

Headlines:

Detroit – diesel spill;
USCG – AIS ATON tests;
NTSB – mooring bollard failure;
NTSB – forum on cruise ship safety & oversight;
FMC – webcast on China’s VAT regime;
FMC – notice to passengers on Caribbean Princess;
OFAC – judicial sale of blocked vessel authorized; and
Court – limitation of liability and the lone claimant.

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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. Don’t underestimate yourself – others will do that for you.

Detroit – diesel spill



The US Coast Guard issued a **news release** stating that 200-300 gallons of diesel fuel spilled into the Detroit River as the icebreaker USCGC Mackinaw was refueling. An oil spill removal organization is responding. The incident is under investigation. (2/4/14).

USCG – AIS ATON tests



The USCG Navigation Center issued a **notice** stating that in the near future, the Coast Guard and other authorized agencies and organizations will begin transmitting Automated Identification System (AIS) aids to navigation (ATON) messages and marine safety information via AIS for testing and evaluation. The exact content, location, and times of these broadcasts will be announced in future Local Notices to Mariners. (2/4/14).

NTSB – mooring bollard failure



The National Transportation Safety Board (NTSB) issued the report of its investigation into the breakaway of the cruise ship Carnival Triumph from its moorings in the Port of Mobile on 3 April 2013. The cruise ship broke away during high winds, drifted across the Mobile River and allided with a moored dredge and tug. The report states that the probable cause of the casualty was the successive failure of multiple mooring bollards on the pier, which were known by the pier operator to be in poor condition with an undetermined mooring load capability. [MAB 14/02](#) (2/4/14).

NTSB – forum on cruise ship safety & oversight



The National Transportation Safety Board (NTSB) issued a [press release](#) stating that, on 25-26 March in Washington, DC, it will hold a public forum on cruise ship safety and oversight. (2/4/14).

FMC – webcast on China’s VAT regime



The Federal Maritime Commission (FMC) issued a [news release](#) stating that Commissioner William P. Doyle will be participating in a webcast on 6 March on matters related to China’s Value Added Tax (VAT) regime, with specific emphasis on China’s release of Circular 106, as it affects carriers, shippers, and ocean transportation intermediaries. (2/4/14).

FMC – notice to passengers on Caribbean Princess



The Federal Maritime Commission (FMC) issued a [news release](#) stating that the Princess Cruises’ Caribbean Princess returned to the Port of Houston on 31 January, one day early and missing a scheduled port call in Belize. The company has provided information on reimbursements for affected passengers. (2/3/14).

OFAC – judicial sale of blocked vessel authorized



The Office of Foreign Assets Control (OFAC) issued a [notice](#) stating that it issued a General License to authorize certain transactions related to the arrest, detention, and judicial sale of the MV Sinin, which is a vessel on OFAC’s Specially

Designated Nationals and Blocked Persons list. The vessel is currently under arrest in Gulei, Zhoushan, China. (2/4/14).

Court – limitation of liability and the lone claimant



The US Court of Appeals for the Eleventh Circuit ruled that the district court did not abuse its discretion when it permitted a lone claimant to pursue maritime personal injury claims in state court after plaintiff vessel owner invoked the Limitation of Liability Act. In the instant case, defendant asserts that she was injured while a passenger on plaintiff's vessel. After defendant's counsel informed plaintiff of the claim, plaintiff brought an action in federal court seeking exoneration from or limitation of its liability to the value of the vessel. Defendant asserted claim in federal court and then moved to lift the injunction to allow her to proceed in state court, invoking the single claimant exception. After no other claimants came forward, the district court issued an order allowing defendant to proceed in state court pursuant to her detailed stipulations. Plaintiff vessel owner appealed. The appellate court ruled that, in a single claimant case and pursuant to the "saving to suitors" clause, a district court may, at its discretion, order a stay of a limitation action to allow a claim to be tried in another forum, provided the claimant provides appropriate stipulations. **Offshore of the Palm Beaches v. Lynch**, No. 13-11092 (11th Cir., February 3, 2014).

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