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Australia – bulker detained;
Panama Canal – locks lane outages; and
Talk Like A Pirate Day – 19 September 2015.

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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.

USCG – CFSAC members sought



The US Coast Guard seeks applications for membership on the Commercial Fishing Safety Advisory Committee (CFSAC). Applications should be submitted by 17 November. [80 Fed. Reg. 56479](http://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23488.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23488.pdf>] (9/18/15).

Offshore North Carolina – revised EA



The Bureau of Ocean Energy Management (BOEM) issued a notice stating that it has completed the revised Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for commercial wind energy lease

issuance on the US outer continental shelf (OCS) offshore North Carolina. **80 Fed. Reg. 56494** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-22988.pdf>] BOEM also issued a **press release** [located at <http://www.boem.gov/press09172015/>] explaining the process. (9/18/15).

FMC – compromise agreement



The Federal Maritime Commission (FMC) posted a **news release** [located at <http://www.fmc.gov/NR15-15/>] stating that it completed a compromise agreement with Siem Car Carriers AS in the amount of \$135,000 for that vessel-operating common carrier's failure to file certain space charter agreements in violation of the Shipping Act. The compromise agreement recognizes the carrier's remedial measures and the voluntary nature of its disclosure. (9/17/15).

NOAA – Marine Debris Program



The National oceanic and Atmospheric Administration (NOAA) issued a **news release** [located at <http://www.noaanews.noaa.gov/stories2015/091715-noaas-marine-debris-program-funds-13-new-community-based-removal-projects.html>] stating that its Marine Debris Program has awarded nearly \$1.4 million to thirteen new community-based removal projects. (9/17/15).

NPS & MARAD – maritime heritage grants



The Maritime Administration (MARAD) issued a **news release** [located at http://www.marad.dot.gov/newsroom/news_release/2015/national-park-service-awards-2-6-million-in-grants-for-maritime-history-education-and-preservation-projects/] stating that the National Park Service (NPS), in partnership with MARAD, awarded approximately \$2.6 million in grants for maritime history education and preservation projects. (9/16/15).

Senate – bill introduced re marine ecosystems



Senator Whitehouse (R-RI) introduced a bill (S. 2025) to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes. Official text of the bill is not yet available, but Senator Whitehouse issued a **news release** [located at <http://www.whitehouse.senate.gov/news/release/whitehouse-introduces-legislation-to-protect-oceans-and-coastal-communities>] explaining the measure. (9/10/15).

GAO – USCG National Pollution Funds Center



The Government Accountability Office (GAO) posted its report on the USCG National Pollution Funds Center (NPFC). The report recommends, among other things, that Congress consider options for sustaining the Oil Spill Liability Trust Fund (OSLTF) in light of the expiration of the Fund's per-barrel tax funding source in 2017. [GAO-15-682](http://www.gao.gov/assets/680/672497.pdf) [located at <http://www.gao.gov/assets/680/672497.pdf>] (9/15/15).

Court – class action re securities misrepresentations



The US Court of Appeals for the Fifth Circuit affirmed the certification of a class action against BP for alleged misrepresentations in violation of federal securities laws regarding the flow rate of oil following the Deepwater Horizon casualty. The action was brought by holders of BP securities. The court found that the plaintiffs had established a model of damages consistent with their liability case and capable of measurement across the class. The appellate court also affirmed the denial of class certification regarding alleged misrepresentations regarding pre-spill safety procedures. [Ludlow v. BP, PLC](http://www.ca5.uscourts.gov/opinions/pub/14/14-20420-CVo.pdf), No. 14-20420 (5th Cir., September 8, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-20420-CVo.pdf>]. On 15 September, the court issued a revised version of its earlier (and now over-written) decision. [Ludlow v. BP, PLC](http://www.ca5.uscourts.gov/opinions/pub/14/14-20420-CVo.pdf), No. 14-20420 (5th Cir. September 15, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-20420-CVo.pdf>].

Australia – toxic canister warning



The Australian Maritime Safety Authority (AMSA) posted a [media release](http://www.amsa.gov.au/media/documents/17092015_Poison_Canister_Warning.pdf) [located at http://www.amsa.gov.au/media/documents/17092015_Poison_Canister_Warning.pdf] warning of toxic canisters washing up on Australian beaches. The canisters contain a rat poison known as aluminium phosphide. When exposed to air, the powder reacts with moisture to form highly toxic phosphine gas. (9/17/15).

Australia – bulker detained



The Australian Maritime Safety Authority (AMSA) posted a [media release](http://www.amsa.gov.au/media/documents/10092015_MVApellis.pdf) [located at http://www.amsa.gov.au/media/documents/10092015_MVApellis.pdf] stating

that the bulk carrier Apellis was detained in Esperance for deficiencies relating to the working conditions of the crew. (9/10/15).

Panama Canal – locks lane outages



The Panama Canal Authority (ACP) issued an advisory stating that, during the period 22 – 30 September, the west lane of the Pedro Miguel Locks will be out of service due to scheduled maintenance. During this same period, there will be intermittent lane outages on the east lanes of both Miraflores and Gatun Locks in order to perform repairs. As a result, Transit Reservation System (TRS) Condition 2 will be in effect during this period. **Advisory 29-2015** [located at <http://www.pancanal.com/common/maritime/advisories/2015/a-29-2015.pdf>] (9/16/15).

Talk Like A Pirate Day – 19 September 2015



Saturday, 19 September 2015, is “**Talk Like A Pirate Day**”. Festivities are planned from Las Vegas to Henderson, Nevada. Join in the fun, but please remember that there are still real pirates out there – attacking ships and holding crew members hostage. Avast!

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

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