

Headlines:

CTAC – meeting;
PHMSA – harmonization of hazmat standards;
DOJ – Navy commander pleads guilty to bribery;
Court – liberal salvage award inappropriate;
Court – slippery sugar;
California – ballast water and hull husbandry reports;
Panama Canal – December operations; and
Panama Canal – proposed new tolls structure.

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Bryant's Maritime News

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*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. Soon after a new safety device is invented, innovative mariners develop a work-around.*

CTAC – meeting



The Chemical Transportation Advisory Committee (CTAC) and its subcommittees, sponsored by the US Coast Guard, will meet in New Orleans on 24-26 February. Topics on the agenda include: response and carriage requirements for biofuels and biofuel blends; safety standards for design of vessels carrying natural gas or using natural gas as fuel; and safety standards for ship-to-ship transfers of hazardous materials outside the baseline. **80 Fed. Reg. 1037** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-01-08/pdf/2015-00062.pdf>] (1/8/15).

PHMSA – harmonization of hazmat standards



The Pipeline and Hazardous Materials Safety Administration (PHMSA) promulgated a final rule amending the Hazardous Materials Regulations to

maintain alignment with international standards, including the International Maritime Dangerous Goods (IMDG) Code. The amendments entered into effect on 1 January 2015. **80 Fed. Reg. 1075** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-01-08/pdf/2014-30462.pdf>] (1/8/15).

DOJ – Navy commander pleads guilty to bribery



The Department of Justice (DOJ) issued a **news release** [located at <http://www.justice.gov/opa/pr/us-navy-commander-pleads-guilty-international-bribery-scandal>] stating that an active duty US Navy commander pleaded guilty to bribery charges, admitting that he provided a government contractor with classified ship schedules and other internal Navy information in exchange for cash, travel, and entertainment expenses, as well as the services of prostitutes. A second Navy officer was also indicted on related charges. (1/6/15).

Court – liberal salvage award inappropriate



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit denied plaintiff salvor's appeal for a higher salvage award. The court held that a liberal salvage award is appropriate only when, among other things, the salvor takes on risks out of the ordinary for a professional salvor **Girard v. MY Quality Time**, No. 14-10931 (11th Cir., January 6, 2015) [located at <http://media.ca11.uscourts.gov/opinions/unpub/files/201410931.pdf>].

Court – slippery sugar



In a brief summary order, the US Court of Appeals for the Second Circuit affirmed the dismissal of a longshoreman's negligence action against a shipowner for injuries allegedly incurred while unloading a cargo of sugar from defendant's ship. The court held that sugar regularly falls on deck during unloading and that, when mixed with water it becomes slippery, creating an obvious hazard. **Giganti v. Polsteam Shipping**, No. 14-217-cv (2nd Cir., January 7, 2015) [located at http://www.ca2.uscourts.gov/decisions/isysquery/e6445131-09e5-48ea-9419-86abfba94a23/12/doc/14-217_so.pdf#xml=http://www.ca2.uscourts.gov/decisions/isysquery/e6445131-09e5-48ea-9419-86abfba94a23/12/hilite/].

California – ballast water and hull husbandry reports



The California State Lands Commission (SLC) posted a **letter** [located at http://www.slc.ca.gov/Spec_Pub/MFD/Ballast_Water/Documents/Compliance

[_and_Reporting/Annual%20Agent%20Letter_2015_Forms.pdf](#)] to shipping agents reminding stakeholders of the obligation to prepare and submit the Ballast Water Treatment Technology Annual Report; the Ballast Water Treatment Supplemental Report; and the Hull Husbandry Report as appropriate. (12/31/14).

Panama Canal – December operations



The Panama Canal Authority (ACP) issued an advisory summarizing Canal operations during December. It also includes the locks maintenance schedule for the remainder of the fiscal year. **Advisory 01-2015** [located at <http://www.pancanal.com/common/maritime/advisories/2015/a-01-2015.pdf>] (1/5/15).

Panama Canal – proposed new tolls structure



The Panama Canal Authority (ACP) issued an advisory regarding the proposal to modify the Panama Canal tolls structure. Comments on the proposal must be received by 9 February. A public hearing will be conducted in Balboa, Panama on 27 February. **Advisory 02-2015** [located at <http://www.pancanal.com/common/maritime/advisories/2015/a-02-2015.pdf>] (1/6/15).

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

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