

Headlines:

USCG – NOA exemption;
USCG - - cargo transfer operations;
USCG – William M. Benkert Awards;
USCG – NOAD Notice Tracking;
Lake Erie – “no discharge zone” for New York waters;
DOD – RIMPAC exercises begin;
House – bill introduced re water development appropriations;
House – bill introduced re Transportation Bonds;
Court – choice-of-law provision governs;
EC – harmonized reporting procedures;
EC – liner shipping exemption extended;
India – non-IG insurance companies;
Ireland – virtual aid to navigation;
New Zealand – coastal navigation safety review; and
Singapore – COC revalidation.

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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](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. Schrödinger had two cats, calling them a paradox.

USCG – NOA exemption



The US Coast Guard promulgated a final rule exempting from the requirement to submit a Notice of Arrival (NOA) US mobile offshore drilling units (MODUs) and other US vessels when moving directly from one outer continental shelf (OCS) block area to another. This exemption comes into effect immediately. [79 Fed. Reg. 36401](#) (June 27, 2014).

USCG – cargo transfer operations



The USCG Sector Houston-Galveston issued an **Instruction** regarding cargo transfer operations by a foreign tank vessel in advance of an overdue safety compliance examination. This policy is intended to help minimize cargo transfer delays within the Houston-Galveston (including Texas City, Freeport, Port Arthur, and Lake Charles) Area of Responsibility. The Sector also issued a **Cargo Waiver Request Form** for use in accordance with the new policy. (6/16/14).

USCG – William M. Benkert Awards



The US Coast Guard issued a **news release** announcing presentation of the 2014 William M. Benkert Awards recognizing maritime industry efforts for their environmental protection programs. (6/26/14).

USCG – NOAD Notice Tracking



The USCG National Vessel Movement Center (NVMC) issued a **bulletin** stating that the NOAD Notice Tracking feature has been moved from the homepage to the Developer subsite. (6/24/14).

Lake Erie – “no discharge zone” for New York waters



The Environmental Protection Agency (EPA) issued a **news release** stating that it approved the petition of the State of New York that New York State waters in Lake Erie qualify as a “no discharge zone” since there are adequate facilities in the area for boats to pump out their sewage. (6/23/14).

DOD – RIMPAC exercises begin



The Department of Defense (DOD) issued a **news release** stating that RIMPAC, the world’s largest international maritime exercise consisting of 20 plus nations and hundreds of aircraft, ships, and submarines, has begun in waters in and around the Hawaiian Islands. (6/26/14).

House – bill introduced re water development appropriations



Representative Simpson (R-ID) introduced a bill (**H.R. 4923**) making appropriations for energy and water development and related agencies for the

fiscal year ending September 30, 2015, and for other purposes. Representative Simpson issued a [press release](#) explaining the measure. (6/20/14).

House – bill introduced re Transportation Bonds



Representative Bentivolio (R-MI) introduced a bill (H.R. 4945) to authorize the Secretary of the Treasury to issue Transportation Bonds to fund transportation projects in each State, and for other purposes. Official text of the bill is not yet available. (6/24/14).

Court – choice-of-law provision governs



The US Court of Appeals for the Fourth Circuit ruled that an otherwise valid choice-of-law provision in a maritime contract is enforceable and may require application of a jurisdiction's statute of limitations, in lieu of the doctrine of laches, to govern issues regarding the timeliness of claims asserted under that agreement. In the instant case, a dispute arose between plaintiff marine insurer and defendant insured over coverage under the insurance contract, which provided for application of New York law to such disputes. New York law includes a six-year statute of limitations. Suit was brought by plaintiff insurer more than six years after the dispute arose. Plaintiff's argument that the traditional maritime doctrine of laches was applicable in this case proved to be unavailing. [American Steamship v. Dann Ocean Towing](#), No. 13-1495 (4th Cir., June 26, 2014).

EC – harmonized reporting procedures



The European Commission (EC) issued a [press release](#) stating that it adopted the report on the functioning of the reporting directive, which aims to ensure that by June 2015 vessels entering or departing EU ports will provide required information electronically via one single entry point – the National Single Window. (6/25/14).

EU – liner shipping exemption extended



The European Commission (EC) issued a [press release](#) stating that it has extended for another five years the validity of the existing legal framework exempting, if certain conditions are met, liner shipping consortia from EU antitrust rules. (6/24/14).

India – non-IG insurance companies



The Indian Directorate General of Shipping issued a **bulletin** stating that it has revised the status of two non-IG insurance companies regarding insurance for entry of ships into ports, anchorages, and offshore facilities. (6/24/14).

Ireland – virtual aid to navigation



The Irish Commissioners of Lights issued a **Notice to Mariners** stating that a virtual aid to navigation has been established to mark a new depth of 8.0 meters at the Rigg Bank. (6/26/14).

New Zealand – coastal navigation safety review



Maritime New Zealand issued a **media release** stating that it is undertaking a review of coastal navigation safety to identify risks and assess current and potential safety measures. (6/26/14).

Singapore – COC revalidation



The Singapore Maritime and Port Authority (MPA) issued a circular reminding holders of Singapore certificates of competency (COCs) of the requirement to revalidate their COCs meeting the requirements of the 2010 Manila amendments to the STCW Convention. **Shipping Circular 10-2014** (6/25/14).

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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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