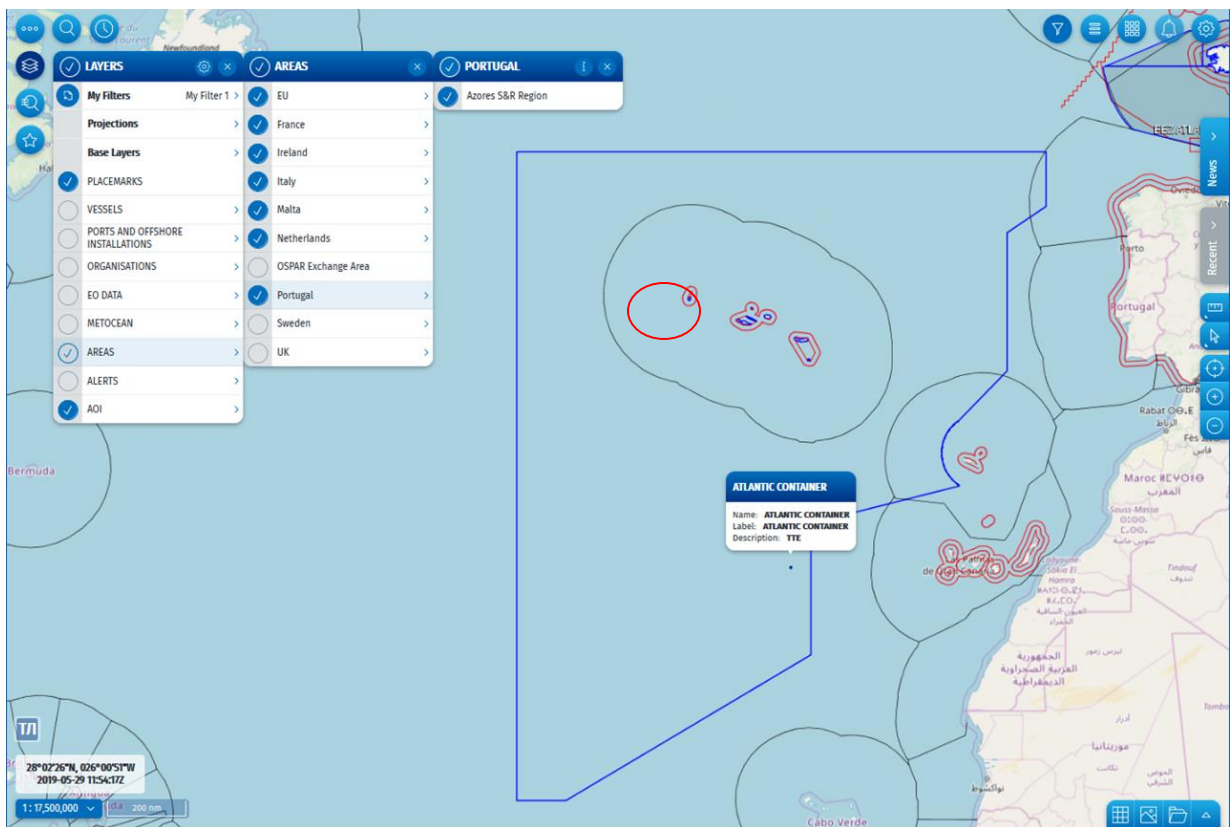


EU – EEA Member States Table Top Exercise Places of Refuge

ATLANTIC CONTAINER

Autoridad Portuaria de Las Palmas, Gran Canaria, Spain
02/03 October 2019



EXERCISE REPORT (October 2019)

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EXECUTIVE SUMMARY

The exercise ATLANTIC CONTAINER was the 4th Table Top Exercise since the MSC FLAMINIA incident in 2012 had demonstrated the need for an improvement in the coordinated response between EU/EEA Member States (MS) to incidents involving vessels requesting a Place of Refuge (PoR).

Although no significant amendments were deemed necessary following the Norway TTX in 2017, some minor changes were made, resulting in a revised operational guidelines¹ being made available in February 2018.

The 2019 TTX - ATLANTIC CONTAINER - proved to be a further validation of the OG. It was the best attended TTX to date and provided a forum for excellent discussion, debate and cooperation between the Governmental Coastal State delegates as well as representatives from all relevant maritime stakeholders. The scenario introduced the challenges of incidents involving cargoes and mis-declaration of HAZMAT, including IMO Class 7 (radioactive) aboard a large container vessel. The exercise also broadened the theme from previous TTXs with the inclusion of a Media Handling and management element, highlighting the importance of setting the narrative for how the response to an incident is reported in the media, synchronising with all directly involved and mitigating as far as is possible the facts being mis-reported or sensationalised.

¹ Link to the latest version: <https://ec.europa.eu/transport/sites/transport/files/por-operational-guidelines.pdf>

ABBREVIATIONS USED

CA	.... Competent Authority
CMS	.... Co-ordinating Member State
DPG	.... Dangerous and Polluting Goods
EC	.... European Commission
EU	.... European Union
EMSA	.... European Maritime Safety Agency
HAZMAT	.... Hazardous Materials
HNS	.... Hazardous Noxious Substances
IMDG	.... International Maritime Dangerous Goods
LOU	.... Letter of Undertaking
MAR-CIS	.... Marine Chemical Information Sheets
MAR-ICE	.... Marine Chemical Emergency Information Service
MAS	.... Maritime assistance Service
MRCC	.... Maritime Rescue Coordination Centre
MS	.... Member State
OG	.... Operational Guidelines
PoR	.... Place(s) of Refuge
SEG	.... SafeSeaNet Ecosystem Graphical User Interface
SITREP	.... Situation report
SMS	.... Supporting Member State
SSN	.... SafeSeaNet
TDM	.... Traffic Density Maps
TTX	.... Table Top Exercise

INTRODUCTION & SETTING

The issue of accommodating ships in need of assistance has grown in importance since the incident involving the MSC Flaminia in 2012 which led to setting up a dedicated EU PoR experts sub-group in accordance with Article 20(3) of Directive 2002/59/EC (hereafter the VTMIS Directive), under the HLSG DMSS².

