STS Piraeus forum discusses operational problems

DYNAMARINe organised a one-day STS workshop in Piraeus on 3rd December last year, following the success of the first forum held a year earlier – a third is planned for this year.

The second International Forum for STS 2013 (IFSTS) included the following topics-

- Due diligence actions during vessel nominations.
- Tanker operator liabilities.
- Technical support and advice to Master.
- Risk estimation and mitigation measures.
- Good practices and case studies on STS incidents.
- Vetting and auditing Issues.
- Assessment of STS operations.
- Record keeping, evaluation of records and KPIs.
- The OSIS concept of OnlineSTS.net.

Lloyd's Register's **Panayiotis Mitrou** gave an insight into the new STS Guide from a class and a recognised organisation point of view.

He said that the drivers behind the new STS guidelines development are numerous and have mostly to do with a better clarification on nebulous issues from the previous guidelines.

New STS guidelines have been issued and under this, an STS plan could refer to the old guidelines. However, some charterparties refer to the latest guidelines, thus amendments on the STS plans should be considered. Discrepancies between statutory and commercial requirements may be experienced. "Alignment of the STS plan with the new guidelines would seem prudent until this matter is clarified," he said.

The new guidelines key points are: Ships shall be provided with arrangements, equipment and fittings of sufficient safe working load to enable the safe conduct of all towing and mooring operations associated with the normal operation of the ship.

There are new requirements for lifting appliances/ personnel, cargo gear, or lifting equipment.

A thorough assessment needs to be conducted to confirm the suitability of ships. The ship compatibility criteria includes mooring arrangements, the qualified training of personnel and the adequate number of assigned personnel for controlling the transfer operation, closed chocks, enough mooring lines, etc. Further, a mooring analysis is essential to support the risk assessment of a transfer location modelling the range of ship sizes that will be conducting the STS operations.

Nicos Attos of the Greek Department of Merchant Marine gave a summary of the proposed framework for safer STS operations from a coastal state prospective.

He said that coastal states consider oil pollution as the major potential risk, which may severely damage the marine environment.

The most likely risks and major hazards that potentially lead to oil spill during STS are mother/daughter vessel collision, third party collision, groundings, fire, or explosion, non-accidental structural failure and loss of watertight integrity.

Adopting an appropriate national regulatory framework ascertains that ships and third parties involved in STS comply with the relevant safety and pollution prevention standards and that the risks are managed in a more effective manner. By coastal states there has to be a national oil spill preparedness and response capacity, designated STS areas, mandatory reporting of ship accidents during STS and associated incidents, shipboard oil spill preparedness and response capacity, evaluation and licensing of STS third party service providers, monitoring and control of STS involved ships, STS data and statistics.

During Port State Control inspections, the areas questioned involve the following: Proper certification, review and assessment of the STS records, which have to be kept on board, STS operations plan and other relevant documentation (OCIMF/manuals).

Martin Haines of Clyde & Co addressed the regulations and legal issues.

He reminded the delegates that the Ship to Ship Transfer Guide recommended that the POAC will be either one of the Masters of the vessels concerned in the oil transfer, or an STS superintendent, lightering co-ordinator, or mooring Master employed by an STS resource provider.

The Lloyd's Register (LR) model STS plan proposes that the cargo owners, or the tankers' operators should agree and designate/appoint the POAC for each and every transfer.

Regulation 41 requires that the POAC 'shall be qualified to perform all relevant duties, taking into account the qualifications contained in the best practice guidelines for STS operations identified by the organisation' - namely the OCIMF Guidelines 4th Edition. Regulation 41 appears to be absolute with respect to the word 'shall' have the necessary qualifications, or the regulation is breached, he warned.

The STS risk can be minimised by clear charterparty clauses stating responsibilities between the contractual parties, an agreement on the STS operator, an agreement that the STS operation which will be in accordance with ICS/OCIMF STS Transfer Guide and finally an agreement on who should be the designated POAC.

