

Headlines:

USCG – lifeboat demonstration test;
DHS – civil penalty adjustments;
DOE – application to export LNG;
USN – Farsi Island incident investigation;
FMC – Senate confirms three Commissioners;
House – bill introduced re SLSDC funding;
Senate – bill introduced re OCS administration;
Senate – bill introduced re aquatic ecosystems;
Court – summary judgment reversed;
IMO – enclosed space entry;
IMO – VGM reminder;
PCA – South China Sea dispute;
Paris MOU – 2015 Annual Report;
New Zealand – maritime and marine protection rules;
Singapore – Green Ship Programme;
Singapore – Maritime Sector Initiative; and
Declaration of Independence Day – July Fourth.

July 1, 2016



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>

Proudly sponsored by

Seebald & Associates International

- Coast Guard Accepted FSO Training -

- FSAs - FSPs - Annual FSP Audits -

www.Seebald.com (800) 801-2310

Note: This newsletter is one section of the [Bryant's Maritime Consulting](http://www.bryant-maritime.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. Dark energy is the scientific term for chocolate.

USCG – lifeboat demonstration test



The US Coast Guard issued a policy letter providing post-installation testing guidance following replacement of on-load release mechanisms (“release hooks”) for lifeboats and rescue boats on all US vessels subject to SOLAS Chapter III. The test is a demonstration that the lifeboat/rescue boat can be launched from a ship proceeding ahead at a speed of not less than five knots in calm water and on an even keel (“5-knot test”). **CG-CVC Policy Letter 16-03** (6/30/16) [https://www.uscg.mil/hq/cgcvc/cvc/policy/policy_letters/CVC/CG-CVC_pol16-03.pdf].

DHS – civil penalty adjustments



The Department of Homeland Security (DHS) promulgated an interim final rule adjusting its civil monetary penalties to account for inflation. The changes enter into effect on 1 August. Comments must be received by 1 August. **81 Fed. Reg. 42987** (7/1/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-07-01/pdf/2016-15673.pdf>].

DOE – application to export LNG



The Department of Energy (DOE) issued a notice stating that it received an application from Eagle LNG Partners Jacksonville LLC requesting authorization to export liquefied natural gas (LNG) transported both by LNG carriers and approved ISO IMO7/TVAC-ASME LNG containers. Comments on the application must be received by 30 August. **81 Fed. Reg. 43192** (7/1/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-07-01/pdf/2016-15694.pdf>].

USN – Farsi Island incident investigation



The US Navy issued a **news release** announcing the release of the investigation into the seizure of two riverine boats and the detention of ten US Navy personnel by Iranian forces at Farsi Island in the Arabian Gulf on 12 January 2016. The report concluded that Iran violated international law by impeding innocent passage and disregarding sovereign immunity. The report also identified poor leadership and a disregard for risk management and mission planning standards by US Navy personnel. (6/30/16) [http://www.navy.mil/submit/display.asp?story_id=95458].

FMC – Senate confirms three Commissioners



The Federal Maritime Commission (FMC) issued a [news release](#) stating that the Senate confirmed the re-nominations of Rebecca F. Dye and Michael A. Khouri to continue to serve as Commissioners. The Senate also confirmed the nomination of Daniel B. Maffei to serve as a Commissioner. (6/30/16) [<http://www.fmc.gov/NR16-11/>].

House – bill introduced re SLSDC funding



Representative Salmon (R-AZ) introduced a bill ([H.R. 5609](#)) to prohibit any appropriation of funds to the Saint Lawrence Seaway Development Corporation, and for other purposes. (6/28/16) [<https://www.gpo.gov/fdsys/pkg/BILLS-114hr5609ih/pdf/BILLS-114hr5609ih.pdf>].

Senate – bill introduced re OCS administration



Senator Cassidy (R-LA) introduced a bill (S. 3110) to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes. Official text of the bill is not yet available, but Senator Cassidy issued a [press release](#) explaining the measure. (6/29/16) [<http://www.cassidy.senate.gov/newsroom/press-releases/cassidy-introduces-offshore-revenue-sharing-bill->].

Senate – bill introduced re aquatic ecosystems



Senator Whitehouse (D-RI) introduced a bill (S. 3121) to require the Secretary of the Army to carry out a comprehensive assessment and management plan to restore aquatic ecosystems in the North Atlantic coast region. Official text of the bill is not yet available. (6/29/16).

