

**UNITED STATES OF AMERICA
U.S. DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD**

UNITED STATES COAST GUARD,
Complainant,

v.

NATHAN EDWARD TORNEY,
Respondent.

**DOCKET NO: 2025-0062
MISLE ACTIVITY ID. 8074724**

**HONORABLE GEORGE J. JORDAN
ADMINISTRATIVE LAW JUDGE**

ADMISSION ORDER

On February 19, 2025, the United States Coast Guard, Sector Honolulu (Coast Guard) issued a Complaint against Nathan Edward Torney (Respondent) alleging violation of misconduct, as described by 46 U.S.C. § 7703(1)(B), and defined by 46 C.F.R. § 5.27.

Specifically, the Coast Guard alleges:

1. On January 27, 2025, Respondent was employed by Norwegian Cruise Line Holdings Ltd. (NCL) PRIDE OF AMERICA (Bahamas) Ltd. and subject to NCL (Bahamas) policies.
2. On January 27, 2025, NCL PRIDE OF AMERICA (Bahamas) Ltd. had a policy prohibiting employees from being intoxicated onboard with a Blood Alcohol Concentration (BAC) greater than 0.04%.
3. On January 27, 2025, Respondent was intoxicated with a BAC greater than 0.04% while onboard the vessel, in violation of NCL (Bahamas) Ltd.'s Alcohol and Drug Testing Policy.
4. Respondent's violation of NCL PRIDE OF AMERICA's Alcohol and Drug Policy is misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27.
5. In aggravation, Respondent was on duty performing ships work as a food handler when found with a BAC over 0.04%.

Accordingly, the Coast Guard proposes a sanction of three (3) months outright suspension of Respondent's Merchant Mariner Credential (MMC or credential). In Respondent's Answer, dated February 19, 2025, Respondent admits to all jurisdictional and factual allegations,

and agrees with the Coast Guard's proposed order of three (3) months outright suspension, with no additional conditions requested.

While I have the authority and exclusive discretion to select the appropriate sanction in these proceedings. 46 C.F.R. § 5.569(a); Appeal Decision 2362 (ARNOLD) (1984). I find the proposed and agreed upon sanction reasonable and appropriate in this case as it complies with the sanction range specified in the Suggested Range of an Appropriate Order Table normally ascribed to violations of company policy. Appeal Decision 2723 (BOUDREAUX) (2019) (analogizing violation of company policy as a failure to obey a master or ship's officer's order); 46 C.F.R. § 5.569 tbl. 5.569 (providing a sanction range of one to three months for failure to obey a master or ship's officer's order).

WHEREFORE,

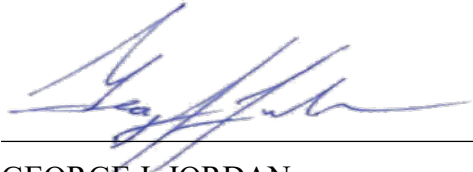
ORDER

IT IS HEREBY ORDERED that Respondent's violation of 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27 is **PROVED BY ANSWER**. I have carefully reviewed the file and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

IT IS FURTHER ORDERED that Respondent's Merchant Mariner Credentials [REDACTED] and [REDACTED] are **SUSPENDED OUTRIGHT FOR THREE (3) MONTHS**, commencing on the date they are deposited with the Coast Guard. Respondent shall immediately deliver all Coast Guard issued credentials, licenses, certificates, or documents, including the MMCs, by mail, courier service, or in person to: CWO-3 Joseph Tenorio, United States Coast Guard, Sector Honolulu, 433 Ala Moana Blvd, Honolulu, Hawaii 96813. In accordance with 18 U.S.C. § 2197, if Respondent knowingly continues to use the Coast Guard issued MMC, Respondent may be subject to criminal prosecution.

PLEASE TAKE NOTICE, service of this Decision on the parties and/or parties' representative(s) serves as notice of appeal rights set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (Attachment A).

Done and dated, March 7, 2025,
Seattle, Washington

A handwritten signature in blue ink, appearing to read "G. Jordan", is written over a horizontal line.

GEORGE J. JORDAN
UNITED STATES COAST GUARD
ADMINISTRATIVE LAW JUDGE