

What do the competent authorities do in the case of a shipping accident in maritime shipping and inland navigation? What is the procedure?

Ms Hacksteiner,
Ladies and Gentlemen

First of all I would like to thank you for having invited me to this IVR workshop. I was very happy to accept the invitation and I am now looking forward to a lively discussion about “what to do in the event of a shipping accident”.

In Germany, shipping accidents are not always handled in the same way. Primarily, it depends on whether the accident happened in maritime shipping or in inland navigation. The developments of the past years are the reason for this.

Maritime shipping

In maritime shipping, the responsibility for maritime emergency management rests with the Central Command for Maritime Emergencies (CCME). The CCME is **the one** emergency response organization for maritime disasters in Germany. It is a joint institution of the Federal Government and the five federal coastal states and started its operation in Cuxhaven on 1 January 2003. It brings together the responsibility for planning, preparing, exercising and implementing all maritime accident management measures in the North and Baltic Seas. The “Agreement on the Instalment of the CCME”, signed between the Federal Government and the five coastal states, is the legal basis for it.

Today, we can look back to more than 8 years of CCME history. And – ladies and gentlemen – I can assure you: The story of the CCME is a story of success. 36 “complex emergencies situations” (which are basically serious shipping accidents) have been handled successfully by only a few more than thirty CCME employees. You might remember the fire on the Baltic Sea ferry “Lisco Gloria” last autumn. That was a typical CCME emergency response operation.

Such operations require intensive preparation which can only be successful with maximum conceptual and technical competence and skills.

How is CCME structured to fulfill such tasks? Well, we have to distinguish between daily routine and emergency response operation.

In its day-to-day work, the CCME consists of four departments and a staff section. They form a centre of competence for "Maritime Emergencies Preparedness".

Master mariners, engineers, firemen, policemen, biologists and journalists develop and improve the necessary concepts and strategies for

- maritime pollution response at sea, beaches and banks,
- salvage to avert jeopardy,
- fire fighting and the provision of medical care to the injured,
- and for public relations.

The Maritime Emergency Response Centre (MERC) plays a key role within the CCME.

By establishing MERC, all reporting structures for accidents at sea and on the coast were bundled and information management was thus accelerated. MERC operates 24/7 and as "National Point of Contact" it is the national and international point of contact for shipping in German waters. On a daily basis, it prepares a maritime situation report, which includes the positions of the vessels and the operational capability of all maritime agencies of the federal government and the coastal states. It is continuously updated and distributed daily to now around 150 institutions and authorities. In addition, the MERC databases list all technical and human resources that are available in case of an emergency. This data can be accessed at all times.

Every year, CCME concepts and strategies are trained and tested in around 160 exercises.

The CCME works together with 17 different ministries and their executive agencies and organisations.

This comprehensive network consists for instance of the Waterways and Shipping Administration, the Water Guards, Federal Police (Maritime), Customs, Fisheries Protection, the Federal Agency for Technical Relief and fire brigades of the coastal

states. It also includes nature conservation organizations, helicopter and salvage companies, sea pilots and several more. Cooperation with neighbouring states is always key.

This intensive cooperation is necessary to ensure that in case of a “complex emergency situation” everybody, be it ministry or helper, is aware of and familiar with the CCME operation structure. This way, the high standard achieved cannot only be maintained but constantly improved.

In the event of a “complex emergency situation”/ severe shipping accident, the CCME switches to staff organisation. The “accident staff” consists of the units Situation, Operation, Administration and Public Relations. It is run by the Head of the Staff Unit. During an operation they are in command, have unconditional access to all resources of the involved partners (mission-type-tactics) and the right of final decision. They are largely independent. With the staff organisation and the mission-type-tactic the head of staff can dispose of a managing tool, which has long proven itself successful in other police and non-police security matters and which guarantees high flexibility in handling the operation.

By assigning these competences to the head of the CCME, Germany has exceeded EU requirements considerably. Worldwide, there is only one other position that is comparable, namely the British SOSRep (Secretary of States Representative for Maritime Salvage and Intervention).

In the past few years, the CCME's work has been observed with great interest, both, nationally and internationally. Numerous experts from over 20 countries have already informed themselves about the German strategy for maritime emergency response in Cuxhaven.

The stringent execution of maritime emergency management, as it is practised in Germany with the establishment of the CCME, is particularly interesting for states with a federal structure. It is often praised to be exemplary and sometimes even partly adopted by others.

Ladies and gentlemen, to put it in a nutshell: In Germany, the responsibility for maritime emergency preparedness lies with the federal government and the coastal states. By establishing the CCME we successfully put it under one institutionalized leadership. The CCME has become an example of best practice for managing maritime crises and disasters. This has been impressively proven by the work of the Cuxhaven crisis manager in the last 8 years.

Inland navigation

There is no institution similar to the CCME for inland navigation. The reason for that is that so far there was no pressing need for centrally regulated accident management.

Fortunately, severe accidents rarely happen in inland navigation. The last major accident before the powered tanker “Waldhof“ in the beginning of this year, happened a few years ago, when the motor cargo vessel “Excelsior“ lost its containers. However, it was the “Waldhof“ accident that reminded us that even in inland navigation it is time to review our instruments.

But allow me to shortly outline the accident of the TMS “Waldhof“.

On 13 January 2001, the “Waldhof“ was carrying 2,400 tonnes of sulphuric acid when it capsized near the Loreley. Two of the four crew members were saved one could only be salvaged dead. The fourth crew member is still missing.

