

Headlines:

USCG – NVIC re Master or Chief Mate (≥ 3000 GT);
USCG – NVIC re Master or Chief Mate (≥ 500 GT and < 3000 GT);
USCG – NVIC re OICNW (≥ 500 GT);
USCG – NVIC re Master or OICNW (< 500 GT);
USCG – NVIC re Able Seafarer-Deck;
USCG – NVIC re Chief Engineer Officer (≥ 3000 kW);
USCG – NVIC re Chief Engineer Officer (≥ 750 kW and < 3000 kW);
USCG – NVIC re OICEW (≥ 750 kW);
USCG – NVIC re Able Seafarer-Engine;
USCG – NVIC re Qualified Assessors re STCW;
USCG – odorizing units on fixed CO₂ systems;
OFAC – economic sanctions re Syria;
COAC – meeting;
House – bill introduced to establish Ambassador for Arctic Affairs;
Court – act of war defense broadly construed;
Texas – OSPRA Award;
Canada – fatal failure of provision crane;
India – proposed ballast water legislation;
India – proposed merchant shipping legislation; and
UK – sulphur content of marine fuels.

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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** website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining **Dennis Bryant** 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. Everyone has a right to be stupid, but some abuse the privilege.*

USCG – NVIC re Master or Chief Mate (≥ 3000 GT)



The US Coast Guard issued a 204-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and

revalidation of STCW endorsements as Master or Chief Mate of Vessels of 3,000 GT or More (Management Level). **NVIC 10-14** (4/28/14).

USCG – NVIC re Master or Chief Mate (≥ 500 GT and <3000 GT)



The US Coast Guard issued a 194-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Master or Chief Mate of Vessels of 500 GT or More and Less Than 3,000 GT (Management Level). **NVIC 11-14** (4/28/14).

USCG – NVIC re OICNW (≥ 500 GT)



The US Coast Guard issued a 164-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Officer in Charge of a Navigational Watch of Vessels of 500 GT or More (OICNW). **NVIC 12-14** (4/28/14).

USCG – NVIC re Master or OICNW (<500 GT)



The US Coast Guard issued a 116-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Master or Officer in Charge of a Navigational Watch (OICNW) of Vessels of Less Than 500 GT Limited to Near-Coastal Waters. **NVIC 13-14** (4/28/14).

USCG – NVIC re Able Seafarer-Deck



The US Coast Guard issued a 73-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Able Seafarer-Deck (AS-D). **NVIC 14-14** (4/28/14).

USCG – NVIC re Chief Engineer Officer (≥ 3000 kW)



The US Coast Guard issued an 85-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Chief Engineer Office (CEO) and Second Engineer Officer (2EO) on Ships Powered by Main Propulsion Machinery of 3,000 kW/4,000 HP Propulsion Power or More (Management Level). **NVIC 15-14** (4/28/14).

USCG – NVIC re Chief Engineer Officer (≥ 750 kW and <3000 kW)



The US Coast Guard issued an 81-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Chief Engineer Office (CEO) and Second Engineer Officer (2EO) on Ships Powered by Main Propulsion Machinery of 750 kW/1,000 HP Propulsion Power or More and Less Than 3,000 kW/4,000 HP Propulsion Power (Management Level). **NVIC 16-14** (4/28/14).

USCG – NVIC re OICEW (≥ 750 kW)



The US Coast Guard issued a 143-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Officer in Charge of an Engineering Watch in a Manned Engineeroom or Designated Duty Officer in a Periodically Unmanned Engineeroom on Vessels Powered by Main Propulsion Machinery of 750 kW/1,000 HP Propulsion Power or More (OICEW). **NVIC 17-14** (4/28/14).

USCG – NVIC re Able Seafarer-Engine



The US Coast Guard issued a 51-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on qualification for and revalidation of STCW endorsements as Able Seafarer-Engine (AS-E). **NVIC 18-14** (4/28/14).

USCG – NVIC re Qualified Assessors re STCW



The US Coast Guard issued a 68-page Navigation and Vessel Inspection Circular (NVIC) providing guidance on Qualified Assessors who will assess the competency of candidates for STCW endorsements. **NVIC 19-14** (4/28/14).

USCG – odorizing units on fixed CO₂ systems



The US Coast Guard issued a policy letter clarifying requirements for odorizing units on fixed carbon dioxide fire extinguishing systems. **CG-ENG Policy Letter 02-14** (4/30/14).

