

## Headlines:

USCG – containers lost off North Carolina;  
USCG – ballast water management guidance;  
Puerto Rico – vessel salvage project nearly complete; and  
Court – foreign v. domestic vessel.

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# Bryant's Maritime News

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## **USCG – containers lost off North Carolina**



The US Coast Guard issued a [news release](#) stating that the container ship Maersk Shanghai reported that it lost 70 to 73 cargo containers about 17 miles off Oregon Inlet, North Carolina due to high winds and heavy seas. Mariners should transit the area with caution. (3/4/18)  
[<https://content.govdelivery.com/accounts/USDHSCG/bulletins/1df7483>].

## **USCG – ballast water management guidance**



The US Coast Guard issued a Navigation and Vessel Inspection Circular (NVIC) concerning ballast water management. It is intended to provide the latest guidance to maritime industry and Coast Guard personnel based on the latest regulatory amendments. [NVIC 01-18](#) (3/1/18)  
[[http://www.dco.uscg.mil/Portals/9/DCO%20Documents/5p/5ps/NVIC/2018/NVIC-01\\_18.pdf](http://www.dco.uscg.mil/Portals/9/DCO%20Documents/5p/5ps/NVIC/2018/NVIC-01_18.pdf)].

## Puerto Rico – vessel salvage project nearly complete



The US Coast Guard issued a [news release](#) stating that the project to mitigate environmental threats and remove vessels sunk or stranded in Puerto Rico by Hurricane Maria is in its final stages. Of the 377 sunken or beached vessels, 376 have been mitigated or removed. (3/4/18)  
[<https://content.govdelivery.com/accounts/USDHSCG/bulletins/1df8cb7>].

## Court – foreign v. domestic vessel



In an unpublished decision, the US Court of Appeals for the Fifth Circuit affirmed the district court's summary judgment against plaintiff seafarer's claim of personal injury based on negligence and unseaworthiness against defendant owner of a jack-up drilling rig. The decision was grounded on a failure of the plaintiff to provide evidence supporting her claim. More interesting, at least to me, was how the court struggled with whether the drilling rig was an inspected vessel. When the court couldn't come to a satisfactory conclusion, it defaulted to a determination that the drilling rig must be an uninspected vessel. I ascribe this outcome to a failure on the part of counsel on both sides to clearly marshal their positions as the court seems to assume that the vessel was US flag. [Thomas v. Hercules Offshore Services](#), No. 17-30638 (5th Cir., March 2, 2018)  
[<http://www.ca5.uscourts.gov/opinions/unpub/17/17-30638.o.pdf>].

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