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IT IS NOT THE SHIP  
SO MUCH AS SKILLFUL  
SAILING THAT ASSURES  
YOU PROSPEROUS VOYAGE



# Marine *Newslink*

MARCH 2022

FEATURE  
ARTICLE

Major Marine  
Incidents

PHOTO(S)  
OF THE  
MONTH

BACK-  
TO-BASICS

The year 2021 and the 2022 as we are experiencing has been full of notorious shipping accidents. There is hardly a person who hasn't heard about the Suez Canal blockage by M/V Ever Given and the fire on X-Press Pearl. The most common maritime accidents are caused by engine breakdowns, problems with electronic systems, and other types of equipment failure. Sometimes equipment failure is a result of natural phenomena such as bad weather or heavy seas, but in many instances, there are other causal factors that come into play.

In addition to shipping accidents, there are maritime incidences. Marine incident means an event, or sequence of events, other than a marine casualty, which has occurred directly in connection with the operations of a ship that endangered, or, if not corrected, would endanger the safety of the ship, its occupants or any other person or the environment.

### MAJOR MARINE INCIDENTS FOR THE PERIOD JAN'2021 TO MAR'2022

Type of Incidence	No. of incidents
Engine Failure	21
Fire	16
Grounded	15
Machinery Failure	14
Collision	10
Cargo Overboard	6
Adrift	4
Explosion	3
Shift of Cargo	3
Capsized	2
Piracy	2
Damage to Hull	2
Sinking	1
Ingress of Water	1
Listing	1
<b>Grand Total</b>	<b>101</b>

Let's have a look at some of such incidences in the month of March 2022.

#### 1. AMPAR 8, OIL TANKER EXPLOSION

<b>Name of the Vessel:</b>	<b>Ampar 8</b>
<b>Incidence:</b>	27-Mar-2022
<b>Year of Built:</b>	2007
<b>Casualty Type:</b>	Fire - Explosion
<b>Vessel Type:</b>	Tank - VT TTA



AMPAR 8 (IMO: 8740101) is a Oil Products Tanker that was built in 2007 (15 years ago) and is sailing under the flag of TH. She has experienced an explosion and fire on 27-March-2022 whilst navigating through the Chao Phraya River, Thailand. The fire was later extinguished with the assistance of local firefighters. However, the possibility of General Average and salvage and associated recovery issues can arise.



## 2. MARINTRUST-02 CAPSIZES

<b>Name of the Vessel:</b>	<b>Marintrust-01</b>
<b>Incidence:</b>	24-Mar-2022
<b>Year of Built:</b>	2018
<b>Casualty Type:</b>	Capsized
<b>Vessel Type:</b>	General Cargo - VT GGC



**MARINTRUST-01** (IMO: 9783174) is a General Cargo Ship registered and sailing under the flag of Bangladesh. She developed a list and sank shortly after the completion of loading operations at Kolkata Port on 24 March 2022. 18x20 foot containers were completely submerged in water and 10x 40 foot containers were lost overboard and were floating in the water.

There is possibility of physical damage being sustained to the cargo remaining on board of vessel as well. General average and salvage charges will arise as a result of casualty.



## 3. DYROS LOSES CONTAINERS OVERBOARD

<b>Name of the Vessel:</b>	<b>Dyros</b>
<b>Incidence:</b>	21-Mar-2022
<b>Year of Built:</b>	2008
<b>Casualty Type:</b>	Cargo Overboard
<b>Vessel Type:</b>	Container Carrier - VT UCC



On 21 March 2022, Liberia-flagged vessel Dyros, chartered and operated by Maersk experienced a loss overboard of an unspecified number of containers in poor weather whilst transiting the North Pacific Ocean, eastbound towards Seattle. The losses included nine boxes containing dangerous cargo. Some of the containers lost overboard are reported to have contained lithium-ion batteries. Approximately 90 containers may have been lost overboard and a further approximately 100 containers are reported to be damaged but remaining on board the vessel.

As per reports, the ship is able to continue its voyage and is heading for a safe port. In view of the severity of the incident, the vessel has been re-directed to Lazaro Cardenas, Mexico, where Maersk operate a container terminal, for cargo operations and inspection of the vessel. The vessel's ETA at Lazaro Cardenas is now reported to be 3 April 2022.

Recovery issues may arise in respect of the loss overboard; physical damage to containers; and deterioration of time and/or temperature sensitive cargo arising from the prolongation of the voyage.

