

# **ACCIDENT REPORT**

#### SERIOUS MARINE CASUALTY

**REPORT NO 11/2019** 

**AUGUST 2019** 

#### Extract from The United Kingdom Merchant Shipping (Accident Reporting and Investigation) Regulations 2012 – Regulation 5:

"The sole objective of the investigation of an accident under the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012 shall be the prevention of future accidents through the ascertainment of its causes and circumstances. It shall not be the purpose of an such investigation to determine liability nor, except so far as is necessary to achieve its objective, to apportion blame."

#### NOTE

This report is not written with litigation in mind and, pursuant to Regulation 14(14) of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012, shall be inadmissible in any judicial proceedings whose purpose, or one of whose purposes is to attribute or apportion liability or blame.

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#### Grounding of the bulk carrier *Kuzma Minin* Falmouth Bay England 18 December 2018

# SUMMARY

On 18 December 2018, the Russia registered bulk carrier *Kuzma Minin* grounded after dragging its anchor in Falmouth Bay, England. The vessel was in ballast and was successfully refloated on the next high water. Damage below the waterline included shell plate deformation and breached tanks. There were no injuries and no pollution.

Courtesy of www.cornwalllive.com



Kuzma Minin

The MAIB investigation identified that *Kuzma Minin* had remained at anchor off a lee shore, with strong winds forecast, due to the low quantity of bunkers and the absence of spare engine lubricating oil on board. Wind speeds of over 50 knots contributed to the anchor dragging. The vessel's movement was quickly detected by the bridge watchkeeper, and the actions taken to proceed to sea went well until the port anchor came in sight. The anchor appeared to be fouled by a chain and, while focus was turned to clearing the anchor, *Kuzma Minin* was beam on to the wind and blown towards the shore at a speed of over 2 knots. Despite the crew's best efforts, grounding could not be avoided.

The refloating operation was co-ordinated by the Falmouth harbourmaster using local resources. The operation was timely and effective, but concerns over *Kuzma Minin*'s lack of insurance cover, and its owner's lack of co-operation in appointing a salvor, caused unexpected pressures. The Secretary of State's Representative kept a watching brief and was likely to have adopted a more proactive approach had the initial refloating attempt been unsuccessful.

Following the accident, Falmouth Harbour Commission strengthened existing measures to check, where required, visiting vessels have protection and indemnity insurance, and to improve the safety of vessels at anchor in Falmouth Bay. It has also liaised with the UK government and the Maritime and Coastguard Agency regarding the effectiveness of the National Contingency Plan in view of the circumstances experienced on this occasion. A recommendation has been made to the vessel's owner, JSC Murmansk Shipping Company, aimed at ensuring its vessels are appropriately resourced and meet the requirements of international conventions.

# **FACTUAL INFORMATION**

## Narrative

## Anchorage and grounding

*Kuzma Minin* sailed from Terneuzen, Netherlands, on 7 December 2018 following a 71-day detention by port state control. Soon after sailing, the vessel received orders to load bunkers in Cueta, Spanish North Africa, and transited the English Channel at between 4 and 8 knots<sup>1</sup> (kts). On 9 December, the master notified the vessel's owner, JSC Murmansk Shipping Company (MSCO), that *Kuzma Minin* had insufficient bunkers and engine lubricating oil (lube oil) for the intended passage. Between 10 and 14 December, *Kuzma Minin* alternated between being at anchor and loitering at slow speed off Cornwall, England, until approval was given for the vessel to take bunkers in Falmouth, England.

On 15 December 2018, *Kuzma Minin* shifted 4.3nm from an anchorage east of the Manacles to an anchorage in Falmouth Bay (**Figure 1**), within Falmouth harbour's limits. A harbour pilot embarked during the move and the vessel anchored at 1700<sup>2</sup> in a charted depth of 17m, 1nm off Gyllyngvase beach using the port anchor with 7 shackles of anchor cable. By that time, *Kuzma Minin*'s bunkers comprised 105 tonnes (t) of heavy fuel oil (HFO), and 5t of marine diesel. There was no spare lube oil on board. During the evening, a bunker barge delivered 30t of marine diesel to *Kuzma Minin*, but because of MSCO's unpaid debts from previous ship visits to Falmouth, the supplier had required payment before delivery.

