

Headlines:

DOE – LNG export application from Corpus Christi Liquefaction;
DOE – LNG export application from Port Arthur LNG;
DOE – LNG export application from Sabine Pass Liquefaction;
DOE – LNG export application from Strom, Inc.;
FWS & NOAA – green sea turtle;
DOD – Asia-Pacific Maritime Security Strategy;
USN – Seawolf completes Arctic deployment;
NTSB – towing vessel sinking;
Court – limitation of liability;
PCA – Arctic Sunrise arbitration;
ReCAAP – incidents in Straits; and
MREN – ocean acidification.

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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. The proposal is all very well in practice, but it'll never work in theory.

DOE – LNG export application from Corpus Christi Liquefaction



The Department of Energy (DOE) issued a notice stating that it received an application from Corpus Christi Liquefaction LLC requesting authorization to export domestically produced liquefied natural gas (LNG) from its project currently under construction in Texas. Comments on the application must be received by 26 October. **80 Fed. Reg. 51790** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-08-26/pdf/2015-21126.pdf>] (8/26/15).

DOE – LNG export application from Port Arthur LNG



The Department of Energy (DOE) issued a notice stating that it received an application from Port Arthur LNG LLC requesting authorization to export domestically produced liquefied natural gas (LNG) from its proposed project in Port Arthur, Texas. Comments on the application must be received by 26 October. **80 Fed. Reg. 51795** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-08-26/pdf/2015-21128.pdf>] (8/26/15).

DOE – LNG export application from Sabine Pass Liquefaction



The Department of Energy (DOE) issued a notice stating that it received an application from Sabine Pass Liquefaction LLC requesting authorization to export domestically produced liquefied natural gas (LNG) from its project currently under construction in Cameron Parish, Louisiana. Comments on the application must be received by 26 October. **80 Fed. Reg. 51792** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-08-26/pdf/2015-21125.pdf>] (8/26/15).

DOE – LNG export application from Strom, Inc.



The Department of Energy (DOE) issued a notice stating that it received an application from Strom, Inc. requesting authorization to export domestically produced liquefied natural gas (LNG) from its proposed project in Crystal River, Florida. Comments on the application must be received by 26 October. **80 Fed. Reg. 51793** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-08-26/pdf/2015-21127.pdf>] (8/26/15).

FWS & NOAA – green sea turtle



The Fish and Wildlife Service (FWS) and the National Oceanic and Atmospheric Administration (NOAA) have extended, through 25 September, the period within which to submit comments on the identification and proposed listing of eleven distinct population segments of the green sea turtle as endangered or threatened under the Endangered Species Act. **80 Fed. Reg. 51763** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-08-26/pdf/2015-21150.pdf>] (8/26/15).

DOD – Asia-Pacific Maritime Security Strategy



The Department of Defense (DOD) posted its **Asia-Pacific Maritime Security Strategy** [located at http://www.defense.gov/Portals/1/Documents/pubs/NDAA%20A-P_Maritime_Security_Strategy-08142015-1300-FINALFORMAT.PDF]. It includes interesting diagrams relating to competing claims in the South China Sea and the East China Sea and encourages the claimants to conform their maritime claims to international law. (8/14/15). *Note: This item was brought to my attention by my good friend Joan Bondareff of **Blank Rome LLP**.*

USN – Seawolf completes Arctic deployment



The US Navy issued a **news release** [located at http://www.navy.mil/submit/display.asp?story_id=90772] stating that the nuclear submarine USS Seawolf (SSN 21) returned to its homeport following a six-month Arctic deployment that included under-ice transits, under-ice operations, and a surfacing at the North Pole. (8/25/15).

NTSB – towing vessel sinking



The National Transportation Safety Board (NTSB) issued the report of its investigation of the sinking of the tug Nalani on 22 January 2015 off Oahu. The uninspected towing vessel began taking on water and sank in 2,200 feet of water while conducting sea trials off the southwest coast of Oahu, Hawaii. All 11 persons on board were rescued after abandoning the vessel. No one was injured. An oil sheen was observed by responders and crewmembers. The vessel was not salvaged due to the water depth. The NTSB determined that the probable cause of the flooding and eventual sinking of the vessel was the captain's decision to get under way without sufficient freeboard at the stern and without ensuring proper watertight integrity. **MAB 15-17** [located at <http://www.nts.gov/investigations/AccidentReports/Reports/MAB1517.pdf>] (8/25/15).

Court – limitation of liability



In an unpublished decision, the US Court of Appeals for the Fifth Circuit affirmed the district court determination that the owner of a sunken jack-up drilling rig was entitled to limit its liability for damage incurred by a ship that allided with the sunken and submerged rig. The rig sank following Hurricane

Ike. The owner searched unsuccessfully for the rig, not knowing that it had drifted over 100 miles in the Gulf of Mexico before sinking in 115 feet of water. The district court had found that the owner had conducted a full, diligent, and good-faith search for the rig. **Enesco Offshore v. MV Satilla**, No. 14-20676 (5th Cir., August 25, 2015) [located at <http://www.ca5.uscourts.gov/opinions/unpub/14/14-20676.o.pdf>].

PCA – Arctic Sunrise arbitration



The Permanent Court of Arbitration (PCA) in The Hague issued its decision in the case entitled “In the Matter of the Arctic Sunrise Arbitration (Netherlands v Russia)”. The dispute involved the 19 September 2013 boarding and detention of the Dutch vessel Arctic Sunrise in the exclusive economic zone (EEZ) of the Russian Federation and the detention of the persons on board the vessel by the Russian authorities. The Kingdom of the Netherlands, as the flag state of the vessel, filed a claim with the PCA alleging that Russia violated its obligations under the United Nations Convention on the Law of the Sea (UNCLOS) and customary international law. The Russian Federation has refused to take part in the arbitration. The PCA found that the alleged violations occurred and that the Netherlands is entitled to compensation for physical damage to the vessel, costs incurred to prepare the vessel for its return voyage from Murmansk to Amsterdam, loss of use of the vessel, and non-material damage to the persons on the vessel for wrongful arrest, prosecution, and detention. **PCA Case No. 2014-02** [located at <http://www.pcacases.com/web/sendAttach/1438>] (8/14/15).

ReCAAP – incidents in Straits



The ReCAAP Information Sharing Centre issued an alert stating that on 21 and 22 August, six vessels (three tankers, two container ships, and a bulker) incurred unauthorized boardings or attempted boardings while underway in the eastbound lane of the Traffic Separation Scheme (TSS) in the Straits of Malacca and Singapore. In one case, the perpetrators stole crew’s personal effects. The crews were otherwise unharmed in all incidents. **Incident Alert 07-2015** [located at http://www.recaap.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=414&PortalId=0&TabId=78] (8/25/15).

MREN – ocean acidification



In the August 2015 edition of **Maritime Reporter and Engineering News**, you can find my article entitled "**Ocean acidification**" [located at <http://www.brymar-consulting.com/wp-content/uploads/MREN/MREN150800.pdf>]. In the article, I discuss reasons

that the chemistry of the oceans is changing and the impacts of those changes. The major causal factor is the rising level of carbon dioxide in the atmosphere, which is causing the carbon dioxide level in the oceans to rise. This, in turn, leaches calcium carbonate minerals out of shellfish and other marine creatures, weakening and eventually killing the animals. There is no easy remedy for this situation.

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

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