

Headlines:

Alaska – Guardian dies of injuries incurred during rescue;
DOJ – former BP engineer convicted of obstruction of justice;
Corpus Christi – barge collision;
North Carolina – salvage of grounded ferry;
Court – USCG NVIC entitled to deference;
Washington – emergency rule for spill contingency planning;
EC – some EU flag states struggling; and
UK – port freight statistics.

December 19, 2013



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. May all your mistakes be original.

Alaska – Guardian dies of injuries incurred during rescue



The US Coast Guard issued a **news release** stating that a crew member of the USCGC Waesche was fatally injured during the rescue of the crew of a disabled fishing vessel near Amak Island, Alaska. (12/18/13). *Note: Coast Guardsmen know the danger, but go out regardless for those in peril on the sea.*

DOJ – former BP engineer convicted of obstruction of justice



The Department of Justice (DOJ) issued a **news release** stating that a former BP engineer was convicted in a jury trial of obstruction of justice for intentionally destroying evidence requested by federal criminal authorities investigating the April 20, 2010 Deepwater Horizon disaster. He faces a maximum penalty of 20 years in prison when sentenced on 20 March 2014.

(12/18/13). *Note: This item was first brought to my attention by my good friend Ron Signorino of [BlueOceana](#).*

Corpus Christi – barge collision



The US Coast Guard issued a [news release](#) stating that two barges, one loaded with 4.2 million gallons of gas oil, collided in the Corpus Christi Ship Channel on 17 December. The other barge was empty. The towboats pushing them were headed in opposite directions, with the loaded barge outbound and the empty barge inbound. There were no reports of personal injury or pollution. The incident is under investigation. (12/17/13).

North Carolina – salvage of grounded ferry



The US Coast Guard issued a [news release](#) stating that, after an unsuccessful attempt to refloat the grounded ferry at high tide, the owner is working to submit a salvage plan to the Coast Guard. Fourteen passengers and one crewman were injured during the grounding. The incident is under investigation. (12/18/13).

Court – USCG NVIC entitled to deference



In an unpublished decision, the US Court of Appeals for the Second Circuit affirmed the district court ruling upholding the Coast Guard denial of plaintiff's application for a merchant mariner credential (MMC) as a master. The denial was based on the determination that plaintiff's cardiovascular disease posed a risk to maritime and public safety. In its decision, the appellate court stated that the Coast Guard's guidance, in the form of a Navigation and Vessel Inspection Circular (NVIC), was entitled to judicial deference. The court further stated that plaintiff did not have a property right in an MMC. [Clifford v. US Coast Guard](#), No. 13-888-cv (2nd Cir., December 18, 2013).

Washington – emergency rule for spill contingency planning



The Washington Department of Ecology issued a [news release](#) stating that it filed an emergency rule that amends the Washington State Oil Spill Contingency Plan regulations. The amendment is intended to coordinate state requirements with new federal requirements for nontank vessel oil spill contingency plans. Additionally, the amendment clarifies that both non-profit and for-profit corporations may develop oil spill plans that cover multiple vessels.

The emergency rule will be in place for 120 days. A permanent rule will be filed soon. (12/16/13).

EC – some EU flag states struggling



The European Commission (EC) issued a **press release** stating that some EU Member States are struggling to meet their commitment to ratify international maritime conventions and that two Member States remain on the Paris MOU grey list. (12/18/13).

UK – port freight statistics



The UK Department for Transport (DfT) issued a **notice** providing port freight statistics for the third quarter (July-September) 2013. Compared to the same period in 2012, total major port freight tonnage dropped 1%, while total unitized traffic increased by 2%. (12/18/13).

Join our mailing list



If you are not receiving our almost daily electronic newsletter and would like have it sent directly to your email inbox, please right-click the box below and provide your email address.

[Join Our Mailing List!](#)

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 – December 2013



Redistribution permitted with attribution