

Follow-up on recommendations to *Fishing vessel sinks due to failure of bilge pumping system UK-160 Riemda*

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1. About this report

On 23 December 2020, the Dutch fishing vessel UK-160 Riemda sank off the French coast. All persons on board were rescued. The investigation by the Dutch Safety Board revealed that the loss of the UK-160 Riemda could not be attributed to a single direct cause. The occurrence started with a considerable volume of excess water on the fish processing deck, which must have gradually accumulated. The investigation revealed no unequivocal cause for the way in which this volume of water found its way onto the fish processing deck, but in and of itself, this fact should never result in the loss of a vessel. The fact that the vessel was eventually lost was the result of a combination of multiple failing barriers, including a failing bilge pump (with no backup) and insufficient watertight integrity of the vessel.

In its report, the Safety Board issued four recommendations. One recommendation to VOF Brands (the vessel's owner), two recommendations to the Minister of Infrastructure and Water Management and one recommendation to the Fisheries Sector Council (Stichting Sectorraad Visserij (SSV)) and the international Fisheries sector organizations.

VOF Brands did not send a response related to the content of the recommendation. The SSV responded to the recommendations on 6 June 2023. No reaction has been received from the international Fisheries sector organizations. The Minister of Infrastructure and Water Management responded on 17 November 2022. The complete responses of the Minister of Infrastructure and Water Management and the SSV can be consulted on the Dutch Safety Board website.

This memorandum contains a general conclusion about the follow-up to the recommendations, followed by a brief summary of the responses received to each recommendation and a conclusion on the follow-up to that recommendation.

2. General conclusion about follow-up

The responses to the recommendations show that the parties (legislator and sector organizations) are working on a statutory obligation according to which fishing vessels are required to have a permanently available backup to the bilge pumping systems and an adequate bridge alarm if a bilge pump fails. This obligation is expected to be included in legislation and regulations for vessels up to a length of 24 metres, in 2024. Subsequently, regulations for fishing vessels with a length in excess of 24 metres will be revised. The SSV has also indicated that it has shared the lessons learned from this investigation in a number of different consultation bodies. The recommendation aimed at tightening legislation regarding

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the watertightness of compartments where fish processing takes place will not be followed up on. The Minister of Infrastructure and Water Management responded he will, however, consider tightening up the relevant legislation and regulations with a view to mitigating the risk of vessels filling up with water and sinking.

3. Follow-up per recommendation

Recommendation 1

To the owner VOF Brands

Consider the impact that interim structural changes to the ship design can have on the watertight integrity of the ship. Immediately report interim structural changes to the regulator.

Response VOF Brands

VOF Brands did not send a response related to the content of the recommendation.

Conclusion on follow-up

As far as the Dutch Safety Board is aware, VOF Brands is no longer active in the fishing industry. As a consequence, it is no longer able to follow up on the recommendation.

Recommendation 2

To the Minister of Infrastructure and Water Management

Tighten legislation regarding watertightness of compartments where fish processing takes place in order to prevent the flooding of such a compartment resulting in the loss of the watertight integrity of the other compartments.

Response from the Minister of Infrastructure and Water Management

In his response, the Minister expressed the opinion that the current statutory requirements on compartmentalization are sufficient. In the judgement of the Minister, the fact that this vessel was able to fill up with water related to a bilge system that did not satisfy the requirements of the 2002 Fishing Vessels Decree. There was also a non-watertight opening that had been created as a result of a recent renovation. Any change to a vessel should be detected by the Human Environment and Transport Inspectorate (ILT). To make this possible, a request to make changes must be submitted to the ILT. It is then the task of the ILT to assess those changes, among others through the review of drawings, documents and inspections.

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The Minister further indicated that a Plimsoll mark¹ is a means of indicating at a glance whether or not a vessel is settled too deep in the water. The Minister also referred to what is known as a freeboard plan², in which all non-watertight openings in the vessel are listed. According to the Minister, such a plan makes it possible to determine whether there are openings in the vessel not considered in the stability calculations. The Minister announced his intention to assess whether in the upcoming amendment to the relevant legislation and regulations a Plimsoll mark and/or freeboard plan can be made compulsory.

