

January 24, 2006

Captain Rob Jones  
National Transportation Safety Board  
Office of Marine Safety  
490 L'Enfant Plaza, SW  
Washington, DC 20594-2000

Re: M/V SELENDANG AYU  
Our File No. 4404-56

Dear Captain Jones:

I am writing on behalf of IMC Shipping Co. Pte. Ltd., a designated party to the NTSB's investigation into the SELENDANG AYU casualty. As a party, IMC is mindful that the purpose of an NTSB investigation is to make constructive recommendations designed to prevent future similar casualties. In that spirit, and in light of the circumstances of this casualty, IMC requests that the NTSB investigation specifically examine whether U.S. Coast Guard search and rescue policies and practices need to be modified or clarified with respect to incidents in the Bering Sea and North Pacific. Reviewing the aforementioned policies and practices could lead to constructive recommendations that could prevent future casualties in this remote region.

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We understand that the purpose of an NTSB investigation is not to assign blame. Consistent with that purpose, this letter is not intended to assign blame or fault to anyone, or to suggest that the casualty would have been avoided if the Coast Guard personnel had responded differently.

Since the SELENDANG AYU casualty, concern has been expressed by some Alaskans regarding the lack of adequate ocean-going and capable tugs in the Aleutian Islands. Some are concerned that the next large vessel that becomes disabled in bad weather while on the great circle route between Asia and the West Coast may meet the same fate as SELENDANG AYU. Thousands of large vessels navigate close to the Aleutian Islands on that route each year. Some Alaskans, including its governor, are calling for a formal assessment of the risks posed to the area by commercial shipping. An examination of the Coast Guard's response policies and practices, as they apply specifically to the North Pacific and Bering Sea, will assist the public in examining this issue.

The U. S. Coast Guard Cutter ALEX HALEY, which was formerly a U.S. Navy salvage ship that was designed to tow ships of the dimensions of battleships and aircraft carriers, was one of the best available rescue

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response/towing platforms in the vicinity of SELENDANG AYU before the grounding. Although ALEX HALEY has great shaft horsepower and was equipped with a 1,000 foot long, eight-inch towing hawser, ALEX HALEY only monitored the situation as SELENDANG AYU drifted for more than 24 hours before running aground. ALEX HALEY took no affirmative action to stabilize the situation until just before the grounding, when it attempted to pass a tow line to the vessel. One report has attributed this approach to a Coast Guard policy that prevents the Coast Guard from rendering assistance when a commercial tower is available.<sup>1</sup> The NTSB should explore whether Coast Guard policies, or a misunderstanding or misapplication of them led to the Coast Guard's decision to refrain until the last minute from using ALEX HALEY to assist in the efforts to arrest the drift of SELENDANG AYU.

The Coast Guard was notified that the SELENDANG AYU was adrift when the vessel was approximately 60 nautical miles from where it eventually grounded. From the information gathered to date, it appears that

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<sup>1</sup> Parker Associates, Inc., "Report on the SELENDANG AYU Incident." IMC Shipping does not know whether the assertion in this report regarding Coast Guard towing policy are accurate. This report has been criticized for being inaccurate with respect

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the decision not to utilize ALEX HALEY to directly assist (*i.e.*, tow) the SELENDANG AYU until shortly before the vessel ran aground was apparently made by Coast Guard personnel at the 17th Coast Guard District ("D17") Headquarters in Juneau.

To date, the NTSB investigation has not specifically focused on why the Coast Guard did not respond more aggressively to the incident. We believe this aspect of the casualty should be examined by the NTSB as part of its investigation. Such a review may result in recommendations to the Coast Guard that could help to prevent future casualties of this nature in the Aleutian Islands.

**I. FACTS**

**A. The Incident**

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to other issues covered in the report. IMC is citing to the report only to identify it as the source of the allegations regarding Coast Guard policy.

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Captain Singh, master of SELENDANG AYU, reported to the Dutch Harbor Harbormaster that SELENDANG AYU was drifting without propulsion at approximately 0245 hrs (Alaska Standard Time) on 07 December 2004. Captain Singh requested the Harbormaster's assistance in locating a tug in Dutch Harbor to proceed to the vessel, a precautionary measure in the event the vessel's main engine could not be restarted. According to a report prepared by the Harbormaster's office (attached), the Harbormaster's office advised Captain Singh that it would notify the Coast Guard of the situation, which it did by notifying the Marine Safety Detachment (MSD) in Dutch Harbor at 0300 AST. According to the Harbormaster's report, the MSD stated it would notify the D17 Command Center in Juneau.