The Places of Refuge Operational Guidelines (OG), as developed by the experts sub-group, with the support of concerned industry stakeholders, introduced a new spirit of enhanced collaboration and coordination between the different Member States and with industry. They provide a robust, methodical operational process to facilitate prompt and well-advised decision-making, building on effective, speedy and accurate sharing of information as key enabling factors. The processes described aim to clearly identify the roles and responsibilities of the stakeholders in a PoR scenario, with a focus on the Coordinating Member State and the Supporting Member State(s). The OGs support MSs in a constructive way and aim to provide an essential tool for Competent Authorities as the main operational bodies in the decision-making process.

The development of the OGs is linked with related ongoing work in the context of the VTMIS Directive in particular the work on HAZMAT Guidelines and support Database, within the Union Maritime Information and Exchange System.

The four³ TTXs held since 2013 have alternated between northern and southern European locations, with the 4th TTX held in Spain, Gran Canaria, between 2-3 October 2019.

² High level Steering Group for the governance of the Digital Maritime System and Services (Commission Decision 566/2014)

³ The 1st PoR Table Top Exercise (TTX) in Rotterdam (2013) led to the conclusion that a set of EU/EEA-wide guidelines was required as a reference point for PoR incidents involving more than one MS.

The EU Operational Guidelines (OGs) were subsequently drafted and then tested with a realistic scenario at the 2nd TTX in Malta in 2015. Through a step by step assessment of the OGs, the Malta exercise highlighted a number of necessary amendments to the draft OGs, which were incorporated into the first official version of the document that was formally published in January 2016. The OGs have been developed with the input and support of the relevant sectors of the maritime industry who have had a strong presence at all TTXs held so far.

The 3rd TTX was held in Norway in 2017. Norway was chosen as the host country in recognition of the fact that the PoR issue is one that crosses political boundaries, acknowledging the mutual advantage of neighbouring non-EU Member States being conversant with the OGs. The Norway TTX served to demonstrate that Member States now have a robust and workable set of guidelines to use when a PoR situation arises that has actual or potential impact on more than one MS.

OBJECTIVES

The 4th Table Top Exercise on PoR had four main objectives:

1. To continue testing the general applicability of the EU Operational Guidelines for Places of Refuge in any PoR case;
2. To test the OG particularly in relation to a complex incident involving a very big container vessel;
3. To test the OG in relation to the issue of transport of low/medium radioactive materials;
4. To test the OG in relation to the issue of mis-declared containers.

LOCATION AND LOGISTICS

The exercise was held at the building “Zona Franca”, within Las Palmas Port, Gran Canaria, Spain. The Spanish Ministerio de Fomento, with the collaboration of Autoridad Portuaria de Las Palmas, arranged excellent facilities that were ideal for the purposes of the exercise.

On Day 1 of the TTX, following the initial plenary session, the exercise scenario was presented and a series of related presentations followed to help delegates focus on the factors to be considered for the scenario. Thereafter, the exercise attendees were split into 3 break-out groups to each act as the Competent Authority for Spain having received a request for a PoR within the vicinity of the Canary Islands. At the conclusion of Day 1, the groups’ initial thoughts on the situation were presented and the outline salvage plan was shared in plenary. On Day 2, the groups were provided with updated information and asked to decide as to whether a PoR would be granted for the vessel and if so, where the most suitable location for this would be.

EXERCISE SCENARIO SUMMARY

The Scenario took place in an area of the Atlantic far from shore west of the Gibraltar Strait. This area has a significant density of maritime traffic. It is crossed by vessels en route between the Mediterranean and the Caribbean, South America or West/South Africa. Container vessel traffic is particularly heavy in this area, due to the fact that it is on the line of the transatlantic traffic from/to the Panama Canal. Therefore, the probability of an accident on board of a container vessel is bound to be higher, and there are many factors that should be kept in mind when considering a PoR request.

Although on the high seas, the area is close to Macaronesia, a chain of archipelagos of protected environmental value. Of particular significance to the context of the scenario was the consideration that tourism is the main source of economic activity in the area, together with fishing. An accident of a large container ship could have a potentially high impact on the area, not only in terms of pollution by the ship's bunkers, but also in terms of the possible hazardous and/or pollutant cargo on board of the vessel. Hazardous cargo may not only pose a major threat to the population close to the incident, but may also cause irreversible damage to the particular and rich biota of the area, which prospers in numerous protected areas and zones.

The full exercise scenario document can be found in Annex II of this report.

1. DAY 1 – 02 October 2019

1.1 Opening.

The delegates were welcomed by EMSA, the European Commission and the Exercise Director representing Spain. The addresses gave a brief history of how the TTXs and the OGs evolved. It was noted that the MODERN EXPRESS incident in 2016 had demonstrated how the OGs can be effectively used in practice. The opening addresses appreciated the continued commitment of MSs represented the support provided by the industry stakeholders. The observers, including from Canada and IMO, were also particularly welcomed. MSs and industry were also thanked for their support in promoting the experience gained from the OGs on the wider international stage through the IMO.

1.2 Introduction of the scenario.

The planning team gave a detailed overview of the exercise scenario put before the delegates.

On-board the post-panamax plus container carrier “ATLANTIC CONTAINER” a fire broke out in a container located amidships on its journey from Long Beach (USA), via Panama, to Port Said (Egypt) – with a planned stop in Malta. The incident was first reported to MRCC Ponta Delgada (Portugal) as the vessel was in the Portuguese SAR region at that time. SAR operations were completed successfully . Salvors started firefighting operations. By day 7 of the scenario, the fire on board had been brought under control by the salvors, who made a simultaneous PoR request to both Portugal and Spain. The Portuguese and Spanish authorities co-ordinated the incident and decided to pass it to Spain, due to the vicinity of land and the prevailing and forecast weather conditions in the area, to become the coordinating MS (CMS), with Portugal as supporting MS (SMS)

Thereafter delegates were formed into three groups, each led by a facilitator, to consider how to handle the ship in need of assistance and whether a PoR would be granted and if so, where the most suitable place within the Canary Islands would be. Participants were invited to also discuss which information they would require for making a well-informed decision.

