

Headlines:

White House – preserving the oceans and waterways;
DOS – 2015 Our Ocean Conference;
NOAA – proposed Wisconsin-Lake Michigan NMS;
NOAA – possible national marine sanctuaries;
NOAA – DWH draft PRARP/PEIS;
DOJ – proposed consent decree re DWH;
USACE – San Juan Harbor navigational improvements;
USCG – search for El Faro survivors continues;
NTSB – investigation of loss of El Faro;
Court – VGP regulations overturned; and
Hijacking of Achille Lauro – 7 October 1985.

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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. Information is not lost in a black hole – it is merely misplaced in the dark.

White House – preserving the oceans and waterways



The White House issued a [Fact Sheet](https://www.whitehouse.gov/the-press-office/2015/10/05/fact-sheet-preserving-and-protecting-oceans-and-americas-waterways) [located at <https://www.whitehouse.gov/the-press-office/2015/10/05/fact-sheet-preserving-and-protecting-oceans-and-americas-waterways>] regarding the preservation and protection of oceans and America's waterways for future generations. (10/5/15).

DOS – 2015 Our Ocean Conference



The Department of State posted the [remarks](http://www.state.gov/secretary/remarks/2015/10/247875.htm) [located at <http://www.state.gov/secretary/remarks/2015/10/247875.htm>] of Secretary

John Kerry delivered in Valparaiso, Chile at the opening of the 2015 Our Ocean Conference, as well as the **Our Ocean Town Hall Event** [located at <http://www.state.gov/secretary/remarks/2015/10/247884.htm>]. (10/5/15).

NOAA – proposed Wisconsin-Lake Michigan NMS



The National Oceanic and Atmospheric Administration (NOAA) issued a notice of intent to conduct scoping and to prepare a draft environmental impact statement (EIS) for the proposed Wisconsin-Lake Michigan National Marine Sanctuary. Public meetings will be held in Manitowoc (17 November); Port Washington (18 November); and Sheboygan (19 November). Written comments must be received by 15 January. **80 Fed. Reg. 60132** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-10-05/pdf/2015-25398.pdf>] (10/7/15).

NOAA – possible national marine sanctuaries



The National Oceanic and Atmospheric Administration (NOAA) issued a **news release** [located at <http://sanctuaries.noaa.gov/news/press/2015/areas-identified-as-possible-national-marine-sanctuaries.html>] regarding areas in Wisconsin and Maryland identified as possible national marine sanctuaries. (10/5/15).

NOAA – DWH draft PDARP/PEIS



The National Oceanic and Atmospheric Administration (NOAA) seeks comments on the draft Programmatic Damage Assessment and Restoration Plan and the draft Programmatic Environmental Impact Statement regarding the Deepwater Horizon (DWH) oil spill. Comments must be received by 4 December. **80 Fed. Reg. 60126** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-10-05/pdf/2015-24913.pdf>] (10/5/15).

DOJ – proposed consent decree re DWH



The Department of Justice (DOJ) seeks comments on the proposed consent decree in *United States v. BP Exploration and Production* regarding the Deepwater Horizon (DWH) oil spill. Under the proposed Decree, BP, among other things, will pay (1) a \$5.5 billion civil penalty under the Clean Water Act; (2) \$8.1 billion for natural resource damages under the Oil Pollution Act (including the \$1 billion that BP had previously pledged under a prior agreement), plus up to \$700 million additional for unknown conditions and

adaptive management; (3) \$350 million for State and federal natural resource damages assessment costs; and (4) \$250 million for other federal costs, including removal costs under the Oil Pollution Act, royalties, and a False Claims Act penalty. Public meetings will be held in a number of Gulf State communities during October and November. Written comments must be received within 60 days of 5 October. **80 Fed. Reg. 60180** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-10-05/pdf/2015-24936.pdf>] (10/5/15).

USACE – San Juan Harbor navigational improvements



The US Army Corps of Engineers (USACE) issued a notice stating that it intends to prepare a draft feasibility study and environmental impact statement (EIS) for navigational Improvements to San Juan Harbor, Puerto Rico, to include deepening main shipping channels up to minus 50 feet and widening main channels up to an additional 50 feet. A public scoping meeting will be held in San Juan on 5 November. **80 Fed. Reg. 60657** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-10-07/pdf/2015-25574.pdf>] (10/7/15).

USCG – search for El Faro survivors continues



The US Coast Guard issued a **news release** [located at <http://www.uscgnews.com/go/doc/4007/2607966/>] stating that the search continues for possible survivors from the cargo ship El Faro, which is believed to have sunk in the North Atlantic off the Bahamas during Hurricane Joaquin. One deceased person in a survival suit has been located. (10/6/15).

NTSB – investigation into loss of El Faro



The National Transportation Safety Board (NTSB) issued a **press release** [located at <http://www.nts.gov/news/press-releases/Pages/PR20151005.aspx>] stating that it and the US Coast Guard will conduct an investigation into the loss of the container ship El Faro. (10/5/15).

Court – VGP regulations overturned



The US Court of Appeals for the Second Circuit largely overturned the 2013 Vessel General Permit (VGP) regulations promulgated by the US Environmental Protection Agency (USEPA) as regards the discharge of ballast water from ships. Suit was brought by the Natural Resources Defense Council (NRDC) and other environmental advocacy groups, contending that the VGP regulations were arbitrary and capricious. The current regulations will remain in

effect until new regulations are promulgated. **NRDC v. USEPA** (No. 13-1745(L)) (2nd Cir., October 5, 2015).

Hijacking of *Achille Lauro* – 7 October 1985



On 7 October 1985, four members of the Palestine Liberation Front (PLF) hijacked the Italian cruise ship *Achille Lauro* when it was in the Mediterranean Sea en route from Alexandria, Egypt to Port Said. After the Israeli Government refused their demand for release of 50 imprisoned Palestinians, they killed disabled American passenger Leon Klinghoffer and threw him and his wheelchair overboard. The terrorists surrendered to Egyptian officials and boarded a flight to Tunisia. The flight was intercepted by US Navy fighter aircraft and was forced to land in Italy. The four hijackers were arrested by the Italian Government but their alleged leader, Abu Abbas, was allowed to depart. He later died in Bagdad. This incident awakened governments around the world and the IMO to the security threats faced by passenger vessels.

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

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