

## Headlines:

MARAD – new reports;  
DOJ – wind power project violated MBTA;  
India & IMO – Ebola personal protective equipment;  
Winter Cruising – 22 December 1837; and  
Winter/Summer Solstice – 2302 UTC, 21 December 2014.

December 22, 2014



# 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. Better to light one candle than curse your flashlight.*

## **MARAD – new reports**



The Maritime Administration (MARAD) recently posted several new reports on its [Maritime Statistics](http://www.marad.dot.gov/library_landing_page/data_and_statistics/Data_and_Statistics.htm) page [located at [http://www.marad.dot.gov/library\\_landing\\_page/data\\_and\\_statistics/Data\\_and\\_Statistics.htm](http://www.marad.dot.gov/library_landing_page/data_and_statistics/Data_and_Statistics.htm) ], including: (a) 2012 vessel calls in US ports, terminal, and lightering areas; (b) US-flag integrated and articulated tug-barge units; (c) US waterborne foreign trade by US Customs districts; and (d) US waterborne foreign trade by trading partners. (12/15/14).

## **DOJ – wind power project violated MBTA**



The Department of Justice (DOJ) issued a [news release](http://www.justice.gov/opa/pr/utility-company-sentenced-wyoming-killing-protected-birds-wind-projects-o) [located at <http://www.justice.gov/opa/pr/utility-company-sentenced-wyoming-killing-protected-birds-wind-projects-o> ] stating that an electrical utility company pleaded guilty in federal court to violating the Migratory Bird Treaty Act (MBTA) in connection with the deaths of protected birds at two of the company's wind power projects in Wyoming. The company was sentenced to pay fines,

restitution, and community service totaling \$2.5 million and to serve five years' probation, during which time it must implement an environmental compliance program aimed at preventing bird deaths at its wind projects. Companies are expected to use due diligence in the siting, construction, and operation of wind power projects to minimize the risk of taking migratory birds. (12/19/14). *Note: This is obviously not a maritime case, but the siting of wind power projects offshore presents similar risks. In addition, violation of the MBTA is a "no-fault" crime, meaning the prosecution is not even required to prove negligence.*

### India & IMO – Ebola personal protective equipment



The Indian Directorate General of Shipping (DGS) issued a notice forwarding a recent IMO circular regarding personal protective equipment relating to Ebola virus disease. **MS Notice 22-2014** [located at [http://dgshipping.gov.in/WriteReadData/News/201412191226133758051note22\\_2014\\_nt.pdf](http://dgshipping.gov.in/WriteReadData/News/201412191226133758051note22_2014_nt.pdf)] (12/8/14).

### Winter Cruising – 22 December 1837



On this date in 1837, Congress enacted the so-called 'Winter Cruising' statute (**5 Stat. 208**), which provided: *"The President of the United States is authorized to cause any suitable number of public vessels, adapted to the purpose, to cruise upon the coast, in the severe portions of the season, when the public service will allow of it, and so afford such aid to distressed navigators as their circumstances and necessities may require; and such public vessels shall go to sea prepared fully to render such assistance."*

### Winter/Summer Solstice – 2303 UTC, 21 December 2014



The solstice occurred at 2303 UTC (Universal Coordinated Time) on December 21, 2014. In the past, we might have used Greenwich Mean Time or GMT, but that is so 20th Century. For those in the Northern Hemisphere, this was the longest night of the year – hopefully you slept well. For those in the Southern Hemisphere, this was the longest day of the year – hopefully you paced yourselves. For those in an alternate universe, rest easily.

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