When Captain Singh called the Harbormaster at 0245, the immediate concern was that the direction of the vessel's drift was taking it towards Bogoslof Island. The SELENDANG AYU was approximately 26 nautical miles from Bogoslof Island when the call took place.

According to Captain Singh, he was then contacted by personnel from a Coast Guard facility in Kodiak, Alaska, at 0330. The Coast Guard

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advised Captain Singh that the Coast Guard would not dispatch a tug to assist the vessel, and told him his company would have to appoint a local maritime agent, and make arrangements to pay for a tug to respond. Captain Singh passed this message to IMC in Singapore, which called the Coast Guard to confirm that the Coast Guard would not dispatch a tug. The Coast Guard confirmed this. IMC then began the process of locating and appointing a maritime agent to assist in hiring a tug.

The D17 Operations Brief for 06 December 2004 (prepared on the morning of 07 December 2004), states that the MSD notified D17 of the situation at 0317 on 07 December. According to Captain Kendall, the D17 Chief of the Search and Rescue Branch, (interviewed by the NTSB on 21 December 2004 without IMC's participation), the initial call regarding SELENDANG AYU was treated by D17 as a "non-emergency situation that had the potential to turn into an emergency." Capt. Kendall Transcript at 4. Capt. Kendall was contacted at home by the D17 Command Center duty officer, who described the situation to him. Capt. Kendall Trans. at 4-5. Capt. Kendall asked about the location of ALEX HALEY and was told that ALEX HALEY was

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approximately 55 miles from the last reported position of SELENDANG AYU.

Capt. Kendall Trans. at 5.

Capt. Kendall recommended that ALEX HALEY be diverted from its law enforcement patrol to go to the location of SELENDANG AYU. Capt. Kendall Trans. at 5. Because the Coast Guard viewed the matter as a “non-emergency,” Capt. Kendall needed concurrence from Capt. Glen, who is the D17 Chief of the Operations Division, to divert the cutter. The D17 Command Center called Capt. Glen, who concurred, so ALEX HALEY was diverted to the position of SELENDANG AYU. Kendall Trans. at 5. Captain Kendall recalled that the decision to divert was made between 0300 and 0500 on the morning of the 7<sup>th</sup>.

ALEX HALEY’s specifications, taken from the USCG webpage, are attached to this letter. In summary, she is a 283’ long, twin screw vessel, powered by four Caterpillar diesel engines. Her maximum shaft horsepower is 6,800, and she has a complement of 10 officers and 90 enlisted personnel. Her primary missions are search and rescue, law enforcement, and defense

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missions in the Gulf of Alaska, North Pacific, and Bering Sea. Her flight deck is certified for HH-60J and HH 65 helicopters.

Before being converted to a Coast Guard cutter, ALEX HALEY was a U. S. Navy ship, the USS EDENTON (ATS-1). Rescue and salvage ships such as EDENTON are employed to save battle damaged combat ships from further damage, stabilize the circumstances, and to tow them to safety. According to the website, <http://www.globalsecurity.org/military/systems/ship/ats-1.htm>, vessels such as EDENTON have towed very large ships and other structures for the Navy:

In October 1991 the salvage and rescue ship USS EDENTON (ATS-1) towed the battleship WISCONSIN (BB-64) as harbor tugs escorted the ship from port. The WISCONSIN, which was decommissioned on 30 September 1991, was being taken to the Philadelphia Shipyard's Inactive Ship Maintenance Facility. In April 1992 the salvage and rescue ship USS BRUNSWICK (ATS-3) towed the large auxiliary floating dry dock

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MACHINIST (AFDB-8), which was relocated to Pearl Harbor during the U.S. military withdrawal from Subic Bay. In August 1992 a dry dock was towed from Naval Station, Subic Bay, by the salvage and rescue ship USS BEAUFORT (ATS-2) as ordnance and equipment was removed in preparation for the station's closure.

