

Headlines: Gulf of Mexico – motion for protective order denied; DOJ – ship operator pleads guilty; Chicago Sanitary & Ship Canal – amended safety zone and RNA; USCG – technical amendments to Title 33, CFR; FMC – investigation findings to be announced at Congressional hearing; FMC – ISO Assistant Area Representative for LA-LB; Senate – bill introduced to reform management of OCS resources; House – bill introduced to waive Jones Act for spill response; Senate – bill introduced to repeal Jones Act; House – hearing on offshore rig worker safety and health; Senate – hearing on proposed OCS legislation; House – hearing on state planning for offshore energy development; Alaska – Governor signs bill cutting cruise ship head tax; Paris MOU – new targeting lists; Ireland – live firing at Gormanston; and New Zealand – proposal to amend marine protection rules.

June 25, 2010



Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91st Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: dennis.l.bryant@gmail.com – Internet: <http://brymar-consulting.com>

Note: This newsletter is one section of the [Bryant's Maritime Consulting](http://brymar-consulting.com) website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining [Dennis Bryant](mailto:dennis.l.bryant@gmail.com) directly. Much of the highlighted text in this newsletter constitutes links to Internet sites providing more detailed information. Links on this page may be in PDF format, requiring use of Adobe Acrobat Reader. Comments on these postings are encouraged and may be made by email to the editor or by going to the blog page on the website and clicking the envelope that appears at the end of each posting. Be aware that the daily newsletter is a single posting, even though it contains a number of individual items. Bringing chaos out of order.

Gulf of Mexico – motion for protective order denied



The US District Court for the Southern District of Texas issued a **Memorandum and Order** denying the motion of Transocean, the owner and operator of the MODU *Deepwater Horizon*, for a protective order after the company received a subpoena issued by the Marine Board of Investigation (MBI) examining the circumstances surrounding the loss of that vessel. The subpoena requires Transocean, among other things, to deliver to the US Coast Guard a 50-foot section of riser cut from the top of the *Deepwater Horizon* blowout preventer (BOP) and all recovered *Deepwater Horizon* debris. Transocean contended that the subpoena subjected it to conflicting directives. The Court stated that it has no intention of standing in the way of a Government investigation. (6/23/10).

DOJ – ship operator pleads guilty



The US Attorney for the Eastern District of Louisiana issued a **press release** stating that a ship operator pled guilty in federal court to violating the Act to Prevent Pollution from Ships by failing to maintain an accurate oil record book (ORB) and to violating the Federal Water Pollution Control Act (FWPCA) through the knowing discharge of lubricating oil due to an unrepaired oil leak in the ship's stern tube. The company has agreed to pay a \$700,000 criminal penalty and to serve three years probation, during which time it will operate under an environmental compliance program. (6/23/10). *Note: This item was brought to my attention by my good friend Dave Shirlaw of SeaWaves.*

Chicago Sanitary & Ship Canal – amended safety zone and RNA



The US Coast Guard has amended, through December 1, the safety zone and regulated navigation area (RNA) on the Chicago Sanitary and Ship Canal near Romeoville, Illinois. The amendment reduces the areas covered by the safety zone and RNA, while placing additional restrictions on vessels that may transit the RNA. Comments on these amendments should be submitted by August 24. *75 Fed. Reg. 36288* (June 25, 2010).

USCG – technical amendments to Title 33, CFR



The US Coast Guard is making non-substantive changes to Title 33 of the Code of Federal Regulations (CFR). The changes, which are technical, organizational, and conforming in nature, come into effect immediately. *75 Fed. Reg. 36273* (June 25, 2010).

FMC – investigation findings to be announced at Congressional hearing



The Federal Maritime Commission (FMC) issued a **news release** stating that Chairman Richard Lidinsky and Commissioner Rebecca Dye will announce the findings of the fact finding investigation into vessel capacity and equipment availability at a hearing of the Subcommittee on Coast Guard and Maritime Transportation of the House Committee on Transportation and Infrastructure on June 30. (6/24/10).

FMC – ISO Assistant Area Representative for LA-LB



The Federal Maritime Commission (FMC) issued a Vacancy Announcement stating that the agency is in search of an Assistant Area Representative for the Los Angeles-Long Beach Area. Applications for this position must be received by July 2. (6/22/10).

Senate – bill introduced to reform management of OCS resources



Senator Bingaman (D-NM) introduced the **Outer Continental Shelf Reform Act of 2010** (S. 3516) to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes. (6/21/10).