On 16 December, *Kuzma Minin*'s master attempted to arrange a delivery of lube oil, which was available the following morning subject to prepayment. No oil was delivered on 17 December and the master opted to remain at anchor overnight, but he was aware that the weather forecast predicted southerly winds up to Beaufort force 8. He wrote in his night orders 'for wind speed in excess of 16 to 17m/s [31-33kts], the main engine should be at immediate readiness'. The master also discussed the risk of the vessel dragging anchor with the bridge watchkeepers, and before going to bed emphasised his instruction regarding engine readiness.

At 2100, the second officer took over the bridge anchor watch, and in view of the increasing wind speed soon ordered the duty engineer in the engine room to ensure that the main engine was at immediate readiness. By 0400 the following morning (18 December), when the chief officer took over the bridge watch, the southerly wind was gusting over 52kts, the sea swell was between 4m and 5m, and *Kuzma Minin* had began to yaw (**Figure 1**). At 0425, the vessel started to drag its anchor to the north. The chief officer was alerted by the anchor watch alarm sounding on the electronic chart system (ECS) and saw that the vessel's speed was 1.4kts. He called the master to the bridge, advised the engine room, and informed the rest of the crew via the tannoy system.

<sup>&</sup>lt;sup>1</sup> All speeds in this report are 'over the ground'.

<sup>&</sup>lt;sup>2</sup> All times in this report are UTC unless stated otherwise.

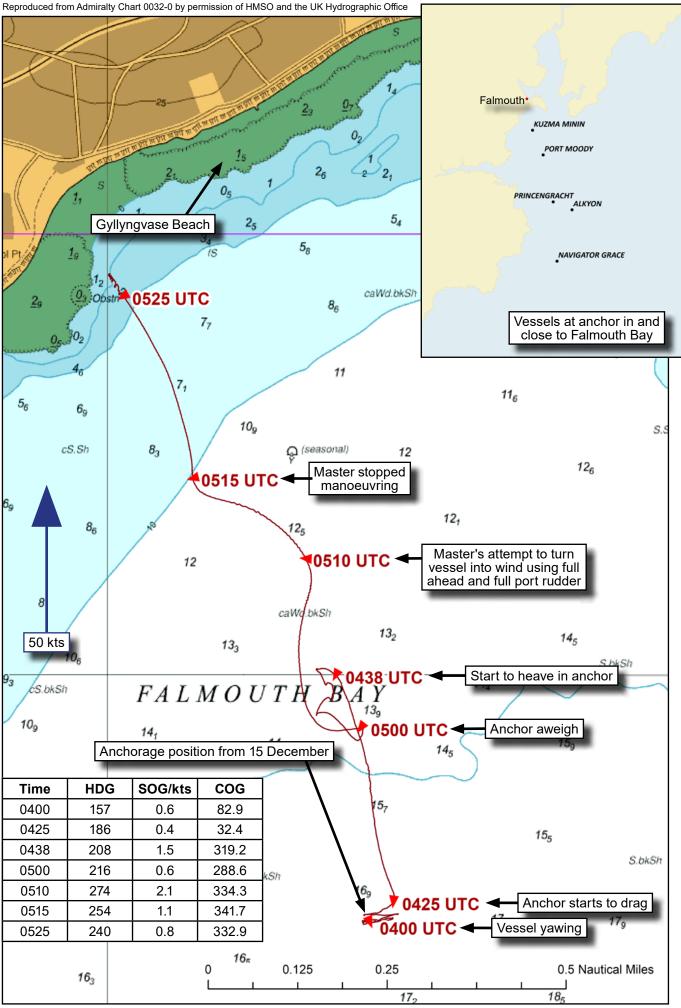


Figure 1: Kuzma Minin's track on 18 December 2018 (0400 - 0525)

*Kuzma Minin*'s master arrived on the bridge and immediately ordered the bosun to go to the fo'c'sle and heave in the anchor. He also informed Falmouth port, via very high frequency (VHF) radio, that the vessel was dragging its anchor and that he intended to proceed to sea.

At 0438, the bosun started to heave in the anchor while the master used the rudder and main engines to manoeuvre and take the weight off the anchor cable. Heaving the anchor was difficult, but shortly before 0500 it was aweigh, and *Kuzma Minin* started to fall beam to the wind on a westerly heading (Figure 1). The master's attempts to keep the bow into the wind and check the leeway by the intermittent use of the engine were not successful. When the anchor came into view, the bosun saw that a chain cable was snagged across its flukes (Figure 2). The bosun advised the master that the anchor was fouled by a substantial length of chain. In response, the master stopped manoeuvring. An attempt to clear the chain by dropping the anchor and heaving it in again was unsuccessful.



