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Australia – modernizing the datum;
Singapore Strait – collision; and
Lighthouse Act – 7 August 1789.

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Bryant's Maritime News

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NTSB – El Faro VDR recovery mission launched



The National Transportation Safety Board (NTSB) issued a **press release** stating that the mission to retrieve the voyage data recorder (VDR) from the wreck of the cargo ship El Faro has been launched. The deep ocean ROV on USNS Apache will be used to attempt to bring the VDR to the surface so that it can be analyzed and hopefully provide important information regarding the casualty. (8/4/16) [<http://www.nts.gov/news/press-releases/Pages/pr20160804.aspx>].

USCG – Proceedings



The US Coast Guard posted the Summer 2016 edition of the **Proceedings** of the Marine Safety and Security Council. This edition focuses on Waterways – America’s Economic Engine. (8/4/16) [<https://www.uscg.mil/proceedings/>].

USCG – OCS risk-based resource allocation



The US Coast Guard issued a notice inviting comments on its interim risk-based resource allocation methodology for inspections of certain outer continental shelf (OCS) units in the Eighth Coast Guard District (D8) area of responsibility (AOR). Comments must be received by 6 September. **81 Fed. Reg. 51923** (8/5/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-05/pdf/2016-18590.pdf>].

USAF – GPS meeting on 21-22 September



The US Air Force (USAF) issued a notice announcing that the 2016 Public Interface Control Working Group and Open Forum will be held in El Segundo, California on 21-22 September. **81 Fed. Reg. 51867** (8/5/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-05/pdf/2016-18595.pdf>].

DOE – Lake Charles LNG Export ROD



The Department of Energy (DOE) issued a notice announcing its Record of Decision (ROD) in granting authorization for Lake Charles LNG Export Company, LLC to export domestically produced LNG from the terminal in Lake Charles, Louisiana. **81 Fed. Reg. 51867** (8/5/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-05/pdf/2016-18651.pdf>].

DOE – Lake Charles Exports ROD



The Department of Energy (DOE) issued a notice announcing its Record of Decision (ROD) in granting authorization for Lake Charles Exports, LLC to export domestically produced LNG from the terminal in Lake Charles, Louisiana. **81 Fed. Reg. 51870** (8/5/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-05/pdf/2016-18652.pdf>].

FERC – application for LNG export facility



The Federal Energy Regulatory Commission (FERC) issued a notice stating that it received an application from Annova LNG Common Infrastructure requesting authorization to site, construct, modify, and operate a natural gas liquefaction and LNG export facility in Brownsville, Texas. Comments on the application must be received by 17 August. **81 Fed. Reg. 51879** (8/5/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-05/pdf/2016-18575.pdf>].

DOS – meeting on 22 August re CCC 3



The Department of State (DOS) issued a notice stating that there will be a meeting on 22 August in Washington, DC to prepare for the upcoming session of the IMO Sub-Committee on Carriage of Cargoes and Containers (CCC 3). Topics on the agenda include carriage of liquefied hydrogen in bulk and fire safety requirements for cargo spaces containing vehicles with fuel in their tanks for their own propulsion. **81 Fed. Reg. 51959** (8/5/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-05/pdf/2016-18379.pdf>].

Treasury – international boycott list



The Treasury Department issued a notice publishing the current list of countries which require or may require participation in, or cooperation with, an international boycott. **81 Fed. Reg. 51967** (8/5/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-05/pdf/2016-18619.pdf>].

Court – admiralty jurisdiction in tort action



The US Court of Appeals for the Eleventh Circuit ruled that federal admiralty jurisdiction in personal injury litigation does not extend to the Coral Park Canal where an artificial obstruction (a water control structure) prevents vessels from using the canal to conduct interstate commerce. The court drew a clear distinction between admiralty jurisdiction in a tort action and admiralty jurisdiction for other purposes, such as the authority of federal agencies.

Tundidor v. Miami-Dade County, No. 15-12597 (11th Cir., August 3, 2016) [<http://media.ca11.uscourts.gov/opinions/pub/files/201512597.pdf>]. Note: This item was brought to my attention by my good friend Larry Brennan of **Rubin, Fiorella & Friedman**.

Court – limitation of liability



The US Court of Appeals for the Tenth Circuit reversed the district court denial of a petition for exoneration from or limitation of liability and remanded the case for further proceedings. Following a fatal boating accident on Lake Powell, the company that owned the rented boat filed the petition. The trial court denied the petition, leaving for further proceedings the issues of gross negligence, comparative fault, and the amount of damages. The company appealed. After a thorough discussion of the Limitation of Liability Act, the appellate court ruled that the district court failed to conduct the analysis required to determine whether the boat owner is entitled to exoneration from or limitation of liability. **In re Aramark Sports**, No. 14-4118 (10th Cir., August 1, 2016) [<http://www.ca10.uscourts.gov/opinions/14/14-4118.pdf>]. Note: This item was brought to my attention by my good friend Keith Heard of **Burke & Parsons**.

Australia – modernizing the datum



The Australian Intergovernmental Committee on Surveying and Mapping posted a **flyer** announcing that it has initiated a process to modernize Australia's datum. The continent is creeping north at the rate of 7cm annually. The datums was last aligned in 1994, meaning that current positions reported on satellite navigation systems are about 1.5m different than charted positions. As positioning devices become more precise, it is important that charts reflect reality. It is expected to take at least four years to update Australia's official datum. (July 2016) [<http://www.icsm.gov.au/gda2020/flyer2020.pdf>].

Singapore Strait – collision



The Singapore Maritime and Port Authority (MPA) issued a **news release** stating that the VLCC Dream II and the container ship MSC Alexandra collided in the Singapore Strait at about 2355 hours on 3 August. Both vessels were damaged, but are in stable condition. MSC Alexandra reported the loss of ten empty containers, four of which fell onto the deck of Dream II. There have been no reports of injury or pollution. (8/4/16)

[<http://www.mpa.gov.sg/web/portal/home/media-centre/news-releases/detail/b8e57369-ce73-496b-beea-d0021b60aodd>].

Lighthouse Act – 7 August 1789



The **Lighthouse Act** was the ninth statute adopted by the First Congress of the United States. It provided for the voluntary cession by the various states of all lighthouses, beacons, buoys, and public piers to the federal government and tasked the Secretary of the Treasury with building and maintaining the aids to maritime navigation. The Lighthouse Establishment (later named the United States Light House Service) is the oldest of the various components of the present-day United States Coast Guard, joining in 1939.

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

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