

## Headlines:

White House – Iranian oil & petroleum products;  
US & Cuba – MOU re Marine Protected Areas;  
DOJ – ship husbanding overbilling;  
USCG – OPA 90 limits of liability;  
FERC – Magnolia LNG EIS;  
CMTS – Reflecting Forward on 20 November;  
FMC – carrier/MTO agreements; and  
Prestige sinking and oil spill – 19 November 2002.

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# Bryant's Maritime News

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*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. Time passes because it consistently gets good marks.*

## White House – Iranian oil & petroleum products



President Barack Obama issued a **Memorandum** [located at <https://www.whitehouse.gov/the-press-office/2015/11/18/presidential-determination-oil-and-petroleum-products-purchased-iran>] stating that, in accordance with the Joint Plan of Action of November 2013, the United States is not seeking further reductions of Iranian oil purchases. (11/18/15).

## US & Cuba – MOU re Marine Protected Areas



The National Oceanic and Atmospheric Administration (NOAA) issued a **news release** [located at <http://www.noaanews.noaa.gov/stories2015/111815-us-and-cuba-to-cooperate-on-conservation-and-management-of-marine-protected-areas.html>] stating that it and the National Park Service (NPS) signed a Memorandum of understanding

(MOU) with Cuba's Ministry of Science, Technology, and Environment (CITMA) to facilitate joint efforts concerning science, stewardship, and management related to Marine Protected Areas (MPAs). The MOU will focus on Guanahacabibes National Park in Cuba and its offshore Bank of San Antonio, as well as NOAA's Flower Garden Banks and Florida Keys National Marine Sanctuaries and NPS's Dry Tortugas and Biscayne National Parks. (11/18/15).

### DOJ – ship husbanding overbilling



The Department of Justice (DOJ) issued a **news release** [located at <http://www.justice.gov/opa/pr/united-states-joins-lawsuit-alleging-inchcape-shipping-services-overcharged-united-states>] stating that the federal government has joined a lawsuit alleging that Inchcape Shipping Services Holdings Limited and certain of its subsidiaries violated the Federal Claims Act by knowingly overbilling the US Navy for ship husbanding services from 2005 to 2014. (11/18/15).

### USCG – OPA 90 limits of liability



The US Coast Guard promulgated a final rule to increase the limits of liability for vessels, deepwater ports, and onshore facilities under the Oil Pollution Act of 1990 (OPA 90) to reflect significant increases in the Consumer Price Index (CPI). The changes enter into effect on 21 December. **80 Fed. Reg. 72342** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-11-19/pdf/2015-29519.pdf>] (11/19/15).

### FERC – Magnolia LNG EIS



The Federal Energy Regulatory Commission (FERC) issued a notice stating that the final environmental impact statement (EIS) for the Magnolia LNG and related projects has been prepared. **80 Fed. Reg. 72431** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-11-19/pdf/2015-29512.pdf>] (11/19/15).

### CMTS – Reflecting Forward on 20 November



The Committee on the Marine Transportation System (CMTS) posted an updated agenda for its 10th Anniversary Leadership Roundtable – **Reflecting Forward** [located at <http://www.cmts.gov/Bulletin.aspx?id=105>] – to be held in Washington, DC on 20 November. (11/18/15).

## FMC – Carrier/MTO agreements



The Federal Maritime Commission (FMC) issued a [news release](http://www.fmc.gov/NR15-18/) [located at <http://www.fmc.gov/NR15-18/>] stating that the Commissioners voted to direct staff to prepare an advance notice of proposed rulemaking (ANPRM) seeking comments on proposed revisions to its rules on ocean common carrier and marine terminal operator (MTO) agreements. (11/17/15).

## Prestige sinking and oil spill – 19 November 2002



On 19 November 2002, the single-hull Aframax tanker PRESTIGE broke in two and sank in waters of the North Atlantic off the northwest coast of Spain. It had been carrying a cargo of 77,000 metric tons of heavy fuel oil from Russia and Latvia to Singapore when it encountered heavy weather on 13 November. It suffered structural failures and developed a substantial list. A distress call was made to Spanish authorities. The crew was evacuated shortly before the ship broke up. Much of the oil onboard was spilled immediately, and much of that came ashore on the beaches of Spain and Portugal and, to a lesser extent, France. Oil that remained onboard the wreck slowly seeped out and also came ashore. Remotely operated vehicles (ROVs) were used to remove much of the remaining oil. In the aftermath, the European Union tightened its marine environmental protection regulations and pressed the International Maritime Organization (IMO) to take action. The phase-out dates for single-hull oil tankers were accelerated and restrictions were placed on the carriage of heavy fuel oil as cargo in single-hull tankers. In a major miscarriage of justice, the master of the Prestige was arrested and held in Spain for an inordinate period on charges of impeding the movement of the tanker during the crisis. The Kingdom of Spain brought suit against the American Bureau of Shipping for negligent classification of the tanker. The suit was eventually dismissed for lack of evidence. The criminal trial in Spain of the master and various others eventually ended with the master convicted of disobeying an order issued by the Spanish government.

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