

Headlines: USCG – seafarer access authorization; DOJ – ship operator admits to falsifying records; DOJ – US shipowner pleads guilty to discharging waste oil; OFAC – settlement of economic sanction allegations; NIC – update on oil spill response; NOAA – oil spill unlikely to impact beaches of Southern Florida, Keys, or East Coast; White House – welcomes financial support of unemployed oil rig workers; Long Island – fishing vessel/cargo vessel collision; Barataria Bay – wellhead secured; US & Canada – expedition to map Arctic seafloor; House – CLEAR Act adopted; House – whistleblower bill adopted; Senate – bill introduced to reauthorize port security programs; House – bill introduced re water resources development; House – bill introduced to increase Gulf States revenue from leases; House – bill introduced to increase coastal states revenue from leases; House – bill introduced to improve freight movement; Paris MOU – CIC re tanker damage stability; and UK – MAIB Annual Report.

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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. Please avoid interrupting me with facts.

USCG – seafarer access authorization



The US Coast Guard recently issued a [Seafarer Access Authorization](#) stating that a proposal for an arrangement between Baytown ExxonMobil Complex and visiting ships whereby the ship's Vessel Security Officer (VSO) or an officer designee to accompany up to five non-US crewmembers without Transportation Worker Identification Credentials (TWICs) at a time from the ship's gangway to the security van pickup area is deemed to be an equivalent arrangement under the regulations relating to security measures for access control at waterfront facilities. (6/7/10). *Note: The document also includes the process under which the Baytown Facility implements the authorization. This item was brought to my attention by my good friends at INTERTANKO.*

DOJ – ship operator admits to falsifying records



The US Attorney for the Northern District of California issued a **news release** stating that the operator of a foreign cargo vessel pleaded guilty in federal court to failing to maintain an accurate oil record book and making a false statement to US Coast Guard officials. The vessel's chief engineer pleaded guilty to failing to maintain an accurate oil record book and the second assistant engineer pleaded guilty to aiding and abetting the failure to maintain an accurate oil record book. The company was sentenced to pay a fine of \$750,000, an additional community service payment of \$100,000, and to institute an environmental compliance program. The second engineer was sentenced to two years of probation, a fine of \$500, and a special assessment of \$100. The chief engineer will be sentenced in September. (7/30/10).

DOJ – US shipowner pleads guilty to discharging waste oil



The Department of Justice issued a **news release** stating that the owner/operator of a research vessel has entered a plea of guilty to knowingly discharging waste oil from the vessel in violation of the Act to Prevent Pollution from Ships (APPS). The defendant has agreed to pay a criminal fine of \$1.75 million and to remit a payment of \$350,000 as community service. In addition, the defendant will serve a period of probation for three years, during which time it will be subject to an Environmental Compliance Plan. (7/30/10). *Note: This item was brought to my attention by my good friend John Cartner of Cartner & Fiske.*

OFAC – settlement of economic sanction allegations



The US Office of Foreign Assets Control (OFAC) issued a **notice** announcing settlement of allegations that it made that entities subject to US economic sanction regulations had violated those regulations. Among the entities listed is a US ocean carrier that remitted \$3,088,400 to settle allegations of violations of the Sudanese Sanctions Regulations and the Iranian Sanctions Regulations, occurring between January 2003 and October 2007. The ocean carrier did not admit to the allegations, which were not proven. (7/28/10).

NIC – update on oil spill response



The National Incident Command (NIC) posted the **press briefing** of Admiral Thad Allen, USCG (ret). He discussed the static kill operation, the drilling of relief wells, and the questions that have arisen regarding use of dispersants, among other things. (8/1/10).

NOAA – oil spill unlikely to impact beaches of Southern Florida, Keys, or East Coast



The National Oceanic and Atmospheric Administration (NOAA) issued a **news release** stating that the surface oil from the Gulf of Mexico oil spill is unlikely to impact the beaches of Southern Florida, the Florida Keys, or the East Coast of the United States. The oil continues to degrade and is hundreds of miles away from the loop current. (7/30/10).

White House – welcomes financial support of unemployed oil rig workers



The White House issued a **news release** stating that it welcomes the voluntary contribution of BP in the amount of \$100 million to support unemployed oil rig workers. (7/30/10).

