

INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND

EXECUTIVE COMMITTEE
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Agenda item 3

FUND/EXC.27/2
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INCIDENTS IN ITALY

HAVEN INCIDENT

Note by the Director

The Incident

1 After partial discharge of her cargo of Iranian heavy crude oil in Genoa (Italy), the Cypriot tanker HAVEN (109 977 GRT) caught fire and sustained a series of explosions on 11 April 1991 whilst at anchor seven miles off Genoa. The tanker, which carried approximately 144 000 tonnes of crude oil at the time, broke into three parts. A large section of deck was detached from the main structure as a result of an explosion and sank at the anchorage to a depth of about 80 metres. The vessel began to drift to the south west. In a position about seven miles south of Arenzano, the bow section became detached and sank to a depth of about 500 metres. The remaining main part of the ship was towed into shallower water where, after a further series of explosions, it sank on 14 April, some 1.5 miles off the coast at Arenzano to a depth of 60 metres.

2 On 14 April, the Italian Government declared a state of national emergency as a result of the incident.

Clean-up Operations and Related Issues

3 The quantity of oil consumed by the fire has not been established, but it is estimated that over 10 000 tonnes of fresh and partially burnt oil were spilled into the sea prior to the sinking. After the sinking, oil continued to seep from the wreck at a slow rate and small quantities of oil appeared on the surface. Divers were able to reduce and finally stop the main leakage within about ten days of the incident. Since then, there has been minor seepage from the wreck, and it is expected that this will continue for some time.

4 Comprehensive underwater surveys of the main section of the wreck have been conducted by remote operated vehicle, including a survey of the interior of those tanks that were readily accessible. The surveys have shown the wreck to be in a severely damaged condition with quantities of burnt residue lying on deck. The cargo tanks which had contained oil were found to be virtually free from liquid cargo and with only small quantities of burnt oil residue remaining. An operation to remove the burnt residue from the deck and the immediate vicinity of the wreck is under way.

5 So far, no inspections have been made of the other two sunken parts of the HAVEN. It is expected that a detailed survey of these two sections will be undertaken when the oil removal operation on the main part of the wreck has been completed.

6 Since most of the oil spilled initially consisted of burnt residue which was highly viscous at ambient temperatures, collection of this oil at sea proved very difficult. The authorities concentrated on deploying booms to protect sensitive areas along the coast, primarily amenity beaches. These measures were quite successful when weather conditions were favourable, but gale force winds soon carried both oil and booms ashore.

7 On 17 April, a significant quantity of floating oil impacted the coastline around Savona at Arenzano, Cogoleto and Varazze, west of Genoa. Emulsified oil was left stranded on all three beaches, especially around the many artificial headlands. Oil was subsequently buried in many places during strong winds, typically to a depth of 2-5 centimetres in fine beach sediment and up to 30 centimetres in coarser material. West of Varazze, coastal impact was very light and consisted mainly of tar balls and patches of burnt residue.

8 Around 40 tonnes of oil entered Arenzano marina, resulting in moderate to heavy oiling of moorings, harbour walls and about 100 yachts. Smaller quantities of oil entered the marina at Varazze, and the impact there was less severe; however, approximately 150 boats became polluted. So far, only limited yacht and harbour cleaning operations have been carried out in either marina.

9 The clean-up on shore in Italy has primarily been conducted by municipal authorities, using the Army as well as local volunteers in some areas. The work has mainly consisted of manual and mechanical removal of stranded oil and contaminated beach sediment. Vacuum trucks were used to remove heavy concentrations of floating oil. Tar balls and patches of burnt residue were relatively inert and easy to collect.

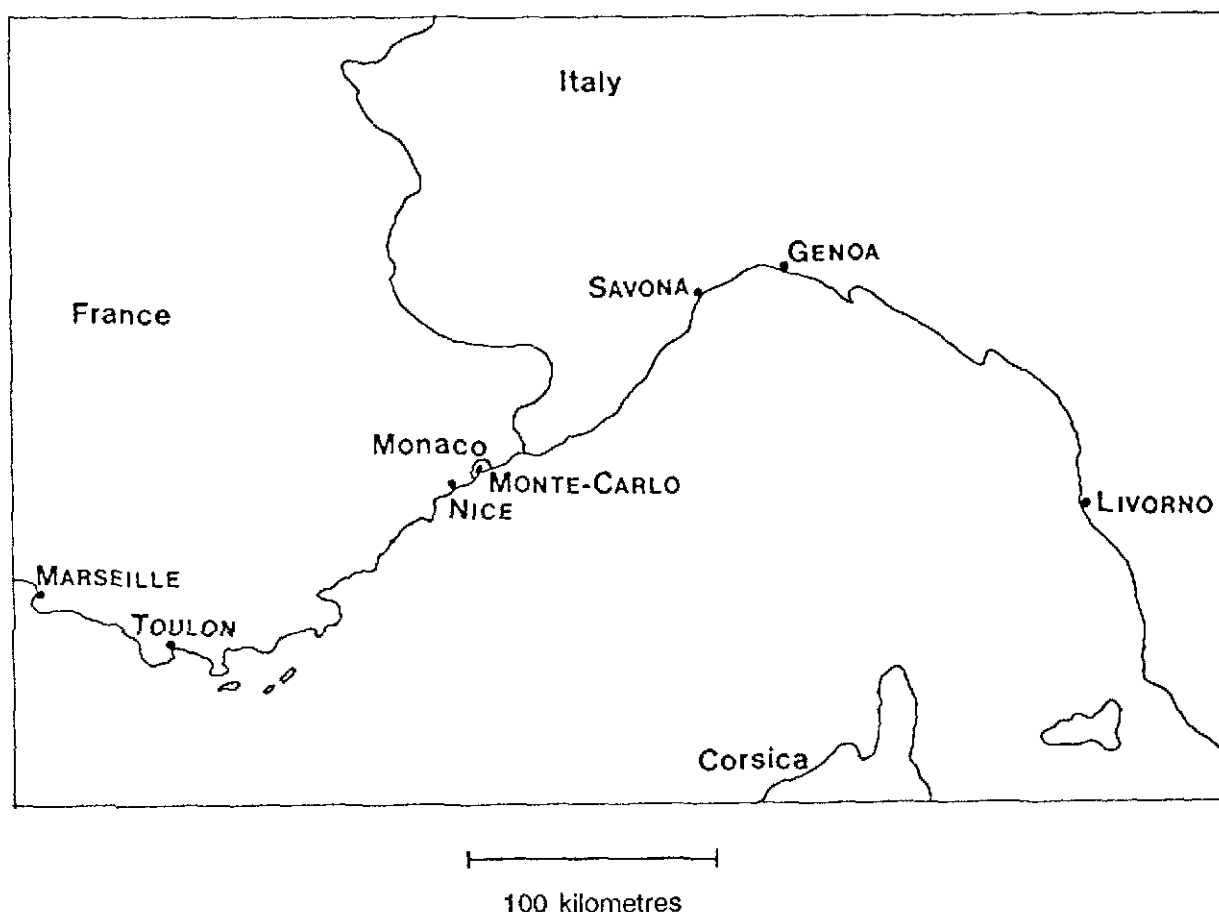
10 Some oil spread as far as Hyères near Toulon in France, affecting also the coast of Monaco. The French Government decided on 15 April to activate the national contingency plan with regard to operations at sea (Plan POLMAR-MER). The plan relating to on-shore operations was not activated. The application of Plan POLMAR-MER was suspended on 29 April.