It is likely that shipowners may declare General Average in light of the additional expenses that will be incurred as a consequence of the incident.

#### 4. ARSLAND GROUNDED

<b>Name of the Vessel:</b>	<b>Arsland</b>
<b>Incidence:</b>	23-Mar-2022
<b>Year of Built:</b>	2008
<b>Casualty Type:</b>	Grounded
<b>Vessel Type:</b>	Chem, Tank - VT TCH



ARSLAND (IMO: 9395989) is a Oil/Chemical Tanker that was built in 2008 (14 years ago) and is sailing under the flag of Malta ran aground off Vegesack, Germany whilst navigating the Weser River on 23 March 2022. General Average and salvage charges and associated recovery issues may arise.

#### 5. EVER FORWARD GROUNDED

<b>Name of the Vessel:</b>	<b>EVER FORWARD</b>
<b>Incidence:</b>	14-Mar-2022
<b>Year of Built:</b>	2020
<b>Casualty Type:</b>	Grounded
<b>Vessel Type:</b>	Container Carrier - VT UCC



Container ship, EVER FORWARD grounded in a position off the coast of Gibson Island in Chesapeake Bay on 14 March 2022.

Media reports as to the cause of the casualty indicate that the vessel strayed from the narrow fairway of the Chesapeake Bay during its outward passage from Baltimore and grounded in shallow water on a predominantly muddy bottom. The vessel's draft at the time of departure from Baltimore is reported to have been 13 metres whereas the average depth of the Bay is approximately only 6.4 metres. Two tugs attended the vessel.



Attempts were made by the Coast Guard and Maryland Department of the Environment to refloat the vessel. Shipowners are reported to have arranged for divers to inspect the vessel for any bottom damage but there are currently no reports of any pollution in the area. Professional salvors also been appointed by shipowners on commercial terms to assist the refloating operation.



It is reported that shipowners and salvors have submitted a plan to refloat the vessel to the Authorities, which involves releasing ballast to lighten the vessel and dredging the sea bottom around the vessel before attempting to refloat the vessel at high tide using the vessel's main engine and tug assistance.

Other reports indicate that two dredgers are currently in the vicinity of the vessel. It

appears that the dredging operation may therefore commence soon, although it is suggested that dredging may take up to a week to complete before attempts may be taken to safely refloat the vessel.



There are currently no reports of any loss or damage to cargo or of any pollution arising as a result of the grounding and the weather forecast in the area is favorable.

The complexity, time and expense of the salvage operation makes the possibility of shipowners declaring General Average more likely. If GA is declared, General Average security will be required from all Cargo Interests prior to the delivery of their cargo. Recovery issues may arise in respect of any time and/or temperature sensitive cargo in the event of any prolonged delay in the vessel's schedule.

## 6. FELICITY SANK WITH CARGO OF LUXURY CARS

<b>Name of the Vessel:</b>	<b>Felicity Ace</b>
<b>Incidence:</b>	16 February 2022
<b>Year of Built:</b>	2005
<b>Casualty Type:</b>	Fire
<b>Vessel Type:</b>	Vehicle Carrier - VT MVE



Vehicle carrier, FELICITY ACE, issued a distress signal and reported having experienced a fire in one of the cargo decks, in a position approximately 90 nautical miles south-southwest of the Azores on 16 February 2022.



The Ponta Delgada Maritime Search and Rescue Coordination Center took control of

the search and rescue operation and a Navy Patrol Vessel and four merchant vessels in the area were directed to assist the vessel. 22 crew members had been evacuated from the vessel as well. The vessel was towed by tugs to the nearest safe waters.



As per reports, approximately 4,000 vehicles stowed to the vessel, the majority of which are reported to be manufactured by Porsche and Volkswagen. Porsche and Volkswagen cars were stowed to the vessel.



Salvage services have been rendered by professional salvors acting under LOF terms. It is reported that a team of 16 salvage experts was deployed to the Azores to assist with the fire-fighting operations. The Port Captain of Horta port did not permit the vessel to enter the port because of environmental concerns. Consequently, the

vessel may be taken under tow to the Bahamas or to a European port as a place of refuge.

There are reports that vehicle carrier, FELICITY ACE, unexpectedly sank, 1 March 2022, in a position approximately 220 nautical miles off the Azores, after developing a serious list to starboard whilst under tow to a port of refuge.



There were a total of 3,965 vehicles stowed on board the vessel, including vehicles manufactured by Porsche, Audi, Volkswagen and Lamborghini, with an estimated total value of approximately USD 255 million.

