



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND 1971

EXECUTIVE COMMITTEE  
53rd session  
Agenda item 3

71FUND/EXC.53/7  
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## INCIDENTS INVOLVING THE 1971 FUND

### NISSOS AMORGOS

Note by the Director

#### 1 Introduction

1.1 The Greek tanker *Nissos Amorgos* (50 563 GRT), carrying approximately 75 000 tonnes of Venezuelan crude oil, ran aground whilst passing through the Maracaibo Channel in the Gulf of Venezuela on 28 February 1997. The tanker sustained damage to three cargo tanks, and an estimated 3 600 tonnes of crude oil was subsequently spilled.

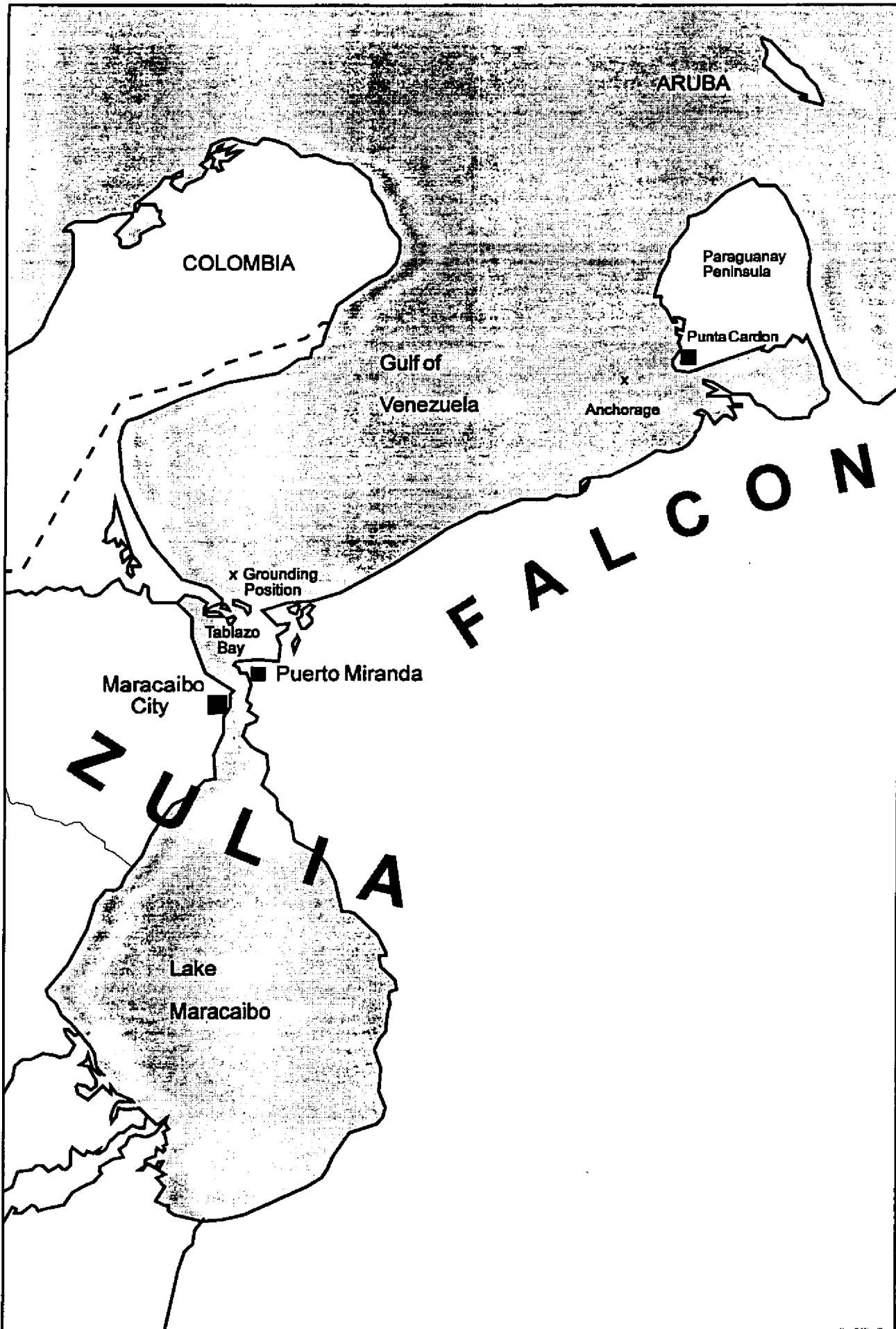
1.2 The tanker was refloated six hours after the grounding and proceeded under her own power towards Punta Cardon in the eastern part of the Gulf of Venezuela. Apart from the initial spill of oil at the grounding position, further small releases occurred over a period of several days at the anchorage off Punta Cardon, until temporary repair work on the damaged hull was completed. After a short delay, the cargo remaining on board the *Nissos Amorgos* was transhipped to another tanker.