When EDENTON was converted to a Coast Guard cutter, its towing winch was removed to make way for a helicopter deck. However, her engines and propellers were not changed, and she still has massive, high-capacity towing bits on the stern that can be used for towing large vessels.

According to the Coast Guard, the ALEX HALEY had a 1000 foot eight inch tow line on board. We do not know what the rated breaking strength of this tow line was.

The first entry in ALEX HALEY's communications log regarding SELENDANG AYU states that it was directed by D17 to "assist the M/V SELENDANG AYU" at 0510 hours on 07 December. D17 provided ALEX

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HALEY with SELENDANG AYU's last reported position, and its direction and rate of drift, and directed ALEX HALEY to proceed to the SELENDANG AYU at best speed.

Capt. Bell (the Commanding Officer of ALEX HALEY) recalled in his interview that his first notification from D17 was around 0520 hours. Capt. Bell Trans. at 3. The initial concern was that SELENDANG AYU could eventually ground on Bogoslof Island. Capt. Bell Trans. at 4.

Despite having told Captain Singh that the Coast Guard could not dispatch a tug to assist SELENDANG AYU, the Coast Guard dispatched a salvage boat from Dutch Harbor, "REDEEMER," to proceed to the scene and render assistance. REDEEMER is a twin-screwed vessel with a maximum horsepower of 1550. Before departing Dutch Harbor, the crew of REDEEMER laid out towing gear on its stern deck. A member of the Coast Guard from the Unalaska MSD joined the crew of REDEEMER as an observer. In subsequent emails to IMC, the Coast Guard referred to REDEEMER as a "salvage tug," and advised IMC that it had dispatched REDEEMER to render assistance. However, REDEEMER was too small and underpowered to assist in salvaging

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the SELENDANG AYU. When it arrived on scene, its crew watched helplessly as events unfolded.

The REDEEMER was rigged with a 1900 foot long 1 5/8" tow cable. Before departing Dutch Harbor, its crew attached two 600 foot long 3 1/2" braided lines to form a tow bridle. They attached chains to the ends of the lines to be attached to SELENDANG AYU'S bollards. In his statement to the NTSB, Captain Kendall said ALEX HALEY did not attempt a tow because its 1000 foot towing hawser was too short. It is not known whether ALEX HALEY was aware of the tow lines and gear on the stern deck of REDEEMER, or whether consideration was given to passing the 600 foot lines to the ALEX HALEY.

When the Coast Guard was first contacted, the crew of the SELENDANG AYU were trying to restart its engines. However, due to severe rolling of the vessel, the crew stopped working on the main engine early in the afternoon on December 7. Although the exact time that the crew stopped working on the engine was not recorded, the master reported that the ship's

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crew was still working on the engine in an e-mail sent to IMC at 1239 hours. He reported the ship's crew had stopped work in an e-mail sent at 1337 hours.

ALEX HALEY's log states that ALEX HALEY made radio contact with SELENDANG AYU at 1000 hours, and that it arrived on scene around 1100 hours. At 1100 hours, Bogoslof Island was approximately 7.5 nautical miles away from SELENDANG AYU, bearing 140° T. The vessel was drifting along a course of approximately 110° T. According to Capt. Bell, the initial plan was for ALEX HALEY to take SELENDANG AYU in tow. Capt. Bell Trans. at 4-5. However, after Capt. Bell advised D17 that SELENDANG AYU would pass clear of Bogoslof Island by several miles, and after confirming that the tug SIDNEY FOSS was underway and en route, D17 ordered ALEX HALEY to stand down from the tow "since the SIDNEY FOSS was going to do that." Capt. Bell Trans. at 5.

When ALEX HALEY arrived on scene, Commander Bell and Captain Singh discussed how to connect the tow. However, an e-mail from Captain Singh to IMC sent at 1156 hours, stated "USCG cutter arrived a

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moment ago and st. bye to render assistance only if vessel passing too close to Bogoslof Is.”

The first reference in ALEX HALEY’s log regarding towing the SELENDANG AYU is at 1630 on 07 December. The entry states that D17 directed ALEX HALEY to take the disabled vessel in tow “to slow her rate of drift.” At 1630 hours, Bogoslof Island was 3.5 nautical miles away, bearing approximately 235° T from the vessel, which was drifting along a course of approximately 140° T. Thus, barring a sudden significant change in her direction of drift, it was apparent by 1630 that the vessel would miss Bogoslof Island.

