

BP takes share of blame for Spill

Failures by BP and other companies led to the Gulf of Mexico oil disaster the British energy group concluded on Wednesday as it sought to defend itself against possible multi-billion dollar US lawsuits.

As expected in the findings of its own inquiry, BP did not admit 'gross negligence' for the oil rig explosion in late April that killed 11 people and caused the worst ever US environmental disaster.



The report did however propose 25 recommendations, including improved staff training, designed to prevent a repeat of the Deepwater Horizon disaster.

"No single factor caused the Macondo well tragedy. Rather, a sequence of failures involving a number of different parties led to the explosion and fire", BP said in a summary of the 200-page report.

The four-month probe, led by BP's head of safety and operations Mark Bly, is viewed as key to how BP defends itself against legal proceedings involving the spill.

In the report, BP also blamed the rig's owner Transocean and Halliburton, which had cemented the well.

"The investigation report provides critical new information on the causes of this terrible accident", said BP's outgoing Chief executive Tony Hayward.

"It is evident that a series of complex events, rather than a single mistake or failure, led to the tragedy. Multiple parties, including BP, Halliburton and Transocean, were involved".

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The China factor in the world economy and the shipping industry in particular

In today's market there are serious projections that China's economy will replace United States after 10 to 15 years. How strong these projections are with China being the world's second largest trading nation, but still facing great economic development challenges. If China rules the world of economy, what is its impact in the international shipping market? Does China's economic growth is enough to rule the world of shipping.

Our analysis below describes the economic environment of China and its role in the shipping industry and gives some answers on the above raised questions.

PART I- Economic Environment

China holds the fastest growing economy in the world with international trade being a sizeable portion of its overall economy. During the past 30 years has changed from a centrally planned system that was largely closed to international trade to a more market oriented economy that has a rapidly growing private sector and is a major player in the global economy. The restructuring of the economy and resulting efficiency gains have contributed to a more than tenfold increase in GDP since 1978.



China's economy represented the highest growth rate, at an average 10%, per year during the period 1990-2004. China's GDP grew 10.0% in 2003, 10.1% in 2004, and reached 10.5% growth in 2005 despite attempts by the government to cool down the economy.

China with its rapid and consistent growth surpassed France, UK and Germany and developed into one of the biggest economies in the world. In 2007, China recorded its fastest growth since 1994 as GDP grew by 13.1% and became the world's third largest trading nation after USA and Germany with a total trade accounting more than \$1.76 trillion during 2006.

Chinese economy proved to be the main driver of the world's economic recovery since its financial crisis in 2009. Throughout 2009, the global economic downturn reduced foreign demand for Chinese exports for the first time in many years. The government vowed to continue reforming the economy and emphasizing the need to increase domestic consumption in order to make China less dependent on foreign exports for the increase of GDP growth in the future.

On the onset of the global financial crisis, China launched its Economic Stimulus plan in an attempt to deal with the downturn in its economy. The plan, equivalent to US\$586 billion, represented a pledge comparable to that subsequently announced by the United States. It has primarily focused on increasing affordable housing, easing credit restrictions for mortgage, lower taxes such as those on real estate sales and commodities, injecting more public investment into infrastructure development, such as the rail network, roads and ports. By the end of 2009, Chinese economy showed its first signs of recovery.

In mid 2010, China became the world's second largest economy, surpassing Japan's economy and ranked as the world's second largest economy after the United States. China's government announced that China's GDP in the second quarter of 2010 exceeded Japan's for the first time in 40 years. According to official data, China's GDP reached \$1.336,9 bn comparable with \$1.288,3 bn of Japan's, which proves to be the result of a three decade period of rapid growth that has lifted hundred of millions of people out of poverty.

The ongoing question in today's market is: "Will China rule the world in the future? "Will China surpass and replace the United States in the forthcoming years as the world's leading power?"

Depending on how fast its exchange rate rises, "China is on course to overtake the United States and vault into the No.1 sometime around 2025", according to projections by the World Bank, Goldman Sachs and others. It estimated that by then China's GDP will exceed USA's GDP, which is near \$14 trillion today. However, there are some serious concerns on this forecast. China and its rival India is one of the countries with the largest industrial production in the world due to its massive population but is this enough to rule the globe?

Although, China's overtake of Japan might have given proud in its economy, its per capita income of about \$3,800 is just a fraction of that of Japan's and America's. Japan's people are still among the worlds richest with a per capita income of \$37,800 last year, so are Americans at \$42,240, whose economy is still by far the biggest. However, China's sheer economic size and its vast consumer demand could promise a brighter future as United States is wrestling with a financial crisis and Japan is trapped in a two-decade-old economic slump. It is believed that Japan will not be able to rebound its place in the world economy given its pace of growth. Japan influenced the world trade and economy in the eighties, while now it is China's time to impact the world.

But, China has to create a dominant civilization so as to "Rule the Globe" and not just depend on the growth of its industrial production. China's chief currency regulator, Yi Gang, stated in an interview with China Reform Magazine: "China is still a developing country, and we should be wise enough to know ourselves", when asked whether the time was ripe for the yuan to become an international currency. China's economy expanded 11.1% in the first half of 2010, from a year earlier and is likely to grow more than 9% for the whole year, according to Yi. China has averaged more than 9.5% growth annually since it embarked on market

(contd. on page 4)

From the Editor's Desk



Health' is the greatest gift, commitment' the greatest wealth, faithfulness' the best relationship. – Gautama Buddha

The sovereign invigorator of the body is exercise, and of all the exercises walking is the best. – Thomas Jefferson

Our destiny lies more or less from our thoughts and desires. 'Independence' is not to do what one wants, actions by not provoking on other's personal matters, causing discomfort or inconvenience to others or by way of public nuisance. Reach out and touch someone with your Love & Gratitude. Genuine happiness is of spiritual qualities of love, compassion, patience, tolerance and forgiveness. Patience is the pinnacle of discipline and spiritual suppleness. To love and to be loved, should be the ultimate happiness. – Sai Sri R. Venkatakrishnan

Decision-making capabilities, depend more upon an individual's mental prowess and ambitious thoughts, not on one's age or qualification, nor the awarded educational degree alone that matters, while there is no uniformity in curriculum internationally nor nationally. It is the really required mental acumen of specialisation in the relevant discipline that matters. Empower with cognitive skills, to meet today's and tomorrow's needs. Focus your mission without distraction, to plan and execute efficiently, which will keep the wheels of progress moving. – Capt. Arun Chandran

No one can predict the future fully. Be enlightened to try out good things for the well-being of mankind with the best of mental and physical ability. Key to making quick and wise decisions, is to promptly act with relevant factors without hesitating, While, time is running-out, when Time and Tide waits for none. – Dr. Chandran Peechulli

Public Service Officials in particular, to nurture self awareness. To become self aware, is to better understand the consequences of their own action of one's feelings and attitude. This enhanced understanding of oneself, gives opportunity to alter the planned course of one's personality and strive for an ideal life. The persisting lack of self awareness deteriorates, which allows outside forces to influence our decision. Awareness' enhances inter-personal skills and help to develop empathy for others. One cannot be successful in either external or internal world, if tossed by a powerful ego. What is needed is a strong will. While the ego is blind but the will has vision.

Ego' springs from a false sense of identification (avidya) with the external world, is usually concerned with preserving self-image-identity. Ego is characterised by stubbornness, selfishness, and unwillingness to compromise. The ego is like a little pool. An egotistical person is like a frog crouching in that little pool - his world is small, his borders insecure. He has only a vague awareness of the trees encircling his pool, and he cannot begin to imagine the frog-filled marshes just beyond. From his perspective, only his own feelings and his own voice are meaningful. The power of will, by contrast, is like a spring whose source is the Pure-Being. It infuses mind and body with enthusiasm, courage, curiosity, and energy to act. In spiritual literature this force - the intrinsic power of the soul - is called ichcha shakti, and it is from this force that all aspects of our personality, including the ego, derive energy to carry out their activities. Becoming successful in the world requires a strong will, and that strong will needs to be properly guided so we develop a strong personality. A strong personality exhibits tolerance and endurance. It has the power to vanquish and punish an opponent, but chooses to forgive and forget instead. When we are egotistical, on the other hand, we demonstrate our weakness by answering a pebble with cannon. We lose our composure the moment our feelings are even slightly bruised. We have a hard time forgetting the injuries we have received from others, but an even harder time remembering how much we have injured others. All problems - at home, work, in politics, everywhere - are caused by colliding egos. These problems are not overcome by one ego dominating others, but by a person of strong will and clear vision coming forward and overshadowing the trivial egos of those who are quarrelling. Intelligent environment, more conducive when things around go right (promoting working spirit with dedication of dutifulness, dignity, discipline, commitment, foresight, transparency and accountability instilling the Code of Professional Ethics, irrespective of whether they belong to the Executives(Bureaucrats), Legislative(Peoples Representatives), Judiciary, and the Media for non-polluted or clouded reporting. National Growth is the collective responsibility to leverage technology, to solve the day to day problems in the work-process. Let's stop equating responsible citizenship with just the duty to elect a Government but instead of the idea of citizenship goes beyond "Live and Let Live others" But demands an active participation and contribution in the development process, beyond mere attendance, with dedication of dutifulness, commitment and responsibility, required sincerity, the zeal and energy.

A strong ego is as much of an obstacle in spiritual practice as it is in worldly matters. The stronger the ego, the bigger the hurdle it will create. However, the solution is not to kill or weaken the ego but to do our best to purify, transform, and guide it properly. We can do this by employing both our intelligence and power of discrimination. When we meditate, practise contemplation, pray, study the scriptures, serve others, and seek the company of the wise we make our ego pure and less confined, and this in turn inspires us to move one step forward. As we do, the purified ego, accompanied by a sharpened intellect, gets a glimpse of the next level of awareness, and naturally aspires to reach it. Thus the ego becomes the tool for purifying and expanding itself, and in this way the petty ego is gradually transformed into an expanded, more purified ego. This transformation must end with the ego dissolving and becoming one with the pure Self and experiencing its union with Universal Consciousness. As the ego of a dedicated seeker merges with the Infinite, all confusion disappears, the veil of duality lifts, and the purified ego sees the whole universe in itself and itself in the whole universe. Such egoists generally do what they want egoistically. They are what they think, having no fear in god nor their own conscience. They even doze-off while on duty, shirking their basic commitment and responsibility etc. We have been seeing and experiencing technology changing our lives so much that it is difficult to imagine without it. We, call upon the seafarers to take up higher studies to be an enlightened lot, as many of their prospects ashore are grabbed by others. Properly monitored, e-learning will make awareness and training more affordable in time money and efforts for all mariners, building realistic imaginations also contains all possible attributes than limiting ourselves to limitations. A life without expectations is empty in relationship. Expectations should be a creative centre and not be a begging bowl. Learn to enjoy difficult situations. Develop the skill to enjoy even much more difficult situations. The spirit of believing and sharing - can promote spirituality and human excellence. Invention will revolutionise, the way people interact with computers reaching new higher levels. Let's think of harnessing the technology in better ways to better society's needs and controls, than keep just watching the commercialisation of the up springing deemed universities in the country. Just as in Karate said of Power, Speed and balance, herein the need for Energy, well-balanced mind with the required speed of thought to implement the best.

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reforms in 1978. But that pace is bound to slow over time as a matter of arithmetic, Yi said. If China could keep growth this decade of 7-8% annually, that would be a strong performance. The issue is whether the pace could be sustained, Yi said. The Chinese government faces numerous economic development challenges including: a) strengthening of its social safety net, including pension and healthy system reform, b) sustaining adequate job growth for tens of millions of migrants, new entrants to the work force and workers laid off from state owned enterprises, c) reducing corruption and other economic crimes and d) reducing environmental damage, air pollution, soil erosion.

Thus, China has to leap in the next decades and create an environment of improved living standard, environmental protection, science and technology. According to Chinese media, the country has still a big gap to bridge, as the per capita income is far behind from its competitors, ranked in the 105 position of the world. "China Daily" newspaper stated that the world community must not have great expectations from a country's economy that is still developing and has low per capita income. The second in size economy of the world doesn't necessarily result in the second largest economic power of the world. China's economy has still great challenges to face before being developed into the greatest leading economic power of the world after United States. However, the target of China is to reach the top in the world economy and there are some Chinese, who are not afraid to predict that in the next 15 to 25 years China will depose United States.

But, does China's influence in the global shipping market is as strong as in the world economy? Which is the role of China in the shipping industry? How China influences the freight market?

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PART II- China's role in the shipping industry

China's economic growth is a major driver for international trade and shipping markets as it is the second largest trading nation in the world and the largest exporter and second largest importer of goods. China's growth generates higher demand for iron ore and energy imports boosting the dry and wet freight markets.

