

Headlines: NIC – update on Gulf of Mexico oil spill response; CRS – selected issues re Gulf of Mexico oil spill; NOAA – support for Gulf of Mexico oil spill response; Barataria Bay – update on wellhead allision incident; FMC – petition of Hainan P O Shipping for Shipping Act exemption; House – bill introduced to provide whistleblower protection; House – bill introduced re oversight of offshore oil and gas industry; House – bill introduced re water resources development; Senate – bill introduced re safe and proper use of dispersants; Senate – bill introduced re oil company accountability; Alaska – appeal of Cruise Ship General Permit denied; Strait of Juan de Fuca – loss of propulsion on articulated tug-barge; IMO – reports of piracy and armed robbery against ships; IMO – UN response sought regarding piracy; Somalia – pirates release hijacked ship; Australia – disabled bulker under tow; Canada – 157-year-old ship wreck located in Arctic; Tonga – report on sinking of MV Princess Ashika; UK – MAIB Annual Report; and the “Black Tom Island” incident – July 30, 1916.

July 30, 2010



Bryant's Maritime News

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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. Exposure to this newsletter has been known to cause cancer in mice.

NIC – update on Gulf of Mexico oil spill response



The National Incident Command (NIC) issued a **news release** stating that drilling of the relief wells continues. BP has disbursed more than \$258 million to date in payment of third party damage claims. (7/29/10).

CRS – selected issues re Gulf of Mexico oil spill



The Congressional Research Service (CRS) prepared a report for Congress on selected issues relating to the Deepwater Horizon oil spill. Among the issues raised by the report are: (1) what lessons should be drawn from the incident; (2) what technological and regulatory changes may be needed; (3) how

should the costs associated with a catastrophic oil spill be distributed; and(4) what interventions may be necessary to ensure recovery of Gulf resources and amenities? [R41262](#) (7/15/10).

NOAA – support for Gulf of Mexico oil spill response



The National Oceanic and Atmospheric Administration (NOAA) issued a [news release](#) summarizing its efforts in supporting the response to the Gulf of Mexico oil spill. The agency has five ships, two aircraft, and five turtle rescue boats engaged in this activity. (7/28/10).

Barataria Bay – update on wellhead allision incident



The US Coast Guard issued a [news release](#) stating that response to the wellhead allision incident in Barataria Bay continues. Securing the wellhead is challenging due to its remote location and the shallow water at the site. The incident is under investigation. (7/28/10).

FMC – petition of Hainan P O Shipping for Shipping Act exemption



The Federal Maritime Commission (FMC) issued an official notice stating that it has received a petition from Hainan P O Shipping Company for an exemption from the first sentence of section 9(c) of the Shipping Act of 1984. Petitioner seeks an exemption so that it can lawfully reduce its tariff rates, charges, classifications, rules, or regulations effective upon publication. Comments on the petition should be received by August 20. [75 Fed. Reg. 44965](#) (July 30, 2010).

House – bill introduced to provide whistleblower protection



Representative Miller (D-CA) introduced the [Offshore Oil and Gas Worker Whistleblower Protection Act of 2010](#) (H.R. 5851) to provide whistleblower protections to certain workers in the offshore oil and gas industry. (7/26/10).

House – bill introduced re oversight of offshore oil and gas industry



Representative Polis (D-CO) introduced the [Oil Pollution Wildlife Protection Act](#) (H.R. 5863) to amend the Outer Continental Shelf Lands Act with regard to oversight and judicial review in connection with offshore oil production and exploration, and for other purposes. (7/26/10).

House – bill introduced re water resources development



Representative Oberstar (D-MN) introduced a bill (H.R. 5892) to provide for the conservation and development of water and related resources, to

authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes. Official text of the bill is not yet available. (7/28/10).

Senate – bill introduced re safe and proper use of dispersants



Senator Lautenberg (D-NJ) introduced a bill (S. 3661) to amend the Federal Water Pollution Control Act to ensure the safe and proper use of dispersants in the event of an oil spill or release of hazardous substances, and for other purposes. Official text of the bill is not yet available. (7/28/10).

