



# National Transportation Safety Board

Washington, D. C. 20594

Safety Recommendation

*M-  
No 90 342*

Date: July 25, 1988

In reply refer to: M-88-41 through -43

Admiral Paul A. Yost, Jr.  
Commandant  
U.S. Coast Guard  
Washington, D.C. 20593-0001

On October 9, 1987, the U.S. fishing vessel LARK with a two-man crew aboard, departed Nantucket Harbor, Massachusetts, to fish in Nantucket Sound. About 1940, the 46-foot-long stern trawler grounded near Great Point, on the northeastern part of Nantucket Island. The master of the LARK radioed the U.S. Coast Guard search and rescue station at Brant Point, Nantucket Island, for assistance, and a Coast Guard utility boat (UTB), CG-41362, arrived on the scene at 2009. The coxswain of the UTB evaluated the situation and decided to refloat the grounded vessel. A towline was passed from the UTB to the LARK, and the UTB applied full power to pull the LARK off its strand. After pulling on the towline for about 5 minutes, the LARK became free of its strand and then suddenly capsized to port and sank. One crewman from the LARK was rescued by the crew of the UTB. The second crewman, however, remains missing and is presumed to be dead.<sup>1/</sup>

The coxswain testified that the sea conditions near the grounded vessel were too severe for him to have attempted a personnel transfer by placing the UTB or a smaller boat alongside the LARK. However, he described several other methods by which a personnel transfer might have been executed. He stated that he could have floated a liferaft to the LARK and hauled the raft back to the UTB after the crew of the LARK had boarded it; that he could have passed a line directly to the crew of the LARK and, with or without the use of a rescue swimmer, hauled them to the UTB; or that he could have called in a Coast Guard helicopter from Coast Guard Air Station Cape Cod to remove the personnel from the LARK. The Safety Board believes that the situation did not demand the immediate removal of the crew of the LARK. However, they should have been removed before any attempts were made to pull the vessel free of its strand. Regardless of the method employed, the transfer of personnel from a disabled vessel at sea is accompanied by some danger and should be attempted under the most favorable conditions possible. In this case, it would have been safer to do so during daylight.

The section of the Coast Guard towing policy that sets forth general procedures for Coast Guard personnel to follow when towing vessels under 65 feet long recommends that "when conditions warrant and the opportunity is presented"

<sup>1/</sup> For more detailed information, read Marine Accident Report--"Capsizing and Sinking of the U.S. Fishing Vessel LARK, Atlantic Ocean Near Nantucket Island, Massachusetts, October 9, 1987" (NTSB/MAR-88/05).

personnel should be removed from a disabled vessel before it is taken under tow by a Coast Guard vessel. The policy also recommends that Coast Guard personnel be placed on board the disabled vessel to replace the regular crew. While this procedure might be appropriate for a conventional towing operation, the Safety Board does not believe that it would be appropriate when the towing operation involves freeing a grounded vessel from its strand because it would needlessly imperil Coast Guard personnel. However, a boarding by Coast Guard personnel to inspect a grounded vessel seems a reasonable procedure to follow as long as the boarding team is removed from the stranded vessel before making any attempts to refloat the vessel.

Furthermore, the First Coast Guard District's Search and Rescue (SAR) Plan, Instruction M16101.1A, which provides guidelines on assisting vessels aground, states, "When any vessel goes aground, the primary concern must be the safety of the people on board the stranded vessel. The first Coast Guard boat on scene shall take any necessary actions to remove people from a dangerous situation." Guidelines in First Coast Guard District Instruction M16101.1A, further state, "Once the safety of the people on board a grounded vessel has been assured, the nature of the case must be reevaluated." Coast Guard policy and instructions at the time of the accident recommended the removal of the crew of the LARK before any other action could be instituted. Moreover, the guidelines required the Coast Guard unit on scene to contact the SAR mission coordinator and to request permission to proceed before any attempts could be made to refloat a grounded vessel. The coxswain testified that a copy of the First Coast Guard District guidelines was maintained at the Brant Point station and that it was available to anyone who wished to read or review it. However, he further testified that at the time of the accident no regular training sessions were being conducted at the Brant Point station concerning these instructions. Another qualified coxswain from the Brant Point station testified that he had not been aware of the contents of the instructions at the time of the accident. The Safety Board has learned that, since the accident, the First District Commander has issued two District Commander Instructions to remind district search and rescue stations of their requirement to comply with the policy. The Safety Board believes that, since assisting disabled vessels is a primary function performed by Coast Guard coxswains, it is incumbent upon the Coast Guard to indoctrinate coxswains in the requirements of Coast Guard policy relating to this function. The training curriculum for Coast Guard coxswains currently emphasizes the completion and sign-off of specified operational tasks, such as the starting of a boat's engine or the docking or undocking evolution. While the mastery of these tasks is vital to the training of small boat coxswains, the Safety Board believes that it is just as vital for coxswains to know and understand Coast Guard policies that relate to their job and that form the framework within which they make operational decisions. The Safety Board, therefore, further believes that Coast Guard small boat coxswain training programs should be modified to provide more emphasis on policies related to towing and rendering assistance to disabled vessels.

