

## Headlines:

USCG – obtaining duplicate MMCs;  
USCG – US-build determination;  
NMSAC – meeting on 19-20 September;  
USACE – GL-MR Interbasin Study;  
DOJ - \$4.2 million for fatal offshore explosion;  
DOJ – fishing company fined \$2.5 million for APPS violations;  
Gulf of Mexico – re-boarding of offshore platforms;  
Court – ship owner’s turnover duty;  
California – events re biofouling regulations;  
California – ocean-going fuel regulation;  
Washington – Atlantic salmon escape;  
Singapore – oil spill response & vessel rates;  
UK – marine accident reporting & investigation; and  
Carrington Event – 1-2 September 1859.

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# Bryant’s Maritime News

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## **USCG – obtaining duplicate MMCs**



The USCG National Maritime Center (NMC) issued a **bulletin** explaining how US merchant mariners may obtain duplicate Merchant Mariner Credentials (MMCs) to replace those lost due to Hurricane Harvey. (8/31/17) [[http://www.dco.uscg.mil/Portals/9/NMC/pdfs/announcements/2017/hurricane\\_harvey\\_lost\\_mmcs.pdf](http://www.dco.uscg.mil/Portals/9/NMC/pdfs/announcements/2017/hurricane_harvey_lost_mmcs.pdf)].

## USCG – US-build determination



The USCG National Vessel Documentation Center (NVDC) issued a **determination letter** with regard to a fishing vessel under construction in a US shipyard to qualify as a US-built vessel entitled to engage in the US coastwise and fisheries trades. Because a significant portion of the steel plates included in the hull of this vessel had been cold-formed overseas, the vessel was determined to not be eligible to engage in the coastwise and fisheries trades. (8/31/17) [[http://www.dco.uscg.mil/Portals/9/DCO%20Documents/NVDC/AM%20FINE ST.pdf?ver=2017-08-31-093734-193](http://www.dco.uscg.mil/Portals/9/DCO%20Documents/NVDC/AM%20FINE%20ST.pdf?ver=2017-08-31-093734-193)].

## NMSAC – meeting on 19-20 September



The National Maritime Security Advisory Committee (NMSAC), sponsored by the US Coast Guard, will meet on 19-20 September in Arlington, Virginia. Topics on the agenda include cyber security guidance in the marine transportation system; regulatory reform; and extremely hazardous cargo strategy. **82 Fed. Reg. 41633** (9/1/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-09-01/pdf/2017-18515.pdf>].

## USACE – GL-MR Interbasin Study



The US Army Corps of Engineers (USACE) issued a notice announcing that it will host public meetings in Chicago (11 September); Muskegon (14 September); and Joliet (18 September) to discuss the draft report titled 'The Great Lakes and Mississippi River Interbasin Study – Brandon Road Draft Integrated Feasibility Study and Environmental Impact Statement – Will County, Illinois'. Comments on the draft report must be submitted by 2 October. **82 Fed. Reg. 41615** (9/1/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-09-01/pdf/2017-18572.pdf>].

## DOJ – \$4.2 million penalty for fatal offshore explosion



The Department of Justice (DOJ) issued a **news release** stating that Black Elk Energy Offshore Operations LLC has been sentenced to pay a \$4.2 million monetary penalty for eight felony violations of the Outer Continental Shelf Lands Act (OCSLA) and one misdemeanor count of violating the Clean

Water Act. The charges stemmed from the November 2012 explosion on an offshore production platform in the Gulf of Mexico that resulted in the deaths of three workers and injuries to several others. Due to the company's bankruptcy, the penalty will be converted into a general unsecured debt against the bankruptcy estate. (8/31/17) [<https://www.justice.gov/opa/pr/black-elt-energy-offshore-operations-llc-convicted-worker-safety-and-clean-water-act>].

### DOJ – fishing company fined \$2.5 million for APPS violations



The Department of Justice (DOJ) issued a **news release** stating that a fishing vessel company pleaded guilty in federal court to violations of the Act to Prevent Pollution from Ships by maintaining false and incomplete oil and garbage record books in US waters off American Samoa. The company was sentenced to a total fine of \$2.5 million and to five years of probation. (APPS) (8/30/17) [<https://www.justice.gov/opa/pr/fishing-vessel-owner-convicted-oil-and-garbage-offenses-american-samoa>].

