



Office of the
Maritime Administrator

REPUBLIC OF THE MARSHALL ISLANDS

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LADY ISIK (ON 3457 / IMO No.9445423) **Collision with Fishing Vessel YY (Spanish Registration No. 3-ST-4-1-01)** **Bay of Biscay off Spain on 15 October 2010**

Disclaimer

The Maritime Administrator has a mandate to promote safety of life and property at sea, and the prevention of pollution. This is achieved in part by conducting investigations of marine casualties and incidents involving vessels in the Registry and persons on board for remedial purposes in accordance with the Republic of the Marshall Islands Maritime Act 1990 and Maritime Regulations. Marine investigations, which are administrative in nature, look to the cause of difficulties experienced, means of avoiding them in the future, possible violations of law, and any faults or failures on the part of personnel, shipowners or operators which might require action in respect of any licenses, certificates or documents. The disclosure of any records, reports, documents, evidentiary matter or official statements pertaining to a marine investigation is subject to Marshall Islands Maritime Regulations section 6.38.8f and Chapter 23 of the IMO Casualty Investigations Code (IMO Resolution MSC.255(84)).

Summary

At approximately 0737 (+2 GMT) on 15 October 2010 the 4,374 gross ton oil / chemical tanker LADY ISIK was involved in a collision with the 3.92 gross ton Spanish fishing vessel YY in the Bay of Biscay. LADY ISIK was outbound from the port of Santander, Spain with a cargo of 3,900 tons of caustic soda. The LADY ISIK's bridge was manned by: the Master; the 2/O, who was maintaining the navigational plot; and the 3/O, who was assisting as required. LADY ISIK did not sustain any damage as a result of the incident. It is understood from the Spanish authorities that the YY sustained minor damage. There was no reported pollution or injuries on either vessel.

Weather and visibility were reported as good with visibility in excess of 10 miles, the wind was north easterly Beaufort Force 2, giving a slight sea and moderate swell reported to be approximately 1.5 metres high. Local sunrise was at 0830.

The Maritime Administrator was notified by the vessel's operator of the collision as well as the Spanish Permanent Commission of Investigation of Maritime Accidents and Investigations on 15 October. The Maritime Administrator appointed an investigator to attend the vessel at Cardiff, United Kingdom on 17 October. This was the vessel's first port of call following the reported collision. The Harbor Master for the Port of Santander conducted an investigation into the circumstances of the reported collision that included interviews of the YY's Master and a deck hand. A copy of the Harbor Master's report, which is dated 19 October 2010, was provided to

the Maritime Administrator by the Spanish Permanent Commission of Investigation of Maritime Accidents and Investigations.¹

Findings of Fact

The following findings are based on the report of the attending flag State investigator and the Maritime Administrator's review of the VDR information from the LADY ISIK as well as other information provided by the vessel's operator, including a recording of the closed circuit TV located on the vessel's flying bridge. These findings are also based on the investigation report prepared by the Harbor Master of the Port of Santander. All findings from the Harbor Master's report are noted as such.

1. On 15 October LADY ISIK departed the Espigon Central de Raos berth in Santander at 0700 proceeding outbound under pilotage. At 0720 the pilot disembarked off Punta Rabiosa and the vessel proceeded under the command of the Master, assisted by the 2/O plotting the vessel's position and monitoring the passage plan. After overseeing the pilot's disembarkation the 3/O also attended the bridge.
2. At 0723 the engine was set to full ahead giving a speed of approximately 11 knots and at 0730 the vessel rounded the Isla de Mouro and a course of 353° True was set. Once steady on this course the auto pilot was engaged, the helmsman was dismissed from the bridge, and the steering system reduced to one motor.
3. LADY ISIK's Master was positioned to the port side of the bridge's central conning console monitoring the 'X' band radar, which was set on the 3 mile range with head up display. The display was offset to increase the view ahead of the LADY ISIK. The starboard 'S' band radar was set on the 1.5 mile range with north up display. Both radars were reported to be in true motion mode.
4. The YY was transiting on an easterly heading with a crew of three. The crew, assisted by the Master, who was also navigating the vessel, was preparing fishing gear on the aft deck. The YY was underway, making way and was not engaged in fishing.²
5. At approximately 0732 the Master and 2/O became aware of a fishing vessel (the YY) at a range of less than 1.5 nautical miles. According to the Master the relative bearing to this vessel was 45 to 60 degrees off the port bow. Based on the recorded radar image the YY was approximately 30 to 40 degrees off the LADY ISIK's port bow. The radar trail shows the vessel's true course for the previous three minutes.

