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## Bryant's Maritime News

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*Note: This newsletter is one section of the **Bryant's Maritime Consulting** website. Visit the site for more extensive maritime regulatory information. Individual concerns may be addressed by retaining **Dennis Bryant** 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. A meal without wine is called breakfast.*

## White House – Côte d’Ivoire relations



President Obama issued an **Executive Order** terminating the national emergency with respect to Côte d’Ivoire. As a result, the economic sanctions and trade embargoes with respect to that nation have been lifted. (9/14/16) [<https://www.whitehouse.gov/the-press-office/2016/09/14/executive-order-termination-national-emergency-situation-or-relation>].

## OSHA – seafarer retaliation complaint procedures



The Occupational Safety and Health Administration (OSHA) promulgated a final rule amending procedures for the handling of retaliation complaints under the employee protection provisions of the Seaman’s Protection Act. The amendments enter into effect immediately. **81 Fed. Reg. 63396** (9/15/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-09-15/pdf/2016-21758.pdf>].

## USCG – marine environmental response & preparedness



The US Coast Guard posted the latest edition of the USCG Marine Environmental Response and Preparedness Manual. The 362-page manual establishes policies, guidelines, procedures, and general information for Coast Guard use in marine environmental response and preparedness operations and is primarily for internal agency use. **COMDTINST M16000.14A** (8/30/16) [[https://www.uscg.mil/directives/cim/16000-16999/CIM\\_16000\\_14A.PDF](https://www.uscg.mil/directives/cim/16000-16999/CIM_16000_14A.PDF)].

## USCG – aquaculture support operations



The US Coast Guard promulgated a final rule establishing requirements for US vessels with registry endorsements or foreign-flag vessels that perform certain aquaculture support operations in US waters. The regulations enter into effect on 17 October. **81 Fed. Reg. 63420** (9/15/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-09-15/pdf/2016-22097.pdf>].

## USCG – meeting re HFO use in the Arctic



The US Coast Guard issued a notice stating that it will conduct a public listening session on 27 September in Washington, DC to gather

information relating to the use of heavy fuel oil (HFO) by ships in the Arctic. **81 Fed. Reg. 63489** (9/15/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-09-15/pdf/2016-22222.pdf>].

### **TSAC – meeting on 26-27 October**



The Towing Safety Advisory Committee (TSAC), sponsored by the US Coast Guard, will meet on 26-27 October in Washington, DC. Topics on the agenda include Subchapter M implementation and electronic charting systems. **81 Fed. Reg. 63489** (9/15/16) [<https://www.gpo.gov/fdsys/pkg/FR-2016-09-15/pdf/2016-22131.pdf>].

### **PCA – disproportionate penalties**



The Permanent Court of Arbitration (PCA) issued a **press release** stating that, in the Duzgit Integrity Arbitration (Malta v. Sao Tome & Principe), brought by Malta under the United Nations Convention on the Law of the Sea (UNCLOS), some of the enforcement action taken by Sao Tome & Principe against the vessel for violation of national laws relating to ship-to-ship transfers were not proportional to the offense and that Malta was entitled to claim reparations. (9/12/16) [<https://pcacases.com/web/sendAttach/1913>].

### **Australia – maximum period of shipboard service**



The Australian Maritime Safety Authority (AMSA) issued a notice explaining its approach to implementing the MLC2006 requirements for the maximum continuous period that a seafarer can serve on board a vessel without taking leave. **Marine Notice 17/2016** (9/14/16) [<https://apps.amsa.gov.au/MOREview/MarineNoticeExternal.html>].

### **Canada – HMS Terror discovery**



Parks Canada issued a **news release** discussing the recent discovery of the wreck of the HMS Terror in the Canadian Archipelago. The ship and all on board were lost, along with the HMS Erebus, during the ill-fated Franklin Expedition of 1845-48 in search of the Northwest Passage. (9/14/16) [<http://www.pc.gc.ca/eng/culture/franklin/mission2016.aspx>].

## Panama Canal – cruise ship transits



The Panama Canal Authority (ACP) issued a **press release** stating that more than 230 cruise ships are expected to transit the Canal during the 2016-17 season. (9/13/16) [<https://www.pancanal.com/eng/pr/press-releases/2016/09/13/pr608.html>].

## UK – MCA fees consultation



The UK Maritime and Coastguard Agency (MCA) issued a **notice** announcing the opening of a consultation on its proposal to raise ship survey fees, ship registration fees, and merchant navy training costs. The consultation closes on 26 October. (9/14/16) [<https://www.gov.uk/government/consultations/mca-fees-consultation>].

## Feedback re Academies



Due to happenstance, yesterday's newsletter contained items regarding both the US Coast Guard Academy and the US Merchant Marine Academy. One of my long-suffering readers sent me the following feedback: "Re: USMMA – Union concerns are that DOT/MARAD are not representing the problem correctly; that MARAD/USMMA have not determined what the "REAL" problem is; It's not that they agree with the same concern that has been previously leveraged into the spotlight by MARAD/DOT via the Washington Post. The whole thing is political which stems back to 2008-2009. When USMMA students fill out climate surveys they don't have instruments like UCMJ to ensure the results are pretty – like the USCGA...press release....which makes me want to puke. USCGA really needs to put out a press release to talk about how good they are? Or "think" they are? Talk about self-aggrandizing." I do not agree with some of the above feedback, but I try to listen to my readers when they comment and respect their opinions.

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