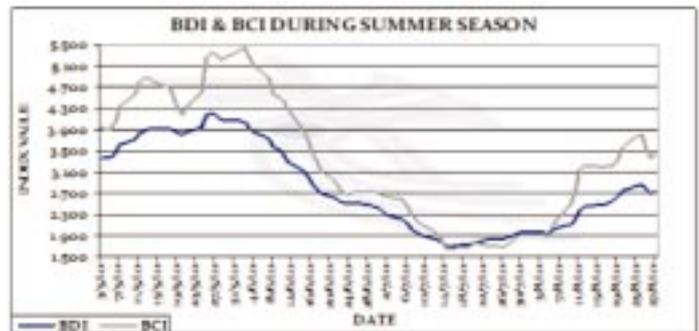
- Even though China does not yet rule the world of economy, it rules the shipping markets as it is the biggest importer of iron ore and the second largest importer of crude oil. -

Dry freight market: The volatilities in the dry freight market are always related to China's demand and trade patterns. China's appetite for iron ore imports influences the dry freight market either in upward or downward movement. The Baltic's main Index, BDI has been erratic this year, similar to 2009, because of swings in Chinese demand iron ore, the primary ingredient of steel.

China's influence in the capesize segment is so strong that a chartering brokering house posted the question if the Baltic Capesize Index has to be renamed into Baltic Chinese Index. Traditionally, 75-80% of the capesize fleet has been transporting iron ore, while the remaining 20-25% has been transporting coal.

The Baltic Dry Index rebound at the beginning of August after a continuous fall in July due to significant upward trend in the

capesize sector. The main driving force behind the jump is the increase of iron ore chartering activity into China from Australia and Brazil following a destocking phase by the country's mills. Furthermore, the supply constraints on India's iron ore exports as result of the monsoon period along with a ban on the exports



imposed by the state of Kankarta raised the demand from Australia and Brazil to China implying a shift from Supramax to Capesize tonnage. The BCI posted a 110% increase since the mid of July, closing at 3,449 points on Friday 27th of August.

As the summer begins to wind down, strong Chinese demand and positive sentiment have kept dry bulk market in the black closing at 2,712 points on Friday 27th of August, posting a 56% increase since the mid of July. Chinese iron ore demand is currently strong with 20 vessels reportedly chartered to ship ore to China last week higher than the trailing four week average, according to last weekly "China Report" by "Commodore Research and Analysis". On average, 18 vessels were chartered to export iron ore to China during the weeks ending July 30 to August 20. Chinese thermal coal demand remains firm and severe traffic in western China, caused by ongoing road maintenance, has been a result of China's inability to adequately transport coal to meet robust demand.

There are expectations that Chinese iron ore imports will continue at firm levels and support the dry freight market along with Chinese coal imports. The general manger of the largest Japan's shipping line, Kazuo Ogasawara said: "Iron ore imports by China, the largest buyer, are likely to recover next quarter and break last year's record as lower prices and depleted stockpiles spur purchases by steel mills. Chinese demand for iron ore won't be weak. The nation, which accounts for half of the world's steel production, is set to break last year's record for iron ore imports of 628 mil tones".

In addition, Naoki Iizuka, a senior economist at Mizhuo Securities Co., said in Tokyo: "The Chinese government will likely accelerate public spending to develop central and western China under the country's next five year plan to narrow an income gap between people living in the coastal areas and the interior regions. Demand for construction materials will increase significantly". This statement adds further positive sentiment for the future of the dry freight market given the supply of vessels expected to be delivered in the forthcoming months.

Wet freight market: In the wet sector, Chinese oil imports continue to provide support for the oil tanker market, as they are set to record high levels. In an assessment disputed by Beijing, the International Energy Agency stated that "China had surpassed the United States as the world's largest energy user at the end of July."

According to OPEC's Monthly Oil Market Review, China

imported a record 5.44 mb/d of crude oil in June, breaking the previous record of 5.17mb/d in April. This represented an increase of 29% over the previous month and 34.1% over a year ago. The growing appetite for crude in the country reflects the increased refining capacity as well as bigger strategic stockpiles. For the first half of the year, China's crude oil imports averaged 4.78 mb/d, up 30% from the same period last year.

However, the freight market dived in July in the dirty sector. VLCC and Suezmax rates continue to fall and in early August, with rates on some routes experiencing the lowest levels below operating expenses and in some cases to the lowest since September 2009. China's crude oil imports fell by 3.2% y-o-y in July to 4.5 mb/d, having dropped from the record high in June, partly due to a pipeline explosion at Dalian.

The sentiment in the wet freight market is quite pessimistic for the future as there are estimations that China, the world's largest energy consumer and the second largest buyer of oil after United States, may purchase less crude in the third quarter due to the slow pace of its economic growth. The China Petroleum and Chemical Industry Association said: "The country's demand for crude could dip noticeable in the third quarter."

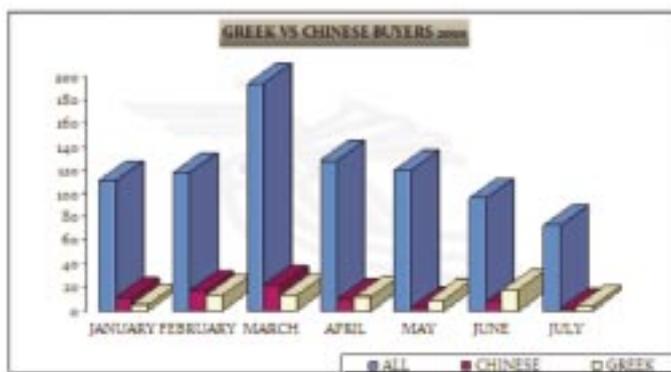
In addition, there are some doubts whether the demand from China and India could boost crude oil demand and offset the demand decline from USA and Europe. "The demand from the Far East is not yet substantial enough to have a major impact on current suezmax demand as suezmaxes are heavily dependent on western economies. But in contrast to suezmaxes, the VLCC sector is heavily dependent on the Far East which accounts for approximately 56% of total demand. In the current economic climate with Eastern economies showing higher potential than Western economies, the VLCC demand is expected to outperform suezmax demand in the next few years", according to DVB Bank Tanker Outlook.

PART III- But is China a leading player of the shipping industry?

China does not only influence shipping market as the second largest trading nation but is also a major leader of the shipping industry. According to statistics from classification society Lloyds Register, the Chinese controlled fleet was standing at 4,996 points equaling 88 mil of deadweight at the end of 2008, around double than that of five years ago.

Chinese owners are being ranked in the top three largest buyers of the world with a great expansion in the dry bulk sector, supported by the dramatic growth in iron ore imports. Although their S&P activity in the secondhand market has posted a 51% decrease comparable with January to July 2009 period, it is considered strong enough for competing Greek buyer's strength.

China has proved to be a major player not only in the shipowing but also in the shipbuilding industry. "China leads the world in the shipbuilding" according to the latest statistics released by the China Association of the National Shipbuilding Industry, competing with Korea in terms of orderbook due to lower vessel values in the country. Albeit there are several reasons for this strength, increased Chinese domestic ordering, lower vessels prices prompting newbuilding and improved financing from key Chinese lenders, considered being the three main reasons.



In the first half of 2010, China's shipbuilding enterprises completed and exported 24.3 mil deadweight tons, accounting for 82% of the total shipbuilding capacity. In addition, there has been a remarkable surge in the number of orders placed at Chinese shipyards. According to Shanghai Securities Journal, new orders at Chinese shipyards jumped 420% in the first seven months of 2010. Even the strengthening of Chinese shipbuilding industry in recent years, it is still facing many limited factors such as weak independent research and development capacity, high dependency on imports of shipboard equipment, low production efficiency and defective industrial structure. "China's shipbuilding industry is in a crucial period of transition from a big industry to a strong industry", said Zhang Changtao, chief researcher of the Economic Research Center of China Shipbuilding.

In last, the fashionable theme of discussion in today's shipping cycles is whether China will increase its ship finance role and penetrate the international shipping market after supporting its own shipbuilding industry. The ship finance landscape changed considerably in 2009 as western banks reduced their exposure to the maritime sector and at the same time Chinese credit insurance companies, such as Eximbank and Sinosure, stepped in to offer state backed support to China's Shipbuilders.

As China's top banks rose to the top tier of international banks by size, there are expectations that China in the following years will cover the funding gap that the shipping market faces today. Giant banks such as the Export-Import Bank of China and Bank of China have already funded projects for a number of western owners such as OSG and Torm. There is a strong belief on the capacity of Chinese banks in the future, but for the moment they have to build their own experience before proceeding on the financing of vessels, that are not directly linked to the Chinese economy.

CONCLUSION:

China's economic growth even strong as ever since 1978 with its GDP experiencing double digit growth in the last years, is still not mature enough to "Rule the World" as it has to overcome its ongoing development difficulties and create an environment of dominant civilization. There is still a road ahead to cross before China being evolved into the world's leading power of economy. It is by far one of the leading maritime powers of the shipping industry but not yet reached the top of the shipping world. However, China seems to have set its targets and should not be a surprise if the world economy and shipping will be led by China in the future.

This Day in Coast Guard History - September 1

1789 - An act of Congress provided for the registering and clearing of vessels and the regulation of the coastwise trade, thus laying the foundation of American navigation laws which, until 1912, embodied the marine policy of the United States.

1894 - An armed guard of Revenue Cutter Service personnel were placed on the Pribiloff Islands to protect seals.

1938 - The Coast Guard assumed responsibility for the Maritime Service.

1939 - The armed forces of Nazi Germany invaded Poland, beginning World War II.

1942 - On 1 September 1942 Joseph C. Jenkins was given a temporary promotion to warrant officer (Boatswain); becoming the first African-American warrant officer in the Coast Guard.

1942 - The Coast Guard transferred responsibility for running the merchant marine training programs to the War Shipping Administration.

1944 - CGC Northland captured the crew of a scuttled Nazi supply trawler off Greenland. They had been attempting to establish a weather station on the coast of Greenland.

1977 - Bobby C. Wilks became the first African American in the Coast Guard to reach the rank of captain. He was also the first African American Coast Guard aviator (Coast Guard aviator No. 735). He later became the first African American to command a Coast Guard air station.

1983 - On 1 September 1983 Korean Airlines Flight 007 (KAL-007) strayed off course into Soviet airspace and was shot down by a Soviet fighter aircraft just west of Sakhalin island. All 269 persons on board were killed, including Congressman Larry P. McDonald from Georgia. CGC Munro, on a diplomatic mission to Tokyo, joined in the international SAR effort but no survivors were found. Munro then assisted in the search for the airliner's black box and recovered debris. The cutter also safely rescued from the sea all four crewmen of a downed LAMPs helicopter from the USS Badger. The Munro received the Navy Meritorious Unit Commendation for her part in the SAR and recovery efforts.

2008 - CGC Dallas visited the port of Sevastopol, Ukraine during a historic voyage through the Black Sea that included delivering relief supplies to Georgia.

This Day in Naval History - September 1

1781 - French fleet traps British fleet at Yorktown, VA

1925 - CDR John Rodgers and crew of 4 in PN-9 run out of fuel on first San Francisco to Hawaii flight. Landing at sea, they rigged a sail and set sail for Hawaii.

1941 - U.S. assumes responsibility for trans-Atlantic convoys from Argentina, Canada to the meridian of Iceland

1942 - Establishment of Air Force, Pacific Fleet, VADM Aubrey W. Fitch, USN

1942 - First Seabee unit to serve in a combat area, 6th Naval Construction Battalion, arrives on Guadalcanal.

1945 - USS Benevolence (AH-13) evacuates civilian internees from 2 internment camps near Tokyo, Japan.

W o r l d I n f o D e s k

Wärtsilä, Tarbit to Convert Tanker to LNG

Ops: Wärtsilä has signed a turnkey contract with Tarbit Shipping of Sweden to convert a product tanker to LNG propulsion, and to supply the ship with a Wärtsilä LNGPac system for the safe and convenient storage of LNG onboard. This is the first order for a Wärtsilä LNGPac system.

The 25,000 dwt product tanker 'Bit Viking' is operated by Statoil along the Norwegian coastline, and the conversion will enable the vessel to qualify for lower NOX emission taxes under the Norwegian government's NOX fund scheme.

"By carrying out this large-scale conversion project, and equipping the vessel with the new Wärtsilä LNGPac system, the ship's emissions will be significantly reduced. This obviously is of tremendous benefit to the environment, and is in line with both the letter and the intent of the Norwegian government's NOX fund initiative," said Torkel Hermansson, Managing Director of Tarbit Shipping.

The contract covers the conversion of the ship's two main engines to gas-fuelled propulsion, all adjustments to the ship's systems necessitated by the conversion, the updating of the vessel's classification certificate, and the supply and installation of the Wärtsilä LNGPac system, including two 500m³ LNG storage tanks. Wärtsilä is responsible for carrying out everything involved in the contract, and the schedule calls for completion by June 2011.