Regarding the *Falconera* case and the court decision, the owners unreasonably withheld their approval of the two nominated VLCCs and were in breach of the charter, because

owners' right of approval was limited to nominated vessel and NOT the STS operation itself. In another claim with the charterers due to an STS collision, the owners lost the claim because they did not succeed to demonstrate a sufficient lack of care in relation to the appointment.

Fendercare Marine's **Neil Wilson** gave an overview of his company's practice.

He said that Fendercare follows OCIMF guidelines to safely conduct STS operations. Documentation produced for operations are in accordance with the company's STS Operations Manual, industry guidelines and customer requirements.

Information reviewed prior to a commencement of any STS operation is the relative size of vessels, freeboard information, provision of closed chocks for mooring, mooring ropes, wires and winches (mooring arrangements), chocks and bitts for securing fenders, manifold arrangements/reducers, hose handling equipment and certification and insurances.

Concerning the vessel compatibility, key points that are checked is the relative size of vessels, freeboard information, provision of closed chocks for mooring and other technical aspects.

The STS process in general is as follows:

1) Mooring Master arrives at the base.
2) Thoroughly checks condition of the STS equipment.
3) Mooring Master organises the loading of the equipment onto the support craft and proceeds to rendezvous location.
4) Mooring Master begins rigging of fenders to manoeuvring vessel and lands hoses.
5) Mooring Master boards the manoeuvring vessel via personnel basket, or rope ladder, depending on customer requirements and the pre-planning and bridge team meeting commences.

Ricardo Jimenez of Bernhard Schulte Ship Management, Cyprus then gave a tanker operator's prospective.

STS is not a normal operation and this depends on many parameters, he said.

The fact that Master and crew do not always have sufficient experience is an important factor. There is a limited availability of simulators for training on STS operations, there are limited resources available when in open seas, there are coastal states' limitations and other commercial issues associated with the lack of scrupulous and fair play, exposure and control by oil majors (vettings), PSC, class,, etc.

SIRE questions related to STS operations are related the existence of an approved STS plan, whether there are sufficient closed fairleads and mooring bitts, whether the STS transfer check lists are completed and whether operations are conducted in accordance with the recommendations of the OCIMF/ ICS STS Transfer guidelines.

Documentation such as HVPQ and Q88 can provide a lot of data prior to commencing any STS operation, but these are not always accurate. Other important documents are IOPP form B (for verification of an STS plan on board), P&I entry certificate, class status survey and Equasis.

Vessel performance

STS vessel performance is subjective and does not only depend on physical characteristics, such as the age of the vessel, or whether she has a single hull. Vessel performance is important and can be retrieved with the assistance of the OSIS database.

As far as ship compatibility is concerned, this can only be checked through proper software. Regarding the POAC, there is not much control and technical operators are not usually consulted. Other issues, which are not well defined to the technical operators, are the fender selection, the hosing qualifications and how to deal with letters of Indemnity, which are issued by service providers.

Finally DYNAMARINe's **Alex Glykas** and **Stelios Perissakis** addressed legislation and owners' liabilities.

The principal concern in STS operations is the third party performance and liability, policies and procedures, proactive examination and record keeping.

The facts in STS operations are that the operation is at the Master's discretion and final approval, it has to take place according to OCIMF guidelines and should always be according to an approved STS plan. Some of the constraints are the commercial interests, environmental protection and safety and that there is a time constraint for the decision making process.

Another major issue is that the parties involved in the STS operations do not have any contractual agreement among themselves. This adds more complexity to the whole procedure.

Regarding the issue of who should designate the POAC, it is DYNAMARINe's opinion that the POAC and service provider need to be designated by the organisation that has the contractual commitment with the provider.

Furthermore, tanker operators need to establish policies regarding the STS operations and the clearance process, which can be based on age hull, validation of certificates, PSC performance, STS performance history, etc.

This clearance could be simply based on the following documents - updated Q88, a recent class status report, a P&I entry certificate and IOPP form B, or STS plan approval.

A proper due diligence during the clearing phase is very important in order to protect owners liabilities and reduce the risk during any STS operations, they concluded. TO