



**New York City
Department of Transportation**

40 Worth Street
New York, New York 10013
Tel: 212/676-0868
Fax: 212/442-7007

Iris Weinshall, Commissioner

Web: www.nyc.gov/dot

February 11, 2005

Via Facsimile 202 314-6454 and FedEx Airbill 8465 3589 9319

National Transportation Safety Board
Office of Marine Safety
490 L'Enfant Plaza East, SW
Washington, DC 20594-2000

Attention: Robert Ford

Re: ANDREW J. BARBERI
Staten Island Ferry Disaster
October 15, 2003

Dear Sirs:

I received your recent request for information relating to changes or improvements which have been implemented. As you know, I work on the engineering side, and have not been involved with the operational changes. I have spoken with individuals involved in operations, and the following is a summary of the changes and improvements which have been implemented.

SAFETY MANAGEMENT SYSTEM

After the Staten Island Ferry accident on October 15, 2003, the Department of Transportation (DOT) retained the Global Maritime and Transportation School (GMATS) at the U.S. Merchant's Marine Academy to review the entire Staten Island Ferry operation and provide recommendations for improvements. In addition, DOT retained Rear Admiral Robert C. North, a former U.S. Coast Guard Assistant Commandant for Marine Safety and Captain of the Port of New York, to work with GMATS in developing a plan to improve the overall safety of the Staten Island

Ferry system. GMATS commissioned two assessment teams to review operations, management, policies and procedures. On February 12, 2004, GMATS issued its report.

GMATS recommended a number of changes including the hiring of additional personnel, the installation of various equipment, and the establishment of an ISM Code Safety Management System (SMS) to supplement our existing safety program. DOT has elected to follow GMATS' recommendation, and to this end has embarked on an aggressive hiring program and fitted various safety equipment on the ferries. In addition, DOT has retained Safety Management Systems, LLC of Portland, Maine, to develop an SMS system for the Staten Island Ferry operation.

Safety Management Systems, LLC has worked closely with Staten Island Ferry personnel (both management and vessel personnel) to develop a system specifically geared towards the Staten Island Ferry operation. Significant progress has been made, and many of the proposed SMS enhancements to existing manuals, policies and checklists have either been finalized or are in draft. Although difficult to predict with certainty, we anticipate that the SMS system will be in place by October 1, 2005, and we hope to obtain a Document of Compliance from American Bureau of Shipping (ABS) by December, 2005.

BRIDGE TEAM MANAGEMENT

Consistent with GMATS' recommendations, DOT has established a Bridge Team Management System. Safety Management Systems, LLC assessed pilothouse procedures together with ferry personnel and management and developed enhanced procedures which are currently in place. While not required by U.S. Coast Guard regulations, the pilothouse procedures provide for a rotating pilothouse complement of three licensed officers, with two officers in the pilothouse at all times. The addition of the third licensed officer will facilitate carrying out other supervisory functions while still maintaining two officers in the pilothouse.

ORGANIZATIONAL STRUCTURE

With the implementation of SMS, an entirely new organizational structure has been created. After an exhaustive search, DOT has hired James DeSimone as new Chief Operations Officer and Margaret Gordon as Executive Director of Safety and Security. Both are maritime academy graduates with significant experience with SMS systems and management of marine operations. In addition, DOT has hired a Senior Port Captain, Senior Port Engineer and Safety Officer. This new management team is committed to the SMS system and continued improvements to the overall operation.

VESSEL PERSONNEL

GMATS recommends adding 95 new fleet personnel to implement the SMS and facilitate the overall changes underway, which include increased manning levels, increased training, and less reliance on overtime. DOT has committed to increasing the manning levels, consistent with GMATS' recommendation. As the first step towards accomplishing that goal, while at the same time ensuring that all personnel (both existing and new hires) are fully qualified, DOT has restructured its hiring procedures. DOT's hiring, retention, and promotional guidelines provide for stringent background checks and verification of qualifications. In addition, DOT has updated its drug and alcohol policy which includes a zero tolerance policy enforced through pre-employment drug screening and random drug testing for vessel personnel and those in safety-sensitive positions.

DOT is working closely, as it must, with MEBA and ILA 333 in carrying out these new hiring initiatives. To date, there have been 45 new hires and 26 promotions from within. At the same time, however, in part due to the enhanced procedures, some employees were terminated or resigned. The process is ongoing, but DOT remains committed to manning with fully qualified personnel in accordance with the levels recommended by GMATS.

TECHNICAL TRAINING/PROFESSIONAL DEVELOPMENT

DOT is in the process of developing a comprehensive technical training and professional development program for vessels' crews with the following highlights.

- Familiarization training is being provided to all new hires and those assigned to new vessels.
- GMATS has been retained to provide new hires with training in personal survival, personal safety and social responsibility, basic shipboard firefighting, crowd management and passenger safety, crisis management/human behavior and first aid. Similar training will be provided to current employees, with the eventual goal of having all vessel personnel STCW 95 compliant.
- DOT is currently considering outside vendors for bridge resource management and simulator training.
- Employees have been provided with training on all new equipment installed and additional training is planned.

EQUIPMENT

Working closely with GMATS and the U.S. Coast Guard, safety procedures and equipment have been reviewed and upgraded. GPS units, ARPA radars and AIS units have been installed on all boats. Public address system upgrades have been installed on all boats, and all crewmembers carry hand-held radios. In addition, along with GMATS, the U.S. Coast Guard and Admiral North, DOT is evaluating at sea casualty procedures and emergency response plans.

CONCLUSION

As you can appreciate, the process of evaluation and implementing appropriate changes is ongoing. The items outlined above represent an overview of the changes which have been made and which are in process. If you have any specific questions, please feel free to contact us.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sean McDermott". The signature is fluid and cursive, with the first name "Sean" and last name "McDermott" clearly distinguishable.

Sean McDermott