

## SUNNMØRE DISTRICT COURT

### COURT RECORDS

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On 25 April 2007, a Maritime Inquiry was held in Sunnmøre District Court.

**Case no:** 07-059230SKJ-SUMO

**Judge:** Knut Anders Oskarson, District Court Judge

**Clerk of record:** Lisbeth Andresen

**Expert attesting witnesses:** Jarle Per Honningsvåg, Port Inspector  
Steinar Klokk, Public Pilot

**Subject matter** Maritime Inquiry relating to the loss of the Bourbon Dolphin on 12 April 2007

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**Maritime inquiry requested by**  
Bourbon Ships AS

Knut Erling Øyehaug, Attorney

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**Present:**

Nils-Ivar Sørdal and John Ramsøy, Marine Inspectors.

From the prosecuting authority: Yngve Skovly, Prosecuting Police Attorney, and Chief of Police Arne S. Karoliussen.

From the shipping company: Trond Myklebust, Managing Director and Knut Erling Øyehaug, Advocate.

From the insurances companies Gard and Gjensidige: Rolf Dale and Hans Øyvind Leikvin, together with Advocate Gaute Gjelsten and Advocate Morten Lund Mathiesen.

From Chevron: Advocate Hans Petter Nordby.

From Transocean Offshore: Terje Hatlen and Advocate Øystein Horneland.

The Judge had the case documents at hand. No objections were made relating to the impartiality of the Judge and the attesting expert witnesses.

Jarle Per Honningsvåg, attesting witness, served for the first time. He gave an affirmation.

**Witness no 1 appeared:**

Name: Geir Tore Syversen

Date of Birth: 12.02.1976

Position: Second Mate

Permanent residence: Skovbølleveien 18, N-1605 Fredrikstad

He was admonished, gave an affirmation and made his statement.

In answer to a question from the Presiding Judge, the witness said he started his career at sea in 2001. He began as deck trainee on board the Kronprins Harald. He remained on board for 2 years. He then attended the Tønsberg school for skippers. The witness worked in Color Line at the same time as he completed his education. He became bridge trainee in 2006. He signed off from Color Line on 21 December 2006. On 10 January 2007, he was employed as bridge trainee in Bourbon Ships AS. He first worked on board the Bourbon Orca. He signed off from this vessel on 15 February 2007. After completing a course in dynamic positioning, he was employed as Second Mate on the Bourbon Dolphin on 25 March 2007. The shipping company's lawyer explained that the witness was formally employed in Bourbon Offshore Norway AS.

The witness stated further that he signed on the Bourbon Dolphin at 04:00 hours on 30 March 2007. He did this in Scalloway, the Shetlands. In connection with the shift change-over, a so-called quick handover was made. This means that the outgoing shift gives an oral and a written account of the state of the ship. The report was signed by the Second Mate on the outgoing shift. The vessel left quay at 05:30 hours, heading for the rig Transocean Rather. The rig was located a 135 nautical miles from Scalloway. They arrived at 15:00 hours local time on 30 March. On 9 April, the vessel returned to Shetland, Lerwick to be specific, to take in provisions and change the anchor. On 10 April, Bourbon Dolphin was back on the field.

Mr. Sørdal, Marine Inspector, asked the witness to state in his own words what happened to him on 12 April. The witness stated that he, the First Mate and two Able Seamen got up at 11:30 hours. After lunch, he and the First Mate relieved the Captain and the Second Mate on the bridge. The two Seamen relieved their [colleagues].

On the bridge, a quick hand-over was made. According to the witness, this change of shift took 10-15 minutes. The outgoing crew informed them of how much chain had been let out from the rig. Information was also provided on the weather situation and on what vessels were to assist.

According to the witness, a 32-knot wind was blowing from the south-west. Every day the vessel received three weather reports from the rig. Significant wave height on this particular day was stated as being 2.9 meters. According to the deck crew, working conditions were quite all right. In anchor-handling operations, the boys on deck decide, the witness said. If the weather becomes too tough, the men on the bridge will not review the assessment of the deck hands.

At the shift change-over, it was stated that the rig had let out 912 metres of chain from its winch. At 12:30 hours, preparations were made to connect 900 metres of chain from the Bourbon Dolphin's chain well. It is the deck hands who perform this hook-up. It entails securing an 84-mm chain from the rig on the deck. This hook-up is done with the help of a shark jaw. The seamen use a so-called "tugger winch" to pull out chain from the forward starboard chain well.

