

Headlines:

DOJ – shipping executive sentenced to prison;
DOL – LHWCA documents & information;
NOAA – GF & CB NMSs;
DOD - submarine fiber optic cable;
USCG – engine room operations;
USCG – ECA reminder;
FMC – Chairman’s Earth Day Award;
Court – lack of personal jurisdiction; and
Hong Kong – clean fuel use.

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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. Stupidity is a gift of God, but I try to not misuse it.

DOJ – shipping executive sentenced to prison



The Department of Justice (DOJ) issued a [news release](#) [located at <http://www.justice.gov/opa/pr/third-ocean-shipping-executive-pleads-guilty-price-fixing-ocean-shipping-services-cars-and>] stating that an employee of Nippon Yusen Kabushiki Kaisha (NYK) pleaded guilty in federal court and was sentenced to 15 months in a US prison and a criminal fine of \$20,000 for his involvement in a conspiracy to fix prices, allocate customers, and rig bids of international ocean shipping services for roll-on, roll-off cargo. (3/10/15).

DOL – LHWCA documents & information



The Department of Labor (DOL) issued a direct final rule amending its Longshore and Harbor Worker Compensation Act (LHWCA) regulations to allow

use of means of communication, including electronic methods, in addition to or in lieu of traditional paper methods. This rule will enter into effect on 10 June unless significant adverse comment is received by 11 May. **80 Fed. Reg. 12917** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-03-12/pdf/2015-05103.pdf>] (3/12/15).

NOAA – GF & CB NMSs



The National Oceanic and Atmospheric Administration (NOAA) issued a final rule expanding the boundaries of the Gulf of the Farallones (GF) and Cordell Bank (CB) National Marine Sanctuaries (NMSs). This change will enter into effect after the close of a review period of 45 days of continuous session of Congress beginning on 12 March. **80 Fed. Reg. 13077** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-03-12/pdf/2015-04502.pdf>] (3/12/15).

DOD – submarine fiber optic cable



The Department of Defense (DOD) issued a notice stating that it has prepared an environmental assessment (EA) and issued a finding of no significant impact (FONSI) relating to its proposed action to install submarine fiber optic cable (SFOC) between its facilities in Florida and US Naval Station Guantanamo Bay, Cuba. **80 Fed. Reg. 12985** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-03-12/pdf/2015-05638.pdf>] (3/12/15).

USCG – engine room operations



The US Coast Guard issued a safety alert stating that one crew member and two technicians recently perished in an engine room fire. While the primary fire from a parted fuel supply line was quickly extinguished, a secondary fire involving cable bundles was not. The alert reminds stakeholders of the importance of taking action on engine manufacturer technical bulletins; having a personal exit plan from machinery spaces; and performing detailed engineering space inspections. **Safety Alert 4-15** [located at <http://www.uscg.mil/hq/cg5/cg545/alerts/0415.pdf>]. (3/11/15).

USCG – ECA reminder



The US Coast Guard issued a Marine Safety Information Bulletin reminding stakeholders that, in accordance with MARPOL Annex VI, Regulation 14, fuel oil used by all covered ships operating in Emission Control Areas (ECAs), including the North American and United States Caribbean Sea ECAs, cannot

exceed 0.10% fuel sulfur (1,000 ppm). **MSIB 02-2015** [located at http://www.uscg.mil/msib/docs/002_15_3-10-2015.pdf] (3/10/15).

FMC – Chairman’s Earth Day Award



The Federal Maritime Commission (FMC) issued a **news release** [located at <http://www.fmc.gov/chairman%E2%80%99s-earth-day-award-2015/>] stating that deadline for submission of nominations for the Chairman’s Earth Day Award has been extended to 30 March. (3/11/15).

Court – lack of personal jurisdiction



In an unpublished decision, the US Court of Appeals for the Second Circuit affirmed the district court’s dismissal of an action brought by two Indian nationals apparently for injuries incurred while crew members on the vessel when it was hijacked by Somali pirates. Dismissal was based on lack of personal jurisdiction over the primary defendants and on grounds of forum non conveniens. **Chirag v MT Marida Marguerite**, No. 13-4734-cv (2nd Cir., March 11, 2015) [located at http://www.ca2.uscourts.gov/decisions/isysquery/304ebc09-4854-48a9-a342-b756c222c801/11/doc/13-4734_so.pdf#xml=http://www.ca2.uscourts.gov/decisions/isysquery/304ebc09-4854-48a9-a342-b756c222c801/11/hilite/].

Hong Kong – clean fuel use



The Government of Hong Kong issued a **press release** [located at <http://www.info.gov.hk/gia/general/201503/11/P201503110549.htm>] stating that a new regulation is being gazetted to require ocean-going vessels while berthing in Hong Kong to utilize low-sulphur marine fuel (sulphur content not exceeding 0.5%), liquefied natural gas (LNG), or other approved fuel. The regulation will take effect on 1 July. (3/11/15).

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

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