminal,” will take about three years.

Delaware estimates operations at the new terminal will create nearly 6,000 new jobs, including more than

3,100 direct jobs, and generate state and local taxes totaling \$39.4 million annually. In addition, building the new facility will create more than 3,900 construction jobs resulting in \$42.3 million in tax revenues. Once completed and fully operational, Port Delaware, including the

*continued on page 16*

## Interview with Sen. Thomas R. Carper



*With his announcement that he would not seek re-election and this session of Congress would be his last, Sen. Tom Carper (D-Del.) brings to a close—at least for now—his 50-year career in public service. Since 1968, Tom Carper has dedicated his life to the public good. While listing his many accomplishments in this space would be impossible, in the current Congress, Sen. Carper serves as Chairman of the important Environment and Public Works Committee and is a senior member of the Homeland Security and Governmental Affairs and Finance Committees, where he serves as the Chairman of the Subcommittee on International Trade, Customs, and Global Competitiveness.*

**Q: Before beginning, please allow us to thank you for your 50 years in public service and especially your strong support of the Delaware River port business community. As you near the end of your illustrious career, what do you see as your signature maritime-related achievement when you look back?**

**A:** First I would like to thank the people of Delaware for allowing me to serve them and our nation for all of these years, and for the strong support I’ve received from the Delaware River port community. It’s been the honor of my lifetime to serve you all. Starting with my days as Delaware’s State Treasurer, Congressman, Governor, and United States Senator, I’ve worked to ensure Delaware—and our region—was a nurturing place for job growth and preservation. A large focus of that work was supporting maritime commerce and the thousands of jobs it supports here and millions across the country.

In my role today as Chairman of the Environment and Public Works Committee in the Senate, I’ve been privileged to have oversight over the Army Corps of Engineers and to drive progress here and around the country at our nation’s ports to ensure we have strong intra-coastal commerce, including dredged and passable waterways, maintained by the Army Corps of Engineers. Through the Bipartisan Infrastructure Law, which

*continued on page 11*

*In My Wheelhouse*



## We dodged a bullet . . . this time

In July of 2024, the world as we knew it came to an end.

Okay, not really. But it could have. The CrowdStrike outage in the wee hours of July 18 into the 19th brought systems across the globe to a screeching halt and shut down millions of Windows devices. Most notably hit were airports, hospitals, and 911 call centers, but it didn't stop there. It went on to strike some public transit agencies, international banks, and other sectors.

Hand-written boarding passes, cancelled surgeries, and telephone-based emergency dispatching. The ramifications still apparent several days after the event. And these were just some of the most noticeable effects.

It was a simple process, something we all do with our own systems on a regular basis—if we're smart. We patch our systems to install the most up-to-date code. And that's what happened here. CrowdStrike IT staff deployed a patch to update customers with Windows systems. A teeny bug in a single line of code out of the many millions of lines of code in the program. And poof, 8.5 million systems knocked out instantaneously with the infamous blue screen of death.

Interestingly, the federal Cybersecurity and Infrastructure Security Agency had selected the CrowdStrike platform—a breach-prevention system designed to thwart malware attacks—to protect federal agency systems in 2021. CISA was also the agency tasked to work with the tech companies and government partners to assess and resolve the CrowdStrike problem.

While the outage affected some federal systems—the Social Security Administration closed its offices on July 19, and NASA and the Federal Trade Commission reported some problems—international maritime trade was mercifully spared.

Customs and Border Protection held a stakeholder call on the afternoon of July 19 and reassured the importing/exporting community that its automated systems were intact. “It was the shortest call in the history of time,” according to one participant.

Though air cargo movements were delayed due to airport meltdowns, we in the seaport industry got very lucky. For now.

But chances are we won't be nearly as fortunate the next time.

CBP's Automated Commercial Environment and its other systems are the very lifeblood of our industry. We saw what happened in August 2017 when ACE experienced a system-wide outage and was down for several days. For all intents and purposes, international commerce stopped.

In general, CBP systems have been largely reliable. Though certain processes have stalled for days, full outages have been few and usually of fairly short duration—with that one notable exception. However, ACE has grown tremendously, and greater demands are placed on it all the time, especially with the explosion in e-commerce and the integration of several dozens of partner government agencies into the single portal. What's

more, cyber threats are continuously escalating, and the possibility of a successful incursion into ACE is very real. These factors have the potential to increase both the frequency and duration of ACE system downtimes.

Following the 2017 outage, CBP released a report it called “Standard Guidelines for CBP/Trade Outages” Version 1.0. The guidance outlines steps CBP and industry are to follow when automated systems are unavailable. Most telling is the requirement that members of the trade who want to move goods during the outage must file a request for *each transaction* [emphasis added] on a paper form. What's more, the document didn't cover all processes or all possible outage scenarios.

In short, the basic approach was—and remains today—“revert to paper.” An approach we saw adopted following the CrowdStrike failure with limited success.

The Exchange, and no doubt many others, submitted comments to v. 1.0 making suggestions, asking for clarifications, and requesting an ETA on remaining processes. And no doubt you can guess what came of it. Nada.

Of primary concern is that paper has already ceased to be an option in some cases and old paper forms are becoming increasingly obsolete as CBP modifies existing programming and new systems come online with no paper behind them.

We can do better than this. We must do better than this. CBP and the industry should look at July's outages as a teaching moment and take immediate steps to plug a very large gap in the transition to a fully automated environment.

*Lisa Humber*



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# Exchange opposes tariff extensions

Saying that as administrators Joe Biden and Donald Trump are diametrically opposed is no exaggeration. So who would have believed President Biden would maintain the ill-conceived tariff scheme then-President Trump implemented in 2018?

Though Donald Trump has been outspoken about the new and increased tariffs that would follow his election, Kamala Harris has not yet outlined her policies at this early stage of her campaign. Some pundits believe she would largely continue the Biden trade program.

Indeed Joe Biden has now done more than just keep the Trump Section 301 tariffs in play. His administration has taken steps to expand them—to the tune of an additional \$18 billion in goods.

In May 2024, U.S. Trade Representative Katherine Tai announced the U.S. would not only continue the existing 301 tariffs on goods from China but would increase the rates, including imposing an astounding 100% tariff on electric vehicles. Port and international trade interests are especially concerned

with the proposed new 25% tariff on ship-to-shore cranes from China given that few other sources exist for this equipment.

The move followed the USTR's statutory four-year tariff review and resulting report.

"The Exchange has long held that the tariffs do nothing to meet the stated goals of penalizing China for unfair trade practices, compelling U.S. companies to source their goods elsewhere, or incentivizing U.S. manufacturing," said Exchange President Lisa Hember. "On the contrary, all the tariffs have accomplished is to increase costs for U.S. businesses and consumers."

According to U. S. Customs and Border Protection statistics, U.S. importers have paid more than \$219 billion in Section 301 tariffs on covered products imported from China since 2018.

The U.S. International Trade Commission released a report in 2023 finding that U.S. businesses and consumers bear nearly all the financial burden of the tariffs. As have many other reports. "In short, the tariffs are a tax on Ameri-

cans," Hember said.

The Exchange and its many colleagues across the country submitted comments to the USTR strongly opposing the measure in advance of the June 30, 2024 deadline. On July 30, 2024, the office of the USTR announced that it was still reviewing the more than 1,100 comments to the May notice and would delay its decision to the end of August.

"AAPA is confident that the tariff, if imposed, will not meet its stated objectives. Instead, it will only result in negative outcomes, including grave harm to port efficiency and capacity, strained supply chains, increased consumer prices, and a weaker U.S. economy," said American Association of Port Authorities President Cary Davis.

"Industry hopes the USTR will—at a minimum—see a need to delay imposition of the tariffs to exclude purchases already in the pipeline," Hember said. Yet given the president's support of the proposal, a change in the planned rate schedule seems unlikely regardless of the public comments.



## Welcome New Members

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### Individual Members:

**Dr. Raymond Heinzelmann**

**CAPT Kyle McAvoy**

# Ahoy, learners and doers!

## Fall programs you'll want to catch

The summer may be ending, but Maritime Exchange events are just beginning to heat up again.

All year long, the Exchange develops programming designed to meet member needs and to attract others in and adjacent to the maritime industry. From education to training to community events, members of the Exchange have much to look forward to in the coming months.

**Hazmat Transportation Training:** The Exchange will hold an all-important Hazardous Materials Transportation Training, run in partnership

with the National Cargo Bureau, on September 24, 2024. The training is required for all employees involved with transporting hazardous materials or related documentation. The virtual session is a day-long event, and—as is true for most Maritime Exchange events—tickets are available to members at a reduced rate. Keep a lookout on [www.maritimedelriv.com](http://www.maritimedelriv.com) and for email announcements for more details on how to register.

**Simplify Global Entry:** Also in September, the Exchange will coordinate a U.S. Customs and Border Pro-

tection Global Entry registration event. Global Entry offers expedited entry into the U.S. with little to no processing lines or paperwork and reduced wait times for travelers at many major American airports. CBP has offered a designated time and place to conduct the mandatory interviews exclusively for Exchange members and their families who are interested in applying for Global Entry status. Take advantage of this unique opportunity to accelerate what would otherwise be a time-consuming process filled with the challenge of coordinating schedules with all registrants.

