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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. My train of thought left the station without me.*

## **NTSB – towboat sinking**



The National Transportation Safety Board (NTSB) issued the report of its investigation into the sinking of the towing vessel Jim Marko on the Upper Mississippi River near St. Louis on 1 July 2014. There were no injuries, but the vessel was a total constructive loss. The probable cause of the casualty was determined to be the master's decision to continue operations with a known hull breach in the vicinity of the waterline, along with the lack of watertight integrity due to watertight doors on the main deck being left open while underway. **MAB**

15-13 [located at <http://www.nts.gov/investigations/AccidentReports/Reports/MAB1513.pdf>] (7/16/15). *Note: The lesson here is that if you can't pump the water out of the hull faster than it is coming in, you are in trouble. That is why hulls are generally designed without holes at or below the waterline.*

## BSEE – inspections of drilling vessels and equipment



The Bureau of Safety and Environmental Enforcement (BSEE) issued a **press release** [located at <http://www.bsee.gov/BSEE-Newsroom/BSEE-News-Briefs/2015/BSEE-personnel-conduct-inspections-in-Dutch-Harbor/>] stating that it inspected the marine vessel Noble Discoverer and the semi-submersible drilling unit Transocean Polar Pioneer in Dutch Harbor to ensure their status and their compliance with applicable laws and regulations relating to planning drilling operations in the Chukchi Sea. BSEE also inspected the capping stack onboard the ice management vessel Fennica. The Fennica had incurred damage during a recent grounding, but the capping stack was found to not be damaged in the incident. (7/16/15).

## Puget Sound – safety zones & RNA extended



The US Coast Guard promulgated a rule extending, through 31 July, the safety zones and regulated navigation area (RNA) in Puget Sound with regard to the Shell Arctic drilling/exploration vessels and associated voluntary First Amendment area. **80 Fed. Reg. 42388** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-07-17/pdf/2015-17615.pdf>] (7/17/15).

## Tacoma – RNA proposed



The US Coast Guard proposes to establish a regulated navigation area (RNA) at the Middle Waterway Superfund Cleanup Site in Commencement Bay, Tacoma to protect the sediment cap areas in the cleanup site. Comments on the proposal must be received by 17 August. **80 Fed. Reg. 42440** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-07-17/pdf/2015-17481.pdf>] (7/17/15).

## IWUB – meeting on 12 August



The Inland Waterways Users Board (IWUB), sponsored by the US Army Corps of Engineers (USACE) will meet in Nashville on 12 August. Topics on the agenda include the Inland Marine Transportation System (IMTS) Capital Investment Program; proposed modifications to the Lock Performance Monitoring System (LPMS) Reporting Process; and proposed process modifications for reporting navigation notices of maritime interests. **80 Fed.**

**Reg. 42485** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-07-17/pdf/2015-17538.pdf>] (7/17/15).

### **FMC – request for additional information**



The Federal Maritime Commission (FMC) issued a notice stating that it has requested the parties to Agreement No. 201227-002-003: Pacific Ports Operational Improvements Agreement (PPOIA) to provide additional information. This action prevents the agreement amendments from becoming effective as originally scheduled. Interested parties may file comments within fifteen days. **80 Fed. Reg. 42496** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-07-17/pdf/2015-17521.pdf>] (7/17/15).

### **USCG – BWMS LOIs**



The US Coast Guard posted its list of ballast water management system (BWMS) manufacturers who have submitted a **Letter of Intent** (LOI) to pursue type approval for their systems in accordance with US requirements. (7/16/15).

### **Everett – proposed bridge modifications**



The US Coast Guard issued a **news release** [located at <http://www.uscgnews.com/go/doc/4007/2560946/>] stating that it seeks comments on the proposed modifications to a railroad bridge over Steamboat Slough near Everett, Washington. Comments must be received by 25 July. (7/16/15).

### **Senate – bill introduced re transportation infrastructure**



Senator Murray (D-WA) introduced the **Transportation Infrastructure Grants and Economic Reinvestment Act** (S. 1748) [located at <http://www.gpo.gov/fdsys/pkg/BILLS-114s1748is/pdf/BILLS-114s1748is.pdf>] to provide for improved investment in national transportation infrastructure. Senator Murray issued a **news release** [located at [http://www.murray.senate.gov/public/index.cfm/newsreleases?ContentRecord\\_id=cd06f271-oda7-4db5-97da-341aea93a33b](http://www.murray.senate.gov/public/index.cfm/newsreleases?ContentRecord_id=cd06f271-oda7-4db5-97da-341aea93a33b)] explaining the measure. (7/9/15).

## Senate – bill introduced re WWII merchant mariners



Senator Murphy (D-WA) introduced a bill (S. 1775) to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes. Official text of the bill is not yet available. (7/15/15).

## House – bill introduced re EEZ boundary



Representative Zeldin (R-NY) introduced a bill (H.R. 3070) to clarify that for purposes of all Federal laws governing marine fisheries management, the landward boundary of the exclusive economic zone between areas south of Montauk, New York, and Point Judith, Rhode Island, and for other purposes. Official text of the bill is not yet available. (7/15/15).

## Court – early access to DWH claim-specific information



Over one dissent, a panel of the US Court of Appeals for the Fifth Circuit dismissed for lack of jurisdiction an appeal by defendant BP Exploration & Production of a district court order denying it access to claim-specific information until an initial determination about a claim's eligibility had been made by the settlement program. *In re Deepwater Horizon*, No. 14-30823 (5th Cir., July 16, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-30823-CV0.pdf>].

## ReCAAP – summary for May 2015



The ReCAAP Information Sharing Centre issued its **Report** for May 2015 [located at <http://www.recaap.org/Portals/0/docs/Reports/2015/ReCAAP%20ISC%20May%202015%20Report.pdf>]. A total of 20 incidents of piracy and armed robbery against ships were reported in Asia during the month, the same as the number of reports during May 2014. The difference is that only one of the 20 incidents during May 2015 was an attempt, whereas four of the 20 incidents during May 2014 were attempts. (7/15/15).

## Singapore – maritime health declaration



The Singapore Maritime and Port Authority (MPA) issued a circular advising that vessels arriving in Singapore that have been to ebola-affected

countries (Guinea, Liberia, and Sierra Leone) in the previous 21 days are required to file a maritime health declaration. **Port Marine Circular 8-2015** [located at [http://www.mpa.gov.sg/sites/circulars\\_and\\_notices/pdfs/port\\_marine\\_circulars/pc15-08.pdf](http://www.mpa.gov.sg/sites/circulars_and_notices/pdfs/port_marine_circulars/pc15-08.pdf)] (7/16/15).

## UK – Maritime Growth Study



The UK Department for Transport (DfT) posted its 46-page **summary of responses** [located at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/445578/maritime-growth-study-summary-of-responses-pdf.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445578/maritime-growth-study-summary-of-responses-pdf.pdf)] received in its call for evidence for the Maritime Growth Study. The report is divided into three workstrands comprising written submissions; interviews; and workshops. (7/16/15).

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