OFAC – economic sanctions re Syria



The Office of Foreign Assets Control (OFAC) has amended and reissued in their entirety the Syrian Sanctions Regulations, which come into effect immediately. [79 Fed. Reg. 25413](#) (May 2, 2014).

COAC – meeting



The Advisory Committee on Commercial Operations of Customs and Border Protection (COAC), sponsored by the US Customs and Border Protection (CBP) will meet in Miami on 22 May. [79 Fed. Reg. 25608](#) (May 5, 2014).

House – bill introduced to establish Ambassador for Arctic Affairs



Representative Sensenbrenner (R-WI) introduced the [United States Ambassador at Large for Arctic Affairs Act of 2014](#) (H.R. 4538) to amend the State Department Basic Authorities Act of 1956 to establish a United States Ambassador at Large for Arctic Affairs, and for other purposes. Representative Sensenbrenner issued a [press release](#) explaining the measure. (4/30/14).

Court – act of war defense broadly construed



The US Court of Appeals for the Second Circuit ruled that the “act of war” defense in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) applies to damages resulting from terrorist attacks. Terrorists affiliated with al Qaeda crashed two airplanes into the towers of the World Trade Center on September 11, 2001. When the towers collapsed, debris, including toxic and hazardous waste, spread to a building owned by the plaintiffs. Plaintiffs incurred substantial costs in remediating the waste, as they were required to do under CERCLA. They then brought action against the owners and operators of the demolished towers and the aircraft to recover those costs. Defendants contended that they are exempt from liability under the act of war defense in the statute. Plaintiff countered that the damages were the result of terrorism, not the result of war, so the defense should be inapplicable. The district court sided with the defendants, so the plaintiff appealed. The appellate court ruled that the act of war defense avoids ensnarement in the statute’s strict liability scheme of persons who bear no responsibility for the release of harmful substances and that the dispersal of debris and wreckage from this catastrophe was indistinguishable from military attack in purpose, scale, means, and effect. [In re September 11 Litigation](#), No. 10-4197 (2nd Cir., May 2, 2014). *Note: This is obviously not a maritime case, but I included it in the newsletter because the*

Federal Water Pollution Control Act [FWPCA, also known as the Clean Water Act] and the Oil Pollution Act of 1990 [OPA 90] contain the same “act of war” defense.

Texas – OSPRA Award



The Texas General Land Office seeks nominations for its Oil Spill Prevention & Response Act (OSPRA) Award for 2013. The award honors individuals, organizations, and companies that go above and beyond their normal duties regarding oil spill education, prevention, and response. The deadline is 7 May. (5/2/14).

Canada – fatal failure of provision crane



The Transportation Safety Board (TSB) of Canada released the report of its investigation of the accidental death of the bosun on board the bulk carrier Federal Yoshino in Baie-Comeau, Quebec on 8 May 2013. The bosun was in a basket attached to a provision crane to paint a recently-repaired engine room vent. While maneuvering the crane, the hoisting cable broke and the basket fell approximately five meters before landing on the deck, fatally injuring the crew member. Investigation revealed that the crane, although not suitable for lifting personnel, was being used for working aloft. The limit switch on the crane did not cut power to the electric winch motor when the crane block exceeded the set limit, likely because the lifting rod was not properly rigged. The bosun’s view of crane block was obstructed from his position inside the basket, limiting his ability to identify that the block had exceeded its set limit. The crane block made contact with the underside of the boom and the winch continued to pull, causing the hoisting cable to part and the basket to fall to the deck. M13LO055 (5/1/14).

India – proposed ballast water legislation



The Indian Directorate General of Shipping (DGS) issued a notice stating that it seeks comments on a proposed draft Merchant Shipping (Amendment) bill based on the Ballast Water Convention, 2004. Comments should be submitted by 2 June. (5/2/14).

India – proposed merchant shipping legislation



The Indian Directorate General of Shipping (DGS) issued a notice stating that it seeks comments on a proposed draft Merchant Shipping (Amendment) bill based on the Bunker Convention, 2001; the Nairobi Wreck

Removal Convention, 2007; and the Salvage Convention, 1989. Comments should be submitted by 2 June. (5/2/14).

UK – sulphur content of marine fuels



The UK Maritime and Coastguard Agency (MCA) issued a **notice** stating that it has opened a consultation on the sulphur content of marine fuels. The purpose is to implement for the UK the EU directive 2012/33/EU on the sulphur content of marine fuel. The consultation closes on 1 July. (5/2/14).
*Note: This item was brought to my attention by my good friend Alan Spackman of the **International Association of Drilling Contractors**.*

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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>

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