

## Headlines:

Hawaii – lava flow safety zone;  
USCG – caustic soda spill;  
USCG – appliance installation;  
FMC – meeting with European maritime attaches;  
House – bill introduced to amend Title 14;  
Court – dredging and crawfish;  
Court – zip-line excursion;  
EC – state aid approved for Danish wind farm;  
ReCAAP – February report; and  
New Zealand – biofouling management.

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# Bryant's Maritime News

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## **Hawaii – lava flow safety zone**



The US Coast Guard issued a **news release** stating that a temporary safety zone has been established in waters of the Pacific Ocean off the Kilauea Volcano on the Big Island due to an active lava flow. (3/28/17)  
[<https://content.govdelivery.com/accounts/USDHSCG/bulletins/1909e38>].

## **USCG – caustic soda spill**



The US Coast Guard issued a bulletin reminding stakeholders to consider all hazards related to chemical spills. Recently, a vessel that had experienced an on-deck spill of caustic soda was found to have severe corrosion

to its aluminum cargo deck. The spill had been washed off the wood planking covering the deck but had seeped down to the metal, causing a chemical reaction and requiring extensive repairs. **Lessons Learned 01-17** (3/28/17) [<https://www.uscg.mil/hq/cg5/cg545/alerts/LL0117.pdf>].

### USCG – appliance installation



The US Coast Guard issued a safety alert following a recent fire in the galley of a portable accommodation module on board a fixed outer continental shelf (OCS) platform. The commercial-grade electric stove had been installed with insufficient clearance between the appliance and the combustible material adjacent to and behind it. **Alert 02-17** (3/28/17) [<https://www.uscg.mil/hq/cg5/cg545/alerts/0217.pdf>].

### FMC – meeting with European maritime attaches



The Federal Maritime Commission (FMC) issued a **news release** stating that the Commissioners hosted a delegation of Washington-based diplomats who specialize in maritime matters and known informally as the Cotton Club. Numerous shipping policy issues were discussed. (3/28/17) [[http://www.fmc.gov/commissioners\\_meet\\_with\\_european\\_maritime\\_attaches/](http://www.fmc.gov/commissioners_meet_with_european_maritime_attaches/)].

### House – bill introduced to amend Title 14



Representative Hunter (R-CA) introduced the **Coast Guard Improvement and Reform Act of 2017** (H.R. 1726) to amend title 14, United States Code, to improve the organization of such title and to incorporate certain transfers and modifications into such title, and for other purposes. (3/27/17) [<https://www.gpo.gov/fdsys/pkg/BILLS-115hr1726ih/pdf/BILLS-115hr1726ih.pdf>]. *Note: For those not familiar with Title 14, it is basically the Coast Guard organic act, establishing and organizing service and defining many of its basic authorities and duties.*

### Court – dredging and crawfish



The US Court of Appeals for the Fifth Circuit reversed an order granting summary judgment in favor of an oil and gas company. Plaintiff crawfish producers had sued various oil and gas companies alleging that the

companies' dredging activities caused damage to the fisheries. One of the companies, albeit somewhat belatedly, admitted that it had engaged in dredging activities in the vicinity, creating a factual dispute. **In re Louisiana Crawfish Producers**, No. 16-30353 (5th Cir., March 28, 2017) [<http://www.ca5.uscourts.gov/opinions/pub/16/16-30353-CV0.pdf>].

### Court – zip-line excursion



In an unpublished decision, the US Court of Appeals for the Eleventh Circuit affirmed the district court's dismissal of claims against a foreign excursion company for lack of personal jurisdiction and grant of summary judgment in favor of a cruise line. Plaintiff passenger was injured while engaged in a zip-line excursion in Costa Rica. Defendant excursion company had insufficient contacts with the United States to allow the exercise of personal jurisdiction in a US court. Defendant cruise line had no actual or constructive knowledge that the zip-line excursion might present a danger to plaintiff. **Wolf v. Celebrity Cruises**, No. 15-12341 (11th Cir., March 28, 2017) [<http://media.ca11.uscourts.gov/opinions/unpub/files/201512341.pdf>].

### EC – state aid approved for Danish wind farm



The European Commission (EC) issued a **press release** stating that it has approved Danish support for the Kriegers Flak offshore wind farm to be constructed in Danish territorial waters. (3/28/17) [[http://europa.eu/rapid/press-release\\_IP-17-782\\_en.htm](http://europa.eu/rapid/press-release_IP-17-782_en.htm)].

### ReCAAP – February report



The ReCAAP Information Sharing Centre issued its report for **February 2017**. There were four incidents of piracy and armed robbery against ships in Asian waters during the month. Of concern was the continued occurrence of incidents involving the abduction or attempted abduction of crew from ships underway in the Sulu-Celebes Sea and waters off eastern Sabah. (3/28/17) [[http://www.recaap.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core\\_Download&EntryId=488&PortalId=0&TabId=78](http://www.recaap.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=488&PortalId=0&TabId=78)].

### New Zealand – biofouling management



The New Zealand Ministry for Primary Industries (MPI) issued a **notice** announcing that, from May 2018, all vessels arriving in New Zealand must

have clean hulls. The **Craft Risk Management Standard** (CRMS) has been developed to provide guidance regarding compliance. (3/13/17)  
[<http://www.mpi.govt.nz/importing/border-clearance/vessels/biofouling-management/>].

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