The 'Bit Viking' has twin screw propulsion, with each screw currently powered by a 6-cylinder in-line Wärtsilä 46 engine running on heavy fuel oil (HFO). The conversion involves changing these to 6-cylinder in-line Wärtsilä 50DF dual-fuel engines that will operate on LNG. The Wärtsilä LNGPac is a total system developed by the company to enable the safe and convenient storage of the gas fuel onboard ship, and to facilitate bunkering operations.

The Bit Viking is built with double engine rooms, propellers, steering gears, rudders and control systems. After conversion, the 'Bit Viking' will be one of the safest and most environmental friendly 25,000 ton product tankers in the world.

The Bit Viking will be fitted with the first ever Wärtsilä 50DF engine with mechanical drive and is, therefore, a breakthrough for both the company and for the industry as a whole. Furthermore, it shows Wärtsilä's commitment to adding value to its customers' operations throughout the lifecycle of their installations."



Liberian Coast Guard Trains on USCGC

Mohawk: Seven crew members from the newly activated Liberian Coast Guard (LCG) spent 10 days at sea with the U.S. Coast Guard Cutter Mohawk (WMEC 913) crew off the coast of western Africa August 13-23, 2010.

Since February 11, 2010, when the LCG was activated, Liberia's Coast Guard has been training personnel to secure Liberia's regional exclusive economic zone. The LCG has been working with the U.S. Coast Guard (USCG) and other nations' coast guards and navies to develop their maritime capability and capacities.

"I am glad we [had] the opportunity to have ship riders from the Liberian Coast Guard aboard Mohawk," Commander Robert T. Hendrickson, commanding officer of the USCGC Mohawk said. "Not only did they have the opportunity to gain some hands-on experience with navigation, engineering, boat handling and other Coast Guard skill sets, they also got a chance to see how we interact with each other and conduct our day-to-day business."



During the LCG's time at sea onboard the Mohawk, members gained experience through on-the-job training within their perspective fields. The LCG members also became proficient in maritime disciplines such as damage control, small boat operations, and law enforcement techniques.

"The training I received on Mohawk was very valuable; it helped increased my knowledge and skills so that I can be more proficient in my job in LCG," said Boatswain's Mate Seaman Andrew Zoegbo, section leader of Boatswain's Mates, Liberian Coast Guard. Zoegbo was one of four LCG members who attended the U.S. Coast Guard's intensive "A" School training for boatswain's mates in Yorktown, Virginia.

Aboard the Mohawk, LCG members also participated in a ceremony with the crew of Mohawk as they crossed the Equator at the Prime Meridian. A crossing-the-line ceremony is a time-honored tradition that signifies the first time a sailor crosses the Equator.

"Participating in the Shellback initiation was fun," Ensign Lemu Reeves, Liberian Coast Guard intelligence officer said. "It also gave me a great sea story to share with my children and grandchildren someday."

The Mohawk also pulled into Lagos, Nigeria during the voyage. Crewmembers from Mohawk and the LCG attended a reception hosted by the Nigerian Navy. The Mohawk also hosted a reception for the Nigerian Navy, government officials and diplomats with the U.S. Embassy in Nigeria.

After the voyage between the two countries' coast guards concluded, the Mohawk's commanding officer said he believed the event had been successful and would benefit more than just the individuals onboard.

"I am confident that these seven shipmates took back a number of valuable experiences and lessons that will serve them well into the future as they shape their organization to be a model maritime force in the region," Hendrickson said. "And as they take something away, they leave something behind - an exchange with this crew that these Coasties will remember and cherish for years to come. That's the other part of the ship rider exchange experience - the cultural exchange and international friendships that are formed."

Stricter rules for carriage of chemicals and vegetable oils:

Stricter rules on carrying vegetable oils in bulk by ship are among the changes introduced by amendments to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), which enter into force on 1 January 2007.

The revised Annex II regulations on carriage of noxious liquid substances carried in bulk (including chemicals and vegetable oils) introduce significant changes to the way certain products may be transported, in order to protect the marine environment from harm.

Revised Annex I regulations on carriage of oil by ship update and re-order the regulations as well as introducing some new rules.

Revised MARPOL Annex I (oil)

The revised MARPOL Annex I Regulations for the prevention of pollution by oil incorporates the various amendments adopted since MARPOL entered into force in 1983, including the amended regulation 13G (regulation 20 in the revised annex) and regulation 13H (regulation 21 in the revised annex) on the phasing-in of double hull requirements for oil tankers.

It also separates, in different chapters, the construction and equipment provisions from the operational requirements and makes clear the distinctions between the requirements for new ships and those for existing ships. The revision provides a more user-friendly, simplified Annex I.

New requirements in the revised Annex I include the following:

- Regulation 22 Pump-room bottom protection: on oil tankers of 5,000 tonnes deadweight and above constructed on or after 1 January 2007, the pump-room shall be provided with a double bottom.
- Regulation 23 Accidental oil outflow performance - applicable to oil tankers delivered on or after 1 January 2010; construction requirements to provide adequate protection against oil pollution in the event of stranding or collision.

Revised MARPOL Annex II (noxious liquid substances carried in bulk)

The revised Annex II Regulations for the control of pollution by noxious liquid substances in bulk includes a new four-category categorization system for noxious and liquid substances.

The new categories are:

- Category X: Noxious Liquid Substances which, if discharged into the sea from tank cleaning or deballasting operations, are deemed to present a major hazard to either marine resources or human health and, therefore, justify the prohibition of the discharge into the marine environment;

- Category Y: Noxious Liquid Substances which, if discharged into the sea from tank cleaning or deballasting operations, are deemed to present a hazard to either marine resources or human health or cause harm to amenities or other legitimate uses of the sea and therefore justify a limitation on the quality and quantity of the discharge into the marine environment;
- Category Z: Noxious Liquid Substances which, if discharged into the sea from tank cleaning or deballasting operations, are deemed to present a minor hazard to either marine resources or human health and therefore justify less stringent restrictions on the quality and quantity of the discharge into the marine environment; and
- Other Substances: substances which have been evaluated and found to fall outside Categories X, Y or Z because they are considered to present no harm to marine resources, human health, amenities or other legitimate uses of the sea when discharged into the sea from tank cleaning or deballasting operations. The discharge of bilge or ballast water or other residues or mixtures containing these substances are not subject to any discharge requirements of MARPOL Annex II.

The revised annex includes a number of other significant changes. Improvements in ship technology, such as efficient stripping techniques, has made possible significantly lower permitted discharge levels of certain products which have been incorporated into Annex II. For ships constructed on or after 1 January 2007, the maximum permitted residue in the tank and its associated piping left after discharge will be set at a maximum of 75 litres for products in categories X, Y and Z - compared with previous limits which set a maximum of 100 or 300 litres, depending on the product category.

Alongside the revision of Annex II, the marine pollution hazards of thousands of chemicals have been evaluated by the Evaluation of Hazardous Substances Working Group, giving a resultant GESAMP Hazard Profile which indexes the substance according to its bio-accumulation; bio-degradation; acute toxicity; chronic toxicity; long-term health effects; and effects on marine wildlife and on benthic habitats.

Transport of vegetable oils

As a result of the hazard evaluation process and the new categorization system, vegetable oils which were previously categorized as being unrestricted will now be required to be carried in chemical tankers.

The revised Annex includes, under regulation 4 Exemptions specifically regulation 4.1.3, a provision for the Administration to exempt ships certified to carry individually identified vegetable oils, subject to certain provisions relating to the location of the cargo tanks carrying the identified vegetable oil.

An MEPC resolution, MEPC.148(54) Guidelines for the transport of vegetable oils in deep tanks or in independent tanks specially designed for the carriage of such vegetable oils on board dry cargo ships, allows general dry cargo ships that are currently certified to carry vegetable oil in bulk, to continue to carry these vegetable oils on specific trades. The guidelines also take effect on 1 January 2007.

Consequential amendments to the IBC Code

An amended International Bulk Chemical Code (IBC Code) reflecting the changes to MARPOL Annex II, also enters into force on 1 January 2007. The amendments incorporate revisions to the categorization of certain products relating to their properties as potential marine pollutants, as well as revisions

to ship type and carriage requirements following their evaluation by the Evaluation of Hazardous Substances Working Group.

Ships constructed after 1986 carrying substances identified in chapter 17 of the IBC Code must follow the requirements for design, construction, equipment and operation of ships contained in the Code.

Further information: The 2006 consolidated edition of MARPOL includes the revised texts of Annexes I and II (adopted in October 2004), which entered into force on 1 January 2007 (see Publications). The revised IBC Code is also available from IMO Publications.

IMO Award for Exceptional Bravery at Sea:

The inaugural IMO Award for Exceptional Bravery at Sea has been presented to two seafarers who risked their lives to save others in a dramatic rescue operation in gale-force winds.

Second Officer Mustafa Topiwala of the 83,155 dwt Bahamas-registered oil/bulk ore carrier Searose G and Captain Zvonimir Ostric (who was on the vessel as onboard trainer at the time of the incident) were selected to receive the inaugural 2007 IMO Award for Exceptional Bravery at Sea, in recognition of their part in the rescue of survivors from the sunken vessel Teklivka, in the eastern Mediterranean, in March 2006. They were nominated by the Bahamas and by the International Federation of Shipmasters' Associations (IFSMA).

Presenting the award, during a special ceremony in London held during the Organization's 25th Assembly, IMO Secretary-General Mr. Efthimios E. Mitropoulos said the award was "a tribute to extraordinary courage; to adversity faced and adversity overcome; to determination in the face of grave danger; and to lives risked and lives saved."

The Searose G was on passage through the Mediterranean, bound for the Suez Canal, when it responded to a distress call from the Maltese-flagged Teklivka, which was sinking 50 miles south in gale force winds. By the time the Searose G reached the scene, the Teklivka had sunk. Nevertheless, a dramatic rescue operation was launched and the Searose G managed to rescue nine crew members with a further three survivors picked up by another vessel.

Tragically, three crew members of the Teklivka were lost.

The Assessment and Judging Panels considered that Second Officer Topiwala and Captain Ostric had placed their own lives in jeopardy, even though they were not trained professional rescuers, by undertaking acts that went well beyond the scope of their normal duties. They left the comparative safety of their ship, descending to a liferaft filled with oil and water. Second Officer Topiwala then jumped into the sea, in extremely hazardous weather conditions and reduced visibility, during the rescue, assisted by Captain Ostric.

A significant degree of skill was demonstrated by the master in manoeuvring his vessel in the severe conditions, further complicated by the need to avoid collision with containers floating in the sea. Throughout the operation there was excellent co-operation among the entire crew and this contributed to its success. The crew on the deck were at risk of being swept overboard or injured by seas breaking over the decks, while Second Officer Topiwala and Captain Ostric were also at great risk, as they could have been swept away by the particularly rough waters.

After eight oil-covered survivors had been picked up from a liferaft, the ninth was too weak to climb on the ladder and fell out of the liferaft into the sea. He was sighted floating face down, having previously removed his lifejacket. Second Officer Topiwala descended a ladder wearing a safety harness to assist the survivor in the water, assisted by Captain Ostric. The survivor was drifting unconscious by this time but was finally secured and brought on board the Searose G.

Mr. Topiwala and Captain Ostric were each presented with a silver medal produced with the support of the Royal Mint of Spain, and a certificate citing the act of exceptional bravery performed.

Mr. Mitropoulos also presented certificates to eight other nominees, recommended by the Assessment and Judging Panels, saying that "The elemental nature of their working environment still occasionally places professional seafarers in the sorts of situation for which there can be little or no adequate preparation. How they respond is a test of true courage - courage that deserves to be acknowledged and recognized".

The IMO Award for Exceptional Bravery at Sea was established by the Organization to provide international recognition for those who, at the risk of losing their own life, perform acts of exceptional bravery, displaying outstanding courage in attempting to save life at sea or in attempting to prevent or mitigate damage to the marine environment - and, by so doing, help to raise the profile of shipping and enhance its image.

"The obligation to assist those in distress at sea is now enshrined in international law, in particular within a variety of instruments such as the Safety of Life at Sea Convention, the Salvage Convention, the International Convention on Search and Rescue and the United Nations Convention on Law of the Sea. However, I doubt whether any of that was in the minds of these gallant men and women when they performed the acts of bravery for which we are paying tribute this evening. They were, I am sure, motivated solely by the purest of humanitarian motives and, in so doing, were continuing a practice that has its roots in traditions lost in the annals of maritime history," Mr. Mitropoulos said.

Other nominations

The first two nominees below were also shortlisted for the Award.

