

Headlines:

Florida – containers overboard;
DOS – meeting on 26 January re HTW;
Behm Canal – restricted area;
ITC – certain marine sonar imaging devices;
NRLB – ILWU v ICTSI Oregon;
NLRB – tug captains are not supervisors;
EPA – Massport clean diesel grant; and
Attack on Pearl Harbor – 7 December 1941.

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Bryant's Maritime News

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Florida – containers overboard



The US Coast Guard issued a [news release](http://www.uscgnews.com/go/doc/4007/2747466/) [located at <http://www.uscgnews.com/go/doc/4007/2747466/>] stating that up to 25 shipping containers are believed to have fallen overboard from the barge Columbia Elizabeth while it was being towed to Puerto Rico by the tug Capt Latham. The containers, several of which were carrying batteries, fell off the barge when it was offshore between Port Canaveral and West Palm Beach. The tug and barge diverted to Palm Beach after the incident was discovered. One of the containers washed ashore in Port Canaveral. The incident is under investigation. (12/6/15).

DOS – meeting on 26 January re HTW



The Department of State (DOS) will conduct an open meeting in Washington, DC on 26 January 2016 to prepare for the upcoming session of IMO Sub-Committee on Human Element, Training and Watchkeeping (HTW 3). Topics on the agenda include fatigue, training audits, and ship-specific safety training. **80 Fed. Reg. 76057** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-12-07/pdf/2015-30774.pdf>] (12/7/15).

Behm Canal – restricted area



The US Army Corps of Engineers (USACE) promulgated a final rule amending existing regulations for the restricted area on waters of the West Arm Behm Canal near Ketchikan. The amendments enter into effect on 6 January 2016. **80 Fed. Reg. 75947** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-12-07/pdf/2015-30776.pdf>] (12/7/15).

ITC – certain marine sonar imaging devices



The International Trade Commission (ITC) issued a notice stating that it has found a violation of the Tariff Act and issued a limited exclusion order prohibiting Garmin International, Inc., Garmin USA, Inc., and Garmin (Asia) Corporation from importing certain marine sonar imaging devices. **80 Fed. Reg. 76040** [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-12-07/pdf/2015-30733.pdf>] (12/7/15).

NLRB – ILWU v ICTSI Oregon



The National Labor Relations Board (NLRB) issued a decision and order affirming the ruling of Administrative Law Judge (ALJ) in the dispute between the International Longshore and Warehouse Union (ILWU) and ICTSI Oregon. ICTSI Oregon operates a port terminal in Portland, Oregon. The ILWU represents longshoremen working at the terminal. A dispute arose between the two parties over assignment of dockside reefer work. ICTSI Oregon filed a complaint with the NLRB alleging that the ILWU unlawfully threatened to shut down the terminal operations if ICTSI Oregon did not support those demands and then carried out those threats by, among other things, directing intermittent slowdowns and work stoppages. The ALJ found in favor of ICTSI Oregon and ordered, among other things, that the ILWU cease and desist from inducing or

encouraging ICTSI Oregon employees to engage in slowdowns or related activities. **363 NLRB No. 47** (11/30/15).

NLRB – tug captains are not supervisors



Over a vigorous dissent, the National Labor Relations Board (NLRB) issued an order denying review of a Regional Director's decision and order in which he found that the employer's tugboat captains were not supervisors within the meaning of the National Labor Relations Act. The NLRB ruled that the employer had not provided evidence showing how or for what captains are held accountable, including any showing of an adverse consequence what would befall a captain for a deckhand's poor performance. **363 NLRB No. 58** (12/2/15).

EPA – Massport clean diesel grant



The Environmental Protection Agency (EPA) issued a **news release** [located at <http://yosemite.epa.gov/opa/admpress.nsf/docf6618525a9efb85257359003fb69d/3848d134e500bf1385257f1100578fc1!OpenDocument>] stating that more than \$330,000 has been awarded to Massport for a clean diesel project at its Conley Terminal. The monies will help fund the retrofit of new diesel engines for rubber tired gantry cranes. (12/4/15).

Attack on Pearl Harbor – 7 December 1941



Today marks the 74th anniversary of the attack on Pearl Harbor, which directly caused the death of thousands of Americans and the sinking of a number of US Navy warships. It resulted in a major combat role for the US in World War II, which had commenced more than two years previously. Up until the attack, the US had limited its participation largely to supply and logistics. After the attack, it was all in. The war continued for almost another four years, with the loss of millions of lives and large-scale property destruction. A new world order eventually emerged. With hard work, increased cooperation, and good luck, we can avoid such conflicts in the future.

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

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