¹ The official report is in Spanish; the Maritime Administrator had the report translated into English.

² Statement of the Master of the YY made to the Santander Harbor Master on 15 October 2010.



Figure 1: LADY ISIK radar image at 0732 local time / 0532 UTC

6. The Master reported that the fishing vessel was showing a single green side light and white masthead light.³ The 3/O was ordered to plot the vessel by radar using the ARPA. The target was reported to show an initial CPA of 0.3 miles. The Master reported that the course of the vessel appeared to fluctuate. The Master considered LADY ISIK the stand on vessel and maintained course and speed as required by Rule 17 of the International Regulations for the Prevention of Collisions at Sea, 1972 (COLREGS).
7. Based on the recorded radar image, at 0735 the range to the YY was less than 1 NM with a relative bearing of approximately 30 degrees off the port bow.⁴ The radar trail indicates the vessel has been maintaining a steady course over the past three minutes.

³ The Master of the YY told the Santander Harbor Master that his vessel was displaying two all-around red lights, one above the other. Per Rule 27 of the COLREGS this signal is to be displayed by a vessel that is not under command. The Harbor Master's investigation report states that this signal was not applicable.

⁴ The distance between YY and LADY ISIK is supported by the findings of the Santander Harbor Master.



Figure 2: LADY ISIK radar image at 0735 local time / 0535 UTC

8. LADY ISIK's Master reported that after monitoring the fishing vessel's movement for a short time, he ordered a course change of approximately 5 degrees to starboard. The VDR information indicates that LADY ISIK remained steady on a course of approximately 359° True from when YY was first sighted at 0732 until just after the collision was reported to have occurred. The vessel's auto pilot was engaged at the time so it is not clear that the Master's order was executed.
9. At approximately this same time LADY ISIK's Bosun, who was forward, reported that the foredeck was secure and the forward working lights were switched off. The Bosun then began to proceed aft along the port side.
10. At approximately 0737 LADY ISIK's Master ordered hand steering and the 3/O took the helm. YY was reported close aboard bearing approximately 20 degrees off the port bow. The Master reported that the fishing vessel appeared to alter course to port. After approximately 10 seconds the vessel appeared to alter course back to starboard and increase speed. The Master then ordered the helm hard to starboard.
11. At 0737 radar trail from the YY can be seen on the radar image; the radar return from the vessel is not visible. Based on the location of what would be the forward end of the trail, the range to the vessel was between approximately 0.25 to 0.3 NM; the bearing was

approximately 30 degrees off the port bow of the LADY ISIK. The radar trail for the fishing vessel indicates it was maintaining a steady course for the previous three minutes.



Figure 3: LADY ISIK radar image at 0737 local time / 0537 UTC

- Based on the closed circuit TV (CCTV) recording, the YY can be seen just off the port bow of LADY ISIK at 0737. Approximately 10 seconds later YY appears to be close aboard under the flare of the LADY ISIK's port bow.



13. The Master of the YY indicated that prior to the collision he thought the merchant vessel (LADY ISIK) was far away.⁵
14. Immediately prior to colliding with the LADY ISIK, the Master of the YY unclutched the engine. YY's Master stated he did not have time to maneuver.⁶
15. Before LADY ISIK responded to the starboard rudder the YY made contact with LADY ISIK in the vicinity of the port bow. The contact was reported to have occurred 0738 in position 43° 29.8' N, 003° 45.2' W. The Master of LADY ISIK reported that the fishing vessel appeared stopped in the water and that he then ordered the helm hard to port, which would turn the LADY ISIK's stern away from the fishing vessel. LADY ISIK's engine remained on full ahead during these maneuvers. Based on the VDR information the rudder was put to 28 degrees to port at 0739.
16. The fishing vessel was observed passing down the port side of LADY ISIK. The Bosun, who was returning to the accommodation on the port aft main deck, reported he was not aware of any impact between the vessels, but reported that he sighted the vessel moving close down the port side with persons on board shouting.



