

Headlines:

BOEM – Chukchi Sea OCS final second SEIS;
CMTS – Arctic maritime webinar;
Court – maximum oil spill penalty; and
Court – writ of mandamus.

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

BOEM – Chukchi Sea OCS final second SEIS



The Bureau of Ocean Energy Management (BOEM) issued a notice announcing the availability of a final second supplemental environmental impact statement (SEIS) for the Chukchi Sea Planning Area, Outer Continental Shelf (OCS) Oil and Gas Lease Sale 193. [80 Fed. Reg. 9280](#) [located at] (2/20/15).

CMTS – Arctic maritime webinar



The US Committee on the Maritime Transportation System (CMTS) issued a [notice](http://www.cmts.gov/Bulletin.aspx?id=88) [located at <http://www.cmts.gov/Bulletin.aspx?id=88>] stating that it will host a webinar on 24 February to provide an update on federal activities regarding the US Arctic Maritime Transportation System. (2/19/15).

Court – maximum oil spill penalty



The US District Court for the Eastern District of Louisiana issued a ruling on the factors to be used to calculate the amount of the maximum penalty

that may be levied per barrel of oil discharged into waters of the United States, holding that for a discharge resulting from gross negligence and/or willful misconduct the amount is \$4,300. The total penalty amount will be decided by the court when it issues its ruling on the Phase Three penalty trial. **In re DWH oil spill**, No. 10-4536 (E.D. La, February 19, 2015) [located at [http://www.laed.uscourts.gov/OilSpill/Orders/2192015Order\(MaxPenalty\).pdf](http://www.laed.uscourts.gov/OilSpill/Orders/2192015Order(MaxPenalty).pdf)].

Court – writ of mandamus



The US Court of Appeals for the Fifth Circuit granted a petition for a writ of mandamus in favor of a classification society. Plaintiff was having a ship built and had hired defendant class society in that regard. Dissatisfied with the ship and the outcome of arbitration and litigation with the builder, plaintiff brought suit against the class society in federal court in Texas. Defendant's motion to dismiss on the ground of forum non conveniens based on the forum selection clause in the class society's rules incorporated into the ship's classification contract was dismissed by the district court without written or oral explanation. Because the district court clearly abused its discretion and reached a patently erroneous result and because defendant has no other way to vindicate its rights, the petition was granted. **In re Lloyd's Register**, No. 14-20554 (5th Cir., February 18, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-20554-CVo.pdf>]. *Note: This item was brought to my attention by my good friend Keith Heard of **Burke and Parsons**.*

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

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