

Headlines:

Bering Strait – port access route study;
FCC – AIS-SARTS, EPIRBs, and MSLDs;
NSF – Advisory Committee on Polar Programs;
DOJ - \$9.5 million penalty for false reporting;
GAO – sale of obsolete vessels; and
Court – yacht warranty.

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Bryant's Maritime News

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Bering Strait – port access route study



The US Coast Guard issued a notice stating that it seeks comments on the 128-page **Port Access Route Study: In the Chukchi Sea, Bering Strait, and Bering Sea**. Comments must be submitted by 30 May. **82 Fed. Reg. 11935** (2/27/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-02-27/pdf/2017-03771.pdf>]. *Note: The Final Report is dated 12.27.16.*

FCC – AIS-SARTS, EPIRBs, and MSLDs



The Federal Communications Commission (FCC) issued a notice announcing that the information collection requirements of the FCC Report and Order 16-119 are effective immediately. The Report and Order requires manufacturers of certain emergency radio beacons (e.g., AIS-SARTS, EPIRBs, and MSLDs) to include with those items a copy of a letter from the US Coast Guard stating that their device satisfies certain IEC and RTCM technical

requirements. [82 Fed. Reg. 11824](#) (2/27/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-02-27/pdf/2017-03752.pdf>].

NSF – Advisory Committee for Polar Programs



The National Science Foundation (NSF) issued a notice announcing the reestablishment of the Advisory Committee for Polar Programs. [82 Fed. Reg. 11949](#) (2/27/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-02-27/pdf/2017-03745.pdf>].

DOJ – \$9.5 million penalty for false reporting



The Department of Justice (DOJ) issued a [news release](#) stating that a company has been ordered to pay \$9.5 million for false reporting of safety inspections and Clean Water Act violations following a 2012 explosion on an offshore facility in the Gulf of Mexico. (2/23/17) [<https://www.justice.gov/opa/pr/company-pay-95-million-false-reporting-safety-inspections-and-clean-water-act-violations-led>]. *Note: This item was first brought to my attention by my good friend Charles Dudek of [Murphy Oil](#).*

GAO – sale of obsolete vessels



The Government Accountability Office (GAO) issued the report of its examination of the handling by the Maritime Administration (MARAD) of the monies derived from the sale of obsolete government vessels. The report found that proceeds from those sales were accounted for, allocated, and disbursed consistent with applicable law. [GAO-17-280](#) (2/23/17) [<http://www.gao.gov/assets/690/682980.pdf>].

Court – yacht warranty



The US Court of Appeals for the Eleventh Circuit reversed the district court's grant of summary judgment for defendant yacht manufacturer and seller in a suit brought by plaintiff yacht purchaser. The Purchase and Sale Agreement provided that yacht is accepted in its "as is" condition and that the seller and brokers have given no warranty as to its condition. An Addendum, executed shortly thereafter, included a limited express warranty covering design defects for a period of one year. The court concluded that there were genuine issues of material fact as to whether the limited warranty was incorporated into the

contract. [Global Quest LLC v. Horizon Yachts Inc.](#), No. 15-10713 (11th Cir., February 24, 2017)
[<http://media.ca11.uscourts.gov/opinions/pub/files/201510713.pdf>].

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