

NATIONAL TRANSPORTATION SAFETY BOARD

MARINE ACCIDENT BRIEF NO. DCA21FM004

**CONTACT OF PRODUCTION PLATFORM *SP-57B*
BY TANKER *ATINA***

PARTY SUBMISSION

**SUBMITTED BY:
Ciner Ship Management**

INTRODUCTION

Ciner Ship Management, on behalf of the M/T ATINA, submits this Party Submission further to the National Transportation Safety Board's investigation into this incident.

BACKGROUND

On October 16-17, 2020, the ATINA was properly classed by the American Bureau of Shipping (ABS) (See ATINA 000372 Class Certificate, issued on July 23, 2020), and had no issues with any of its operational or navigational equipment, or any of its anchoring equipment. In fact, a SIRE inspection (See ATINA 002041-002075), performed by an independent inspector, for more than 8 hours on October 15, 2020 while the vessel was berthed at the Nustar St. James Terminal, verified that all required annual surveys had been carried out timely; the vessel was properly manned; and that the ATINA was free of any defects in the navigational, engine, steering, and/or mooring equipment. In addition, its Flag State issued a Document of Compliance (ATINA 000381) certifying that the ATINA's Safety Management System ("SMS") had been audited on August 5, 2019, and February 7, 2020, and complied with all ISM requirements.

Further, at all times pertinent, the ATINA's crew and officers, including both Captain Edin and Captain Hurmuzlu, were all properly trained, licensed, and qualified for their respective positions.

ACCIDENT EVENTS

On October 16, 2020, as the ATINA was preparing to leave the Nustar Terminal after completing its discharging operations, the Vessel's crew completed all required SMS checks for departure, which confirmed that the vessel's navigational equipment was operating correctly. The crew had completed a Passage Plan (ATINA 000041), which called for the Vessel to proceed to "SW Pass Anchorage," where she would anchor while awaiting her next orders. According to the Passage Plan, the ATINA's anchorage location in the Anchorage was 5.5 miles east of the Southwest Pass Sea Buoy.

While at the Nustar Terminal, Vessel Managers were attempting to facilitate the replacement of the ATINA's Master, Captain Edin, with a new Master, Captain Hurmuzlu, who was travelling from Turkey, prior to the Vessel leaving the Terminal. When that change over at Nustar could not be accomplished due to Captain Hurmuzlu's travel schedule, the Managers arranged to complete the Master transfer while the Vessel was at the SW Pass Anchorage. However, hours after the Vessel departed the Terminal and was proceeding downbound in the Mississippi River under compulsory pilotage, the deteriorating weather and sea conditions forced Managers to see if the Master transfer could occur in the Mississippi River, during the Vessel's downbound transit. Both the Vessel's agent, and subsequently one of the compulsory pilots onboard the Vessel during the actual transit, confirmed that this transfer could be arranged, with the compulsory pilot confirming that it "happened often." Captain Hurmuzlu successfully boarded the Vessel and assumed command of the Vessel in the Mississippi River above Pilot Town.

After the Vessel transited Southwest Pass into the Gulf of Mexico and the last compulsory pilot had departed the Vessel, Captain Hurmuzlu selected a different anchorage area from the anchorage designated in the Passage Plan. Instead of navigating the Vessel to the originally designated anchorage, Captain Hurmuzlu ordered that the Vessel anchor in another area that was clearly within the Fairway Anchorage that he deemed safe, which was approximately 7.4 cables Northwest of the SP-57B platform. The Vessel's Owner, Bareboat Charterer and Managers were not aware of Captain Hurmuzlu's decision to deviate from the Passage Plan and the change in anchorage locations. At no point did any compulsory pilot ever suggest to the Vessel's crew that there were certain locations within the boundaries of the Fairway Anchorage that the Vessel could not anchor.

While dropping the Vessel's port anchor in a safe area within the boundaries of the Fairway Anchorage selected by Captain Hurmuzlu, the Vessel received a VHF call from the Southwest Pass Pilot Station informing the Vessel that if the Vessel planned to anchor in the Fairway Anchorage, the

Vessel had to anchor more than four miles from the Southwest Pass Sea Buoy. The Pilot Station repeated that order several times, leaving no doubt the Vessel was required by local regulations to move from its initial safe anchorage position because it was within four miles of the Southwest Pass Sea Buoy. The Pilot Station order was the first time any pilot or anyone had told the ATINA of that purported rule or requirement.

While heaving the port anchor per the Southwest Pass Pilot Station's order, the Vessel began to drift South/Southeast toward the SP-57B platform, and due to the strong wind and current in that area, the Vessel ultimately contacted one of the platform's legs. No personal injuries or pollution occurred as a result of the allision. At the time of contact, the ATINA's draft was 5.50 meter forward (18.04 feet), 7.15 meters mid (23.46 feet), and 8.80 meters aft (28.88 feet). Specifically, the Vessel's starboard hull, at approximately 15 feet under the water surface, contacted a leg on the platform at that location. Cox is claiming physical damage to various portions of the platform, some of which are 61 feet below the surface, far below the area of the platform where the ATINA made contact.

In addition, prior to the incident, Cox and/or the platform's previous owner made substantial modifications to the supports for the platform, including removal of bracing, which, based on information provided by Cox, appear to have weakened the structural integrity and strength of the platform prior to the incident. Due to these issues, as well as the fact that Cox has provided no documentation supporting the scope and extent of the alleged allision damages or the cost to repair those allision damages, ATINA's Owner, Charterer and Managers vigorously dispute Cox's physical and economic damage claim related to the allision. Additionally, since the incident, Cox has failed to mitigate its claimed damages by failing to detail and document the alleged allision damage to the platform, obtain specifications for repairs, seek bids for repairs, and proceed with allision related repairs to the platform.

Respectfully Submitted:

CINER SHIP MANAGEMENT

By: CAPT. GOKHAN ORUC