Recovery claims will arise in respect of the total loss of vehicles stowed on board the vessel. Given some of the car brands involved, these claims will be substantial.

DATE OF INCIDENT	VESSEL	VESSEL TYPE:	INCIDENCE
2-Jan-21	HUA MAO 369	General Cargo - VT GGC	Ingress of Water
9-Jan-21	CHRISTOS THEO	Bulk - VT BBU	Damage to Hull
13-Jan-21	YONG FENG	Bulk/c.c. - VT BCB	Shift of Cargo
14-Jan-21	E. R. TIANPING	Container Carrier - VT UCC	Cargo Overboard
18-Jan-21	BEATA	General Cargo - VT GGC	Engine Failure
22-Jan-21	SAGA MORUS	General Cargo - VT GGC	Grounded
23-Jan-21	MOZART	Container Carrier - VT UCC	Piracy
23-Jan-21	EUROSUN	Bulk/c.c. - VT BCB	Grounded
24-Jan-21	ADFINES SKY	Chem, Tank - VT TCH	Engine Failure
26-Jan-21	PLATA FEEDER	General Cargo - VT GGC	Machinery Failure
29-Jan-21	MSC ARIES	Container Carrier - VT UCC	Cargo Overboard
8-Feb-21	OCEAN ARTEMIS	Bulk - VT BBU	Collision
11-Feb-21	GALLIPOLI SEAWAYS	Ro/Ro/c.c. - VT URC	Fire

DATE OF INCIDENT	VESSEL	VESSEL TYPE:	INCIDENT
17-Feb-21	MAERSK EINDHOVEN	Container Carrier - VT UCC	Explosion
21-Feb-21	PHUC KHANH	Container Carrier - VT UCC	Cargo Overboard
25-Feb-21	HELIOS RAY	Vehicle Carrier - VT MVE	Explosion
27-Feb-21	KAPETAN SIDERIS	Bulk/c.c. - VT BCB	Machinery Failure
1-Mar-21	CONSHIP FUN	Container Carrier - VT UCC	Machinery Failure
12-Mar-21	DAVIDE B	Chem, Tank - VT TCH	Piracy
12-Mar-21	MAERSK EUREKA	Container Carrier - VT UCC	Machinery Failure
13-Mar-21	KIVELI C/W AFINA I	Bulk - VT BBU	Collision
19-Mar-21	KEMET STAR	General Cargo - VT GGC	Grounded
23-Mar-21	EVER GIVEN	Container Carrier - VT UCC	Machinery Failure
2-Apr-21	MSC ARIANE	Container Carrier - VT UCC	Engine Failure
5-Apr-21	INTERASIA CATALYST	Container Carrier - VT UCC	Fire
5-Apr-21	EEMSLIFT HENDRIKA	General Cargo - VT GGC	Listing
7-Apr-21	Rich Rainbow	Chem, Tank - VT TCH	Collision
7-Apr-21	Escape	Container Carrier - VT UCC	Machinery Failure
14-Apr-21	AHU C	Barge Carrier - VT UBG	Grounded
26-Apr-21	ALICA	General Cargo - VT GGC	Capsized
27-Apr-21	A SYMPHONY	Bulk/Oil - VT CBO	Collision
28-Apr-21	PRESIDENT EISENHOWER	Container Carrier - VT UCC	Fire
1-May-21	BERGE YOTEI	Barge Carrier - VT UBG	Fire
14-May-21	NYK DELPHINUS	Container Carrier - VT UCC	Fire
20-May-21	X-PRESS PEARL	Container Carrier - VT UCC	Fire
28-May-21	RAVA	Ore/Oil - VT COO	Engine Failure
5-Jul-21	MOL CHARISMA	Container Carrier - VT UCC	Grounded
7-Jul-21	PHUC THUAN 36	Bulk - VT BBU	Shift of cargo
7-Jul-21	OCEAN TRADER	Container Carrier - VT UCC	Fire
10-Jul-21	GALAPAGOS	Container Carrier - VT UCC	Collision
10-Jul-21	ZEPHYR LUMOS	Container Carrier - VT UCC	Collision
19-Jul-21	KENT TRADER	Container Carrier - VT UCC	Fire
21-Jul-21	TASMAN	Container Carrier - VT UCC	Fire
2-Aug-21	GREAT BEAUTY	Bulk/c.c. - VT BCB	Shift of cargo
2-Aug-21	AMBITION JOURNEY	Bulk/c.c. - VT BCB	Engine Failure