Salvaging the capsized vessel was difficult from the very start because the sulphuric acid had already mixed with water in all the tanks. As a result, hydrogen developed which had then to be removed before the load could be pumped into barges. The load’s different reactions, depending on the amount of water in the mixture, also posed a new challenge to the salvage team almost every day. In the end the load was mostly discharged into the River Rhine in a controlled manner and through valves. It did not have a lasting impact on the quality of the water or the environment.

After the accident, navigation was blocked completely for a while. Upstream navigation was allowed only a few days later. To avoid any collision with the capsized wreckage, downstream navigation was not allowed throughout January, due to local conditions and the currents.

Salvage was completed after 32 days.

During the operation employees of the Bingen Waterways and Shipping Office and the Shipping Directorate Southwest, but also emergency services from the Koblenz and Mannheim Waterways and Shipping Offices were helping around the clock. During the operation, the “Mainz”, a restaurant-ship, served as emergency situation centre.

Due to the size of the accident, public relations work was very ambitious. Press releases were published regularly to keep the public informed at all times about the situation and the responders’ next steps

Cooperation with the involved federal and local agencies worked out very well at all levels. The same is true for everyone involved from the Dutch Rijkswaterstaat, the Rotterdam Maritime Port Police, the Korps Landelijke services, the water police unit and the Royal Dutch Schuettevaer. They supported the crisis management team in its work and regularly provided Dutch inland navigators who were particularly affected by the accident with information on the necessary measures and progress of the work. The latter helped a lot in making people understand that certain measures had to be taken and navigation had to be blocked.

The “Waldhof“ accident is being investigated independently by the waterways and shipping administration, according to the Maritime Safety Act. The investigation aims at establishing the circumstances and causes of the accident and drafting recommendations for how to enhance safety. It does not aim at answering questions of guilt or liability. Neither does it look at direct and indirect effects of the accident.

The evidence on the wreckage itself has been preserved and documented with numerous photos. In addition to the investigation, the Federal Institute for Waterway

Engineering and Research (BAW) has evaluated all radar recordings of the Oberwesel traffic control centre for the section between Oberwesel and the place of the accident. It has also run simulations of the “Waldhof”’s passage.

Based on this, first results of the investigation are already available. I hope you will appreciate that I cannot anticipate the investigation’s official results and for this reason I do not want to go into details.

As the investigation continues, there will be more detailed stability calculations and nautical simulations. The investigation will also scrutinize triggering moments of the vessel capsizing and of when it was set upright. Moreover, expert opinions, the shipowner’s investigation results (Lehnkering) and the investigative results of the Koblenz Public Prosecutors office will be viewed and evaluated. The investigation is due to be concluded by the end of 2011.

To manage the accident, the emergency services of the Bingen Waterways and Shipping Office had the emergency Response Manual at hand. A central element of this manual is the collection of all contact details of the most important authorities and institutions the waterways and shipping administration has to cooperate with in case of an emergency, like salvage companies, fire brigades or civil protection authorities. Every waterways and shipping administration is responsible for maintaining and upgrading the contact details in their manual. The manual also includes a number of forms which the responders can easily use in the event of an emergency.

The manual has proved successful in practice and is considered indispensable by the Waterways and Shipping Administration. However, experience has shown that such a manual alone is not sufficient to manage an accident as severe as the “Waldhof”.

Even before the “Waldhof” accident, the two waterways and shipping offices responsible for the Rhine River had prepared a deficit analysis for shipping accident management. This analysis mentions technical-nautical, legal and administrative-organizational aspects.

I would like to touch on two things, because they proved to be key also in the case of the "Waldhof":

Securing the wreckage must be the top priority in case of an accident. In the case of the "Waldhof", in the beginning this could only be accomplished with the greatest efforts. First the wreckage was kept in place by barges. It was also fastened to the Loreley dam. Due to the wires used, no one could guarantee that the "Waldhof" would under no circumstances unsnap and float downriver.

A back-up and a spud carriage pontoon deployed by private companies alleviated the situation. But in the end it was the salvage company's floating cranes Atlas and Amsterdam who succeeded in securing the "Waldhof" in a stable position.

In order to secure a wreckage of similar size appropriately, it is therefore recommended to use stable staked floating pontoons which can be placed next to the wreckage. They should be equipped with heavy recovery winches and they should be able to be ballasted. But the waterways and shipping administration does not have such pontoons and salvage companies only have a limited amount. It would also have to be guaranteed that such pontoons would be stored in various locations throughout Germany so that in case of an emergency they could be brought to the place of the accident as soon as possible.

The waterways and shipping administration could store and deploy such pontoons itself or it could buy the pontoons and make them available to private companies in the event of an emergency. Procurement, storage and deployment could also be regulated in agreements with private companies. However, this idea must still be scrutinized and examined with regard to financial viability.

What is also important is the use of experts, particularly when dangerous goods are involved. Besides their expertise in the field of ship construction, these experts must also have knowledge of ADN and dangerous goods in general. Another thing the "Waldhof" accident has taught us.

The fact is, however, there are hardly any freelance experts with so many qualifications available. The Federal Ministry of Transport, Building and Urban Development is currently discussing to which extent classification societies can be included here. Another option would be to extend the activities of the Central Ship Inspection Commission/Ship Measurement Office. But this idea, too, needs to be examined more thoroughly, also with regard to financial viability.

A newly created steering group is currently evaluating the deficit analysis. The result will be the development of an accident management strategy for the Rhine federal waterway. In the next stage, this strategy will be transferred to the other inland waterways, always taking into account the specific characteristics of every waterway.

Ladies and Gentlemen,

As a conclusion, it is to be noted that accident management in the field of maritime shipping is already well organized. In the field of inland navigation there is still some room for improvement. But I can assure you that the Federal Ministry of Transport, Building and Urban Development and the waterways and shipping administration are already heading in the right direction.

Thank you