

Headlines:

Mississippi River – spill response continues;
NOAA – environmental stewardship lacking;
Court – lost future wages;
India – relaxation of cabotage restrictions;
UK – Maritime Growth Study;
Disaster at Honda Point – 8 September 1923; and
Fire on SS Morro Castle – 8 September 1934.

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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://www.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 – spill response continues



The US Coast Guard issued a [news release](http://www.uscgnews.com/go/doc/4007/2593034/) [located at <http://www.uscgnews.com/go/doc/4007/2593034/>] regarding the collision and spill on the Mississippi River near Paducah. The river remains closed to navigation between mile marker 939 and mile marker 922 while the response effort is ongoing. The news release includes links regarding how response to a spill in a river differs from a spill in the ocean as well as basic information regarding oil spills. A [second news release](http://www.uscgnews.com/go/doc/4007/2593514/) [located at <http://www.uscgnews.com/go/doc/4007/2593514/>] states that the river has been opened to one-way marine traffic. (9/6/15).

NOAA – environmental stewardship lacking



The Department of Commerce (DOC) Office of Inspector General (OIG) posted the redacted report of its investigation into environmental

stewardship on a National Oceanic and Atmospheric Administration (NOAA) research vessel. The investigation found that environmental stewardship within the NOAA Office of Maritime and Aviation Operations (OMAO) generally and on this research vessel in particular was deficient. The OIG recommended that NOAA consider discipline for any employees involved in submitting false statements or falsifying records and for personnel involved in activities resulting in a fuel spill. A separate referral has been made to the US Coast Guard for consideration of licensing action since several NOAA employees involved in these incidents have USCG licenses. **OIG-14-0505** [located at <https://www.oig.doc.gov/OIGPublications/OIG-14-0505%20REPORT.pdf>] (9/1/15). *Note: This item was brought to my attention by my good friend Alan Spackman of the **International Association of Drilling Contractors**.*

Court – future lost wages



The US Court of Appeals for the Fifth Circuit reversed a calculation of future lost wages. Plaintiff seaman was employed by defendant Shore and assigned to work as a rigger on a derrick barge operated by defendant McDermott. Plaintiff was injured while working on the barge and sued both defendants. Plaintiff prevailed and defendants appealed. The appellate court affirmed on most issues, but reversed with regard to the award of future lost wages. The district court had calculated future lost wages according to an above-average work-life expectancy. The appellate court held that there was insufficient evidence in the record to show that plaintiff, by virtue of his health or occupation or other factors, is likely to live and work a longer period than average. **Barto v. Shore Construction**, No. 14-31326 (5th Cir., September 4, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-31326-CV0.pdf>].

India – relaxation of cabotage restrictions



The Indian Ministry of Shipping issued a **General Order** [located at <http://shipping.nic.in/showfile.php?lid=2083>] announcing the relaxation for a period of five years commencing immediately of cabotage restrictions for special vessels such as Ro-Ro; Hybrid Ro-Ro; Pure Car Carriers; Pure Car and Truck Carriers; LNG vessels; and Over Dimensional Cargo or Project Cargo Carriers. (9/2/15).

UK – Maritime Growth Study



The UK Department for Transport (DfT) posted the **Maritime Growth Study** [located at https://www.gov.uk/government/uploads/system/uploads/attachment_data/fil]

e/458265/maritime-growth-study-keeping-UK-competitive.pdf]. The study examines how to maximize Britain's potential as a maritime nation. Among other things, the study recommends the establishment of a ministerial working group in government to drive forward action on maritime issues, set clear targets, and monitor progress. (9/7/15).

Disaster at Honda Point – 8 September 1923



The **Honda Point Disaster** occurred just off the spit of land at the north end of the Santa Barbara Channel on the evening of 8 September 1923 when seven US Navy destroyers, traveling at full speed, grounded in the fog on charted rocks. Due to poor visibility, the ships, transiting as a squadron from San Francisco to San Diego, were utilizing dead reckoning. A radio signal from a new radio direction finder (RDF) station had been received but misinterpreted. Twenty-three sailors died in the grounding. Two other destroyers grounded briefly, but refloated themselves. Five destroyers from the rear of the formation were able to avoid grounding. The squadron commander and the squadron navigators, as well as the commanding officers of the seven destroyers that were lost, were all court-martialed. This marine casualty is the first in which electronic navigation played a significant role.

Fire on SS Morro Castle – 8 September 1934



The passenger/cargo ship **SS Morro Castle** caught fire and burned on 8 September 1934, while on a voyage from Havana, Cuba to New York. The origin of the fire was never conclusively determined. The master had died in his sleep the previous night of an apparent heart attack. The fire was detected in the First Class Writing Room at about 3 a.m. It spread rapidly through the extensive wood used in construction of the passenger spaces. The Acting Captain maneuvered the ship toward the New Jersey shore, but the ship soon lost power and steering. It eventually grounded on the beach at Asbury Park. A total of 137 passengers and crew died in the casualty. Major changes were later made to the Safety of Life at Sea (SOLAS) Convention to address use of fire retardant materials, automatic fire doors, fire alarms, and life boat drills, reducing the risk of future casualties.

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

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