1.3 Presentations

In this context, participants benefitted from a series of presentations on different aspects of the response that would need to be considered by the Competent Authority for an incident like the one presented in the exercise scenario.

The presentations are listed below and the Powerpoint slides for each are available on the EMSA website at the following link: <http://www.emsa.europa.eu/implementation-tasks/places-of-refuge/items.html?cid=316&id=3716>

Topic	Presenter(s)
EMSA services: MAR-CIS and MAR-ICE	Ana Sofia Catarino, EMSA
Salvage Considerations	Jason Bennett, Ardent Global
Role of Classification Societies in Finding a Place of Refuge	Diego Garcia, Chris Perrocco & Robert Hanraads; ABS
Insurance Dimension of the Place of Refuge Case	David Bolomini, IG of P&I Clubs
Media Handling when Dealing with a Maritime Accident	Monica Mulero Martinez, SASEMAR, Spain
Presentation by the Spanish Nuclear Safety Council	Antonio Ortiz Fernando Zamora
Presentation by Spanish National Ports	Javier Gesé Aperte



Javier Gesé Aperte (Spanish National Ports) during his presentation

A plenary session followed the more general presentations on topics related to the issue. It was brought forward that due to its geographical location, the Iberian Peninsula is close to busy shipping routes, and Spain is likely to experience higher numbers of shipping incidents within its maritime jurisdiction. While this being a fact due to its location it would be same for other MS but it also needs then to be considered that Spanish ports also benefit from the increased traffic and port calls. As the issue of the PoR OGs is about sharing information and full cooperation of all parties involved it was also pointed out that ports have a role to play within the responsibility chain and therefore not unreasonable ports may become the place of refuge following (the relatively rare occasions of) a request.

In this context, although outside the operational guidelines under test, the idea for an international or regional fund that may help the States cover the aftermath of granting a place of refuge if not fully covered by the international maritime insurance and compensation system, was mentioned.

Another issue raised, becoming more and more important, was that of the lack of information about DPGs on board a ship when it sails in European waters⁴ but is not bound for a port in the EU and not passing any EU based MRS along its route. This highlighted the need for fully functional and connected MRS (to SSN) as well as the possible need for guidance for coastal States in how best to seek information for such transiting traffic⁵. This may imply a delay in obtaining information about the cargo on board, or even not obtaining it at all.

Comments were also raised about the role of the inspection team and the need for its independency when informing the authorities of the coastal State.

1.4 Break-out groups and plenary session.

The delegates were split into 3 separate break-out groups. With the help of facilitators and industry stakeholders from class, insurance and salvage, the groups were asked to preliminary assess the situation presented in the PoR request. In support of making such an assessment all groups tested the provision in the OGs for seeking technical input from Classification societies involved, and where available. Such information were succinctly provided regarding vessel stability. An outline salvage plan was provided. The groups were also asked to prepare a brief press statement to summarise the situation.

The groups followed the OGs throughout the exercise and made use of the tools at hand to assist them. Use of these tools is crucial for robust, informed decision-making. Exercises such as this one provide an ideal platform for all participants to think about their particular role in a PoR incident and to be reminded about the many factors involved in bringing such an incident to a satisfactory conclusion.

The groups re-convened to share their considerations in plenary. The TTX Director noted that it was likely, at that point, that there would be different conclusions drawn and strategies considered by the separate groups.

1.4.1 Group 1 noted the generally positive report on the condition of the vessel and considered the possibility of her restarting her engines and continuing her intended passage to Malta. However after due consideration, they felt that the best course of action was to deploy an inspection team on board the vessel and subject to their report, offer a suitable PoR.

1.4.2 Group 2 raised the question of whether the use of an inspection team questioned the trust that could be placed in the assessments of class and the salvors. It was clarified that an inspection team was not an indication of lack of trust, but an

⁴ Waters under the jurisdiction of a EU/EEA MS

⁵ Issue looked at in the IRWG under the SSN

important independent verification of information that is also essential to satisfy the independent decision of the Authority in charge. Group 2 also concluded that an inspection team should be sent.

1.4.3 Group 3 felt that the best course of action would be to bring the vessel to within helicopter range, that is approximately 100nm of the Canary Islands, before carrying out an assessment. Group 3 also concluded that an insurance Letter of Undertaking is increasingly unnecessary where Coastal States are signatories to relevant IMO conventions that provide financial security.

1.5 In concluding the first day of the TTX, Mr Benito Nuñez Quintanilla, Director General of the Merchant Marine from Ministerio de Fomento, thanked the delegates and the planning team, emphasising the importance to Spain of having robust procedures for PoR incidents and of exercises such as the TTX.



Mr. Benito Nuñez Quintanilla addresses the TTE participants

2. DAY 2 – 03 October 2019

2.1 Opening.

At the start of Day 2, delegates were provided with an updated SITREP, a report from the inspection team and a revised salvage plan. The break-out groups reconvened to further assess and decide whether a PoR would be granted and if so, where. Information about possible places of refuge, SEG's Traffic Density Maps (TDM) of the area, a new weather forecast, and information about protected marine areas were also made available.

2.2 Break-out groups and plenary session.

The group facilitators reported back to the plenary on the decisions taken in the break-out groups. It should be remarked that, with minor divergences, conclusions from the groups were quite similar, even having account of the separated processes of decision taking in each group. A detailed report of each group's activities is included in the Annex.

