

PASSAGE PLAN

INTERNATIONAL ANNOUNCEMENTS

[NEW WEBSITE AND TRAINING COURSE SCHEDULE POSTED](#)

The U.S. Maritime Institute proudly announces the redevelopment of its website and the posting of its Public Training Course Schedule for the first half of 2006. Full details of these offerings are found at the end of this newsletter.

[UK MAIB – REPORT ON ALLISION](#)

The UK Marine Accident Investigation Branch (MAIB) issued the joint report (with the Antigua and Barbuda Department of Marine Services and Merchant Shipping) on the investigation of the allision of the general cargo vessel ORADE with the training wall at the confluence of the Rivers Ouse and Trent on 1 March 2005. The vessel was outbound and under pilotage at the time. The pilot had asked the master to switch the steering from manual to the riverpilot mode. Several minutes later, as the vessel approached the training wall, the pilot asked the master to return to the manual steering mode, because the vessel was not responding. When steering was returned to manual, the vessel responded to rudder commands, but it was too late to prevent the allision with and grounding on the training wall.



Investigation revealed that the master was not familiar with the riverpilot mode of steering and may have not properly engaged the riverpilot, which had the result of inadvertently engaging the autopilot (ISM Code Major Nonconformity). The pilot failed to check that the riverpilot mode was correctly engaged. The master had been working six hours on duty and six hours off duty for the previous five months and probably suffered from fatigue (STCW violation). There was poor communication between the master and the pilot.

[IACS ADOPTS COMMON STRUCTURAL RULES](#)

IACS Council has unanimously adopted the Common Structural Rules for implementation to Tankers and Bulk Carriers contracted for construction on/after 1 April 2006. At its December meeting the Council received presentations from the JTP and JBP project teams and took into consideration all the comments received from industry including shipowner and shipbuilder representatives among others. The Council was satisfied that the new rules are based on sound technical principles and will help achieve the goals of more robust and safer ships. In particular, the objective of removing competition on scantlings for each ship type has been achieved. The Council also endorsed a long-term harmonization plan between the tanker and bulk carrier rule sets.



[PANAMA CANAL – PRE-ARRIVAL NOTIFICATION](#)

The Panama Canal Authority issued an Advisory reminding masters, owners, and operators of vessels intending to transit the Canal that failure to submit timely and accurate pre-arrival notifications may result in delay of transit, assignment of additional resources, and/or the escorting of vessels, as well as possible fines.



PORT STATE CONTROL

[SHIP OWNER MAY SUE INJURED SEAMAN FOR PROPERTY DAMAGE](#)

The U.S. Court of Appeals for the Fifth Circuit ruled that a ship owner may assert a negligence and indemnity claim against its seaman-employee for property damage allegedly caused by the seaman's negligence. In the instant case, plaintiff mate was injured when his ship collided with another ship. Plaintiff was on watch and in command of the ship at the time and allegedly left the wheelhouse in congested waters to attend to personal business.



Plaintiff sued against the other ship and against defendant employer under the Jones Act and general maritime law. Defendant settled with the other ship and then filed a counterclaim against plaintiff. The trial court dismissed the counterclaim and defendant appealed. The appellate court ruled that it is a well-accepted principle that an employer has a right of action against its employee for property damage arising out of negligence committed within the scope of employment. The court further ruled that there is nothing in the Jones Act or the underlying Federal Employers' Liability Act (FELA) that abrogates this principle.

[SENATOR TO INTRODUCE OIL SPILL PREVENTION LEGISLATION](#)

Senator Maria Cantwell (D-WA) stated that she intends to introduce legislation to reduce the risk of an oil spill in Puget Sound and the Strait of Juan de Fuca by, among other things, doubling the tug escort requirement for all oil tankers over 5,000 gross tons operating in Puget Sound and Prince William Sound; requiring a permanent rescue tug at Neah Bay; and providing financial support for the Washington State Oil Spill Advisory Council.



[USCG – MARINE CASUALTIES – REPORTING REQUIREMENTS](#)

The US Coast Guard is adding "significant harm to the environment" as a reportable marine casualty. The requirement to immediately report a marine casualty that involves significant harm to the environment will apply to: (1) any vessel on navigable waters of the United States; (2) any U.S. vessel wherever such casualty occurs; and (3) any foreign tank vessel operating in the U.S. exclusive economic zone (EEZ). The rule comes into effect on January 17, 2006.

[AUSTRALIA – MARITIME CREW VISA](#)

The Australian Minister for Immigration and Multicultural and Indigenous Affairs issued a press release stating that the Australian Government will introduce a new Maritime Crew Visa category. In the future, sea crew will need to apply for and be granted a Maritime Crew Visa before arriving in Australia. This is an identical system to that already in existence for the United States (C1/D Visa Program).

[NEW 2006 REQUIREMENTS FOR OCEANGOING VESSELS IN CALIFORNIA](#)

The California Clean Coast Act restricts and/or prohibits "Large Passenger Vessels" and "Oceangoing Ships" over 300 gross tons from operating incinerators or discharging oily bilge water, gray water, sewage, sewage sludge, hazardous wastes and certain other wastes within three miles of the California coast. The Act took effect on January 1, 2006... The Act imposes the following four new requirements on oceangoing ships and/or large passenger vessels: (1) a ban on incineration, (2) a ban on discharging oily bilge water, gray water, sewage, sewage sludge, hazardous wastes and certain other wastes with certain exceptions, (3) reporting of such discharges, if they occur, within 24 hours, and (4) documentation of certain information about the vessel upon its departure from its first California port of call in 2006. "Oceangoing ships" are defined as private, commercial, government, or military vessels of 300 gross tons or more calling on California ports or places. "Large passenger vessels" are vessels over 300 gross tons engaged in carrying passengers for hire.