**Delaware River 102:** Anyone who has attended the always-in-demand Delaware River 101 trainings knows just how valuable this educational program is for even the most seasoned maritime industry veterans. So the Exchange is excited to offer the second

phase of the program: Delaware River 102! Where Delaware River 101 provides a broad overview of port economic, operational, and regulatory ecosystems, 102 dives deeper into some areas that even experienced river industry denizens may never have seen. Panels this year will cover topics from liquefied natural gas to offshore wind, port electrification, lightering, marine construction, and fumigation. The class will take place on October 15, 2024 in the Philadelphia Navy Yard, and registration info is coming soon.

Of course, the best way to learn about those events as soon as details are available—and the only way to access reduced-rate tickets—is to become a member.

Please contact Yair Farkas at [yfarkas@maritimedelriv.com](mailto:yfarkas@maritimedelriv.com) to learn more about these events and the other benefits of Exchange membership.

## Members engage on MACH2



On June 26, 2024, Exchange Director George Murphy of South River Maritime led a lively discussion with members participating in the Exchange's latest Maritime Matters session on the status of the Mid-Atlantic Clean Hydrogen Hub. With \$7 billion available nationally through the Infrastructure Investment and Jobs Act of 2021, MACH2 is one of seven potential future clean hydrogen hubs and will receive up to \$750 million in funding. Murphy noted that the project is the only proposed hub in the country that will generate hydrogen from primarily green—hydro, solar or wind powered—and pink nuclear power sources. He also said the region is in a unique position to repurpose the extensive and underutilized network of existing oil and gas pipelines for hydrogen distribution. The goal of MACH2 is to produce 270 metric tons of hydrogen per day by 2034.



# Delaware River 102

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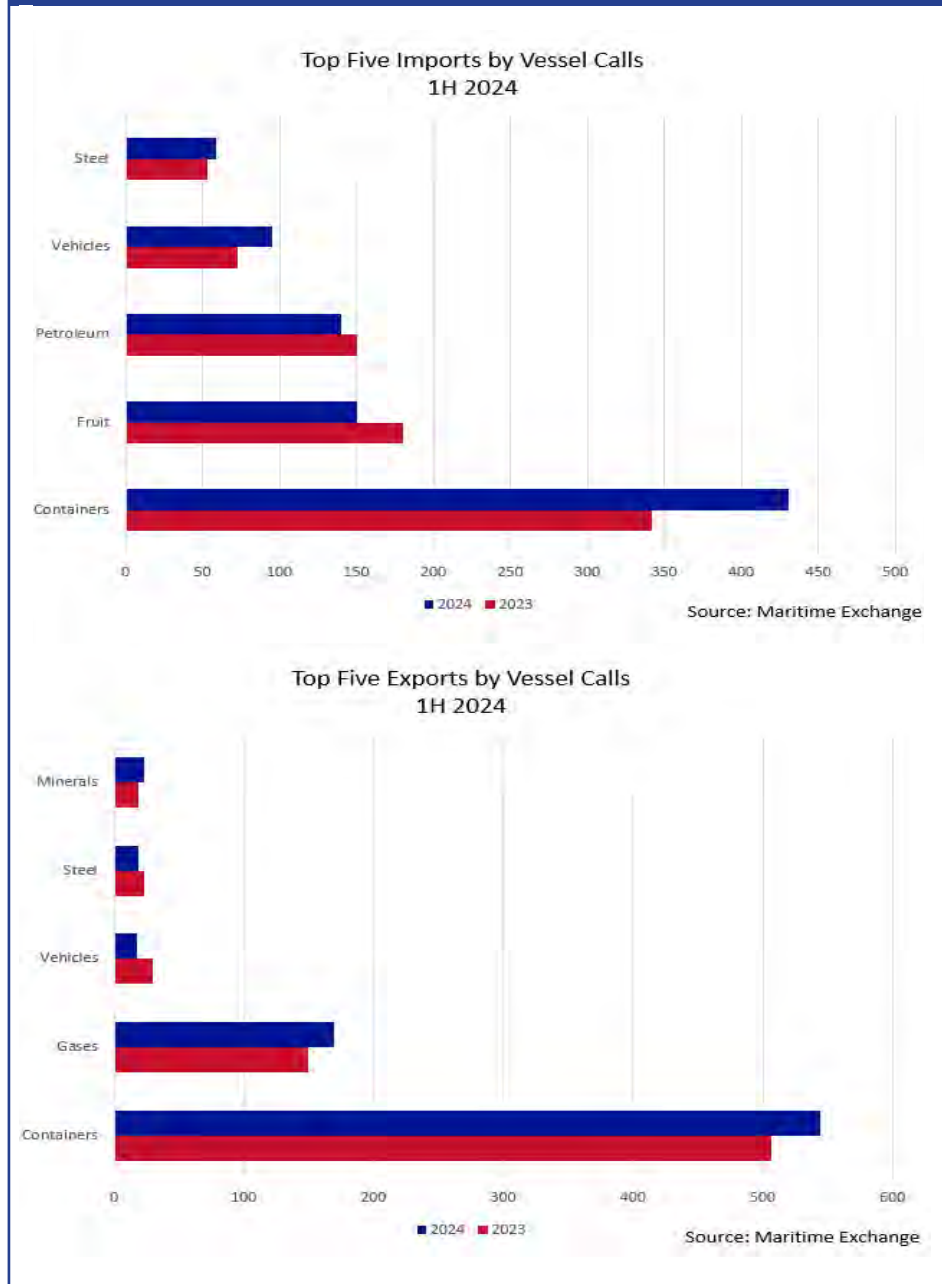
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Registration Details Coming Soon

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# Imports and Exports January-June 2023 & 2024



## Exchange continues MOL upgrades to better serve users

The Maritime Exchange is pleased to announce the completion of yet another round of enhancements to the Maritime On-Line® system. Originally developed in the 1980s, MOL has undergone many changes and enhancements throughout the years to meet user needs, regulatory requirements, and changing technology.

The most recent enhancements have updated the old backend code to replace end-of-life technology. “The changes will enhance the functionality and performance of the application even though the users won’t notice anything different,” said Director of Operations Paul Myhre. “They also keep the system running, as some of the code has been in use for over fifteen years and may not respond well to software updates from other vendors.”

The first update was to improve action button functionality. Though the buttons look the same, the latest technology now operates in the background.

The second changed the way the system generates reports in all MOL modules. This update re-

moved an outdated report-generation tool and replaced it in its entirety with a platform that will be viable for years to come.

The third enhancement, which Exchange staff is currently testing, updates the processes that provide communication and data sharing throughout the system. This change was also completed to update the code base to the latest version.

Maritime On-Line is an ever-evolving system, made up of several components all working together to create the user experience. Some improvements, such as functionality changes, are visible to users, and others, like backend code or infrastructure, are transparent. “Still, all are necessary to support the system that allows the Exchange to help users meet their operational needs and to facilitate maritime commerce,” Myhre said.

As always, the Exchange welcomes suggestions from system participants about potential future enhancements. Contact Paul Myhre at [pmyhre@maritimedelriv.com](mailto:pmyhre@maritimedelriv.com) to see what Maritime On-Line can do for you.

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## Fink new AAPA IT Committee head

Maritime Exchange Chief Administrative Officer and Director of Information Technology Michael Fink ascended to chair from vice chair of the American Association of Port Authorities Information Technology Committee in July. The transition took place at the AAPA Smart Ports Seminar and Expo in Seattle, Washington on July 10, 2024, where outgoing and incoming chairs of the Environment, Harbors and Navigation, IT, and Security committees gathered including (l-r) Jason Jordan, Northwest Seaport Alliance Senior Director, Renee Yarmy, Maritime Sustainable Development Program Director at the Port of San Diego, Fink, Ken Washington, Port Tampa Bay Chief Information Officer & Vice President, Jill Taylor, Port of Los Angeles Homeland Security Manager, Mark Dubina, Port Tampa Bay Vice President of Security, Patrick Blair, Port Tampa Bay VP of Engineering and Facilities Management, and Randy Lewis, Port of Grays Harbor Director of Health, Safety and Environment.

“It’s an honor to lead such a group of talented and knowledgeable people,” said Fink. “The IT Committee provides a forum for like-minded professionals to share ideas, best practices, and solutions to common challenges facing our ports. We’re also working closely with the Security Committee and others as our responsibilities and operational mandates are overlapping more than ever before.”

# AI coming into the maritime spotlight

In the vast expanse of the world’s oceans, a quiet revolution is underway.

The maritime industry, often associated with tradition and slow, sometimes glacial, adoption of new technology, is beginning to embrace artificial intelligence, or AI, to navigate new waters of efficiency, safety, and sustainability. From cybersecurity and predictive maintenance, to route and fuel optimization, to cargo ops and marine life conservation, AI is promising to reshape maritime operations.

Safety at sea has always been paramount. Through advanced predictive analytics and real time monitoring systems, AI can help protect mariners and equipment. Sensors can detect anomalies in vessel operations and machinery performance, enabling early intervention to prevent accidents and ensure compliance with safety regulations. Plus, AI-driven cybersecurity solutions can protect vessels from increasingly sophisticated digital threats, safeguarding critical navigation and communication systems.

AI-powered navigation systems also have the potential to significantly advance safety by empowering crew with enhanced data to make informed decisions swiftly. Algorithms can analyze vast databases—such as weather and tide sensors, radar, automatic identification system feeds, and other intelligence—in real time to provide predic-

tive insights into potential hazards and aid in collision or grounding avoidance. These systems use machine learning to continuously improve accuracy and responsiveness, reducing the chance for human error and enhancing overall safety.