- 2.2.1 Group 1 agreed to grant a PoR but were split with regard to their preference for location. Las Palmas was favoured by some participants for its good facilities, whilst others preferred an anchorage in a non-populated area to allow for safer discharge of HAZMAT. The rest of the group favoured South Tenerife.
- 2.2.2 Group 2 concluded that there were no grounds for refusing a PoR, in accordance with the OGs. Their preference was also for Las Palmas due to the good facilities, but with a contingency plan if the weather worsens to take the vessel to La Palma for good shelter and then onwards to Tenerife.
- 2.2.3 Group 3 decided that the vessel should be brought to the Canary Islands from the south, anchoring off the south western island as a way-point to assess the weather and plan forward passage to bring the vessel alongside. Based on the salvors' preference for an ultimate destination with good facilities for offloading containers, Las Palmas was the preferred option. The vessel would have an exclusion zone placed around her whilst on passage and a further inspection would be carried out on arrival.

3. Summing up, conclusions & findings

- 3.1 The planning team concluded that the exercise had proven to be a good test of the OGs, and that the OGs had once again demonstrated their practical use and applicability to a wide range of scenarios. Overall, the TTX again illustrated the importance of States and industry to communicate, to cooperate and to coordinate in order to accommodate ships in need of assistance in a place of refuge.

A number of aspects of the OGs, having already been tested in previous TTXs, were again confirmed in the exercise, leading to the conclusion that the OGs are fit for purpose.

a) Cooperation between MS is one of the most important aspects covered by the OGs. As highlighted by this case again, the spirit of cooperation is how States should approach an incident of this kind. Simultaneous requests for places of refuge to different States, although the OGs clearly state such should be avoided, were included in the scenario to stress the importance of following the procedures. Portugal and Spain applied the cooperation procedures, and also the handover procedure was completed, including the exchange of information. It drew attention to the practical need of Supporting Member States to be ready to take over coordination of an incident. All participants showed a commitment to further strengthening the use of the OGs as the standard practice for all MS to apply.

b) Some other relevant aspects of the OGs again underlined through the exercise were: where to look for information as a CMS and the need of the information exchange between MSs. For both of these especially SSN proved to be essential. The use of SITREPs was present throughout all of the exercise (initial reports, PoR request, handover, inspection team, and PoR decision) and showcased how valuable this information becomes in a PoR situation.

c) The decision methodology included in the Appendix D of the OGs was also positively remarked. Against this background, the aspects related to the need for actual and verified information were discussed, as well as the risk assessment by the coastal State, the decision methodology itself, and the considerations to be kept in mind when choosing a place of refuge. The decision methodology proved to be comprehensive and directed the discussion to the major considerations required.

3.2 Among the other aspects of the OGs not previously tested were:

a) The problem of misdeclaration of hazmats.

Choosing a container carrier as the ship where the accident occurs has been motivated by the rapid increase of size of this kind of vessels and the problems that may arise when a fire is detected on board such a vessel. The “MSC Flaminia” or “Maersk Honam” showcase examples of the problems faced when dealing with an incident of this type. It appears not uncommon that a fire may be caused by a container loaded with undeclared and, subsequently, incorrectly packed and stowed hazmats. In other cases, the lack of notification of these hazmats implies that segregation rules for hazmats are not applied, which may worsen the fire on board or cause other problems when dealing with the extinction of the fire, as they can emit toxic fumes, cause explosions or create a new fire.

b) Radioactive cargoes.

As the support from EMSA through MAR-ICE and MAR-CIS to the coastal State in case of an emergency on board related with hazmats so far doesn't include radioactive materials, States should rely on their own national systems when dealing with an emergency of this type. The presentation of the Spanish Nuclear Safety Council experts focused on the packaging of radioactive materials and the preventive measures in case of accident and could provide inspiration to other MSs.

It was noted that RAM is included in the IMDG-Code and dealt with and covered, as DPG cargo.

c) Media handling.

An aspect that had not yet been tested in any TTX was the management and relations with media when dealing with a ship in need of assistance. As a specific chapter of the OGs (chapter 8) is related to this aspect, it was considered a theme to be tested during the exercise. Media handling was addressed through a general presentation by an expert from SASEMAR – the Spanish marine SAR and marine pollution fighting organization – who indicated the key points about the information to be transmitted to the media. There was also advice about how to treat misinformation and about how to inform about the decision of granting, or not, a place of refuge.

d) Classification societies' emergency response services

The role of classification societies ERS services, when available, was highlighted throughout the TTX. Distinct presentations were given on legal implications, and the functioning of emergency response system (the RRDA, Rapid Response Damage Assessment), stressing the importance of ERS information for decision-making, and the need for a direct flow of this information to the coastal State.

3.3 New ideas for further refinement of the OGs and PoR tools

New ideas were raised for discussion, which may lead to minor amendments in the OGs. These are summarised in the “findings” section.

Findings

The following was highlighted:

- The value of a new dedicated PoR information layer in SSN including identification of Marine Protection Areas (MPAs). The information would include that of direct relevance for PoR situations.
- The clear need for States to ask classification societies to provide ERS information, where available.
- Studying further the framework for inspection teams and their regime, especially when drawn from several involved States.
- The lack of information about DPG and hazmats on board vessels transiting EU Member States waters but not bound for EU ports, and the need for accurate information about these hazmat loaded into containers, also on vessels bound for an EU port. The use and functioning of MRS information in SSN to be further explored.
- The use of Traffic Density Maps in SEG in order to establish a safe passage plan of a vessel in need of assistance to a PoR.
- Situation(s) leading to possible claim for damages not included in the international liability conventions regime
- The media response and management element was a very useful new aspect introduced for this exercise, highlighting how important it is during high profile incidents to proactively steer and synchronise media and press releases between all parties involved.
- The need to recall the legal obligations in the VTMS Directive regarding the importance of taken independent decision in the interest of protecting human life, the environment and the safety of the vessel.

Acknowledgements

The organizers as well as all participants expressed their sincere gratitude to the Autoridad Portuaria de Las Palmas, especially to Juan Francisco Martin, whose help and support became the mainstay of the exercise. The help from Maersk, especially from Jose Manuel Guerrero, giving us real ad-hoc cargo documents of the container ship, also needs to be recognized. Also the help and thrust of the whole planning team during such a long process of preparation of exercise was highly valued; as well as the personnel of the Capitania Marítima de Las Palmas for giving us directions and support before and during the exercise; and, finally, our thanks extend to all the participants, who helped to make this a highly inspirational, very interesting and truly participatory exercise.