Conclusion on follow-up

This recommendation is not followed up on by the Minister because in his judgement the compartmentalization required by law is already sufficient. Based on the analysis of this occurrence, the Dutch Safety Board stands by its observation that the regulations regarding watertightness of compartments in which fish processing is carried out should be tightened up.

The Minister will however consider whether the relevant legislation and regulations can be tightened up by imposing a compulsory Plimsoll mark and/or freeboard plan, with a view to mitigating the risk of vessels filling up with water and sinking.

Recommendation 3

To the Minister of Infrastructure and Water Management

Adjust legislation and regulations regarding the obligation to have a continuous backup in the bilge systems in order to guarantee backup in the event the vessel lists. In addition, guarantee by means of a Policy Rule / Technical regulation that there is an adequate bridge alarm if a bilge pump fails.

Response from the Minister of Infrastructure and Water Management

The Minister responded that he would include a continuous backup in the bilge system and an adequate bridge alarm if a bilge pump fails in the legislation. This legislation is expected to be ready by 2024 for fishing vessels up to a length of 24 metres. The regulations for fishing vessels longer than 24 metres will subsequently be revised. Knowledge about the technical requirements with which the backup bilge pump must comply, that will be included in the revised legislation and regulations, will be supplied by the ILT. Until the legislation is adjusted, the Minister will recommend to the sector to take these measures on a voluntary basis. The Minister announced that he will ask the SSV to provide feedback on the presence and use of

¹ The Plimsoll mark is a mark on a seagoing vessel that indicates the maximum permitted depth. This is also known as the Plimsoll line. A Plimsoll mark is particularly useful when a vessel is moored at the quay, in calm weather.

² A freeboard plan is a document used to designate the height of a vessel's freeboard. The freeboard is the part of the vessel's hull that extends above the waterline.

a backup bilge pump on the vessels in question at the regular sector consultation session with the Minister of Infrastructure and Water Management /ILT.

Conclusion on follow-up

The recommendation is followed up on. Both a continuous backup in the bilge systems and an adequate bridge alarm if a bilge pump fails will be made compulsory by means of a revision of legislation and regulations.

Recommendation 4

To the Fisheries Sector Council and the international Fisheries sector organizations (Visplatform, Fishing Industry Safety Group, Confederación Española de Pesca, Europêche and Fishing Industry Safety & Health Platform):

Share the lessons from this investigation with the relevant parties in the national and international fishing and ship building sector and in particular with the owners of comparable fishing vessels. Pay specific attention to:

- a. Increasing awareness regarding the risk of hull openings in watertight compartments.
- b. Providing an adequate, continuously available backup of the bilge system, which will continue to function if the fishing vessel starts to list.
- c. Maintaining sufficient stability when interim changes are made to the ship design.
- d. Taking into account possible safety risks that arise from adjustments to the ship design.

Response from the Fisheries Sector Council (SSV)

The SSV informed the Dutch Safety Board that the Board's report has been discussed in a board meeting. As such, the relevant organizations within the SSV took note of the report and the necessity of informing their constituency.

The SSV also announced that there has been contact with the Minister of Infrastructure and Water Management about the introduction of a legal requirement to have a backup to the bilge systems. In that contact, the relevant sector organizations VisNed and the Dutch Fishermen's Association have, according to the SSV, indicated that they have no objection.

In its response, the SSV also referred to the development of teaching material about the stability of fishing vessels in general and under asymmetric loading conditions in particular. This teaching material is already being developed by a working group established in response to a previous report from the Dutch Safety Board. The SSV announced that it has already informed this working group about the report, and called upon them to include this case in the development of this teaching material.

Conclusion on follow-up

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This recommendation has been followed up on by the SSV. By focusing attention on the report in the board meeting of the SSV the relevant organizations within the SSV were informed of the lessons learned from the investigation. On the basis of the response, it is unclear to what extent these organizations subsequently shared those lessons with (other) relevant parties in the national and international fishing and ship building industry (in particular the owners of comparable fishing vessels³). In response to this report, the SSV has also contacted the Minister of Infrastructure and Water Management and the working group currently developing teaching material about the stability of fishing vessels in general and in asymmetric loading conditions in particular.

Due to the absence of reactions from the international sector organizations, it is not possible to determine to what extent these parties shared the lessons learned from this investigation.

³ At present there are no longer any such vessels sailing under Dutch flag, although there are vessels sailing (among others) under English and Spanish flag.