

**REPORT OF THE
INVESTIGATION
OF THE GROUNDING
OF THE M.F.V. "CELESTIAL
DAWN" IN DINGLE BAY
ON 2ND FEBRUARY 2002.**

The Marine Casualty Investigation Board was established on the 5th, June 2002 under The Merchant Shipping (Investigation of Marine Casualties) Act 2000

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1. SYNOPSIS.

- 1.1 On the evening of the 2nd February 2002 the Irish registered fishing vessel "Celestial Dawn" with a crew of ten, sailed from Dingle at approximately 18.45 hours local time. At approximately 19.00 hours on 2nd February 2002 the vessel went aground on the rocks near the lighthouse on the East side of Dingle Bay.

There were no fatalities or injuries.

2. FACTUAL INFORMATION

2.1 DESCRIPTION OF M.F.V. "CELESTIAL DAWN"

Type of Vessel:	Steel Hulled, Stern Trawler
Owner:	Pat Sheehy, Baltimore
Crew at time of grounding:	9 Spanish + 1 Moroccan
Gross Tonnage:	188
Net Tonnage:	96
Registered Length:	29.11 Metres
Moulded Depth;	3.35 Metres
Engine Power	420 kW
Built:	Bute, Scotland 1973

2.2 Crew:

1. Mr. Juan Martis Novo (Patron Pesca)
2. Mr. Luis Pose Rodriguez (Patron Costa)
3. Mr. Jose Manuel Veres Chans
4. Mr. Manuel Perez Santiago
5. Mr. Eliseo Pombo Noya
6. Mr. Francisco Otero Castro
7. Mr. Jesus Buenadicha Jimenez
8. Mr. Antonio Filgueria Sobral
9. Mr. Manuel Pereira Garcia
10. Mr. Jose Luis Vazquez Lado
11. Mr. Carlos Vicente Aldas Montes

3. EVENTS PRIOR TO THE INCIDENT

- 3.1 The vessel arrived in Dingle on the 30th January 2002 in order to take shelter from the weather.
- 3.2 During the stay in Dingle normal maintenance was carried out on the vessel.
- 3.3 The crew consisted of ten people. There were two Skippers on board as is often the practice on continental vessels. Mr. Juan Martis Novo (Skipper) in charge during fishing operations (Patron Pesca) and the other Skipper (Mr. Luis Pose Rodriguez) is in charge of navigation and has legal command of the vessel (Patron Costa). The Skipper referred to in this report is the person believed to have command of the vessel i.e. the Patron Costa. There were eight other crewmembers on board.
- 3.4 Mr. Rodriguez monitored the weather forecasts and decided to sail from Dingle on hearing the forecast for the evening of the 2nd February 2002. (See appendix 8.1)
- 3.5 Mr. Rodriguez stated that he has about 26 years seagoing experience and approximately 9 years experience as Skipper. He also said that he has an unlimited qualification as Skipper which he acquired in La Coruna about 1992.
- 3.6 According to Mr. Rodriguez pre-sailing checks were carried out and he checked with the Engineer that all was in order. He stated that the visibility was good, wind was southerly about force 5 and he noted a swell of about 1.0 metres. He also stated that all navigation equipment was in good working order.
- 3.7 According to Mr. Rodriguez there was 39 tonnes of Gas Oil and approximately 400 litres of lubricating oil on board on departure.
- 3.8 Mr. Rodriguez maintains that an alarm sounded about fifteen minutes after sailing commenced. He felt that there was a steering problem. He claims to have lost steering and said that he called the Engineer who came to the wheelhouse.
- 3.9 The Engineer stated that he tried to source the problem, checking the fuse board in the wheelhouse. He noted the fuses were in order. He returned to the engine room where he observed that a trip switch had tripped on the main electrical panel. He stated that he tried without success to reset the switch. He then checked the steering gear and although it was stopped all appeared to be in order. As he was checking the steering gear the vessel grounded on the rocks.