- the Hong Kong Government Flying Service, nominated by China, for courageous actions that went well above those expected of a professional rescue service. The Assessment and Judging Panels considered that members of the Hong Kong Government Flying Service clearly risked their own lives to rescue 91 crew members of the vessel Wing on IV and the barge Hai Yang Shi You 298 (in August 2006) during the course of three consecutive aircraft/helicopter operations carried out in severe typhoon weather conditions, at some 170km and 132km southwest of Hong Kong, China, respectively;

- Captain Xufeng Zu of the diving squad of Quinghuangdao Base of Beihai Rescue Bureau of China Rescue and Salvage (CRS). Captain Xufeng Zu was nominated by the International Maritime Rescue Federation (IMRF) for a selfless act of bravery in August 2006. During the course of a professional operation involving two consecutive dives to locate and rescue the crew from the upturned hull of the capsized bulk carrier Fu Hua 1 (41 miles off Quinghuangdao, China), Captain Zu gave up his own breathing equipment, with no guarantee that he would survive, thereby placing his own life at risk so that two remaining

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survivors could be saved, before he himself was able to leave the stricken vessel;

- Dr. Christine Jane Bradshaw (a civilian nominated by IMRF), for descending on a winch in rough weather, having been to sea only once before in benign conditions, to assist in treating and rescuing the last surviving crew member of the tanker FR8 Venture, in the Pentland Firth, Scotland, in November 2006;

- the crew of the ocean-going rescue tug Nanhaijiu 111, of Nanhai Rescue Bureau (nominated by China), for a series of successful rescue missions since the rescue tug was put into service in March 2006, including the location and rescue of 14 small Vietnamese fishing boats during typhoon Chanchu, in May 2006;

- Mr. Brett Churcher, skipper of the fishing boat Striker (nominated by IMRF), for prompt and effective actions which led to the saving of the lives of a man and his four-year old daughter off Cape Palliser, New Zealand, in April 2007;

- the crews of the fast action lifeboats and vessels of the Spanish Maritime Safety Agency (nominated by Spain), for a series of successful operations to locate and recover safely, thousands of migrants at sea. Between March 2006 and February 2007, 30,493 migrants were assisted by the Spanish rescue services in the Atlantic and the Mediterranean;

- Viktors Timoschenko, Master of the Latvian-registered tanker Ance (nominated by IFSMA), for persisting in the successful rescue of two persons adrift on a catamaran, after other efforts had been called off, during an operation that lasted almost 14 hours at night time, some 834km off Cape Cod, United States, in November 2006; and

- Station Officer Kekoi Jaiteh, of the West Gambia Fire Department (nominated by IMRF), for actions which resulted in the saving of the captain and three crew members from a capsized cargo vessel in rough inshore waters, in January 2007.

Nominations for 21 acts of bravery, for the 2007 Award, were received from nine IMO Member States and three non-governmental organizations in consultative status with the Organization. The nominations focused on such factors as location of the incident; prevailing weather conditions; skill displayed; leadership demonstrated; determination to conduct the rescue operation; exceptional courage demonstrated; and degree of risk (to human lives and/or the marine environment) involved.

The nominations were scrutinized initially by an Assessment Panel made up of representatives of non-governmental organizations in consultative status with IMO*, which met at IMO on 30 May 2007, under the chairmanship of the Secretary-General. The subsequent Panel of Judges was chaired by the Chairman of the IMO Council (Mr. J. Franson of Sweden) and its membership comprises the Chairmen of the five IMO Committees.

Maritime security: Maritime security is an integral part of IMO's responsibilities. A comprehensive security regime for international shipping entered into force on 1 July 2004. The mandatory security measures, adopted in December 2002, include a number of amendments to the 1974 Safety of Life at Sea Convention (SOLAS), the most far-reaching of which enshrines the new International Ship and Port Facility Security Code (ISPS Code), which contains detailed security-related requirements for Governments, port authorities and shipping

companies in a mandatory section (Part A), together with a series of guidelines about how to meet these requirements in a second, non-mandatory section (Part B).

Circulars relating to maritime security include:

MSC/Circ.1109/Rev.1 False security alerts and distress/security double alerts

MSC/Circ.1133 Reminder of the obligation to notify flag States when exercising control and compliance measures

MSC/Circ.1132 Guidance relating to the Implementation of SOLAS Chapter XI-2 and the ISPS Code

MSC/Circ.1131 Interim Guidance on voluntary self-assessment by SOLAS Contracting Governments and by port facilities

MSC/Circ.1130 Guidance to masters, Companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port

MSC/Circ.1111 Guidance relating to the implementation of SOLAS chapter XI-2 and the ISPS Code (English)

MSC/Circ.1111 Recommandations intérimaires sur les mesures liées au contrôle et au respect des dispositions qui visent à renforcer la sûreté maritime (Guidance relating to the implementation of SOLAS chapter XI-2 and the ISPS Code in French)

MSC/Circ.1111 Orientaciones provisionales sobre las medidas de control y cumplimiento para incrementar la protección marítima (Guidance relating to the implementation of SOLAS chapter XI-2 and the ISPS Code in Spanish)

This circular includes:

- Annex 1 guidance relating to the implementation of SOLAS chapter XI-2 and the ISPS Code

- Annex 2 resolution MSC.159(78) (adopted on 21 May 2004) interim guidance on control and compliance measures to enhance maritime security

MSC/Circ.1104 Implementation of SOLAS Chapter XI-2 and the ISPS Code

MSC/Circ.1074 Measures to enhance maritime security - Interim guidelines for the authorization of recognized security organizations acting on behalf of the Administration and/or designated authority of a contracting Government

MSC/Circ.1073 Measures to enhance maritime security - Directives for Maritime Rescue Co-ordination Centres (MRCCS) on acts of violence against ships

MSC/Circ.1072 Guidance on provision of ship security alert systems

MSC/Circ.1097 Guidance relating to the implementation of SOLAS chapter XI-2 and the ISPS Code

MSC/Circ.1067 Early implementation of measures to enhance maritime security

Information Resources on Maritime Security: New Security Measures for the International Shipping Community. Article by Mr. H. Hesse and Mr. N. Charalambous, published in WMU Journal of Marine Affairs, 2004, Vol 3, No 2, pp 123 - 138 Information Resources on maritime

Persons rescued at sea

On 1 July 2006, amendments to two IMO Conventions entered into force. The amendments, concerning the treatment of persons rescued at sea, are particularly timely in view of several recent incidents involving migrants and refugees unwittingly involved in accidents at sea.

For centuries, shipwreck and the subsequent plight of survivors at sea have been a staple of art and literature, often used as an allegorical device to portray mankind's broader predicament, cast adrift on a sea of troubles in search of some kind of eternal salvation. For some unfortunate souls, however, shipwreck, the struggle for immediate survival and the subsequent horrors of waiting for rescue, not knowing whether anyone is aware of their plight and uncertain as to whether they can survive long enough even if they are, become terrifying reality. Even in the modern world, when advances in ship design, construction and technology coupled with highly trained and capable ships' crews mean a passage by sea is safer than ever before, the sea remains capricious and unforgiving - and accidents still happen.

Although the chances of shipwreck are smaller than ever and diminishing progressively, no one who takes to the sea is completely immune from danger. It matters not whether one is a professional seafarer or fisherman at work, a fare-paying passenger travelling for pleasure or business, a yachtsman engaged in one's favourite pastime or a refugee or migrant taking to the sea out of desperation; the sea does not distinguish.

Which is precisely why the age-old tradition among seafarers of going immediately to the aid of anyone in distress at sea became established and continues to this day. For centuries, seafarers have considered it their duty to assist fellow mariners in peril on the high seas. In modern times, this tradition has become more than just a moral obligation and is now enshrined in international law.

The United Nations Convention on Law of the Sea (UNCLOS), for example, says that every State must require the master of a ship flying its flag to render assistance to any person found at sea in danger of being lost and to proceed to the rescue of persons in distress. Furthermore, it requires every coastal State to promote the establishment, operation and maintenance of an adequate and effective search and rescue service regarding safety on and over the sea and, where circumstances require, by way of mutual regional arrangements, to co-operate with neighbouring States for this purpose.

In this way, UNCLOS provides the legal framework for action. However, the details of any search and rescue obligations are to be found in various IMO Conventions.

The Search and Rescue (SAR) Convention of 1979 gives a clear definition of the term "Rescue". It involves not only "an operation to retrieve persons in distress, provide for their initial medical or other needs" but also to "deliver them to a place of safety". This obligation to initiate action is activated once the responsible authorities of a State Party receive information that any person is, or appears to be, in distress at sea. It further states that, once a State Party has accepted responsibility to provide search and rescue services for a specified area, it is obliged to use search and rescue units and other available facilities for providing assistance to anyone in distress at sea, and that such assistance is to be provided "regardless of the nationality or status of such a person or the circumstances in which that person is found".

The Safety of Life at Sea Convention (SOLAS) spells out the obligation on ships' masters to render assistance. It says, "The master of a ship at sea which is in a position to be able to provide assistance, on receiving a signal from any source that persons are in distress at sea, is bound to proceed with all speed to their assistance, if possible informing them or the search and rescue service that the ship is doing so." Elsewhere, it stipulates that contracting Governments should undertake "to ensure that necessary arrangements are made ... for the rescue of persons in distress at sea around its coasts."

Furthermore, the Salvage Convention of 1989, while primarily concerned with the salvage of property and the prevention of marine pollution, nevertheless restates the



SOLAS obligation on the master to render assistance to any person in danger of being lost at sea. And the Convention on Facilitation of International Maritime Traffic (FAL Convention) sets forth special facilitation measures for ships calling at ports in order to put ashore sick or injured crew members, passengers or other persons for emergency medical treatment.

An excellent example of this inter-agency co-operation occurred in June 2006, when a passenger ship, the *Noordam* - rescued 22 persons of various nationalities after their boat had sunk in the Aegean Sea between the Greek island of Samos and the coast of Turkey. When IMO was informed of the rescue by the International Council of Cruise Lines (ICCL), the Organization quickly established lines of communications with UNHCR and the appropriate authorities in Greece, the Netherlands and Turkey to ensure the disembarkation of the survivors at the ship's next port of call, Kusadasi in Turkey.

The timeliness of the entry into force of the new IMO amendments has been emphasised by the rising death toll among migrants and asylum seekers attempting sea passages, often in unseaworthy and overcrowded vessels. The new Convention provisions constitute a significant milestone, of which the entire maritime community can feel justifiably proud, since they strengthen further the centuries old tradition of mariners throughout the world, of giving succour and salvation to fellow human beings in distress at sea.

In an age when ships' captains are constantly asked to improve efficiency and cut costs, it remains vital that they continue to rescue those found in grave peril on the sea - whoever they are and whatever their reason for being there. The new IMO amendments should help to ensure that any ambiguities surrounding the obligations of all concerned towards those who become involved in an accident at sea are clarified, and that anything which might serve as a disincentive to ships' masters in the fulfilment of their obligations, is removed.

"Places of refuge" - addressing the problem of providing places of refuge to vessels in distress

Images of oiled seabirds with a stricken tanker in the background are, thankfully, rarer than the news media might

have the general public believe. Yet when there is an incident, coastal States need to be prepared. The issue of "places of refuge" is one aspect of contingency planning in the consideration of which the rights and interests of coastal States as well as the need to render assistance to vessels that are damaged or disabled or otherwise in distress at sea ought to be taken into account.

In November 2003, the IMO Assembly adopted two resolutions addressing the issue of places of refuge for ships in distress - an important step in assisting those involved in incidents that may lead to the need for a place of refuge to make the right decisions at the right time.

Resolution A.949(23) Guidelines on places of refuge for ships in need of assistance are intended for use when a ship is in need of assistance but the safety of life is not involved. Where the safety of life is involved, the provisions of the SAR Convention should continue to be followed.

The guidelines recognize that, when a ship has suffered an incident, the best way of preventing damage or pollution from its progressive deterioration is to transfer its cargo and bunkers, and to repair the casualty. Such an operation is best carried out in a place of refuge. However, to bring such a ship into a place of refuge near a coast may endanger the coastal State, both economically and from the environmental point of view, and local authorities and populations may strongly object to the operation.

Therefore, granting access to a place of refuge could involve a political decision which can only be taken on a case-by-case basis. In so doing, consideration would need to be given to balancing the interests of the affected ship with those of the environment.

A second resolution, A.950(23) Maritime Assistance Services (MAS), recommends that all coastal States should establish a maritime assistance service (MAS). The principal purposes would be to receive the various reports, consultations and notifications required in a number of IMO instruments; monitoring a ship's situation if such a report indicates that an incident may give rise to a situation whereby the ship may be in need of assistance; serving as the point of contact if the ship's situation is not a distress situation but nevertheless requires exchanges of information between the ship and the coastal State, and for serving as the point of contact between those involved in a marine salvage operation undertaken by private facilities if the coastal State considers that it should monitor all phases of the operation.

The need to review the issues surrounding the need for places of refuge was included in a list of measures aimed at enhancing safety and minimizing the risk of oil pollution, drawn up in December 2000 in response to the Erika incident of December 1999.