DATE OF INCIDENT	VESSEL	VESSEL TYPE:	INCIDENCE
11-Sep-21	CRIMSON POLARIS	Bulk - VT BBU	Grounded
10-Sep-21	MSC KATRINA	Container Carrier - VT UCC	Adrift
12-Sep-21	ARTEMIS	Container Carrier - VT UCC	Machinery Failure
13-Sep-21	TANTO MITRA	Container Carrier - VT UCC	Collision
26-Sep-21	MSC ELMA	Container Carrier - VT UCC	Machinery Failure
28-Sep-21	ALION	Container Carrier - VT UCC	Engine Failure
18-Oct-21	MANDALA	Chem, Tank - VT TCH	Engine Failure
18-Oct-21	BEAUMAIDEN	General Cargo - VT GGC	Grounded
22-Oct-21	ZIM KINGSTON	Container Carrier - VT UCC	Fire
24-Oct-21	CHAMPION CONCEPT	Chem, Tank - VT TCH	Engine Failure
27-Oct-21	ELBSKY	Container Carrier - VT UCC	Machinery Failure
27-Oct-21	BEATA	General Cargo - VT GGC	Engine Failure
28-Nov-21	KIRAN EUROPE	Bulk - VT BBU	Machinery Failure
7-Nov-21	MSC SHANNON	Container Carrier - VT UCC	Fire
9-Nov-21	RISE SHINE	Container Carrier - VT UCC	Grounded
11-Nov-21	SINGAPORE BRIDGE	Container Carrier - VT UCC	Adrift
11-Nov-21	MSC TRIESTE	Container Carrier - VT UCC	Adrift
13-Nov-21	ARCHIMIDIS	Container Carrier - VT UCC	Engine Failure
17-Nov-21	WAN HAI 288	Container Carrier - VT UCC	Collision
22-Nov-21	CHEMICAL MASTER	Chem, Tank - VT TCH	Fire
23-Nov-21	COSCO NAGOYA	Container Carrier - VT UCC	Cargo Overboard
24-Nov-21	AQUILA	General Cargo - VT GGC	Machinery Failure
24-Nov-21	BF TIMARU	General Cargo - VT GGC	Engine Failure
26-Nov-21	ATLANTIC GRACE	Chem, Tank - VT TCH	Collision
26-Nov-21	TBC PROGRESS	Bulk - VT BBU	Machinery Failure
30-Nov-21	HEIWA MARU	General Cargo - VT GGC	Grounded
30-Nov-21	SPIEGELGRACHT	General Cargo - VT GGC	Engine Failure
1-Dec-21	HOUEI CRYSTAL	General Cargo - VT GGC	Sank
5-Dec-21	ALMIRANTE STORNI	Bulk - VT BBU	Fire
7-Dec-21	HAYAMA STAR	Bulk - VT BBU	Engine Failure
9-Dec-21	CAPITAINE WALLIS	Container Carrier - VT UCC	Engine Failure
10-Dec-21	SEREN	General Cargo - VT GGC	Engine Failure

<b>DATE OF INCIDENT</b>	<b>VESSEL</b>	<b>VESSEL TYPE:</b>	<b>INCIDENCE</b>
20-Dec-21	CMA CGM KAILAS	Container Carrier - VT UCC	Engine Failure
24-Dec-21	SM BUSAN	Container Carrier - VT UCC	Engine Failure
24-Dec-21	FRIJSENBORG	Ro/Ro/c.c. - VT URC	Fire
26-Dec-21	ASIATIC SUN	Container Carrier - VT UCC	Collision
7-Jan-22	MADRID BRIDGE	Container Carrier - VT UCC	Cargo Overboard
30-Jan-22	COSCO SHIPPING GRACE	General Cargo - VT GGC	Adrift
2-Feb-22	PANCARAN I 5505	Bulk - VT BBU	Engine Failure
2-Feb-22	MUMBAI MAERSK	Ultra-large container ship	Grounded
14-Feb-22	MARTHA A	Container Carrier - VT UCC	Damage to Hull
16-Feb-22	FELICITY ACE	Vehicle Carrier - VT MVE	Fire
23-Feb-22	SPRING OASIS	Bulk - VT BBU	Engine Failure
23-Feb-22	MAERSK SANA	Container Carrier - VT UCC	Machinery Failure
7-Mar-22	MSC KIM	Container Carrier - VT UCC	Engine Failure
7-Mar-22	UNIPROFIT	General Cargo - VT GGC	Grounded
9-Mar-22	SMOOTH SEA 2	Lpg - VT LPG	Explosion
11-Mar-22	MORAZ	General Cargo - VT GGC	Grounded
11-Mar-22	BEAUMOTION	General Cargo - VT GGC	Machinery Failure
14-Mar-22	EVER FORWARD	Container Carrier - VT UCC	Grounded
15-Mar-22	CONTSHIP JET	Container Carrier - VT UCC	Engine Failure
19-Mar-22	TINA IV	Bulk - VT BBU	Grounded
21-Mar-22	DYROS	Container Carrier - VT UCC	Cargo Overboard
23-Mar-22	ARSLAND	Chem, Tank - VT TCH	Grounded
24-Mar-22	MARINTRUST-01	General Cargo - VT GGC	Capsized
27-Mar-22	AMPAR 8	Tank - VT TTA	Fire