Beyond improved safety is an improved bottom line. AI can help there, too.

In a globalized economy, efficiency is key to maintaining competitiveness, where even minor delays can have significant economic implications. AI algorithms are transforming logistics and supply chain management by analyzing historical data, weather patterns, port conditions, and vessel performance metrics. Companies take advantage of AI to optimize cargo loading, predict optimal departure times and routes, reduce turnaround times, and minimize fuel consumption.

Predictive maintenance systems monitor machinery performance in real time, detecting anomalies and forecasting failures before they occur. By analyzing data such as vibration patterns, temperature fluctuations, and fuel consumption, these systems can schedule maintenance proactively, reducing downtime and preventing costly repairs at sea.

Not only do these efficiency gains translate into cost savings and improved service reliability, they can also reduce environmental impact.

The economic benefits realized through route optimization and decreased fuel usage lead to decreased greenhouse gas emissions, and predictive maintenance ensures that vessels operate at peak efficiency, further contributing to environmental conservation efforts. AI-driven sensors and software have the potential to monitor marine wildlife to mitigate collisions, theoretically reducing the need for cost-prohibitive regulations.

As AI continues to evolve, so too will its effect on the maritime industry. Despite its transformative potential, the integration of AI in the maritime industry is not without challenges. Concerns about cybersecurity, regulatory frameworks, and optimal crew complements are significant considerations. Integrating AI systems with existing maritime infrastructure requires careful planning and investment, and its adoption requires training to ensure that maritime professionals can effectively adapt to and use the new technologies.

AI represents a paradigm shift, offering opportunities to optimize operations, improve safety, and mitigate harm to the environment. Though the maritime industry can sometimes be hesitant to adopt change, the AI revolution appears to be coming. By harnessing its power, stakeholders can navigate toward a more efficient, safer, and more sustainable future on the high seas.



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# Our New Staff Member

## Meet Shawn Garrett Operations Specialist

Shawn Garrett is the newest team member, joining the Maritime Exchange as an Operations Specialist to replace Robb Reyes, who retired after over 15 years of service to Exchange members.

Like all members of the Operations crew, Shawn focuses on ensuring members get the information they need when they need it. He works closely with the maritime community, updating and disseminating information on vessel movements and port activity.

“Shawn brings to his work a thorough, meticulous, and detail-oriented zeal,” said Director of Operations Paul Myhre. “His background includes working in college radio and audio transcription, supporting DHS-contracted immigration cases, and a 20-year career as a fiction editor.”

Shawn works the weekend overnight shift in the Exchange Tower at Cape Henlopen State Park. He watches the ships move in and out of Delaware Bay, interacts with vessels via VHF radio, and helps to facilitate their safe movement as they transit through the region. He also supports Maritime On-Line® users navigating the ship reporting, TRACS® cargo manifesting, and automatic identification systems.

“I came across the open Maritime Exchange position almost by accident, but the more I learned about it, the more intrigued I



was,” Shawn said. “The job perfectly suits my lifestyle and temperament, allowing me to serve a need for a long-standing industry and to deal with data recording and management while working in one of the most unique workplaces imaginable.”

Shawn grew up at the New Jersey shore, attended Toms River High School North and Kean University, and currently lives in Rehoboth Beach. He likes to spend his free time reading, translating, and essay writing and enjoys music, film, and radio. He co-edits the horror-fiction podcast Pseudopod.org and publishes previously untranslated books into English at Strange Ports Press.

“I am not married and have no children, but a cat does deign to be fed by me on occasion,” Shawn said. “As you can see, I try to keep busy when not at work, and I still have a number of goals left to achieve before I shuffle off this mortal coil.”

Welcome aboard, Shawn!

## Wishing a good friend “fair winds”

### Andrew Dinsmore leaves Sen. Coons staff for USDA

The Maritime Exchange has long worked closely with the staff members of the tristate Congressional delegation. Without their understanding of port industry concerns and support for programs that benefit maritime interests, success would be all but impossible to achieve.

Andrew Dinsmore was one such staff member. He served as Projects and Appropriations Director for Sen. Chris Coons (D-Del.) for over 14 years and in that capacity took an unparalleled interest in issues that matter to Exchange members.

Andrew was everywhere. He attended Mariners’ Advisory Committee meetings, participated in just about every Seamen’s Center of Wilmington event, and was a regular at Exchange and other functions throughout the tristate region.

Beyond that, he was deeply engaged in helping identify funding for the Corps of Engineers, solving Customs & Border Protection challenges, and even finding financial support for the Exchange. Andrew was a true port partner and someone the Exchange and its members could rely on time and again for assistance.

So it is with profound regret that *The Beacon* must now report that Andrew has accepted a new job that will take him away from the maritime sector.

He was recently appointed by the White House to serve as State Director of Maryland and Delaware for USDA Rural Development. This agency runs programs designed to improve the economy and quality of life in rural parts of the U.S.

“Though we’re sorry to see him move on, we wish Andrew much luck and success in his new position,” said Exchange President Lisa Himber. “He has been a true champion for the port, and we thank him for his dedication and service.”



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## Port Wilmington: A celebrated history and a bright future

During the mid-1960s, approximately 6,000 ships per year came up the Delaware River. Many were American cargo ships on their coastwise voyages, loading goods from Boston to Jacksonville before sailing foreign.

I was fortunate to spend seven years sailing on those ships, and I would guess I passed the Port of Wilmington on our way to Philadelphia over 100 times without ever calling that port.

It would not be until 1973, while working for DuPont in the World Trade Center in New York, that I would visit the Port of Wilmington to inspect one of our ships unloading there. As we usually had one ship per month in Wilmington, visiting the port became a regular occurrence, much to my enjoyment. It was a great place for ship operations as it became a regular call for many of DuPont's ships.

With any story, it's best to start in the beginning. This dates back to the early 1600s when Swedish ex-

plorers settled along the Christina River in an area two miles inland from the Delaware River. In 1656, the Swedish settlement was overtaken by the Dutch, and it was again overtaken in 1664 by the British.

In 1730, a large tract of land was deeded to Mr. Thomas Willing, who named the settlement Willington. At that time, the town was predominantly a small farming community of 15 to 20 houses. In 1739, the town was renamed to Wilmington, and shortly thereafter the first ship built for sea commerce sailed from Wilmington to Jamaica. Shipping trade soon prospered for the brick-making, pottery, tanning, and flour mill industries. After the American Revolutionary War, Wilmington had a fleet of ships engaged in coastal as well as European trade.

By 1812, Wilmington's population had grown to 5,000 residents, and it began a westward expansion. In 1832, the town was incorporated by the Delaware legislature as the City of Wilmington.

New enterprises, including shipbuilding, paper milling and manufacturing of machine tools, iron, railroad cars, and cotton, evolved along the Christina River to support

existing industries. In 1913, Wilmington's citizens voted to build their own deep-water seaport and in 1920, the city approved a bond issue of \$2.5 million for the purchase of 101 acres of land and the development of port facilities on the Christina River at the Delaware River. Construction began immediately, and in 1923 it officially opened as the Port of Wilmington. During its first year of operation, volumes reached 17,000 tons of cargo and by 1938, annual tonnage reached 540,000. In 2023—100 years after it opened—the port handled over 11 million metric tons of cargo.

Over the years, the port has had much success and continues to grow, most notably with containers and refrigerated fruit. A major event contributed to this growth when the State of Delaware purchased the port from the City of Wilmington in 1995 and created the Diamond State Port Corporation (DSPC) to manage and operate the port.

Today, the DSPC has continued to improve its assets to serve growing market demands. Currently, port facilities comprise 308 acres of land. On the Christina River are seven berths, a floating berth, and

a petroleum berth. On the Delaware River is an auto and RO-RO berth 870 feet long. Dockside cold storage warehouse facilities total 800,000 square feet, and dry warehouse facilities total 250,000 square feet.

On July 31, 2023, Enstructure, a leading U.S. marine and logistics company, became the operator of the Port of Wilmington under the name of Port Wilmington. Bayard Hogans, the President of Enstructure Mid-Atlantic, is responsible for overseeing operations and commercial activities across Enstructure's Mid-Atlantic businesses, including Port Wilmington, Port Contractors in Wilmington and Fairless Hills, Pennsylvania, and Intercontinental Services in Wilmington. Bayard has a proven track record of fostering partnerships and building strong relationships with public-private stakeholders, supply chain partners, and local communities in promoting economic growth and regional development.

We wish the entire Enstructure team much success in operating this treasure on the Delaware River, Port Wilmington.



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## Exchange officers elected for coming year

Maritime Exchange directors elected a new slate of officers at their July 10, 2024 meeting. Many thanks are due for their willingness to serve in these important positions.

**John T. Reynolds, Chairman**  
**Capt. David Cuff, Vice Chairman**  
**Robert A. Herb, Treasurer**  
**A. Robert Degen, Esq., Secretary/Solicitor**

Special thanks go out to Capt. Uwe Schulz, who stepped down as Vice Chairman, for his more than 20 years of service on the Executive Committee. Capt. Schulz will remain on the board and its Finance committee. The Exchange values his experience, expertise, and sage advice.

