

**28 U.S.C. § 1746 UNSWORN DECLARATION PRESTON N. SHUFORD**

My name is Preston N. Shuford, and I am above the age of eighteen (18) years and have never been convicted of a felony or crime involving moral turpitude. I am fully competent to make this declaration. I have personal knowledge of the facts stated herein and they are all true and correct.

I am employed as the Vice President of Maintenance for Higan Marine Services, Inc. ("HMS"). My job duties include overseeing the the repair, maintenance and construction barges and towboats owned und/or operated by Higan Barge Lines, Inc. ("HBL") and a sister company named Maryland Marine, Inc. I was employed in a similar capacity for HBL prior to January 1, 1998 and at all times relevant to HBL's vessels being serviced by the Palmer Barge Line shipyard.

I am familiar with the towboat JOE M. POWELL. The M/V JOE M. POWELL was built in 1978 and was 60.2 feet in length and 24 feet in breadth. The hull depth of the M/V JOE M. POWELL was 8.2 feet. The JOE M. POWELL had an engine room measuring 16 feet long by 24 feet wide. The depth of the bilge space of the vessel was no more than twelve inches near the sidshell and 24 inches at the keel. Excluding the vessel framing, piping, and other equipment in the bilge space, the volume of the M/V JOE M. POWELL's bilge space was 576 cubic feet. In terms of fresh water, this equates to 4308 gallons.

The JOE M. POWELL had four diesel engines, two for propulsion and two for the generation of electricity. The propulsion engines were 353 Caterpillar engines. The oil capacity of these engines was 16 gallons each. The generator engines were Detroit Diesel 471 engines with a capacity of 5 gallons each.

I declare, certify, verify, and state under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 13<sup>th</sup> day of May, 2008.

 5/13/08  
Preston N. Shuford