



ropecordNEWS

THE CORDAGE INSTITUTE

Dedicated to the Advancement of Rope and Cordage Products

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They Will Be Missed

2013 was a hard year for the Cordage Industry. We lost five great contributors to the industry and the Cordage Institute.

Mr. Phil Skaer

Phil was retired from Wall Rope as their President, and was also a Past President of the Cordage Institute. Phil was a long time member of the Cordage Institute, but he took a couple of years off to take care of his wife who preceded Phil in death. In 2012, Phil rejoined the Cordage Institute as an Expert Witness, and was in the process of becoming more active when he passed in early 2013.

Mr. Jim Breedlove

Jim retired from The Lehigh Group as their Chief Engineer. He had a vision of what the Institute could do to help the industry, and he remained active within the Institute until his passing in August 2013, when he succumbed to a massive stroke after being treated for cancer. Jim was a consultant, and worked on various projects within the industry. In the early 70s, Jim was the Cordage Institute. Jim, along with Gale Foster, resurrected The Cordage Institute. Yes, Jim had a vision, and we are living it.

Mr. Joe Berthelot

Joe enjoyed 15 years of retirement after working in rope sales for 46 years. In 1952, Joe began his career with American Manufacturing Inc. in New Orleans. After promotions and moves, Joe settled in Lafayette, LA, where he served as V.P. of Sales until he retired in 1998. Joe then spent the rest of his life enjoying his family and fishing. Joe was the perfect salesman. He knew his products, and always put them in the correct application.

Mr. Steve Hudson

Steve was the Co-Founder and President of Pigeon Mountain Industries (PMI). Steve was very active as a Director and Past President of the Cordage Institute. Steve was interested in all aspects of life, and his dedication to providing quality products with technical excellence and integrity will live on in the legacy of PMI.

Mr. Herb Repass

Herb co-founded New England Ropes, Inc. in New Bedford, MA with his friend and associate Dave Aigler. Herb retired in 1990 and passed the company to Jay Repass. Herb insisted on quality products with the best manufacturing possible, and he developed several products that are still being made today. Herb passed on December 28, 2013 in Vero Beach, FL.

All of these men have made a mark on the rope industry that will forever remain. The amount of experience the rope industry has lost this past year is in excess of a century. Each of these men, even those who were retired, were still working and assisting in a variety of ways, and helped many young people get started on the right path.

These men were rope makers, but they were also family men. I have had the pleasure of knowing and working with all of these men in varying degrees over the years. They will be greatly missed.

David Richards, Cordage Institute Technical Director

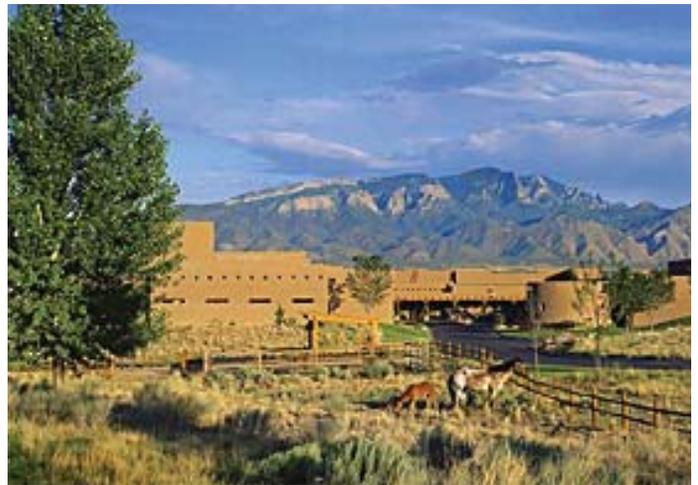
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2014 Annual Conference

This May, the Cordage Institute will be traveling to the Hyatt Regency Tamaya Resort and Spa in Santa Ana Pueblo, New Mexico (near Albuquerque) for the 2014 Annual Conference!

The program will feature technical working group meetings, a meeting of the Technical Committee, the annual business meeting with presentations and a roundtable discussion, a technical seminar, and of course, the Annual Gale Foster Memorial Golf Tournament and plenty of other networking opportunities.

Registration for the event is now open and a meeting notice is available [here](#). We look forward to seeing you in New Mexico!



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New Member

The Cordage Institute is happy to welcome the following members, who have joined since the last issue of *ropecordNEWS*.

STERLING ROPE

Manufacturer Member

Biddeford, Maine

Contact: Peter Schwarzenbach, CFO

Phone: (207) 282-2550

Email: peter@sterlingrope.com

Sterling offers safety rope, cord, and hardware for use in climbing, rope rescue, arbor, guiding, industrial safety, work access, and OEM markets. Their website is www.sterlingrope.com.