The planning team collectively thanked all involved in contributing to another excellent TTX that once again highlighted the value of encouraging a spirit of cooperation between all stakeholders when faced with a cross-jurisdictional PoR situation, and stressed the question that there is no general solution when deciding to grant a place of refuge to a ship in the need of assistance, and that each incident should be addressed case by case.

ANNEX I – Planning/Facilitation Teams and List of Participants

EXERCISE PLANNING TEAM

<u>Hernan del Frade</u>	<u>Spain</u>
<u>Carlos Garcia Buendia</u>	<u>Spain</u>
<u>Kjetil Aasebø</u>	<u>Norway</u>
<u>Ana Faneca</u>	<u>Portugal</u>
<u>Mevric Zammit</u>	<u>Malta</u>
<u>Jason Bennett</u>	<u>Salvage</u>
<u>David Bolomini</u>	<u>Insurance</u>
<u>Diego García Giraldo</u>	<u>Class</u>
<u>Malgorzata Nesterowicz</u>	<u>EMSA</u>
<u>Mario Mifsud</u>	<u>EMSA</u>
<u>Jacob Terling</u>	<u>European Commission</u>
<u>Alexander Hoffmann</u>	<u>European Commission</u>

Facilitators:

Group 1: Hernan del Frade & Ana Faneca

Group 2: Kjetil Aasebø & Carlos Garcia Buendia

Group 3: Mevric Zammit & Nuria Obiols

Support team in break-out groups:

Class:

Robert Hanraads (ABS)

Christopher Perocco (ABS)

Insurance:

Steve Roberts (IG P&I Clubs)

Jaime Albors (Albors, Galiano y Portales)

Salvage:

Charo Coll (Grupo Boluda)

Leendert Muller (Multraship)

EMSA support:

Ana Sofia Catarino (MAR CIS/MAR ICE)

Marta Lima (SSN)

Final report team:

