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Yarmouth Castle fire & sinking – 13 November 1965.

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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.

USCG – emergency systems



The US Coast Guard issued a safety alert reminding stakeholders of the importance of: 1) designing and maintaining emergency systems to be logical and easily operated in high stress situations; 2) maintaining a high level of crew familiarity with emergency systems; and 3) exercising safeguards during testing

to mitigate the risk of human error or system malfunction. **Safety Alert 15-14** [located at <http://www.uscg.mil/hq/cg5/cg545/alerts/1514.pdf>] (11/12/14).

Carquinez Strait – safety zone



The US Coast Guard promulgated a rule establishing a temporary safety zone in waters of Carquinez Strait near Martinez, California in support of a cable repair operation. The safety zone is in effect through 5 December. **79 Fed. Reg. 67353** [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-13/pdf/2014-26754.pdf>] (11/13/14).

FWS – coral species



The Fish & Wildlife Service (FWS) issued a final rule adding twenty (20) coral species to the list of endangered and threatened wildlife. **79 Fed. Reg. 67356** [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-13/pdf/2014-26893.pdf>] (11/13/14).

Puget Sound/Georgia Basin – critical habitat



The National Oceanic and Atmospheric Administration (NOAA) issued a final rule designating critical habitat in Puget Sound and the Georgia Basin for distinct population segments of yellow rockfish, canary rockfish, and Boccaccio. The rule comes into effect on 11 February 2015. **79 Fed. Reg. 68041** [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-13/pdf/2014-26558.pdf>] (11/13/14).

Florida – navigation needs assessments



The US Coast Guard issued a **news release** [located at <http://www.uscgnews.com/go/doc/4007/2417042/>] stating that it seeks public input regarding current navigation through three existing drawbridges: one crossing the New River in Ft. Lauderdale; one crossing the Loxahatchee River in Jupiter; and one crossing the St. Lucie River in Stuart. Public meetings will be held in Hollywood (12 November); Stuart (13 November); and Jupiter (14 November). Comments may also be submitted by mail. (11/11/14).

USCG NVMC – NOAD & OCS NOA workbooks released



The USCG National Vessel Movement Center (NVMC) issued a **notice** [located at <http://www.nvmc.uscg.gov/NVMC/News.aspx?newsId=24B9EEF9->

5EDA-4ADF-8016-7645C8C2FEE3] stating that the Notice of Arrival and Departure (NOAD) workbook version 7.4 and the Outer Continental Shelf (OCS) NOA workbook 1.4 have been released. (11/12/14).

USCG NVMC – NOAD InfoPath Template 6.3.0



The USCG National Vessel Movement Center (NVMC) issued a **notice** [located at <http://www.nvmc.uscg.gov/NVMC/News.aspx?newsId=460917E0-BA38-4DC6-B78A-F09CA848F912>] stating that the Notice of Arrival and Departure (NOAD) Template Version 6.3.0 for Microsoft InfoPath is available for download. (11/12/14).

USCG NVMC – picklist updates



The USCG National Vessel Movement Center (NVMC) issued a **notice** [located at <http://www.nvmc.uscg.gov/NVMC/News.aspx?newsId=284583F9-C029-433D-AF86-884B851CBAFF>] stating that an updated package of picklist XML files for use by third-party developers has been released that incorporates various country, port, agency, and RSO changes. (11/12/14).

MARAD – Port Planning & Investment Toolkit



The Maritime Administration (MARAD) posted its **Port Planning and Investment Toolkit** [located at http://www.marad.dot.gov/ports_landing_page/StrongPorts/Port_Planning_Investment_Toolkit/port_planning_investment_toolkit.htm]. Developed in cooperation with the American Association of Port Authorities (AAPA), the toolkit addresses planning, funding, and executing projects. (11/12/14).

MARAD – extension of VISA program



The Maritime Administration (MARAD) issued a **news release** [located at http://www.marad.dot.gov/news_room_landing_page/news_releases_summary/news_release/MARADVISA_item_summary.htm] stating that the Voluntary Intermodal Sealift Agreement (VISA) program has been extended until 1 October 2019. (11/7/14).

MARAD – portable foam applicators



The Maritime Administration's [training video](#) concerning portable foam applicators has been posted on the internet. (11/12/14).

FERC – Jordan Cove LNG project



The Federal Energy Regulatory Commission (FERC) issued a [news release](#) [located at <http://www.ferc.gov/industries/gas/enviro/eis/2014/11-07-14-eis.asp>] stating that it seeks comments on the draft environmental impact statement (EIS) for the Jordan Cove Liquefaction and Pacific Connector Pipeline Projects. Comments must be received by 13 February 2015. (11/7/14).

EPA – marine repower projects



The Environmental Protection Agency (EPA) issued a [news release](#) [located at <http://yosemite.epa.gov/opa/admpress.nsf/doc6618525a9efb85257359003fb69d/d8c66802a3c1632985257d8e005999ce!OpenDocument>] stating that it awarded \$495,000 to fund two marine repower projects in Massachusetts. The projects involve the repowering of one tugboat and two commercial lobster boats with clean diesel engines. (11/12/14).

DOJ – government contracting violations



The Department of Justice (DOJ) issued a [news release](#) [located at <http://www.justice.gov/opa/pr/former-united-states-navy-military-sealift-command-contractor-and-co-founder-government>] stating that a former Military Sealift Command (MSC) contractor and the co-founder of a government contracting company were sentenced to prison terms and financial forfeitures after pleading guilty to conspiracy, bribery, and providing illegal gratuities to secure military contracts. (11/17/14).

Court – cruise ship medical treatment



The US Court of Appeals for the Eleventh Circuit ruled that summary judgment is premature where plaintiff has adequately pled all the elements of both actual agency and apparent agency. In the instant case, plaintiff's decedent died after falling on one of defendant's cruise ships and was treated by the onboard doctor and nurse. [Franza v. Royal Caribbean Cruises](#), No. 13-13067

(11th Cir., November 10, 2014). *Note: This case was brought to my attention by my good friend Keith Heard of **Burke & Parsons**.*

IMO – MSC 94 agenda



The IMO issued a **news release** [located at <http://www.imo.org/MediaCentre/PressBriefings/Pages/37-MS-C-94-preview.aspx#.VGPN9DTF98E>] summarizing the agenda for the upcoming session of the Maritime Safety Committee (MSC 94). Among other things, the MSC will consider, with a view to adoption, the draft Polar Code (non-environmental provisions) and draft amendments to SOLAS chapter VI to require mandatory verification of the gross mass of containers. (11/12/14).

Panama Canal – final shipment of lock gates arrive



The Panama Canal Authority (ACP) issued a **press release** [located at <http://www.pancanal.com/eng/pr/press-releases/2014/11/12/pr531.html>] stating that the final shipment of gates for the new locks of the Canal Expansion project has arrived in Panama. (11/12/14).

Yarmouth Castle fire and sinking – 13 November 1965



The passenger ship *SS Yarmouth Castle* caught fire and sank on November 13, 1965 while en route from Miami, Florida to Nassau, Bahamas. Of the 376 passengers and 176 crew on board, 88 passengers and two crew died. The ship was built in 1927 with a wooden superstructure. Wood and other flammable materials were used throughout the ship. As the **US Coast Guard investigation** noted, the foreign-flag vessel was not subject to USCG inspection. Passenger ship construction standards were subsequently strengthened and US law was amended to provide for examination by the Coast Guard of foreign passenger vessels embarking passengers in a US port to ensure compliance with international standards.

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

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