4. THE INCIDENT

- 4.1 The vessel went aground on the rocks near the lighthouse on the east side of the Bay at approximately 19.00 hours on the 2nd February 2002.
- 4.2 Mr. Rodriguez said that the vessel was stopped prior to the grounding. He said that he did not try using astern propulsion prior to the grounding and that the vessel was upright initially but then listed to starboard.

5. EVENTS FOLLOWING THE INCIDENT

- 5.1 Mr. Rodriguez said he called La Coruna radio on medium frequency and a local agent in Castletownbere on VHF channel 13.
- 5.2 As the vessel listed all the crew came on deck. Most of the crew were wearing lifejackets.
- 5.3 The crew clung to the deck and rails until an Irish Coast Guard (IRCG) helicopter arrived.

6. CONCLUSIONS AND FINDINGS

- 6.1 The lives of the crew were saved by the prompt response of the Irish Coast Guard resources in the southwestern region.
- 6.2 A certain amount of pollution did occur from leaking diesel.
- 6.3 In many cases where vessels go aground steering gear problems are used as an excuse to cover up for human error or failings. However a local person noted the vessel steering erratically prior to going aground and the evidence suggests that there were steering gear problems.
- 6.4 Mr. Rodriguez did not attempt to anchor. It is believed the anchor was in gear and not ready for immediate use.
- 6.5 A Marine Surveyor in Ventry inspected the wreck of the vessel but due to the condition of the wreck he was unable to detect evidence of a steering gear failure. (See appendix 8.2)
- 6.6 The vessel was not manned in accordance with Irish regulations. There is no provision within our regulations for an Irish fishing vessel to be manned by Spanish officers.
- 6.7 According to the owner Patrick Sheehy the vessel was bare boat chartered to a Spanish operator.
- 6.8 On checking with the Spanish authorities it was noted that Mr. Rodriguez had no marine qualifications issued by the Spanish Administration.
- 6.9 The vessel did not possess a Certificate of Compliance as required by Irish regulations.
- 6.10 The first reaction of Mr. Rodriguez to going aground was to contact La Coruna radio in Spain on a working frequency. The vessel did not adhere to proper radio procedures in this emergency situation.

7. RECOMMENDATIONS

- 7.1 All fishing vessels should comply with relevant manning regulations.
- 7.2 All Irish fishing vessels should be routinely examined to ensure compliance with relevant manning regulations.
- 7.3 Where Irish fishing vessels are bare boat chartered for commercial purposes the owner retains responsibility to ensure that the vessel complies with these regulations.
- 7.4 There is no legal mechanism in place for the holder of an EU Fishing Certificate of Competency (other than that of the United Kingdom) to serve on an Irish fishing vessel. On Irish merchant vessels it is possible for holders of Certificates of Competency from many other administrations (including all EU countries) to serve on Irish registered merchant vessels when they apply for and are issued with a Certificate of Equivalent Competency. Mechanisms should be put in place for holders of comparable EU Fishing Certificates of Competency to serve on Irish registered fishing vessels and to be issued with Irish Certificates of Equivalent Competency. This would ensure that foreign personnel serving on Irish fishing vessels are appropriately qualified.
- 7.5 S.I. 550 of 1998, Fishing Vessels (Safety Provisions) Regulations of 1998, which transposes Council Directive 97/70 EC of 11 December 1997 with amendments to Commission Directive 2002/35/EC of 25th April 2002, covers all Fishing Vessels of 24 metres long and over, and legislates for Certificates of Compliance. The MCIB notes with concern that at the time of writing approximately 7 of the 110 vessels in the Irish Fishing Fleet over 24 metres long possess Certificates of Compliance. The MCIB strongly recommends that the Dept. of Communications, Marine & Natural Resources urgently put into place a programme of survey monitoring and consequent issuing of Certificates of Compliance.