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Ex-BP Engineer Convicted in Deepwater Horizon Investigation

Workboat Staff

Kurt Mix, a former engineer for BP, was convicted Wednesday, December 18, 2013 of intentionally destroying evidence requested by federal criminal authorities investigating the April 20, 2010, Deepwater Horizon disaster.

Acting Assistant Attorney General Mythili Raman of the Justice Department's Criminal Division and Special Agent in Charge Michael J. Anderson of the FBI's New Orleans Division made the announcement after the verdict was announced by U.S. District Judge Stanwood R. Duval Jr.

Mix, 52, of Katy, Texas, was convicted by a federal jury in the Eastern District of Louisiana of one count of obstruction of justice, and was acquitted on a second count of obstruction of justice. He faces a maximum penalty of 20 years in prison when he is sentenced on March 26, 2014.

“Today a jury in New Orleans found that Kurt Mix purposefully obstructed the efforts of law enforcement during the investigation of the largest environmental disaster in U.S. history,” said Acting Assistant Attorney General Raman. “This prosecution shows the commitment of the Justice Department to hold accountable those who attempt to interfere with the administration of justice. I want to thank the committed prosecutors and agents who have worked tirelessly over so many years on the Deepwater Horizon Task Force for their dedication and tenacity.”

According to court documents and evidence at trial, on April 20, 2010, the Deepwater Horizon rig experienced an uncontrolled blowout and related explosions while closing the Macondo well. The catastrophe killed 11 men on board and resulted in the largest environmental disaster in U.S. history.

Mix was a drilling and completions project engineer for BP. Following the blowout, Mix worked on internal BP efforts to estimate the amount of oil leaking from the well and was involved in various efforts to stop the leak. Those efforts included Top Kill, the failed BP effort to pump heavy mud into the blown-out wellhead to try to stop the oil flow. BP sent numerous notices to Mix requiring him to retain all information concerning Macondo, including his text messages.

On or about October 4, 2010, after Mix learned that his electronic files were to be collected by a vendor working for BP’s lawyers, Mix deleted on his iPhone a text string containing more than 300 text messages with his BP supervisor. The deleted messages included a text sent on the evening of May 26, 2010, at the end of the first day of Top Kill. In the text, Mix stated, among other things, “Too much flowrate – over 15,000.” Before Top Kill commenced, Mix and other engineers had concluded internally that Top Kill was unlikely to succeed if the flow rate was greater than 15,000 barrels of oil per day (BOPD). At the time, BP’s public estimate of the flow rate was 5,000 BOPD; three times lower than the minimum flow rate indicated in Mix’s text.

By the time Mix deleted these texts, he had received numerous legal hold notices requiring him to preserve such data and had been put on notice of the Department of Justice’s criminal investigation of the Deepwater Horizon disaster.

The Deepwater Horizon Task Force, based in New Orleans, is supervised by Acting Assistant Attorney General Raman and led by William Pericak, a deputy chief in the Criminal Division’s Fraud Section who serves as the director of the task force. The task force includes prosecutors from the Criminal Division and the Environment and Natural Resources Division of the Department of Justice, the U.S. Attorney’s Office for the Eastern District of Louisiana and other U.S. Attorney’s Offices, and investigating agents from the FBI, Environmental Protection Agency, Department of Interior, U.S. Coast Guard, U.S. Fish and Wildlife Service, and other federal law enforcement agencies. The task force’s investigation of this and other matters concerning the Deepwater Horizon disaster is ongoing.

The case is being prosecuted by Senior Trial Attorney Jennifer L. Saulino and Trial Attorney Leo R. Tsao of the Fraud Section.

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Coast Guard Marksman Shoots Out Engines of Fleeing Panga

Workboat Staff

Coast Guard crews intercepted a panga boat with approximately 7,100 lbs. of marijuana and three suspected smugglers aboard in international waters some 155 miles southwest of San Diego, on December 12, 2013.

It was the second time this month that Coast Guard and partner agencies have thwarted a major marijuana smuggling operation in the area.

In the most recent incident, an aircrew aboard a Coast Guard HC-130 Hercules aircraft initially detected the 30' panga.

Multiple assets, including the Coast Guard cutters Active and Edisto and a 45' response boat crew from Station San Diego, responded.

When Coast Guard vessels converged on the area, a brief pursuit ensued in which the smugglers refused to stop. An aircrew from the Helicopter Interdiction Tactical Squadron that was operating from Active used warning shots, followed by engine disabling fire to render the panga inoperable. A U.S. Customs and Border Protection Office of Air and Marine Multi-role Enforcement Aircraft crew also flew on the case to provide continuous aerial coverage.

