

Headlines:

DOJ – agreement in principle re DWH oil spill settlement;
NLRB – captains and supervisory status;
Paris MOU – 2014 annual report;
Torres Strait – virtual AIS ATON;
Australia – reducing the risk of collisions;
Panama Canal – bunkering in Atlantic Outer Anchorage; and
Declaration of Independence Day – July 4.

July 3, 2015



Bryant's Maritime Blog

Bryant's Maritime Consulting - 4845 SW 91st Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: dennis.l.bryant@gmail.com – Internet: <http://brymar-consulting.com>

Note: This blog 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 clicking the envelope that appears at the end of each posting. Be aware that the daily blog entry is a single posting, even though it contains a number of individual items. Miscellaneous maritime topics are briefly discussed in my [Maritime Musings](#) blog. My train of thought left the station without me.

DOJ – agreement in principle re DWH oil spill settlement



The Department of Justice (DOJ) issued a [news release](#) [located at <http://www.justice.gov/opa/pr/statement-attorney-general-loretta-e-lynch-agreement-principle-bp-settle-civil-claims>] stating that an agreement in principle has been reached between BP and the United States and the Gulf coastal states addressing outstanding federal and state claims, including civil penalties and natural resource damages, arising from the 2010 Deepwater Horizon oil spill. The total value of the settlement would top \$18.7 billion. Details of the agreement are addressed in the [Fact Sheet](#) [located at <http://www.justice.gov/opa/file/625011/download>]. The next step is to convert that agreement in principle into a draft consent decree, which would then undergo public comment before submittal for court approval. (7/2/15).

NLRB – captains and supervisory status



A panel of the National Labor Relations Board (NLRB) issued a **Board Decision** [located at <https://www.nlr.gov/case/19-RC-106498>] holding that, for purposes of the National Labor Relations Act, the captain of a small tugboat with only one deckhand assigned does not qualify as a supervisor. The majority in the 2-1 decision stated, in part: “even if the Coast Guard holds captains accountable, it does not follow that the Employer holds them accountable”. The dissent points out that the majority “finding produces an outcome in which *nobody* on the Employer’s vessels exercises supervisory authority, contrary to the record evidence and applicable Coast Guard requirements that make captains ultimately accountable for everything that happens on board.” (6/30/15). *Note: I leave it to my long-suffering readers to reach their own conclusions.*

Paris MOU – 2014 annual report



The Paris MOU posted its **2014 Annual Report** on Post State Control [located at https://www.parismou.org/sites/default/files/2014%20Annual%20Report%20on%20Port%20State%20Control_o.pdf]. Among other things, it states that refusal of access (banning) has been used 63 times since 2012, generally involving ships that have been detained multiple times. (7/1/15).

Torres Strait – virtual AIS ATON



The Australian Maritime Safety Authority (AMSA) issued a notice announcing that a virtual AIS aid to navigation has been established in the Torres Strait at the charted position of OG Rock in the Prince of Wales Channel. **Marine Notice 13-2015** [located at <https://apps.amsa.gov.au/MOREview/MarineNoticeExternal.html>] (7/2/15).

Australia – reducing the risk of collisions



The Australian Maritime Safety Authority (AMSA) issued a notice reminding mariners of measures for reducing the risk of collisions at sea. **Marine Notice 14-2015** [located at <https://apps.amsa.gov.au/MOREview/MarineNoticeExternal.html>] (7/2/15).

Panama Canal – bunkering in Atlantic Outer Anchorage



The Panama Canal Authority (ACP) issued an advisory announcing that bunkering operations will be permitted in the Atlantic Outer Anchorage on a case-by-case basis when conditions allow and certain conditions are met.

Advisory 18-2015 [located at

<http://www.pancanal.com/common/maritime/advisories/2015/a-18-2015.pdf> (6/30/15).

Declaration of Independence Day – July 4



This Saturday, July 4, 2015, marks the 239th anniversary of the publication of the Declaration of Independence in Philadelphia (July 4, 1776). It is not the 239th anniversary of the independence of the United States, because what we on this side of the pond call the Revolutionary War had just begun. Even October 19, 1781, when British Major General Lord Cornwallis surrendered to American General George Washington and French Lieutenant General de Rochambeau at the Battle of Yorktown, was not the end of the fighting. The independence of the United States was officially established by the signing of the Treaty of Paris on September 3, 1783, when the Kingdom of Great Britain recognized the United States of America as a separate nation and withdrew its remaining troops from New York. In a larger sense, though, the independence of the United States is contested every day – and not just in places like Iraq and Afghanistan. While it is appropriate that we set aside one day each year to celebrate our independence, it is also necessary to dedicate ourselves daily to live up to the principles on which this great nation was founded. We hold these truths to be self-evident: That all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness, [and] that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Join our mailing list



If you are not receiving our almost daily electronic newsletter and would like have it sent directly to your email inbox, please right-click the box below and provide your email address.

[Join Our Mailing List!](#)



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

Dennis L. Bryant

Bryant's Maritime Consulting
4845 SW 91st Way
Gainesville, FL 32608-8135
USA

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

© **Dennis L. Bryant – July 2015**

 **Redistribution permitted with attribution**