## PHOTOS OF THE MONTH



## BACK-TO-BASICS

### QUESTION OF THE MONTH

Assured M/s ABC Ltd. had taken an insurance policy with insuring terms as Institute Cargo Clauses (B) + War & SRCC. The Assured imported coal from Australia for its operations in Chennai, India. The INCOTERM for the shipment was CIF, Chennai port. On 09th to 11th November 2021 heavy rains lashed several regions of Tamil Nadu due to formation of a low-pressure area over Bay of Bengal concentrated into a depression on 9th November 2021. The depression crossed the coast on November 11 evening at north Tamil Nadu and adjoining south Andhra Pradesh coasts between Karaikal and Sriharikota, close to the north of Puducherry. Due to depression, the state of Tamil Nadu experienced heavy rainfall with 250 mm along with gusty winds.

The insured, had to stocks imported coal stored at its ABC Coal terminal Pvt Ltd, Voyalur, Chennai located in Tamil Nadu.

Due to heavy rainfall, the coal heaps slid down into the adjoining drainage, onto adjoining road and under the conveyor system. The runaway of the stocks along with rainwater / flood water occurred. Also, due to flow of material on the road the coal was mixed with mud and other impurities. The coal heaps were overlapped with other coal heaps of different variety due to which the material got intermixed and contaminated.

The deputed surveyor reported the loss values with their remarks.

The exposure values were within the policy limits.

Question: Is this claim tenable? Please support it with relevant clauses / terms of policy.

### LAST MONTH'S QUESTION

Insured had dispatched Motor Grader machine from Mansol Stockyard to Ms. MBD Constructions, Dharma Site by road through a trailer. While crossing the railway height barrier near railway Station, the driver of trailer truck tried to go under the cross-beam of the height barrier. The top portion of the

Machine received impact of cross beam, and got damaged badly. As the Cabin top portion pressed/received impact of height barrier (made of steel-rail-section), all plastic/fiber parts including guards of AC Unit also were broken/affected. Other parts like RHS – cabin structure & RR-RH hood, RHS-glass, AC, evaporator & heater Coil including Temperature Sensor were also affected/damaged. Surveyor, as per available details of the dimensions of the cargo, confirmed that it was an over-dimensional cargo for which loading, stowage, lashing (LSL) supervision was conducted at the time of loading on to the trailer. The LSL supervision report which was a warranty under the policy had mention of suggestions to improve the lashing and bolting of cargo on to the trailer which was not followed by the Assured.

The coverage under the policy was as per Inland Transit (Rail/Road/Air) Clause 'A' – (All Risks) 2010 and Strikes Riots and Civil Commotion Clause.

In light of non-adherence of the surveyor's suggestion, will this claim be admissible under the scope of policy?

## ANSWER

Loading, Stowage, Supervision (LSL) warranty for the interest insured which was an over-dimensional cargo is attached to the policy. The policy does not carry a Route survey warranty precedent to attachment of risk. The LSL warranty is immaterial to the loss in this case.

Since the loss is not attributable to any breach of warranty, the claim stands tenable under the policy.

Please send your replies/answers ONLY to: [marine.newslink@tataaig.com](mailto:marine.newslink@tataaig.com)

## CORRECT ANSWERS SENT BY: (In order of replies received)

- V Ganesan Marsh India Insurance Brokers Pvt. Ltd., Chennai
- Punit Pandya, The New India Assurance Co. Ltd.,
- CS MAYANK SHAH

**IF YOU HAVE ANY COMMENTS / FEEDBACK PLEASE SEND IT TO**

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