

U.S. Department of
Homeland Security

United States
Coast Guard



Captain of the Port
United States Coast Guard
Sector Portland

6767 N. Basin Avenue
Portland, Oregon 97217-3993
Phone: (503) 240-9311
Fax: (503) 240-9302

16700/1211792

April 3, 2010

ORDER 10-052 OF THE CAPTAIN OF THE PORT PORTLAND, OREGON

Master, ATB CORPUS CHRISTI
C/o Transmarine Navigation Corp.
1200 NW Naito Pkwy., Suite #390
Portland, OR 97209
Phone: 503-242-3864
Fax: 503-241-4075

SITUATION: It is reported on April 2, 2010, that your vessel the ATB CORPUS CHRISTI experienced damage to the articulated connecting pins, loss of emergency generator and emergency buss while transiting the Oregon Coast.

DIRECTIONS: Under the authority of the Ports and Waterways Safety Act, Title 33, U.S. Code 1221 et. Seq., and the regulations issued there under, Title 33, Code of Federal Regulations Part 160. I hereby order the following concerning the operation of the ATB CORPUS CHRISTI:

1. The vessel shall immediately make arrangements to safely transit 40 nautical miles offshore and remain until conditions abate on the Columbia River Bar.
2. Prior to transiting the Columbia River Bar, arrange with either an escort or tow by sufficient tug(s) of adequate horsepower.
3. Vessel movement into and on the Columbia River is restricted to conditions of daylight and two miles visibility.

PENALTIES: The enforcement provisions of Title 33, United States Code, Section 1232 provides that a violation of this order is punishable by a civil penalty of not more than \$37,500, with each day of continuing violation constituting a separate violation. A willful and/or knowing violation of this order is a federal criminal offense, punishable as a Class D felony by imprisonment of not more than 10 years and/or a maximum fine of not more than \$250,000. In addition, any person who violates this order, using a dangerous weapon, or who engages in conduct that causes bodily injury or fear of imminent bodily injury to any officer authorized to enforce this order, also faces imprisonment for up to 25 years punishable as a Class C felony.

This order is issued without prejudice as to the initiation of civil penalty proceedings for any violations that may have previously occurred.

APPEALS: Should you feel aggrieved by this order, you may, under the procedures as prescribed in 33 CFR 160.7, appeal in writing to the District Commander, Thirteenth Coast Guard District. In preparing your appeal, you should clearly mark it as an appeal and identify the order which you are appealing. You must address it to the Captain of the Port (6767 N. Basin

16700/ 1211792

April 3, 20100

ORDER 10-052 OF THE CAPTAIN OF THE PORT PORTLAND, OREGON

Ave., Portland, OR 97217) for forwarding to the District Commander (Jackson Federal Bldg., 915 Second Avenue, Seattle, WA 98174). Your appeal must contain complete supporting documentation and evidence which you wish to have considered and should also include a copy of this order.

If the delay in presenting a written appeal would have a significant adverse effect on you, your appeal may be made to this office orally. Nevertheless, if the initial appeal is made orally, a written submission is required within five days of the oral presentation. While your appeal is pending, all provisions of this order will remain in effect.

TERMINATION OF ORDER: This order will remain in effect until cancelled or amended by the Captain of the Port Portland.

If you have any questions, please contact LCDR J.A. Williamson at 503-240-9306.

Sincerely,



F. G. MYER
Captain, U. S. Coast Guard
Captain of the Port
Portland, Oregon

Copy: USCG District 13
Washington DOE
Columbia River Bar Pilots
Columbia River Pilots
Transmarine Navigation Corp.