1.3 The *Nissos Amorgos* is entered in Assuranceföreningen Gard (the Gard Club).

1.4 Venezuela is Party to the 1969 Civil Liability Convention and the 1971 Fund Convention, but not to the 1992 Protocols thereto.

#### 2 Clean-up operations

2.1 Under the Venezuelan National Contingency Plan for Oil Pollution, Lagoven and Maraven (wholly owned subsidiaries of the national oil company Petroleos de Venezuela SA - PDVSA) are responsible for implementing oil spill response measures in the Gulf of Venezuela.



2.2 Maraven deployed a skimming vessel at the anchorage off Punta Cardon in response to the leakage of oil from the damaged tanker. No oil is reported to have come ashore in the eastern part of the Gulf of Venezuela.

2.3 A long sandy beach south-west of the grounding position was contaminated by oil, which later spread along a stretch of 45 kilometres. Some of the beached oil was quickly buried under fresh deposits of sand on successive tides, while some of the spilled oil sank in the surf zone adjacent to the polluted beach.

2.4 Lagoven organised a manual beach cleaning operation comprising some 550 people recruited mostly from nearby fishing villages. Collected oily beach material was deposited in dune areas adjacent to the beach. The clean-up operations have been hampered by frequent re-distribution of stranded oil by tidal action, and by the fact that some oil became buried under layers of sand.

2.5 A survey of the affected beach and contiguous waters is being undertaken at the instigation of Lagoven. The main purpose of the survey is to determine the presence of buried oil in the beach, to locate and quantify any sunken oil, and to sample and analyse hydrocarbon levels in commercially important fish and shellfish.

### **3 Impact on fishing and tourism**

3.1 The affected shoreline is used by fishermen operating from boats, as well as by others using nets and traps operated by hand from the beach. The principal catch consists of fish, shrimps and clams. Part of the catch is consumed locally or marketed in nearby towns, but the most valuable portion, including shrimp and large fish, is sold in Maracaibo City and supplies export markets.

3.2 Tourism is limited in the area. During weekends and holidays many people visit a small beach resort at Caimare Chico, and there are many road-side restaurants and shops catering for these visitors.

### **4 Claims for compensation**

4.1 In order to facilitate the handling of claims arising out of the incident, the Gard Club and the 1971 Fund have established a Claims Agency in Maracaibo. The task of the agency is to collect information relating to costs incurred in responding to the oil spill and losses suffered as a result of the spill, and to distribute claim forms to potential claimants. The claims will be assessed by the International Tanker Owners Pollution Federation Ltd (ITOPF), with the assistance of local surveyors.

4.2 It is not possible at this stage to make any accurate estimate of the level of the claims which may be submitted. It is nevertheless believed that the total amount of the claims will not be anywhere near the total amount available under the 1969 Civil Liability Convention and the 1971 Fund Convention (60 million SDR, corresponding to approximately £52 million).

4.3 The Executive Committee may wish to consider whether it is prepared to authorise the Director to make final settlements on behalf of the 1971 Fund of all claims arising out of this incident, to the extent that the claims do not give rise to questions of principle which have not previously been decided by the Committee.

### **5 Limitation proceedings**

5.1 The shipowner has not yet commenced limitation proceedings.

5.2 The limitation amount applicable to the *Nissos Amorgos* is estimated at 5.2 million SDR (£4.5 million).

**6 Investigation into the cause of the incident**

The Venezuelan authorities are investigating the cause of the incident. The 1971 Fund is following the investigation through its Venezuelan lawyer.

**7 Action to be taken by the Executive Committee**

The Executive Committee is invited:

- (a) to take note of the information contained in this document;
  - (b) to consider whether to authorise the Director to make final settlement of claims arising from this incident; and
  - (c) to give the Director such other instructions in respect of the handling of this incident and of claims arising therefrom as it may deem appropriate.
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