The tugger winch was used to haul 7-8 metres of chain over a tool called a cable lifter. The cable-lifter has 6 pockets which the chain links fall into so that it can pull the chain up from the chain well. The cable-lifter looks like a wheel with many pockets. It is connected to a counter which informs the persons on the bridge how many metres of chain are out and how many metres are left on board.

At 13:00 hours, the hook-up had been done. The vessel's 76-mm chain had been connected to the rig's 88-mm chain, which was secured with a shark jaw. Between the chains, a kenter link was used, which is a link that may be opened.

During this whole process, the First Mate was in contact with the Towing Master on the rig. The Towing Master sits in a navigation room and observes all movements on all vessels. The First Mate was in contact via VHF channel 9. This is a common channel that all vessels used on this rig move.

On the bridge, they get information from the rig about all operations that are to be performed. The witness' task is to operate the winch. He will then sit on one of two navigation chairs placed aft on the bridge. The First Mate sits on the other, concentrating on the vessel's course and speed and on contact with the rig. The witness' job is to carry out orders he receives from the First Mate on slackening out or drawing in the chain, if applicable. In this case, the chain was to be slackened out.

When the operation of slackening out the chain begins, the seamen are told to leave deck. It is not safe to stay on deck during this operation. In this case, a so-called towing pin was run up on the starboard side abaft. The purpose of towing pins is to lead the chain between the pins to prevent it from moving freely on deck.

According to the witness, the outer port towing pin was run up in the same period. This was done for security reasons. After 300-400 metres of chain had been let out, they were told from the rig to take a break. This was done for corrections in relation to the rig. Such breaks may vary from 5-30 minutes. In this case, they waited for 2-3 minutes. The chain was let out at a speed of 20-25 meters a minute. This means that the sequence takes a long time. If too high speed is used on the cable lifter, it may cause problems to the rig.

When the time was approaching 15:00 hours on 12 April, Bourbon Dolphin asked for assistance from the anchor-handling vessel Highland Valour.

The witness states that it is common procedure that a vessel is lying nearby to assist. The task of this secondary anchor-handler is to run over the chain. The Highland Valour positioned itself 200 metres behind the stern of the Bourbon Dolphin. The Highland Valour used in this connection a so-called grapnel. The Highland Valour let out 750 meters of wire with the grapnel hanging at the end of the wire. The main objective is to hook up the chain at a depth of 750 meters to ease pressure on Bourbon Dolphin's anchor chain.

The witness explained that the grapnel is shaped like an anchor. The task is to reduce tension on the Bourbon Dolphin. The Highland Valour made two attempts. They hit the chain on their second attempt. On a panel on board the bridge of the Bourbon Dolphin, a fall in tension was registered. The Highland Valour confirmed that they had tension on their wire. The Bourbon Dolphin confirmed the drop in tension.

Bourbon Dolphin continued running out chain from the chain well. This was done for 2-3 minutes. Then they registered a very high tension increase on the panel. At the same time it was confirmed via VHF that the Highland Valour had lost its grip on the chain.

The Highland Valour lost its grip on the chain around 15:10. Because the Highland Valour had lost its grip, the vessel drifted at a very high speed towards the stern of the Bourbon Dolphin. A collision seemed almost inevitable. However, the First Mate on the Bourbon Dolphin gave full throttle ahead, thus preventing a collision. From his position on the bridge, the witness saw that the Highland Valour drifted away, remaining at a safe position. The two vessels had radio contact all the time. Directly after the near-collision, the Captain came on the bridge. The Captain conferred with the rig and the Highland Valour. It was agreed the Highland Valour should try to grapple once more.

According to the witness, the conversation between the persons involved continued for some time. There was talk of what vessels were available. At this time, Bourbon Dolphin had let out around 1500 metres of chain. According to the witness, they had at this time, before the Highland Valour was to try to hook up again, a relatively high tension of 180 tonnes. Then the Highland Valour came into position again. The vessel failed four times in trying to hook the chain up. While this was going on, the First Mate tried to keep the Bourbon Dolphin up against the wind and current with full thruster capacity. At 15:45 hours, the Chief Engineer called from the engine room. The witness took the phone. The Chief Engineer asked for thruster capacity to be reduced. This was necessary due to overheating. The witness then conferred with the First Mate. The First Mate said it was not possible to reduce thruster capacity. The reason was that the vessel had drifted too far away from the anchor position.