Figure 2: Port anchor fouled by chain

At 0510, *Kuzma Minin* was approximately 6 cables off Gyllyngvase beach **(Figure 1)** on a heading of 274° and making over 2kts leeway to the north. The master was aware that the vessel was running out of sea room so applied full port rudder and put the engine to 'full ahead' to try to turn the vessel to the south and into the wind. Five minutes later, the master assessed that *Kuzma Minin* would not clear Pennance Point, which was only 0.5nm to the west, and stopped the engine.

At 0519, *Kuzma Minin* was within 2 cables of the shallows and the master ordered the bosun to let go the port anchor. He did so, but the anchor again did not hold, and *Kuzma Minin* grounded on Gyllyngvase beach at 0525. The predicted low water (1.8m) was at 0730 and, as the tide ebbed, the vessel settled on a heading of 222° with a 5° port list. Its stern was lying on sand and its bow across a rocky ledge. The master informed Falmouth port and MSCO of the situation.

#### <u>Response</u>

The Falmouth harbourmaster quickly implemented the '*Falmouth Bay and Estuaries Maritime Emergency Plan*' and liaised with Falmouth Coastguard. An attempt to embark a harbour pilot on board *Kuzma Minin* from a pilot boat was unsuccessful due to the sea conditions, but at 0830 a pilot was winched on board from a coastguard search and rescue helicopter. The pilot and the master discussed measures to stabilise the vessel and prevent it from going harder aground. Ballasting the vessel was not viable due to the slow speed of the ballast pumps, and the rough sea conditions prevented the deployment of ground tackle. They agreed that the best option was to attempt to refloat *Kuzma Minin* at the next high water, which was predicted to occur at 1315 with a height of tide of 4.4m.

On notification of *Kuzma Minin*'s grounding, the Maritime and Coastguard Agency's (MCA) duty counter pollution and salvage officer (DCPSO) briefed the SOSREP<sup>3</sup>. Following discussions with the harbourmaster, the DCPSO prepared to travel to Falmouth. Meanwhile, the harbourmaster advised *Kuzma Minin*'s designated person ashore of the importance of the vessel's owner appointing a salvor. Shortly after, the DCPSO informed the harbourmaster that *Kuzma Minin* did not have Protection and Indemnity insurance (P&I) cover, and the harbourmaster requested that the DCPSO direct MSCO to appoint a salvor. The harbourmaster was aware that the vessel's local agent had withdrawn its services due to difficulties in obtaining payment.

The harbourmaster mobilised the port's counter-pollution contractor after oil was reported to have escaped from the vessel. He also mobilised the Falmouth harbour tugs *St Piran, Percuil* and *Ankorva,* which had bollard pulls ranging between 15t and 24t. The assistance of *Cannis*, a harbour tug from Fowey with a 32t bollard pull, and *Sarah Grey*, a workboat with a 17t bollard pull, was also arranged. However, the harbourmaster's attempt to engage the services of *Kaouenn*, a 63m offshore support vessel with a bollard pull of 81t which was 60nm south of Falmouth and transiting the English Channel at the time, was unsuccessful due to its agent's concern over MSCO's ability to pay.

At 1000, a briefing at Falmouth Coastguard Operations Centre was attended by the harbourmaster and representatives from the MCA and the Environment Agency. Silver Command<sup>4</sup> was set up at County Hall in Truro. Soon after, the coastguard on behalf of the DCPSO issued an initial caution to MSCO by email and *Kuzma Minin*'s master via VHF radio for not appointing a salvor, which advised that SOSREP's power of intervention and direction could be used. The harbourmaster requested the SOSREP to intervene on several occasions throughout the morning, and the SOSREP advised that he would attend in line with the National Contingency Plan<sup>5</sup> (NCP) should the attempt to refloat the vessel be unsuccessful.

#### **Refloating**

By 1122, lines from the Falmouth harbour tugs had been secured to *Kuzma Minin* and the tugs gradually increased the weight on the lines as the bulk carrier de-ballasted. Several lines parted due to the tugs' movement in the swell, and had to be replaced. By 1345, *Sarah Grey* and *Cannis* had arrived on scene and the sea and swell had moderated. The tugs pulled and the workboat pushed with as much power as the conditions allowed (**Figure 3**) and, assisted by *Kuzma Minin*'s main engine, the bulk carrier refloated at 1415. Thirty minutes later, the vessel was anchored by its starboard anchor 1nm south of Pendennis Point. After the refloating operation, the harbourmaster reiterated to the SOSREP the need for a salvor to be appointed for the damaged vessel.