## Cuff elected Maritime Exchange Vice Chairman

Exchange directors selected Capt. David Cuff, President of the Pilots' Association for the Bay and River Delaware, as Vice Chairman at their July 10, 2024 meeting. The action followed the resignation of Uwe Schulz from the seat after several decades of service.

"I am very pleased to welcome Capt. David Cuff as my Vice Chairman of the Exchange. Since we work so closely with the Pilots, having David in this position will enhance the level of service we are able to provide to our members," said Chairman John T. Reynolds.

Capt. Cuff graduated from New York Maritime College and worked for Moran Towing of Philadelphia before joining the Pilots' Association. He was elected to the Association's Board of Directors and served for eight years before his partners chose him to lead the organization as its President in 2020.

During his tenure as President of the Pilots' Association, Capt. Cuff has been a staunch advocate for navigational safety and efficiency, championing such causes as adequate funding for the Army Corps of Engineers, enhanced communication between the Coast Guard and mariners, timely channel maintenance dredging, improved aids to



navigation, and additional anchorage areas for deep-draft vessels.

In addition to lending his expertise to the Exchange board, Capt. Cuff has been appointed to the Philadelphia Board of Directors. He is also a member of the Ports of Philadelphia Maritime Society, Seamen's Church Institute of Philadelphia and South Jersey, and the Schuylkill River Development Corporation boards.

"I am honored to be elected as the Vice Chairman of the Maritime Exchange. I look forward to working closely with our dedicated port partners to drive progress and ensure the continued growth and success of our maritime community."



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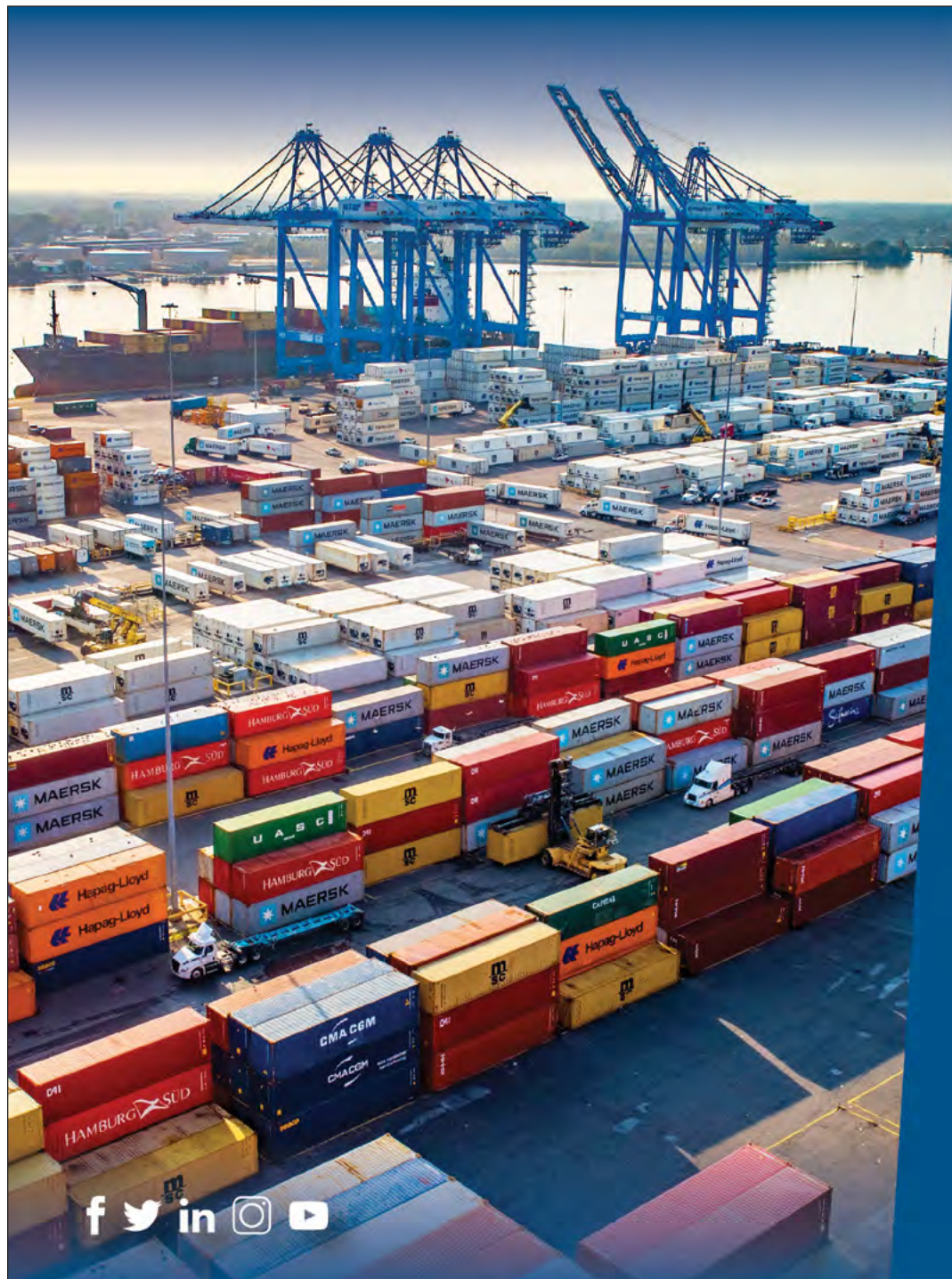
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# Meet Rick Iulucci (again)

Vice President of Operations, Vane Brothers Company

The Maritime Exchange is thrilled to welcome Capt. Rick Iulucci back to its board. A longtime member of the Exchange board, Rick was briefly away while serving as chairman of the American Waterways Operators.

Rick emphasized the importance of the Exchange board. “With our ever-changing regulatory environment, being part of the Exchange board is so very important. Having the ability to understand upcoming issues, and more importantly having a seat at the table to have a voice and work collectively with the board to communicate our issues is critical to not only Vane’s success but to being part of the collective solution for the port and all of our stakeholders,” he said.

Rick’s esteemed roles follow a 44-year career in the maritime industry, 17 years of which he spent with Maritrans sailing aboard conventional

ocean-going tugs, barges, and articulated tug/barges, holding positions from deckhand to master. He also directed Delaware Bay operations at Overseas Shipholding Group, responsible for both commercial and technical management of America’s Lightering Fleet and Northeast U.S. Fleet.

He began his work at Vane Brothers—where he now serves as vice president of operations—in 2007. In this capacity, Rick is responsible for the operations of Vane’s 120-vessel fleet; he oversees ship bunkering, lightering, dock-to-dock transfers, and safety equipment inspections. He also serves as the company’s alternate security officer, using his knowledge of vessel and facility security measures, emergency preparedness, response and contingency planning, security equipment and systems, and techniques for security training and education.

Even before beginning his career at sea, Rick was on the water, having attended the Lundeberg School of Seamanship in Piney Point, Maryland. Now, he maintains a U.S. Coast Guard Master’s License and has achieved a litany of certifications through educational courses including the U.S. Coast Guard Federal On-Scene Crisis Commander, the executive course provided by the University of Pennsylvania’s Wharton School of Business, and Cornell University’s Industrial Labor Relations School.

In addition to the Maritime Exchange board, Rick sits on the boards of the Seamen’s Church Institute of Philadelphia and South Jersey and the American Waterways Operators. He is also treasurer of the Mariners’ Advisory Committee for the Bay & River Delaware.



“The ability to have access to data and key contacts through the Exchange is so critical to the success of our business segment here in the Delaware Valley,” he said. “Having a respected resource that we can rely on is essential for us when making decisions and choices that can have large impacts to our operation. The Maritime Exchange is a key partner in our business model.”

## Systems approach for Chilean grapes

*continued from page 1*

are highly desired by consumers. This 2023-2024 season, 62% of our table grape shipments to the world were of new varieties, a trend that will continue to grow,” said Iván Marambio, president of Frutas de Chile.

Key to the process is government scrutiny at each phase of the supply line, including robust monitoring, inspection, and surveillance in the designated growing areas. “The systems approach starts and stops with monitoring—from the vineyards, to the packing houses, and through the entire exporting process . . . as well as safeguarding from comingling with untreated cargos in transit from other non-systems approach regions,” said Shannon Sked, Ph.D., Western Fumigation Director. “And there must be traceability. SAG must be able to identify the original production site of each shipment and determine that no pests of risks were present.” Beyond that, inspection and documentation along the supply chain must persist to ensure the product is free of invasive species.

While the overall outlook for the new protocols among Exchange members is overwhelmingly positive, that optimism is guarded. “Failures in the systems approach have occurred in the past,” Humber said, “and our members are concerned about how SAG and USDA will handle those going forward.”

“A systems approach process has been extremely effective with codling moth in the past. The goal is that a similar system will successfully exclude European grapevine moth and Chilean false red mite from endangering U.S.

agriculture.” Sked said. “However, there are differences between the systems used for the two different pests, and there is concern as to what will happen if these pests are identified in the supply chain. What remedy will be in place to ensure that there will be no interruption in the flow of cargo?”

### Future capacity a concern

One worry is that fumigation capacity after adoption of the systems approach will be insufficient. While APHIS can allow fumigation or irradiation of fruit where pests or larvae are detected, no irradiation facility exists anywhere near the East Coast, and fumigators may have to consolidate operations due to lost business.