Long Island – fishing vessel/cargo vessel collision



The US Coast Guard issued a **news release** stating that it is responding to a collision between a fishing vessel and a cargo vessel that occurred approximately eleven miles south of Jones Beach and 25 miles east of Sandy Hook. One fishing vessel crewmember sustained non-life-threatening injury. The fishing vessel lost part of its forward bow structure, but remains afloat. The incident is under investigation. (7/30/10).

Barataria Bay – wellhead secured



The US Coast Guard issued a **news release** stating that response to the wellhead allision and oil spill in Barataria Bay continues. Containment and absorbent boom has been deployed. Assets to secure the well are being mobilized. A **second news release** states that the wellhead has been secured. Oil is no longer being emitted into the water. The incident is under investigation. (7/30/10).

US & Canada – expedition to map Arctic seafloor



The US Geological Survey (USGS) issued a **news release** stating that US and Canadian scientists are departing on an expedition to map the Arctic seafloor and gather data to help define the outer limits of the continental shelf. The US scientists will be on board the US Coast Guard icebreaker Healy, which departs on August 2. It will meet in the Arctic Ocean with the Canadian Coast Guard icebreaker Louis S. St-Laurent, carrying the Canadian scientists. The expedition is scheduled to continue through September 6. This is the third year of cooperative expeditions examining the Arctic seafloor. (7/26/10).

House – CLEAR Act adopted



The House of Representatives has adopted the **Consolidated Land, Energy, and Aquatic Resources Act of 2010** (the CLEAR Act) (H.R. 3534) to provide greater efficiencies, transparency, returns, and accountability in the administration of Federal mineral and energy resources by consolidating administration of various Federal energy minerals management and leasing programs into one entity to be known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior, and for other purposes. Representative Ed Markey (D-MA) issued a **news release** explaining aspects of the bill. The measure will now be sent to the Senate for consideration. (7/30/10). *Note: The copy of the bill linked here is not the version as passed, which has not yet been posted. It mandates increased oversight of offshore oil and gas exploration and exploitation, among other things.*

House – whistleblower bill adopted



The House of Representatives has adopted the **Offshore Oil and Gas Worker Whistleblower Protection Act of 2010** (H.R. 5851) to provide whistleblower protection to certain workers in the offshore oil and gas industry. The measure now goes to the Senate for consideration. (7/30/10). *Note: The copy of the bill linked here is not the version as passed. Immediately after passing this bill, the House appended it as a new matter to H.R. 3534 (see above).*

Senate – bill introduced to reauthorize port security programs



Senator Collins (R-ME) introduced the **SAFE Port Reauthorization Act** (S. 3659) to reauthorize certain port security programs, and for other purposes. If enacted into law, this bill would, among other things, authorize port security grants in the amount of \$400 million each year through fiscal year 2015. (7/27/10).

House – bill introduced re water resources development



Representative Oberstar (D-MN) introduced the **Water Resources Development Act of 2010** (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. (7/28/10).

House – bill introduced to increase Gulf State revenue from leases



Representative Bonner (R-AL) introduced a bill (H.R. 5945) to amend the Gulf of Mexico Energy Security Act of 2006 to increase the amount of Gulf of Mexico oil and gas lease revenue shared with Gulf States. Official text of this bill is not yet available. (7/29/10).

House – bill introduced to increase coastal states revenue from leases



Representative Poe (R-TX) introduced a bill (H.R. 5973) to amend the Outer Continental Shelf Lands Act and the Gulf of Mexico Energy Security Act of 2006 to increase the percentage of revenues from new offshore leases that will be shared with coastal States to 50 percent. Official text of this bill is not yet available. (7/29/10).

House – bill introduced to improve freight movement



Representative Sires (D-NJ) introduced a bill (H.R. 5976) to improve the efficiency, operation, and security of the national transportation system to move freight by leveraging investments and promoting partnerships that advance interstate and foreign commerce, and for other purposes. Official text of this bill is not yet available. (7/29/10).

Paris MOU – CIC re tanker damage stability



The Paris MOU issued a [press release](#) stating that, for the period September 1 through November 30, it will conduct a Concentrated Inspection Campaign (CIC) to verify correct damage stability on oil tankers, chemical tankers, and gas carriers. It also posted the [Tanker Damage Stability Questionnaire](#) that will be used in these inspections. (7/27/10).

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). *Note: My good friend Simon Delfau of CMA CGM kindly pointed out that the URL cited in the previous edition of the newsletter was not valid.*

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

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