

CASUALTY REPORTING REQUIREMENT 2692



USCG Jurisdiction

- ❑ 46 United States Code Annotated (USCA) Part D (Chapters 61 and 63)
 - ❑ 6101 Marine casualties and reporting
 - ❑ 6103 Penalties
 - ❑ 6301 Investigation of marine casualties
 - ❑ 6303 Rights of parties of interest
 - ❑ 6304 Subpoena authority
 - ❑ 6306 Penalty

Marine Casualty Reporting

46 USCA Subpart 6101

- ▶ (b) A marine casualty shall be reported within 5 days as provided in this part and regulations prescribed under this part
- ❑ 46 Code of Federal Regulation (CFR) 4.05-1(a)- Immediately after the addressing of resultant safety concerns, the owner, agent, master, operator, or person in charge, shall notify the nearest Sector Office, Marine Inspections Office, or Coast Guard Group Office
- ▶ (d) This part applies to a foreign vessel when involved in a marine casualty on the navigable waters of the United States

Marine Casualty Reporting

46 CRF 4.03-1

▶ Reportable Marine Casualties

- ☐ Any fall overboard, injury requiring professional medical treatment beyond first aid, or loss of life of any person
- ☐ Grounding
- ☐ Stranding
- ☐ Foundering
- ☐ Flooding
- ☐ Collision
- ☐ Allision
- ☐ Explosion
- ☐ Fire

Marine Casualty Reporting

- ❑ Reportable Marine Casualties (continued)
 - ❑ Reduction or loss of a vessel's electrical power, propulsion, or steering capabilities
 - ❑ Failures or occurrences, regardless of cause, which impair any aspect of a vessel's operation, components, or cargo
 - ❑ Any other circumstance that might affect or impair a vessel's seaworthiness, efficiency, or fitness for service or route
 - ❑ Any incident involving significant harm to the environment

Serious Marine Incident (SMI)

46 CFR 4.03-2

- ❑ One or more deaths
- ❑ An injury to a crewmember, passenger, or other person which requires professional medical treatment beyond first aid
- ❑ Damage to property in excess of \$100,000
- ❑ Actual or constructive total loss of any vessel subject to inspection under 46 USC 3301
- ❑ Actual or constructive total loss of any self-propelled vessel, not subject to 46 USC 3301, of 100 gross tons or more

Serious Marine Incident (SMI)

46 CFR 4.03-2

- A discharge of oil of 10,000 gallons or more into the navigable waters of the United States, as defined in 33 USC 1321, whether or not resulting from a marine casualty
- A discharge of a reportable quantity of a hazardous substance into the navigable waters of the United States
- Serious Marine Incident requires drug and alcohol testing
 - ▣ Drug testing must be conducted within 32 hours
 - ▣ Alcohol testing must be conducted within 2 hours

Major Marine Casualty

46 CFR 4.40-5

- ❑ The loss of six or more lives
- ❑ The loss of a mechanically propelled vessel of 100 or more gross tons
- ❑ Property damage initially estimated at \$500,000 or more
- ❑ Serious threat, as determined by the Commandant and concurred in by the Chairman, to life, property, or the environment by hazardous materials.

Case Study #1 - Injury

- ▶ US flagged vessel entering port conducting mooring operations
 - ❑ Weather conditions – no significant tide, current, wind
 - ❑ Tugs were alongside and a pilot was onboard
 - ❑ 8 mooring lines forward, 8 mooring lines aft
 - ❑ Tug was let go and the pilot departed the vessel
 - ❑ Engines were secured
 - ❑ Captain ordered for the slack to be taken out of the aft mooring lines
 - ❑ Mooring lines were taken to power
 - ❑ Mooring line parted and 3 crew members were struck with the mooring line
 - ❑ One crew member was in critical condition other 2 crew members sustained minor injury

Case Study #1 - Injury

- ▶ Information gathered from the investigation
 - ❑ Officer in charge of the aft mooring station was not in control of the safety of the operation, member was engaged in seaman's work
 - ❑ Crew members were in the “danger zone” of the mooring line and no one corrected them
 - ❑ Tugs were possibly let go too early
 - ❑ The mooring lines had not been taken to power in over 2 years – crew members were not properly trained on the operation and did not know how to operate the equipment
 - ❑ Some crew members felt rushed during the operation
 - ❑ Overall loss of situational awareness and crew complacency







Case Study #2 – Loss of vessel/ death

- ❑ Fishing Vessel sank and 2 crew members died
 - ❑ Vessel took on water in the vicinity of the steering gear/rudder
 - ❑ Vessel crew was unable to control the flooding and were ordered to abandon ship
 - ❑ All crew made it safely onto the lifeboat however the Captain and Chief Engineer stayed onboard to try and control the flooding
 - ❑ Vessel quickly listed and capsized with the Captain and Chief Engineer still onboard
 - ❑ The Captain and Chief Engineer were never found
 - ❑ Vessel had a US Captain and a foreign crew

Case Study #2 – Loss of vessel/ death

- ▶ Information gathered from the investigation
 - ❑ Water tight doors were never closed onboard the vessel
 - ❑ 5 different languages were spoken by the crew and there was not a common language that all crew members could understand
 - ❑ It was normal operation for the bilge pumps to be running continuously.
 - ❑ 2 crew members tested as having alcohol in their system
- ▶ Main challenge of the investigation was the language barrier between the crew and USCG