11 The on-shore clean-up in France is the responsibility of the respective local authorities (the communes). Some 30 communes have been affected, but the pollution on shore in France has been comparatively limited in scope.

12 Towards the end of April, fears were expressed by the Spanish authorities that the oil would also affect Spain. However, no oil reached Spanish waters or coasts.

Involvement of the IOPC Fund In the Operations

13 The IOPC Fund was informed of the incident within a few hours. After consultations between the Director, the shipowner and the shipowner's P & I insurer (the United Kingdom Mutual Steam Ship Assurance Association (Bermuda) Limited, the UK Club), it was decided that experts from the International Tanker Owners Pollution Federation (ITOPF) should proceed immediately to Genoa. The first ITOPF expert arrived there on the evening of the incident.



14 In view of the risk of a major release of oil whilst the tanker was ablaze, the shipowner, the UK Club and the IOPC Fund agreed on 11 April with the ITOPF recommendation that equipment and technicians from the Oil Spill Service Centre in Southampton should be sent by air to Italy.

15 The operations and inspections relating to the wreck have been followed by technical experts from Murray Fenton & Associates, appointed by the IOPC Fund, the shipowner and the UK Club, and these experts have been assisted by local surveyors. The ITOPF experts have investigated the impact of the oil in Italy, France and Monaco and have regularly monitored the clean-up operations on shore and at sea in Italy and France, assisted by local surveyors in both countries. The experts from Murray Fenton and ITOPF have worked in close co-operation with the competent authorities in Genoa.

16 The Director followed the operations from 14 to 17 April and held discussions with the Harbour Master in Genoa, who has the responsibility for the operations both at sea and on shore, as well as with other representatives of the Italian authorities. During his stay in Genoa the Director also discussed the situation with representatives of the European Economic Community and the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC). The Legal Officer followed the operations from 22 to 24 April.

17 The Director and the Legal Officer, together with representatives of the shipowner and the UK Club, participated in a meeting in Rome with an interministerial committee which has overall responsibility for the operations in Genoa. The meeting resulted in the IOPC Fund, the shipowner and the Club being invited to nominate experts who would, as consultants, be associated with the bodies which would be monitoring the further operations at sea and on shore.

Legal Proceedings

18 The shipowner made a request in the Court of Genoa for the initiation of limitation proceedings and establishment of a limitation fund. On 20 May the Court stated that, pursuant to Article V.3 of the Civil Liability Convention, it could not issue a judgement opening the limitation proceedings because no action had been brought against the shipowner.

19 After legal action had been taken by the municipality of Arenzano, the Court opened the limitation proceedings by judgement of 29 May and fixed the limitation amount at Lit23 950 220 000 (£10.9 million), which corresponds to 14 million SDR, ie the maximum amount under the Civil Liability Convention. The limitation fund was established by the UK Club by means of a letter of guarantee.

20 The Director is following the investigation into the cause of the incident carried out by the Italian authorities, and has appointed technical experts for this purpose.

Claims for Compensation

21 The Director expects that this incident will give rise to a large number of claims and that the aggregate amount of the claims will be very high. As for Italy, claims will be submitted by the Italian Government and a number of local authorities. In addition, claims will be presented by individuals and small businesses, such as yacht owners, fishermen and hotel owners in the coastal areas. So far only a few claims from owners of yachts and fishing boats have been received. As regards France, claims will be submitted by the Government, local authorities and individuals. It is likely that claims will be presented also by individuals in Monaco.

Action to be Taken by the Executive Committee

22 The Executive Committee is invited to consider the information contained in this document and to give the Director such instructions concerning his handling of this incident as it may deem appropriate.
