

Headlines:

Mississippi River – collision and spill;
USCG – NVDC offline 9-12 September;
USCG – MERPAC members sought;
Court – insurance exclusions; and
California – BWM compliance.

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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. Unattended children will be given a cup of espresso and a free kitten.

Mississippi River – collision and spill



The US Coast Guard issued a [news release](#) [located at <http://www.uscgnews.com/go/doc/4007/2592278/>] stating that the Mississippi River is closed to navigation between mile marker 939 and mile marker 922 following a collision between two boats and their barges. One barge, carrying clarified slurry oil, was holed and has released a maximum potential 250,000 gallons into the river. Response efforts are underway. The incident is under investigation. (9/3/15).

USCG – NVDC offline 9-12 September



The US Coast Guard issued a [notice](#) [located at <http://www.uscg.mil/hq/cg5/nvdc/>] stating that it is updating its Marine Information for Safety and Law Enforcement (MISLE 5.0) database system starting Wednesday, 9 September and is expected to be completed on Saturday, 12 September. As a result, the National Vessel Documentation Center (NVDC)

Vessel Documentation System (VDS) database will be offline throughout this evolution. The NVDC will not have access to VS and will not be able to provide any normal services, including phone services, during this period. Full NVDC service is expected to resume on Monday, 14 September. (9/1/15).

USCG – MERPAC members sought



The US Coast Guard seeks applications for membership on the Merchant Marine Personnel Advisory Committee (MERPAC). Applications should be received by 3 November. [80 Fed. Reg. 53552](#) [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-09-04/pdf/2015-21965.pdf>] (9/4/15).

Court – insurance exclusions



The US Court of Appeals for the Fifth Circuit affirmed the granting of summary judgment in favor of the insurers that refused to undertake the defense of a shipyard in litigation with the federal government. The insurers had insurance contracts with the shipyard covering general maritime liability and excess coverage. The shipyard was sued by the federal government regarding modernization of eight 110-foot US Coast Guard patrol boats by lengthening them to 123 feet each. The lengthening was unsuccessful and the patrol boats became unusable. The government alleged various causes of action, including violation of the Federal Claims Act. The court found that the insurance policy involved here included an exclusion for actual or alleged liability arising out of violations of federal laws such as the Federal Claims Act. [XL Specialty Insurance v. Bollinger Shipyard](#), No. 14-31283 (5th Cir., August 27, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-31283-CVO.pdf>].

California – BWM compliance



The California State Lands Commission (SLC) posted a [presentation](#) [located at http://www.slc.ca.gov/Programs/MISP_Presentations/Compliance.pdf] from its Marine Invasive Species Program (MISP) Customer Service Meeting regarding ballast water management compliance in California. (August 2015).

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

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