House – bill introduced to waive Jones Act for spill response



Representative Carter (R-TX) introduced the **Water Assistance from International Vessels for Emergency Response Act** (or WAIVER Act) (H.R. 5585) to provide a statutory waiver of compliance with the Jones Act to foreign-flagged vessels assisting in responding to the Deepwater Horizon oil spill, and for other purposes. (6/23/10).

Senate – bill introduced to repeal Jones Act



Senator McCain (R-AZ) introduced a bill (S. 3525) to repeal the Jones Act restrictions on coastwise trade and for other purposes. Official text of the bill is not yet available. (6/23/10).

House – hearing on offshore rig worker safety and health



The House Committee on Education and Labor conducted a hearing on **Worker Health and Safety** from the Oil Rig to the Shoreline. **Chairman George Miller** (D-CA) made an opening statement. **Rear Admiral Kevin Cook**, US Coast Guard, testified concerning that agency's oversight of vessel/facility and worker safety on the outer continental shelf (OCS). **Dr. John Howard**, National Institute for Occupational Safety and Health (NIOSH), testified concerning that agency's efforts to anticipate, monitor, and respond to the potential health threats to offshore workers. **Mr. David Michaels**, Department of Labor, testified concerning the efforts of the Occupational Safety and Health Administration (OSHA) to keep workers safe during oil spill cleanup activities. **Mr. Doug Slitor**, Department of the Interior, testified concerning the Department's regulatory program on health and safety issues of workers on oil and gas drilling rigs and production platforms on the OCS. (6/23/10).

Senate – hearing on proposed OCS legislation



The Senate Committee on Energy & Natural Resources conducted a **hearing** on legislation to amend the Outer Continental Shelf Lands Act (OCSLA) and reorganization of the Minerals Management Service (MMS). Chairman Bingaman (D-NM) made an opening statement. **Secretary Ken Salazar**,

Department of the Interior, testified concerning the continuing reform of the Department's offshore energy program. **Ms. Marilyn Heiman**, Pew Environment Group, testified concerning the need to reform the industry's safety and management of offshore drilling and production. **Mr. David Welch**, Stone Energy Corporation, testified. (6/24/10).

House – hearing on state planning for offshore energy development



The Subcommittee on Insular Affairs, Oceans, and Wildlife of the House Committee on Natural Resources conducted an oversight hearing on **State Planning for Offshore Energy Development: Standards for Preparedness**. **Subcommittee Chairwoman Madeleine Bordallo** (D-GU) made an opening statement. **Dr. William Walker**, Gulf of Mexico Alliance, testified concerning the importance of state and local participation in response to offshore oil spills. **Ms. Kristen Fletcher**, Coastal States Organization, testified concerning state preparedness for offshore energy development and response. **Mr. Manly Barton**, Jackson County Board of Supervisors, testified concerning local planning for offshore energy development and response. **Mr. Matt Menashes**, National Estuarine Research Reserve Association, testified concerning planning standards for offshore energy development. **Dr. Dennis Takahashi-Kelso**, The Ocean Conservancy, testified concerning the importance of cooperation and coordination between all stakeholders. (6/24/10).

Alaska – Governor signs bill cutting cruise ship head tax



The Office of the Alaska Governor issued a **press release** stating that Governor Sean Parnell signed legislation to reduce the cruise ship passenger head tax from \$46 per head to \$34.50 per head. (6/24/10).

Paris MOU – new targeting lists



The Paris MOU issued a **press release** announcing its new targeting lists for flag states and recognized organizations, which will take effect from 1 July 2010. (6/23/10).

Ireland – live firing at Gormanston



The Irish Department of Transport issued a **Notice** stating that a live surface to air firing practices will be conducted at the Gormanston Air Defence Range, County Meath on June 28 and 29 between 0800 and 1800 hours each day. Vessels should remain at least ten nautical miles offshore during these firing exercises. (6/24/10).

New Zealand – proposal to amend marine protection rules



Maritime New Zealand issued a **Notice** stating that it proposes to make various amendments to the Marine Protection Rules. Comments on the proposal should be submitted by July 19. (6/24/10).

If you have questions regarding the above items, please contact the editor:

Dennis L. Bryant

Bryant's Maritime Consulting
4845 SW 91st Way
Gainesville, FL 32608-8135
USA

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

© Dennis L. Bryant – June 2010



Redistribution permitted with attribution