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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. When I was young, I thought nap time was punishment; now I consider it a mini-vacation.*

## Mississippi River – closed due to barge breakaway



The US Coast Guard issued a **news release** stating that Mississippi River between mile markers 750 and 771, approximately 20 miles north of Memphis, has been closed to navigation. The towboat Cooperative Enterprise was pushing 42 barges containing corn or soybeans when they broke away. Of those, 16 have been recovered and 26 are aground. Response efforts are ongoing. The incident is under investigation. (11/19/16)  
[<http://www.uscgnews.com/go/doc/4007/2901922/>].

## St. Lawrence Seaway – closing of navigation season



The Great Lakes-St. Lawrence Seaway System issued a notice announcing that the Montreal-Lake Ontario section of the Seaway will close at 1200 on 31 December. **Notice 11-2016** (11/18/16) [<http://www.greatlakes-seaway.com/en/pdf/navigation/notice20161118.pdf>].

## BOEM – offshore oil & gas leasing



The Bureau of Ocean Energy Management (BOEM) issued the **proposed offshore oil and gas leasing program**. It would limit new development to waters in the Gulf of Mexico and Cook Inlet. Leases would not be offered for waters off the Atlantic, Pacific, or Arctic coasts. (11/18/16)  
[<https://www.boem.gov/Five-Year-Program-2017-2022/>].

## NTSB – towboat/barge collision



The National Transportation Safety Board (NTSB) issued the report of its investigation of the 2 September 2015 collision between two towboats and barges. The towboat *P. B. Shah* was upbound pushing 24 barges on the Lower Mississippi River at mile marker (mm) 937, near Columbus, Kentucky, when two of its barges collided with two of four barges being pushed downbound by the towboat *Dewey R.* No one was injured; however, the accident resulted in the discharge of 120,000 gallons of clarified slurry oil into the river and an estimated \$1.1 million in damages. The probable cause of the collision was the distraction experienced by the captain of the *P. B. Shah*, who got confused as to the passing agreement made with the other towboat. Contributing to the collision was the failure of both captains to monitor the progress and effectiveness of the meeting proposal and take appropriate action to avoid the collision. **MAB 16-22** (11/15/16)

[<http://www.nts.gov/investigations/AccidentReports/Reports/MAB1622.pdf>].

## EPA – \$41,000 water pollution fine



The Environmental Protection Agency (EPA) issued a **news release** stating that, under a settlement for alleged violations of the Clean Water Act, the shipyard in Stonington, Maine will pay a fine of \$41,000 and take appropriate steps to protect water quality. The EPA alleged that the shipyard, without authorization, discharged wastewater from its boat-washing operations in waters connecting with Penobscot Bay. (11/18/16)

[<https://www.epa.gov/newsreleases/shipyard-takes-action-protect-water-quality-stonington-maine>].

## FMC – summary of Commissioners’ meeting



The Federal Maritime Commission (FMC) issued a **news release** summarizing the recent meeting of the Commissioners. (11/17/16)

[<http://www.fmc.gov/NR16-25/>].

## DOE – application to export LNG



The Department of Energy (DOE) issued a notice stating that it received an application from Chevron USA for authorization to export liquefied natural gas (LNG) previously imported into the United States from foreign sources. Comments on the application must be received by 21 December. **81 Fed. Reg. 83232** (11/21/16) [ ].

## Court – LHWCA measure of damages



The US Court of Appeals for the Fifth Circuit, in a case of first impression, held that, in a personal injury action against a third-party tort-feasor under the Longshore and Harbor Workers’ Compensation Act (LHWCA), the injured plaintiff is only entitled to recover medical expenses actually paid, not for medical expenses that were billed but written off by the health care provider.

**dePerrodil v. Bozovic Marine**, No. 16-30009 (5th Cir., November 17, 2016)

[<http://www.ca5.uscourts.gov/opinions/pub/16/16-30009-CVO.pdf>].

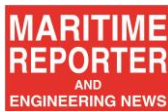
## China – entry into force of MLC 2006



The Chinese Maritime Safety Administration (MSA) issued a **statement** saying that the statement of Maritime Labour Compliance and Interim Statement of Maritime Labour Compliance previously issued to Chinese-flag vessels engaged in international voyages remain valid after entry into force for China of MLC 2006. (11/12/16)

[<http://en.msa.gov.cn/index.php?m=content&c=index&a=show&catid=343&id=192>].

## MREN – America needs icebreakers



In the November 2016 edition of Maritime Reporter & Engineering News, you will find my article entitled “**America needs icebreakers**”. Vessel traffic and maritime activity is increasing in the polar regions and yet the United States has only one operational polar icebreaker, and that one is past its prime. I recommend that the United States commit itself to the construction of one new polar icebreaker every five years for the foreseeable future. If this is done, the nation will have a reasonably sized, creditable presence in the Arctic and Antarctic. (11/18/16) [<http://www.brymar-consulting.com/wp-content/uploads/MREN/MREN161100.pdf>].

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