### Gulf of Mexico – re-boarding of offshore platforms



The Bureau of Safety and Environmental Enforcement (BSEE) issued a **press release** stating that operators of offshore oil and gas platforms in the Gulf of Mexico are re-boarding those platforms to assess their ability to resume operations following passage of Hurricane/Tropical Storm Harvey. (8/31/17) [<https://www.bsee.gov/newsroom/latest-news/statements-and-releases/press-releases/bsee-tropical-storm-harvey-activity-4>].

### Court – ship owner's turnover duty



The US Court of Appeals for the Ninth Circuit affirmed the district court judgment, after a jury trial, in favor of plaintiff longshoreman in an action under the Longshore and Harbor Workers' Compensation Act (LHWCA). Plaintiff brought an action against defendant ship owner after he was injured by an electrical shock when the rebar that he was holding came into contact with a floodlight provided by the defendant. He alleged that the defendant had been negligent in turning over the ship with a faulty floodlight. One judge on the panel dissented in part, writing that the district court abused its discretion in admitting an expert's testimony. **Murray v. Southern Route Maritime SA**, No. 14-36056 (9th Cir., August 31, 2017) [<http://cdn.ca9.uscourts.gov/datastore/opinions/2017/08/31/14-36056.pdf>].

## California – events re biofouling regulations



The California State Lands Commission (SLC) issued a **notice** announcing that its Marine Invasive Species Program will be hosting three events to update stakeholders and interested parties about the new biofouling management regulations. An online webinar will be held on 20 September and meeting will be held in Long Beach (19 September) and Martinez (26 September). (8/31/17) [<http://www.slc.ca.gov/Programs/MISP.html>].

## California – ocean-going fuel regulation



The California Air Resources Board (ARB) issued an advisory providing guidance for the use of the temporary experimental or research exemption in the California Ocean-Going Vessel Fuel Regulation. **Marine Notice 2017-1** (8/1/17) [[https://www.arb.ca.gov/ports/marinevess/documents/marinenote2017\\_1.pdf](https://www.arb.ca.gov/ports/marinevess/documents/marinenote2017_1.pdf)].

## Washington – Atlantic salmon escape



The Washington Department of Natural Resources (DNR) established a **website** to monitor developments following the Cypress Island Atlantic Salmon Pen Break. The net pen failed and an estimated 4,000 to 305,000 non-native Atlantic salmon were inadvertently released (8/24/17) [<http://www.dnr.wa.gov/atlanticsalmon>].

## Singapore – oil spill response & vessel rates



The Singapore Maritime and Port Authority (MPA) issued a circular announcing the oil spill response and vessel rates in Singapore. The rate schedules enter into effect on 1 September. **Port Marine Circular 10-2017** (8/31/17) [<http://www.mpa.gov.sg/web/portal/home/port-of-singapore/circulars-and-notices/detail/7f629b41-8aa9-4508-aa1b-7d4604d1f484>].

## UK – marine accident reporting & investigation



The UK Department for Transport (DfT) issued its **Post Implementation Review** of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012. Based on its audit of the Marine Accident Investigation Branch and its consultations with stakeholders, the review concludes that the regulations are adequately implemented and achieving the intended purposes of enhancing marine safety. (8/31/17)  
[[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/641343/Annex\\_A\\_-\\_DfTPIR015\\_-\\_170220\\_MAIB\\_PIR\\_\\_003\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641343/Annex_A_-_DfTPIR015_-_170220_MAIB_PIR__003_.pdf)].

## Carrington Event – 1-2 September 1859



The **Carrington Event** was a massive solar storm that occurred on 1-2 September 1859. The largest geomagnetic storm on record was the result of a solar coronal mass ejection colliding with the Earth's magnetosphere. The associated white light flare on the surface of the sun was observed and recorded by the English astronomer Richard Carrington. A similar event occurring today would have major repercussions, disrupting satellite communication systems and satellite-based positioning, navigation, and timing systems such as GPS. Solar coronal mass ejections are not rare. This one, though, was particularly strong and just happened to cross the orbit of the Earth exactly when and where the Earth was passing. Bloody bad timing.

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