

Headlines:

USCG – aquaculture support vessel proposal;
FERC – EIS for Texas LNG project;
MARAD – hydrogen fuel cell technology;
House – bill introduced re National Icebreaker Fund;
House – bill introduced to lift Cuba trade embargo;
Court – open and obvious danger;
UK – alcohol-induced casualties; and
The “Black Tom Island” incident – 30 July 1916.

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Bryant's Maritime News

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USCG – aquaculture support vessel proposal



The US Coast Guard proposes to amend its regulations to implement section 901(c) of the Coast Guard Authorization Act of 2010 that grants the Secretary of Transportation (DOT) authority to issue a waiver allowing a documented vessel with only a registry endorsement or a foreign-flag vessel to be used in certain aquaculture support operations. The Coast Guard proposes to require the owner or operator of such vessel to notify the Coast Guard of the waiver and to establish operational and geographic requirements applicable to the vessel. Comments on the proposal must be submitted by 28 October. **80 Fed. Reg. 45491** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-07-30/pdf/2015-18620.pdf>] (7/30/15).

FERC – EIS for Texas LNG project



The Federal Energy Regulatory Commission (FERC) issued a notice stating that it will prepare an environmental impact statement (EIS) regarding the planned Texas LNG Brownsville LLC liquefied natural gas (LNG) liquefaction and export terminal. A public scoping meeting will be held in Port Isabel (11 August). Comments must be received by 24 August. **80 Fed. Reg. 45520** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-07-30/pdf/2015-18682.pdf>] (7/30/15).

MARAD – hydrogen fuel cell technology



The Maritime Administration (MARAD) issued a **news release** [located at http://www.marad.dot.gov/newsroom/news_release/2015/maritime-administration-provides-500000-to-study-hydrogen-fuel-cell-technology-for-maritime-applications/] announcing the availability of \$500,000 in funding to support a feasibility study for the design, construction, and operation of a high-speed passenger ferry powered by hydrogen fuel cell technology and a hydrogen refueling station. (7/28/15).

House – bill introduced re National Icebreaker Fund



Representative Hunter (R-CA) introduced the **National Icebreaker Fund Act of 2015** (H.R. 3214) [located at <http://www.gpo.gov/fdsys/pkg/BILLS-114hr3214ih/pdf/BILLS-114hr3214ih.pdf>] to amend title 14, United States Code, to establish the National Icebreaker Fund to pay the costs of construction, alteration, renovation, lease, or charter of icebreakers for the Coast Guard, and for other purposes. (7/27/15).

House – bill introduced to lift Cuba trade embargo



Representative Emmer (R-MN) introduced a bill (H.R. 3238) to lift the trade embargo on Cuba, and for other purposes. Official text of the bill is not yet available, but Representative Emmer issued a **press release** [located at <https://emmer.house.gov/media-center/press-releases/emmer-castor-introduce-legislation-lift-cuba-embargo>] explaining the measure. (7/28/15).

Court – open and obvious danger



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed a summary judgment order in favor of defendant cruise ship operator. Plaintiff passenger alleged that defendant was negligent because the water in the ship's swimming pool was green, cloudy, and murky and that after he swam in the pool he became ill. Plaintiff conceded that he observed the condition of the water before entering the pool, but alleged that defendant still had a duty to warn him of the danger. The court ruled that the duty to warn in the maritime tort context extends to only known dangers which are not apparent and obvious. **Smith v. Royal Caribbean Cruises**, No. 15-10658 (11th Cir., July 29, 2015) [located at <http://media.ca11.uscourts.gov/opinions/unpub/files/201510658.pdf>].

UK – alcohol-influenced casualties



The UK Marine Accident Investigation Branch (MAIB) issued the report of its investigation into two fatalities connected with the workboat GPS Battler off Almeria, Spain on 12 August 2014 and in Marin, Spain on 6 January 2015. In the first casualty, the master after the open tender returning from the marina was overwhelmed in choppy seas. In the second casualty, a mate fell into the water from the quay while waiting for access arrangements to the workboat. In both incidents, the blood-alcohol level of the individuals was in excess of the legal limit. **Report 17-2015** [located at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/448844/MAIBInvReport-17_2015.pdf] (7/29/15).

The “Black Tom Island” incident – 30 July 1916



The “**Black Tom Island**” incident occurred on Sunday, 30 July 1916. German saboteurs ignited a fire at the munitions-loading facility in Jersey City, across from Manhattan. The ensuing explosions destroyed the waterfront facility and largely obliterated the island, killing four persons and causing over \$40 million in property damage. It was the first state-sponsored terrorist attack in US history and was the genesis of the Coast Guard's port security program. The linked article (http://www.brymar-consulting.com/wp-content/uploads/security/Black_Tom-a.pdf) provides further details.

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

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