Hernan del Frade

Dominic Stevens

Jacob Terling

Alexander Hoffmann

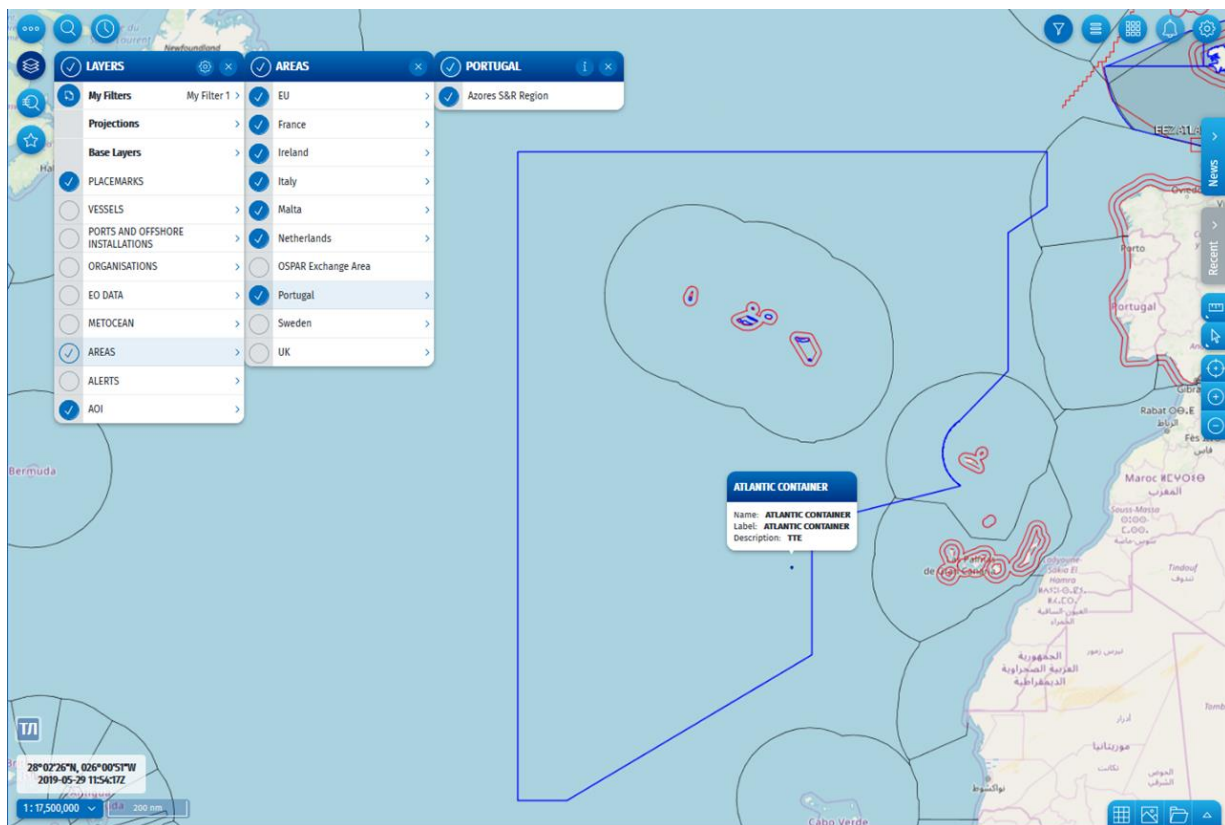
List of participants

Group 1	Group 2	Group 3
Facilitators Hernan del Frade (Spain) Ana Faneca (Portugal)	Facilitators Kjetil Aasebø (Norway) Carlos Garcia Buendia (Spain)	Facilitators Mevric Zammit (Malta) Nuria Obiols (Spain)
Jason Bennett (UK)	Charo Coll (Spain)	Leendert Muller (Netherlands)
Christopher Perocco (Germany)	Robert Hanraads (USA)	Diego Garcia (Spain)
Javier Portales	David Bolomini (UK)	Jaime Albors (Spain)
Etienne Champigny (Canada)	Damian Dundovic (Croatia)	Steve Roberts (UK)
Valentin Dzhambazov (Bulgaria)	Jani Isometsa (Finland)	Torben Iversen (Denmark)
Heiki Ivask (Estonia)	Halldor Zoega (Iceland)	Herve Metayer (France)
Konstantinos Mangidas (Greece)	Robert Vassallo (Malta)	Niall Ferns (Ireland)
Mindaugas Narkus (Lithuania)	Marius Roibu (Romania)	Ole Kristina Bjerkemo (Norway)
Andrzej Kalata (Poland)	Fernando Zamora (Spain)	Zvezdan Bozic
Francisco Alonso Lorenzo (Spain)	Javier Gese (Spain)	Monica Mulero (Spain)
Hans Witte (Netherlands)	Tomas Astrom (Sweden)	Antonio Ortiz Olmo (Spain)
Juan Francisco Martin Naranjo (Spain)	Javier Yasnikouski (UK)	Cesar Vallin (Sweden)
Rafael Pastor Bedoya (Spain)	Holger Muhlstein (Germany)	Stephan Hennig (UK)
Fernando Fernandez (Spain)	Alexander Hoffmann (EC)	Christopher Oliver (UK)
Wolfgang Knopf (Germany)	Antonio Manuel Castellano Reyes (Spain)	Andres Nicolas Real-Arce Valido (Spain)
Aron Sorensen (Denmark)	Mario Mifsud (EMSA)	Malgorzata Nesterowicz (EMSA)
Jacob Terling (EC)		

ANNEX II – Exercise Scenario

On September 25th, a Syldavia flagged Post-Panamax Plus container carrier, “ATLANTIC CONTAINER”⁶, is on its journey from Long Beach (USA), via Panama, to Port Said (Egypt) – with a planned stop in Malta, when a fire breaks out in a container located amidships. Toxic fumes are observed coming out of the affected area, suggesting that the container in question may be carrying hazardous materials. A check of the manifest reveals that cargo on the said container wasn’t declared as dangerous and, therefore, IMDG segregation rules were not applied during stowage. Fire spreads to adjacent containers and to leeward. In order to keep the bridge and accommodation windward of the toxic fumes, the Master alters course and reports the incident to MRCC Ponta Delgada. The course change worsens the fire, which spreads to parts that weren’t yet burning. Within a few minutes the situation becomes out of control, despite the efforts of the crew, and puts at risk vessel integrity and crew safety. The Master gives orders to abandon ship as the fire gets out of control and reports the abandon to MRCC Ponta Delgada, asking for rescue operations.

When the abandon ship occurs, the vessel’s position is 28°N 026°W. SAR operations are launched by MRCC Ponta Delgada and conducted successfully without losses, with a vessel in the vicinity picking up all the crew members⁷.



Ship’s position on the SEG

⁶ The name of the vessel and its flag are fictitious and any resemblance whatsoever to an existing vessel is purely coincidental.

⁷ All the references to the SAR operations are intended only for the purpose of setting the starting point of the scenario. No discussion on SAR issues should be done through the TTX.

At the time of the abandon ship order, the vessel is on the high seas, within the Portuguese SAR Region. The ship's owner reports the incident via the Portuguese MAS⁸, informing that the ship is adrift, without any crew on board and that the fire is still burning. The closest land to the reported position is the Canary Islands (ship's position is, approximately, 415 nautical miles west of Punta Orchilla, the western tip of Isla del Hierro).

The shipowners contact a salvage company. Assistance by the salvors is delivered within 3 days (day 4), when the ship is in a position 27°27'N 025°40'W. When salvors reach the ship, the fire is still ablaze and has caused extensive damage to the deck. Salvors start FiFi operations. The shipowners request information, reporting the ships' condition, from Class (RRDA/ERS). Information about ballast on board is requested to the crew.

The fire is finally extinguished after 2 days of intensive cooling with water (day 6). The ship takes a 10° list to starboard due to the excess of water that found its way into the holds due to damage on deck and to hatch covers (salvors inform shipowners about the ship's condition to pass information to Class). Toxic fumes are noticed emanating from inside bay 47, suggesting that the water inside of it may have reacted with some products in the containers. Although in that hold there were not hazmat loaded declared containers that may react with water, there are 12 containers with Ferrosilicon as declared cargo, a non-dangerous cargo; but, in contact with shippers, they say that correct cargo on these containers is Titanium powder (dry), a hazmat with UN number 2546 (containers numbers 471410, 471408, 471406, 471404, 471210, 471208, 471206, 471204, 471202, 471010, 471008 and 471006).

On day 7, salvors make the formal request to both Portugal and Spain for a place of refuge, in order to correct the ship's loss of stability, to prepare subsequent cargo unloading and to avoid damage to the environment. Worsening of weather conditions is expected. Despite this simultaneous request to Spain, since the ship is in the Portuguese SAR region, Portugal has precedence in considering the PoR request. However, following consultation with Spain which, by virtue of the simultaneous request, was already involved, it is decided to pass on handling of the PoR request to Spain, due to the vicinity of land and weather conditions. The handover procedure is carried out.

As vessel stability is acceptable and toxic fumes had stopped, salvors make an initial assessment of the ship's condition, carrying out a pre-towing survey and issuing a vessel condition report. No pollution is detected. Class issue a report.

At this stage, some unverified information is published on Twitter about the high risk to local population and tourism of the proximity of the vessel close to the Canary Islands, raising concerns of public opinion.

⁸ IMO MSC.5/Circ.13/Rev.2
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MMSI: 002633030

EXERCISE STAGES

The above is an initial scenario that participants will be presented and requested to react to in the shoes of the Spanish authorities. Further developments will need to be identified, each of them requiring a reaction from the participants. During the introduction and before each break-out group session, the participants will be provided with details of the scenario or its development. Then they will break out into groups, each having two facilitators, where they will be provided with further injects. After each break-out session, the participants will reconvene in plenary where a facilitator from each group will share respective output that will contribute to a general plenary discussion.