“The systems approach likely won’t upend fumigators in year one or year two,” Sked said. “But at some point, should the business volume decrease by a considerable amount, the industry will have to consolidate operations in response to decreases in the volumes of cargo needing treatment. This business reality must be considered to ensure the fumigation industry remains robust in supporting Chilean fruit imports.”

Without the option of fumigation and sufficient fumigation availability, and if no commercial irradiation is readily available—which is the current state—the only option APHIS may have is to require re-export if pests are detected at a U.S. port of entry.

### Still, stakeholders are hopeful

Despite the potential risks, the USDA approval of the systems approach for Chilean table grapes is a pivotal development in international agricultural trade that is expected to benefit Chilean producers and American consumers alike. As the demand for high-quality, environmentally friendly produce grows, this systems

approach sets a precedent for future innovations in global agricultural trade.

By the end of the 2023-24 importing season, Chile had reached its goal of exporting 64 million boxes of fruit. Chilean grape exports to the U.S. totaled \$431 million, with well over half of that number destined for Delaware River ports.

The Maritime Exchange and its members will continue to be vigilant, maintain a dialogue, and work with APHIS and Frutas de Chile to help find practical solutions that will assure the uninterrupted flow of cargo through Delaware River Ports whenever challenges arise. “Both we and our partners in Chile have a lot at stake,” Humber said.

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## eFume dry run a success



(l-r) Dr. Shannon Sked and Mike Wisser of Western Fumigation, Snery Samuel and Katie Stevens of Draslovka, and Robert Verrico of Western attach cylinders of eFume to a manifold.

Western Fumigation, in partnership with Draslovka, is one step closer to introducing eFume, a naturally occurring methyl bromide alternative, for use on Chilean table grapes.

On June 20, 2024 Western held a successful operational proof-of-concept trial for eFume at the Gloucester Marine Terminal in New Jersey. In addition to Western's team of technicians and supervisors, onsite were Snery Samuel, Product Manager-Post-Harvest Solutions, Katie Stevens, Regional Business Coordinator from product manufacturer Draslovka, and David Kleinguenther from USDA's Animal and Plant Health Inspection Service, Plant Protection and Quarantine office.

The objective of the dry run was to ensure that the eFume delivery equipment would work in a real-world setting, especially in large gas chambers that would traditionally hold hundreds of pallets of grapes for fumigation, such as the chambers that Western Fumigation operates at Gloucester Terminals. The process requires a specialized manifold system to connect eFume cylinders to a custom-designed vaporizer unit, which ensures the safe vaporization of the fumigant. Additionally, recorded timing requirements will help inform how the service is offered within existing port operations.

Samuel and Stevens applied eFume into to an empty-drop gantry containing no fruit, as efficacy of the fumigant had already been established. Ethyl formate and carbon dioxide concentration levels were measured immediately after application and at regular intervals during the fumigation period.

Results of the dry run were successful, with the manifold system working as designed in the pre-determined amount of time. Western said a few equipment adjustments will help speed the application process and ensure operational efficiency.

Western Fumigation and Draslovka are eagerly awaiting final approval from the Environmental Protection Agency for the label registration and the USDA for the treatment schedule. The hope is to be able to use eFume during the upcoming Chilean grape season.

"Once we receive final approval from USDA and EPA to start using eFume, Chilean table grapes are only the first step," said Christina Lista, Western Fumigation International Business Development Manager. "eFume will also be used on California citrus out west, but we are most excited about its potential use on perishables and the lines of trade this could open up for the Delaware River port community in the future."

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## Tour of the “Patriot State”



Local alumni from Massachusetts Maritime Academy had the opportunity to tour Philly Shipyard’s next National Security Multi-Mission Vessel, the “Patriot State.” Turnout from local alumni was great, but even more gratifying was the distance some traveled—from as far south as Washington D.C. and as far north as Massachusetts. Representing academy graduates from 1960 to 2023, attendees benefited from a Tote Services-led tour across the shipyard and through the vessel. Alumni were guided around the vessel’s various spaces, including the navigation bridge, accommodation spaces, classrooms, and engine room. Many believe the future maritime professionals who get the chance to train on these modern NSMV ships will be some of the most well-equipped individuals to enter the maritime workforce upon graduation.

## Q&A with Sen. Carper

*continued from page 1*

I helped lead through the Senate, we were able to provide grants to ports throughout our nation. In Delaware, I helped secure the \$50 million grant to the Port of Wilmington’s Edgemoor expansion project to electrify the operations and make them cleaner for our environment.

The Port of Wilmington has been a career-long priority for me. These are good-paying jobs that support thousands of families, and I’ve been proud to see it continue to sustain and grow since my days as Governor of Delaware.

**Q: Looking to the future, what words of wisdom would you impart to our members?**

**A:** In the Senate, I’ve learned to live by these words: “Bipartisan solutions are lasting solutions.” My counterpart

on the Environment and Public Works Committee is Shelley Moore Capito, a Republican from West Virginia, who my staff and I work with nearly every day to craft legislation that will have a positive impact not only on our environment but our economy as well. I think we can all relate this to our own work and look for ways we can communicate and compromise to ensure our decisions are making a positive impact on our communities as well as our bottom line.

**Q: What will you do with all the free time you’ll have as a private citizen?**

**A:** While it’s time for me to pass the torch in the United States Senate, I don’t plan on ending public service anytime soon, and I’m going to continue to look for ways to make a difference with my life. I have served my country ever since I was 17 years old, and I raised my right hand to help defend my country as a Navy midshipman, and I have no intention of stopping now.

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## Under the hull



Ports of Philadelphia Maritime Society board members were treated to a tour of the Battleship “New Jersey” while she was in dry dock for repairs at the Philadelphia Navy Yard and got a first-hand view of the scale of the vessel from the bottom up. Jay Jones, Director of Operations at the Battleship New Jersey Museum & Memorial, facilitated the tour.

After making their way down the steps to the floor of the 50-foot deep dry dock, the visitors including (l-r) PPMS Secretary Linda Greene, Todd Greene, Jay Jones, Michael Fink, PPMS President Lynn Cointot, Capt. Scott Cointot, and Richard Venuti, made their way from stern to bow with a close-up view of the repair work from directly below the vessel.

“I’ve been on board the battleship for a number of events over the years,” said Fink. “But its scale only becomes truly apparent when standing next to the propellers, walking underneath to view the keel, and looking directly up at the bow of the ship with anchors looming directly above. A genuinely unique experience.”






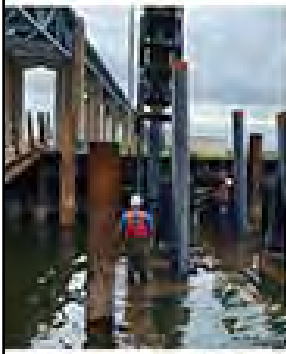
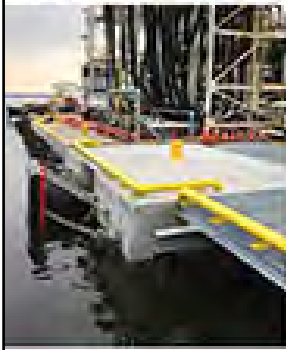
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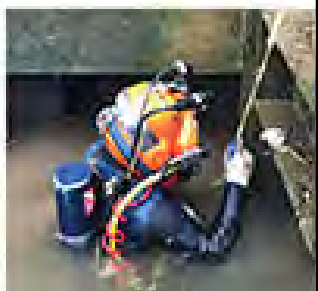


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# The evolving practices of managing dredged sediment

**By: Mike Landis, Chief of Operations Division  
U.S. Army Corps of Engineers Philadelphia District**

The U.S. Army Corps of Engineers has managed the dredging of the nation's waterways since the 1800s. Of course, the technology, safety, and efficiency of dredging operations have rapidly advanced during that time. Yet, the similarities between some of the early dredges and today's dredges are remarkable. The fundamental principles of dredging for maritime navigation also remain relatively unchanged.

One aspect of the operation, however, has significantly evolved and continues to evolve: where dredged sediment is placed after it is removed from a channel.

Historically, dredged material was typically placed where convenient—often right alongside the river or used as fill for nearby projects. In our region, we are fortunate that our predecessors had the foresight to acquire placement sites along the river and bay and the C&D Canal. These sites have provided, and will continue to provide, capacity for critical dredging operations to ensure safe and reliable maritime navigation.

In many cases, the government was able to use dredged sediment for positive purposes but didn't fully recognize the limitations. In the 1970s, the nation began to better understand environmental risks, and Congress passed the Clean Water Act.

In an abundance of caution, the USACE and other entities began placing nearly all dredged sediment in confined disposal sites. Yet with this approach, sediment is completely removed from coastal and riverine processes. In some cases, this is appropriate depending on the sediment characteristics. In other cases, we've been losing some potential as we've come full circle and recognize that sediment has significant ecological and societal value when used properly.

Today, we test the sediment before dredging operations to help

determine possible uses, and we work with partners to help us better understand nearby needs. Like any construction project, economics and constraints are factors, but ultimately we are working to use 100% of clean dredged sediment beneficially. This is the right thing to do ecologically, and it also helps us preserve confined disposal site capacity.

USACE is pursuing this across the country as Chief of Engineers Lieutenant General Scott A. Spellmon asked Army Corps districts to significantly increase the beneficial use of dredged material.

