

## Headlines:

USCG – boating safety app;  
Astoria – bulk carrier detained;  
OMB – carriage of shale gas extraction waste water;  
DOE – Corpus Christi Liquefaction ROD;  
HHS – federal workplace drug testing;  
Court – evidentiary hearing ordered for DWH claim;  
Lower Columbia River – draft spill response plan;  
IMO – Polar Code adopted; and  
UK – port facility security plan templates.

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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. Never trust atoms – they make up everything.*

## **USCG – boating safety app**



The US Coast Guard issued a [news release](#) [located at <http://www.uscgnews.com/go/doc/4007/2504662/>] stating that it has released a smartphone application (app) to enhance boating safety. The app includes: state boating information; a safety equipment checklist; free boating safety check requests; navigation rules; float plans; and calling features to report pollution or suspicious activity. When location services are activated, the app can also provide the latest weather reports from the nearest NOAA weather buoy; report the location of a hazard on the water; and, using the Emergency Assistance button, call the nearest Coast Guard command center. (5/16/15). *Note: At the Apple store on the iPhone, the app is titled “United States Coast Guard”.*

## Astoria – bulk carrier detained



The US Coast Guard issued a **news release** [located at <http://www.uscgnews.com/go/doc/4007/2514234/>] stating that the bulk carrier Ikan Sudip has been detained in Astoria. The vessel suffered fuel-related propulsion losses while inbound. Examination in Astoria revealed significant environmental and safety violations. Efforts are underway to make the necessary repairs. (5/17/15).

## OMB – carriage of shale gas extraction waste water



The Office of Management and Budget (OMB) issued a **notice** [located at <http://www.reginfo.gov/public/do/eoDetails?rrid=125164>] stating that it received for review a draft “prerule” from the US Coast Guard relating to carriage of conditionally permitted shale gas extraction waste water in bulk. (5/14/15). *Note: “Prerule” is OMB’s term for anything other than a rule or proposed rule. In this case, the document is probably a draft policy letter. OMB review generally takes four months or longer.*

## DOE – Corpus Christi Liquefaction ROD



The Department of Energy (DOE) issued a notice announcing the availability of its Record of Decision (ROD) for the Cheniere Marketing LLC and the Corpus Christi Liquefaction LLC application to export liquefied natural gas (LNG). **80 Fed. Reg. 28256** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-05-18/pdf/2015-11926.pdf>] (5/18/15).

## HHS – federal workplace drug testing



The Department of Health and Human Services (HHS) issued two notices regarding proposed mandatory guidelines for federal workplace drug testing programs. The first notice concerns the inclusion of oral fluid specimens in the programs. **80 Fed. Reg. 28054** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-05-15/pdf/2015-11523.pdf>] (5/15/15). The second notice concerns revisions to the guidelines for urine testing. **80 Fed. Reg. 28101** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-05-15/pdf/2015-11524.pdf>] (5/15/15). Comments on the draft changes must be submitted by 14 July. *Note: These notices were brought to my attention by my good friend Robert Schoening of Workplace Substance Abuse Consulting.*

## Court – evidentiary hearing ordered for DWH claim



The US Court of Appeals for the Fifth Circuit vacated a district court judgment upholding a putative \$2.7 million settlement agreement between BP Exploration & Production and claimant, directing the lower court to hold an evidentiary hearing to determine whether claimant fraudulently induced BP into entering into the settlement agreement. *In re Deepwater Horizon*, No. 14-30269 (5th Cir., May 15, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-30269-CVO.pdf>].

## Lower Columbia River – draft spill response plan



The Washington Department of Ecology issued a [news release](http://www.ecy.wa.gov/news/2015/065.html) [located at <http://www.ecy.wa.gov/news/2015/065.html>] stating that Washington and Oregon are preparing to update the Lower Columbia River oil spill response plan (also referred to as the geographic response plan – GRP). This plan addresses response to oil spills on the Columbia River between its mouth and the Bonneville Dam (mile 145). Comments must be submitted by 8 June. (5/13/15).

## IMO – Polar Code adopted



The IMO issued a [news release](http://www.imo.org/MediaCentre/PressBriefings/Pages/18-MEPC-polar-.aspx#.VVYv-blVhBc) [located at <http://www.imo.org/MediaCentre/PressBriefings/Pages/18-MEPC-polar-.aspx#.VVYv-blVhBc>] stating that the recently-completed session of the Marine Environment Protection Committee (MEPC 68) adopted the environmental provisions of the new Polar Code, which will enter into effect and become mandatory on 1 January 2017.

## UK – port facility security plan templates



The UK Department for Transport (DfT) posted [templates](https://www.gov.uk/government/publications/port-facility-security-plan-template) [located at <https://www.gov.uk/government/publications/port-facility-security-plan-template>] for use in developing port facility security plans for: (1) container, ro-ro, chemical/oil/gas, and bulk carrier terminals; and (2) passenger vessel terminals. (5/15/15).

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

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