

## Headlines:

USCG – Great Lakes pilotage rates;  
Mississippi River – reopened at Lock & Dam 27;  
NIST – Cybersecurity Framework Workshop 2016;  
NOAA – incirrate octopod “Casper” discovered;  
House – bill introduced re EPIRBs and PLBs;  
Senate – bill introduced re polar icebreaking;  
Court – injunction suit dismissed as moot;  
California – ship operator fined for air emissions;  
ICSID – Venezuela v. Tidewater;  
Australia – container gross mass verification; and  
Singapore – bunker mass flow metering.

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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. Gravity waves were found to be hiding behind the dark matter.*

## **USCG – Great Lakes pilotage rates**



The US Coast Guard promulgated a final rule revising the Great Lakes pilotage ratemaking methodology, adjusting annual pilotage rates based on the new methodology, and authorizing a temporary surcharge to hire additional pilots and to pay for necessary training for new and current pilots. The rule enters into effect on 6 April. [81 Fed. Reg. 11907](https://www.gpo.gov/fdsys/pkg/FR-2016-03-07/pdf/2016-04894.pdf) [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-03-07/pdf/2016-04894.pdf>] (3/7/16).

## Mississippi River – reopened at Lock & Dam 27



The US Coast Guard issued a [news release](#) stating that the Upper Mississippi River at Lock and Dam 27 near Granite City, Illinois has been reopened to navigation following completion of cleanup operations in the lock. A towing vessel, with a total fuel capacity of 20,000 gallons, was damaged while transiting the lock, rupturing a fuel tank. The spill was contained in the lock. The incident is under investigation. [located at <http://www.uscgnews.com/go/doc/4007/2794902/>] (3/4/16). *Note: In my previous newsletter, I erroneously stated that the spill volume was 20,000 gallons. The total spill volume is currently unknown. Mea culpa!*

## NIST – Cybersecurity Framework Workshop 2016



The National Institute of Standards and Technology (NIST) issued a [notice](#) stating that it will host the Cybersecurity Framework Workshop in Gaithersburg, Maryland on 6-7 April, with an optional seminar on 5 April. The events are free, but pre-registration is required. [located at <http://www.nist.gov/itl/acd/cybersecurity-framework-workshop-2016.cfm>] (3/3/16).

## NOAA – incirrate octopod “Casper” discovered



The National Oceanic and Atmospheric Administration (NOAA) issued a [news release](#) stating that its Okeanos Explorer, surveying waters off Necker Island in the Hawaiian archipelago, photographed a small pale white incirrate octopod at a depth of 4,000 meters. The animal, of a previously undescribed species of cephalopod, has been nicknamed “Casper”. [located at <http://oceanexplorer.noaa.gov/okeanos/explorations/ex1603/logs/mar2/mar2.html>] (3/3/16).

## House – bill introduced re EPIRBs & PLBs



Representative Murphy (D-FL) introduced a bill (H.R. 4705) to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for the purchase of emergency position-indicating radio beacons and personal locator beacons. Official text of the bill is not yet available. (3/3/16).

## Senate – bill introduced re polar icebreaking



Senator Cantwell (D-WA) introduced a bill (S. 2635) to enhance the ability of the United States to carry out icebreaking in the polar regions and for other purposes. Official text of the bill is not yet available, but Senator Cantwell issued a [press release](#) explaining the measure [located at <http://www.cantwell.senate.gov/public/index.cfm/press-releases?ID=265A80F1-3A73-4C2F-9B28-2F34B2CDC9F4>]. (3/3/16).

## Court – injunction suit dismissed as moot



The US Court of Appeals for the Ninth Circuit dismissed as moot an appeal from the district court's injunction against defendant environmental advocacy group concerning protests against plaintiff's oil exploration activities in the Chukchi Sea. The court noted that the injunction had expired and that plaintiff did not seek to renew it. [Shell Offshore v. Greenpeace](#), No. 15-35392 (9th Cir., March 4, 2016) [located at <http://cdn.ca9.uscourts.gov/datastore/opinions/2016/03/04/15-35392.pdf>].

## California – ship operator fined for air emissions



The California Air Resources Board (ARB) issued a [news release](#) stating that the China Navigation Co. Pte. Ltd. has been fined \$129,500 for failure to switch the engines on the vessel Chenan from heavy diesel bunkers to cleaner low-sulfur fuel when close to the California coast on twelve separate days (four voyages). [located at <http://www.arb.ca.gov/newsrel/newsrelease.php?id=795>] (3/3/16).

## ICSID – Venezuela v. Tidewater



The World Bank's International Centre for Settlement of Investment Disputes (ICSID) issued a decision in the long-running dispute over the 2009 nationalization by Venezuela of eleven vessels owned by Tidewater. The tribunal had previously ruled generally in favor of Tidewater, but had issued a stay of enforcement of the \$46.4 million award. In this proceeding, the tribunal lifted the stay as regards the "undisputed amount" of \$27.4 million plus interest. [Venezuela v. Tidewater](#), ARB/10/5 (ICSID, February 29, 2016) [located at

[https://icsid.worldbank.org/ICSID/FrontServlet?requestType=CasesRH&actionVal=showDoc&docId=DC7612\\_En&caseId=C961](https://icsid.worldbank.org/ICSID/FrontServlet?requestType=CasesRH&actionVal=showDoc&docId=DC7612_En&caseId=C961)].

### **AMSA – container gross mass verification**



The Australian Maritime Safety Authority (AMSA) posted a **Discussion Paper** explaining the IMO container gross mass verification requirement that enters into effect on 1 July and how the AMSA intends to enforce it in Australian ports. [located at <https://www.amsa.gov.au/vessels/ship-safety/cargoes-and-dangerous-goods/documents/discussion-paper-verifying-container-weight-amendments.pdf>] (3/1/16).

### **Singapore – bunker mass flow metering**



The Singapore Maritime and Port Authority (MPA) issued a circular announcing that the technical reference for bunker mass flow metering (TR 48:2015) will enter into effect on 1 January 2017. **Port Marine Circular 04-2016** [located at <http://www.mpa.gov.sg/web/portal/home/port-of-singapore/circulars-and-notices/detail/03676d5b-b13f-48fc-9370-df4071db7122>] (3/3/16).

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