We have numerous success stories of this approach and evolution in coastal New Jersey over the past 10-15 years. But I also would like to point out recent examples in the Delaware River and Bay to provide a glimpse into how this may look on a larger scale in the future.

At our Fort Mifflin confined disposal site, Diamond Materials LLC is removing about one million cubic yards of dredged sediment to be used for nearby development in Morrisville, New Jersey. For context, a dump truck holds about 12-15 cubic yards. If you do the math, it's a staggering amount of material! This will free up capacity for us for future dredging operations.

To be clear, it is difficult to match up the need and timing for this type of operation. Dredged sediment must be de-watered and meet certain standards, and a contractor must have an economically viable plan to use it. But when it works, it's win-win, and we remain open to talking to any entity interested in similar arrangements across the region. Please note that access to the government-owned sites is permitted through a real estate agreement, and the contractor is responsible for the cost of material testing and processing the real estate agreement.

Another ongoing example is at the mouth of the Salem River.



*Diamond Materials LLC removes dredged sediment from the Fort Mifflin Dredged Material Placement Facility, owned and operated by the U.S. Army Corps of Engineers. The sediment will be beneficially used for development in Morrisville, New Jersey. (Photo by Kat Tracey)*

There, our contractor is dredging approximately 200,000 cubic yards of sediment from the river's federal channel. It will pump and place the predominantly fine-grained sediment at designated locations of degraded marsh within the Supawna Meadows National Wildlife complex, managed by the U.S. Fish & Wildlife Service. Some of our partners have shared with us that many marshes in the region struggle to keep up with rising seas and an infusion of sediment can preserve and enhance them. This work, too, has challenges, including identifying

the best methods for placement and distribution and achieving the right elevation targets.

Fortunately, we are not tackling these issues alone and have benefited from partnerships with the U.S. Army Engineer Research and Development Center, the State of New Jersey, The Wetlands Institute, and several non-governmental organizations and academia.

Ultimately, we are looking to continue to advance these practices in our region and provide examples and a model that can be replicated nationally.



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## SJPC: Robust activity, strategic investment for future growth

The first half of 2024 continued strong at South Jersey Port Corp. facilities, driven by high demand and record rail volume. To support this sustained growth and enhance its infrastructure, SJPC has recently invested over \$8 million in new infrastructure and equipment, reinforcing the commitment to efficient and reliable rail service with additional major capital improvements planned.

The port corporation outlined a number of key highlights.

**Strong Cargo Activity:** SJPC has experienced robust activity levels, with significant demand propelling operations to new heights. This includes record-breaking rail volume, underscoring the importance of rail connectivity to its overall logistics network.

The year-to-date wood products cargo is almost five times the volume moved in all of 2023. Steel stood out with a 50% increase at the Camden terminals while cement is 25% higher than 2023. Overall cargo activity at the Camden terminals is up 14%.

**Infrastructure Investment:** To accommodate and support this growth, SJPC has spent over \$8 million to enhance rail capabilities, ensuring the ability to meet and exceed the needs of customers.

**Future Capacity Expansion:** Looking ahead, SJPC is dedicated to meeting future demand and seizing new opportunities and is exploring ways to develop additional indoor and outdoor storage capacity at its Camden terminals. This expansion is crucial for managing the increasing demand from current and new customers for steel and forest products, key commodities that drive the port's success.

SJPC's strategic investments are not only a response to current market demands but also a proactive measure to secure its position as a leading port in the region. By enhancing its infrastructure and expanding its storage capacities, it aims to provide unparalleled service to its clients and foster economic and job growth in the South Jersey region.

"Our commitment to continuous improvement and investment in infrastructure is essential to maintaining the high standards of service our customers expect," said Andy Saporito, Executive Director and CEO of SJPC. "The record rail volumes and strong demand we've experienced so far this year are a testament to the hard work of our team and the strategic vision we have for the future. We are excited about the opportunities ahead and remain dedicated to supporting our clients' needs through innovation and expansion."



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# Norwegian Cruise Line will homeport in Phila. starting in 2026

PhilaPort announced that it will commence cruise operations in 2026, welcoming operator Norwegian Cruise Line® to Philadelphia. The “Norwegian Jewel,” with its capacity to accommodate 2,330 guests, will homeport in Philadelphia from April 16 through October 17, 2026, featuring 24 calls to the city.

During the summer 2026 season, “Norwegian Jewel” will offer seven- to nine-day voyages to Bermuda, where the ship will overnight. When the weather turns cooler, from September 5 through October 7, the “Jewel” will sail 10- and 11-day open-jaw voyages to Canada and New England. The ship will alternate homeports between Philadelphia and Quebec City, Canada, featuring calls to ports like Saguenay, Charlottetown, and Halifax, Canada in addition to well-known ports such as Bar Harbor, Maine and Boston, Massachusetts.

The economic impact from cruise vessels is significant. In launching cruise operations, PhilaPort anticipates that if growth continues among this segment by 2028, this industry could generate over 2,000 direct, indirect, and induced jobs and over \$40 million annually in county and state tax revenue.

“The Port of Philadelphia plays a significant role in making our commonwealth an economic leader on the global stage, supporting thousands of local jobs, and connecting millions of people with the best of what Philadelphia and the commonwealth have to offer. Now, with Norwegian Cruise Line coming to the port in 2026, millions of Pennsylvanians and passengers from across the region will have another reason to visit



The “Norwegian Jewel,” Norwegian Cruise Line’s refurbished 965-foot cruise ship will begin cruises north and south in 2026. Over the coming two years, PhilaPort will work with organizations across the commonwealth to rebuild its cruise business.

Philadelphia’s waterfront,” said Gov. Josh Shapiro. “With all eyes on Philadelphia as we prepare to host our country’s 250th birthday in 2026, the port will continue to help support and grow Philadelphia tourism to create economic opportunity for our region, workers, and businesses.”

In addition to the port, the new service will most benefit hotels and restaurants. Museums, historical sites, zoos, and parks will also profit, as will provisioning companies and transportation services.

“As the first passenger cruise line to homeport in Philadelphia in many years, the arrival of “Norwegian Jewel” is a key milestone for NCL and our partners at the Port of Philadelphia,” said David J. Herrera, president of Norwegian Cruise Line. “We are looking forward to welcoming guests from the area and surrounding cities starting spring 2026 and offering them the vacation of a lifetime.”

PhilaPort, the Port of Philadelphia, will prepare over the next

18 months for this new chapter of cruising from the city. The port is making capital improvements to ensure the seamless transfer of passengers from ship to shore and vice versa. Port officials will also work with organizations across the commonwealth to rebuild the cruise business, releasing additional details as they become available.

“We have been known as the fastest-growing cargo port in North America,” said PhilaPort Executive Director and CEO Jeff Theobald. “Now we are pleased to add tourism and cruises to our portfolio.”

Cruisers will be able to sail directly from PhilaPort’s SouthPort Marine Terminal Complex.

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## New Delaware port infrastructure project gains funding

*continued from page 1*

existing and new terminals, will generate a total of about 11,480 jobs.

“For decades, jobs at the Port of Wilmington have been a gateway into the middle class for thousands of workers and their families—the kind of jobs our state and country were built on,” said Delaware Gov. John Carney. “This investment to expand the port will position Delaware to compete for container cargo and larger ships. I am pleased to see strong bipartisan support for this important and necessary next step in making the planned Edgemoor expansion a reality.”

Construction of the Delaware Container Terminal will take place in phases, the first to be completed over an estimated 36-month period. Much of the early work in the first phase will focus on waterside construction—building a seawall, high deck, and associated dredging. Land-side construction, container yard construction, and associated infrastructure will follow. Enstructure hopes to break ground by the end of the year and announced it has obtained necessary permits for the 1.2 million TEU terminal.

“We are eager to collaborate closely with our local, state, and federal partners to develop this modern container terminal, which will create new

jobs and catalyze economic growth in the region.” said Enstructure Mid-Atlantic President Bayard Hogans.

The project is a public-private partnership between Enstructure, the DSPC, and the State of Delaware. The DSPC owns the site, and Enstructure will be responsible for the project’s development and serve as the facility operator under a long-term concession agreement once development is complete. The State of Delaware is committing \$195 million to the project, and Enstructure will pay most of the construction and equipment costs, beginning with \$170 million to support phase one of the project, and an additional \$165 million to complete future phases. Remaining costs will be supported by a Port Infrastructure Development Program grant of \$50 million.

“We are excited to partner with the State of Delaware, the Diamond State Port Corporation, the Delaware Building Trades, and the International Longshoremen’s Association to significantly expand Delaware’s port infrastructure,” said Enstructure Co-CEOs Matthew Satnick and Philippe De Montigny. “Delaware Container Terminal will broaden Enstructure’s marine terminal network and logistics services, while enhancing our ability to serve our carriers and beneficial cargo owners.”

“For far too long, valuable waterfront property has been developed for shopping malls, condos, and casinos. That the Edgemoor site will be dedicated to commercial maritime use is extremely positive,” Humber said.