Further urgency to the work came in the aftermath of the incident involving the fully laden tanker Castor which, in December 2000, developed a structural problem in the Mediterranean Sea. In early 2001, IMO Secretary-General Mr. William O'Neil suggested that the time had come for the Organization to undertake, as a matter of priority, a global consideration of the problem of places of refuge for disabled vessels and adopt any measures required to ensure that, in the interests of safety of life at sea and environmental protection, coastal States reviewed their contingency arrangements so that such ships are provided with assistance and facilities as might

be required in the circumstances.

The November 2002 sinking of the Prestige further highlighted the issue.

Background on places of refuge

The notion of providing refuge for ships in distress was raised at IMO during the late 1980s, when the Legal Committee was considering the draft provisions of the International Convention on Salvage (eventually adopted in 1989). At the time, it was suggested that there should be an obligation on States to admit vessels in distress into their ports. Although this was endorsed by some delegations, others expressed doubt on the desirability of including such a "public law" rule in a private law convention. It was also pointed out that the interests of coastal States would need to be duly taken into account in any such provision. Doubt was also expressed whether such a provision would in fact affect the decisions of the authorities of coastal States in specific cases.

As a result, Article 11 of the Salvage Convention, as eventually adopted, reads: "A State Party shall, whenever regulating or deciding upon matters relating to salvage operations such as admittance to ports of vessels in distress or the provisions of facilities to salvors, take into account the need for co-operation between salvors, other interested parties and public authorities in order to ensure the efficient and successful performance of salvage operations for the purpose of saving life or property in danger as well as preventing damage to the environment in general."

The issue of refuge for ships in need of assistance was brought to the fore again when a working group of IMO's Maritime Safety Committee (MSC), established in December 2000 to consider post-Erika safety-related issues, listed "ports of refuge" among the topics selected for further consideration.

(UNCLOS, SOLAS, Salvage, OPRC, etc.). Use of the word "port" might be too narrow and restrictive vis-à-vis the envisaged scope of the geographical area which might, in case of an emergency, be able to provide facilities and services (including putting in place contingency arrangements) to ships in distress, in particular laden tankers; hence the proposal by the IMO Secretariat to use the wider term "places of refuge". Another term used was "safe haven"; however, since both words denote almost the same thing, the one renders the other redundant and superfluous. The Committee eventually decided to use the term "places of refuge" in its further work on the issue; and advised other IMO Committees (the MEPC and Legal Committee) accordingly.

Ships with structural damage and a dirty or volatile cargo in their tanks are not among the most welcomed visitors in the coastal waters of any State and there is little point in attempting to apportion blame on those who have made decisions to keep stricken ships away from their coastlines. Nonetheless, in some cases, a refusal could result in compounding the problem, which may ultimately result in endangering life, the ship and the environment.

During the debate on places of refuge, the legal issues surrounding this concept were analysed and the question was asked whether a coastal State is under an obligation, or at least is not precluded, under international law, from providing a place (where a ship can be taken when it is disabled, damaged or otherwise in distress and is posing a serious risk of pollution), in order to remove the ship from the threat of danger and

undertake repairs or otherwise deal with the situation.

International law recognizes the right of States to regulate entry into their ports (UNCLOS, Article 2, refers to the sovereignty of a coastal State over its land territory, internal waters, archipelagic waters and the territorial sea).

The right of a foreign ship to stop and anchor in cases of force majeure or distress is explicitly referred to by UNCLOS in the case of navigation in the territorial sea (Article 18(2)), straits used for international navigation (Article 39.1(c)) and in archipelagic waters (Article 54).

The right of a foreign ship to enter a port or internal waters of another State in situations of force majeure or distress is not regulated by UNCLOS, although this constitutes an internationally accepted practice, at least in order to preserve human life. This, however, does not preclude the adoption of rules or guidelines complementing the provisions of UNCLOS.

Meanwhile, the right of a coastal State to take action to protect its coastline from marine pollution is well established in international law. Relevant provisions include: UNCLOS, Articles 194, 195, 198, 199, 211, 221, 225; Salvage Convention, Article 9; and Facilitation Convention, Article V(2).

Under longstanding maritime tradition and the practice of good seamanship, the master of a ship faced with a serious emergency is expected to seek shelter to avoid disaster. To some extent the practice is codified in the revised Chapter V of SOLAS, which requires that the owner, the charterer or the company operating the ship or any other person, shall not prevent or restrict the master of the ship from taking or executing any decision which, in the master's professional judgement, is necessary for safe navigation and protection of the marine environment.

Similarly, SOLAS Article IV provides that ships which are not subject to the provisions of the Convention at the time of their departure on any voyage, shall not become subject to the provisions of the Convention on account of any deviation from their intended voyage due to stress of weather or any other case of force majeure.

The duty to render assistance to vessels and persons in distress at sea is a well-established principle of international maritime law (Article 98 of UNCLOS) and SOLAS regulation V/7 requires Governments to ensure that any necessary arrangements are made for distress communication and co-ordination in their area of responsibility and for the rescue of persons in distress at sea round their coasts. These arrangements shall include the establishment, operation and maintenance of such search and rescue facilities as are deemed practicable and necessary, having regard to the density of the seagoing traffic and the navigational dangers and shall, so far as possible, provide adequate means of locating and rescuing such persons.

By focussing more on human life and safety rather than on what is to be done with the ship in cases of force majeure or distress, these provisions do not of themselves give a right of entry to a place of refuge, nor do they explicitly refer to the question of a coastal State's obligation to establish places of refuge. On the other hand, neither do they preclude such a principle.

Given this background, it has proved possible for IMO to develop the Guidelines on places of refuge for ships in need of assistance mentioned earlier on in a manner which retains a proper and equitable balance between the rights and interests of coastal States and the need to render assistance to ships which are

damaged or disabled or otherwise in distress at sea.

It would be highly desirable if, taking the IMO Guidelines into account, coastal States designated places of refuge for use when confronted with situations involving ships (laden tankers, in particular) in need of assistance off their coasts and, accordingly, drew up relevant emergency plans, instead of being unprepared to face such situations and, because of that, risking the wrong decision being made by improvising or, in the heat of the moment, acting under pressure from groups representing various interests.

Development of the IMDG Code: The development of the IMDG Code dates back to the 1960 Safety of Life at Sea Conference, which recommended that Governments should adopt a uniform international code for the transport of dangerous goods by sea to supplement the regulations contained in the 1960 International Convention for the Safety of Life at Sea (SOLAS).

A resolution adopted by the 1960 Conference said the proposed code should cover such matters as packing, container traffic and stowage, with particular reference to the segregation of incompatible substances.

A working group of IMO's Maritime Safety Committee began preparing the Code in 1961, in close co operation with the United Nations Committee of Experts on the Transport of Dangerous Goods, which in a 1956 report had established minimum requirements for the transport of dangerous goods by all modes of transport.

Since its adoption by the fourth IMO Assembly in 1965, the IMDG Code has undergone many changes, both in appearance and content to keep pace with the ever changing needs of industry. Amendments which do not affect the principles upon which the Code is based may be adopted by the MSC, allowing IMO to respond to transport developments in reasonable time.

Amendments to the IMDG Code originate from two sources; proposals submitted directly to IMO by Member States and amendments required to take account of changes to the United Nations Recommendations on the Transport of Dangerous Goods which sets the basic requirements for all the transport modes.

Amendments to the provisions of the United Nations Recommendations are made on a two yearly cycle and approximately two years after their adoption, they are adopted by the authorities responsible for regulating the various transport modes. In that way a basic set of requirements applicable to all modes of transport is established and implemented, thus ensuring that difficulties are not encountered at inter modal interfaces.

LEGAL

Blame Game: It was rather predictable to see BP bashed by the US Government for the Deepwater Horizon disaster and spill. Just as predictable as seeing BP let rip at its partners and contractors, and Obama to be blasted by the US media.

However as the unseemly pantomime (complete with requisite



English villains) has played out, we didn't expect to see the crews of the ships which had rushed to aid the stricken drill rig get pulled into the legal mire.

Guess again though - as the companies that provided fireboats following the explosion aboard the rig have been named in a lawsuit. The complaint, filed by fisherman and others whose incomes have been impacted by the BP oil spill, claims the fireboats flooded the doomed rig, causing it to sink and damage the well a mile beneath the surface of the Gulf of Mexico.

Seventeen companies are named in the lawsuit, including Seacor Marine and Diamond Offshore Drilling. According to media reports, the suit seeks compensatory and punitive damages on behalf of all commercial fisherman, charter-boat operators and other businesses affected by the spill; property owners whose land was fouled; and oil workers who lost work because of the U.S.-imposed halt in offshore drilling.

The lawsuit, filed in U.S. District Court, Eastern District of Louisiana (New Orleans), alleges that flooding by the fireboats of the Deepwater Horizon and the resulting sinking of the rig directly caused the undersea well's piping to break, spawning the worst oil spill in U.S. history. The plaintiffs claim the fireboats violated industry standard procedures that warn against using water cannons to attack pressurized oil fires aboard marine vessels. As many as eight fireboats each shot "10,000 to 50,000 gallons of seawater on the rig per minute," according to the complaint. They flooded the rig's upper compartments and destabilized it, causing it to tip over and sink, it alleges.

The complaint further alleges that the fireboats should have used their "dynamic positioning systems" to hold the Deepwater Horizon in place while fighting the fire with industry-approved methods, which would have prevented the sinking and the oil spill.

Having seen pictures of the flames, the men in the water, the danger, mayhem and confusion we would like to see the lawyers nudge their vessels into the burning rig and use their DP to hold it in position...all while the magic fire fairies put the blaze out.

Big Stink: A Dutch court last month imposed the maximum fine of 1 million Euros, or \$1.28 million, on the oil trading company Trafigura for illegally exporting highly toxic sludge that was dumped off the Ivory Coast.

The stinking waste was eventually linked to the deaths of 16 people and thousands of illnesses in 2006.

The court also found the company guilty of covering up the hazardous nature of the waste when it first tried to unload its toxic waste, which included high levels of caustic soda, sulphur compounds and hydrogen sulphide, in the port of Amsterdam.

The sludge was pumped back on board after Amsterdam Port Services, a waste processing company realized the nature of the waste and raised their price for processing it from \$15,000 to \$300,000. With a new higher price, the "Probo Koala", left with its smelly load to the waters off the Ivory Coast.

Trafigura has denied wrongdoing, but in separate settlements it paid \$200 million to the Ivory Coast for clean-up and \$50 million to 30,000 victims and their families. The ruling of the Amsterdam court marks the first time Trafigura has been criminally convicted in the sludge scandal.

Another criminal lawsuit in the case is still before a court in The Hague. For many it seemed the affair besmirched the whole

of shipping, as the company embarked on an all out war with the Guardian newspaper. They had the paper gagged which did nothing to dampen the fiery anger felt at the disgraceful episode.

In fact the media gag initiated by Trafigura was felt by many to mark the birth of Twitter as a powerful media tool. Twitter users proclaimed their spreading of the news as an, "historic victory for the power of the internet" after the gagging attempt on an otherwise routine act of journalism triggered a race among bloggers to reveal all...which brings us nicely back to the importance of turning the glare of publicity on those that do bad things.

SECURITY

All to Blame: According to a new study, Somali piracy is likely to remain a problem for a long while to come - not because the country isn't functioning, not because the pirates are greedy devils, but because the key players have a vested interest in its existence, a research paper published by the German Institute for Economic Research (DIW Berlin) has found.

The study emphasised the role of the insurance industry, which, it claims, has an interest in the persistence of piracy. "Insurance companies, although they have to pay out ransoms, also make considerable profits because of their ability to raise premiums for piracy, which is still very rare," authors Sarah Percy and Anja Shortland claim.

Risk analysts and companies that provide services in ransom negotiations were also among those who benefit from Somali piracy, they said. "The cost of the ransom is in the region of only a fifth of the total costs arising from the average successful hijack," the researchers write.

However, the paper found that the "perhaps largest obstacle to ending piracy" was the shipping industry itself.

According to the report there were not enough incentives for shipowners to alter their procedures in a way that would end piracy. They pointed to the fact that only a small percentage of the ships trading off Somalia actually become victims of piracy.

About 20% of ships trading in the area choose not to make use of the transit corridor provided by the ATALANTA mission, they said. "Many shipowners are choosing not to spend the money to institute even the cheapest of practises recommended by the navy, like putting barbed wire on ships."

We're not so sure that insurers are to blame, but from experience we have to say we agree that some bad industry elements do have vested interests - we've met shonky negotiators that seem more than happy to eke out a few extra days of work by slowing the process, there are the shady middle men who grow (legitimately) fat on this human trade, and then there are the shipowners who simply do not ensure their crews have the first clue of what to do, where and when. So there we are - you are no better than the pirates!

Holy Ship: When people go on and on about the billions of tonnes of coal, gallons of oil and number of sneakers shipped around the world they never tend to dwell on the more niche markets, like say, ooh churches or temples.

How many of them are shipped annually? It's not the usual question asked, but now we now know of at least a few.

