

Headlines:

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Gulf of Mexico – Tropical Depression 9 evacuations;  
CBP – electronic drawback and related filings;  
NTSB – meeting re USCG VTS system;  
Court – arbitration and “performance abroad”;  
UN – UNCLOS PrepCom session; and  
Sinking of SS Metis – 30 August 1872.

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## Bryant's Maritime News

Bryant's Maritime Consulting - 4845 SW 91<sup>st</sup> Way - Gainesville, FL 32608-8135 - USA

Tel: 1-352-692-5493 – Email: [dennis.l.bryant@gmail.com](mailto:dennis.l.bryant@gmail.com) – Internet: <http://brymar-consulting.com>

*Note: This newsletter is one section of the [Bryant's Maritime Consulting](http://brymar-consulting.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. Linear thinking provides freedom from insight.*

## USCG – hurricane & heavy weather contingency plans



My compilation of USCG **Hurricane & Heavy Weather Contingency Plans** has been updated to include the revised Houston-Galveston and Corpus Christi plans that my friend Robert Hawn of the **Western Gulf Maritime Association** brought to my attention. Please advise if you become aware of new or revised contingency plans that should be included in the compilation. (8/29/16) [[http://www.brymar-consulting.com/wp-content/uploads/HCP/HCP\\_160829.pdf](http://www.brymar-consulting.com/wp-content/uploads/HCP/HCP_160829.pdf)].

## Gulf of Mexico – Tropical Depression 9 evacuations



The Bureau of Safety and Environmental Enforcement (BSEE) issued a **press release** stating that offshore oil and gas operators in the Gulf of Mexico are evacuating platforms and rig in the path of Tropical Depression No.9. (8/29/16) [<https://www.bsee.gov/newsroom/latest-news/statements-and-releases/press-releases/bsee-tropical-depression-no-9-activity>].

## CBP – electronic drawback and related filings



The US Customs and Border Protection (CBP) issued a notice stating that, effective 1 October, the Automated Commercial Environment (ACE) will be the sole electronic data interchange for processing electronic drawback and entry deferral and entry summary filings. **81 Fed. Reg. 59644** (8/30/16) [ ].

## NTSB – meeting re USCG VTS system



The National Transportation Safety Board (NTSB) issued a notice stating that it will meet on 13 September in Washington, DC. Topics on the agenda include an assessment of the effectiveness of the USCG vessel traffic service (VTS) system. **81 Fed. Reg. 59249** (8/29/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-08-29/pdf/2016-20761.pdf>]. *Note: This item was brought to my attention by my good friend Jerry Crooks of **Shell Trading (US) Company**.*

## Court – arbitration and “performance abroad”



In a brief unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed the order compelling arbitration in the case brought by a seaman who worked on a cruise ship that calls on foreign ports because the employment contract envisioned performance abroad under the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

**D’Cruz v. NCL (Bahamas)Ltd**, No. 15-11766 (11th Cir., August 29, 2016)  
[<http://media.ca11.uscourts.gov/opinions/unpub/files/201511766.pdf>].

## UN – UNCLOS PrepCom session



The United Nations (UN) issued a **notice** stating that second session of the Preparatory Committee of United Nations Convention on the Law of the Sea (UNCLOS) is being held on 26 August-9 September in New York to develop a new legally binding instrument on the conservation and sustainable use of marine life in areas beyond national jurisdiction. (8/29/16)  
[<http://www.un.org/Depts/los/biodiversity/prepcom.htm>].

## Sinking of SS Metis – 30 August 1872



During a rainstorm, the passenger vessel **SS Metis**, with approximately 242 passengers and crew on board collided with the schooner Nettie Cushing at about 4 a.m. on 30 August 1872 in Long Island Sound near Watch Hill, Rhode Island. Metis, en route from New York to Providence, was holed below the waterline and flooded quickly. Passengers were assembled and many boarded lifeboats. The captain and the agent of the Providence and New York Steamship Line refused to board lifeboats and remained in the pilot house. They were among the forty persons still alive when the vessel’s upper works washed ashore. The **Revenue Cutter Moccasin**, Captain David Ritchie commanding, rushed to the scene, rescuing 45 persons and recovering 17 bodies. It is estimated that 130 persons died in the sinking. Captain Ritchie and the officers and men of Moccasin received the formal Thanks of Congress by means of a Resolution adopted on 24 January 1873. A US Life-Saving Station was built at Watch Hill in 1879, adjacent to the Lighthouse. There was no marine insurance on Metis. Suits were brought against the shipowner, including one by a passenger stating that he bought his \$3 ticket and incurred injuries and expenses due to the sinking – he demanded \$20,000 damages. The owners filed a petition in federal court seeking exoneration from and limitation of liability.

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## Dennis L. Bryant

Bryant's Maritime Consulting  
4845 SW 91<sup>st</sup> Way  
Gainesville, FL 32608-8135  
USA

1-352-692-5493  
[dennis.l.bryant@gmail.com](mailto:dennis.l.bryant@gmail.com)  
<http://brymar-consulting.com>

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