

## Headlines:

USCG – Polar Code meeting;  
FWS & NOAA – “significant portion of its range”;  
NTSB – grounding on charted shoal;  
House – bill introduced re Transportation Bonds;  
Court – House subcommittee DWH investigation;  
Australia – Great Barrier Reef & Torres Strait;  
Singapore – regulatory amendments; and  
UK – consultation re removal of old regulations.

July 1, 2014



# Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91<sup>st</sup> Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: [dennis.l.bryant@gmail.com](mailto: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. All other things being equal never happens.*

## USCG – Polar Code meeting



The US Coast Guard issued a notice stating that it will hold a public meeting in Seattle on 14 August to receive comments on topics related to the development of a mandatory code for ships operating in polar waters (**draft Polar Code**; **draft SOLAS amendments**; and **draft MARPOL amendments**). Written comments should be submitted by 1 September. **79 Fed. Reg. 37339** (July 1, 2014).

## FWS & NOAA – “significant portion of its range”



The Fish and Wildlife Service (FWS) and the National Oceanic and Atmospheric Administration (NOAA) issued a notice announcing availability of their final policy on interpretation of the phrase “significant

portion of its range” in the Endangered Species Act (ESA). The policy comes into effect on 31 July. [79 Fed. Reg. 37577](#) (July 1, 2014).

### **NTSB – grounding on charted shoal**



The National Transportation Safety Board (NTSB) posted the report of its investigation into the grounding of the towing vessel Justice in the Hog Island Channel near the southwest end of the Cape Cod Canal on 21 March 2013 with significant damage to the vessel and the discharge of an estimated 232 gallons of gear oil, but no injuries. The grounding occurred on a charted rocky shoal just outside the channel and near a properly-operating lighted structure. The probable cause of the incident was determined to be the mate’s ineffective use of the vessel’s autopilot to maintain a course within the navigable channel and his delay in taking manual control as the vessel approached a charted hazard. [MAB 14/10](#) (6/30/14).

### **House – bill introduced re Transportation Bonds**



Representative Bentivolio (R-MI) introduced the [Repairing Our Aging Roads Act](#) (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. (6/24/14).

### **Court – House subcommittee DWH investigation**



The US Court of Appeals for the Fifth Circuit ruled that an investigation conducted by a subcommittee of the House of Representatives is included within the terms of a statute that criminalizes obstructing “the due and proper exercise of the power of inquiry under which any inquiry or investigation is being held by either House, or any committee of either House or any joint committee of the Congress.” A federal grand jury indicted Rainey for one count of obstructing Congress in violation of 18 U.S.C. § 1505, and one count of making false statements in violation of 18 U.S.C. § 1001 in conjunction with the subcommittee’s investigation of issues related to the fire and explosion on the Deepwater Horizon mobile offshore drilling unit (DWH MODU). Rainey contended, among other things, that 18 U.S.C. § 1505 did not apply to subcommittee investigations. The district court agreed and dismissed that count. The government appealed. The appellate court vacated the district court order and remanded the case. [United States v. Rainey](#), No. 13-30770 (5th Cir., June 27, 2014).

## Australia – Great Barrier Reef & Torres Strait



The Australian Maritime Safety Authority (AMSA) issued a **notice** stating that, on 23 May 2014, the 93rd session of the IMO Maritime Safety Committee (MSC 93) adopted a new two-way route in the Great Barrier Reef and Torres Strait. The amendment comes into effect on 1 December 2014. (6/28/14).

## Singapore – regulatory amendments



The Singapore Maritime and Port Authority (MPA) issued a circular advising stakeholders of the entry into force of the Merchant Shipping (Safety Convention) (Amendment) Regulations 2014 and the Merchant Shipping (Load Line) (Amendment) Regulations 2014 incorporating the 2012 amendments to the SOLAS Convention effected by Resolutions MSC.338(1) and MSC.344(91). **Shipping Circular 11-2014** (6/27/14).

## UK – consultation re removal of old regulations



The UK Maritime and Coastguard Agency (MCA) opened a **consultation** regarding its proposal to remove four old regulations relating to the weighing of goods vehicles and emergency equipment lockers because more modern regulations have made them out of date. The consultation closes on 10 August. (6/16/14).

## 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 91<sup>st</sup> Way  
Gainesville, FL 32608-8135  
USA

1-352-692-5493  
[dennis.l.bryant@gmail.com](mailto:dennis.l.bryant@gmail.com)  
<http://brymar-consulting.com>

© Dennis L. Bryant – July 2014

 Redistribution permitted with attribution