

## Headlines:

USCG – Alert re ULS fuel oil;  
USCG – reimbursable standard rates;  
USCG – S&R procedural issue;  
DOJ – offshore platform operator to pay \$41 million;  
St. Lawrence Seaway – closing of 2015 navigation season;  
SLSDC Advisory Board – meeting on 15 December;  
House – bill introduced to protect orcas;  
House – bill introduced re used yacht duty;  
EC & Romania – sulphur content of marine fuels;  
Falkland Islands – cruise ship casualty; and  
UK – alcohol-induced grounding.

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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. Time passes because it consistently gets good marks.*

## USCG – Alert re ULS fuel oil



The US Coast Guard posted an alert regarding use of ultra-low sulfur (ULS) fuel oil, updating an earlier alert due to receipt of several reports that main engines may not attain the expected speed when using ULS fuel oil. **Safety Alert 13-15** [located at <http://www.uscg.mil/hq/cg5/cg545/alerts/1315.pdf>] (11/19/15).

## USCG – reimbursable standard rates



The US Coast Guard posted an updated version of its instruction on reimbursable standard rates. These are the rates used by the agency to determine

its cost for providing certain services, such as for oil spill response. **COMDTINST 7310.1Q** [located at [http://www.uscg.mil/directives/ci/7000-7999/CI\\_7310\\_1Q.pdf](http://www.uscg.mil/directives/ci/7000-7999/CI_7310_1Q.pdf)] (10/16/15).

### **USCG – S&R procedural issue**



The US Coast Guard has not accepted its internal request for reconsideration of its motion for an enlargement of time for filing of its appellate brief in a suspension and revocation case involving a merchant mariner credential (MMC). The Commandant's Decision on Appeal (CDOA) notes that mandatory processing rules should not be lightly relaxed when they are exceeded without a prior request for extension. **USCG v. Hopper**, CDOA No. 2710 (October 13, 2015) [located at [http://www.uscg.mil/legal/CDOA/Commandant\\_Decisions/S\\_and\\_R\\_2580\\_2879/2710%20-%20Hopper%20dtd%2013%20Oct%2015.pdf](http://www.uscg.mil/legal/CDOA/Commandant_Decisions/S_and_R_2580_2879/2710%20-%20Hopper%20dtd%2013%20Oct%2015.pdf)]. *Note: This item was brought to my attention by my good friend Robert C. Schoening of Workplace Substance Abuse Consulting.*

### **DOJ – offshore platform operator to pay \$41 million**



The Department of Justice (DOJ) issued a **news release** [located at <http://www.justice.gov/opa/pr/offshore-oil-platform-operator-agrees-more-41-million-penalties-unauthorized-oil-discharges>] stating that ATP Oil & Gas Corporation, owner and operator of the former offshore oil and gas production platform ATP Innovator, has agreed to more than \$41 million in penalties for unauthorized oil discharges and improper operations in the Gulf of Mexico. (11/19/15).

### **St. Lawrence Seaway – closing of 2015 navigation season**



The Great Lakes-St. Lawrence Seaway System issued a notice stating that operational surcharges for Seaway transits during the period 21-24 December will be waived. Transits after 23:59 on 24 December, if permitted, will be subject to prior written agreement. Weather permitting, transits will be allowed up to 23:59 on 30 December. **Seaway Notice 12-2015** [located at <http://www.greatlakes-seaway.com/en/pdf/navigation/notice20151116.pdf>] (11/16/15).

## SLSDC Advisory Board – meeting on 15 December



The Saint Lawrence Seaway Development Corporation Advisory Board will meet in 15 December in Washington, DC. **80 Fed. Reg. 72781** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-11-20/pdf/2015-29667.pdf>] (11/20/15).

## House – bill introduced to protect orcas



Representative Schiff (D-CA) introduced the **Orca Responsibility and Care Advancement Act of 2015** (H.R. 4019) [located at <http://www.gpo.gov/fdsys/pkg/BILLS-114hr4019ih/pdf/BILLS-114hr4019ih.pdf>] to amend the Marine Mammal Protection Act of 1972 to prohibit the taking, importation, and exportation of Orcas and Orca products for public display, and for other purposes. Representative Schiff issued a **press release** [located at <http://schiff.house.gov/news/press-releases/rep-schiff-to-introduce-orca-act-to-phase-out-display-of-captive-killer-whales>] explaining the measure. (11/16/15).

## House – bill introduced re used yacht duty



Representative Frankel (D-FL) introduced a bill (H.R. 4065) to amend the Tariff Act of 1930 to provide for a deferral of the payment of a duty upon the sale of certain used yachts, and for other purposes. Official text of the bill is not yet available. (11/18/15).

## EC & Romania – sulphur content of marine fuels



The European Commission (EC) issued a **press release** [located at [http://europa.eu/rapid/press-release\\_IP-15-6008\\_en.htm?locale=en](http://europa.eu/rapid/press-release_IP-15-6008_en.htm?locale=en)] stating that it proposes to fine and refer to the Court of Justice the Government of Romania for its failure to transpose into national law the EU rules on sulphur content of marine fuels. (11/19/15).

## Falkland Islands – cruise ship casualty



The UK Ministry of Defence (MoD) issued a **news release** [located at <https://www.gov.uk/government/news/british-forces-go-to-assistance-of-stricken-cruise-liner-in-the-falklands>] stating that British Forces based in the

Falkland Islands responded to a distress call from the cruise ship Le Boreal after that vessel suffered a major engine room fire that resulted in a loss of all power. A north-westerly gale placed the vessel in real danger of grounding on Cape Dolphin, East Falkland. On the captain's orders, 347 passengers and crew abandoned ship into lifeboats. British Forces launched aircraft and vessels. Helicopters winched 79 people and brought them to the UK Base at Mount Pleasant for care and medical attention. HMS Clyde assisted two further lifeboats with over 200 evacuees on board. Dutch tugs brought the vessel to port. (11/19/15).

### UK – alcohol-induced grounding



The UK Marine Accident Investigation Branch (MAIB) posted the report of its investigation of the grounding of the general cargo ship Lysblink Seaways in West Scotland on 18 February. The ship grounded at full speed, suffering severe damage, and was later declared a constructive total loss. Investigation revealed that the primary cause of the grounding was that the officer of the watch and sole watchkeeper had become inattentive shortly before due to the effects of alcohol consumption. **Report 25-2015** [located at [https://assets.digital.cabinet-office.gov.uk/media/564c571840f0b674d6000033/MAIBInvReport25\\_2015.pdf](https://assets.digital.cabinet-office.gov.uk/media/564c571840f0b674d6000033/MAIBInvReport25_2015.pdf)] (11/19/15).

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