

January 27, 2016

Via Federal Express  
and E-mail: [rob.jones@ntsb.gov](mailto:rob.jones@ntsb.gov)  
National Transportation Safety Board  
Office of Marine Safety  
490 L'Enfant Plaza East, SW  
Washington, DC 20594

Date: 02 APRIL 2015  
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Attn: Mr. Rob Jones  
Investigator in Charge

RE: CONTI PERIDOT – CARLA MAERSK Accident

Dear Sirs:

The following party's submission is submitted on behalf of Maersk Tankers A/S (Maersk Tankers) as the Owners of the M/T CARLA MAERSK. We prepared this submission based on the information which is available to date and have limited our submission to those issues directly related to actions or recommendations regarding the CARLA MAERSK. Although there are issues which may involve other interested parties than the CARLA MAERSK as to the circumstances of this incident, we have confined our proposed submission to those regarding the CARLA MAERSK.

#### **FINDINGS**

1. The M/T CARLA MAERSK is a 29,289 gross ton tanker built in 1999 and registered in Denmark. The CARLA MAERSK is 182.82 meters in length, 32.2 meters in breadth and bears IMO No. 9171503.

2. On March 9, 2015, the CARLA MAERSK was carrying 216,049 barrels of methyl tertiary butyl ether (MTBE) for export, inerted under Nitrogen. The CARLA MAERSK departed TPC Terminal (Petro Tex) outbound the Houston Ship Channel. At the time of its departure visibility was good, and rain was forecasted with a low probability of fog. Captain Larry Evans, a Houston Pilot, was on the bridge assisting.

3. The CARLA MAERSK proceeded outbound the Houston Ship Channel without incident. During the transit, there were reports of fog conditions developing. The Pilot and Master of the CARLA MAERSK discussed alternatives to continuing the voyage. For safety reasons and as to not adversely affect other marine traffic, the CARLA MAERSK could not anchor in the Houston Ship Channel and diverting to Barbour's Cut Terminal although considered was rejected as there was moored vessels and without the availability of assist tugs, the CARLA MAERSK could not safely proceed into Barbour's Cut.

4. As the CARLA MAERSK was continuing its outbound transit, a port-to-port passing agreement was made with the Pilot of the inbound CONTI PERIDOT. A port-to-port passing agreement between two vessels such as the CARLA MAERSK and CONTI PERIDOT

required that both vessels proceed substantially mid-channel and at the proper point, both moved to their starboard side of the channel. This procedure allows for the hydrodynamic effects of the two meeting and passing vessels to best be utilized for a safe passing. At all times, the CARLA MAERSK was in compliance with the meeting agreement.

5. The CARLA MAERSK was taking all precautions for the weather conditions including additional lookouts forward, use of radar, ECDIS, AIS and sounding signals.

6. The CONTI PERIDOT, having agreed to a port-to-port or one whistle meeting, was obligated to maintain on its starboard side of the channel. As the CONTI PERIDOT was preparing for the meeting, it was unable to maintain its position in the channel and instead of maintaining mid-channel and then to its starboard, it went to port and back to starboard and back to port.

7. The CONTI PERIDOT at no time advised the CARLA MAERSK or HOUSTON VTS it was having difficulties maneuvering.

8. Despite a Cautionary note regarding the poor handling characteristics of the CONTI PERIDOT have been recorded in Houston Pilots Ship Note Database, neither the Owners, Master or Pilot of the CONTI PERIDOT sought to take any action or warn other ships.

9. It became apparent the CONTI PERIDOT was unable to comply with the meeting agreement as the CONTI PERIDOT was proceeding across towards the CARLA MAERSK'S side of channel. At that time, the CONTI PERIDOT requested a change in the meeting agreement from a port-to-port meeting with the CARLA MAERSK to starboard-to-starboard, requesting CARLA MAERSK to alter course to port, to try and avoid the collision. Given the confines of the Houston Ship Channel, such a maneuver probably would not have avoided the collision and since the CARLA MAERSK had navigated in compliance with the meeting agreement as required, they were already committed to moving to its starboard side, and had already commenced turning to starboard in anticipation of the meeting.

10. Once a collision appeared inevitable, the CARLA MAERSK then proceeded to go hard starboard and full ahead, in an attempt to either diminish the collision or avoid the collision.

### **PROBABLE CAUSE**

The National Transportation Safety Board determines that the probable cause of the March 9, 2015 collision was the failure of the CONTI PERIDOT to comply with the meeting agreement and providing no warning to the CARLA MAERSK of any difficulties it had with the navigation or with compliance with the meeting agreement.

### **RECOMMENDATIONS**

As a result of its investigation of the March 9, 2015 collision, the National Transportation Safety Board makes the following safety recommendations.

- Any mariner communicating, either the Pilot or the Master, should communicate any difficulties it is having in control of its vessel and problems it may have to comply with any agreements in order to provide other vessels notice as well as some opportunity to take action other than being required to comply with the agreement.
- Consider the implementation of additional Precautionary Areas and/or Anchorages within the navigable waters of the Houston Ship channel /

- Galveston Bay whereby a ship may be brought to anchor if required due to weather or other factors.
- Require mandatory use of escort tugs for vessels with poor handling characteristics or other aspects as deemed appropriate by the pilotage authority.
  - Require all tankers carrying low flash flammable cargoes to be fully inerted where practicable during transit within Port Limits.

We trust you find the findings, conclusions and recommendations in order and if you have any questions or if you need anything further from Maersk Tankers A/S, please do not hesitate to contact us.

Very truly yours,

MAERSK TANKERS A/S