ANNEX III – Exercise Agenda

Agenda: 4th Table Top Exercise on Places of Refuge

Las Palmas, 2-3 October 2019

DAY 1

Time	Agenda Item	Speakers
9:00 – 9:15	Opening and housekeeping matters	Mario Mifsud, EMSA Jacob Terling, European Commission Malgorzata Nesterowicz, EMSA Hernan del Frade, Spain
9:15 – 9:45	Presentation of the scenario	Hernan del Frade, Spain Ana Faneca, Portugal Marta Lima, EMSA
9:45 - 10:15	EMSA Services: MAR-CIS and MAR-ICE	Ana Sofia Catarino, EMSA
10:15 – 10:35	COFFEE BREAK	
10:35 – 11:05	Salvage Considerations	Jason Bennett, Ardent Global
11:05 – 11:35	Role of Classification Societies in Finding a Place of Refuge	Diego Garcia, ABS Europe
11:35 – 12:05	Insurance Dimension of the Place of Refuge Case	David Bolomini, IG of P&I Clubs
12:05 – 12:30	Media Handling when Dealing with a Maritime Accident	Monica Mulero Martinez, SASEMAR, Spain
12:30 – 14:00	LUNCH	
14:00 – 14:20	Presentation by the Spanish Nuclear Safety Council	Antonio Ortíz Fernando Zamora
14:20 – 14:40	Presentation by Spanish National Ports	Javier Gesé Aperte
14:40 – 14:50	Summing up	Hernan del Frade

Table Top Exercise ATLANTIC CONTAINER 2019

Time	Agenda Item	Speakers
14:50 – 15:10	COFFEE BREAK	
15:10 – 17:00	Break-out groups	
17:00 – 17:30	Closing plenary session	Hernan del Frade

DAY 2

Time	Agenda Item	Speakers
9:15 – 9:45	Opening Overview of developments of the first day	Benito Nuñez Quintanilla, Ministerio de Fomento Hernan del Frade
9:45 – 11:15	Break-out groups	
11:15 – 11:35	COFFEE BREAK	
11:35 – 12:30	Plenary session	Hernan del Frade Monica Mulero Martinez and Facilitators of the groups
12:30 – 13:00	Summing up and conclusions	Hernan del Frade Mario Mifsud

ANNEX IV – Reports from the Break-Out Groups

GROUP 1:

SESSION 1 – The objective was to decide about sending an inspection team on board

After additional information regarding hazardous cargo containers and their location on board became available, some questions were raised by the participants:

- What kind of protection measures would be available for the inspection team?
- What was the present distance from shore?

Different opinions were raised about how to proceed best. One participant considered that there could be no reason for a PoR request, as the vessel was probably able to restart its engine and proceed to its destination. Another participant wondered why a container ship would have a CLC certificate.

The group decided to send an inspection team on board, as well as drones and a warship (escorting). The composition of the inspection team was also discussed.

SESSION 2 – The objective was to decide on granting a PoR (or not) and if yes, the best location

Some questions were discussed before taking a decision:

- What are we going to do to the owner/shipper regarding the mis-declaration?
- Is Class boarding the vessel? Why not if class is suspended?
- Certain photos and videos prepared by the inspection team should be available for communication / media

It was decided to grant a PoR as the vessel needed shelter before the weather deterioration. It was also decided to ask ERS for a new report for the actual/updated weather forecast.

Regarding location of a PoR, several ideas were presented as follows:

GRANADILLA DE ABONA

- It would be possible to have a tanker alongside for receiving water
- It could also be considered as a temporary decision

LAS PALMAS

- It has practical facilities
- It is located on a straight course

Anchorage (sheltered)

- It could be suitable to correct list (and one participant suggested to ask class if it was possible to proceed the voyage after that)

ISLA DEL HIERRO

- As it is the closest position/fastest to reach. Afterwards proceeding to Las Palmas for services would be possible

It was preferred to choose a non-populated area to discharge containers with IMO class 7.

At the end, salvors noted some disadvantages of anchorages:

- Anchorages need good weather conditions
- All operations take more time
- Anchorages are more risky

GROUP 2:

SESSION 1 – Information gathering and coordination of incident until the possible inspection

The group took into account a set of different factors for the decision. The group:

- analysed the technical information from class, salvors, owner, etc.
- analysed the operational factors: Weather forecast, distance from the coast, etc.
- analysed the dangers for the inspection team.
- analysed the importance of media handling and the consequences of carrying out or not the inspection at this point of time.

After an intense and interesting debate, the group decided that an inspection shall be carried out when the vessel was at a helicopter distance from the coast.

SESSION 2 – Decision making - Discussion on the possibility of accommodating the ship

The group considered if there were any reasons for why a PoR should not be granted, following point 6.1.2. of the Guidelines.

After analysing all the points, the conclusion was that a place of refuge shall be granted.

The second decision was to choose the adequate place of refuge.

Tenerife port was the final place of refuge decided for, having taken into account the facilities, the distance from the vessel position (almost 1 day closer than Las Palmas port), and having taken into account that Tenerife is less busy than Las Palmas. The voyage would be done by the north of Tenerife, between the islands of La Palma and Tenerife.

In the case of a real worsening of the situation and/or the weather before arriving to Tenerife, an intermediate place of refuge would be at the east coast of La Palma, probably in front of La Palma port or inside that port. In the case it were necessary to enter into La Palma port, enough technical services could be taken from Tenerife port to La Palma.

GROUP 3:

SESSION 1

Following the presentation of the scenario by the Exercise Director and various other speakers during plenary, participants forming group 3 gathered in the allocated breakout room. The spectrum of participants was quite wide as there were representatives from Maritime Administrations and Authorities, ship owners, salvage companies, classification societies, chamber of shipping, insurance, etc. Moreover, apart from maritime experts, there were also nuclear experts.

