

maritime casualties

St. Lawrence River pilot will face three charges in connection with an incident on Aug. 11, 2004, in which the containership *Canada Senator* muck the sailboat *Mondisy* off Saint-Nicolas, Quebec, killing two people on the sailboat.

The trial was scheduled to begin on April 27 in Quebec City, according to Jacques Martin, manager of compliance and enforcement for Transport Canada. The civil charges, brought under the Canadian Shipping Act, carry a maximum penalty of \$100,000 per infraction, according to Marie-Anyk Cote, a spokeswoman for Transport Canada.

The pilot is being charged with failure to maintain a speed allowing appropriate measures to avoid a collision, failure to use all available means appropriate to conditions to determine if risk of a

collision existed and failure to make the necessary maneuvers to avoid the collision.

In February, the Transportation Safety Board of Canada issued a report stating that the major contributing factor to the crash was an unstructured watch-keeping system on board the 60-foot-long *Mondisy* that caused a crew member to fall asleep while at the helm. The helmsman had been awake for at least 22 hours straight, according to the report.

At 0530 on Aug. 11, 2004, the 30,567-gross-ton *Canada Senator* was proceeding downriver when *Mondisy* was spotted about two nautical miles ahead in the main channel. The river was calm and weather conditions were clear with light winds and good visibility. The ship was proceeding at 16 knots under the conduct of the pilot. The vessels master, helmsman and chief

officer acting as officer of the watch were also on the bridge.

At first the sailboat seemed to be heading downriver, but the bridge team later thought the boat was zigzagging across the main channel. At 0545 the pilot sounded five to six short blasts on the ship's whistle as a warning and altered course to starboard 3°. *Mondisy* then crossed into the path of *Canada Senator* from port to starboard; the pilot sounded a second warning signal.

The helm was put hard to port and the pilot ran to the ship's starboard wing to see if the sailboat would clear the bow. The sailboat crossed close to the front of the vessel, but then turned again, directly into the vessel's path. Hard to starboard was ordered, but the collision occurred at about 0554 and *Mondisy*, made of ferro-cement, sank immediately.

A witness later said *Mondisy* had been circling to port (counterclockwise) for at least 15 minutes before the collision, according to the report.

Although *Canada Senator* tried to avoid the collision, it did not slow down. Of the four on board the sailboat, two were killed – the helmsman and the vessel's owner. The two survivors were treated for minor injuries.

Mondisy had an enclosed cockpit and was going from Longueuil near Montreal, to Quebec City. None of the three crew operating *Mondisy* had navigational training. The crew used GPS data integrated with a chart system on a laptop computer to navigate the sailboat. The pilot had been with the Central Saint-Lawrence Pilots since 1986.

The sailboat crew used an unstructured single person watch-

keeping system that required the person on watch to act as the helmsman and lookout. No time for rest was scheduled. Crewmembers were relieved when they asked for a break or when the owner took over to pilot through difficult areas.

At about 0400, one crewmember requested relief and, after being replaced, he was so tired he fell asleep in the companionway.

Although *Canada Senator* did alter her course, the vessel did not slow down to allow more time to assess the situation or to avoid a collision when one became imminent, according to the report.

Lessons to be Learned

The “Unstructured” watch-keeping system used by the crew of the sailboat *Mondisy* was listed by the TSBC as a, “major contributing factor” to the collision, along with the lack of sleep.

NOTE:

- Even on a daytrip, it is important for all crewmembers who will be “taking the helm” to have had enough sleep to effectively stand watch. NOTE: Rule state that you can't assume a watch unless you have had 6 hours off in the last 12 hours.
- It only takes a few minutes to sail into danger – going aground or into a collision.
- On a longer trip, set up a formal watch schedule and be sure the off-watch crew have enough sleep before taking over the helm.
- On boats, as with most things in life, it's better to deal with the possibility of a problem in advance rather than deal with the aftermath in court.