Additionally, First District Instruction M16101.1A states, "In general, personnel should not be left on a grounded vessel that has suffered hull damage." Although the Safety Board agrees with this statement, the statement is too restrictive on when personnel should be removed and it might be misinterpreted after a casual reading by coxswains to mean that personnel should only be removed from a grounded vessel if the vessel has hull damage. The Safety Board considers it to be prudent to remove persons from grounded vessels before attempting to refloat such vessels under most circumstances and that this policy statement tacitly approves leaving personnel on board a grounded vessel during refloating attempts as long as the vessel hull is intact. The Safety Board believes that the Coast Guard should review and revise, as

necessary, its policies related to rendering assistance to grounded vessels to remove such possibly ambiguous statements.

The captain of the LARK had been a crewman on commercial fishing vessels for about 7 years, but he had been a captain for less than 2 months. The captain had no formal marine training, and he held no certificate of professional competency. The Safety Board believes that a competent, professional seaman would have recognized the need for his vessel to have the capability to anchor and that such a seaman would not have left the pilothouse unattended while the vessel was underway near shoal waters.

In the United States, commercial fishing fleet professional training is usually acquired on the job on board commercial fishing vessels over a number of years. Although it is possible that a person will become thoroughly trained under this system, such training does not produce consistent results. Some areas of safety training might never be covered. For instance, a person undergoing such training might not learn the proper procedures to launch an inflatable liferaft because he had never served on a fishing vessel that happened to launch such a raft while he was on board. Additionally, on-the-job training tends to perpetuate some unsafe practices that may be common (such as not having an anchor immediately available for emergencies underway) and that are handed down to succeeding generations of fishermen along with safe practices. The Safety Board believes that a licensing program for commercial fishing vessel captains would significantly improve the professional seamanship of these individuals by providing a basis for consistent and comprehensive training, thereby preventing many needless accidents, such as the grounding of the fishing vessel LARK.

The Safety Board previously has addressed the need for a licensing program for commercial fishing vessel captains. As a result of its investigation of the loss of the U.S. fishing vessel AMAZING GRACE, 2/ the Board recommended on August 12, 1985, that the Coast Guard:

M-85-68

Seek legislative authority to require the licensing of captains of commercial fishing vessels, including a requirement that they demonstrate minimum qualifications in vessel safety including rules of the road, vessel stability, firefighting, watertight integrity, and the use of lifesaving equipment.

Safety Recommendation M-85-68 was reiterated by the Safety Board in its report on the investigation of the sinking of the U.S. fishing vessel SANTO ROSARIO and again in its safety study on uninspected commercial fishing vessels. 3/ The Coast Guard has repeatedly stated that it does not concur with the recommendation. The Coast Guard cited its on-going voluntary fishing vessel safety program which was

2/ Marine Accident Report--"Loss of the U.S. Fishing Vessel AMAZING GRACE About 80 Nautical Miles East of Cape Henlopen, Delaware, about November 14, 1984" (NTSB/MAR-85/07).

3/ Marine Accident Report--"Sinking of the U.S. Fishing Vessel SANTO ROSARIO about 35 Nautical Miles East of New Smyrna Beach, Florida, July 23, 1984" (NTSB/MAR-86/06); and Safety Study--"Uninspected Commercial Fishing Vessel Safety" (NTSB/SS-87/02).

initiated in the spring of 1984. Through public information programs and safety-related instructional circulars, the Coast Guard attempts to instruct commercial fishermen in various safety aspects which affect their employment.