Wilhelmsen Ships Service has proudly announced that it has shipped a number of ancient Indian carved marble temples into the UK. The temples, (we are unsure of the correct collective noun) were carried in sections from Chennai in India.

The project required specialised packing and special types of crating, which were loaded onto containers. Wilhelmsen took responsibility for obtaining the various government approvals for archaeological clearance, customs clearance and actual loading onto the vessel. Though whether clearance was sought from any higher beings, is unclear.

The consignment was then supervised right up to arrival at the consignee's site. "Wilhelmsen has managed to move this project with optimum care without facing any obstacles," beamed Sachin Chitre of the company's India logistics team in Mumbai.

When asked for more details, such as age, of the precious cargo stevedores were able to give some very startlingly accurate figures. "This temple is 1500 years, two hours and twenty three minutes old", stated a lead hand. Impressed at this accurate dating, reporters inquired as to how he gave this precise figure. "Easy", "the archaeologists said the temple was 1500 years old, and that was before lunch."

What Happened to the Oil?

So much related to the spill of oil in the oceans can be a riddle wrapped up in an enigma. Attached below is the report issued by the National Incident Command which addresses how much oil entered the ocean following the Deepwater Horizon blowout (4.9 million barrels) and how much remains following the various measures taken by man and the workings of the ocean and biology. The damage caused by a spill is very often proportional to the nature of the riparians. If the coast, hinterland and fisheries are populated by the poor and meek, the chances are the compensation payable will be far less or even negligible by comparison. Contrariwise, the proximity of the well to do and the politically enfranchised will result in levels of liability which attest to the schizophrenic relationship resulting from the massive dependence of modern economies on oil and the detestation of how the works of man go on impinging on the natural world. The report says:-

In summary, it is estimated that burning, skimming and direct recovery from the wellhead removed one quarter (25%) of the oil released from the wellhead. One quarter (25%) of the total oil naturally evaporated or dissolved, and just less than one quarter (24%) was dispersed (either naturally or as a result of operations) as microscopic droplets into Gulf waters. The residual amount - just over one quarter (26%) - is either on or just below the surface as light sheen and weathered tar balls, has washed ashore or been collected from the shore, or is buried in sand and sediments. Oil in the residual and dispersed categories is in the process of being degraded.

South African Admiralty Jurisdiction keeps witnesses in the Yard: David Martin-Clark's most recent case note relates to the case of The owner of the cargo lately laden on board the MV "Ioannis NK" v The Master and Crew & Others (AC 66/2009)

The MV "Ioannis NK" sank some 98 nautical miles off Cape Columbine on her way to a port in India. The ship was Panamanian and her crew were employed by Greek ship managers. The owner of the 22,500 tons of raw sugar cane on board the vessel, valued at US\$8,572,500, applied to the High Court of South Africa for leave to take evidence from the crew and for an order restraining them from leaving the

jurisdiction until their evidence had been taken. In this case the Court confirmed a rule nisi granted earlier, which was the first to grant leave for evidence to be taken on commission in terms of section 5(5)(a)(i) and (iv) of the Admiralty

Jurisdiction Regulation Act 105 of 1983 (the "AJRA"), coupled with an order restraining the prospective witnesses from leaving the jurisdiction of the court until their evidence was taken.

The author of the case note, Peter Lamb, an Associate with the firm of Dawson, Edwards and Associates, Maritime and Commercial Attorneys, Cape Town comments "The Court's decision in the MV "Ioannis NK" case indicates its willingness, in certain cases, to exercise its jurisdiction to assist a claimant in obtaining evidence for the resolution of a maritime dispute in a foreign jurisdiction and clarifies the factors that it will take into account in exercising its discretion."

Indian maritime administration set to come closer to the trade: Measures being taken in the Director General of Shipping to facilitate trade and reduce response time.

Beleaguered by manpower shortage, complaints stockpile on delays and need for greater transparency the Directorate General of Shipping (DGS) the statutory maritime authority appointed by the Government of India has taken on a proactive stance announcing a series of measures to refurbish the image of the National Maritime Administration. During a recently convened seminar for interacting with the trade on implementing the Manila STCW Convention, Dr. S. B. Agnihotri, Joint Director General of Shipping who recently took charge of the Administration informed having put various procedures on a fast track for the benefit of the trade that will greatly reduce the response time while dealing with various departments.

Prominent among these is the proposal now being implemented is the on-line Certificate of Competency examinations which seafarers can undertake. This will ensure spontaneity in procuring the results and cut down the procedures which require seafarers having to make repeated visits to the directorate. He assured that the present lengthy process wherein candidates have to wait for a long time to get their results and make application for securing certificates will be a thing of the past. "Once the candidate receives his results on-line the candidate can go for his orals," Dr Agnihotri said. "The results will also be placed on the website of the directorate." Orals exams he informed are now being held with the help of the trade."

He also informed that 18 countries had ratified the Seafarers' Identity Documents' (SID) Convention. India has been repositioning itself and getting set to implement it at an early date. He affirmed that the Finance Committee had sanctioned the necessary funds. If all goes well he hoped that the first SID should roll out by end of this year perhaps in Mumbai where a significant chunk of seafarers are based.

To top it all the directorate has embarked on facilitative measures. The Jt. D.G.S said that a 'Help Desk' is being set up in the Directorate for the benefit of the trade and the public. This will serve as a single window system to get replies to queries. Besides an SMS alert mechanism is being installed to make all communication between the directorate and the trade effective.

Yet another time saving measure is that seafarers will be able to make applications for "Continuous Discharge Certificate and Identity Document (CDC) on-line without having to come to

the Directorate. This can be made from anywhere. "Delays in submission of CDC applications and issuance of CDC are being streamlined and could be done on-line. We are making arrangement with four leading courier agencies for having CDCs delivered to the recipients directly at their mentioned address. To ensure quicker delivery the directorate will send SMS to their cell phones in confirmation."

Why do people make mistakes? Mistakes cause accidents. That is the inevitable sequence of events and we humans are the people making the mistakes, but why? What are the reasons that people make mistakes? NK's guidelines covers how to prevent them, it focused mainly on design of equipment and operator training. Why people make mistakes? - some opinions and answers were given during the June 2010 Members Day of the marine insurance organization Swedish Club. Firstly the world crew shortage estimated at 50,000 seafarers isn't helping the industry. Good relations, communication and training are conducive to people making the right decisions yet having the confidence to challenge questionable decisions. Capt Gustav Groenberg of Star Cruises, Malaysia pointed out the importance of recruiting the right people, offering them good working conditions to motivate and retain them. Peter Groenwoldt, MD of Harren & Partner Ship Management, Bremen's opinion is that the reason for a mistake is always, without exception, human error caused by: lack of or poor training, ignorance or an over estimation of their skill and experience. Martin Hernqvist, MD of the Swedish Club Academy touched on the sensitive issue of culture on the individual's ability to challenge mistakes and unsafe acts quoting the Power Distance Index as a measure of different cultures and their behavior.

Mistakes cause accidents. That is the inevitable sequence of events and we humans are the people making the mistakes, but why? What are the reasons that people make mistakes? Following on from my earlier blog on accidents and NK's guidelines how to prevent them, it focused mainly on design of equipment and operator training. This blog looks into the subject of why people make mistakes? Some opinions and answers were given during the June 2010 Members Day of the marine insurance organization Swedish Club.

Firstly the world crew shortage estimated at 50,000 seafarers isn't helping the industry. Good relations, communication and training are conducive to people making the right decisions yet having the confidence to challenge questionable decisions. One of the four panelists Rob Grool, MD of Wallem Shipmanagement, Hong Kong said that , "crews must feel that they can always call for help and the only stupid questions is the one you dare not ask!"

Capt Gustav Groenberg of Star Cruises, Malaysia pointed out the importance of recruiting the right people, offering them good working conditions to motivate and retain them. "A high staff turnover is a serious threat to safety," he said. Commenting on the lower casualties involving cruise ships he said, "many cruise companies have adopted the pilot co-pilot system for their bridge operations and have implemented Standard Operating Procedures that are designed to reduce the risk of a 'one person error' accident. These SOPs have been developed to detect and trap an error before it leads to serious consequences. Errors are acceptable but negligence or carelessness is not!"

Peter Groenwoldt, MD of Harren & Partner Ship Management, Bremen is in no doubt as to why people make mistakes. His opinion is that the reason for a mistake is always, without

exception, human error caused by one of the three reasons: lack of or poor training, ignorance or an over estimation of their skill and experience. He continued, "we see too many crew members who obviously got their licenses and certificates under the Christmas tree and who pass medical examinations (when) seriously ill (yet are) testified fit for service.

Martin Hernqvist, MD of the Swedish Club Academy touched on the sensitive issue of the influence of culture on the individual's ability to challenge mistakes and unsafe acts quoting the Power Distance Index as a measure of different cultures and their behavior.

Is Maritime Security too Important to be Left to Professionals?

Congress goes its own haphazard way: And so it goes, with politicians second guessing maritime professionals. This week's example is brought by House members Bennie Thompson, chairman of the House Homeland Security Committee, Edward Markey and Jerrold Nadler, who are not exactly known for keeping up with maritime technology and developments.

They have given Homeland Security boss Janet Napolitano until August 17 to say why scanning of all containers cannot be done by July 2012. Their demand is actually more specific that that - detailed reasons have to be given for each of the hordes of foreign ports covered by the 2007 congressional directive.

"For the past three years, we have waited for DHS to take concrete steps to implement this provision, or alternatively propose legislation to amend the law. Neither has happened. We remain concerned about the significant homeland security risk to our nation as a result of the department's continued inability to articulate a path forward in this important area."

Nadler adds to this and brings in The Almighty to make his point. "I am extremely concerned that the Department of Homeland Security is dragging its feet and making insufficient efforts to meet the 2012 deadline for 100 percent cargo scanning, as mandated by Congress. If the mandate is postponed or, God forbid, ignored altogether, we are faced with the ongoing threat of a catastrophic breach of security in American ports. Despite the possibility that terrorists could smuggle nuclear, chemical or biological weapons into the country, we currently scan only a pittance of the millions of shipping containers entering our ports each year."

What puzzles industry insiders is that no concession is made for the somewhat pertinent fact that the X-ray scanning technology needed to zap all the 20 million containers coming into the country each year is not yet available.

Two bills have been proposed that recognize this, one that would allow "non-intrusive imaging equipment" or "radiation detection equipment" (rather than both, as presently stipulated) and pushing the start date to 2015; while the other suggests a risk-based approach. "The bill would eliminate the deadline for X-raying 100 percent of containers if the secretary of Homeland Security certifies the effectiveness of individual security measures [using] a layered security approach," says the bill, which is backed by the American Association of Port Authorities.

Of course, it is too much to ask to get Bennie Thompson to get the lowdown from the maritime industry.

DIRECTOR GENERAL OF SHIPPING

NO: SD-13/POL(4)/10

Dated 27th July, 2010

Sub: Amendment to SD Circular No. 1 of 2004 ? Guidelines for Grant of Licence for Contract of Affreightment (COA).

It has come to the notice of this Directorate that in most of the cases of movement of cargo on Contract of Affreightment (COA) basis, work has been given to charterers of foreign flag vessels based on an NOC from the Indian National Shipowners Association . This is a reflection on inadequate participation by the Indian tonnage in COA contracts. This issue has been deliberated at length with members of INSA, charterers, oil companies and other stakeholders in a meeting held on 18.6.2010 in light of SD circular 1 of 2004. It was felt that the present stipulation in para 4(v) of the said circular which stipulates that the Indian shipowner participating in the bid needs to own 1/3rd of the tonnage required stands in the way of a larger participation by Indian shipowners in COA contracts. Accordingly after careful consideration of the views , it has been decided to amend the para. 4 (v) of the SD Circular No.1 of 2004 to read as under:-

• 4(v) In the absence of adequate number of Indian flag vessels, chartering of foreign flag vessels by Indian shipowners shall be permitted upto 5/6 th of the total requirement of the quantity of the contract. In case , Indian shipowners do not have 1/6th (one sixth) of tonnage required, they will not be entitled to exercise the "right of first refusal".

Sd/-

(V. Rajendran)

Deputy Director General of Shipping

No: 47th NMDCC/WMD 2010-11 Dated: 11-08-2010

Subject: Nomination for Awards for World Maritime Day Celebrations 2010.

To
The Secretary General
Indian National Shipowners' Association
Mumbai.

Sir,

The World Maritime Day will be celebrated on Tuesday, the 21st September, 2010 all over India. The National Maritime Day Celebrations (Central) Committee has decided that the awards to be given on the occasion of the World Maritime Day will be the 'Safest & Most Environmentally Conscious Indian Shipping Company & "Best Recruitment & Placement Service Provider".

2. The purpose of this award is to recognize and honour the Indian Shipping Companies for their sustained contribution to the cause of Indian Shipping and at the same time, motivate and encourage them to maximize their efforts towards this cause.

