

Headlines:

White House – National Defense Authorization Act;
USCG – LRIT conformance testing;
USCG – OSV design basis requests;
USCG – CSNCOE newsletter;
NOAA – hurricane season ends;
GAO – aquatic nuisance species;
Court – Anadarko assessed \$159.5 million penalty;
IMO – new Secretary-General selected;
IMO – new Council elected; and
UK – use of armed guards.

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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. Plan to be spontaneous.*

White House – National Defense Authorization Act



President Obama signed into law the **National Defense Authorization Act for Fiscal Year 2016** (S. 1356) [located at <http://www.gpo.gov/fdsys/pkg/BILLS-114s1356eah/pdf/BILLS-114s1356eah.pdf>]. The legislation includes, among other things, continued authorization for the Maritime Security Fleet program and amendments to the definition of short sea transportation. (11/25/15). *Note: Funding for the Maritime Security Fleet program is to be addressed in separate legislation.*

USCG – LRIT conformance testing



The US Coast Guard has recognized Pole Star Space Applications (Pole Star) as the US testing Application Service Provider (ASP) issuing Conformance Test Reports (CTR) on behalf of the United States. US vessel owners/operators subject to the LRIT regulation are encouraged to submit a Conformance Test request via the US Coast Guard Navigation Center website to start the scheduling process. Vessel owners/operators should also note only the US Coast Guard can initiate requests to Pole Star to schedule and perform LRIT conformance tests. (12/1/15).

USCG – OSV design basis requests



The USCG Office of Design and Engineering Standards (CG-ENG) has delegated responsibility to the Marine Safety Center (CG-MSD) for reviewing and approving design basis requests for certain offshore supply vessels (OSVs). From now on, OSVs less than 6,000 GT ITC (500 GRT) carrying more than 36 offshore workers and OSVs of at least 6,000 GT ITC (500 GRT) with keels laid or contracted before 18 August 2014 may submit design basis requests to CG-MSD for approval. (12/1/15).

USCG – CSNCOE newsletter



The USCG Cruise Ship National Center of Expertise (CSNCOE) posted its latest [newsletter](http://www.uscg.mil/hq/cg5/csncoe/docs/newsletters/Issue%2014%20fall%202015%20Edition.pdf) [located at <http://www.uscg.mil/hq/cg5/csncoe/docs/newsletters/Issue%2014%20fall%202015%20Edition.pdf>]. Among other things, the newsletter addresses upcoming regulatory enforcement and foreign passenger vessel examiner trends. (12/1/15).

NOAA – hurricane season ends



The National Oceanic and Atmospheric Administration (NOAA) issued a [news release](http://www.noaanews.noaa.gov/stories2015/120115-below-normal-atlantic-hurricane-season-ends-active-eastern-and-central-pacific-seasons-shatter-records.html) [located at <http://www.noaanews.noaa.gov/stories2015/120115-below-normal-atlantic-hurricane-season-ends-active-eastern-and-central-pacific-seasons-shatter-records.html>] stating that the Atlantic and Pacific hurricane seasons for the Northern Hemisphere ended on 30 November. The Atlantic experienced a below-normal season with eleven named storms, four of which developed into hurricanes. Both the eastern and central Pacific seasons, though, broke records. The eastern Pacific saw 18 named storms, including

thirteen hurricanes. The central Pacific saw 14 named storms, including eight hurricanes. (12/1/15).

GAO – aquatic nuisance species



The Government Accountability Office (GAO) issued a report on the aquatic invasive species program. The report recommends that members of the Aquatic Nuisance Species Task Force develop a mechanism to measure progress toward the strategic goals and help meet certain statutory requirements. **GAO-16-49** [located at <http://www.gao.gov/assets/680/673897.pdf>] (11/30/15).

Court – Anadarko assessed \$159.5 million penalty



The US District Court for the Eastern District of Louisiana issued finding of fact and conclusions of law in the penalty phase of trial of Anadarko Petroleum Company, a non-culpable, non-operating co-owner of the Macondo offshore oil well, site of the April 10, 2010 blowout, explosion, fire, and oil spill in the Gulf of Mexico. Based on strict liability standards as set forth in the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990, the court imposed a civil penalty of \$159.5 million. **US v Anadarko**, No. MDL 2179 (ED La, November 30, 2015) [located at http://www.brymar-consulting.com/wp-content/uploads/Misc/Anadarko_CWA_Penalty_151130.pdf].

IMO – new Secretary-General selected



The IMO issued a **news release** [located at <http://www.imo.org/en/MediaCentre/PressBriefings/Pages/50-kitack-lim-SG-.aspx>] announcing that the Assembly has unanimously endorsed the appointment of Mr. Kitack Lim (Republic of Korea) as the Secretary-General of the International Maritime Organization (IMO), with effect from 1 January 2016, for an initial term of four years. (11/26/15).

IMO – new Council elected



The IMO issued a **news release** [located at <http://www.imo.org/en/MediaCentre/PressBriefings/Pages/52-council-election-.aspx>] stating that the Assembly has elected a new 40-Member Council for the 2016-2017 biennium. (11/27/15).

UK – use of armed guards



The UK Department for Transport (DfT) issued updated **guidance** [located at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/480863/use-of-armed-guards-to-defend-against-piracy.pdf] to owners of UK-flagged ships on the use of armed guards to defend against the threat of piracy in exceptional circumstances. This guidance covers, amongst other things, the exceptional circumstances under which the use of armed guards may be considered, the factors to be included in the risk assessment, advice on selecting a private security company, and a requirement for the shipping company to produce a counter-piracy plan and submit a copy to the department. (12/1/15).

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

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