Court – summary judgment reversed



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit reversed and remanded a summary judgment award in favor of defendant cruise ship operator. Plaintiff passenger allegedly slipped and fell on an outside deck of defendant's ship. Plaintiff sued, alleging a single count of negligence for failure to warn of the dangerous condition. The appellate court ruled that plaintiff had presented sufficient evidence to raise a genuine issue of material fact as to whether defendant had breached its duty to warn. The appellate court also reversed the entry of summary judgment as to negligent maintenance as plaintiff had raised no such claim. **Frasca v. NCL (Bahamas) Ltd**, No. 14-11955 (11th Cir., June 30, 2016)
[<http://media.ca11.uscourts.gov/opinions/unpub/files/201411955.pdf>].

IMO – enclosed space entry



The IMO issued a **news release** stating that the enclosed space entry rule, requiring covered ships to carry portable atmosphere testing equipment enters into force on 1 July 2016. (6/30/16)
[<http://www.imo.org/en/MediaCentre/PressBriefings/Pages/Enclosed-space-ship-safety-rule-enters-into-force.aspx>].

IMO – VGM reminder



The IMO issued a **news release** stating that the SOLAS amendment requiring that masters be provided with the verified gross mass (VGM) of containers prior to loading enters into force on 1 July 2016. (6/30/16)
[<http://www.imo.org/en/MediaCentre/PressBriefings/Pages/New-ship-safety-rule-to-prevent-loss-of-containers-enters-into-force.aspx>].

PCA – South China Sea dispute



The Permanent Court of Arbitration (PCA) in The Hague issued a **press release** stating that it will issue its Final Award in the arbitration Republic of the Philippines against the People's Republic of China on 12 July. The arbitration involves jurisdictional disputes in the South China Sea. (6/29/16)
[<http://www.pcacases.com/web/sendAttach/1782>].

Paris MOU – 2015 Annual Report



The Paris MOU posted the **2015 Annual Report**. The report shows a decline in the number of vessels denied access to ports within the region, while the detention percentage remained stable at 3.33%. (7/1/16) [<https://www.parismou.org/publications-category/annual-reports>].

New Zealand – maritime and marine protection rules



Maritime New Zealand issued a **notice** stating that it has opened a consultation on proposed amendments to the Maritime Rules and Marine Protection Rules. The deadline for making comments is 29 July. (6/30/16) [<http://www.maritimenz.govt.nz/Consultation/mr-mpr-various-amendments-2016/default.asp>].

Singapore – Green Ship Programme



The Singapore Maritime and Port Authority (MPA) issued a circular announcing that the Green Ship Programme has been enhanced to include Singapore ships that use LNG as an alternative to fuel oil. **Shipping Circular 18-2016** (6/30/16) [<http://www.mpa.gov.sg/web/portal/home/port-of-singapore/circulars-and-notices/detail/52b5af99-9acf-4ecb-9a26-ecd48dfe1668>].

Singapore – Maritime Sector Initiative



The Singapore Maritime and Port Authority (MPA) issued a circular announcing enhancements to the Maritime Sector Initiative-Singapore Registry of Ships (MSI-SRS) to include income derived from the operation of ships used for offshore renewable energy activity or offshore mineral activity in international waters. **Shipping Circular 19-2016** (6/30/16) [<http://www.mpa.gov.sg/web/portal/home/port-of-singapore/circulars-and-notices/detail/faafb1c8-9a02-48fa-ab99-4f140ea52312>].

Declaration of Independence Day – July Fourth



This Monday, July 4, 2016, marks the 240th anniversary of the publication of the Declaration of Independence in Philadelphia (July 4, 1776).

It is not the 240th anniversary of the independence of the United States, because what we on this side of the pond call the Revolutionary War had just begun. Even October 19, 1781, when British Major General Lord Cornwallis surrendered to American General George Washington and French Lieutenant General de Rochambeau at the Battle of Yorktown, was not the end of the fighting. The independence of the United States was officially established by the signing of the Treaty of Paris on September 3, 1783, when the Kingdom of Great Britain recognized the United States of America as a separate nation and withdrew its remaining troops from New York. In a larger sense, though, the independence of the United States is contested every day – and not just in places like Iraq and Afghanistan. While it is appropriate that we set aside one day each year to celebrate our independence, it is also necessary to dedicate ourselves daily to live up to the principles on which this great nation was founded. We hold these truths to be self-evident: That all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness, [and] that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Join my mailing list



If you are not receiving my almost daily electronic newsletter and would like to have it sent directly to your email inbox, please send me an email, or see below:

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 – July 2016

 Redistribution permitted with attribution