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UK – Meeting the Maritime Challenge;
UK – safe movement on board ship;
UK – means of access; and
UK – provision of food & fresh water.

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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.*

USCG – implementation of MARPOL amendments



The US Coast Guard promulgated a final rule updating various regulations to implement recent amendments to MARPOL Annex I. The rule also amends sections of the vessel response plan (VRP) regulations to include SOLAS Material Safety Data Sheets (MSDSs) as an equivalent hazardous communications standard. The amendments enter into effect on 5 May. **80 Fed.**

Reg. 5922 [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-02-04/pdf/2015-01925.pdf>] (2/4/15).

USCG – NBSAC membership



The US Coast Guard seeks applications for membership on the National Boating Safety Advisory Council (NBSAC). Applications should be received by 6 April. **80 Fed. Reg. 6096** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-02-04/pdf/2015-02129.pdf>] (2/4/15).

SHC – meeting re NCSR 2



The Shipping Coordinating Committee (SHC), sponsored by the Department of State (DOS) will meet in Arlington, Virginia on 4 March to prepare for the upcoming session of the IMO Sub-Committee on Navigation, Communication, and Search and Rescue (NCSR 2). Topics on the agenda include: Galileo, LRIT, E-navigation strategy implementation plan, and performance standards for multi-system shipborne navigation systems. **80 Fed. Reg. 6156** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-02-04/pdf/2015-02254.pdf>] (2/4/15).

SHC – meeting re SSE 2



The Shipping Coordinating Committee (SHC), sponsored by the Department of State (DOS) will meet in Arlington, Virginia on 11 March to prepare for the upcoming session of the IMO Sub-Committee on Ship Systems and Equipment (SSE 2). Topics on the agenda include: smoke control and ventilation, onboard lifting appliances and winches, and guidelines for vessels with dynamic positioning systems. **80 Fed. Reg. 6156** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-02-04/pdf/2015-02263.pdf>] (2/4/15).

CBP – NCAP test



The Customs and Border Protection (CBP) issued a notice announcing its plan to modify the National Customs Automation Program (NCAP) test concerning the transmission of electronic filings through the Automated Commercial Environment (ACE), known as the Partner Government Agency (PGA) Message Set test. This modification expands use of the ACE PGA Message Set to transmit Environmental Protection Agency (EPA) Notice of Arrival of Pesticides and Devices (NOA) import data in the ocean and rail modes of transportation for certain entries filed at certain ports. The test will commence

no earlier than 15 April. [80 Fed. Reg. 6098](#) [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-02-04/pdf/2015-02206.pdf>] (2/4/15).

DOJ – ship operator fined \$1.8 million



The Department of Justice (DOJ) issued a [news release](#) [located at <http://www.justice.gov/usao/md/news/2014/ShipOperatorAdmitsToCoveringUpTheDeliberateDischargeOfOilAndOrderedToPay1.8Million.html>] stating that the Hachiuma Steamship Company pleaded guilty in federal court to violating the Act to Prevent Pollution from Ships (APPS) by failing to maintain an accurate oil record book (ORB) concerning the illegal disposal of oil residue and bilge water overboard from the MV Selene Leader. The company was sentenced to pay \$1.8 million and to serve three years on probation, during which time it must develop and implement an environmental compliance program. (1/30/15).

House – bill introduced re WW II merchant mariners



Representative Hahn (D-CA) introduced the [Honoring Our WWII Merchant Mariners Act of 2015](#) (H.R. 563) [located at <http://www.gpo.gov/fdsys/pkg/BILLS-114hr563ih/pdf/BILLS-114hr563ih.pdf>] to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II. Representative Hahn issued a [press release](#) [located at <http://hahn.house.gov/press-release/congresswoman-hahn-and-congressman-duncan-introduce-bipartisan-legislation-repay>] explaining the measure. (1/27/15).

House – bill introduced re Columbia River salmon



Representative Herrera Beutler (R-WA) introduced the [Endangered Salmon and Fisheries Predation Prevention Act](#) (H.R. 564) [located at <http://www.gpo.gov/fdsys/pkg/BILLS-114hr564ih/pdf/BILLS-114hr564ih.pdf>] to amend the Marine Mammal Protection Act of 1972 to reduce predation on endangered Columbia River salmon and other nonlisted species, and for other purposes. Representative Herrera Beutler issued a [press release](#) [located at <http://herrerabeutler.house.gov/news/documentsingle.aspx?DocumentID=398503>] explaining the measure. (1/27/15).

