

Headlines:

NTSB – El Faro docket additions;
Baltimore – vessel departs after 10-month detention;
USCG – EGCS short-term temporary SOx exceedances;
USCG & DHS – protecting networks from cyber threats;
NOAA – active hurricane season forecast;
BOEM – GOM OCS G&G EIS completed; and
Court – indemnity and in rem action.

August 10, 2017



Bryant's Maritime News

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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. 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. 'Getting lucky' means walking into a room and remembering why I'm there.

NTSB – El Faro docket additions



The National Transportation Safety Board (NTSB) issued a **press release** stating that additional material has been added to the El Faro accident docket. The items consist of an addendum and an errata sheet, both related to the VDR transcript. Additional items are expected to be added to the docket in the future. (8/9/17) [<https://www.nts.gov/news/press-releases/Pages/PR20170809.aspx>].

Baltimore – vessel departs after 10-month detention



The US Coast Guard issued a **news release** stating that the asphalt tanker Asphalt Trader departed the Port of Baltimore after its detention for multiple unsafe conditions was lifted after ten months. Deficiencies had been found involving the ship's fire detection and suppression systems, emergency

power, and life-saving systems. After the previous owner was unable to correct the deficiencies, a new owner took over. (8/9/17)
[<https://content.govdelivery.com/accounts/USDHSCG/bulletins/1afe230>].

USCG – EGCS short-term temporary SOx exceedances



The USCG Cruise Ship National Center of Expertise (CSNCOE) issued a notice providing Coast Guard expectations for dealing with alarms from exhaust gas cleaning systems (EGCSs) where the alarms are triggered by short-term temporary SOx emission exceedances due to predictable operations of cruise ships. The ship's scrubber manual or safety management system (SMS) should identify the temporary exceedances that may be expected to occur under specific operating conditions and the length of time each exceedance would be expected to continue. The scrubber manual or SMS should also clarify the maximum amount of time that would be considered to be a short-term temporary exceedance before the vessel would need to switch over to compliant fuel.

CSNCOE Field Notice 01-2017 (7/20/17)

[<https://www.uscg.mil/hq/cg5/csncoe/docs/CSNCOE%20Field%20Notice%2017-0001%20Scrubber%20Field%20Notice.pdf>].

USCG & DHS – protecting networks from cyber threats



The US Coast Guard and the Department of Homeland Security (DHS) issued a **blog** providing best practices for securing devices from cyber threats. (8/9/17)

[<http://mariners.coastguard.dodlive.mil/2017/08/09/872017-protecting-network-infrastructure/>].

NOAA – active hurricane season forecast



The National Oceanic and Atmospheric Administration (NOAA) issued a **news release** predicting a more active than usual hurricane season for the western Atlantic region, including 2-5 major hurricanes. (8/9/17)

[<http://www.noaa.gov/media-release/early-season-storms-one-indicator-of-active-atlantic-hurricane-season-ahead>].

BOEM – GOM OCS G&G EIS completed



The Bureau of Ocean Energy Management (BOEM) issued a **press release** stating that the Gulf of Mexico (GOM) outer continental shelf (OCS) geological and geophysical (G&G) final environmental statement (EIS) has been completed. The EIS shows that, subject to adequate mitigation measures, a decision from BOEM to continue authorizing G&G activities in the GOM OCS would not result in major impacts to the environment. (8/8/17) [<https://www.boem.gov/note08082017/>].

Court – indemnity and in rem action



The US Court of Appeals for the Fifth Circuit issued its decision in a case involving a dispute involving the transport of a tug from Houston to Nigeria. Multiple parties were involved, one of which is now bankrupt. The party actually performing the transport did not get paid, being the party in line just behind the now-bankrupt party. There was a dispute as to the port of discharge in Nigeria, with communications between various parties being uncertain. Over a vigorous dissent, the appellate court reversed the district court's denial of the unpaid carrier's in rem action against the tug, but affirmed the lower court decision in all other respects. **GIC Services v Freightplus USA**, No. 15-30975 (5th Cir., August 8, 2017) [<http://www.ca5.uscourts.gov/opinions/pub/15/15-30975-CVo.pdf>]. *Note: This complex case was brought to my attention by my good friend Keith Heard of **Burke & Parsons**.*

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