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Amelia Earhart & Fred Noonan lost at sea – 2 July 1937.

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Bryant's Maritime News

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*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.*

Florida – ill crew members



The US Coast Guard issued a **news release** stating that it is responding to a call from the master of the cargo ship JS Comet anchored three miles off Cape Canaveral that 19 of the 21 crew members on board were experiencing symptoms of food poisoning and were in need of medical assistance. The problem is exacerbated by the presence in the area of Tropical Storm Arthur. A

second news release states that the 19 ill crew members have been medically evacuated, that the owner is required to retain three harbor safety tugs, that the owner is required to obtain minimal replacement crew, and that the ship is required to maintain an hourly communication schedule with the Coast Guard. (7/1/14).

St. Louis – Mississippi River reopened



The US Coast Guard issued a **news release** stating that the Mississippi River at St. Louis has been reopened to navigation. The river was closed briefly after a towboat sank. The incident is under investigation. (7/1/14).

USCG – Inland Navigation Rules



The US Coast Guard promulgated a final rule amending the Inland Navigation Rules and their annexes to align with recent amendments made by the IMO to the Convention on the International Regulations for Preventing Collisions at Sea (COLREGS) and to incorporate recommendations made by the Navigation Safety Advisory Committee (NAVSAC). The amendments come into effect on 1 August. **79 Fed. Reg. 37897** (July 2, 2014).

BTS – voluntary near miss reporting on OCS



The Bureau of Transportation Statistics (BTS) of the Department of Transportation (DOT) issued a notice stating that it intends to request approval from the Office of Management and Budget (OMB) for approval to collect voluntary near miss reporting in oil and gas operations on the US outer continental shelf (OCS). Results of the confidential voluntary reporting is intended to provide the Bureau of Safety and Environmental Enforcement (BSEE), the industry, and all OCS stakeholders with information about accident precursors and other hazards associated with OCS oil and gas operations so that all stakeholders can use that information to reduce safety and environmental hazards and continue building a more robust OCS safety culture. Comments on the proposal should be submitted by 2 September. **79 Fed. Reg. 37837** (July 2, 2014).

FMC – civil penalty inflation adjustment



The Federal Maritime Commission (FMC) issued a final rule adjusting for inflation the maximum amount of each statutory civil penalty subject to FMC

jurisdiction. The adjustments come into effect on 11 July. [79 Fed. Reg. 37662](#) (July 2, 2014).

NFAC – meeting



The National Freight Advisory Committee (NFAC), sponsored by the Department of Transportation (DOT), will meet in Washington, DC on 15 and 16 July to receive briefings on and to discuss freight provisions in the surface transportation reauthorization proposals. [79 Fed. Reg. 37839](#) (July 2, 2014).

FWS – West Indian manatee



The Fish and Wildlife Service (FWS) issued a notice stating that it has initiated a review of the status of the West Indian manatee, including its subspecies the Florida manatee and the Antillean manatee, to determine whether reclassification as threatened under the Endangered Species Act is warranted. Comments should be submitted by 2 September. [79 Fed. Reg. 37706](#) (July 2, 2014).

OMB – regulatory costs and benefits



The Office of Management and Budget (OMB) seeks comments on its [draft Report to Congress](#) on the benefits and costs of federal regulations and unfunded mandates on state, local, and tribal entities. Comments should be submitted by 2 September. [79 Fed. Reg. 37776](#) (July 2, 2014).

FERC – surrender of wave energy license



The Federal Energy Regulatory Commission (FERC) issued a notice stating that it has received an application from Reedsport OPT Wave Park, LLC to surrender its wave energy license. The project is located in the Pacific Ocean in state waters about 2.5 miles off the coast near Reedsport, Oregon. Comments on the application should be received within thirty days. [79 Fed. Reg. 37735](#) (July 2, 2014).

NTSB – parasailing safety



The National Transportation Safety Board (NTSB) conducted a comprehensive investigation into parasailing accidents. Looking at several

different accidents, the **Special Investigation Report** finds that parasailing safety is largely unregulated, that operators are often untrained, and that serious accidents are often caused by faulty equipment. The report concludes that some safety risks could be mitigated if operators were required to have at least a minimum level of experience, training, and professional competence. Among other things, the report recommends that the Coast Guard implement a specialized license endorsement that all holders of a valid Coast Guard merchant mariner credential would be required to obtain before conducting parasailing operations. The NTSB also issued a **Safety Alert** regarding parasailing. (7/1/14).

MARAD – MV Cape Ray update



The Department of Transportation (DOT) issued a **news release** providing an update on preparations of the MARAD-managed Ready Reserve Force ro-ro ship Cape Ray to load hundreds of tons of Syrian Government chemical weapon agents and precursor chemicals at Gioia Tauro, Italy before neutralizing them at sea. (6/30/14).

DOE – Cape Wind conditional loan guarantee



The Department of Energy (DOE) issued a **news release** announcing a conditional commitment of a \$150 million loan guarantee to support construction of the Cape Wind offshore wind energy project off the coast of Cape Cod. (7/1/14).

TSA – TWIC Reader Qualified Technology



The Transportation Security Administration (TSA) posted an **updated list** of TWIC Reader Qualified Technology. (6/6/14).

GPS – newsletter



The National Coordination Office for Space-Based Positioning, Navigation, and Timing (GPS.GOV) issued its **Newsletter** for June addressing, among other things, GPS funding and Federal Communications Commission (FCC) plans to fine a foreign manufacturer \$34.9 million for marketing GPS jammers in the United States in violation of federal law. (6/30/14).

Court – ship repair facility negligence



The US Court of Appeals for the Fifth Circuit largely affirmed the district court finding that a ship repair facility (and ultimately its insurer) is liable for damages to a vessel on which it was undertaking repairs when a hurricane struck, sinking the vessel. In the instant case, the hurricane was forecast days in advance and the ship repair facility negligently took insufficient steps to protect the vessel from water ingress. The ship owner was allowed to directly collect from the insurer, but the award of attorney fees was modified. **National Liability & Fire Insurance v. R & R Marine**, No. 10-20767 (5th Cir., June 30, 2014).

New Zealand – MNZ Statement of Intent



Maritime New Zealand issued its **Statement of Intent 2014-2020**, laying out how the agency intends to achieve its mandate to make life at sea safer, protect the marine environment from pollution, ensure New Zealand's ports and ships are secure, and provide search and rescue response services within its area of responsibility. (7/1/14).

Amelia Earhart & Fred Noonan lost at sea – 2 July 1937



On 2 July 1937, the twin-engine Lockheed Electra 10E aircraft carrying aviatrix Amelia Earhart and her navigator Fred Noonan on an attempted circumnavigation of the Earth was lost at sea in the South Pacific Ocean. It had taken off hours earlier from Lae, New Guinea bound for refueling at Howland Island. Waiting at the island was the US Coast Guard cutter Itasca. The radioman on the Itasca heard radio calls from the aircraft reporting trouble locating the island and running low on fuel. His return calls were apparently not received by the aircraft. After the radio calls ceased and the aircraft had obviously exhausted its fuel, a search was commenced. Other vessels, including US Navy warships, and aircraft joined the search, but nothing was ever located. Recently, an independent search team found some evidence that an airplane may have crashed years previously on or near Nikumaroro Island in the Republic of Kiribati (previously known as Gardner Island), located about 400 miles south-southeast of Howland Island. Currently, another aviatrix named Amelia Rose Earhart (no relation) is attempting a similar circumnavigation in a single-engine aircraft.

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