The SOSREP engaged with the MCA's Survey and Inspection Branch and independent salvage advisors. This led to *Kuzma Minin*'s detention following a port state control inspection.

<sup>&</sup>lt;sup>3</sup> Secretary of State's Representative for Maritime Salvage & Intervention.

<sup>&</sup>lt;sup>4</sup> In the UK, a gold–silver–bronze command structure is used by the emergency services and authorities for the command and control of major incidents.

<sup>&</sup>lt;sup>5</sup> The National Contingency Plan for Marine Pollution from Shipping and Offshore Installations (NCP) sets out the procedures involved in pollution response and recovery, prior to, and after a marine pollution incident.



Figure 3: Kuzma Minin - refloating

At 2030, the SOSREP issued a Direction to MSCO requiring notification of its plans and intentions for the vessel before 1000 the following day. MSCO did not respond.

#### Damage and subsequent events

On 19 December, the chain fouling *Kuzma Minin*'s port anchor (Figure 2) was removed on to *Sarah Grey*. The chain was 28m long with a 3.8cm diameter, was extremely worn, and appeared to have been submerged for a significant period of time. On 22 December, an underwater dive survey on *Kuzma Minin* commissioned by the SOSREP identified that:

- A 20m section of the shell plating forward was badly holed, cracked and deformed.
- One fuel tank, which had contained 5t of HFO, and two water ballast tanks were breached. The breached fuel tank had filled with sea water.
- The starboard bilge keel was partially detached.

On 24 December, *Kuzma Minin* was moored to a buoy in the Carrick Roads, Falmouth. The vessel was not sufficiently seaworthy for an extended voyage and was detained by the MCA. It was subsequently arrested by the Admiralty Marshall on 2 January 2019. *Kuzma Minin* was sold in March 2019 on the instruction of the Admiralty Marshall in order to pay towards its owner's debts, which included a salvage award to offset some of the costs incurred by Falmouth Harbour during the vessel's refloating. The vessel's crew were repatriated to Russia.

Falmouth Harbour was still waiting for the salvage award to be paid at the time of publication of this report.

#### **Vessel and crew**

*Kuzma Minin* was one of four sister vessels built in Rostock, Germany, in 1980 to operate in the Barents Sea. The vessel was ice-class<sup>6</sup> and its propulsion was via a direct drive slow speed engine through a single fixed pitch propeller. It did not have a bow thruster. The vessel was equipped with two anchors, similar to type AC14. The port anchor had 11 shackles of chain cable attached, the starboard anchor had 10 shackles.

The vessel's 18 crew were Russian nationals who held the appropriate STCW<sup>7</sup> certification for their positions on board. The crew's contract length was 4 months. At sea, the deck officers kept 4-hour bridge watches. *Kuzma Minin*'s master was 63 years old and had worked for MSCO since 1977. He had been a master since 1990.

*Kuzma Minin* had not had P&I insurance since the American Club cancelled its cover on 7 September 2018 due to the non-payment of the premium. The vessel had also been unable to take bunkers before leaving Terneuzen owing to the non-payment of bills. Deficiencies identified during the vessel's detention in Terneuzen related to documentation, welfare and safety. The master had notified Falmouth Harbour through the vessel's agent that the vessel's P&I cover was extant and MSCO had pre-paid for the bunkers delivered to *Kuzma Minin* on 15 December. No pre-payment was made for a delivery of lube oil on 17 December.

#### **JSC Murmansk Shipping Company**

*Kuzma Minin*'s owner, MSCO, was based in Murmansk, Russia. It was established in 1939 as the Murmansk State Dry-Cargo and Passenger Shipping Company and traded under that name until it was renamed in 1967. MSCO specialised in Arctic transport and had been one of the major shipping companies operating in Arctic Russia and northern Europe. In 2014, MSCO owned 303 vessels, but by the end of 2018 its fleet size had reduced to 22. During 2018, several of MSCO's vessels had been detained.

