



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND

EXECUTIVE COMMITTEE  
44th session  
Agenda item 3

FUND/EXC.44/13  
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## INCIDENTS INVOLVING THE IOPC FUND

### SENYO MARU

Note by the Director

#### **1     Introduction**

1.1     On 3 September 1995, the Japanese tanker *Senyo Maru* (895 GRT), carrying 2 000 tonnes of heavy fuel oil, collided with the Panamanian bulk carrier *Batis* (23 277GRT) off Ube, Yamaguchi Prefecture (Japan). One of the tanker's cargo tanks was damaged, and some 94 tonnes of heavy fuel oil were spilled.

1.2     Both vessels were entered into the Japan Ship Owner's Mutual Protection & Indemnity Association (JPIA).

#### **2     Clean-up operations**

2.1     The clean-up operations at sea were carried out by the Japan Maritime Safety Agency (JMSA), the Japan Marine Disaster Prevention Center (JMDPC) and various contractors employed by the owner of the *Senyo Maru*. Some 65 vessels participated in these operations, including some 40 fishing boats. The oil spread over a very large area, at one time a single slick extending to some 300km<sup>2</sup>. The operations mainly consisted in the spraying of solvents and the collecting of oil using mats and oil collecting vessels. Attempts were also made to deploy booms but without success because of strong winds.

2.2     A major part of the spilt oil reached the shore of Himeshima and polluted a stretch of some four kilometres of beaches, some of which were heavily contaminated. A total of 500 villagers and fishermen participated in the on-shore clean-up. Some breakwaters consisting of tetrapods were polluted and were cleaned using chemicals and high pressure cleaning machines. Contractors were also employed, and they used heavy vehicles to remove oil-stained gravel and stones. The clean-up operations were completed on 28 September 1995. Considerable quantities (some 2 500m<sup>3</sup>) of oily waste have been collected and disposed of.

2.3 The Himeshima Fisheries Co-operative Association, which has some 400 members, suspended fishing in the affected area from 4 to 12 September 1995.

2.4 The Himeshima Fisheries Co-operative Association inspected one heavily polluted beach from which the gravel and sand had been removed, which had allegedly resulted in the beach having become dangerously steep, and requested that measures should be taken to replace the sand. After discussion with the experts of the IOPC Fund, the Association accepted that no fishing was affected. The technical expert of the local government stated that the beach would recover naturally within approximately one year. For this reason, the request to restore this beach was not granted, and the Association accepted that decision.

### **3 Claims for compensation**

3.1 It is expected that clean-up and fishery claims will be presented to the shipowner, JPIA and the IOPC Fund.

3.2 After consultation with the Director, JPIA made an advance payment of ¥10 million (£67 000) to the Himeshima Fisheries Co-operative in respect of the costs incurred in the connections with the clean-up operations.

3.3 The Director submits to the Executive Committee for consideration whether the Committee might be prepared to authorise him to make final settlement of all claims arising out of the *Senyo Maru* incident, except to the extent that these claims give rise to questions of principle which have not yet been decided by the Committee.

### **4 Limitation proceedings**

4.1 The owner of the *Senyo Maru* has not yet started limitation proceedings.

4.2 The limitation amount applicable to the *Senyo Maru* is estimated at ¥18 634 560 (£138 000).

### **5 Investigation into the cause of the incident**

The Japanese authorities are carrying out an investigation into the cause of the incident. The Director is following this investigation through the IOPC Fund's Japanese lawyer.

### **6 Action to be taken by the Executive Committee**

The Executive Committee is invited to:

- (a) take note of the information contained in this document;
  - (b) give the Director such instructions as it may deem appropriate in respect of the handling of the claims arising out of this incident; and
  - (c) authorise the Director to settle the claims arising out of this incident to the extent that the Committee deems appropriate.
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