3. The award will be in the form of trophy and citation. The present guidelines for the awards on the eligibility criteria and evaluation procedure are available at www.dgshipping.com.

1. The nomination for the above award as per the guidelines is to be forwarded to the undersigned by Monday 6th September, 2010. No nomination will be accepted after the above date. The responsibility of delivery of nomination before the due date will be that of the applicant and the National Maritime Day Celebrations Committee will not be responsible for any postal delay.

Yours faithfully,

Sd/-

(Deepak Verma)

Dy. Director General of Shipping &
Member Secretary, NMDC(C)

DIRECTOR GENERAL OF SHIPPING

**Authorized by
Chief Surveyor with
Government of India**

**EAC Branch
Eng/Exam-17 (9)/99-II
Instructions to Examiners**

**EACQM:0722
Circular No.115**

Issue No. 00 Dated: 04th August, 2010

Sub: Guidelines for Examination & Certification of NCV Engineers

In order to streamline the processing of NCV examination & certification, following guide lines have been prepared. These may be applied uniformly by all the MMD's with immediate effect.

NCV CI-IV :

1. Eligible candidates as per Flow Diagram No.4 (page III/19) of Meta Manual Volume-I may make an application to the MMD for assessment of eligibility for examination.
2. After satisfactory completion of assessment for eligibility, MMD's shall issue eligibility-letter to the candidate in order to enable him to attend the preparatory classes conducted by the Institute of Marine Engineer (IME) and appear for the written examinations, conducted by the IME.
3. Successful candidates in written exams shall then approach respective MMD for issuance of Exn-45. After verifying the results with IME, MMD shall issue EXN-45 to the candidates.
4. After completion of 6 months sea service only on board Indian near-coastal/river-sea vessels, with TAR book, and the advanced safety training courses, candidates shall approach respective MMD for oral examination. After completion of assessment for eligibility in all respects, MMD shall then allow the candidate for oral examination.
5. MMD shall then forward applications of the candidates successful in written & oral examination to DGS along with all supporting documents (i.e. copies of sea service testimonials, CDC endorsement, sea service verification, examination details etc.) for preparation of COC.
6. After receipt of application, DGS will scrutinize & prepare COC. The onus of verification of authenticity of qualifying sea service and other documents lies with the concerned MMD. In case of any candidate's sea service & documents found to be suspicious, matter may be referred to the Chief Examiner of Engineers with appropriate justification for such suspicion, for further necessary action.

NCV CI-III (Second Engineer Officer):

1. After having passed NCV CI-IV, the candidate needs to obtain minimum 12 months of sea-service on board any Indian near-coastal/river-sea vessel as Officer-in-charge of Engineering watch. The 12 months required sea service shall be counted from the date of issuance of COC (i.e. NCV CI-IV) by the DGS. Eligible candidates shall submit application to the IME for scrutiny of sea service. After scrutiny, IME shall allow the candidates for attending the preparatory classes and IME shall forward candidate's application with all supporting documents (i.e. copies of sea service testimonials, CDC endorsement, company letter, COC etc.) along with required fees, immediately to respective MMD for verification of eligibility. After completion of assessment for eligibility in all respects, MMD shall forward list of eligible candidates to IME for conduct of written examinations.
2. Successful candidates in written exams shall approach respective MMD for oral examination. After verifying the results with IME, MMD may allow the candidate for oral examination.
3. MMD shall then forward applications of candidates successful in written & oral examinations to DGS along with all supporting documents (i.e. copies of sea service testimonials, CDC endorsement, sea service verification, examination details etc.) for preparation of COC.
4. After receipt of application, DGS will scrutinize & prepare COC. The onus of verification of authenticity of qualifying sea service and other documents lies with the concerned MMD. In case of any candidate's sea service & documents found to be suspicious, matter may be referred to the Chief Examiner of Engineers with appropriate justification for such suspicion, for further necessary action.

NCV CI-III (Chief Engineer):

1. After having passed NCV CI-III (Second Engineer Officer), the candidate needs to obtain minimum 12 months of sea-service on board any Indian near-coastal/river-sea vessel as Second Engineer Officer or Officer-in-charge of Engineering watch. The 12 months required sea service shall be counted from the date of issuance of COC (i.e. NCV CI-III- Second Engineer Officer) by the DGS. Eligible candidates shall submit application to the IME for scrutiny of sea service. After scrutiny, IME shall allow the candidates for attending the preparatory classes and IME shall forward candidate's application with all supporting documents (i.e. copies of sea service testimonials, CDC endorsement, company letter, COC etc.) along with required fees, immediately to respective MMD for verification of eligibility. After completion of assessment for eligibility in all respects, MMD shall forward list of eligible candidates to IME for conduct of written examinations.
2. Successful candidates in written exams shall approach respective MMD for oral examination. After verifying the results with IME, MMD may allow the candidate for oral examination.
3. MMD shall then forward applications of candidates successful in written & oral examinations to DGS along with all supporting documents (i.e. copies of sea service testimonials, CDC endorsement, sea service verification, examination details etc.) for preparation of COC.
4. After receipt of application, DGS will scrutinize & prepare COC. The onus of verification of authenticity of qualifying sea service and other documents lies with the concerned MMD. In case of any candidate's sea service & documents found to be suspicious, matter may be referred to the Chief Examiner of Engineers with appropriate justification for such suspicion, for further necessary action.

Revalidation of NCV COC's:

For revalidation of any of the above COC the verification of the pre-requisites is to be carried out by the concerned MMD prior revalidation and recommendation made to the DGS for issuance of revalidated COC.

This issue with the approval of the Chief Examiner of Engineers.

Sd/-

(K.M.Rao)

Engineer & Ship Surveyor -cum - DDG (Tech.)

NO: ENG-/IMO- 39(1)/05

Dated 27th August, 2010

Sub: MEPC. Resolution 187(59), Amendments to Annex I of MARPOL 73/78 adopted by the 59th Session of the Marine Environment Protection Committee (MEPC 59) of the International Maritime Organization.

The Marine Environment Protection Committee (MEPC) during its 59th Session, adopted Resolution MEPC 187(59) on the 17th July 2009.

2. This resolution documents the amendments to Annex I of MARPOL 73/78, concerning regulations 1, 12, 13, 17 and 38 and the Supplement to the IOPP Certificate and Oil Record Book Parts I and II.

3. Considering that immediate action is required to be initiated, attention is drawn to Resolution MEPC.187(59), a copy of which can be accessed on the DGS website: www.dgshipping.com, shipping notices, Engineering Branch, MARPOL 73/78.

Sd/-

(D. Mehrotra)

Dy. Chief Surveyor - cum - Sr. DDG (Tech.)

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ENVIRONMENTAL

Slow Progress: The world's largest cargo ships are travelling at lower speeds today than sailing clippers such as the "Cutty Sark" did more than 130 years ago.

A combination of the recession and growing awareness in the shipping industry about climate change emissions encouraged many ship owners to adopt "slow steaming" to save fuel two years ago. This has lowered speeds from the standard 20-15 knots, but many major companies have now taken this a stage further by adopting "super-slow steaming" at speeds of 12 knots.

Travel times between the US and China, or between Australia and Europe, are now comparable to those of the great age of sail in the 19th century. American clippers reached 14 to 17 knots in the 1850s, with the fastest recording speeds of 22 knots or more.

Maersk, has set about a programme of adapting its diesel engines to travel at super-slow speeds without suffering damage. This reduces fuel consumption and greenhouse gas emissions by 30%. It is believed that the company has saved more than £65m on fuel since it began its go-slow.

The Royal Navy and BP, meanwhile, are among those adopting different ways to reduce fuel use and cut carbon emissions. The Ark Royal light aircraft carrier, the new Queen Mary 2 cruise liner and 350 other large commercial ships have had their hulls coated with special anti-fouling paint. This has been shown to cut around 9% from CO2 emissions by keeping their bottoms free from barnacles and other sea life.

Environmentalists like this kind of "progress". John Sauven, head of Greenpeace, said: "The simplest thing you can do to reduce emissions is reduce speed, but this must now be backed by regulation to make this the norm." While WWF International's marine manager, Simon Walmsley, said: "It's a no-brainer. Slower speeds reduce pollution but what the industry needs to do is to address its whole supply chain."

With the skies never to see Concorde soar again, and now with the greyhounds of the seas being hobbled it seems like speed is old fashioned, and that efficiency is here to stay. Probably for the best, but not terribly exciting...we've seen the future and it's frugal!

Messy Business: So ok, if the shipping industry (in its widest sense) is to blame...what do the experts at the German Institute for Economic Research think are the solutions? Do they agree that fixing Somalia and having an increased naval presence will help? No!

Au contraire, they actually believe that, "piracy is likely to increase if Somalia's domestic". Oh rats....they see that stability in Somalia is correlated with an increase in pirate attacks. Their results show that pirates benefit from local improvements in governance. Indeed short-term gains in local stability have always moved pirates further into their 'piratical sweet spot', while periods of insecurity have actually disrupted their activities.

So ok, what of the boys in blue and the great work of the naval

force, surely they must be doing some good? No again! The report paints a picture that naval counter-piracy initiatives are not a significant deterrent to pirates. They go on to stress, "While the navies correctly highlight their achievements in terms of deterring attacks on specific ships and in guarding food deliveries these are essentially short term, geographically limited successes. We find that pirates have extended their sphere of operation from the Gulf of Aden (where shipping traffic and naval forces are concentrated) into areas that are not easily monitored, such as the open waters off the coast of Somalia, the Arabian Sea and the Indian Ocean off the coast of Kenya, Tanzania and the Seychelles".

In other words, of the two solutions that the international community has proposed (naval intervention and the restoration of order to Somalia) neither at the moment is likely to succeed. Moreover, the underlying lack of incentives to stop piracy - for pirates, for the insurance industry and for international navies - may render most policy solutions useless.

This is a major concern - and is actually one that the International Chamber of Shipping (ICS) is desperately trying to raise. For all the plaudits, the pat on the backs and the cheers there are serious concerns about the lack of co-ordinated intelligence on piracy attacks in the Indian Ocean.

While the naval "successes" in the Gulf of Aden have been welcome, there now seems an urgent need for a strategic review of existing anti-piracy operations out in the Indian Ocean. Sadly it seems the closer we get to a solution the further it slips from our grasp.

GENERAL

Finger Pointing: We touched upon the incredible story last month of vessels reportedly ignoring multiple distress flares and Maydays from a sinking fishing vessel in the Channel. This was deemed a, "dereliction of one of the most fundamental duties of the mariner", by the UK Marine Accident Investigation Branch (MAIB).

The scolding rebuke came in a carefully worded article in the MAIB's Safety Digest...but it didn't end there as those journalistic scamps at Lloyd's List (LL) only started sniffing around and ended up naming and shaming the guilty (well, those they thought may possibly, could've, maybe, you know like been near the area).

It didn't take long for the fallout to hit the fan and the MAIB came out with an even more carefully worded blast at the decision to run their "sensationalist account".

The MAIB claimed the LL article, "significantly harmed the MAIB's ability to improve safety at sea". Really, can that be true?

Surely if you put things out there, however "carefully worded" then you are doing so to gain interest. Then, once you attract attention you've lost control of what people actually do with the information. It seems rather naive today to pre-judge what people will actually do.

The maritime press exists to spread news, views and shipping movements. They have the technology, and that can bring with

READERS' KIND ATTENTION

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it transparency, facts and details. We shouldn't decry this...it is progress, and for too long the bad elements of shipping have been able to hide - whether behind corporate veils, or over the horizon.

If the ability to hide from the full consequences of wrong doing no longer exists, that should be celebrated. In time, so long as that drives positive improvement then perhaps the "outing" of those that cause death, damage and environmental destruction should become the norm.

In this case someone died because of the (in)actions of another - we can bemoan the loss of confidentiality all we like. The fact remains that below par operators and ill equipped, un-supported and poorly trained seafarers are out there making mistakes. The gentle touch hasn't worked - so maybe it is time to point the finger?

Yes of course journalists should ensure they get the facts right - but we shouldn't confuse the failings in this instance with the wider ability for them to turn the spotlight onto those that do wrong.

Cash Cows: When you step onboard a ship as a first trip cadet there are so many jobs to perform...you have to mix the tartan paint, find the elusive golden rivet and of course all while earning enough cash to pay for your lodging and electricity.

We had begun to think that the little tinkers onboard had been playing some elaborate joke - but it seems that some workers on a Portsmouth ferry have actually been charged for their accommodation, and as such have been effectively paid below the minimum wage.

According to The National Union of Rail, Maritime and Transport Workers around 70 agency staff on P&O's *Pride of Bilbao* have been having 38p taken off their basic hourly pay of £5.80 for accommodation on board the ship.

The union is preparing to launch a tribunal case against the employment agency which hires the workers. While it seems the law does sometimes allow such charges, the RMT claims this levy is illegal because staff have no choice but to live on board while working...pff, a dinghy being towed behind not good enough for 'em?

