

FEATURE CASUALTY

Cabrera - Cargo taking matters into their own hands

On Christmas Eve last year, 24 December 2016, the general cargo *Cabrera* (IMO 9191955, Built 2007, 5,553 dwt) was proceeding on a voyage to Tornio, Finland when she ran aground on Andros Island in the Aegean Sea, Greece. She had departed from the Greek port of Larymna having loaded a cargo of 3,278 m/t of ferro nickel and was bound for Tornio. The grounding occurred at approximately 0430 hours and the AIS track of the vessel showed that the vessel had quite literally just run straight into the rocky island. The weather at the time was stormy with winds of between 7 to 8. The crew were all safely evacuated by helicopter from the vessel which, having suffered considerable damage and water ingress, took on a 45° list and partially sank. Salvors, Megatugs, were appointed to and successfully removed the vessel's bunkers despite awful weather conditions and discussions were ongoing regarding salvage terms for the vessel and her cargo. However, having been battered by stormy seas, and before salvage terms had been formally agreed, the vessel broke up and sank to a depth of 35 metres leaving the owners of the ship and cargo to consider the next steps.

The value of the ferro nickel cargo was in excess of €6 million. Despite being located at a depth of 35 metres, various offers to purchase it on an as is where is basis were advanced. With the vessel owners and insurers now looking at the prospect of a wreck removal, and the tender process likely to be long and complex, cargo interests were left to consider their options. The initial instinct was to accept the highest bid for the cargo but this was only for a fraction of the cargo value, which would have resulted in a considerable loss under the policy. Discussions with Megatugs led the cargo interests to sign what we understand to be the first ever Lloyd's Open Form Salvage Contract agreed as between salvors and cargo only.

As soon as agreement had been reached the salvors deployed their equipment to the site.

Over the next few weeks, using grabs and then dredgers, Megatugs recovered some 46% of the

cargo, redelivering it back to the loading port of Larymna, where the shippers premises were located. The cargo was then sorted and cleaned by a local contractor, and has since been delivered to cargo owners in Tornio, with little or no loss of nickel. As the balance of the cargo was not easily accessible, being located underneath the hull of the vessel, further recovery was deferred pending finalisation of the wreck removal agreement. This week, almost nine months after the casualty occurred the vessel's insurers have finally signed the wreck removal with Megatugs, clearing the way for the second phase of the cargo LOF to begin. The LOF operation will run in conjunction with the wreck removal and it is hoped that a further 1,000 m/t may be salvaged, reducing what originally looked to be a full loss on the policy to a cargo loss of 25% of the product, accepting of course there are no guarantees.

So often in casualty situations, cargo interests are kept in the background and are unable to influence or direct operations. Had cargo underwriters, with the full backing of their assured, not taken such a bold and unusual step it is likely, given the considerable time it has taken to award the wreck removal, that the loose cargo which was recovered in the first phase of the LOF would have become distributed across the sea bed and the surrounding area and would not be easily salvageable. The result being a significantly larger loss under the cargo policy and a considerably larger claim being advanced against the shipowner. Cargo underwriters, led by MS Amlin and Talbot in London, should be applauded for boldly going where no cargo underwriters have gone before; exploring a new frontier and demonstrating what can be achieved by thinking outside the box.



NEW CASUALTIES

Cris M

Hydrofoil, IMO 8916401, Built 1990, 100 dwt

Date of Casualty 8 September 2017 – Late Notification

Type of Casualty Grounded on the rocks near the port of Lipari, Sicily. Five of the forty one passengers on board were injured.

Type of Claim Possible hull damage, salvage and passenger claims

P&I Shipowners Club

Regina W II

Inland tanker, 2,116 ts

Date of Casualty 13 September 2017

Voyage Unknown to Gelsenberg, Germany

Cargo 2,000 m/t of diesel fuel

Type of Casualty Ran aground on the Rhine off Lausward port in Düsseldorf. 600 m/t of fuel was transferred to another vessel before the tanker could be refloated.

Type of Claim Possible hull damage and salvage claim

Ocean Wave

Ferry, No other details

Date of Casualty 13 September 2017

Type of Casualty Allided with Sydney's Manly Wharf. Some passengers suffered minor injuries.

Type of Claim Allision damage claim

Sevastopolets/Knyaz Vladimir

Sevastopolets – Tug, IMO 8929460, Built 1971, 46 dwt

Knyaz Vladimir – Passenger vessel, IMO 7032997, Built 1971, 14,717 dwt

Date of Casualty 14 September 2017

Type of Casualty Collided during mooring operations at Sevastopol.

