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USCG – portable accommodation units;
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India – implementation of VGM requirements; and
New Zealand – preservation of tickets for old salts.

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Bryant's Maritime News

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USCG – hurricane & heavy weather contingency plans



In anticipation of the North Atlantic hurricane season, my compilation of USCG **Hurricane & Heavy Weather Contingency Plans** has been updated. Please advise if you become aware of new or revised contingency plans that should be included in the compilation. (5/11/16) [http://www.brymar-consulting.com/wp-content/uploads/HCP/HCP_160511.pdf].

USCG – portable accommodation units



The US Coast Guard issued a policy letter providing guidance on Coast Guard standards for design, plan review, installation, inspection, and documentation of Portable Accommodation Units (PAMs) built for and/or installed in inspected vessels and facilities. **CG-ENG Policy Letter 01-16** (4/29/16) [<http://www.uscg.mil/hq/cg5/cg521/docs/CG-ENG.PolicyLetter.01-16.pdf>].

OSHA – tracking of workplace injuries and illnesses



The Occupational Safety and Health Administration (OSHA) promulgated a final rule to revise its Recording and Reporting Occupational Injuries and Illnesses regulation. The final rule requires employers in certain industries to electronically submit to OSHA injury and illness data that employers are already required to maintain under existing regulations. OSHA intends to post that data on a publicly accessible internet site, excluding individually identifiable information. Changes are also regarding how employers inform employees to report work-related injuries and illnesses. Portions of the final rule enter into effect on 10 August, with the remaining portions coming into effect on 1 January 2017. **81 Fed. Reg. 29623** [<https://www.gpo.gov/fdsys/pkg/FR-2016-05-12/pdf/2016-10443.pdf>] (5/12/16).

BIS – export of crude oil



The Bureau of Industry and Security (BIS) promulgated a final rule removing the short supply license requirements on exports of crude oil. The changes enter into effect immediately. **81 Fed. Reg. 29483** [<https://www.gpo.gov/fdsys/pkg/FR-2016-05-12/pdf/2016-11047.pdf>] (5/12/16).

SLSDC – Advisory Board meeting on 14 June



The Advisory Board of the Saint Lawrence Seaway Development Corporation (SLSDC) will meet on 14 June in Washington, DC. **81 Fed. Reg. 29620** [<https://www.gpo.gov/fdsys/pkg/FR-2016-05-12/pdf/2016-11210.pdf>] (5/12/16).

FCC – advisory re MMSI numbers



The Federal Communications Commission (FCC) issued an **advisory** reminding mariners that the value of the Automatic Identification System (AIS) and Digital Selective Calling (DSC) is significantly reduced if the Maritime Mobile Service Identity (MMSI) number programmed into the vessel's radio transmitter differs from the MMSI number on record. Not only are owners of vessels making such inaccurate transmissions subject to civil penalties and cancellation of their radio licenses, but the inaccuracies may delay response to distress messages.

(5/9/16)

[http://transition.fcc.gov/Daily_Releases/Daily_Business/2016/db0509/DA-16-513A1.pdf].

House – bill introduced re cruise ship boarding



Representative Amash (R-MI) introduced a bill (H.R. 5179) to limit the authority of personnel of the Department of Homeland Security to prohibit a citizen or permanent resident of the United States from boarding as a passenger on an aircraft or cruise ship based on inclusion of the individual in a watchlist, and for other purposes. Official text of the measure is not yet available.

(5/10/16).

Court – LHWCA permanent disability



The US Court of Appeals for the Ninth Circuit held that, for purposes of the Longshore and Harbor Workers Compensation Act (LHWCA), a covered employee should be classified as permanently disabled where he has incurred a protracted period of disability and faces the prospect of hypothetical future surgery that may possibly alleviate some of his disability. Complainant longshore incurred an on-the-job injury to his knee, but continued to work until the pain became severe. The employer and its insurer contended that his disability should be classified as temporary because he could have a knee replacement operation. The court rejected that contention.

SSA Terminals & Homeport Ins. Co. v. Carrion, No. 13-72929 (9th Cir., May 11, 2016)

[<http://cdn.ca9.uscourts.gov/datastore/opinions/2016/05/11/13-72929.pdf>].

Court – arbitration compelled



The US Court of Appeals for the Eleventh Circuit affirmed the district court order compelling arbitration in a foreign seafarer personal injury suit. Plaintiff seafarer opposed arbitration, contending that the high cost of arbitration might prevent him from effectively vindicating his federal statutory rights in the New York Convention arbitral forum. The court held that plaintiff had failed to establish that the costs of arbitration would preclude him from arbitrating his claim. **Suazo v. NCL (Bahamas) Ltd**, No. 14-15351 (11th Cir., May 10, 2016) [<http://media.ca11.uscourts.gov/opinions/pub/files/201415351.pdf>].

Tokyo MOU – 2015 Annual Report



The Tokyo MOU posted its **2015 Annual Report**. (5/11/16) [<http://www.tokyo-mou.org/doc/ANN15.pdf>].

India – implementation of VGM requirements



The Indian Directorate General of Shipping (DGS) issued a notice implementing, effective 1 July, the verified gross mass (VGM) requirements specified in the 2014 amendment to the SOLAS Convention. **Notice 04-2016** (5/11/16) [http://dgshipping.gov.in/WriteReadData/News/201605110432269732620ms_notice4_2016.pdf].

New Zealand – preservation of tickets for old salts



Maritime New Zealand issued a **media release** stating that it is proposing to allow seafarers (old salts) with older licenses (tickets) to have those tickets ring-fenced and remain in effect. (5/11/16) [<http://www.maritimenz.govt.nz/news/media-releases-2016/20160511a.asp>].

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

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