LEARNING OPPORTUNITES

PUBLIC COURSES

Our schedule for the first half of 2006 is posted. Please check our website for the posting: www.usmaritimeinstitute.com. Courses to be offered:

Annual Update on Maritime Regulations

This yearly seminar program invites all members of the maritime community to participate in a half-day session to review and discuss the latest additions and changes to regulations affecting ships, yachts, and port facilities. Topics to be covered this year include: Ballast Water Management, MARPOL Annex VI – Air Pollution, Ship Recycling, Anti-Fouling Convention, Towing Arrangements, Port State Control scheduled initiatives, Ship Security Alert Systems, Voyage Data Recorders, and the new STCW requirements Survival Boat training. Fort Lauderdale, Florida, USA: January 27; February 24, 2006.

Emergency Preparedness and Response with the Incident Command System

This training course introduces the Incident Command System (ICS) and provides the foundation for establishing a company's emergency response team. The lectures describe the history, features and principles, and organizational structure of the Incident Command System, along with its compliance with the ISM Code, ISPS Code, and Vessel Response Planning for both oil tank and non-tank vessels. The course also explains the relationship between ICS and the National Incident Management System (NIMS) utilized by US agencies, including the US Coast Guard and Federal Emergency Management Agency. Group exercises offer training in the fundamentals of the emergency planning process, including the rationale behind planning. It will develop your capability for effective participation in a company's safety, environmental, or security incident. Fort Lauderdale, Florida, USA: February 16-17, 2006.



Integrated Maritime Auditor (ISM & ISPS)

This three-day classroom course, which is a combined ISM Code familiarization, ISPS Code familiarization, and internal auditor course will help students develop a practical approach to the interpretation and application of the International Safety Management (ISM) Code and International Ship and Port Facility Security (ISPS) Code. It is a highly participatory combination of presentations, group discussions, and case studies, plus individual and syndicate exercises. The specific Safety Management System and Ship Security Plan requirements of various companies are incorporated into the course, along with the regulatory requirements of the flag administrations. Upon completion of this course, students will have the necessary theoretical knowledge to conduct simultaneous ISM Code and ISPS Code internal audits. Fort Lauderdale, Florida, USA: March 8-10, 2006.

Maritime Accident and Incident Investigation



This two-day course provides participants with a thorough understanding of the causes and effects of loss using workshops and actual case studies. Emphasis is placed on pre-accident planning and preparation, evidence gathering, the methodologies of root cause analysis, and remedial actions necessary to prevent incident recurrence. Maritime Accident and Incident Investigation covers the skills needed to conduct systematic accident investigations, nonconformity analysis, and hazardous occurrence elimination. Fort Lauderdale, USA: April 19-20, 2006.

[Port State Control – Preparation and Response](#)

This two-day course is designed to help companies ensure that their management systems identify and address potential problems to help prevent vessels in their fleets encountering difficulties during port state control inspections. Understanding how port state control inspections relate to the ISM and ISPS Codes will help you diminish the likelihood of your ships being detained by the authorities. Through a highly participative combination of presentations, group discussions, case studies and syndicate exercises, you will learn about and understand: the background to port state control inspections, the different port state control Memorandum of Understanding (MOU) targeting and inspection policies, port state control links with the ISM and ISPS Codes, the port state control inspection/detention process and appeal procedure if the detention is considered unjustified, and port state control ISM and ISPS deficiency codes. In addition, you will gain knowledge of the transparency of the port state control MOU's reporting systems, the port state control's use of the ISM and ISPS Code checklist, the International Association of Classification Societies (IACS) initiatives to reduce port state control detentions, and flag administration initiatives to improve safety standards.

Fort Lauderdale, USA: June 14-15, 2006.



[Yacht Management Series: Senior Crew Seminar](#)

Leader, manager, supervisor, team leader--no matter what your official title, you're expected to get the job done through others. Management success depends upon your abilities as a coach, team builder,



master delegator, time and project manager, and employee motivator and disciplinarian. The job-within-the-job often expands to include managing inventories, resolving conflicts, eliminating unacceptable behavior, hiring the best employees--and terminating when necessary, and more. Nobody said managing, leading, and supervising would be easy, and whether you've been leading and managing for years, or you're looking forward to that promotion Chief Engineer, First Officer, or Captain, you'll become your best with our tried-and-true techniques, strategies and "how-to's" for management success. Subject matter will also include topics dealing with

SOLAS, MARPOL, classification rules, US Coast Guard, and Port State Control, the ISM Code, and ISPS Code. Fort Lauderdale, USA: April 19-20, 2006.

[Yacht Management Series: ISM Code, ISPS Code, STCW Code Basics](#)

These series of courses are designed specifically for today's megayacht crews with a demanding schedule. Each training session is offered on board your vessel and geared specifically to your area of operation, flag of registry, and specific requirements of your manager's ISM and ISPS procedures.

Open Enrollment: Call to schedule.

[Customized Course Offerings](#)

In addition to the above public training courses, USMI offers a full catalog of subjects, including hazardous materials, security awareness, safety drills, and full company exercises. If you don't see the training event that is right for you, talk to us about your requirements -we can probably offer you a customized solution to meet your precise expectations. Your training event can be run in any location to suit you - in our offices, in your premises, or even onboard ship, anywhere you need it - the choice is yours.

[DISTANCE LEARNING](#)

For those alumni that have completed either the ISM Auditor or ISPS Auditor course, but not both, USMI now offers a distance learning course that allows you to upgrade to Integrated Maritime Auditor (ISM / ISPS). No classroom attendance is required. Contact us for full details.

Newsletter Subscription is Free: Email us: newsletter@usmaritimeinstitute.com or visit our website.