Type of Claim Collision damage claim

Astral Express

Product tanker, IMO 9258363, Built 2002, 45,770 dwt

Date of Casualty 14 September 2017

Voyage Shanghai, China to Chittagong, Bangladesh

Cargo 27,000 m/t of diesel fuel

Type of Casualty Ran aground during manoeuvring operations on the Karnaphuli River in Chittagong. The vessel was refloated and berthed in the afternoon.

Type of Claim Possible hull damage claim

P&I Steamship Mutual



Jessica

Tour boat, No other details

Date of Casualty 14 September 2017

Type of Casualty Suffered engine failure and ran aground on the Peene near Kröslin, Germany

Type of Claim Possible hull damage claim

Dong Fang Fu

Fully cellular containership, IMO 9162423, Built 1998, 18,185 dwt

Date of Casualty 14 September 2017



Further casualties overleaf

Voyage Shanghai, China to Taichung, Taiwan
Cargo General containerised cargo

Type of Casualty Suffered a cargo shift in the East China Sea. Some containers of nitric acid were found to be leaking. The vessel diverted to Keelung port.

Type of Claim Possible General Average declaration

P&I West of England

Pallas

Tanker, IMO 9631436, Built 2011, 794 dwt

Date of Casualty 14 September 2017

Voyage Gothenburg, Sweden to Copenhagen, Denmark

Cargo No details

Type of Casualty Allided with a berth a Copenhagen. Both the vessel and berth suffered damage

Type of Claim Allision damage claim



Mowi Star

Fish carrier, IMO 9126027, Built 1996, 330 dwt

Date of Casualty 14 September 2017

Type of Casualty Ran aground en route to Bergen with a full load. The vessel, which was refloated with assistance, was holed in the incident.

Type of Claim Hull damage claim

Elena Topic

Bulk carrier, IMO 9193692, Built 1999, 45,333 dwt

Date of Casualty 15 September 2017

Voyage Thessaloniki, Greece to the Ivory Coast

Cargo Cement

Type of Casualty Grounded shortly after departing Thessaloniki, Greece. The vessel

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was refloated with the assistance of five tugs and berthed in Thessaloniki for inspection.
Type of Claim Possible hull damage and salvage claim
P&I Steamship Mutual

Annetta

General cargo vessel with container capacity, IMO 9396543, Built 2007, 12,000 dwt
Date of Casualty 15 September 2017
Voyage Novorossiysk, Russia to Zonguldak, Turkey
Cargo No details
Type of Casualty Ran aground on approach to Zonguldak.
Type of Claim Possible hull damage
P&I West of England



APL California

Fully cellular containership, IMO 9350044, Built 2009, 72,912 dwt
Date of Casualty 16 September 2017
Voyage Koper, Slovenia to Venice, Italy
Cargo General containerised cargo
Type of Casualty Broke her moorings and struck a moored vessel and a tug. Two tugs were deployed and brought the vessel back to the berth.
Type of Claim Collision damage claim
P&I North of England

Vinalines Fortuna

Bulk carrier, IMO 9018751, Built 1991, 26,369 dwt
Date of Casualty 16 September 2017
Voyage Davao to General Santos, Philippines
Cargo No details
Type of Casualty Ran aground off General Santos in Mindanao, Philippines.
Type of Claim Possible hull damage and salvage claim
P&I West of England

Pan Crocus

Bulk carrier, IMO 9441881, Built 2009, 57,269 dwt

Date of Casualty 17 September 2017
Voyage Fujairah, United Arab to Mesaieed, Qatar
Cargo No details
Type of Casualty Grounded approaching Mesaieed. Six tugs were deployed to assist.
Type of Claim Possible hull damage and salvage claim
P&I UK Club



MSC Sandra

Fully cellular containership, IMO 9203954, Built 2000, 2,000 dwt
Date of Casualty 17 September 2017
Voyage Bremerhaven, Germany to Le Havre, France
Cargo Fully cellular containership
Type of Casualty Allided with the quay of the MSC Terminal in Bremerhaven. The vessel suffered dents and a breach above the water line.
Type of Claim Allision damage claim
P&I North of England



Fungka Permata III

Coastal passenger ship
Date of Casualty 17 September 2017
Type of Casualty Sank in the Banda Sea off Buton Selatan, southernmost Pulau Buton, Indonesia. All the passengers on board were rescued.
Type of Claim Total loss claim

Tokyo Tower

Fully cellular containership, IMO 9384875, Built 2007, 21,981 dwt

Access all our previous casualty newsletters here

Date of Casualty 18 September 2017
Voyage Hong Kong to Shanghai, China
Cargo General containerised cargo
Type of Casualty Grounded of Majishan, China near the outer Shanghai anchorage.
Type of Claim Possible hull damage
P&I North of England