"All our crews, especially those of the cutter Active and the Helicopter Interceptor Tactical Squadron, should be proud of their accomplishments," said Captain Michael Eagle, 11th Coast Guard District Chief of Response. "In a little more than a week, Active has been involved in stopping two major shipments of illegal drugs. The Coast Guard aviators and interceptor boat crews who tracked down, warned, and then shot out the engines of the fleeing pangas in these two cases used their law enforcement training, tools, and techniques to safely apprehend five suspected smugglers and stop the delivery of more than six tons of marijuana."

The 74 bales, three suspects, and the panga from the second interception were taken to San Diego and turned over to the San Diego Marine Task Force, which includes federal, state, and local law enforcement agencies.

This was the second major interdiction in the area in December, resulting in the seizure of more than 13,100 lbs. of marijuana. The first occurred on December 2nd when Coast Guard crews interdicted a panga boat with 201 bales of marijuana and two suspected smugglers aboard approximately 140 miles southwest of San Diego.

Counter-smuggling and law enforcement efforts in the San Diego area are coordinated through a Regional Coordinating Mechanism comprised of the U.S. Coast Guard, CBP's Office of Air and Marine, Office of Field Operations, U.S. Border Patrol, U.S. Immigration and Customs Enforcement's Homeland Security Investigations, and state and local law enforcement partners. The ReCoM utilizes the fusion of intelligence, planning, and operations to target the threat of transnational crime along the coastal border.



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ACL to Add Four Passenger Vessels

By: Dale K. DuPont, *Workboat.com*

American Cruise Lines (ACL) made a big commitment to U.S. river cruising with the announcement made on Monday, December 16, 2013, of a total of four new riverboats.

Two already are under way at Chesapeake Shipbuilding Corp., Salisbury, Maryland, which is headed by ACL CEO Charles A. Robertson. The first, 280'x54'x8' Hull 104, will start cruising in the spring of 2015. The rest will enter service between 2015 and 2017, ACL said.



The first two will carry between 150 and 200 passengers. Exact specifications of the three other vessels were not available but a spokesman said they would be "slightly larger." Guilford, Connecticut-based ACL did not disclose the cost of each vessel but industry sources estimate \$175,000 to \$200,000 per berth. That puts the estimated cost of each boat at \$26 million to \$40 million.

The boats will sail the Mississippi River system and the Columbia Snake River System. ACL also operates Queen of the West on the western rivers, as well as several coastal cruisers.

"It's clearly an underserved market. It's really what the category needs, new ships, well managed with a range of destinations," said Rod McLeod, a cruise industry veteran with Miami-based consultants McLeod Applebaum & Partners.

Demand for river cruises is growing significantly worldwide. Viking River Cruises, for example, one of the world's major lines, this year set a record with the christening of 10 new vessels at once.

“The greatest limitation the river cruise industry has is the rivers,” McLeod said. “They’re only so wide, they’re only so deep, and the bridges are only so high.”

In 2012, ACL and American Queen Steamboat Co. returned regular overnight journeys to the inland rivers with the 460-passenger American Queen and ACL’s 150-passenger new build Queen of the Mississippi.

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The Jones Act: Road to Repeal

By: *Captain Max Hardberger, Workboat.com*

The argument over whether the Jones Act should be repealed or at least constrained will continue for a long time, but it could be useful if we begin to envision how such a thing could happen.

Even daydreamers do not foresee a wholesale repeal. The Jones Act is so complex and favors so many special interests that any credible assault would engender a massive and vicious response that would probably doom the effort from the outset. However, any law or set of laws that work against the public interest will give rise to chink-in-the-armor attacks by other, competing special interests.

Recently, a spate of articles in U.S. West Coast/Hawaii shipping publications and in Pacific-oriented political blogs have proposed an exception to the Jones Act for vessels trading between the mainland U.S. and Hawaii. Blind to the unfairness of exempting trade between Hawaii and the mainland while maintaining Jones Act strictures on other domestic trade, the articles argue that “carving out” a specific exemption while maintaining the system as a whole was an argument for the Act.

Similar pressures exist to exempt specific trade routes between the lower 48 and Alaska and the mainland and Puerto Rico, but all to naught so far. There is no constitutional or historical basis for carving out exemptions, and even our activist Supreme Court is not yet ready to take on the Jones Act en globo. Interestingly, the court did dip a toe in the water in a case decided this year, *Lozman v. City of Riviera Beach, Florida*, in which the court significantly limited the application of the Jones Act by exempting “non-boats” like houseboats from its coverage.

Now, additional pressure on the Jones Act is coming from international waters in the Gulf of Mexico. In the U.S. Gulf, foreign-flag drilling rigs are free to operate, and the supply vessels that go between the rigs and their U.S. support bases have to go through the charade of customs clearance on every trip. Even with these impediments, it must curl the toes of Jones Act stalwarts that these foreign-flag “vessels” (which is what a deepwater platform is) can operate with impunity a couple of hundred miles from our coast, and an effort to expand Jones Act coverage to them may come soon.

