

## Headlines:

USCG – integrating new technology;  
Beaufort Sea – proposed lease sale;  
Martha’s Vineyard – proposed offshore wind farm;  
St. Lawrence Seaway – 2018 Navigation Season opens;  
Court – Athos I oil spill damages claim;  
Court – freight-derivative contract is maritime; and  
Australia – seafarers’ mental health.

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# 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. A balanced diet is a cookie in each hand.*

## **USCG – integrating new technology**



The US Coast Guard issued a **bulletin** concerning integrating new technology within the regulatory approval process, with particular emphasis on the challenges presented by autonomous ships. (3/29/18)  
[<http://mariners.coastguard.dodlive.mil/2018/03/29/3-29-2018-cma-shipping-2018-the-critical-role-of-integrating-new-technology-within-the-regulatory-approval-process/>].

## **Beaufort Sea – proposed lease sale**



The Bureau of Ocean Energy Management (BOEM) issued a Call for Information and Nominations covering a proposed lease sale in the Beaufort Sea Planning Area in late 2019. Responses must be received by 30 April. **83 Fed. Reg. 13778** (3/30/18) [<https://www.gpo.gov/fdsys/pkg/FR-2018-03-30/pdf/2018-06533.pdf>].

## Martha's Vineyard – proposed offshore wind farm



The Bureau of Ocean Energy Management (BOEM) issued a notice stating that it intends to prepare an environmental impact statement (EIS) for the approval of a construction and operation plan for a wind energy facility offshore Massachusetts southeast of Martha's Vineyard. Scoping meetings will be held in New Bedford (April 16); Martha's Vineyard (April 17); Nantucket (April 18); Hyannis (April 18); and Kingston (April 19). Comments must be submitted by 30 April. **83 Fed. Reg. 13777** (3/30/18) [<https://www.gpo.gov/fdsys/pkg/FR-2018-03-30/pdf/2018-06533.pdf>].

## St. Lawrence Seaway – 2018 Navigation Season opens



The Saint Lawrence Seaway Development Corporation (SLSDC) issued a **news release** announcing the opening of the Seaway's 2018 Navigation Season. (3/29/18) [[http://www.greatlakes-seaway.com/en/pdf/slsdc\\_pr20180329.pdf](http://www.greatlakes-seaway.com/en/pdf/slsdc_pr20180329.pdf)].

## Court – Athos I oil spill damages claims



The US Court of Appeals for the Third Circuit ruled on the claims of various parties concerning financial responsibility of the spill of heavy oil from the tanker Athos I into the Delaware River on 26 November 2004. Damages totaled \$143 million. Tanker owner Frescati Shipping initially paid the costs, but was reimbursed in the amount of \$88 million by the Oil Spill Liability Trust Fund (OSLTF) established by the Oil Pollution Act of 1990 (OPA 90). The tanker owner and the United States then sought recovery from the companies that had contracted for the purchase of the heavy oil and designated the port of delivery. The appellate court affirmed the district court's judgment in favor of the tanker owner on the breach of contract claim and the prejudgment interest award. It vacated the district court's judgment in favor of the tanker owner on the negligence claim. The court affirmed the district court's judgment in favor of the United States on the subrogated breach of contract claim, but reversed and remanded for further proceedings in light of the court's equitable recoupment ruling for the purpose of recalculating damages and prejudgment interest. **In re Petition of Frescati Shipping**, No. 16-3470 (3rd Cir., March 29, 2018) [<http://www2.ca3.uscourts.gov/opinarch/163470p.pdf>].

## Court – freight-derivative contract is maritime



The US Court of Appeals for the Second Circuit vacated the judgment of the district court in a suit seeking enforcement by a shipping company of an English court judgment against defendant for failure to tender payment pursuant to a freight-derivative contract. The appellate court held that the agreement was a maritime contract subject to federal court jurisdiction. **D'Amico Dry Limited v. Primera Maritime**, No. 163125-cv (2nd Cir., March 29, 2018) [[http://www.ca2.uscourts.gov/decisions/isysquery/da9foe0e-c1a0-4a09-92a1-fc46843df53d/3/doc/16-3125\\_opn.pdf#xml=http://www.ca2.uscourts.gov/decisions/isysquery/da9foe0e-c1a0-4a09-92a1-fc46843df53d/3/hilite/](http://www.ca2.uscourts.gov/decisions/isysquery/da9foe0e-c1a0-4a09-92a1-fc46843df53d/3/doc/16-3125_opn.pdf#xml=http://www.ca2.uscourts.gov/decisions/isysquery/da9foe0e-c1a0-4a09-92a1-fc46843df53d/3/hilite/)].

## Australia – seafarers' mental health



The Australian Maritime Safety Authority (AMSA) issued a Maritime Safety Awareness Bulletin (MSAB) focusing on mental health seafarers. **MSAB 7** (3/30/18) [<https://www.amsa.gov.au/news-community/newsletters/maritime-safety-awareness-bulletin-issue-7>].

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