

# International **Tug & OSV**

INCORPORATING SALVAGE NEWS

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# Stranded liner highlights need for ETVs

Attention of the national media turned once again to the safety of cruise ships, when *Carnival Triumph* became stranded after an engine room fire in February.



US Coast Guard helicopter crew delivers supplies to *Carnival Triumph*.

Reports indicate that a leak in a fuel oil return line caused the fire onboard *Carnival Corp's* 272m cruise ship. It was carrying 3,143 passengers at the time, but no injuries connected to the fire were reported by guests or crew members. *Carnival Triumph* arrived in Mobile, Alabama on 14<sup>th</sup> February, having been stranded for four days.

Capt Farhat Imam, Corporate Operations officer, Resolve Marine Group, was overseeing the towage operation. He spoke with *IT&O* just as *Carnival Triumph* was entering Mobile Port. The 80-ton BP tugboat *Resolve Pioneer* was pulling the casualty, assisted by tail tug *Roland A Falgout*, and two additional harbour tugs on the vessel's port and starboard shoulder.

For Capt Imam, this incident illustrated the need for a first reaction service and the importance of being ready for the worst. He said: "*Resolve Pioneer*, which is right now doing all the hard work, is one of the very few purely emergency response vessels. When I got the call, I was ready to roll within minutes and that's what I did."

He has strong feelings about the necessity of having vessels on standby for emergency response, as well as investing money into the salvage industry when it comes to R&D,

so that if the worst happens, there is a plan in place. "These ETVs are so important and major concentration needs to be made and some effort from the responsible parties." The CLIA (Cruise Lines International Association) is one platform which, he feels, could better educate the cruise industry on the need to be "better prepared for such emergencies."

A large part of this responsibility lies on the side of the cruise ships, and the whole maritime industry, be it the tanker fleets or the container fleets. "Look at the container ship that is going to come out in a month's time: 18,000TEU. God forbid if something was to happen there. You will have to have a fleet of tugs to be able to help that."

That is where having a comprehensive salvage plan comes into play, but Capt Imam admits that it is difficult to predict the unique challenges posed by each salvage situation. "Every salvage operation or every emergency response operation has its own uniqueness, and the next incident may be completely different from what you have prepared," he added. "I don't want to short-change the level of preparedness that is required: any step in that direction will be helpful for any emergency response."

## 'Game-changing' aspect to wreck removal

The Wreck Removal Convention still needs ratification by four more nations before it comes into force, but when it does, it will be game-changing, says Simon Tatham.

The recent sinking in UK waters of, reportedly, an uninsured vessel, the 1,700 GRT ship *Emsstrom* under tow to Turkey for scrapping, has attracted the attention of both the SOSREP and the MCA. The listing vessel sank in 25m off Brixham, and is regarded as a hazard to navigation. A wreck removal notice seems inevitable.

One of the few bright spots, in a currently depressed market for operators, along with, by coincidence, subsea work generally, is wreck removal. Reasons for this include a growing intolerance of coastal authorities, increasingly amongst developing nations, mixed with a genuine fear that older wrecks, including wartime wrecks, may be at risk of releasing their toxic cargoes if left untouched.

The incident prompted me to pick up a copy of the recent *Wreck Removal Convention* to see what impact this might have. This document, signed off at Nairobi in 2007, has been sitting on the UK's statute book since July 2011, waiting to come into force 12 months after the necessary 10 nations have ratified the instrument.

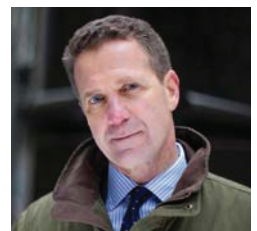
The game-changing aspect of the Convention is that, once in force, the right of states to order the removal of wrecks will extend from territorial waters to the 200-mile exclusive economic zone. States will generally have to order removal within three

years. Meanwhile no vessel, submersible, floating platform or craft (including towed craft) over 300 GT, will be allowed into the ports of a Convention state unless it is carrying a wreck removal insurance certificate. Failure to do so will be a criminal offence. This will also extend to vessels attending offshore installations. Owners will have strict liability for removal which will make enforcement very straightforward and, in effect, guarantee insurance funding for removal in most cases.

On the face of it, this should be good news for wreck removal contractors. For others operating tugs, OSVs and any barges or floating platforms in the North Sea, for example, these will all need to carry certificates.

One can see some problems for towing operators. Some long distance tows may not involve a visit to an intermediate port and so, if the tow is uninsured, as in the case of *Emsstrom*, the hirers might get away with that so long as the Convention is not enforced at the departure or destination ports.

However, where tug and tow are forced to put into the administrative area of a port to seek refuge, repair or simply to bunker, take on spares or change crew, an uninsured tow risks being detained. Whilst waiting for hirers to sort such problems out, the tug should be entitled to a delay rate, but could be stuck



▲ Simon Tatham.

there for some time, which risks messing up positioning for the next voyage. Under TOWCON where payment is made in stages, lumpsum installments will be delayed which is bad for cash flow. Yet further scratching of heads will take place under HEAVYCON where, for example, a semi-submersible is carrying a cargo of vessels – will these be required to carry Convention compliant wreck removal insurance?

Right now, six nations, the UK included, have adopted the Convention. Therefore its application may be some years off. Pending the enforcement of the Convention, should anything be done by towage or heavy lift operators? The sensible approach is for the contract to always require the hirer to have and produce at least basic liability insurance, including cover for wreck removal. Obviously, however, if your competitors are less fussy, their terms may attract those hirers seeking to save costs and cut corners.

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