

Headlines:

White House – VADM Zukunft selected as next USCG Commandant;
USCG – unannounced exams of cruise ships;
FMC – compromise agreement with CSAV;
SLSDC – Seaway regulations & rules;
House – hearing on FY 2015 budget request;
House – bill introduced re USMMA Board of Visitors;
Senate – bill introduced re USMMA Board of Visitors;
ICJ – Timor-Leste v Australia; and
Herald of Free Enterprise – 6 March 1987.

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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. A boiled egg first thing in the morning is hard to beat.

White House – VADM Zukunft selected as next USCG Commandant



The US Coast Guard issued a **notice** stating that President Obama intends to nominate Vice Admiral Paul F. Zukunft as the 25th Commandant of the US Coast Guard. VADM Zukunft is a 37-year veteran of the Coast Guard and currently serves as Commander, Pacific Area. (2/28/14).

USCG – unannounced exams of cruise ships



The US Coast Guard issued a Marine Safety Information Bulletin notifying concerned parties that its Port State Control Officers will conduct unannounced examinations on a number of foreign-flag cruise ships for the

remainder of 2014. These exams will be short in duration and are designed to avoid delaying a cruise ship's schedule unless deficiencies that impose inherent danger to the safety of passengers or crew are discovered. The unannounced exams are separate from normally scheduled Certificate of Compliance annual and periodic exams. **MSIB 05-14** (3/5/14).

FMC – compromise agreement with CSAV



The Federal Maritime Commission (FMC) issued a **news release** stating that a compromise agreement has been reached with Compania Sud Americana de Vapores S.A. (CSAV) to pay a \$625,000 civil penalty to resolve allegations that the company violated the Shipping Act by acting in concert with other ocean common carriers under unfiled agreements involving shipments of automobiles and other motorized vehicles on ro-ro or specialized car carrier vessels in various US import and export trades. (3/5/14). *Note: the following is from my newsletter for 28 February 2014* - The Department of Justice (DOJ) issued a **news release** stating that Compañía Sud Americana de Vapores S.A. (CSAV) has agreed to plead guilty and pay an \$8.9 million criminal fine for its involvement in a conspiracy to fix prices, allocate customers, and rig bids of international ocean shipping services for roll-on, roll-off cargo to and from the United States and elsewhere. (2/27/14).

SLSDC – Seaway regulations & rules



The Saint Lawrence Seaway Development Corporation (SLSDC) promulgated its periodic update of the Seaway regulations and rules. The update addresses changes to: Conditions of Vessels; Preclearance and Security for Tolls; Toll Assessment and Payment; Seaway Navigation; Dangerous Cargo; and Information and Reports. The changes come into effect on 31 March. **79 Fed. Reg. 12658** (March 6, 2014).

House – hearing on FY 2015 budget request



On 26 March, the Subcommittee on Coast Guard and Maritime Transportation of the House Committee on Transportation and Infrastructure will conduct a **hearing** regarding the FY 2015 budget request for Coast Guard and maritime transportation programs. (3/5/14).

House – bill introduced re USMMA Board of Visitors



Representative Grimm (R-NY) introduced a bill (H.R. 4144) to amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes. Official text of the bill is not yet available. (3/4/14).

Senate – bill introduced re USMMA Board of Visitors



Senator Boozman (R-AR) introduced a bill (S. 2076) to amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes. Official text of the bill is not yet available. (3/4/14).

ICJ – Timor-Leste v Australia



The International Court of Justice (ICJ) issued a **press release** stating that it issued an **Order** on the Request for the indication of provisional measures submitted by Timor-Leste on 17 December 2013 in the case concerning “Questions relating to the Seizure and Detention of Certain Documents and Data (Timor-Leste v. Australia)”. The case involves the seizure on 3 December 2013 by “Agents of Australia” of documents, data, and other property belonging to Timor-Leste including correspondence between Timor-Leste and its legal advisors relating to pending arbitration relating to maritime delimitation under the Timor Sea Treaty of 20 May 2002 between Timor-Leste and Australia. The court directed that Australia must ensure that the content of the seized material is not used to the disadvantage of Timor-Leste. (3/3/14).

Herald of Free Enterprise – 6 March 1987



The **HERALD OF FREE ENTERPRISE** was a double-ended ro-ro car and passenger ferry operating between Bruges-Zeebrougge, Belgium and Dover, England. On 6 March 1987, it departed Bruges-Zeebrougge with a crew of 80, carrying 459 passengers, 81 cars, 3 buses, and 47 trucks. Due to a series of mistakes, the bow doors were not closed prior to leaving port. Upon leaving the harbor and while proceeding at over 18 knots, water entered the vehicle deck in large quantities. The free-surface effect of the water impaired stability and led to the capsizing, which occurred in less than one minute. The sinking resulted in 193 deaths. Following the accident and **investigation**, various changes were made

to IMO regulations regarding design and operation of ro-ro passenger vessels. The incident was also the impetus for establishment of the UK **Marine Accident Investigation Branch** (MAIB).

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