

Minutes Open Session	Pilot Safety Committee Meeting	Date: December 4, 2014
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Committee members present

Capt. Steve Roberts, Chairman
John Schneider
Dave Connolly
Capt. Rick Hurt

Staff present

Allen Garfinkle, Executive Director
Roma Cristia-Plant, Assistant Director
Kelly Dolcini, Staff Services Analyst
Sigrid Hjelle, Office Technician

Public present

Pacific Merchant Shipping Association (PMSA) Vice President Michael Jacob; San Francisco Bar Pilots (SFBP) counsel Ray Paetzold, SFBP Capt. George Livingstone, Port Agent Capt. Pete McIsaac, and Board Past President Knute Michael Miller.

1. Call to order and roll call

Chairman Roberts called the meeting to order at 10:40 a.m. and noted by inspection that a quorum was established.

2. Review and Approval of the October 2, 2014 Pilot Safety Committee minutes.

It was noted that the item regarding the Committee's mission statement was not on the agenda. It will be added to the next meeting agenda in order to help the Committee narrow its focus.

MOTION: Mr. Connolly moved to approve the October 2, 2014 Pilot Safety Committee minutes. Mr. Schneider seconded the motion.

ACTION: The motion passed unanimously on a voice vote.

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3. Review and consider recent published material concerning “Best Practices” in piloting safety specifically and maritime safety more generally.

The Committee’s discussion of this agenda item began with acknowledging piloting expertise as it contributes to safety. The discussion initially focused on the threshold for becoming an expert in a given field. Capt. Hurt indicated that ten years appeared to be a significant benchmark, and that this coincides with the Board’s 10-year requirement for pilots to be able to serve on the Pilot Evaluation Committee. He indicated that there was a general consensus amongst the SFBP that sufficient expertise could be obtained after 10 years of piloting with which to be useful for supervising the pilot training program. He also indicated that effective communication is one of the pilot’s best tools to ensuring safety, and that the SFBP includes communication as an element in the Board’s Pilot Trainee Training Program.

Mr. Connolly presented the section “Working with Others” from *The Human Element*, and that it discusses a systems view of safety. Mr. Connolly commented that people are the creators of safety, and that knowledge and error flow from the same mental systems, only success will tell the difference. The Committee discussed communication when on ships with a foreign captain or crew, and how a pilot’s attitude plays an important communications role when interacting with the ship’s crew. Capt. Hurt will present information from *The Human Element* to the PEC and report back to the Pilot Safety Committee at the next meeting.

There was a general discussion of personal piloting units (PPUs). Capt. Hurt indicated that bar pilots were initially generally resistant to using PPUs, but that the consensus currently is that the equipment is valuable. Mr. Garfinkle indicated that there is no power source for a PPU when a ship is involved in a “dead tow”, although a PPU in that type of evolution may be valuable. Chairman Roberts indicated that some SFBP carry a small global positioning system (GPS) in addition to the PPU, so that the PPU is not entirely dependent on the “Pilot Plug.”

Mr. Garfinkle handed out the Board’s October 23, 2014 Order for the Report of the Allision Between the TUG Z-FIVE and the Fendering of the Benicia-Martinez Union Pacific Railroad Bridge while Taking Part in a Dead-Ship Tow of the USNS PONCHATOULA on May 15, 2014. One of the determinations contained in the order is for the Pilot Safety Committee to study the use of positioning devices for flat or dead tow transiting the Union Pacific Railroad Bridge.

The Committee then discussed the importance of a “systems view” of safety, and how this differs from the traditional view of safety. Mr. Connolly stressed that current views of safety are moving away from a “blame culture or error culture” whereas a systems view considers the “consecutiveness” of elements. Capt. Hurt noted that emerging challenges drive changes in

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systems. One case on point was the need to accommodate larger ships in the Port of Oakland. This challenge drove simulation studies which resulted in methodology for handling these ships in that specific environment, and this methodology was memorialized in changes to SFBP guidelines.