The log indicates that, at 1737, D17 ordered the ALEX HALEY to allow SIDNEY FOSS to make preparations for towing and to remain on scene to assist as needed.<sup>2</sup> By 1730, the vessel was already clear of Bogoslof Island.

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<sup>2</sup> In his interview, Capt. Kendall stated that ALEX HALEY was sent to the scene to “guard” the situation rather than to tow. He also said that ALEX HALEY’s 1,000-foot towing hawser was not adequate to tow SELENDANG AYU. Capt. Kendall Trans. at 7-10. While the 1000’ hawsers might not have been long enough to engage in a sustained tow, it could have been possible to use the hawser to help SIDNEY FOSS turn SELENDANG AYU’s head into the wind and seas.

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SIDNEY FOSS proved unable to tow the SELENDANG AYU. SIDNEY FOSS is a 3,000 horsepower, twin screw, ocean-going tug, with a bollard pull of 75,000 pounds (37.5 tons). See Attachment. Her maximum rpm is 900. Her tow line was made fast to SELENDANG AYU at 2004 hours on 07 December. Capt. Farrell Trans. at 9. SIDNEY FOSS deployed 1900 feet of tow line and began taking a strain on the tow line at 2027. Capt. Farrell Trans. at 9. Because of the risk of parting the tow line in the heavy seas, Captain Farrell could not employ the full power of the SIDNEY FOSS. Engine rpms ranged between 475 and 500. This reduction in rpms would have reduced the bollard pull from the tug. Shortly after SIDNEY FOSS' tow line was made fast, REDEEMER arrived on scene, but never attempted to pass a line to the SELENDANG AYU.

SIDNEY FOSS was never able to turn SELENDANG AYU's bow into the wind and seas. Capt. Farrell Trans. at 10-11, 22-24. At one point, Capt. Farrell asked the harbor tug JAMES DUNLAP, which arrived on scene at around 0400 on 08 December, if it could put a line on the stern of

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SELENDANG AYU to help SIDNEY FOSS turn the vessel's bow into the wind and seas. Capt. Farrell Trans. at 23. Turning the bow into the wind and seas would have significantly decreased the forces pushing SELENDANG AYU towards Unalaska Island, and would thus have increased the effectiveness of SIDNEY FOSS. However, JAMES DUNLAP only had two pieces of tow line, each 200 feet long. Moreover, it was short staffed with a crew of three, and the small harbor tug was not designed for operation in heavy seas. With her decks awash, her master declined to assist SIDNEY FOSS, but offered to reassess the situation at first light. The tow line parted at 0732, before dawn. Capt. Farrell Trans. at 12.

ALEX HALEY remained on scene, presumably monitoring radio communications, and was aware of the situation. Capt. Farrell had been in contact with ALEX HALEY since 1500 on 07 December. Capt. Farrell Trans. at 12. An ALEX HALEY log entry, at 0200 on 08 December, recorded the fact that SIDNEY FOSS had been "unable to turn M/V SELENDANG AYU." The D17 Operations Brief for Tuesday, 07 December (prepared the morning of 08 December) stated that, at 0500 on December 8, SIDNEY FOSS was "maintaining a course of 030T but the tug and SELENDANG AYU are being set

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107T / 1.3 kts towards Unalaska Island.” It also indicates that D17 believed the JAMES DUNLAP would attempt a second tow at dawn.

At 1030 hours, ALEX HALEY’s log indicates that the crews of both tugs had advised ALEX HALEY that they could not assist SELENDANG AYU due to conditions on scene. ALEX HALEY then advised SELENDANG AYU to drop anchor to slow the rate of drift. However, at this time the water was too deep to drop the SELENDANG AYU’s anchor. The port anchor was dropped when the ship reached shallower water. At 1335, ALEX HALEY attempted to pass a line to SELENDANG AYU; however, by this time the vessel was close to shore resulting in larger waves around the vessel. The messenger line parted when ALEX HALEY made a sharp turn toward open sea, as the crew of SELENDANG AYU was taking in the messenger line.

