

Headlines:

Upper Mississippi River – safety zones;
DOE – application to export LNG;
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USCG – WSF conversion to LNG propulsion;
USCG – pilot ladder magnetic securing devices;
Court – overly broad administrative subpoena;
EMSA – annual report; and
UK – malfunctioning CPP.

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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. Having the right answer is valuable only if asked the right question.

Upper Mississippi River – safety zones



The US Coast Guard promulgated a rule establishing safety zones on the Upper Mississippi River (UMR) from mile 38.0 to 46.0 and from mile 78.0 to 81.0. The rule comes into effect immediately but will only be enforced during subsurface rock removal operations by the US Army Corps of Engineers (USACE). Comments on the rule should be submitted by 10 December. [79 Fed. Reg. 66622](http://www.gpo.gov/fdsys/pkg/FR-2014-11-10/pdf/2014-26669.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-10/pdf/2014-26669.pdf>] (11/10/14).

DOE – application to export LNG



The Department of Energy (DOE) issued a notice stating that it received an application from Texas LNG LLC for authorization to export liquefied natural gas (LNG) from a proposed LNG terminal to be constructed in

Brownsville. Comments on the application must be received by 9 January 2015. [79 Fed. Reg. 66708](http://www.gpo.gov/fdsys/pkg/FR-2014-11-10/pdf/2014-26635.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-10/pdf/2014-26635.pdf>] (11/10/14).

DOE – application to export LNG



The Department of Energy (DOE) issued a notice stating that it received an application from Venture Global LNG, LLC for authorization to export liquefied natural gas (LNG) from a proposed LNG terminal to be constructed in Cameron Parish. Comments on the application must be received by 9 January 2015. [79 Fed. Reg. 66707](http://www.gpo.gov/fdsys/pkg/FR-2014-11-10/pdf/2014-26634.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-10/pdf/2014-26634.pdf>] (11/10/14).

USCG – WSF conversion to LNG propulsion



The US Coast Guard issued a notice stating that it received a Letter of Intent (LOI) and Waterway Suitability Assessment from Washington State Ferries for a proposal to convert six Issaquah Class ferries to liquefied natural gas (LNG) propulsion. Comments on the proposal should be submitted by 12 January 2015. [79 Fed. Reg. 67179](http://www.gpo.gov/fdsys/pkg/FR-2014-11-12/pdf/2014-26749.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-12/pdf/2014-26749.pdf>] (11/12/14).

USCG – pilot ladder magnetic securing devices



The US Coast Guard issued a safety alert reminding stakeholders of the possible dangers that may result from unauthorized modifications to pilot ladder magnetic securing devices. [Safety Alert 14-14](http://www.uscg.mil/hq/cg5/cg545/alerts/1414.pdf) [located at <http://www.uscg.mil/hq/cg5/cg545/alerts/1414.pdf>] (11/10/14).

Court – overly broad administrative subpoena



The US Court of Appeals for the Eleventh Circuit affirmed the denial of an application by the Equal Employment Opportunity Commission (EEOC) for enforcement of an administrative subpoena issued to a cruise line. A foreign national employed by the cruise line as an assistant waiter filed a charge of discrimination after the cruise line refused to renew his employment contract after he was diagnosed with HIV and Kaposi Sarcoma, but declared fit for duty by his physician. The court found that the information sought by the EEOC subpoena was overly broad and unduly burdensome as the defendant conceded that it refused to renew complainant's employment contract due to his medical diagnosis. The court also noted that defendant raised a legitimate question regarding whether the EEOC has jurisdiction over the claims of foreign nationals

on foreign-flagged ships, but determined that the issue did not be decided in light of its ruling on the first issue. **EEOC v. Royal Caribbean Cruises**, No. 13-13519 (11th Cir., November 6, 2014) [located at <http://media.ca11.uscourts.gov/opinions/pub/files/201313519.pdf>].

EMSA – annual report



The European Maritime Safety Agency (EMSA) posted its **2013 Annual Report** [located at <http://www.emsa.europa.eu/emsa-documents/latest/item/2271-annual-report-2013.html>]. The report summarizes the work undertaken during the year by the EMSA to enhance the quality of shipping, strengthen maritime safety, and achieve cleaner oceans and seas. (11/7/14). *Note: This item was brought to my attention by my good friend Jean-Philippe Gobillon of Adnavis BVBA.*

UK – malfunctioning CPP



The UK Marine Accident Investigation Branch (MAIB) posted the report of its investigation of the heavy contact of the chemical tanker Key Bora with a jetty in Hull on 20 December 2013. The tanker's controllable pitch propeller (CPP) had a history of slow response to demands for astern power and did not respond in time to the pilot's order of full astern in this instance. The pilot had not been made aware of the slow response situation. **Report 31/2014** [located at http://www.maib.gov.uk/cms_resources.cfm?file=/Key%20Bora.pdf] (11/7/14).

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

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