

Headlines:

Puget Sound – withdrawal of anchorage proposal;
FMC – petition for filing exemption;
FMC – Petition P4-16 hearings in January;
EPA & USACE – ‘waters of the United States’;
NTSB – towing vessel explosion and fire;
Beaufort Sea – Liberty Project draft EIS;
Senate – hearing on Coast Guard readiness;
Senate – bill introduced re WWII merchant mariners;
Court – unfair labor practices; and
Suez Canal opened to shipping – 17 November 1869.

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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. 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. Respect your parents – They passed school without Google.*

Puget Sound – withdrawal of anchorage proposal



The US Coast Guard issued a notice stating that it intends to withdraw its proposal for anchorages in Puget Sound. Comments on the proposed withdrawal must be received by 16 January 2018. **82 Fed. Reg. 54307** (11/17/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-11-17/pdf/2017-24942.pdf>].

FMC – petition for filing exemption



The Federal Maritime Commission (FMC) issued a notice stating that it received a petition from COSCO Shipping Lines Co., Ltd.; Orient Overseas Container Line Limited; and OOCL (Europe) Limited for an exemption from agreement filing requirements. Comments on the petition must be received by 1 December. **82 Fed. Reg. 54341** (11/17/17) [<https://www.gpo.gov/fdsys/pkg/FR-2017-11-17/pdf/2017-25007.pdf>].

FMC – Petition P4-16 hearings in January



The Federal Maritime Commission (FMC) issued a **news release** stating that it will hold public meetings on 16 and 17 January 2018 in Washington, DC to receive testimony from maritime industry witnesses regarding a petition filed by the Coalition for Fair Port Practices (Petition P4-16) that raised issues associated with detention, demurrage, and per diem charges. (11/16/17) [https://www.fmc.gov/january_dates_for_petition_p4-16_hearings/].

EPA & USACE – ‘waters of the United States’



The Environmental Protection Agency issued a **news release** stating that it and the US Army Corps of Engineers (USACE) are proposing to amend the effective date of the 2015 rule defining ‘waters of the United States’. This amendment would give the agencies additional time to reconsider the definition. (11/16/17) [<https://www.epa.gov/newsreleases/epa-and-army-propose-amend-effective-date-2015-rule-defining-waters-united-states>].

NTSB – towing vessel explosion and fire



The National Transportation Safety Board (NTSB) released the report of its investigation of engine explosion and fire aboard the towing vessel The Admiral on 14 July 2016 in Ingleside, Texas. The vessel’s starboard main engine oversped and exploded, causing a fire in the engine room. Two crew members were severely burned, one later died. Damage to the vessel was estimated at \$300,000. The probable cause of the casualty was a misfiring cylinder that

ignited lubricating oil in the engine sump. [MAB-17/35](#) (11/16/17)
[<https://www.nts.gov/investigations/AccidentReports/Reports/MAB1735.pdf>].

Beaufort Sea – Liberty Project draft EIS



The Bureau of Ocean Energy Management (BOEM) issued a [press release](#) stating that it is extending, until 8 December, the period within which to submit comments on the Liberty Project draft environmental impact statement (EIS). The project relates to work planned for a small artificial gravel island in shallow waters of the Beaufort Sea. (11/16/17)
[<https://www.boem.gov/note11162017/>].

Senate – hearing on Coast Guard readiness



The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Senate Committee on Commerce, Science, and Transportation conducted a hearing on [Coast Guard Readiness](#). Testimony was presented by ADM Paul Zukunft, Commandant, USCG; Ms. Etta King, King Cove, AK; Dr. Guy Meadows, Michigan Technological University; and Mr. Lee Smithson, Mississippi Emergency Management Agency. (11/16/17)
[<https://www.commerce.senate.gov/public/index.cfm/hearings?ID=CEB39F45-2CF1-4F94-9946-9B6F63EDCA27>].

Senate – bill introduced re WWII merchant mariners



Senator Murkowski (R-AK) introduced a bill (S. 2127) to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II. Official text of the bill is not yet available. (11/15/17).

Court – unfair labor practices



In a pair of related unpublished decisions, the US Court of Appeals for the District of Columbia Circuit denied the petitions of the International Longshore & Warehouse Union (ILWU) and its Portland, Oregon local seeking review of decisions of the National Labor Relations Board (NLRB). The NLRB had found that the petitioners had committed violations of federal labor law by engaging in deliberate work stoppages and slowdowns, making false safety claims, and engaging in coercive conduct against a Portland terminal operator

and its customers. The court granted the NLRB's cross-application for enforcement. **ILWU v. NLRB**, No. 15-1443 (DC Cir., November 6, 2017) [[https://www.cadc.uscourts.gov/internet/judgments.nsf/BE023FF09613C345852581D00057843F/\\$file/15-1443.pdf](https://www.cadc.uscourts.gov/internet/judgments.nsf/BE023FF09613C345852581D00057843F/$file/15-1443.pdf)]. **ILWU v. NLRB**, No. 15-1344 (DC Cir., November 6, 2017) [[https://www.cadc.uscourts.gov/internet/judgments.nsf/2C7B80013A655700852581D000572689/\\$file/15-1344-1703148.pdf](https://www.cadc.uscourts.gov/internet/judgments.nsf/2C7B80013A655700852581D000572689/$file/15-1344-1703148.pdf)]. *Note: These items were brought to my attention by my good friend Keith Heard of **Burke & Parsons**.*

Suez Canal opened to shipping – 17 November 1869



The **Suez Canal** opened to shipping on 17 November 1869. Excavation of the Canal had taken ten years, using forced labor and rudimentary mechanical equipment. Construction had been opposed by British interests, who feared competition in trade with India. Once the Canal opened and proved successful, British interests acquired a majority ownership. The Canal was closed to shipping during the Suez Crises of 1956-57 and during the Arab-Israeli Wars of 1967 and 1973. In 2008, over 21,000 ships transited the Canal, earning the Government of Egypt over \$5 billion in tolls. Recently, a second lane to the Canal has been completed and placed into service.

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