

Headlines: Joint Investigation – evidence handling; HSRP – meeting; Sea Grant Advisory Board – meeting cancelled; Massachusetts Bay – marine mammal harassment; DOS – delegation of certain maritime law enforcement functions; USCG – Polluting Incident Compendium; NMCO – 2010 GMISS conference; USCG – last LORAN station decommissioned; Court – personal jurisdiction lacking in Rule B attachment of EFT; Court – EFT ruled non-attachable (again); EC – ship building and repair concentration approved; Australia – winter edition of AMSA Aboard; Canada – report re sinking of whale-watching vessel; Singapore – draft amendments approved by MSC 87; and UK – trawler master convicted of going the wrong way in a TSS.

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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. If a single alligator can lay 5,000 in her lifetime, just think how many a married one could lay.*

### Joint Investigation – evidence handling



The Joint Investigation issued a **Fact Sheet** regarding evidence handling and procedures. The fact sheet focused on the planned forensic analysis of the blowout preventer (BOP) once it is recovered from the seafloor. Plans call for the analysis to be performed at NASA's Michoud Facility in East New Orleans. (8/31/10).

### HSRP – meeting



The Hydrographic Services Review Panel (HSRP), sponsored by the National Oceanic and Atmospheric Administration (NOAA), will conduct a teleconference meeting on September 17 to discuss proposed revisions to its report on most wanted hydrographic service improvements. [75 Fed. Reg. 53665](http://www.federalregister.gov) (September 1, 2010).

## Sea Grant Advisory Board – meeting cancelled



The Sea Grant Advisory Board, sponsored by the National Oceanic and Atmospheric Administration (NOAA), issued a notice stating that its meeting previously scheduled for August 30 has been cancelled and will be rescheduled. [75 Fed. Reg. 53665](#) (September 1, 2010).

## Massachusetts Bay – marine mammal harassment



The National Oceanic and Atmospheric Administration (NOAA) issued a notice stating that it issued an Incidental Harassment Authorization (IHA) to the Northeast Gateway Energy Bridge LP to incidentally harass small numbers of marine mammals during operation of its offshore liquefied natural gas (LNG) facility in Massachusetts Bay for a period of one year. [75 Fed. Reg. 53672](#) (September 1, 2010).

## DOS – delegation of certain maritime law enforcement functions



The Department of State issued a notice stating that certain maritime law enforcement functions have been delegated to the Assistant Secretary for International Narcotics and Law Enforcement Affairs. The delegated functions relate to certifying that a foreign nation has consented or waived objection to enforcement of US law with regard to a vessel registered with that nation and suspected of smuggling drugs or certifying that a foreign nation has denied a claim of registry made by a vessel suspected of smuggling drugs. [75 Fed. Reg. 53731](#) (September 1, 2010).

## USCG – Polluting Incident Compendium



The US Coast Guard has posted an updated Polluting Incident Compendium. It contains detailed information regarding oil spills occurring in US waters between 1973 and 2008 inclusive. It also has summary data regarding oil spills in US waters between 1969 and 1972. The Compendium is in a 7.2 MB zip-file located on the USCG [Homeport](#) site. Click on “Investigations”, found in the left column. Scroll down to “Marine Casualty/Pollution Investigations”, found at the very bottom of the list. Click on the “Compendium” tab and then click on [View Document](#). (8/30/10). *Note: This item was brought to my attention by my good friend Dave Dickey of the US Coast Guard.*

## NMCO – 2010 GMISS conference



The [2010 Global Maritime Information Sharing Symposium](#) (GMISS), sponsored by National Maritime Domain Awareness Coordination Office (NMCO) of the Department of Defense, will be held at the Hilton Baltimore on September 14-16. Discounted registration rates are available until September 9. (8/30/10).

## USCG – last LORAN station decommissioned



The US Coast Guard issued a **news release** stating that its last Long Range Aid to Navigation (LORAN) station (located in Caribou, Maine) will be decommissioned on September 1. (8/31/10). *Note: The LORAN program commenced during World War II to provide vital navigation information to Allied forces. It was expanded and enhanced during the following years. While the Global Positioning System (GPS) is generally more accurate, it is subject to jamming and interference. The termination of the LORAN program was a budget measure and, in my opinion, ill-conceived.*

## Court – personal jurisdiction lacking in Rule B attachment of EFT



The US Court of Appeals for the Second Circuit ruled that a court lacks personal jurisdiction over a defendant in an admiralty case where the sole basis for quasi in rem jurisdiction asserted by the plaintiff is a Rule B attachment of an electronic funds transfer (EFT). **Sinoying Logistics v. Yi Da Xin Trading Corp.**, No. 09-5368-cv (2nd Cir., August 31, 2010).

## Court – EFT ruled non-attachable (again)



In an unpublished decision, the US Court of Appeals for the Second Circuit ruled that an electronic funds transfer (EFT) that was attached by a court in the Second Circuit prior to the court's mini-en-banc decision prohibiting such attachment is not subject to re-attachment. **GE Seaco SRL v. Shanghai International**, No. 09-4832-cv (2nd Cir., August 24, 2010). Note: This item was brought to my attention by my good friend Michael Marks Cohen of **Nicoletti Hornig & Sweeney**.

## EC – ship building and repair concentration approved



The European Commission (EC) issued a **press release** stating that it has cleared a proposed concentration between Abu Dhabi Mar and ThyssenKrupp Marine Systems in the areas of civil and naval ship building. (8/31/10).

## Australia – winter edition of AMSA Aboard



The Australian Maritime Safety Authority (AMSA) posted the winter 2010 edition of its **AMSA Aboard** newsletter. Topics addressed in this edition include cargo lashing requirements and the met-ocean measuring equipment project in the Torres Strait. (8/31/10).

## Canada – report re sinking of whale-watching vessel



The Transportation Safety Board (TSB) of Canada released the **Marine Report** of its investigation of the sinking of a whale-watching vessel off Vancouver Island on 23 July 2009. The vessel was operating at high speed close to shore when it struck a submerged object. The 34 passengers were evacuated without injury. The vessel sank while returning to shore. Investigation revealed that the master was not utilizing available aids to navigation or instruments, allowing him to stray too close to shore, where he encountered a submerged rock. (8/30/10).

## Singapore – draft amendments approved by MSC 87



The Singapore Maritime and Port Authority (MPA) issued a circular informing the shipping community of draft amendments to mandatory instruments approved by the 87th session of the IMO Maritime Safety Committee (MSC 87), with a view to adoption at MSC 88 in Nov/Dec 2010. **Shipping Circular 11/2010** (8/30/10).

## UK – trawler master convicted of going the wrong way in a TSS



The UK Maritime and Coastguard Agency (MCA) issued a **press notice** stating that the master of a British trawler pleaded guilty and was convicted of violation of the International Regulations for Preventing Collisions at Sea by travelling the wrong direction in a traffic separation scheme (TSS). He was fined £3,500 and assessed £3,752.20 in costs. (8/31/10).

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

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