

Headlines:

Beaufort Sea – binational ecosystem study;
USCG – vessel sinks off Cap-Haitien;
USCG NVDC – e-billing for COD renewals;
California – diesel engines on commercial harbor craft;
California – large spark-ignition engines;
FMC – complaint filed against Ocean Trade Lines, Inc;
NTSB – mooring breakaway and allision;
Senate – bill introduce re critical infrastructure;
Senate – bill introduced re Inland Waterways Trust Fund;
Senate – bill introduced re incidental discharges;
Court – failure to allege elements of negligence;
IMO – Polar Code;
EUNAVFOR – Operation Atalanta continued through 2016;
Australia – fines for illegal garbage disposal;
Australia – contact with wharf; and
Singapore – online authentication of statutory certificates.

November 24, 2014



Bryant's Maritime News

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

Tel: 1-352-692-5493 – Email: 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. Having the right answer is valuable only if asked the right question.*

Beaufort Sea – binational ecosystem study



The Bureau of Ocean Energy Management (BOEM) issued a **press release** [located at <http://www.boem.gov/press11212014/>] announcing that an award has been made for the binational Marine Arctic Ecosystem Study (MARES) to investigate the interrelationship among the physical, biological, chemical, and social science components of the Beaufort Sea ecosystem from Barrow, Alaska to the Mackenzie River delta in Canadian waters. (11/21/14).

USCG – vessel sinks off Cap-Haitien



The US Coast Guard issued a [news release](http://www.uscgnews.com/go/doc/4007/2423646/) [located at <http://www.uscgnews.com/go/doc/4007/2423646/>] stating that the seven crew members of the coastal freighter Calypso were rescued when the vessel began taking on water while about 45 miles north of Cap-Haitien, Haiti. Soon thereafter, the vessel sank. (11/21/14).

USCG NVDC – e-billing for COD renewals



The USCG National Vessel Documentation Center (NVDC) issued a [notice](http://www.uscg.mil/hq/cg5/nvdc/news/billing.pdf) [located at <http://www.uscg.mil/hq/cg5/nvdc/news/billing.pdf>] stating that it has launched a program designed to enroll customers in an automated e-billing program for Certificate of Documentation (COD) renewals. (11/21/14).

California – diesel engines on commercial harbor craft



The Environmental Protection Agency (EPA) issued a notice stating that it received an application from the California Air Resources Board (CARB) seeking authorization for recent amendments to its Commercial Harbor Craft (CHC) regulations. The EPA will hold a public meeting on 14 January 2015 regarding this application if it receives notification from any party that the party wishes to present oral testimony at the hearing. Written comments must be received by 16 February 2015. [79 Fed. Reg. 69842](http://www.gpo.gov/fdsys/pkg/FR-2014-11-24/pdf/2014-27807.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-24/pdf/2014-27807.pdf>] (11/24/14).

California – large spark-ignition engines



The Environmental Protection Agency (EPA) issued a notice stating that it received an application from the California Air Resources Board (CARB) seeking authorization for recent amendments to its large spark-ignition engine (LSI) regulations. The EPA will hold a public meeting on 14 January 2015 regarding this application if it receives notification from any party that the party wishes to present oral testimony at the hearing. Written comments must be received by 16 February 2015. [79 Fed. Reg. 69845](http://www.gpo.gov/fdsys/pkg/FR-2014-11-24/pdf/2014-27801.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-24/pdf/2014-27801.pdf>] (11/24/14).

FMC – complaint filed against Ocean Trade Lines, Inc



The Federal Maritime Commission (FMC) issued a notice stating that it has received a complaint alleging that Ocean Trade Lines, Inc., a non-vessel-operating common carrier (NVOCC), has violated the Shipping Act. **79 Fed. Reg. 69848** [located at <http://www.gpo.gov/fdsys/pkg/FR-2014-11-24/pdf/2014-27690.pdf>](11/24/14).

