

Headlines:

DOJ – companies and individuals charged;
Lake Erie – lightering operations begun;
NTSB – USNS Apache returns to port;
PHMSA – hazmat corrections;
DOE – application to export LNG;
Senate – bill introduced re Sea Grant College Program;
Court – Deepwater Horizon insurance tower;
Court – slip and fall;
New Zealand – fees and Maritime Levy; and
Panama Canal – traffic optimization.

November 23, 2015



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.

DOJ – companies and individuals charged



The Department of Justice (DOJ) issued a [news release](#) [located at <http://www.justice.gov/opa/pr/three-companies-and-three-individuals-charged-fatal-2012-gulf-mexico-oil-drilling-platform>] stating that three companies and three individuals have been charged with crimes for a November 2012 explosion on an oil production platform in the Gulf of Mexico that resulted in the death of three workers, the injury of others, and an oil spill. (11/19/15).

Lake Erie – lightering operations begun



The US Coast Guard issued a [news release](http://www.uscgnews.com/go/doc/4007/2695002/) [located at <http://www.uscgnews.com/go/doc/4007/2695002/>] stating that lightering operations have begun for the sunken barge Argo in Lake Erie. (11/20/15).

NTSB – USNS Apache returns to port



The National Transportation Safety Board (NTSB) posted a [Tweet](https://twitter.com/NTSB/status/667779596746625024) [located at <https://twitter.com/NTSB/status/667779596746625024>] stating that the Navy tug USNS Apache has returned to its homeport of Little Creek, Virginia after concluding the search for the wreck of El Faro and documentation of the sunken vessel. (11/20/15).

PHMSA – hazmat corrections



The Pipeline and Hazardous Materials Safety Administration (PHMSA) promulgated a final rule correcting editorial errors, making minor regulatory changes, and improving the clarity of certain provisions of the Hazardous Materials Regulations. The changes enter into effect on 23 December. [80 Fed. Reg. 72914](http://www.gpo.gov/fdsys/pkg/FR-2015-11-23/pdf/2015-29683.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-11-23/pdf/2015-29683.pdf>] (11/23/15).

DOE – application to export LNG



The Department of Energy (DOE) issued a notice stating that it received an application from Sabine Pass Liquefaction LLC for authorization to export liquefied natural gas (LNG). Comments on the application must be received by 23 December. [80 Fed. Reg. 72955](http://www.gpo.gov/fdsys/pkg/FR-2015-11-23/pdf/2015-29791.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-11-23/pdf/2015-29791.pdf>] (11/23/15).

Senate – bill introduced re Sea Grant College Program



Senator Wicker (R-MS) introduced and the Senate passed the [National Sea Grant College Program Amendments Act of 2015](http://www.gpo.gov/fdsys/pkg/BILLS-114s2328es/pdf/BILLS-114s2328es.pdf) (S. 2329) [located at <http://www.gpo.gov/fdsys/pkg/BILLS-114s2328es/pdf/BILLS-114s2328es.pdf>] to reauthorize and amend the National Sea Grant College Program Act, and for other purposes. (11/19/15).

Court – Deepwater Horizon insurance tower



The US Court of Appeals for the Fifth Circuit partially reversed a district court decision in a dispute between plaintiff manufacturer of the blowout preventer (BOP) involved in the Deepwater Horizon explosion, fire, and oil spill and one of its insurers and certified a state insurance law question to the Texas Supreme Court. Plaintiff manufacturer had created a complicated insurance tower and subrogation clauses in advance of potential liability. Defendant insurer refused to settle due to potential residual liability. On appeal, the court ruled, for the most part, in favor of plaintiff manufacturer. **Cameron International v. Liberty Insurance**, No. 14-31321 (5th Cir., November 19, 2015) [located at <http://www.ca5.uscourts.gov/opinions/pub/14/14-31321-CVO.pdf>].

Court – slip and fall



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed a summary judgment in favor of defendant cruise ship operator that was sued by a passenger in a slip and fall case. The court found that there had been no other similar accidents to put defendant on notice that the threshold ramp was dangerous, thus it had no duty to warn. **Torres v. Carnival Corporation**, No. 14-13721 (11th Cir., November 20, 2015) [located at <http://media.ca11.uscourts.gov/opinions/unpub/files/201413721.pdf>].

New Zealand – fees and Maritime Levy



Maritime New Zealand issued a **media release** [located at <http://www.maritimenz.govt.nz/news/media-releases-2015/20151120a.asp>] stating that it is seeking comments on proposed changes to fees and the Maritime Levy identified as part of a review of funding of the Maritime Operator Safety System (MOSS) and Seafarer Certification (SeaCert) system. Comments must be received by 22 January 2016. (11/20/15).

Panama Canal – traffic optimization



The Panama Canal Authority (ACP) issued a **press release** [located at <http://www.pancanal.com/eng/pr/press-releases/2015/11/20/pr564.html>] stating that it continues to take measures to optimize traffic through the Canal. Current wait times are now four days or less. (11/20/15).

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

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