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Drake / ENERGY & MARITIME CONSULTING

MV Wakashio - maritime casualty response

Reducing the risk of maritime casualties

The report, "*Safer Ships, Cleaner Seas*", was published 25 years ago. This report presented the findings of "*Lord Donaldson's Inquiry into the prevention of pollution from merchant shipping*". This enquiry was commissioned by the UK Government following the loss of the MV *Braer* off the coast of Scotland in 1994.

A second enquiry, Chaired by Lord Donaldson, followed the grounding of the oil tanker MV *Sea Empress* off the coast of Wales in 1996. Lord Donaldson's "*Review of Salvage and Intervention and their Command and Control*" presented a range of recommendations including the creation of a single position within the UK Maritime and Coastguard Agency with responsibility for the control of maritime casualty incidents.

These reports influenced globally maritime casualty response, including the introduction of the role of Secretary of State's Representative Maritime Salvage & Intervention in the United Kingdom's Maritime and Coastguard Agency and the Maritime Emergency Response Command function at the Australian Maritime Safety Authority.

"Safer Ships, Cleaner Seas" is recognised as having contributed significantly to safety at sea and maritime casualty response across the world. The implementation of the findings of the Lord Donaldson enquiries and improvements to safety management by the shipping industry have made catastrophic ship accidents a rare occurrence.

The MV *Wakashio* incident

Despite advances in safety in ship design and operations, navigation technology and maritime casualty response catastrophic ship accidents still occur.

This was demonstrated by the MV *Wakashio* incident in July this year when the MV *Wakashio* ran aground on a reef off the coast of Mauritius.

The MV *Wakashio*, a Capesize bulk carrier, was on a voyage from China to Brazil using a shipping lane through the Indian Ocean. Where this shipping lane passes Mauritius the north western edge of the shipping lane is about 12 miles from the coast of Mauritius.

The grounding of the MV *Wakashio* was followed by environmental pollution due to the loss of bunker fuel oil and the subsequent splitting in two of the ship.

Approximately 3,000 tons of bunker fuel oil was recovered from the MV *Wakashio*. A thousand tons of bunker fuel oil leaked into the sea, of which about half has been recovered (source MOL, the charterer of the MV *Wakashio).*

The MV *Wakashio* is pictured below after splitting in two. The forward section was towed to a deep water location, determined by Mauritian Authorities, and scuttled.

Photo Credit: Getty Images

Initial response to marine pollution incidents

As it is not possible to completely remove the likelihood that a catastrophic ship accident will occur there needs to be a focus when a maritime casualty incident occurs on the measures to be taken to reduce the threat of significant environmental pollution.

The key roles in the prevention of environmental pollution immediately following a maritime casualty incident are:

- the master;
- the ship owner or manager;
- the harbour master;
- the salvage master; and
- government agencies with responsibility for command, control and cleanup arrangements.

The wider community present at the location of a maritime casualty, if it is a near shore event, will consist of affected sections of the community, such as tourism operators and fishermen, and volunteers who participate in the cleanup of any marine pollution.

The insurers of the ship and lawyers representing the ship owner or manager, charterer and other interested stakeholders will have an ongoing role during and after the incident. This will primarily focus on compensation for the cost of the environmental cleanup and the damage to or loss of the ship and potentially the cargo.

There is no uniformity as to how maritime administrations deal with casualty response. There are some good examples of how, whenever possible incidents are eliminated altogether through prevention strategies and on the rare occasions of an incident occurring the threat of significant pollution is reduced.

Preventing and responding to maritime pollution incidents in Australia

In Australia Vessel Traffic Services centres cover the approaches to major ports and the Great Barrier Reef waters and provide navigational assistance to ships that may be approaching shallow water or deviating from recommended routes. The availability around the Australian coastline of offshore support vessels or tugs for towing ships in distress reduces the likelihood of a catastrophic ship accident that will lead to maritime pollution.

In countries such as the United Kingdom and Australia where there are formal frameworks in place for the response to maritime environmental emergencies the command and control role is led by government agencies.

In Australia this role is performed by the Maritime Emergency Response Commander of the Australian Maritime Safety Authority.

In Australia the organisational framework for response to maritime pollution extends to a formal plan, the *National Plan for Maritime Environmental Emergencies*, which sets out the national arrangements, policies and principles for management of maritime environmental emergencies. Referred to as the National Plan, this document gives effect to Australia's obligations under international conventions for the protection of the marine environment.

The National Plan set out the arrangements for the:

- National Plan's governance and management;
- prevention of the release of marine pollution from a vessel;
- preparation for marine pollution incidents;
- response to marine pollution incidents;
- recovery from marine pollution incidents; and
- cost recovery (the polluter pays principle applies).

As Australia is a trading nation with substantial exports and imports by sea the need for an advanced framework, as set out in the National Plan, for managing the risks associated with shipping is critical to Australia's economic success and the protection of the marine environment in maritime areas for which Australia is responsible.

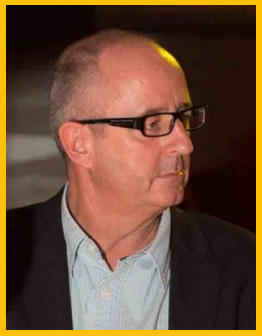
About the authors

Rod Johannessen

Rod advises government and private sector clients on seaborne small scale LNG supply chains, gas pipelines and gas markets. Rod has over 20 years experience in the energy sector including working for mid-stream, upstream and downstream companies. Rod has held roles in business development, commercial management, strategy, and risk management with pipeline, upstream oil and gas, power generation and electricity retail companies.

Rod's early career was in the seaborne grain and oilseed trade where Rod held roles in logistics and marketing to customers in Japan, Mexico and India.

Toby Stone



Toby was with the Australian Maritime Safety Authority (AMSA) for 10 years, prior to that Toby was with the UK Coastguard. Toby's seagoing career was with BP Shipping. Toby's last post at AMSA was as the General Manager Response. Toby has substantial expertise in the maritime industry, particularly shipping, offshore industry, pollution, salvage, emergency response and environmental standards. Toby's career highlights include attendance at and leading high profile maritime incident investigations for the *Sea Empress*, *Braer*, MSC *Napoli* and MSC *Rena* shipping accidents, the roles of President of The Bonn Agreement in Europe, Chairman of several critical entities of the Australian National Plan for Maritime Environmental Emergencies and Head of the Australian Delegation for the IMO Marine Environment Protection Committee.