No other efforts were made to pass a line to SELENDANG AYU, as it was not considered safe to do so under the conditions.

**B. USCG SAR Policy Regarding Towing**

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Coast Guard SAR policies are set forth in the Coast Guard Addendum (CGADD) to the United States National Search and Rescue Supplement (NSS), which is a supplement to the International Aeronautical and Maritime Search and Rescue Manual (IAMSAR). The CGADD establishes policy, guidelines, procedures and general information for Coast Guard use in search and rescue (SAR) operations. By letter dated April 24, 2004, the Commandant of the Coast Guard adopted a newly revised version of the CGADD. However, the Commandant's letter also provided:

The provisions of this Addendum are intended as a guide for consistent and uniform execution of the Coast Guard SAR program. This Addendum does not cover occurrences best handled through experience and sound judgment. *The CGADD is not intended to place undue restrictions on use of sound judgment.*

Section 4.2.2.2 of the CGADD classifies requests for assistance into three different categories (called emergency phases). The three emergency phases are

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named UNCERTAINTY, ALERT, and DISTRESS.<sup>3</sup> A shortened definition of each is:

An UNCERTAINTY phase exists when there is knowledge of a situation that may need to be monitored, or to have more information gathered, but that does not require moving resources.

An ALERT phase exists when a craft or person is experiencing some difficulty and may need assistance, but is not in immediate danger or in need of immediate response. Apprehension is usually associated with the ALERT phase.

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<sup>3</sup> One problem in this case is that these terms of art were not recorded in communications and other records that the Coast Guard has produced so far, save one (1) situation report. It is quite possible that, at critical times, ALEX HALEY was perceiving a "distress," while D17 was perceiving an "alert." Clearly, in the context of a serious SAR case, all participants should be "on the same page."

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A DISTRESS phase exists when grave or imminent danger requiring immediate response to the distress scene threatens a craft or person.

As set out above, Captain Kendall stated that the Coast Guard treated the SELENDANG AYU situation as a “non-emergency” situation that had the potential to turn into an emergency on the morning of 07 December. Although he did not use the CGADD terms, it appears that on the morning of 07 December, he treated the situation as being in the Alert or Uncertainty phase. We do not know when the situation was first classified as a “distress” situation.

Section 4.2.6.1 of the CGADD requires the Coast Guard to determine the severity of a situation whenever the Coast Guard receives a call for assistance. It provides a list of factors to consider in making the determination and provides: “If there is any question as to the degree of danger to persons or property, the case should be classified as being in the DISTRESS phase.” The Coast Guard has not provided the NTSB with records concerning

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its initial evaluation of the case, or whether subsequent risk assessments were performed as the circumstances changed, as required.

In a distress situation, Section 4.2.6.2 of the CGADD authorizes the Coast Guard to respond immediately, regardless of whether private resources are responding. It also authorizes the Coast Guard to intervene if a private responder's assistance is not adequate:

If, upon arrival, a Coast Guard Unit resource finds another responder on scene whose assistance is not adequate, the Coast Guard resource should immediately attempt to stabilize the emergency. . . .

Addressing SAR policy in a non-distress situation when commercial salvors are available, Section 4.2.5.4 of the CGADD provides:

The Coast Guard both supports efforts of private enterprise and encourages volunteerism in assisting mariners. Coast Guard resources will not

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unnecessarily interfere with private enterprise. Coast Guard resources normally do not provide immediate assistance in non-distress cases if alternative assistance is available. A Coast Guard resource may assist in a non-distress situation when no higher priority missions exist and no other capable resource is reasonably available.

NOTE: “Reasonably available” means that the resources should be able to respond before the situation deteriorates.

Section 4.2.4.2 of the CGADD provides that the Coast Guard’s “primary concern” in a search and rescue situation is that “timely and effective assistance be provided.” Section 4.2.5.3 provides that if a commercial tower cannot be on scene within a reasonable time (usually one hour or less), the Coast Guard may tow the vessel.

## II. DISCUSSION

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As discussed below, the Coast Guard has not yet provided the NTSB with many of the documents and recordings necessary to obtain a complete understanding of the reasons that ALEX HALEY was not used earlier to attempt to prevent the grounding of the SELENDANG AYU. We recommend that the NTSB pursue the production of those documents and recordings so that it can develop a complete and accurate record of events, with a view toward constructive recommendations. A list of the documents and recordings that we recommend you obtain appears at the end of this letter.