Mr. Jacob stated that he has concerns with guidelines and how they are created, in that they don't offer a mechanism for comments from the public or allow for feedback. Capt. Hurt countered that they are not created in a vacuum, are derived from expert opinion based on experience, are vetted with industry partners, and provide a living document that can be readily modified as conditions change.

The discussion then moved on to the use of Incident Review Committee (IRC) reports as "lessons learned." Mr. Garfinkle agreed to coordinate with the Port Agent a process to send Board-accepted IRC reports to all pilots.

(Also see the minutes for Agenda item 6 below.)

4. Review current practices involving near-miss reporting within private and governmental organizations. Identify issues that prevent near-miss reporting and discuss potential methods of implementation of near-miss reporting resolves those issues.

Mr. Garfinkle handed out a table entitled, "Barriers and incentives to reporting," excerpted from an article entitled *Barriers to Near Miss Reporting in the Maritime Domain*, that discussed the legal, cultural, regulatory and financial barriers and incentives for reporting on an individual, organizational and societal basis. He also indicated that it would be beneficial to get to the point where it is acceptable to report near misses, but that confidentiality does not work well in the regulatory environment, and while near miss reporting has been successful in some venues, these have typically been non-governmental entities with no enforcement role. Capt. Hurt stated that near-miss reporting for the purpose of mitigating future risks has been an on-going topic of conversation among the SFBP. He also indicated the Federal Aviation Administration's policy of immunity in reporting near misses makes its program a success, and that there were issues with immunity for the reporter when the issue came before the U.S. Coast Guard (USCG), and noted the U.S. Department of Justice was not willing to guarantee immunity for the reporter in all situations.

Mr. Connolly opined that the Committee should look to what the strongest critics (of the Board) would say. Mr. Connolly advanced the idea of hypothetical hazard identification as an alternative to studying near-miss situations. He proposed imagining critical situations and developing

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appropriate responses. He referred the Committee to an article, *The Effectiveness of Airline Pilot Training for Abnormal Events*, wherein airline pilots were presented with situations out of the routine and that reactions to those challenges were not entirely successful. Capt. Hurt confirmed for Mr. Connolly that the SFBP could discuss hypothetical near miss examples as a mechanism for education, and would consider making such a training endeavor transparent so others will know of the effort in this regard. Capt. Hurt also offered to identify what SFBP is doing internally to assess risk, and report back to the Committee.

5. Review and consider what information may be useful from piloting events where there was clearly no pilot error and the investigation was discontinued (7CCR §210(b)(3) and how such information can be used.

The Committee discussed the previous Board regulations regarding piloting events where there was “clearly no pilot error.” In those regulations, such an event was termed a “non-incident” and was not associated with a particular pilot’s file. In the current regulation where there is ‘clearly no pilot error’, the Incident Review Committee (IRC) can halt the investigation (and report this fact to the Board). Chairman Roberts noted that the IRC had been asked to provide the incident reports to the pilots for information purposes. Executive Director Garfinkle assured the Chair that he would review the distribution of the incident reports and ensure that they are being distributed to the Port Agent. Capt. Hurt noted that these are discussed in the monthly all-pilot meetings with an emphasis on risk mitigation.

6. Identify and discuss existing risks and current action to mitigate such risks. Identify and discuss possible actions to mitigate risks that have been identified.

This item was discussed as part of other Agenda item 3 during the meeting, and the Committee decided it did not need to discuss this agenda item further.

7. Public comment on matters not on the agenda.

There were no comments.

8. Proposals for additions to next Committee meeting agenda.

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Mr. Connolly requested the Committee consider at future meetings topics such as the use of independent GPS, proper tug configuration in dead ship tows, a UKC study and discussion of a possible funding. Chairman Roberts also requested that the need for and/or formulating a mission statement be on a future agenda.

The Pilot Safety Committee will meet again at 1:00 p.m. on February 4, 2015.

9. Adjournment

There being no further business before the Committee, the meeting was adjourned at 12:25 p.m.

Prepared by: Kelly Dolcini