#### The SOSREP

The SOSREP is a civil servant appointed to oversee the UK's casualty response in order to reduce the environmental impact and financial cost of maritime casualties. The role was first introduced in 1999 in response to a recommendation made by Lord Donaldson in his '*Review into Salvage Intervention and their Command and Control*' following the *Sea Empress* grounding and oil spill off Milford Haven in 1996. The SOSREP's role is independent, impartial and has overall responsibility for monitoring responses to offshore incidents (including vessel casualties) where there is a risk of pollution. The SOSREP is empowered to take control of incident management if deemed to be in the UK interest, and to intervene if an incident response is considered not to be sufficient, or in the public interest.

#### **P&I Insurance**

The Nairobi<sup>®</sup> and Bunker<sup>®</sup> Conventions respectively provide for a liability, compensation and compulsory insurance scheme for the removal of a wreck, and damage caused by the escape or discharge of bunker oil. Proof of insurance is demonstrated by a 'hard copy' certificate, which is issued by a Flag State party to the relevant Conventions on receipt of a digital 'Blue Card' notification from the P&I insurer. Ships

<sup>&</sup>lt;sup>6</sup> 'Ice-class' refers to a notation assigned by a classification society or national authority to denote the additional level of strengthening and arrangements for navigating in ice.

<sup>&</sup>lt;sup>7</sup> International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended (STCW Convention).

<sup>&</sup>lt;sup>8</sup> The Nairobi International Convention on the Removal of Wrecks 2007.

<sup>&</sup>lt;sup>9</sup> The International Convention on Civil Liability for Bunker Oil Pollution Damage 2001.

must carry the certificates on board whenever calling in ports located in a State Party<sup>10</sup>. Where a ship is registered in a State that is not party to the relevant Conventions, the registered owner is required to obtain a 'hard copy' certificate from a State that is. When insurance cover is revoked, the insurer notifies the State that issued the certificate, which then requests the vessel's owner to surrender the 'hard copy' certificate within 3 months.

In this case, as Russia was not a party to the Conventions, the UK (MCA) had issued *Kuzma Minin*'s insurance certificate at the request of MSCO. On notification from the American Club that the insurance cover had been revoked from 7 September 2018, it had also written to MSCO requesting the certificate be surrendered. The MCA also requested the surrender of insurance certificates issued to a further 10 of MCSO's vessels, for which the American Club had withdrawn insurance cover.

# **ANALYSIS**

#### Decision to remain at anchor

In view of the low levels of bunkers and engine lube oil on board, *Kuzma Minin*'s master had little option but to go to anchor in Falmouth Bay on 15 December 2018. The vessel had been unable to refuel before leaving Terneuzen, and could not have reached Ceuta. Although marine diesel for use in the generators had been delivered following payment, the vessel was still unable to embark on its intended passage due to the lack of any spare lube oil and the low quantity of HFO on board.

On 17 December, with southerly winds up to 40kts forecast, *Kuzma Minin*'s master faced the dilemma of either staying at anchor off a lee shore or proceeding to sea in rough conditions. In addition to having no reserve of main engine lube oil, his decision to remain at anchor was probably influenced by the presence of other vessels at anchor nearby (**Figure 1 inset**) and the potential discomfort of loitering at slow speed in rough seas. Furthermore, Falmouth harbour had not raised any concerns about *Kuzma Minin*'s position.

Nonetheless, that *Kuzma Minin*'s master understood the risks of remaining at anchor are indicated by his actions to ensure that the bridge watchkeepers were alert to the possibility of the ship dragging, the use of an anchor swinging circle on the ECS, and having the main engine ready for immediate use in winds stronger than 17m/s. These precautions also indicate that he was prepared to sail if required.

#### Dragging anchor and response

When the southerly wind started to gust in excess of 50kts, *Kuzma Minin* began to yaw (**Figure 1**), creating increased load on the anchor and its cable. Although the use of 7 shackles of cable in a depth of about 21m at high water provided a scope of about 9:1, this was insufficient to cope with the forces generated by the wind acting on the bulk carrier, which was in ballast and inevitably heaving in the 4m to 5m swell. In such circumstances, and with *Kuzma Minin* only 1nm from the shore, increasing the scope of the cable by utilising more of the 11 shackles available might have provided greater surety of the anchor holding.

Nonetheless, the breaking out of the anchor at 0425 was quickly noticed by the chief officer, who immediately alerted the master and the rest of the crew. The master's decision to weigh anchor and sail was prompt, and his use of the main engine checked *Kuzma Minin*'s movement towards the shore as well as taking the weight off the cable as the anchor was heaved.