Without access to this additional evidence, our comments presented here must be considered preliminary. However, based on our review of the evidence available to date, we believe that the SELENDANG AYU incident demonstrates that it will be useful to examine and clarify Coast Guard policies and practices for responding to an incident of this nature in the Bering Sea. Among the concerns highlighted by the available evidence are the following:

- A. Should the Coast Guard maintain in a manner readily accessible to decision-makers the towing capacities of

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vessels in the Bering Sea, North Pacific area, such as  
SIDNEY FOSS, REDEEMER, and JAMES DUNLAP, and  
utilize that information in response to a situation such as  
existed in this casualty?

Section 4.2.6.2(c) of the CGADD provides that in a non-distress situation, the Coast Guard should intervene if a commercial responder's assistance is not "adequate." As an example, the CGADD states: "a 23' boat cannot be expected to adequately tow a 70 ton fishing vessel."

In hindsight, it is clear that the SIDNEY FOSS, REDEEMER and JAMES DUNLAP were underpowered, undermanned, and simply not designed to assist a large, fully laden cargo vessel adrift in heavy seas. Indeed, the JAMES DUNLAP and REDEEMER had no capacity to assist in circumstances that existed in the late afternoon of 07 December and later. The JAMES DUNLAP's tow lines were shorter than the ALEX HALEY's, and its crew could not go out on deck because they were awash. Having apparently over-estimated the abilities of this harbor tug to assist the SELENDANG AYU in the middle of a storm in the ocean, the Coast Guard appears to have decided not to

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utilize ALEX HALEY to assist in the efforts to prevent SELENDANG AYU from grounding, until the weather deteriorated and events had progressed beyond the point where the vessel could be saved.

Coast Guard policy requires the Coast Guard to refrain from towing in non-distress situations when commercial tugs are reasonably available. However, the policy also requires the Coast Guard to make an assessment of the capability of the commercial vessels to do the job in a timely and effective manner. Such assessments must be made on the basis of reliable and readily accessible information. Inquiry should be made of the quality and accessibility of the information available to the officers of the ALEX HALEY or the D17 command. Further, the NTSB should examine whether current implementation of Coast Guard policy should be altered to insure adequate information is utilized by decision-makers.

- B. Did the Coast Guard's policy regarding the availability of commercial assistance prevent the ALEX HALEY from rendering timely and effective assistance?

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When ALEX HALEY arrived on scene at 1100 hours, the SELENDANG AYU was not clear of Bogoslof Island, and was drifting in a direction that would take her close to the island. According to ALEX HALEY's log, sea swells were six feet in height and winds were 30 knots. Visibility was 10 miles with broken cloud cover. ALEX HALEY made no attempt to put a line on the vessel at this time, and did not make preparations to tow.

Between 1300 and 1600, winds measured to between 42-55 knots, and the sea swells built to 17 feet. At 1630, when it was already apparent that SELENDANG AYU would likely pass clear of Bogoslof Island, D17 ordered ALEX HALEY to tow SELENDANG AYU. Only then did the crew start making preparations to tow, including conducting a risk assessment. These preparations were still ongoing at 1730, after the vessel had drifted past Bogoslof Island. At 1737, D17 ordered the ALEX HALEY to stand down from towing.

ALEX HALEY's next opportunity to assist was after SIDNEY FOSS had attempted to bring the ship's head into the wind and seas, without success. ALEX HALEY was on scene and monitoring the situation and should

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have soon realized that SIDNEY FOSS was not "adequate" to prevent SELENDANG AYU from grounding. The vessel continued to drift towards Unalaska Island the entire time the SIDNEY FOSS was attached to the vessel. When SIDNEY FOSS asked JAMES DUNLAP to assist in turning SELENDANG AYU's head into the wind and seas, early in the morning on 08 December, and JAMES DUNLAP declined to assist, ALEX HALEY did not offer to assist SIDNEY FOSS.