Donna Simoa

General cargo vessel, IMO 6924272, Built 1969, 290 dwt
Date of Casualty 18 September 2017
Voyage Around Calabar, Nigeria
Cargo No details
Type of Casualty Attacked by pirates whilst on the Calabar river. Five people were abducted.
Type of Claim Kidnap and ransom

Vita

General cargo vessel with container capacity, IMO 8906303, Built 1990, 4,161 dwt
Date of Casualty 19 September 2017
Voyage Bremen Germany to Puerto de Pasajes, Spain
Cargo 3,500 m/t of steel
Type of Casualty Experienced engine failure north of Ushant in the Celtic sea. The French salvage tug *Abaille Bourbon* was deployed and towed the vessel to Brest, France.
Type of Claim Possible General Average declaration

Seatrout/Usolie

Seatrout – Product tanker, IMO 9352303, Built 2006, 40,600 dwt
Usolie – Bulk carrier, IMO 8800315, Built 1990, 68,789 dwt
Date of Casualty 20 September 2017
Voyage Antwerp, Belgium to Ust-Luga, Russia / Antwerp, Belgium to Klaipeda, Lithuania
Cargo No details / In ballast
Type of Casualty Collision on the Western Scheldt whilst both vessels were heading out from Antwerp. The tanker grounded after the collision. Tugs tried to pull the vessel free but were unsuccessful at the first attempt. A further effort will be undertaken at high

LOF NEWS

Majorca

Bulk carrier, IMO 9294109, Built 2005, 74,477 dwt
Date of Casualty 12 September 2017 – Late Notification
Voyage Nantong, China to Brisbane, Australia
Cargo In ballast
Type of Casualty Immobilised and drifted aground in the Vitiaz Strait some 15 miles off West New Britain Island, 47 miles east of the Papua New Guinea coast. Five Oceans Salvage were contracted on LOF terms. They deployed local tugs *Keera* and *Vulcan* and mobilised a salvage team from Greece to assist. The vessel was successfully refloated on 18 September 2017 and was towed to Lae, Papua New Guinea for inspections.

Type of Claim LOF Salvage claim
P&I UK Club

Tina

Bulk carrier, IMO 9215749, Built 1, 76,000 dwt
Date of Casualty 13 September 2017
Voyage Rio Grande, Brazil to China
Cargo 53,000 m/t of wheat
Type of Casualty Immobilised off East London, South Africa after suffering engine failure. Five Oceans Salvage were appointed on LOF terms to assist. Tug *Pacific Diligence* was deployed and took the vessel under tow to Durban.
Type of Claim LOF Salvage claim and possible General Average declaration
P&I London Club

tide this afternoon. A sailing ban has been imposed for both in and out bound vessel to Antwerp. Click [here](#) for track.

Type of Claim Collision damage and possible salvage claim
P&I Skuld / London Club

Bon Voyage

Self-propelled barge, 1,284 ts
Date of Casualty 20 September 2017
Voyage Passau to Nuremberg, Germany
Cargo Wheat
Type of Casualty Ran aground on the Danube near Bogen and was breached. The vessel refloated and proceeded to Straubing, berthing with a slight starboard list.
Type of Claim Hull damage claim

CASUALTY FOLLOW-UP



Hebrides – editions 183 & 184 - the Marine Accident Investigation Branch (MAIB) have found that the loss of control of the vessel causing it to crash into pontoons and rocks at Lochmaddy on North Uist in September 2016 resulted from a lack of instructions in respect of the fitting of a replacement part. They also found that the crew 'were not sufficiently prepared or practised to deal quickly and effectively with the loss of pitch control in the confined waters'.

Lucky Seven – editions 225, 226, 227, 229, 231 & 232 – on 18 September 2017 the casino ship was finally pulled free from Miramar beach after 63 days aground. The operation lasted two hours and involved two tugs working with the morning high tide, which had a range of 2.7 metres. The *Lucky Seven* will undergo temporary repairs off the Aguada coast, She will then head to Jaigad, Maharashtra.



Mercosul Santos and CXX – editions 228, 229 & 232 – Dutch salvors Smit Salvage have been contracted to recover the sunken tug CXX. Equipment is being deployed in readiness for the operation which is expected to taken place during October and November.

Cheshire – editions 229 & 230 – the bulk carrier was redelivered by salvors Resolve at the port of Motril, Spain on 13 September 2017.

JBB de Rong Rong – edition 233 – the bodies of two missing sailors from the dredger have been recovered. Search teams have continued to look for the three remaining missing crew but have not been successful.