Even dredges are not immune from Jones Act controversy. In June, according to a posting by Charlie Papavizas of the law firm Winston & Strawn LLP, U.S. Customs and Border Protection ruled that “a dredge is a vessel under applicable Supreme Court precedents, that harvesting marine vegetation constitutes ‘fishing,’ and the lifting of objects on board a vessel by a vessel’s crane constitutes a ‘lading’ for [Jones Act] purposes.” The “lifting of objects” refers to vegetation scooped up during dredging. This is apparently the distance to which government agencies will go to expand the Jones Act without resorting to the legislative process.

Such a ruling is ludicrous on its face and will probably be enjoined soon, but it is no less ludicrous than the only surviving justification for the special treatment of “seamen” under the Jones Act, which is that they are, or should be, “wards of the court.” That phrase became common among legal writers and in some courts after the 1840 publication of Richard Henry Dana’s *Two Years Before the Mast*, and the feeling that seamen needed special protection from greedy ship-owners was still current when the Jones Act was enacted 80 years later.

That may well have been the case then, but the rise of the seamen’s unions in the years since, along with enforcement of international standards on all oceangoing ships, has tipped the scale in the other direction. Now, the application of Jones Act provisions to a personal injury case tips the scales unfairly in the plaintiff’s direction. Fairness would dictate that maritime employees sue under the same laws every other worker must sue under. There can be little modern justification for a law that prevents an employer from introducing evidence that an employee’s drunkenness at his place of work contributed to his injury.

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Onboard Idiots at Work

By: Captain Peter Squicciarini, *Workboat.com*

"It's all fun and games until someone loses an eye." I am sure you have heard that one before. So how stupid is "crazy stupid?"

Here are a few examples that may sound funny now, but they were anything but funny when they occurred. The cause of each one was "intense human factors." Some might call them "sea stories," but sadly I have direct knowledge of these incidents.

- "Monkey see, monkey do." The mate was going to do some touch up varnishing. He retrieved the can of varnish from the topside flammable storage locker. It was winter and the cold varnish was a little "thick", so he set the can on the open oven door to warm up. The oven was off and still warm from lunch. The mate departed with his varnish. The deckhand saw this little trick and decided to do some painting himself. He grabbed a spray can of white paint. It too was cold. He stuck it inside the oven, closed the door, set it at 350 degrees and was called away. Yes, you guessed it. A large explosion instantly repainted the galley and the oven door was seriously dented.
- The boat needed a new freezer, and the deckhand and accomplice were sent to pick one up. Several hours later they returned but found the tide had gone out and the deck was now far below the pier. No problem. The dumb one volunteered to get onboard and catch the freezer as the smart one "carefully" lowered it. The bad news was that the "smart" deckhand dropped the freezer from the pier. The good news was the dumb deckhand was a foot away from impact. I heard they took the freezer back and claimed it was damaged.
- Holidays are for BBQs, and the greenhorn decided to score some points by cooking up some steaks. He set up the grill on the fantail, loaded up the charcoal, and doused it with lighter fluid and diesel. Then he lit it. The flames reportedly were impressively high. So how stupid was this move? The boat was up alongside an oil barge. The tankermen went nuts.
- This one is about Texas toast and black eyes. One guy loved his oven toasted and the other guy wanted it fast from the microwave, which is not recommended. Wrestling begins, fists fly, and no Texas toast. A few black eyes later, the rule was they each got their own box of Texas toast with their names on them. Why can't we just all get along?
- A diesel engine rear seal was leaking, flinging oil, and making a mess. The "deckineer" brilliantly "fixed" the mess by placing a huge slab of cardboard next to the leak. The cardboard did its job and soaked up the oil. It was leaning against the turbo.

"It seemed like a good idea at the time" is a phrase that comes to mind. Sail Safe!

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Important Events

Associated Wire Rope Fabricators Spring 2014 General Meeting

April 27 - 30, 2014
Marriott Waterfront
Baltimore, Maryland
www.awrf.org

Web Sling and Tie Down 2014 Annual Meeting

May 5 - 8, 2014
DoubleTree by Hilton Charleston-Historic District
Charleston, South Carolina
www.wstda.com

Cordage Institute Annual Conference

May 21 - 23, 2014
The Hyatt Regency Tamaya Resort & Spa
Santa Ana Pueblo, New Mexico (near Albuquerque)
www.cordageinstitute.com/new/events.asp

OCEANS 2014 MTS/IEEE

September 14 - 19, 2014
Delta St. John's Hotel
Newfoundland and Labrador, Canada
www.oceans14mtsieestjohns.org

International Workboat Show

December 3 - 5, 2014

Morial Convention Center

New Orleans, Louisiana

www.workboatshow.com

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ropecordNEWS

Editor: Dave Richards, Technical Director

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