The facilitators provided the floor with a recap of the scenario and reminded the participants about the operational guidelines, stressing the importance that they are used during the decision making process. First of all, participants agreed to activate a “Command Center / Emergency Control Centre” with scheduled periodic meetings to deal with the situation and to eventually come up with a reasoned decision.

Following the recap, participants were asked if they required any further information prior to commencing the decision making process in accordance with Chapter 5 of the Guidelines. The group engaged in a very active discussion. The group mainly discussed cargo information, information from the salvor, weather, etc. In order to encourage further discussion, facilitators provided the following injects:

1. 3rd SITREP
2. Inject from Class (RRDA)
3. Salvage plan
4. Stowage plan

Injects related to Class as well as Salvage plans were presented by the respective representative.

Participants, in the roles of Spanish Maritime Authorities, ABS Class Society, salvors and other observers continued discussing and monitoring the situation and in particular attention was given to the information on seaworthiness and stability, cargo information, fire risks and consequences in order to conduct the risk assessment. As the vessel is in the fortunate situation to be covered by ERS from class, the information from them should be built upon.

Furthermore, due to HAZMAT not being correctly declared, it was considered necessary to be in contact with both chemical and nuclear experts and such experts to be part of the inspection team if it was decided that a team boards the vessel.

One participant requested information on the financial aspect of the process. The facilitators and other participants explained that in such cases proof of insurance should be requested by the Co-ordinating Member State. However, the group was reminded that Member States cannot refuse to accommodate a ship in a place of refuge on the basis of lack of insurance. In view of such request, facilitators provided the group with injects relating to insurance, mainly proof of insurance certificate and a letter of undertaking. A representative of the IG P&I provided

additional information on the subject and also discussed the issue that certain Member States are still requesting a Letter of Undertaking although there is a valid insurance policy in place.

In view of the above information, participants decided that the vessel could proceed under tow to a place close to the Canary Islands so that if weather permits an inspection team could board the vessel. Daily reports must be received and any changes to the passage plan must be communicated by salvors/class/insurance to the Competent Authority. The decision to send an inspection team will be postponed until the vessel will be about 100 nm from the Archipelago as it will be easier and safer to inspect her.

Finally, in accordance with the guidelines, a press release is to be issued by the Co-ordinating Member State. The press release should provide a realistic description of the casualty, with short points focusing on the fact that there were no injuries, the vessel is safe and there are no pollution risks.

SESSION 2

During the second session, the facilitators presented the inspection report issued by the inspection team appointed by the Spanish Authorities. They also provided a recap of the first day and requested feedback in relation to the inspection report. The group was also given the following injects:

1. Weather update
2. Class second inject (amended RRDA)
3. 4th SITREP

In this session the group resumed discussions and commenced checking new documents and injects. Primarily, the group analyzed the weather forecast and given that the vessel was more than 400 nm W to the Canary Islands, it seemed reasonable to find a sheltered location. Consequently, simulations in relation to speed/distance/time were carried out to decide on the best route. SafeSeaNet was also utilised as a supporting tool to help the group determine the most practical passage plan. The decision had to be taken as soon as possible as the weather forecast for the coming days was not favourable.

Once the Spanish Competent Authority (participants) had accepted the vessel's towing operation, the group had to determine which was the best place of refuge according to the developing situation. The Authority had listed ports in the Canary Islands, so the group could discuss which route was the safest, and which port or place was most adequate for the needs stated in the PoR request.

There were nine places to consider and participants discarded Fuerteventura and Lanzarote, as they are further away. Moreover, they only provide sheltered anchorages and there is no possibility to arrange services to the vessel such as unloading of cargo. Though a route through the south could be positive, the distance was considered too long.

Then, the group evaluated El Hierro, which has no services but is the nearest land. The Port of La Estaca offers shelter but there were some limitations. Nevertheless, this location would also be considered if the weather forecast became worse or if there were changes in the condition of the vessel. It was highlighted that El Hierro is also a Marine Protected Area and that tourism plays a major contribution to the island's economy.

The salvors informed the participants that their preferred option would be the Port of Las Palmas as this port can provide the necessary shelter and services to stabilise the vessel's condition. Bearing mind the above and the assessment of risks if the vessel remained at sea versus risks if the vessel entered into the Port of Las Palmas, the grouped decided to allocate a place of refuge within the Port of Las Palmas.

The group designed a route bound to the south of El Hierro and Tenerife and then towards Las Palmas as a place of refuge. However, the decision was not definitely closed as the weather forecast or vessel condition could change. The passage plan included alternative places or shelter areas in case the situation worsened. However, if everything went according to the plan, the vessel was planned to reach Las Palmas before the day 13.

On the other hand, one of the conditions imposed by the Authorities was that the vessel had to be re-inspected before granted clearance to proceed to Las Palmas. Moreover, coordination with the Port Authority is crucial and includes requirements in relation to pilotage, tugs and impacts to port operations. In fact, a local voyage plan may need to be developed to ensure the access to an available berth. Radio-warnings and alerts such as SECURITE messages should be issued to ensure the safe passage. For instance, it was decided that an exclusion area around the vessel should be established.

Arrangements shall also be in place for emergency services to be ready on-site, especially firefighters, chemical and radiation experts, etc. It was also taken into consideration that if there were smoke or toxic fumes present from the vessel, under westerly winds they would not affect the city's inhabitants.

Finally, a press release was written with a clear and basic headline: Atlantic Container update. The press release included a simple explanation describing the timeline of events; mainly that the vessel had a fire on board but that it had been extinguished and that the vessel had been inspected by the National Authorities. It also mentioned that the vessel is stable and structurally safe and that there are no risks of pollution. To conclude the press release, it would be important to highlight that Las Palmas offers all services and that this port is considered the best place of refuge to accommodate the vessel, and that all authorities, that is Port, Maritime, Regional, Local and State Authorities, would be involved during the coordination of the operation to ensure the protection of people and environment.