



Bundesstelle für Seeunfalluntersuchung
Federal Bureau of Maritime Casualty Investigation
Bundesoberbehörde im Geschäftsbereich des Bundesministeriums
für Verkehr, Bau und Stadtentwicklung

Interim Investigation Report

pertaining to the investigation report No. 255/12

Very serious marine casualty

**Fire and explosion on board the container vessel
MSC FLAMINIA on 14 July 2012 on the Atlantic
Ocean and the subsequent fire fighting, recovery
and search for a port of refuge**

20 June 2013

Under the terms of § 28 Para. 1 sentence 1 of the law to improve safety of shipping by investigating marine casualties and other incidents (Maritime Safety Investigation Law – SUG) of 16 June 2002, as amended in the announcement of 1 March 2012 (Federal Law Gazette I, page 390), last amended by Art. 5 of the decree of 8 March 2012 Federal Law Gazette I, page 483) in conjunction with Art. 14 Para. 2 of the directive 2009/18/EC of the European Parliament and the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector, the Federal Bureau of Maritime Casualty Investigation publishes an interim report in case an investigation report dealing with very serious or serious accidents cannot be prepared within the term of 12 months.

Issued by:

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Summary

On 14 July 2012 smoke developed, subsequently leading to an explosion, in cargo hold No. 4 on MSC FLAMINIA, flying the German flag, while en route from Charleston to Antwerp. At the time of the accident the vessel was in the middle of the Atlantic Ocean. Due to the incalculable threat for life and physical condition the crew abandoned the vessel and was taken on board the tanker DS CROWN shortly thereafter. Three seamen lost their lives as a consequence of the accident. Two further crewmembers sustained serious injuries.

The salvage of the vessel and the therewith inseparable associated search for a berth and port of refuge, respectively, posed a big challenge for the vessel's owner, the salvage company assigned and the involved public authorities of the European Coastal States considered for the allocation of a port of refuge. Ultimately, the Federal Republic of Germany agreed to take over the disabled vessel in the course of a time consuming decision process and inspection of the vessel carried out by British, French and German experts.

Thereupon the MSC FLAMINIA made fast in Wilhelmshaven on 9 September 2012. After having completely discharged all undamaged containers and the extensive removal of all cargo debris and harmful substances the vessel started her voyage to the Romanian repair yard under her own power on 15 March and arrived in the port of Constanza on 17 May 2013.

The sequence of events shows the BSU could only start with essential parts of the official safety investigation on 10 September 2012, two month after the accident occurred. Besides the fire investigation and the crisis management assessment on board the vessel, the BSU investigation does also appraise the activities associated with the salvage. In the investigation report the BSU does in particular critically evaluate the time period from the time of the accident to the allocation of a port of refuge. The reasons of this time period can hardly be understood by the public.

The indicated particularities with respect to the time and the complexity of the questions to be dealt with in the final investigation report of the Federal Bureau of Maritime Casualty Investigation (last but not least the limited personnel resources of the Federal Bureau) account for the fact that the time limit of one year set by the European Union and implemented into national law by the Federal Republic of Germany, to publish an investigation report after a very serious or serious marine casualty has occurred, cannot be satisfied without serious losses with respect to the conclusions and safety recommendations giving distinction to the report.

After careful appreciation of all relevant factors, and under the proposition to present an investigation report meeting the international benchmarks and foremost serving the purpose of enhancing the safety of shipping, the BSU has therefore decided to suspend the publication date of the final investigation report, and publish the present preliminary report.