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## In Memoriam

### William Robert Schmidt

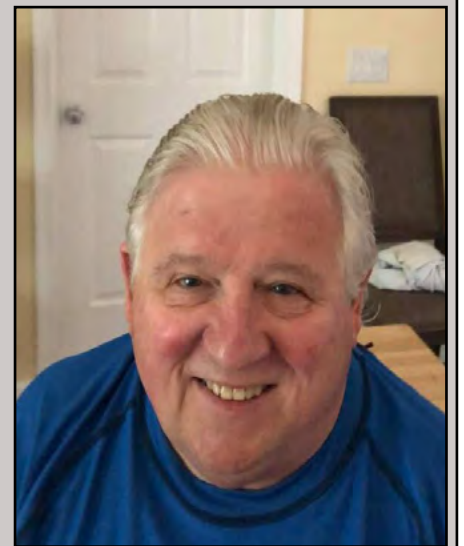
*The Beacon* is saddened to report that William Robert “Will” Schmidt, age 74, passed away on May 8, 2024 in Wilmington, Delaware. Will was a good friend to the Maritime Exchange and to many members of the regional port community.

Will was born Hamlin, West Virginia, and grew up in Baltimore, Maryland, moving to Delaware in 1989. He married Susie Jacobson in 1971, and they were together until her death in 2014. Will was a U.S. Navy Veteran and worked in the maritime industry for over 45 years, retiring from Host Agencies in 2019.

He was a member of AmVets Post 2 in Long Neck, Delaware and The Crossing Church in Milton, Delaware. In his free time, Will loved fishing, boating, NASCAR, and baseball.

He is survived by his second wife Victoria (Bayne) Schmidt, sons Christopher and Josh, son-in-law Nicholas, sister Patty Spangler, and a collection of beloved extended family members.

The Exchange extends its sincere condolences to the Schmidt family and Will’s many friends among our community.





# Seafarer son harbors deep affection for Delaware River ports

**By: Theodore Dahlburg  
Seamen’s Church Institute of Philadelphia  
and South Jersey**

Ronald Cordoba of San Jose, Costa Rica recently paid a surprise visit to the office of the Seamen’s Church Institute of Philadelphia & South Jersey, known to the community as SCI, and introduced himself with the following heart-stopping admission: “What I’m about to tell you is going to be very emotional for me.”

Ronald’s tale began in 1987 when his father’s ship, the “Triton Trader,” foundered in the North Atlantic due to a severe storm. The situation was so dire that the vessel’s captain was forced to order the crew to abandon ship. One can only imagine how frightened little Ronald, more than 2,000 miles away, must have been hearing this news, worrying about the welfare of his father, Manuel, and the other crew members.

Thankfully, the crew of 12 international seafarers was suc-

cessfully rescued and whisked away to safe haven in Philadelphia. Once there, Father Neale Secor, then SCI’s Executive Director, took charge by organizing food, clothing, and shelter for the crew. Father Neale even reached out to a friend at American Express who provided tickets to fly all the seafarers home to destinations around the world.

Speaking of Father Neale at the time, Ronald’s father said, “He gave his hands to us, and we will never forget. He has saved us.” From this harrowing experience, a deep sense of gratitude was instilled in Ronald and the names “Philadelphia,” “Seamen’s Church Institute,” and “Father Neale” came to signify hope, compassion, and joyfulness.

Fast forward to 2024. Ronald has devoted his life to helping others through leadership roles at Children’s International Summer




Ronald Cordoba visited SCI’s office nearly four decades after his father and other seafarers found refuge at the organization following a tragic accident at sea. While at SCI, Ronald (left) had a chance to connect with friends Heather Simon and Steven Simon, incoming president of the Brandywine Valley Chapter of CISV USA, the Children’s International Summer Villages.

Village, UNICEF, and elsewhere. A work-related trip brought him to the Philadelphia region, and he was determined to track down SCI to tell his father’s story and express his thankfulness in person . . . something he had wanted to do for 37 years.

“We were all tremendously moved by Ronald’s story,” said Helene Pierson, SCI Executive Director. “It reminded us of how dangerous the life of a seafarer can be, and it also highlighted how wonderful and caring our port community is.”

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# Editorial

## “De minimis” a big thing

For those not up on their Latin, the term “de minimis” essentially means something so small it is hardly worth notice. Yet in the U.S. importing world, these unremarkable items have recently grabbed a lot of attention.

Why? Because de minimis is also a term Customs and Border Protection uses to identify very low-value shipments. And CBP has started looking more closely at de minimis entries in the last year.

Under the CBP de minimis program, also known as Section 321 for the part of the U.S. Code that describes it, as long as the aggregate retail value of articles shipped into the U.S. by one person (entity) on one day falls under the de minimis cap, no duties or taxes will be payable. Items subject to antidumping/countervailing duties, quotas, or taxes imposed under the Internal Revenue Code collected by other agencies are not eligible for entry under 321, but just about anything else is fair game.

Historically, the 321 shipment value was \$200. It grew to \$800 when the Trade Facilitation and Trade Enforcement Act became law in February of 2016.

The huge upsurge of e-commerce during and since the COVID pandemic has led to an equal explosion in the volume of de minimis shipments. And the generous rate—compare it to a cap of about \$110 USD in Canada or \$164 in France, with many countries disallowing special rates at all—means the U.S. is a key market for these shipments.

Concurrent with that activity, CBP began pilot testing a new Entry Type 86 that would allow for de minimis-qualified entries to be filed via the Automated Broker Interface system. Brokers using ABI would not be limited in the number of Type 86 entries they could file, though they would still be restricted to the “one person/one day” \$800 max for each customer.

The Type 86 program was designed to facilitate the continuously growing volume of low-value shipments while at the same time providing CBP with greater visibility into manifest details, such as cargo descriptions, importers, and consignees.

Yet the increasing use of Section 321, particularly by Chinese retail behemoths such as Temu, has led to more intense CBP scrutiny of the program.

The concerns are many. Among them are counterfeit and illicit merchandise, certain companies using the program to avoid duties, and drug interdiction improvements—especially fentanyl. In 2023, CBP urged members of the U.S. importing community to increase the amount of information they collect from their principals. CBP wants to know who the end customer is and what is actually in each shipment.

Legitimate businesses cannot, and most do not, complain that CBP is attempting to crack down on noncompliant or worse, illegal, cargoes. Most brokers appreciate the steps CBP is taking to find the bad actors.

But is CBP going too far? Earlier this year, CBP suspended access to the Type 86 program for a number of customs brokers. The charges against these companies were unspecified. According to one local broker, this CBP action is “basically shutting them down, taking away their brokerage licenses.”

One of those companies, Seko Logistics, was conditionally reinstated to the program but in June filed a complaint in the U.S. Court of International Trade seeking unconditional reinstatement. At a minimum, Seko asked for CBP to name the specific violations that led to the suspension. Through a series of communications occurring under ITC oversight, CBP provided additional detail, demonstrating, at least from its perspective, that Seko failed to meet the program requirements.

On July 26, 2024, the ITC denied Seko’s claims and found in favor of CBP.

While the Exchange will not comment on the merits of any arguments, ensuring sufficient opportunity for a known filer to rectify deficiencies before suspension seems warranted before court action becomes necessary.

## A call to save a symbol of American unity

By: **Susan Gibbs, President**  
**SS United States Conservancy**

Public polling shows Americans are sharply divided over politics, public policy, and cultural issues. Now is the moment to draw inspiration from the unifying and inspiring symbols of the nation, whose resilience and power can reforge common cause in uncertain times.

Among those great national symbols, America’s global ambassador of strength and innovation, the SS “United States,” is now on the brink of eviction

and possible destruction. Would we consider toppling the Statue of Liberty or melting down the Liberty Bell? Never. Nor should we contemplate scrapping our nation’s flagship.

This moment is an opportunity to rediscover our shared history and celebrate our unwavering capacity to do great things.

America’s Flagship began as the dream of an eight-year-old boy. Young Willie Gibbs stood among the crowd of 40,000 as President Grover Cleveland, favorite son of New Jersey, lauded the launch of the SS “St. Louis,” built “on American plans, by American mechanics, and of American materials.”

Almost six decades later, the keel of SS “United States” was laid. For William Francis Gibbs, by then America’s most accomplished naval architect, the vessel rising above the landscape was the culmination of a lifelong dream to design the safest, fastest, and most advanced vessel the world had ever seen.

Conceived as a public-private partnership, the SS “United States” was a Cold War military asset, able to quickly transform from luxury liner to military transport. She was capable of carrying 14,000 troops over 10,000 miles without refueling.

Built like a battleship but with mid-century modern grace and style, her 240,000 shaft horsepower engines and other features made her an engineering marvel. Her maiden voyage in July 1952 smashed the transatlantic speed record in both directions. It’s hard to fathom in our era of lumbering cruise ships that a vessel the size of the Chrysler Building laying on its side could blast through the sea at more than 40 miles per hour.

In her heyday she symbolized America’s unconquerable, can-do spirit. When she entered port, an embodiment of the American dream arrived with her.

Over 17 years and 800 incident-free crossings, she played host to everyone from A-list celebrities of the “Mad Men” era, former and future U.S. presidents, tourists, and immigrants.

The jet age spelled the end of the SS “United States” service career in 1969. In 2011, as she faced the scrapper’s torch, the SS United States Conservancy, a national nonprofit organization, purchased America’s Flagship. She’s been safely afloat and cared for ever since.

Last year, together with leading New York developer RXR and hotelier MCR Hotels, the SS United States Conservancy unveiled a transformative redevelopment plan that demonstrates the ship’s commercial viability as a permanently moored mixed-use waterfront destination and museum. The plan proved the enormous economic potential of the ship, which would create thousands of jobs and produce millions in direct and indirect revenue for a port city willing to provide her with a home.