*Kuzma Minin* quickly gathered leeway once the anchor was aweigh, and the distraction of the fouled anchor cost valuable time and sea room. The master had been informed that the length of chain caught on the anchor's flukes was substantial, and he was concerned that by continuing to manoeuvre with the

<sup>&</sup>lt;sup>10</sup> A 'State party' to a treaty is a country that has ratified or acceded to that particular treaty and is therefore legally bound by the provisions in the instrument.

chain still attached might result in damage to the anchor, windlass or even the bulk carrier's propeller. Neither the bosun nor the master had any way of knowing that the chain fouling the anchor was only 28m in length and that it was not impeding *Kuzma Minin*'s departure.

Over the next 17 minutes, *Kuzma Minin* was beam-to the wind and making over 2kts leeway towards the beach. The attempt to clear the port anchor was unsuccessful, the master was unable to turn *Kuzma Minin* with full engine power and helm, and the use of the port anchor as a break was ineffective. Consequently, grounding could not be avoided. However, stopping the engine before the vessel grounded probably prevented damage to the propeller, the use of which was required to refloat the vessel.

#### **Recovery operation**

The co-ordination of *Kuzma Minin*'s recovery was left entirely to the Falmouth harbourmaster, who drew together local resources in time to move the bulk carrier off Gyllyngvase beach around the first high water following its grounding. Such a response was timely and prevented a potentially more prolonged salvage operation, and pollution.

The SOSREP's 'trigger' for exercising the government's powers and responsibilities is when, in his opinion, there is a threat of significant pollution. In this case, while firmly on the beach with the weather abating, the SOSREP did not consider that *Kuzma Minin* posed an immediate threat of pollution. Even had the SOSREP assumed responsibility at an early stage, his control of the incident would likely have been passive and only when, in his opinion, the management of the incident was not in the public interest would he have asserted more control by giving directions.

#### The NCP states:

Many incidents originating within a harbour area are handled entirely adequately by implementing the local port or harbour contingency plans and through using the combined efforts of the harbour master, salvors, ship owners and crew, and the MCA. When notified of an incident within a harbour area, the SOSREP monitors and tacitly approves the response actions and proposals.

Therefore, despite the harbourmaster's assessment of the incident severity, and his expectation of early intervention, the SOSREP's actions of maintaining a watching brief and intervening only if the initial attempt had been unsuccessful, were in accordance with the NCP. Nonetheless, in the circumstances, an early clarification of SOREP's position and intentions would have been useful to the harbourmaster.

However, without a salvor and the support of *Kuzma Minin*'s owners the harbourmaster struggled to implement the response arrangements identified in the NCP. It is also evident that MSCO not appointing a salvor, and the absence of P&I cover for the vessel placed financial pressures on the harbourmaster not normally anticipated in such situations. Together with his concern about managing a damaged vessel within harbour limits without a professional salvor, the liability for costs undoubtedly contributed to the harbourmaster's repeated requests for the SOSREP's intervention. However, even if the SOSREP had taken a more proactive approach, any costs incurred by Falmouth Harbour in complying with a direction from the SOSREP would still have had to be recovered from *Kuzma Minin*'s owner<sup>11</sup>.

#### Insurance

A significant underlying contributor to *Kuzma Minin*'s grounding and the harbourmaster's concerns during the vessel's recovery, was the lack of investment by its owner, MSCO. Unpaid debts had led to

<sup>&</sup>lt;sup>11</sup>Merchant Shipping Act 1995, Schedule 3A, Paragraph 15(2) refers.

the withdrawal of the vessel's P&I insurance, bunkers not being taken in Terneuzen, delay and difficulty in procuring fuel and lube oil in Falmouth, the withdrawal of agency services in Falmouth, and the unavailability of the offshore support vessel *Kaouenn* during the refloating operation.

The lack of insurance almost certainly contributed to the owner's lack of co-operation over the appointment of a salvor, which could have become essential had the initial recovery operation not been successful. It also placed the financial responsibility and liability for the salvage solely on the Falmouth Harbour Authority. The insurance available to ports and harbours does not cover wreck removal unless the safety of navigation is compromised or the port or harbour has legal liability, neither of which were applicable in this case.

As the UK was party to the Nairobi and Bunker Conventions, *Kuzma Minin* was required to have insurance cover in place to enter a UK port. However, the bulk carrier had not had P&I insurance cover in place for over 3 months. This was probably not identified during the vessel's port state control inspection in Terneuzen because the insurance certificate was still on board.