NTSB – mooring breakaway and allision



The National Transportation Safety Board (NTSB) posted the Marine Accident Brief of its investigation on the breakaway of the tanker Harbour Feature from its moorings and subsequent allision with the Sarah Mildred Long Bridge in Portsmouth, New Hampshire on 1 April 2013. The vessel and the bridge both sustained serious damage. The probable cause of the casualty was the inadequate mooring arrangement made by the master and the pilot for the vessel's location and the prevailing tidal conditions. **MAB-14/21** [located at <http://www.nts.gov/doclib/reports/2014/MAB1421.pdf>] (11/21/14).

Senate – bill introduced re critical infrastructure



Senator Schumer (D-NY) introduced a bill (**S. 2934**) to prohibit trespassing on critical infrastructure used in or affecting interstate commerce to commit a criminal offense. (11/17/14).

Senate – bill introduced re Inland Waterways Trust Fund



Senator Casey (D-PA) introduced a bill (**S. 2955**) to revise the Inland Waterways Trust Fund financing rate. Official text of the bill is not yet available. (11/20/14).

Senate – bill introduced re incidental discharges



Senator Boxer (D-CA) introduced a bill (**S. 2963**) to remove a limitation on a prohibition relating to permits for discharges incidental to normal operation of vessels. Official text of the bill is not yet available. (11/20/14).

Court – failure to allege elements of negligence



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed the dismissal with prejudice of a lawsuit brought by a passenger against a cruise line. Plaintiff alleged that she was injured in the bathroom facilities at Freeport Harbor, Bahamas when a bathroom sink dislodged and fell on her. The court found that plaintiff failed to allege that the cruise line had actual or constructive knowledge of the risk-creating condition ashore and failed to allege an agency relationship between the cruise line and the operators of the facility ashore. **Moseley v. Carnival Corporation**, No. 14-12928 (11th Cir., November 21, 2014) [located at <http://media.ca11.uscourts.gov/opinions/unpub/files/201412928.pdf>].

IMO – Polar Code



The IMO issued a **news release** [located at <http://www.imo.org/MediaCentre/PressBriefings/Pages/38-nmsc94polar.aspx#.VG8zBdLF98E>] stating that the operational safety provisions of the International Code for Ships Operating in Polar Waters (Polar Code) were adopted by the recent session of the Maritime Safety Committee (MSC 94). Those provisions are expected to enter into force on 1 January 2017. The next session of the Marine Environment Protection Committee (MEPC) will consider adoption of the environmental provisions of the Polar Code. (11/21/14).

EUNAVFOR – Operation Atalanta continued through 2016



The EUNAVFOR issued a **press release** [located at <http://eunavfor.eu/eu-counter-piracy-operation-atalanta-extended-to-end-of-2016/>] stating that the European Council has extended until 12 December 2016 the Operation Atalanta counter-piracy mission in waters off the coast of Somalia. (11/21/14).

Australia – fines for illegal garbage disposal



The Australian Maritime Safety Authority (AMSA) issued a **media release** [located at <http://www.amsa.gov.au/media/documents/xx112014MediaReleaseGarbageProsecution.pdf>] the owner of bulk carrier Xin Tai Hai was fined \$20,000 after pleading guilty of illegally discharging garbage in waters off Gladstone, Queensland on 13 June 2013. The master was fined \$6,000 after pleading guilty to illegally discharging garbage and failing to record the discharge in the ship's garbage record book. (11/21/14).

Australia – contact with wharf



The Australian Transport Safety Bureau (ATSB) issued a **notice** [located at http://www.atsb.gov.au/publications/investigation_reports/2014/mair/317-mo-2014-014.aspx] stating that it has commenced an investigation into the contact with a wharf during the berthing of the bulk carrier Big Glory at Cape Flattery, Queensland on 20 November 2014. (11/21/14).

Singapore – online authentication of statutory certificates



The Singapore Maritime and Port Authority (MPA) issued a circular advising that its online authentication services for certificates issued by the Singapore Registry of Shipping has been expanded to include a wider range of statutory certificates. **Shipping Circular 18-2014** [located at http://www.mpa.gov.sg/sites/circulars_and_notices/pdfs/shipping_circulars/sc_no_18_of_2014.pdf] (11/21/14).

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 91st Way
Gainesville, FL 32608-8135
USA

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

© Dennis L. Bryant – November 2014

 Redistribution permitted with attribution