

Headlines:

South China Sea – Philippines prevails;
Hudson River – safety zone;
USCG – cargo securing manuals;
Court – Shipping Act preempts state law;
IMO – award for bravery at sea; and
Panama Canal – June operations.

July 12, 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.

South China Sea – Philippines prevails



Various media outlets are reporting that the **Permanent Court of Arbitration** in The Hague has ruled in favor of the Philippines in its dispute with the People's Republic of China regarding the status of major portions of the South China Sea. Unfortunately, the Court's internet site is currently unavailable (possibly due to high use or to malicious access denial). According to the available reports, the ruling found that China has no right to block the access of Philippine fishermen to waters with 200 nautical miles of the Philippines and that its construction of artificial islands in the South China Sea is improper and

causes severe harm to the environment. China contends that the Court has no jurisdiction regarding this dispute. (7/12/16) [<https://pca-cpa.org/>].

Hudson River – safety zone



The US Coast Guard promulgated a temporary interim rule establishing a safety zone around the crane barge during heavy lifting operations in the vicinity of the Tappan Zee Bridge. The rule will remain in effect through 31 December 2018. Comments on the rule must be received by 11 August. **81 Fed. Reg. 45022** (7/12/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-07-12/pdf/2016-16364.pdf>].

USCG – cargo securing manuals



The US Coast Guard issued a notice announcing that the Office of Management and Budget (OMB) has approved the information collection request for the cargo securing manuals rule promulgated on 9 May 2016. **81 Fed. Reg. 45012** (7/12/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-07-12/pdf/2016-16416.pdf>]. *Note: This means that the Coast Guard can now take enforcement action for failure to maintain the records required by the rulemaking.*

Court – Shipping Act preempts state law



The Washington Court of Appeals affirmed the dismissal of an action brought by an individual against the ports of Seattle and Tacoma for his exclusion from meetings held by the two entities for the purpose of coordinating their operations. The court held that the plaintiff had standing to bring the action under the state Open Public Meetings Act. The court then held that his action was preempted by the federal Shipping Act of 1984, which specifically authorized maritime entities such as these to meet privately. Allowing the public, including possible competitors, access to the ports' meetings on these matters would frustrate the purpose of the federal law. **West v. Seattle Port Commission**, No. 73014-2-1 (Wash. Ct. App., July 5, 2016) [<http://www.courts.wa.gov/opinions/pdf/730142.pdf>]. *Note: This item was brought to my attention by my good friend Keith Heard of Burke & Parsons.*

IMO – award for bravery at sea



The IMO issued a **news release** stating that Captain Radhika Menon, master of the product tanker Sampurna Swarajya is to receive the 2016 IMO Award for Exceptional Bravery at Sea for her role in the dramatic rescue of seven

fishermen from a sinking vessel during tumultuous weather in the Bay of Bengal in June 2015. (7/7/16)
[<http://www.imo.org/en/MediaCentre/PressBriefings/Pages/21-Bravery-Award-2016.aspx>].

Panama Canal – June operations



The Panama Canal Authority (ACP) issued an advisory summarizing Canal operations during June. It also includes the schedule of locks lane outages for the remainder of the fiscal year. **Advisory 38-2016** (7/8/16)
[<https://www.pan canal.com/common/maritime/advisories/2016/a-38-2016.pdf>].

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