

### Headlines:

USCG – REC Anchorage reopens;  
DOJ – tanker owner fined \$2,000,000;  
FMC – rule re unjust and unreasonable practices;  
OSHA – MACOSH charter renewed;  
BOEM – Beaufort Sea EIS;  
GAO – Navy readiness shortfalls;  
USN – steps to improve readiness;  
Court – intoxicated passenger injury;  
Canada – marine passenger insurance;  
Malta – fatal fall inside cargo hold; and  
UK – fatal uncontrolled hatch cover closure.

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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. The proposal is all very well in practice, but it will never work in theory.*

### **USCG – REC Anchorage reopens**



The USCG National Maritime Center (NMC) issued a **bulletin** stating that Regional Examination Center (REC) Anchorage reopened on 12 December. (12/13/18)

[[https://www.dco.uscg.mil/Portals/9/NMC/pdfs/rec/rec\\_anchorage\\_reopened\\_121318.pdf?ver=2018-12-13-093345-633](https://www.dco.uscg.mil/Portals/9/NMC/pdfs/rec/rec_anchorage_reopened_121318.pdf?ver=2018-12-13-093345-633)].

## DOJ – tanker owner fined \$2,000,000



The Department of Justice (DOJ) issued a **news release** stating that a tanker company has been sentenced to pay a \$2,000,000 fine and to serve a four-year term of probation after it was convicted of illegally dumping oily waste water and sea and not recording the discharge in the tanker's oil record book. (12/12/18) [<https://www.justice.gov/opa/pr/shipping-company-sentenced-illegally-discharging-oily-waste-sea>].

## FMC – rule re unjust and unreasonable practices



The Federal Maritime Commission (FMC) issued a **news release** stating that its **final rule** addressing unjust and unreasonable practices or regulations under the Shipping Act will enter into effect on 17 December. (12/13/18) [[https://www.fmc.gov/final\\_rule\\_addressing\\_unreasonable\\_practices\\_taking\\_effect/](https://www.fmc.gov/final_rule_addressing_unreasonable_practices_taking_effect/)].

## OSHA – MACOSH charter renewed



The Occupational Safety and Health Administration (OSHA) issued a notice stating that it is renewing the charter of the Maritime Advisory Committee for Occupational Safety and Health (MACOSH). **83 Fed. Reg. 64371** (12/14/18) [<https://www.gpo.gov/fdsys/pkg/FR-2018-12-14/pdf/2018-27109.pdf>].

## BOEM – Beaufort Sea EIS



The Bureau of Ocean Energy Management (BOEM) issued a notice stating that the comment period for the Beaufort Sea Environmental Impact Statement (EIS) has been extended to 4 January 2019. Public meetings will be held at Utqiagvik [Barrow] (December 17); Nuiqsut (December 18); and Kaktovik (December 19). **83 Fed. Reg. 64355** (12/14/18) [<https://www.gpo.gov/fdsys/pkg/FR-2018-12-14/pdf/2018-27176.pdf>].

## GAO – Navy readiness shortfalls



The Government Accountability Office (GAO) issued a report on naval ship, submarine, and aviation readiness. It finds that the Navy faces persistent maintenance and personnel challenges that will take years of concerted effort to overcome. [GAO-19-225T](#) (12/12/18) [<https://www.gao.gov/assets/700/695911.pdf>].

## USN – steps to improve readiness



The US Navy issued a [news release](#) detailing steps being taken to improve readiness. (12/13/18) [[https://www.navy.mil/submit/display.asp?story\\_id=108112](https://www.navy.mil/submit/display.asp?story_id=108112)].

## Court – intoxicated passenger injury



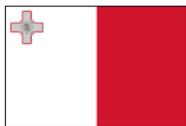
The US Court of Appeals for the Eleventh Circuit affirmed the lower court rulings in favor of defendant cruise line in a suit for personal injury brought by a passenger. The passenger drank beer until late into the night. He then entered an area of the ship clearly marked for crew only and with caution. He was injured when he fell down an open emergency-exit hatch into the bow-thruster room. [Caron v NCL \(Bahamas\), Ltd](#), No. 17-15008 (11th Cir., December 13, 2018) [<http://media.ca11.uscourts.gov/opinions/pub/files/201715008.pdf>].

## Canada – marine passenger insurance



Transport Canada issued a [news release](#) stating that, effective 11 January 2019, Canadian passenger vessel operators must carry a minimum of \$250,000 in liability insurance for every passenger on board. (12/12/18) [<https://www.canada.ca/en/transport-canada/news/2018/12/minister-garneau-announces-new-regulations-to-better-financially-protect-marine-passengers-in-the-event-of-marine-accidents.html>].

## Malta – fatal fall inside cargo hold



Transport Malta issued the report of its investigation of the fatal fall of a stevedore inside a cargo hold on the freighter Eugenia B in Iskenderun on

30 November 2017. The immediate cause of the accident was the failure of a corroded cargo hold access cover while the stevedore was descending the cargo hold. **Report 2017-11** (11/30/18)  
[[https://mtip.gov.mt/en/msiu/Documents/MV%20Eugenia%20B\\_Final%20Safety%20Investigation%20Report.pdf](https://mtip.gov.mt/en/msiu/Documents/MV%20Eugenia%20B_Final%20Safety%20Investigation%20Report.pdf)].

### **UK – fatal uncontrolled hatch cover closure**



The UK Marine Accident Investigation Branch (MAIB) issued the report of its investigation of the uncontrolled closure of a hatch cover on the general cargo vessel SMN Explorer with loss of one life in King's Lynn, England on 1 February 2018. The crewman was part of a working party stowing cargo slings used for the discharge of the ship's cargo. The accident occurred when the crewman climbed up the inside of the open hatch cover after its locking pins had been removed. **Report 21-2018** (12/13/18)  
[[https://assets.publishing.service.gov.uk/media/5c0f9e57ed915doc1bcod54a/MAIBInvReport21\\_2018.pdf](https://assets.publishing.service.gov.uk/media/5c0f9e57ed915doc1bcod54a/MAIBInvReport21_2018.pdf)].

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