17. LADY ISIK was monitoring VHF radio channel 16 and 11 prior to contact, however no VHF communication with the vessel was attempted or heard. Sound and light signaling equipment was readily available on the bridge but was not used.
18. After contact, LADY ISIK was steadied on its intended course and the fishing vessel was monitored visually. The lights on the fishing vessel were observed to remain on.
19. Approximately 10 minutes after the contact was reported to have occurred, Santander Port Control contacted LADY ISIK by VHF radio, and requested a report on what had happened. The Master described the incident and reported that he was not sure if a collision had occurred. Santander Port Control informed the Master that LADY ISIK could proceed on her planned voyage. At approximately 0810 Santander Port Control

⁵ Statement of the Master of the YY made to the Santander Harbor Master on 15 October 2010.

⁶ Statement of the Master of the YY made to the Santander Harbor Master on 15 October 2010.

requested the Master to make a written report of the incident which was to be forwarded to the Port Authority via the vessel's agent. At 0900 the Master made his initial written report on the incident.

20. At 0815 LADY ISIK's Master and all deck officers were subject to a breath alcohol test; the records of all the tests were negative.
21. All bridge equipment onboard the LADY ISIK appeared in good operational condition and the radars were proved fully operational when tested during the flag State investigator's attendance.
22. The Master of the YY told the Santander Harbor Master that the equipment onboard the YY, including the radar, was working properly prior to the collision.⁷
23. LADY ISIK's operator's standing orders do not provide guidance regarding the minimum acceptable closest point of approach when steaming.

Conclusions

Based on the above findings, the following conclusions are made:

1. Based on the statement of the LADY ISIK's Master and a review of the radar images from when the fishing vessel was first detected at approximately 0732 until the collision was reported to have occurred, the relative motion between the two vessels indicated that there was no appreciable change in the bearing between the two vessels. In accordance with Rule 7(d)(i) of the COLREGS this is an indication that the risk of collision existed.
2. LADY ISIK and the unidentified fishing vessel were in a crossing situation as defined by Rule 15 of the COLREGS. An immediate cause of the collision was that the YY, which was the give way vessel, did not keep out of the way of LADY ISIK, which was the stand on vessel, as required by Rule 15.⁸
3. LADY ISIK's Master used all available means as required by Rule 7 of the COLREGS to monitor the movement of the fishing vessel. However, the Master did not appear to fully appreciate the potential risk of collision that existed.⁹
4. Neither YY nor LADY ISIK used the signals prescribed in Rule 34(d) of the COLREGS.

⁷ Statement of the Master of the YY made to the Santander Harbor Master on 15 October 2010.

⁸ It is noted that the Port Santander Harbor Master reached a similar conclusion.

⁹ As noted in Rule 7(d)(i) of the COLREGS, the risk of collision "shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change." Based on the information available, the bearing between YY and LADY ISIK did not change appreciably between 0732 and when the collision was reported to have occurred.

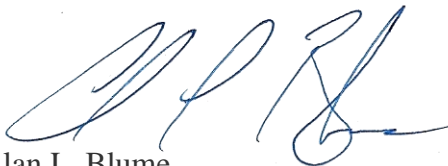
5. LADY ISIK's Master did not take substantive action as allowed by Rule 17 when it became apparent that YY was not taking action as required by the COLREGS.

Recommendations

Based on the above conclusions, the following recommendations are made¹⁰:

1. It is recommended that LADY ISIK's operator review this incident with the vessel's Master and officers with particular emphasis on the provisions of the COLREGS relating to assessing the risk of collision, crossing situations and taking timely action to reduce the risk of collision as well as the use of signals when in doubt of another vessel's intentions. It is further recommended that the operator issue a fleet advisory sharing the lessons learned with the other vessels in their fleet.
2. It is recommended that the operator of LADY ISIK review, and as appropriate revise, their standing orders to establish a minimum acceptable closest point of approach to other vessels.

The Maritime Administrator's investigation is closed. It will be reopened if additional information is received that would warrant further review.



Alan L. Blume
Deputy Commissioner of Maritime Affairs
Republic of the Marshall Islands
15 March 2011



¹⁰ No recommendations are made to the operator of YY since the vessel was within the Spanish territorial sea.