Senate – bill introduced re oil company accountability



Senator Reid (D-NV) introduced the **Clean Energy Jobs and Oil Company Accountability Act of 2010** (S. 3663) to promote clean energy and oil accountability and for other purposes. This bill, if enacted into law, would remove the limits of liability for offshore facilities, increase the limits of liability for vessels, enhance response planning requirements, and amend the 1851 Limitation of Liability Act, among other things. In addition, the Oil Spill Liability Trust Fund levy would be increased to 45 cents per barrel of oil. (7/28/10).

Note: The above link is to an unofficial version of the bill. The official version will be linked when it becomes available.

Alaska – appeal of Cruise Ship General Permit denied



The Alaska Department of Environmental Conservation (ADEC) issued a **news release** stating that it denied an appeal filed by two environmental advocacy groups seeking an administrative review of the Large Commercial Passenger Vessel Wastewater Discharge General Permit, which was issued on April 22. (7/22/10).

Strait of Juan de Fuca – loss of propulsion on articulated tug-barge



The Washington State Department of Ecology issued a **news release** stating that it and the US Coast Guard are monitoring an articulated tug-barge combination that lost propulsion in the Strait of Juan de Fuca. The tank barge is carrying about eight million gallons of diesel and jet fuel, bound for Portland. The operator called for the industry-funded emergency response tug at Neah Bay to assist. This marked the first operational use of the response tug since the maritime industry assumed responsibility for funding. (7/28/10).

IMO – reports of piracy and armed robbery against ships



The IMO issued a circular summarizing reports received during June of acts of piracy and armed robbery against ships. Reports of 41 such incidents were received during the month. **MSC.4/Circ.156** (7/7/10). *Note: This item was*

brought to my attention by my good friend John Bennett of Maritime Protective Services.

IMO – UN response sought regarding piracy



The IMO issued a **news release** stating that the IMO, the shipping industry, and seafarers are united in seeking United Nations response to piracy and obtaining the release of hostages held in Somalia. (7/29/10).

Somalia – pirates release hijacked ship



The EU NAVFOR issued a **press release** stating that the Maltese ship *Frigia* was released by Somali pirates. The ship was hijacked on March 23 in the Indian Ocean approximately 1000 nautical miles east of Somalia. It has a crew of 21. (7/29/10).

Australia – disabled bulker under tow



The Australian Maritime Safety Authority (AMSA) issued a **media release** stating that the bulker that lost power off the outer Great Barrier Reef is now under tow. It is being held offshore approximately 200 km northeast of Cairns while repair arrangements are being made. A **second media release** states that the vessel will be brought to anchor off Cairns so as to undertake repairs. (7/30/10).

Canada – 157-year-old ship wreck located in Arctic



Parks Canada issued a **news release** stating that the submerged hull of the *HMS Investigator* has been located in Mercy Bay off the north coast of Banks Island in the Canadian Arctic Archipelago. The ship, under the command of Captain Robert McClure, RN, was searching for the lost Franklin Expedition in the Northwest Passage. While no survivors of that expedition were ever located alive, the *HMS Investigator* did succeed in transiting the last unexplored portion of the Passage, now called McClure Strait. The ship, though, was trapped in the ice for three years and finally abandoned in 1853. Three members of the crew died of scurvy. The remaining crewmembers were rescued. (7/28/10).

Tonga – report on sinking of MV Princess Ashika



The Tonga Royal Commission of Inquiry issued its 657-page **Final Report** stating that there were numerous factors leading up to the sinking of the passenger ferry Princess Ashika on August 5, 2009 with a high loss of lives. The vessel was not designed for service as a ferry on open seas; it was unseaworthy; it was not properly maintained; and it was not properly operated. (7/29/10).

UK – MAIB Annual Report



The UK Marine Accident Investigation Branch (MAIB) issued its **Annual Report 2009**. It notes, among other things, that an EU Directive which comes into effect in June 2011 will require a full investigation into all “very serious accidents” and the giving of reasons for any “serious accidents” into which the agency does not intend to conduct a full investigation. This new requirement could in theory double or treble the MAIB’s workload. (7/29/10).

The “Black Tom Island” incident – July 30, 1916



The “**Black Tom Island**” incident occurred on Sunday, July 30, 1916. German saboteurs ignited a fire at the munitions-loading facility in Jersey City, across from Manhattan. The ensuing explosions destroyed the waterfront facility and largely obliterated the island, killing four persons and causing over \$40 million in property damage. It was the first terrorist attack in US history and was the genesis of the Coast Guard’s port security program. The linked article provides further details.

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

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