P&I insurance is essential to ensure that recovery operations are not hindered by concerns over the responsibility of payment and the appointment of salvage experts. However, the incidence of vessels not having P&I cover is very low, and having insurance in place is a requirement many ports seldom check in detail. Although the circumstances of this case indicate that a more proactive approach is warranted, this is not straightforward. The International Group<sup>12</sup> (IG) of insurers' website provides a link enabling the insurance status of a vessel to be checked among its members; this covers only 90% of the world's ocean-going vessels. The 11 of MCSO's vessels that had their insurance withdrawn by the American Club were not listed on this website. However, they might have been re-insured with a non-IG member.

<sup>&</sup>lt;sup>12</sup>The International Group comprises 13 P&I clubs, which collectively provide marine liability cover for approximately 90% of the world's ocean-going tonnage of virtually every vessel type.

# CONCLUSIONS

- The low quantity of bunkers and the absence of any reserves of lube oil on board *Kuzma Minin* influenced the master's decision to remain at anchor on a lee shore when strong winds were forecast.
- The anchor dragged due to the wind speed increasing to over 50kts, *Kuzma Minin*'s in ballast condition, and the sea swell.
- The vessel's movement was detected quickly, and the actions taken to put to sea were progressing until a chain was seen fouling the port anchor as it broke the sea surface.
- As the vessel's leeway towards the north increased to over 2kts, the attempt to clear the port anchor was unsuccessful, and the master was unable to turn the vessel away from the shore.
- In the absence of a salvor and support from *Kuzma Minin*'s owners, Falmouth harbourmaster
  was unclear how the response arrangements identified in the NCP could be implemented, which
  prompted repeated requests for the SOSREP to intervene.
- The SOSREP had assessed that there was not an immediate threat of pollution and, in accordance with the NCP, he tacitly approved the response of Falmouth harbour's operation to recover *Kuzma Minin* from Gyllyngvase beach. However, early clarification of the SOSREP's position would have been useful to the harbourmaster.
- Falmouth harbourmaster's co-ordination of the refloating operation was effective, but *Kuzma Minin*'s lack of P&I insurance led to unexpected pressures, notably concerns over responsibility for payment which hindered the appointment of salvage experts and the ability to secure the services of appropriate assets.

# **ACTION TAKEN**

#### Actions taken by other organisations

#### Falmouth Harbour Commissioners has:

- Identified that the duty harbourmaster should consider requiring bunker vessels that extend their stay to re-anchor further offshore if severe weather is forecast.
- Reviewed its procedures for checking vessels' P&I insurance and introduced additional checks for vessels meeting certain criteria.
- Met with and exchanged correspondence with the UK government's Shipping Minister regarding the implementation of the NCP with a view to achieving greater clarity on the management of future incidents.

# RECOMMENDATIONS

JSC Murmansk Shipping Company is recommended to:

**2019/117** Take steps to ensure that its vessels are adequately resourced to operate safely and in accordance with international conventions, taking into account the potential consequences of vessels having insufficient fuel and oils, and the statutory requirement to maintain P&I insurance.

# SHIP PARTICULARS

Vessel's name	Kuzma Minin	
Flag	Russia	
Classification society	Russian	
IMO number	7721263	
Туре	Bulk carrier	
Registered owner	JSC Murmansk Shipping Company	
Manager(s)	JSC Murmansk Shipping Company	
Year of build	1980	
Construction	Steel	
Length overall	180.50m	
Gross tonnage	16257	
Minimum safe manning	15	
Authorised cargo	Not applicable	
VOYAGE PARTICULARS		
Port of departure	Terneuzen, Netherlands	
Port of arrival	Falmouth, England	
Type of voyage	International	

Type of voyage	International
Cargo information	In ballast
Manning	18

# MARINE CASUALTY INFORMATION

Date and time	18 December 2018 at 0525
Type of marine casualty or incident	Serious Marine Casualty
Location of incident	Gyllyngvase beach, Falmouth, England
Place on board	Not applicable
Injuries/fatalities	None
Damage	Breached tanks, hull deformation and bilge keel detachment.
Ship operation	At anchor
Voyage segment	At anchor
External & internal environment	Wind: Southerly Beaufort force 9 to10 Sea: 4m-5m swell
Persons on board	18