

Headlines:

USCG – maritime security review;
USCG – applications for medical certificates;
USCG – PSC deficiencies;
Duluth – agreement allows for vessel departure;
Lake Erie – barge Argo response completed;
USCG – diesel outboard engine development;
NOAA – indirect cost rates;
St. Lawrence Seaway – mooring line safety;
Court – USCG security agreement upheld; and
New Zealand – Port & Harbour Marine Safety Code.

December 18, 2015



Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91st Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: dennis.l.bryant@gmail.com – Internet: <http://brymar-consulting.com>

*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.*

USCG – maritime security review



The US Coast Guard issued a **notice** [located at <http://mariners.coastguard.dodlive.mil/2015/12/17/12172015-maritime-security-time-for-a-review/>] reminding stakeholders of the importance of maritime security and recommending a review of security measures by each and every ship, facility, and company. (12/17/15).

USCG – applications for medical certificates



The USCG National Maritime Center (NMC) issued a **notice** [located at http://www.uscg.mil/nmc/announcements/pdfs/med_cert_apps_719k.pdf] stating that, until further notice, it will continue to accept applications for

medical certificates submitted via form CG-719K Rev (01-09) with an expiration date of 30 June 2012. (12/17/15).

USCG – PSC deficiencies



The US Coast Guard issued a Marine Safety Information Bulletin (MSIB) addressing the top five deficiency areas that its Port State Control Officers (PSCOs) found on foreign flag vessels during 2015. These deficiencies were: (1) maintenance of ship and equipment; (2) oily water separating (OWS) equipment; (3) fixed firefighting installation; (4) rescue boats; and (5) fire detection equipment. **MSIB 16-15** [located at http://www.uscg.mil/msib/docs/O16_15_12-17-2015.pdf] (12/17/15).

Duluth – agreement allows for vessel departure



The US Coast Guard issued a **news release** [located at <http://www.uscgnews.com/go/doc/4007/2768138/>] stating that agreement was reached with the owner and operator of the vessel Comelia allowing the vessel to depart Duluth. The agreement protects the government's interests in investigating allegations of environmental crimes. (12/17/15).

Lake Erie – barge Argo response completed



The US Coast Guard issued a **news release** [located at <http://www.uscgnews.com/go/doc/4007/2767478/>] stating that response to the sunken and leaking tank barge Argo in Lake Erie has ended. A total of 33,475 gallons of liquid cargo and water mixture was removed at a cost of \$5.2 million, the monies coming from the Oil Spill Liability Trust Fund and the Hazardous Materials Superfund. (12/17/15).

USCG – diesel outboard engine development



The US Coast Guard issued a notice stating that it intends to enter into a Cooperative Research and Development Agreement (CRADA) with Mercury Marine to evaluate and test the advantages, disadvantages, required technology enhancements, performance, costs, and other issues associated with diesel outboard engine technology. Comments must be submitted by 19 January 2016. **80 Fed. Reg. 79055** [located at <https://www.gpo.gov/fdsys/pkg/FR-2015-12-18/pdf/2015-31909.pdf>] (12/18/15).

NOAA – indirect cost rates



The National Oceanic and Atmospheric Administration (NOAA) issued a notice announcing new indirect cost rates for its component organizations involved in natural resource damage assessment and restoration activities for fiscal year 2014 and later. **80 Fed. Reg. 78718** [located at <https://www.gpo.gov/fdsys/pkg/FR-2015-12-17/pdf/2015-31728.pdf>] (12/17/15).

St. Lawrence Seaway – mooring line safety



The Great Lakes-St. Lawrence Seaway System issued a notice reminding mariners of the importance of mooring line safety when transiting locks. **Seaway Notice 13-2015** [located at <http://www.greatlakes-seaway.com/en/pdf/navigation/notice20151215.pdf>] (12/15/15).

Court – USCG security agreement upheld



The US Court of Appeals for the District of Columbia Circuit ruled that the US Coast Guard may impose certain nonfinancial conditions upon the release of ships suspected of violating the Act to Prevent Pollution from Ships (APPS). After finding probable cause to believe that plaintiffs' ships had violated APPS, the Coast Guard required that plaintiffs both post a bond and execute a security agreement before the ships were allowed to depart from port. Plaintiffs challenged the authority of the Coast Guard to require execution of a security agreement. The court rejected that argument and found that the Coast Guard has authority to impose reasonable conditions so as to ensure that pending civil or criminal proceedings will not be jeopardized. **Watervale Marine v DHS**, No. 14-5203 (DC Cir., December 15, 2015) [located at [https://www.cadc.uscourts.gov/internet/opinions.nsf/8A65D087EAC8A2A785257F1C0056177B/\\$file/14-5203-1588520.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/8A65D087EAC8A2A785257F1C0056177B/$file/14-5203-1588520.pdf)]. *Personally, I prefer the reasoning of the concurring opinion.*

New Zealand – Port & Harbour Marine Safety Code



Maritime New Zealand issued a **notice** [located at <http://www.maritimenz.govt.nz/Consultation/Port-and-harbour/default.asp>] stating that comment is sought on the draft New Zealand Port and Harbour Marine Safety Code 2015. The deadline for giving feedback is 26 February 2016. (12/17/15).

Join our mailing list



If you are not receiving our almost daily electronic newsletter and would like have it sent directly to your email inbox, please right-click the box below and provide your email address.

Join Our Mailing List!



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

Dennis L. Bryant

Bryant's Maritime Consulting
4845 SW 91st Way
Gainesville, FL 32608-8135
USA

1-352-692-5493
dennis.l.bryant@gmail.com
<http://brymar-consulting.com>

© Dennis L. Bryant – December 2015



Redistribution permitted with attribution