



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND

EXECUTIVE COMMITTEE
27th session
Agenda item 4

FUND/EXC.27/5
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INFORMATION ON OTHER INCIDENTS

RIO ORINOCO INCIDENT

Note by the Director

Introduction

1 The asphalt carrier RIO ORINOCO (5 999 GRT), registered in the Cayman Islands, experienced problems with her main engine whilst en route from Curacao to Montreal with about 9 000 tonnes of heated asphalt cargo and about 300 tonnes of intermediate fuel oil and heavy diesel oil on board. When effecting repairs in the Gulf of St Lawrence, the ship dragged anchor in bad weather and grounded on the south coast of Anticosti Island on 16 October 1990. An estimated 185 tonnes of the intermediate fuel oil was spilled and came ashore east of the grounding position. About ten kilometres of the coastline were heavily polluted, and small patches of oil were spread over a further 30 kilometres. Changing weather conditions redistributed some of the beached oil westwards, small quantities reaching Baie d'Ellis, off Port Menier, eight kilometres west of the grounding position. No asphalt cargo was spilled. Over subsequent weeks the cargo cooled and a significant part became solid.

2 At its 26th session, held in March 1991, the Executive Committee dealt with certain aspects of the RIO ORINOCO incident. As for the incident and the various operations resulting therefrom, reference is made to document FUND/EXC.26/2 (cf document FUND/EXC.26/5, paragraphs 3.1-3.5).

Claims already Dealt With by the Executive Committee

3 On-shore clean-up operations were carried out during the period up to 10 November 1990 by contractors on behalf of the shipowner. The Swedish Club presented a claim in the amount of Can\$1 227 255 (£548 000) against the IOPC Fund in subrogation in respect of these operations. The major part of the bunker oil remaining in the RIO ORINOCO was removed in December 1990. These operations were also carried out by contractors on behalf of the shipowner. The Swedish Club submitted a claim to the IOPC Fund in subrogation amounting to Can\$257 462 (£115 000) in respect of these operations.

4 At its 26th session, the Executive Committee authorised the Director, pursuant to Internal Regulation 8.4.2, to settle the claim submitted by the Swedish Club for the on-shore clean-up operations carried out during the period ending 10 November 1990 (document FUND/EXC.26/5, paragraph 3.2). With regard to the operations undertaken to remove the remaining bunker oil from the

RIO ORINOCO, the Executive Committee considered that these operations fell within the definition of "preventive measures" laid down in the Civil Liability Convention and that the expenses incurred on behalf of the shipowner would be admissible under the Civil Liability Convention and the Fund Convention. In view of this decision, the Committee authorised the Director, pursuant to Internal Regulation 8.4.2, to settle also the claim presented by the Swedish Club in respect of these operations (document FUND/EXC.26/5, paragraph 3.3).

5 The IOPC Fund Secretariat, with the assistance of experts, has examined the documents submitted in support of the claims referred to in paragraph 4 above. After this examination, and on the basis of the authority given to him by the Executive Committee, the Director accepted these claims in their totality.

Additional Claims

6 In June 1991, the Swedish Club submitted an additional claim in subrogation totalling Can\$156 316.61 (£69 780). This claim relates to the cost of cleaning polluted equipment used during the on-shore operations up to 10 November 1990 (Can\$130 408.20) and to the cost of renting and transporting containers used for storage of collected oily waste (Can\$25 908.41). The claim is being examined by the IOPC Fund Secretariat.

7 The Executive Committee may wish to consider whether to authorise the Director to settle this additional claim, pursuant to Internal Regulation 8.4.2.

8 It is expected that the Canadian Government will very shortly submit a claim relating to the operations carried out in the autumn of 1990 to remove the ship from its grounded position (cf document FUND/EXC.26/5, paragraph 3.4).

Further Operations

9 As reported in paragraph 1.10 of document FUND/EXC.26/2, the operations undertaken in the autumn of 1990 to remove the ship from its grounded position were called off on 21 December due to bad weather. New attempts to this effect will be made during the summer of 1991 and the Canadian Government has given a private contractor the task of carrying out these operations.

10 When the clean-up operations on shore were terminated for the winter, it was agreed between the Canadian authorities and the Director that the state of the beaches and the need for additional cleaning would be assessed in the spring of 1991, once weather conditions permitted. An inspection of the coastline on 6-8 June 1991 showed that additional clean-up will be necessary. The clean-up operations, which will be of limited scope, will be undertaken during the summer of 1991 by contractors on behalf of the shipowner.

Action to be Taken by the Executive Committee

- 11 The Executive Committee is invited to:
- (a) take note of the information contained in this document; and
 - (b) consider whether to authorise the Director to settle the additional claim submitted by the Swedish Club referred to in paragraph 6 above.