

Headlines:

USCG – four injuries during collision;
USCG – Towing Industry Safety Report;
USCG – updated Subchapter M FAQs;
USCG – BWMS type approval application;
FMC – detention and demurrage;
MARAD – Neptune LNG license suspended;
FERC – pending LNG terminal applications;
North Atlantic – deep sea coral reef;
Court – duty of boat owner-passenger.

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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. Never attribute to malice that which can be adequately explained by ignorance.*

USCG – four injuries during collision



The US Coast Guard issued a **news release** stating that four crew members were injured when two Coast Guard boats collided during a tactical exercise in Buzzards Bay. Their injuries were reported as non-life-threatening. The incident is under investigation. (9/5/18)
[<https://content.govdelivery.com/accounts/USDHSCG/bulletins/20b2453>].

USCG – Towing Industry Safety Report



The US Coast Guard posted the annual **Towing Industry Safety Report** for 2017. There were six operational towing vessel crew fatalities. Oil spill rates continue to be relatively low. Of the 934 towing vessel incidents, 82% were classified as of low severity. (9/4/18)
[<https://www.americanwaterways.com/sites/default/files/2017USCG-AWOAnnualSafetyReport31Jul2018.pdf>].

USCG – updated Subchapter M FAQs



The US Coast Guard posted **Updated Subchapter M FAQs**. (9/5/18)
[<http://mariners.coastguard.dodlive.mil/2018/09/05/9-5-2018-updated-subchapter-m-faqs-now-available/>].

USCG – BWMS type approval application



The US Coast Guard issued a **bulletin** stating that it received an application for ballast water management system (BWMS) type approval from NKBMS Co. Ltd for its NK-03 BlueBallast BWMS. This is the 17th application for USCG BWMS type approval. (9/5/18)
[<http://mariners.coastguard.dodlive.mil/2018/09/05/9-5-2018-marine-safety-center-receives-17th-application-for-bwms-type-approval/>].

FMC – detention and demurrage



The Federal Maritime Commission (FMC) issued a **news release** stating that the **interim report** for Fact Finding 28, an investigation into Conditions and Practices Relating to Detention, Demurrage, and Free Time in International Oceanborne Commerce, has been released. A key initial observation is that bringing clarity, access, and efficiency to the delivery of cargo from carrier to shipper will be key to improving the process for how and when marine terminal demurrage and ocean carrier detention charges are levied. (9/5/18)
[https://www.fmc.gov/interim_report_in_fact_finding28_practices_released/].

MARAD – Neptune LNG license suspended



The Maritime Administration (MARAD) issued a notice stating that, at the request of the licensee, it has suspended the operational license of Neptune LNG, located off the coast of Massachusetts, for an additional four years. **83 Fed. Reg. 45013** (9/4/18) [<https://www.gpo.gov/fdsys/pkg/FR-2018-09-04/pdf/2018-19048.pdf>].

FERC – pending LNG terminal applications



The Federal Energy Regulatory Commission (FERC) issued a **news release** concerning the environmental review schedule for 12 pending LNG terminal applications. (8/30/18) [<https://www.ferc.gov/media/news-releases/2018/2018-3/08-31-18.asp?csrt=12071988631311906835#.W4vVo85JG00>].

North Atlantic – deep sea coral reef



The Bureau of Ocean Energy Management (BOEM) issued a **press release** stating that an extensive coral reef has been found in the deep sea approximately 160 miles southeast of Charleston. (8/31/18) [<https://www.boem.gov/DEEP-SEARCH-science-team/>].

Court – duty of boat owner-passenger



The US Court of Appeals for the Ninth Circuit ruled that a boat owner who is a passenger on his own boat has not duty to keep a lookout unless the owner-passenger knows that the person operating the boat is likely to be inattentive or careless or the owner-passenger is jointly operating the boat at the time of the accident. **Holzhauser v Rhoades**, No. 16-15942 (9th Cir., August 10, 2018) [<http://cdn.ca9.uscourts.gov/datastore/opinions/2018/08/10/16-15942.pdf>]. *Note: This item was brought to my attention by my good friend Katharine Sweeney of Compliance Maritime.*

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