House – bill introduced to allow US-Cuba travel



Representative Rangel (D-NY) introduced a bill (H.R. 634) to allow travel between the United States and Cuba. Official text of the bill is not yet available, but Representative Rangel issued a [press release](#) [located at <http://rangel.house.gov/press-release/rangel-continues-push-normalize-relations-cuba-two-new-bills>] explaining the measure. (2/2/15).

House – bill introduced re agricultural exports to Cuba



Representative Rangel (D-NY) introduced a bill (H.R. 635) to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes. Official text of the bill is not yet available. (2/2/15).

House – bill introduced to allow US-Cuba travel



Representative Sanford (R-SC) introduced a bill (H.R. 664) to allow travel between the United States and Cuba. Official text of the bill is not yet available, but Representative Sanford issued a [press release](#) [located at <http://sanford.house.gov/media-center/press-releases/bipartisan-bicameral-group-introduces-cuba-travel-bill>] explaining the measure. (2/2/15).

Court – employment discrimination not demonstrated



The US Court of Appeals for the Eleventh Circuit affirmed the dismissal of an employment discrimination complaint due to lack of evidence. Plaintiff employee alleged nationality and disability discrimination resulting in refusal to promote him and ultimate termination of employment and maintenance of a hostile work environment. Plaintiff is a Hungarian-American and walks with a limp. He applied for a promotion, but the promotion was denied and he was ultimately terminated. Defendant employer demonstrated that there was a hiring and promotion freeze in place and the position was not filled. It further demonstrated that plaintiff was terminated only after he failed to report for work for three consecutive days. Plaintiff alleged that some co-workers occasionally harassed him, but conceded that he never made a complaint to his supervisor or to management, despite the existence of an anti-harassment policy. [Fodor v.](#)

Eastern Shipbuilding Group, No. 14-11713 (11th Cir., February 3, 2015) [located at <http://media.ca11.uscourts.gov/opinions/unpub/files/201411713.pdf>].

ReCAAP – annual report



The ReCAAP Information Sharing Centre posted its **Annual Report 2014** [located at <http://www.recaap.org/Portals/0/docs/Reports/2015/ReCAAP%20ISC%20Annual%20Report%202014.pdf>]. The report notes that there was a 22% increase in the number of piracy and armed robbery against ships incidents in Asia as compared to the previous four years. The majority of very significant incidents involved the siphoning of ship fuel/oil by perpetrators who had boarded and took control of the ship. (2/3/15).

Canada – Arctic Offshore Patrol Ships



National Defence and the Canadian Armed Forces issued a **media release** [located at <http://www.forces.gc.ca/en/business-equipment/arctic-offshore-patrol-ships.page>] announcing that the contract for construction of six Arctic Offshore Patrol Ships (AOPS) has been awarded. These ice-capable ships will conduct sovereignty and surveillance operations in Canada's EEZ, including the Arctic. (1/23/15). *Note: This item was brought to my attention by my good friend Louis J. Le Gendre of International Shipping & Logistics.*

UK – Meeting the Maritime Challenge



The UK Department for Transport (DfT) posted the speech [located at <https://www.gov.uk/government/speeches/meeting-the-maritime-challenge> <https://www.gov.uk/government/speeches/meeting-the-maritime-challenge>] delivered by the Right Honorable John Hayes MP concerning “Meeting the Maritime Challenge”. (2/2/15).

UK – safe movement on board ship



The UK Maritime and Coastguard Agency (MCA) issued guidance regarding measures that should be taken to provide for safe movement on board ship. **MGN 532 (M)** [located at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/400972/MGN_532__M_.pdf] (2/3/15).

UK – means of access



The UK Maritime and Coastguard Agency (MCA) issued guidance regarding measures that should be taken to provide a safe means of access on ships. **MGN 533 (M)** [located at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/400990/MGN_533__M_.pdf] (2/3/15).

UK – provision of food & fresh water



The UK Maritime and Coastguard Agency (MCA) issued guidance on the provision of food and fresh water for seagoing vessels not covered by MLC 2006. **MGN 535 (M&F)** [located at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/400773/MGN_525_Amd_1.pdf] (2/3/15).

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

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