If the ALEX HALEY had put a line on the SELENDANG AYU's stern to assist the SIDNEY FOSS, she might have at least assisted in turning the ship's bow into the wind and seas, which would have greatly reduced the forces pushing SELENDANG AYU toward shore, greatly reduced the strain on the SIDNEY FOSS' tow line, and made it much more likely that the SIDNEY FOSS could tow the SELENDANG AYU or at least halt its drift. Turning the vessel's head into the sea would also have stopped its violent rolling and would have allowed the crew to resume work on the main engine.

The Coast Guard was apparently reluctant to utilize the ALEX HALEY as the primary towing platform because of concern that her towing

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hawser was insufficient to directly tow the SELENDANG AYU. However, we believe the hawser was of sufficient length and diameter for ALEX HALEY to use it on the stern of SELENDANG AYU to assist SIDNEY FOSS in towing SELENDANG AYU's head into the wind and seas.

These facts raise the question of whether D17's implementation of Coast Guard policy, in particular the policy regarding the availability of commercial tugs, constrained the ALEX HALEY from taking direct and assertive control of the situation.

The CGADD clearly allowed the Coast Guard to use ALEX HALEY to attempt to tow the SELENDANG AYU before SIDNEY FOSS arrived, and to assist SIDNEY FOSS once it was apparent the tug could not arrest the drift of SELENDANG AYU. Yet, after the casualty, the Parker Report claimed that the policy prevented them from using ALEX HALEY to assist SELENDANG AYU. If the Parker Report is accurate, it appears D17 officials did not understand Coast Guard policy, or misjudged the capacities of SIDNEY FOSS, REDEEMER, and JAMES DUNLAP to respond. More information from the Coast Guard is needed to correctly assess these issues.

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The NTSB should examine whether Coast Guard officials refrained from using ALEX HALEY in a timely and effective manner as a result of concerns about interfering with commercial towers. In this remote area, the Coast Guard should not wait to see whether a small harbor tug has the capacity to save a disabled, fully laden ocean going vessel adrift in the ocean before taking affirmative action. If confusion exists within the Coast Guard regarding the proper interpretation of this policy, the Coast Guard should clear up this confusion, particularly with respect to SAR missions in the Aleutian Islands.

- C. Is the Coast Guard's training program adequate to prepare responders for similar situations?

Another possible reason for the passive response by the Coast Guard may be that it was unprepared to respond to the series of events that unfolded. Although the Coast Guard regularly trains to respond to hypothetical incidents involving tankers and cruise ships, we are not aware of any Coast Guard drills involving large vessels adrift near the Aleutian Islands.

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There have been other bulk carriers that have lost propulsion in this region on the Great Circle Route. In fact, in December 1996, a Coast Guard cutter assisted a Foss tug in towing bulk carrier BANASEA to Adak, after the BANASEA's rudder was disabled. The Coast Guard cutter in that incident attached a tow line to the stern of the BANASEA to help the Foss tug keep the ship's head on course.

We do not know whether D17 performed any training or drills to prepare for a ship adrift in this region since it responded to the BANASEA in 1996. Given the lack of salvage capacity in this region, perhaps the Coast Guard should consider regular training exercises to respond to similar incidents in the future.

- D. Was there too much management of ALEX HALEY's response from D17 Headquarters in Juneau?

D17 first ordered the cutter to attach a tow line to SELENDANG AYU on the afternoon of 07 December, and then countermanded the order. It

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is not clear why such decisions were not vested in the commanding officer of ALEX HALEY, who was on scene (the designated on-scene commander or "OSC") and in the best position to assess the situation. Traditionally, such decisions have been made by the OSC.

Consideration should be given to whether the command structure in this case impeded the Coast Guard's response to the incident. The issue gives rise to many questions. For example, was Captain Kendall notified on the evening of 07/08 December that SIDNEY FOSS could not control SELENDANG AYU? If not, was his order to stand down from towing still in effect throughout the evening? Did he remain in the D17 command center on the evening of 07/08 December? If not, who was in charge of the situation that evening? The incomplete records of the communications between D17 and ALEX HALEY make these issues difficult to assess, and the NTSB should request that the Coast Guard provide it with a complete set of all records of communications to or from ALEX HALEY relating to the SELENDANG AYU casualty. Without these records, the NTSB cannot properly assess the Coast Guard's response to the incident.

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### **III. RECOMMENDED ADDITIONAL INVESTIGATION**

We recommend that the NTSB examine the following issues to help prevent future accidents.

