

Headlines:

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TSAC – meeting on 22-23 October;
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Court – sexually inappropriate workplace behavior;
California – SLC draft strategic plan; and
UK – safety digest.

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Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91st Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: dennis.l.bryant@gmail.com – Internet: <http://brymar-consulting.com>

*Note: This newsletter is one section of the **Bryant's Maritime Consulting** website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining **Dennis Bryant** 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. Information is not lost in a black hole – it is merely misplaced in the dark.*

USCG – updated mariner credentialing forms



The USCG National Maritime Center (NMC) issued a **notice** [located at http://www.uscg.mil/nmc/announcements/pdfs/updated_forms_implementation_notice.pdf] stating that, as of 1 October, it has implemented use of the new CG-719 series of forms (B, C, K, K/E, P, and S) that will replace the old forms that display a 30 June 2012 expiration date. The new forms may be obtained electronically in a PDF-fillable format on the NMC website. With the exception of forms K and K/E, the Coast Guard will not accept outdated CG-719 forms after 1 April 2016. For the K and K/E forms, those signed by a physician after 31 December 2015 must be on the new version of the form. (9/29/15).

TSAC – meeting on 22-23 October



The Towing Safety Advisory Committee (TSAC), sponsored by the US Coast Guard, will meet in Washington, DC on 22-23 October. Topics on the agenda include maintenance, repair, and utilization of towing equipment, lines, and couplings; air draft; and automation equipment, testing, and trial periods. **80 Fed. Reg. 59800** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-10-02/pdf/2015-25114.pdf>] (10/2/15).

ANSTF – meeting on 4-5 November



The Aquatic Nuisance Species Task Force (ANSTF), sponsored by the Fish and Wildlife Service (FWS), will meet on 4-5 November in Silver Spring, Maryland. Topics on the agenda include the Arctic Strategy and AIS. **80 Fed. Reg. 59811** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-10-02/pdf/2015-25115.pdf>] (10/2/15).

Tacoma – dredging to remove TBT sediment



The Environmental Protection Agency (EPA) issued a **news release** [located at <http://yosemite.epa.gov/opa/admpress.nsf/docf6618525a9efb85257359003fb69d/82ecd4f1cd0b3a2585257ed0006deb37!OpenDocument>] stating that contaminated sediment removal has begun at Pier 4 in the Port of Tacoma. The sediment has been found to be contaminated with tributyltin (TBT), a marine biocide. Dredging is being done to allow for expansion of the pier to handle more and larger vessels. (9/30/15).

Court – Tonnage Clause



The US Court of Appeals for the Third Circuit affirmed the district court's dismissal a plaintiff marine terminal's suit against defendant port authority challenging various lease provisions for alleged violations of the Constitution's Tonnage Clause and two related federal statutes. In a 42-page decision discussing standing and zone of interest, among other things, the court concluded that plaintiff was not an intended beneficiary of the Tonnage Clause and were outside its zone of interest. **Maier Terminals v. Port Authority of NY/NJ**, No. 14-3626 (3rd Cir., October 1, 2015) [located at <http://www2.ca3.uscourts.gov/opinarch/143626p.pdf>].

Court – sexually inappropriate workplace behavior



The US Court of Appeals for the First Circuit affirmed the district court's grant of defendant shipping company's motion for summary judgment in a suit brought by a former employee alleging unjust termination. Defendant employer had terminated plaintiff's employment for engaging in sexually inappropriate workplace misconduct. There is nothing in this case unique to the maritime industry, but it may serve as a cautionary lesson for more careful monitoring of workplace behavior. **Perez v. Horizon Lines**, No. 13-2546 (1st Cir., September 30, 2015) [located at <http://media.ca1.uscourts.gov/pdf/opinions/13-2546P-01A.pdf>].

California – SLC draft strategic plan



The California State Lands Commission (SLC) seeks comments on its **draft Strategic Plan 2016-2020** [located at <http://www.slc.ca.gov/About/Docs/StrategicPlan.pdf>]. The next opportunity for public comment before the Commission is October 16th in San Diego. Written comments must be provided by 1 November. (10/1/15).

UK – Safety Digest



The UK Marine Accident Investigation Branch (MAIB) posted the latest edition of its safety digest. This edition discusses, among other things, risks involved in handling mooring lines. **Safety Digest 2-2015** [located at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/464919/MAIB_SafetyDigest_2-2015.pdf] (10/1/15).

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

Dennis L. Bryant

Bryant's Maritime Consulting
4845 SW 91st Way
Gainesville, FL 32608-8135
USA

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

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