In a January 8, 1986, response to the recommendation, the Commandant stated:

A safety awareness/education program was chosen because it has a strong possibility of being endorsed by the fishing community, especially if they are active participants in its development. Unlike a licensing approach which would only reach the master and/or mate, this program will lead to an improvement in the professional knowledge of all crew members. This program could be implemented in a short time and have an immediate impact on vessel safety as it addresses the human factor. The Coast Guard estimates that human error is a contributing factor in 80% of all fishing vessel casualties.

In a March 11, 1988, response to Safety Recommendation M-85-68, the Coast Guard Commandant further stated:

This recommendation is not concurred with.

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The Coast Guard feels [that its] voluntary program has the potential for significantly improving safety in the commercial fishing industry. It is not a panacea, but before taking the more radical step of requiring these masters to be licensed, the voluntary program should be given a chance to demonstrate how effective it can be.

Based upon the Coast Guard response, the Safety Board has classified Safety Recommendation M-85-68 as "Open--Unacceptable Action."

Commercial fishing has the poorest safety record of all U.S. industries. <sup>4/</sup> According to Coast Guard testimony before Congress on July 27, 1985, <sup>5/</sup> the number of large (more than 100 gross tons) U.S. fishing vessels lost is five to seven times greater than the loss rate for U.S. oceangoing ships; the death rate for fishermen is seven times the national average for all industry groups. The Safety Board believes that these statistics describe a condition that is so bad that immediate remedial action is demanded and that such action should be forthright and decisive. The passive nature of a voluntary safety program does not, in the Safety Board's opinion, fill the obvious need for corrective action. The information that the Coast Guard has compiled and published in its voluntary fishing vessel safety program has long been available from other sources. If commercial fishermen were interested in learning about the safe operation of commercial fishing vessels, they could have done so, even without the Coast Guard's voluntary program. In fact,

<sup>4/</sup> Safety Study--"Uninspected Commercial Fishing Vessel Safety" (NTSB/SS-87/02).

<sup>5/</sup> Statement of Captain John E. DeCarteret, Marine Safety Division, District Thirteen, United States Coast Guard before the U.S. House of Representatives Committee on Merchant Marine and Fisheries, Subcommittee on Coast Guard and Navigation and the Subcommittee on Fisheries, and Wildlife Conservation and the Environment.

in the absence of a mandatory program, one might say that a "voluntary program" has always been in existence, and there is no reason to expect that the Coast Guard's program will be any more effective.

The Coast Guard has estimated that "human error" was a contributing factor in 80 percent of all fishing vessel accidents. Obviously human error must be reduced to effect a reduction in fishing vessel accidents. Human error derives from many sources, such as fatigue, stress, and lack of training. Some sources of human error are difficult to identify and even harder to eliminate. However, others, such as a lack of training, are easily identified and corrected. The issue of a lack of training may be eliminated by providing that which is lacking. The Safety Board believes that, if fishing vessel captains were trained in such professional seamanship topics as vessel safety, navigation, piloting, rules of the road, vessel stability, water survival, and firefighting, they would become, as a group, more competent mariners and that the commercial fishing vessel accident and fatality rates could be significantly reduced. Presently, there is no imperative incentive for fishing vessel captains to obtain the necessary training to become competent, professional seamen. Anyone, regardless of his experience and professional training, may serve as a commercial fishing vessel captain. A licensing program, however, not only would provide the incentive, but would establish minimum service experience for applicants and would establish a uniform and comprehensive standard for training. The accident history of the U.S. commercial fishing industry has proved that "voluntary programs" do not work. The Safety Board maintains that there is a need for the licensing of commercial fishing vessel captains, and urges the Coast Guard to reconsider its position on Safety Recommendation M-85-68.

Therefore, as a result of its investigation, the National Transportation Safety Board recommends that the U.S. Coast Guard:

Modify the training program of coxswains of small Coast Guard vessels to provide more emphasis on Coast Guard district policies and procedures related to towing and rendering assistance to disabled vessels. (Class II, Priority Action) (M-88-41)

Disseminate the circumstances of the accident involving the capsizing and sinking of the LARK on October 9, 1987, to all Coast Guard search and rescue stations. (Class II, Priority Action) (M-88-42)

Review and revise, as necessary, Coast Guard policies related to rendering assistance to grounded vessels. (Class II, Priority Action) (M-88-43)

BURNETT, Chairman, KOLSTAD, Vice Chairman, and LAUBER and DICKINSON, Members, concurred in these recommendations. NALL, Member, did not participate.

By:   
Jim Burnett  
Chairman