

Headlines:

OFAC – sanctions with respect to Iran;  
USCG – ballast water summary report;  
USCG – options for paying user fees;  
House – bill introduced re navigation facilities;  
House – hearing re ‘Blue Technologies’;  
Court – owner/operator liability for pollution; and  
Panama Canal – April operations.

May 9, 2018



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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. Common sense is a flower that doesn't grow in everyone's garden.*

### OFAC – sanctions with respect to Iran



The Office of Foreign Assets Control (OFAC) issued a set of **Frequently Asked Questions** (FAQs) regarding economic sanctions with respect to Iran following the US decision to withdrawal from the Joint Comprehensive Plan of Action (JCPOA), including sanctions against Iranian shipping companies.

(5/8/18) [[https://www.treasury.gov/resource-center/sanctions/Programs/Documents/jcpoa\\_winddown\\_faqs.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/jcpoa_winddown_faqs.pdf)].

### USCG – ballast water summary report



The US Coast Guard proposes to amend its regulations on ballast water management to eliminate the requirement for vessels operating on voyages exclusively between ports or places within a single Captain of the Port (COTP) Zone to submit an annual ballast water summary report. Comments must be received by 8 June. **83 Fed. Reg. 20214** (5/9/18) [<https://www.gpo.gov/fdsys/pkg/FR-2018-05-09/pdf/2018-09877.pdf>].

### USCG – options for paying user fees



The US Coast Guard issued a **bulletin** providing updated information for mariners who need to submit payments for services and documents associated with merchant mariner credentialing, inspections, and vessel documentation. (5/8/18) [<http://mariners.coastguard.dodlive.mil/2018/05/08/5-8-2018-options-for-paying-coast-guard-user-fees/>].

### House – bill introduced re navigation facilities



Representative Bustos (D-IL) introduced a bill (H.R. 5688) to amend the Water Resources Development Act of 1990 relating to the operation and maintenance of navigation facilities, and for other purposes. Official text of the bill is not yet available. (5/7/18).

### House – hearing re ‘Blue Technologies’



The Subcommittee on Coast Guard and Maritime Transportation of the House Committee on Transportation and Infrastructure conducted a hearing entitled “**Blue Technologies**: Use of New Maritime Technologies to Improve Efficiency and Mission Performance”. Testimony was received from: Rear Admiral Michael Haycock, USCG; Mr. Eric J. Terrill, Scripps Institution of Oceanography; Mr. Michael Jones, The Maritime Alliance; Mr. Chris Coyle, International Ocean Science and Technology Industry Association; Mr. Thomas

Chance, Autonomous Surface Vehicles, LLC; Ms. Tuba Ozkan-Haller, Oregon State University; and Rear Admiral Jonathan White, USN, Ret., Consortium for Ocean Leadership. (5/8/18)  
[<https://transportation.house.gov/calendar/eventsingle.aspx?EventID=402425>].

### Court – owner/operator liability for pollution



The US Court of Appeals for the Fourth Circuit affirmed the conviction and sentencing of a vessel owner and operator for violations of the Act to Prevent Pollution from Ships (APPS). A US Coast Guard examination found that one of their vessels routinely discharged oily waste water directly into the ocean. Defendants contended, among other things, that they should not be vicariously liable for the acts of crew members and that the requirement to undertake remedial measures should not be extended to companies that did not directly own the offending vessel. The court found that defendants were on notice of the crew members' actions and that their various subsidiaries were all related. **United States v. Oceanic Illsabe Limited**, No. 17-4061 (4th Cir., May 7, 2018) [<http://www.ca4.uscourts.gov/opinions/174061.P.pdf>]. *Note: This item was brought to my attention by my friend Ryan Gilsean of **Womble Bond Dickinson**.*

### Panama Canal – April operations



The Panama Canal Authority (ACP) issued an advisory summarizing Canal operations during April. It also contains the schedule of locks maintenance outages for the remainder of the fiscal year. **Advisory 13-2018** (5/8/18) [<https://www.pancanal.com/common/maritime/advisories/2018/a-13-2018.pdf>].

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