But this American symbol faces twin threats to her survival.

During the pandemic, the ship’s landlord attempted to double the rent without notice to force her off her current pier. After a lengthy legal dispute, a federal court ruled in favor of the Conservancy on the issue of rent but ordered the 1,000-foot-long ship to be moved by September 12.

Now, the ship that raced across the Atlantic is in a race against time to find a new temporary or permanent location. The Conservancy needs Americans, global supporters, and business and political leaders to unite to save the SS “United States.”

This imminent danger facing our nation’s flagship should be a rallying cry to save this towering personification of what we can accomplish when we dare to do great things and embrace not only what is, but what is possible.

The SS “United States” can and must be saved. She needs a new berth now. By uniting behind our flagship, we can ensure this enduring expression of American innovation inspires future generations to greatness.

*Susan Gibbs is president of the SS United States Conservancy, owners and caretakers of America’s Flagship, and the granddaughter of the ship’s designer, William Francis Gibbs. Those wishing to contribute to saving America’s Flagship can visit [www.SaveTheUnitedStates.org](http://www.SaveTheUnitedStates.org).*



**The Beacon** is the official newsletter of the Maritime Exchange for the Delaware River and Bay. The Exchange encourages its readers to submit letters to the editor at any time in response to articles that appear in *The Beacon* or to address other topics of interest to the port community.

Please direct any correspondence, comments, or inquiries regarding the contents of this newsletter to:

[exchange@maritimedelriv.com](mailto:exchange@maritimedelriv.com)

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# The outlook for regulated industry post-Chevron



By: Jessica Link Martyn, Esq.  
Link Martyn, PLLC

The Supreme Court's decision in *Loper Bright Enterprises v. Raimondo* eliminated "Chevron deference," which required courts to defer to "permissible" agency interpretations of ambiguous statutes. What remains, post-Chevron, is the Administrative Procedures Act (APA) mandate that courts must exercise independent judgment in construing statutes administered by agencies.

With the courts' duty to "decide whether the law means what the agency says" reinstated under the APA, the death of Chevron deference may remove an analytical hurdle without much practical difference to regulated industries.

Courts will not suddenly disregard agency interpretations wholesale but may and should continue to seek guidance from the agencies as subject matter experts who provide valuable guidance in the areas they administer. In the absence of any binding authority on the issues before them, courts can now use every tool at their disposal, including agency interpretations, as information and guidance for interpreting the meanings of statutes and their applications to issues before the courts.

As judicial precedent develops post-Chevron, predictability of outcomes should increase. But outcomes should only change where an agency's "permissible" interpretation of an ambiguous statute under Chevron is not its "best" meaning—the reading the court would have reached had it exercised its independent judgment under the APA. In practical terms, the gap between outcomes based on Chevron and those based on APA standards of statutory interpretation is likely rather narrow.

As the Supreme Court recognized in *Loper Bright*, Chevron

analysis had become so complex that courts have misapplied it or simply bypassed it altogether and often declined to engage with it, saying "it makes no difference." But where courts have engaged in Chevron analysis, they have not wholly abdicated their duty of statutory interpretation.

In the examples below, the courts extensively analyzed the statutes and implementing regulations to ensure that deference was warranted in the first place and that the result was reasonable. This required an analysis of the statute in question to assess, among other things, whether it was silent or ambiguous on the precise question before the court, whether the agency had directly addressed the question at issue, and if the agency's interpretation of the statute was reasonable.

In both the First Circuit and D.C. Circuit Courts of Appeal decisions that *Loper Bright* overturned, fishermen challenged a National Marine Fisheries Service rule interpreting the Magnuson-Stevens Fishery Conservation and Management Act that required them to pay for federally mandated observers onboard their vessels. In both cases, the circuit courts analyzed the statute directly, and the First Circuit relied almost exclusively on its own statutory analysis to affirm the district court decision below. Now, on remand, it would be surprising for the courts to arrive at different outcomes, having performed the analysis to find that the Fisheries Service interpretation of the statute was reasonable. Any difference would necessarily be based on the court's re-interpretation of the same statute, likely informed by agency guidance, to arrive at a different "best" interpretation.

In an example from the Third Circuit that the Court of Appeals called "a textbook example of when Chevron deference applies," the court in *Del. River Stevedores v. DiFidello* found that an injured employee had not forfeited his Longshore and Harbor Workers' Compensation Act benefits by refusing to respond to his employer's requests for forms. As in the *Loper Bright* cases, while the court deferred to the agency interpretation under Chevron, it wasn't without thought and consideration that the agency interpretation was reasonable. The court performed the analysis and decided the outcome made sense.

Post-Chevron, courts will still look to the agencies and regulations for information and guidance in deciding what the law is. Any practical difference post-Chevron will depend on whether courts find that "permissible" agency interpretations under Chevron are not the "best" interpretations—their own—under the APA mandate.

Finally, different outcomes might be expected where there is some indication that courts might have decided differently in the absence of Chevron. These might include cases where courts have stated that they interpret a statute differently, where



dissents are based on the permissiveness of an agency's interpretation, or where courts did not engage in their own statutory analysis before deferring to an agency.

Though many expect the demise of Chevron to lead to chaos with courts interpreting statutes they don't understand, the likelihood is that courts will continue to base their decisions on the same informed analyses they have historically used.

Jessica Link Martyn is Managing Attorney at Link Martyn PLLC, on demand maritime counsel for corporate clients, marine insurers, and law firms. You can reach her at [jmartyn@linkmartyn.com](mailto:jmartyn@linkmartyn.com) or 757-615-4753.



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## Notes & News

The Export-Import Bank of the United States (EXIM) Board of Directors appointed **Carla Sydney Stone**, President of **World Trade Center Delaware**, to its 2024-25 Council on Small Business. Carla helps Delaware companies expand their businesses, leading to increased revenue, profitability, and numbers of employees—through training, inbound and outbound trade missions, networking and social events, and partnerships with U.S. government bodies and NGOs. Congratulations, Carla, on this well-deserved appointment!

*Main Line Today*, a regional lifestyle magazine that serves Philadelphia's western suburbs, named **Sandy Knapp** and 16 of her **Gawthrop Greenwood** colleagues as "Top Lawyers of 2024." Each year, attorneys nominate others via peer balloting; *Main Line Today* then vets the nominees through its editorial process. Gawthrop Greenwood once again ranked in multiple practice areas as the magazine named more than half of the firm's lawyers to its 2024 top lawyers list. Well done!

**Western Fumigation** promoted **Bob Bryan** to Service Supervisor this past January after almost 20 years with the company. Bob's work ethic and dedication make him an invaluable member of the team and an outstanding fit for the job. Congratulations to Bob on his new role!

**Thomas Young**, President of the **World Trade Center Greater Philadelphia** announced WTCGP will host the World Trade Centers Association 56th Annual Global Business Forum in late March of 2026. This event will bring together business leaders and innovators from around the globe to Philadelphia. It is a tremendous opportunity for the Philadelphia region and the businesses that call it home. Stay tuned for more information.

## Calendar of Events

- 08/28 Seamen's Center of Wilmington Board Meeting
- 09/04 Ports of Philadelphia Maritime Society Board Meeting
- 09/05 **Maritime Exchange Government Affairs Committee Meeting**  
10:00 a.m. – 11:30 p.m.  
Repauno Terminal, 200 North Repauno Avenue, Gibbstown, NJ 08027  
Contact: [Yair Farkas](#)
- 09/10 Seamen's Center of Wilmington Last Bash of the Summer  
4:30 p.m. – 7:30 p.m.  
Docklands Riverfront Restaurant, 110 West Street, Wilmington, DE 19801  
Contact: [scw@scwde.org](mailto:scw@scwde.org)
- 09/11 **Maritime Exchange Board Meeting**
- 09/12 **Area Maritime Security Committee Managing Board Meeting**  
USCG Sector Delaware Bay, 1 Washington Avenue Philadelphia, PA 19147  
Contact: [Glena Tredinnick](#)  
  
Water Resources Association of the Delaware River Basin  
Annual Recognition Dinner  
5:30 p.m. – 9:00 p.m.  
Fairmount Water Works, 640 Waterworks Drive, Philadelphia, PA 19130  
[Register online](#)
- 09/13 **Ports of Philadelphia Maritime Society Russ Larsen Memorial Golf Outing**  
Springfield Country Club, 400 West Sproul Road, Springfield, PA 19064  
Contact: [Mike Scott](#), 484-274-3400; [register online](#)  
  
Ports of Philadelphia Maritime Society Crab Feast  
Fort Mifflin, 6400 Hog Island Road, Philadelphia, PA 19153  
Contact [Linda Greene](#), 609-970-9436; [register online](#)
- 09/19 World Trade Center of Philadelphia Annual Banquet  
Honoring William Parker, Jr.
- 09/24 **Maritime Exchange Hazmat Materials Training**  
Contact: [Yair Farkas](#)
- 10/09 **Maritime Exchange Executive Committee Meeting**
- 10/15 **Maritime Exchange DR102 Port Awareness Training**  
8:00 a.m. – noon  
GEODIS, 5105 South Broad Street, Philadelphia, PA 19112  
Contact: [Yair Farkas](#)

For a complete schedule and event details, visit [www.maritimedelriv.com](http://www.maritimedelriv.com).

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