

Headlines:

White House – MV Cape Ray;
USCG – OPA 90 inflation adjustment;
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BOEM – risk management, financial assurance & loss prevention;
NOAA – Hydrographic Services Review Panel;
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USCG NMC – online credential verification tool;
Senate – bill introduce re recreational vessels;
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Canada – smart buoy for Saint Johns;
Hong Kong – dark smoke emissions;
India – maritime claims legislation;
India – limitation of liability for maritime claims;
India – prevention of air pollution from ships;
Panama Canal – centennial; and
UK – confined space entry.

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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. The search for intelligent life on the third planet continues.

White House – MV Cape Ray



President Obama issued a **statement** regarding the completion by the MV Cape Ray of the destruction of Syria's declared chemical weapons under the leadership of the Organization for the Prohibition of Chemical Weapons

(OPCW). (8/18/14). *Note: MV Cape Ray is part of the Ready Reserve Fleet administered by the Maritime Administration (MARAD).*

USCG – OPA 90 inflation adjustment



The US Coast Guard proposes to increase the limits of liability under the Oil Pollution Act of 1990 (OPA 90) to reflect increases in the Consumer Price Index (CPI). The liability limits for most covered entities is to be increased by about 9%, but the limit for offshore facilities is to be increased by 78% since it has previously been adjusted. Language is also proposed to clarify applicability of OPA 90 limits of liability to edible oil cargo tank vessels and to tank vessels designated as oil spill response vessels. Comments should be submitted by October 20. **79 Fed. Reg. 49205** (August 19, 2014).

NOSAC – teleconference meeting



The National Offshore Safety Advisory Committee (NOSAC), sponsored by the US Coast Guard, will conduct a teleconference meeting on 24 September to receive a final report from the Subcommittee on Marine Casualty Reporting on the Outer Continental Shelf. **79 Fed. Reg. 49095** (August 19, 2014).

BOEM – risk management, financial assurance & loss prevention



The Bureau of Ocean Energy Management (BOEM) seeks comments and information regarding efforts to update its regulations and program oversight for outer continental shelf (OCS) financial assurance requirements. Due to increasingly complex business, functional, organizational, and financial issues, BOEM is developing a comprehensive program to assist in identifying, prioritizing, and managing the risks associated with industry activities on the OCS. Comments should be received by October 20. **79 Fed. Reg. 49027** (August 19, 2014).

NOAA – Hydrographic Services Review Panel



The National Oceanic and Atmospheric Administration (NOAA) seeks applicants for membership on the Hydrographic Services Review Panel (HSRP). Applications should be received by 10 October. **79 Fed. Reg. 49065** (August 19, 2014).

FMC – forum on port congestion



The Federal Maritime Commission (FMC) issued a **news release** announcing that FMC Chairman Mario Cordero will hold a forum entitled “U.S. Port Congestion: Examining Causes, Impact on Stakeholders, and Exploring Possible Solutions”. The forum will be held on 15 September in San Pedro. (8/18/14).

USCG NMC – online credential verification tool



The USCG National Maritime Center (NMC) issued a **notice** stating that it was recently noted that the Online Credential Verification Tool is displaying postdated credentials as the mariner’s valid Merchant Mariner Credential (MMC). While it can be assumed that the postdated credential is identical to the current credential, additional verification can be accomplished by contacting the NMC Customer Service Center. The situation should be corrected quickly. (8/18/14).

Senate – bill introduced re recreational vessels



Senator Schumer (D-NY) introduced the **Boating Capacity Standards Act of 2013** (S. 2774) to require all recreational vessels to have and to post passenger capacity limits and for other purposes. (8/1/14).

House – bill introduced re marine sanctuary designation



Representative Young (R-AK) introduced a bill (**H.R. 5389**) to amend the National Marine Sanctuaries Act to prescribe an additional requirement for the designation of marine sanctuaries off the coast of Alaska. (7/31/14).

House – bill introduced to extend landing passes



Representative Farenthold (R-TX) introduced the **Landing Pass Extension Act of 2014** (H.R. 5080) to amend the Immigration and Nationality act to extend the period of time for which a conditional permit to land temporarily may be granted to an alien crewman. (7/11/14).

Court – fraud in the inducement



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit reversed a grant of summary judgment by the district court and remanded the matter for trial on the merits. In the instant case, plaintiff cruise ship company contracted with defendant marketing company for cruise passenger marketing services. Plaintiff made various advance payments before canceling the contract. When defendant did not return the advance payments, plaintiff brought suit. The district court granted defendant's motion for summary judgment on the claim of fraud in the inducement. The appellate court held that there was sufficient evidence in the record for that claim to go forward. **Paul Gauguin Cruises v. eContact**, No. 13-11532 (11th Cir., August 12, 2014).

ReCAAP – July report



The ReCAAP Information Sharing Centre issued its **Report for July 2014**. The number of reported incidents was down slightly from those reported in July 2013, but higher than the average for July in the previous five years. (8/15/14).

Canada – smart buoy for Saint Johns



Transport Canada issued a **news release** stating that the SmartATLANTIC buoy project is being launched in Saint Johns, New Brunswick. The buoy will provide real-time wind, wave, and current information. (8/15/14).

Hong Kong – dark smoke emissions



The Hong Kong Marine Department issued a **news release** stating that a seminar was held for vessel owners and the public regarding the new legal requirements concerning dark smoke emissions from vessels. (8/14/14).

India – maritime claims legislation



The Indian Directorate General of Shipping issued a **notice** stating that comments are sought on draft legislation entitled Admiralty (Jurisdiction and Settlement of Maritime Claims). Comments must be received by 18 September. (8/18/14).

India – limitation of liability for maritime claims



The Indian Directorate General of Shipping issued a **notice** stating that comments are sought on a proposal entitled Merchant Shipping (Limitation of Liability for Maritime Claims) Rules, 2014. Comments must be received by 14 September. (8/14/14).

India – prevention of air pollution from ships



The Indian Directorate General of Shipping issued a **notice** stating that comments are sought on a proposal entitled Merchant Shipping (Prevention of Air Pollution from Ships, 2014), based on Annex VI of MARPOL. Comments must be received by 14 September. (8/14/14).

Panama Canal – centennial



The Panama Canal Authority issued an advisory commemorating the 100th anniversary of the opening of the Panama Canal to the service of world maritime commerce. **Advisory 18-2014** (8/15/14).

UK – confined space entry



The UK Marine Accident Investigation Branch (MAIB) issued a **safety bulletin** concerning entry of a confined space on board the cargo ship Suntas in Humber on 26 May 2014 resulting in three fatalities. The safety lessons include not ignoring warning signs at the entrance to a confined space and not entering a confined space to perform a rescue unless wearing proper breathing apparatus. (8/18/14).

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If you have questions regarding the above items, please contact the editor:

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