RMT national officer Steve Todd said: 'Never in 30-odd years in the industry as a seafarer and union officer have I ever come across anyone having to pay for accommodation. I believe it's legally and morally wrong to expect a seafarer to have to pay for accommodation. That's why we have to challenge it, otherwise we're setting a precedent.'

The practice has apparently been taking place for years on the "*Pride of Bilbao*", but union officials only discovered this when a crewmember mentioned it at the RMT's maritime conference. No doubt as they asked how much it was going to cost them to use the stairs.

Apparently P&O said the levy helped to keep staff costs low because the route, which will be axed in September, was a loss-making service. Of course it kept the staff costs down - just like it would if you had paid them nothing, or heck even charged them for the privilege of cruising to the glorious open seas.

We always thought that Ryanair were the most innovative of companies at making money where there was none before - we suspect even they would flinch at the idea of charging cabin crew to sit down.

Biofuels present problems for maritime

industry: With the use of biofuels for transport increasing dramatically in recent years, P&I club executives are beginning to receive insurance claims stemming from biofuel problems.

The increase in the production and use of biofuels for transport is set to continue, and with most biofuels transported by sea, the industry needs to take stock of its growing experience of what can go wrong aboard ship and develop safe and efficient shipping, loading, handling and storage practices.

Demand for biodiesel is expected to grow at an estimated annual compound rate of 15%, rising from 20 million metric tonnes in 2010 to 45 million tonnes in 2015. Global biodiesel and ethanol sales could reach US\$247 billion by 2020, up from US\$76 billion predicted for 2010. In the first half of 2008/2009, about 670 million litres of biofuels were supplied to the UK transport market, 92% of which was imported.

The UK government is stepping up its targets for forecourt sales of fuels from renewable sources to 5% by 2013/14, and the EU Renewable Energy directive would like it to be more as new sustainable biofuels come to market. By 2030, Lloyd's Register predicts global demand for 100 million tonnes of biofuel, requiring an extra 400 handysize tankers to transport it.

According to a report by the UK P&I Club, blends of biofuels and conventional fuels are essentially mixtures of mineral oil based hydrocarbons and noxious liquid substances. The two main classes of 'first generation' biofuels in widespread use are biodiesel and bioethanol.

Biodiesel is derived from vegetable oils and animal fats. Better known as Fatty Acid Methyl Esters (FAMES), these are produced by reacting vegetable oil or animal fat with an alcohol, usually methanol. The transesterification process brings the properties of the raw materials closer to those of conventional petroleum diesel. FAME can be used neat as a fuel but is more commonly blended with petroleum diesel for use in diesel engines.

The different chemical compositions of FAME raw materials and their blend levels mean the end products vary in terms of stability, degradability and cold temperature performance. This will affect storage, handling, treatment, engine operations and emissions.

Bioethanol refers to ethanol produced by fermenting renewable sources of sugar or starch crops. Unlike FAME, bioethanol is a single chemical compound, which is volatile, colourless, miscible with water and hygroscopic. Again, bioethanol can be used neat but is generally blended with conventional gasoline.

P&I club executives are beginning to receive insurance claims stemming from biofuel problems, most of which emanate from FAMES. There is no standardised analytical technique for detecting FAME materials in fuel oils and data on their effect on marine fuel systems is limited.

Water contamination is the main problem as FAMES absorb water via sea water ingress, tank washing residues, atmospheric humidity in tanks' ullage spaces and other sources.

FAME can hold high levels of water in suspension, rendering cargo off-specification. Water can promote hydrolytic reactions, breaking down the FAME to form free fatty acids. Such species are corrosive and may attack exposed metal surfaces. Water can separate out from FAMES, promoting unwanted microbiological growth, which may lead to filter blocking and corrosion.

Potential shipping problems include degradation reactions by trace metals, such as copper heating coils or zinc-containing

tank coatings. Thermal stability will be affected if FAME cargoes are stored next to heated tanks. Dry nitrogen blankets can help to prevent degradation reactions through air contact.

FAME can adsorb onto the walls of tanks or pipelines and desorb into subsequently carried products, causing problems for multi-product pipelines or storage tanks, necessitating great care with tank cleaning and flushing and draining common lines. Switching from B5 diesel to jet fuel requires at least a hot water tank wash. Some would advocate at least three intermediate FAME free cargoes plus the hot water wash before loading jet fuel.

Tankers carrying multiple products risk inadvertently contaminating jet fuel cargo with traces of FAME. The EN590 specification for ultra-low sulphur diesel (ULSD) allows up to 7% FAME content by value. Ships' tanks and lines should be completely stripped of all ULSD before loading jet fuel.

FAME acts as a solvent, taking up any organic residue, dirt or scale that may have accumulated on surfaces of tanks or pipelines. It attacks and quickens the ageing process of certain materials, including elastomers.

Unwanted water is also a major problem with bioethanol. The ethanol itself is hygroscopic and highly soluble in water. Small quantities of water can be dissolved in gasoline/bioethanol blends but, if there is too much, the ethanol will separate from the gasoline, forming an alcohol-rich water/ethanol aqueous phase and an alcohol-poor gasoline phase.

The former will collect at the bottom of the ship's tank or storage tank and is likely to be highly corrosive and not usable as fuel. The gasoline phase may be considered a "minor hazard to either marine resources or human health" if discharged into the sea from tank cleaning or deballasting operations.

Bioethanol also acts as a solvent, cleaning out dirty storage tanks and lines but becomes contaminated itself in the process.

UK Club Loss Prevention director Karl Lumbers explained: "As volumes increase and new fuel sources, such as jatropha and algal oil enter the market, we can expect new sources of claims. The production and distribution of biofuels, particularly on board ship, will continue to provide a very real challenge. A knowledge of these products' properties will be very beneficial in minimising the risk of unwanted claims."

Wilhelmsen helps tankers meet new IMO regulations: Wilhelmsen Ships Service is launching a new initiative to assist its tanker operator customers in adapting to new regulations regarding the testing and supplying of fire-fighting foam. The initiative, in which the company has set up a network of testing stations, follows the International Maritime Organization's (IMO) revised requirements for testing protein-based, alcohol-resistant (PB AR) foam concentrates.

In response to this revised standard, Wilhelmsen Ships Service has ensured that its foam testing service stations are capable of performing foam concentrate tests in accordance with MSC 1./Circ.1312. The company is offering a global availability of relevant foam replacements as well as testing services.

"It was found that older types of PB AR foam concentrates may not be compatible with a number of chemicals (polar solvents) and may fail to extinguish a fire in an emergency," Martin van der End, Product Marketing Manager for Fire and Safety Products.

"The new test standard combines the traditional test standards MSC/Circ.582 and MSC/Circ.799 in one standard, amends the

requirements for the stability test on acetone and adds a small scale fire test for PB AR foam concentrates, which actually makes the difference in comparison to the traditional test standards that are being superseded by the MSC 1./Circ.1312."

It is anticipated that many, if not all, of the PB AR foam concentrates presently in use onboard ships could fail to pass if tested in accordance with the new test standard and will therefore have to be replaced.

Training Simulator for Offshore Crane Operators: Cargotec has developed a simulator to provide valuable, realistic training for operators of offshore load handling equipment employing advanced active heave-compensated (AHC) technology, such as AHC offshore and subsea cranes.

The new simulator is an enhancement to Cargotec's integrated approach to the offshore support sector, whereby the company not only offers complete engineering solutions that optimise functionality for specific ship types, but also distinct value added service products, planned and on-demand, such as maintenance and advanced operator training, both theoretical and practical.

Recent hardware and software developments have resulted in significant advances in simulator technology, opening the doors for such new, specialized applications.

The simulator was designed, constructed and tested in house by a team of system engineers at Cargotec's offshore load handling site in Kristiansand.

Comprehensive training in the proper use of equipment has great benefits in terms of safety and efficiency and also reduces the likelihood of damage, downtime and repair costs due to incorrect operation. By allowing crane operators to gain more realistic, varied experience in a few days than they would in weeks of live training, the simulator has a major role to play in Cargotec's wider training programme for offshore load handling. This includes training in failure and emergency scenarios in various environmental conditions.

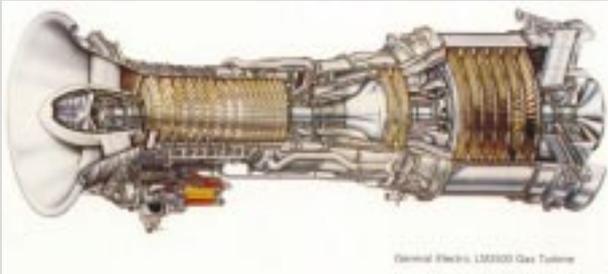
The simulator features a full-scale crane cabin interior with multiple high resolution displays which provide an unrestricted view of the entire operating area through numerous windows. The complete simulator package, including all the necessary hardware and HVAC systems, is housed in a single 20ft container. This gives it the great advantage of being completely autonomous and transportable. This means that while it can be employed at Cargotec's training centre in Kristiansand, it can also be taken directly to the customer so that training can take place where most convenient, with a minimum of disruption to the customer's operations.

Project manager Eldri Nærum said "We have succeeded in creating such a realistic crane cabin that we expect our trainees will forget that they are not operating a real crane. Realistic sounds enhance the experience and a head tracking feature means that when the seated operator looks out any of the windows, the view changes seamlessly according to the movement of his head"

"In addition to its primary training function, the simulator also enables Cargotec to demonstrate and assess the various functions of its products, plan marine operations, and log data for playback to evaluate and improve future operations. It can also be used for the rapid design and testing of new concepts."

GE Provides LM2500 Gas Turbine Modules for U.S. Navy

GE Marine reports that its LM2500 aeroderivative marine gas turbines will be used to power the United States Navy's new Flight IIA Arleigh Burke-class destroyers. GE has received orders for the initial three of an expected nine new Flight IIA ships. The new destroyers are being built as part of the U.S. Navy's DDG 51 program.



"The successful DDG 51 program already includes 57 destroyers delivered, with five additional ships under construction, all powered by GE LM2500 gas turbines. The



U.S. Navy has been pleased with the performance and reliability of our engines on the Arleigh Burke class ships, as well as on the Ticonderoga class cruisers and Perry class frigates. Mean time between removal of the LM2500 gas turbines is roughly 23,000 hours, which equates to about 17 years in service. Therefore it is a natural fit that GE's LM2500s have been selected to power the DDG newbuilds," said Brien Bolsinger, GE Marine general manager.

According to a presentation made at the Sea Air Space 2010 conference by Captain Peter C. Lyle, U.S. Navy, DDG 51 program manager, "The capability of DDG 51 Class ships being built today is markedly more advanced than the initial ships of the class. The benefits of competition, employment of mature technologies, design stability, fixed price contracting, commonality, and economies of scale promise to provide these highly capable ships to the fleet on cost and on schedule."

The new vessels for the DDG 51 program are being built by General Dynamics' Bath Iron Works in Bath, Maine, and Northrop Grumman Shipbuilding in Pascagoula, Mississippi. GE will provide four gas turbine modules per vessel. Included in GE's contract will be the LM2500 gas turbine, base and enclosure assembly, pneumatic starter and single cooler lube storage and conditioning assembly.

The LM2500 gas turbines will be manufactured and tested at GE's Evendale, Ohio, facility. Delivery of the gas turbine modules to the shipbuilders for the initial three new ships is expected to commence in 2011 and to be completed by 2013.

INTERTANKO Applauds U.S. Legal Outcome on Piracy Case

INTERTANKO applauds the result of a plea bargaining agreement in the U.S. whereby a Somali national, who a few weeks ago escaped trial when a U.S. federal judge threw out a case accusing him and five colleagues of piracy, has pleaded guilty to piracy-related acts and will receive a significant prison sentence.

Jama Idle Ibrahim, who took part 10 April in an attack on a U.S. Navy vessel, USS Ashland, in the Gulf of Aden after mistaking it for a merchant ship, has pleaded guilty to piracy-related acts including attacking to plunder a vessel, engaging in an act of violence against people on a vessel, and the use of a firearm during a crime of violence. The more serious charge of piracy was dismissed a few weeks ago by a federal judge because the group did not rob, board or take control of the USS Ashland but only attempted to do so.

Under a plea bargaining agreement, we understand that the man is likely to receive a 30 year prison sentence, according to the U.S. Attorney's Office.

This decision sends a clear warning to those involved in attacks on merchant ships in the Gulf of Aden, that such illegal behaviour will not be tolerated. It may also encourage naval vessels to arrest pirates caught red-handed rather than letting them go because of difficulties in obtaining prosecutions under national and state jurisdiction - as happened recently in the case of the USS Kauffman which stopped an assault on the suezmax tanker Ice Explorer in the Internationally Recognised Transit Corridor, boarded a pirate skiff, confiscated pirate equipment but failed to make any arrests.

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