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Upper Mississippi – waterway partially reopened;
DOJ – indictments for oily water discharges;
DOJ – company sentenced to pay \$2.5 million;
USCG – NPREP guidelines;
COAC – meeting on 27 April;
MERPAC – meeting on 27-29 April;
NSBPNTAB – meeting on 18-19 May;
NBIC – ballast water management reporting form;
Court – late opt-out ineffective; and
Korea – GPS jamming detected.

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Bryant's Maritime News

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Upper Mississippi – waterway partially reopened



The US Coast Guard issued a [news release](#) stating that response to the bridge allision and multiple barge breakaway on the Upper Mississippi River continues. The waterway between mile marker 40 and mile marker 44 has been partially reopened to one-way traffic. A [second news release](#) states that one of the two sunken barges has been refloated and limited two-way traffic is being allowed. Salvage operations continue. The incident is under investigation. (4/8/16) [first located at <http://www.uscgnews.com/go/doc/4007/2807102/>] [second located at <http://www.uscgnews.com/go/doc/4007/2807322/>].

DOJ – indictments for oily water discharges



The Department of Justice (DOJ) issued a **news release** stating that the owner and master of a US commercial fishing vessel have been indicted for conspiracy, as well as violations of the Clean Water Act (CWA) and the Act to Prevent Pollution from Ships (APPS). According to the indictment, between 2011 and 2013, the two individuals discharged and caused other crewmembers to discharge oil and other pollutants into waters of the United States and the open ocean. (4/7/16) [located at <https://www.justice.gov/opa/pr/owner-and-captain-commercial-fishing-vessel-indicted-clean-water-and-ship-pollution>].

DOJ – company sentenced to pay \$2.5 million



The Department of Justice (DOJ) issued a **news release** stating that DSD Shipping has been sentenced to pay \$2.5 million following its convictions for obstructing justice, violating the Act to Prevent Pollution from Ships (APPS), tampering with witnesses, and conspiracy. It operated a tanker without a functioning oily-water separator and maintained fictitious record books. An internal company memo in 2010 warned of the condition of the tanker's oily water separator, but no action was taken until US Coast Guard inspectors discovered the situation in 2014. (4/8/16) [located at <https://www.justice.gov/opa/pr/norwegian-shipping-company-sentenced-alabama-pay-25-million-illegally-discharging-oil-ocean>].

USCG – NPREP guidelines



The US Coast Guard issued a notice announcing that the updated 2016 National Preparedness for Response Exercise Program (NPREP) Guidelines have been finalized. **81 Fed. Reg. 21362** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-04-11/pdf/2016-08215.pdf>] (4/11/16).

COAC – meeting on 27 April



The Commercial Customs Operations Advisory Committee (COAC), sponsored by Customs and Border Protection (CBP), will meet in Washington, DC on 27 April. Topics on the agenda include: the Automated Commercial Environment (ACE) Single Window efforts; the Air, Ocean, and Rail Manifest Pilots; and the Customs-Trade Partnership Against Terrorism (C-TPAT). **81 Fed.**

Reg. 21372 [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-04-11/pdf/2016-08211.pdf>] (4/11/16).

MERPAC – meeting on 27-29 April



A working group of the Merchant Marine Personnel Advisory Committee (MERPAC), sponsored by the US Coast Guard, will meet in Fort Eustis, Virginia on 27-29 April to evaluate using military education, training, and assessment to satisfy national and STCW credential requirements. **81 Fed. Reg. 21371** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-04-11/pdf/2016-08198.pdf>] (4/11/16).

NSBPNTAB – meeting on 18-19 May



The National Space-Based Positioning, Navigation, and Timing Advisory Board (NSBPNTAB), sponsored by the National Aeronautics and Space Administration (NASA), will meet on 18-19 May in National Harbor, Maryland. Topics on the agenda include: GPS modernization; planned GPS capabilities and services; methods to protect, toughen, and augment (PTA) access to GPS and global navigation satellite system (GNSS) services; and back-up services for terrestrial, maritime, aviation, and space users. **81 Fed. Reg. 21402** [located at <https://www.gpo.gov/fdsys/pkg/FR-2016-04-11/pdf/2016-08142.pdf>] (4/11/16).

NBIC – ballast water management reporting form



The **National Ballast Information Clearinghouse** (NBIC) posted a notice stating that, based on requests from the maritime industry, the NBIC has added a data field to the Ballast Water Management Reporting (BWMR) form that allows a ship to specify the number of ballast water tanks being discharged in association with a given arrival. With some exceptions, this number should match the number of discharged tanks described in the Ballast Water History section of the form. Furthermore, in response to requests for a PDF form with room to report BW history of more than 20 tanks, a 36-tank form is now available. The Web App form already accommodates as many ballast water tanks as needed. (3/29/16) [located at <http://invasions.si.edu/nbic/>]. *Note: This item was brought to my attention by my friend Kelly Baughman of **SeaRiver Maritime**.*

Court – late opt-out ineffective



The US Court of Appeals for the Fifth Circuit affirmed the district court's summary judgment in favor of defendant vessel owner that had been sued by plaintiff crewmember. The vessel had been engaged in the response to the Deepwater Horizon (DWH) explosion, fire, and oil spill. Plaintiff, represented by counsel, alleged health injuries due to that response effort. His claim was bundled with others, which eventually bundled into the Medical Benefits Settlement Agreement. After the period within which to opt out of the settlement had expired, plaintiff attempted to opt out and file a separate claim. The court ruled that plaintiff had adequate and timely notice of his options. **Seacor Holdings v. Mason**, No. 15-30597 (5th Cir., April 6, 2016) [located at <http://www.ca5.uscourts.gov/opinions/pub/15/15-30597-CVO.pdf>].

Korea – GPS jamming detected



The Department of State (DOS) issued a **notice** stating that a continuing series of incidents have been reported in the general location of Incheon, Republic of Korea out to approximately 100 nautical miles beginning on or about 31 March. The nature of the events appear to be Global Positioning System (GPS) jamming emanating from the Democratic People's Republic of Korea causing signal disruptions to airplanes, ships, and buoys in the area. Exercise caution when transiting this area. Vessels experiencing disruptions in the area are urged to report them to the USCG Navigation Center. (4/7/16) [located at <http://www.navcen.uscg.gov/pdf/cgsic/StateDepartmentNoticeApril2016.pdf>].

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

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