

Headlines:

BSEE – risk-based pilot inspection program;
USCG – boating safety program funding;
Court – GPS trumps LightSquared;
IMO – BWM R& D forum;
Europe – Loran-C shutdown;
ReCAAP – November report; and
Norway – Arctic petroleum pollution risks.

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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. Plan to be spontaneous.

BSEE – risk-based pilot inspection program



The Bureau of Safety and Environmental Enforcement (BSEE) issued a [press release](http://www.bsee.gov/BSEE-Newsroom/Press-Releases/2015/Bureau-of-Safety-and-Environmental-Enforcement-to-Launch-Pilot-Risk-Based-Inspection-Program-for-Offshore-Facilities/) [located at <http://www.bsee.gov/BSEE-Newsroom/Press-Releases/2015/Bureau-of-Safety-and-Environmental-Enforcement-to-Launch-Pilot-Risk-Based-Inspection-Program-for-Offshore-Facilities/>] announcing launch of a pilot program for risk-based inspections of offshore facilities. (12/7/15).

USCG – boating safety program funding



The US Coast Guard issued a notice providing a detailed accounting of its projects, programs, and activities funded under the national recreational boating safety program during fiscal year 2015. [80 Fed. Reg. 76297](http://www.gpo.gov/fdsys/pkg/FR-2015-12-08/pdf/2015-30884.pdf) [located at <http://www.gpo.gov/fdsys/pkg/FR-2015-12-08/pdf/2015-30884.pdf>] (12/8/15).

Court – GPS trumps LightSquared



In an unpublished decision, the US Court of Appeals for the Second Circuit affirmed the judgment of the district court dismissing plaintiffs' complaint against various manufacturers and sellers of global positioning system devices alleging securities fraud and related claims under federal and state laws. Plaintiffs had invested in LightSquared, Inc., a company that sought to develop a new wireless broadband communications system. Plaintiffs alleged, among other things, that defendants had deliberately designed their GPS receivers to experience "overload interference" from out-of-band receptions (OOBRs) that would render the receivers ineffective and that defendants fraudulently concealed and misrepresented this fact even though they were aware that LightSquared's plan to develop its new wireless network would cause such OOBR interference. The court found, among other things, that plaintiffs lacked standing to sue for securities fraud. **Harbinger Capital Partners v. Deere & Company**, No. 15-408-cv (2nd Cir., December 7, 2015) [located at http://www.ca2.uscourts.gov/decisions/isysquery/6416d613-945f-467d-b566-d6ffe68f89be/1/doc/15-408_so.pdf#xml=http://www.ca2.uscourts.gov/decisions/isysquery/6416d613-945f-467d-b566-d6ffe68f89be/1/hilite/].

IMO – BWM R&D forum



The IMO issued a **news release** [located at <http://www.imo.org/en/MediaCentre/PressBriefings/Pages/53-BWM-forum-call-for-papers.aspx>] announcing a call for papers for a major global research and development forum on ballast water management to be held on 16-18 March in Montreal, Quebec. A shipping industry forum will also be held during this event. (12/7/15).

Europe – Loran-C shutdown



The Danish Maritime Authority (DMA) issued a **news release** [located at <http://www.dma.dk/news/Sider/ShutdownofEjdeLoranstationontheFaroeIslands.aspx>] stating that the Ejde Loran station in the Faroe Islands will shut down on 31 December, along with the other European Loran-C stations. It commenced operation in 1959. (12/7/15). *Note: While Loran-C has been effectively replaced by satellite-based positioning, navigation, and timing (PNT) systems, work continues to develop and implement an e-loran system.*

ReCAAP – November report



The ReCAAP Information Sharing Centre posted its **Report**

[located at

<http://www.recaap.org/Portals/0/docs/Reports/2015/ReCAAPISCNovember2015Report.pdf>] for November 2015. For the third consecutive month, there has been a decrease in the number of reported incidents of piracy and armed robbery against ships in Asian waters. This was also a decrease in the number of such incidents during November from the previous four years. (12/7/15).

Norway – Arctic petroleum pollution risks



The Petroleum Safety Authority of Norway released its **Report** [located at http://www.psa.no/getfile.php/PDF/Rapporter/Overview%20of%20measures_report_TFOPP.pdf] providing an overview of measures specifically designed to prevent oil pollution in the Arctic marine environment from offshore petroleum activities. The report identifies a number of potential safety gaps, including the significant need for additional research into metocean and ice conditions. (12/7/15).

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

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