1. Why didn't ALEX HALEY take the vessel in tow immediately upon arrival on scene, at or about 11:00 a.m.? At that time, seas were only six feet, and visibility was good, according to ALEX HALEY's logs.

2. Why didn't the ALEX HALEY offer to assist SIDNEY FOSS on the evening of 07/08 December when it was apparent SIDNEY FOSS could not control the situation?

3. Why didn't the ALEX HALEY offer to assist SIDNEY FOSS after JAMES DUNLAP declined SIDNEY FOSS' request for assistance early in the morning on 08 December?

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4. Who was in functional control of the Coast Guard response on the evening of 07/08 December, and what requests and communications did that person receive?

5. Was the D17 order to stand down from towing SELENDANG AYU ever rescinded before SIDNEY FOSS' tow line parted? If not, was the order ever reconsidered in light of the inability of SIDNEY FOSS to control SELENDANG AYU?

6. Did the OSC/ALEX HALEY have the discretionary authority to take the vessel in tow before being ordered to do so by D17 at or about 1630 on 07 December?

7. What did the Coast Guard know about the response capabilities of SIDNEY FOSS, REDEEMER, and JAMES DUNLAP on 07 December? What inquiries were made to assess their capacities? Was the Coast Guard aware that JAMES DUNLAP only had a crew of three and only carried two small hawsers used to assist ships in berthing operations?

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8. How was the case originally classified – “uncertainty,” “alert,” or “distress?” What upgrades in the situation classification were made? When and why were upgrades made?

9. What operational imperatives existed on 07 December that affected decisions regarding the employment of ALEX HALEY to take the vessel in tow before the attempt in the late afternoon?

10. Did the Coast Guard know that the crew of the SELENDANG AYU had stopped working on the engine on 07 December due to heavy rolling?

11. What prior drills or training did D17 personnel or the crew of ALEX HALEY receive to respond to an incident of this type in the Bering Sea? Did the USCG have contingency plans for responding to such an incident? What preparations should it make to respond in a more effective manner should a similar incident occur in the future?

12. In light of the Coast Guard’s stated concern that the ALEX HALEY’s towing hawser was inadequate for this incident, should the Coast

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Guard equip its Bering Sea cutters with towing hawsers better suited to tow a disabled vessel, given the lack of salvage capacity in this region?

13. Why did the Coast Guard tell Captain Singh that IMC would have to appoint a local maritime agent to arrange for a tug, at 0330 in the morning on 07 December? Since the Coast Guard had the capacity to have a local tug (it hired REDEEMER on the morning of 07 December) this advice was apparently erroneous. As a practical matter, it probably made no difference to the outcome of this incident since SIDNEY FOSS was not available until later that morning, and no other tug could have assisted. However, in future incidents, the delay necessitated by requiring a foreign shipowner to hire a local agent to arrange for a tug could potentially cause a catastrophic loss.

We recommend that the NTSB request the following additional materials from the Coast Guard:

1. All situation reports (SITREPs) from involved units, including but not limited to, ALEX HALEY, MSO Anchorage, and D17 (including any reports from D17 to USCG Headquarters).

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2. All tapes or digital voice recordings of all communications to or from ALEX HALEY, relating to SELENDANG AYU.

3. The SAR case files on the SELENDANG AYU incident from D17.

4. Any internal Coast Guard investigation concerning the ALEX HALEY's role in response to the SELENDANG AYU incident, and its failure to timely assist in efforts to save the SELENDANG AYU.

5. Any risk assessments performed by any Coast Guard unit, including the risk assessment performed by ALEX HALEY on the afternoon of 07 December.

IMC believes that an examination of the issues raised above is mandated. To the extent existing Coast Guard policies regarding towage create any hesitancy on the part of the Coast Guard to intervene and render timely assistance to disabled vessels in this remote region, a revision of those policies

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is in order. Examining these issues may prevent another tragic accident. If necessary, Captain Kendall and Captain Bell should be interviewed again, once the NTSB has received the information listed above from the Coast Guard.

Very truly yours,

Captain Lew Kwok Yue  
IMC Shipping Co. Pte. Ltd.

HHR/vmd(#AA141805)  
Enclosures