The Highland Valour succeeded in grappling on the fifth attempt. The Highland Valour was then told by the Towing Master and the First Mate on the Bourbon Dolphin to move in a more north-westerly direction toward the port quarter of the Bourbon Dolphin. The time was around 16:45. The problem that occurred then was that the Highland Valour pulled in a course directly opposite to the course it had been instructed to take. This caused the chain to pass at a very wrong angle through the towing pins. Bourbon Dolphin was pulled towards port.

According to the witness, the Highland Valour pulled in the wrong direction for around 30 seconds. Then the Captain came on the bridge. He took the VHF and called the Highland Valour. He asked if they knew the difference between north, west, south and east. After this, the Highland Valour sailed up in the right direction.

At around 16:50, the Chief Engineer called. The witness took the phone. The Chief Engineer asked for a reduction of thruster capacity. He made it clear that if capacity was not reduced, he would have to cut to avoid damage. The witness then gave the phone to the First Mate. Thereafter the Captain and the First Mate changed places. The First Mate placed himself behind the witness' chair and started moving ballast over to starboard. At this time the Bourbon Dolphin lay on a course of 324 degrees. The vessel was yawing between 330 and 324 degrees.

The witness' statement was interrupted. A lunch break was held from 11:45 to 12:20 hours.

The witness continued his statement after the break.

After the Highland Valour had returned to the right course, a formidable rise in tension was registered. People on the Bourbon Dolphin then realised that the Highland Valour had lost the chain again. Already at this time, Bourbon Dolphin had a slight tilt towards port. Both the Bourbon Dolphin and the rig called the Highland Valour over the VHF. The rig asked: what are you going to do to get out of the situation you have placed the Bourbon Dolphin in. The Highland Valour answered: we will try to grapple again. The Bourbon Dolphin was now drifting towards the position of anchor no 3. From the rig they called the Bourbon Dolphin, shouting that they must at any cost avoid drifting toward the position of anchor no 3. At this point, 1800 metres of chain were out.

At 16:55, the witness registered that tension on the winch had reached nearly 290 tons. Large movements had then begun in the vessel towards port. The First Mate was working on getting as much ballast as possible over to the starboard side to avoid tilting.

At 17:00, they realised on the rig that the Bourbon Dolphin was having problems. It was proposed from the rig that the Bourbon Dolphin should lower the inner starboard towing pin. The witness could see from the facial expressions of the Captain and the First Mate that they did not think much of this proposal. However, nothing was reported back to the rig. The witness believes that the Captain understood after a while what the Towing Master intended by this operation. The Captain and the First Mate agreed to lower the inner starboard towing pin. At this time, tension had reached 330 tonnes. The First Mate tried to force down the handle on the control panel to lower the towing pin. This was not possible because of too high tension.

After a few seconds, the Captain succeeded in giving the vessel somewhat higher heading, i.e. he changed the course to starboard a few degrees. This caused a slight drop in tension. As a result, the First Mate was able to press down the inner pin. The chain then flew over to the outer port towing pin. The chain did not pass over the cargo rail. This resulted in a list towards port. At the same time, the vessel started drifting at high speed towards port. Large parts of the cargo deck disappeared under water. The time was now around 17:03. At this moment there was a call from the engine room. The witness thinks it was the Chief Engineer. It was the First Mate who spoke to the engine room. He was informed that both the main starboard engines had stopped. The vessel was now listing 90 degrees.

The witness says that at this moment he was on his way up from his chair. He said "I'm going now." The Captain then told him to press the emergency release button. If the system functions as intended, the whole chain will then rush out of the vessel and down to the bottom. After having pressed the button, the witness sat down again. What the witness expected to happen did not occur. On the display, the witness saw that the vessel was letting out 12 metres of chain a minute. The witness started climbing over towards starboard. At this time there were six men on the bridge.

The witness, the First Mate and an Able Seaman were closest to the door. They had great difficulties opening the starboard door. The witness saw that the Captain, the Captain's son and an Able Seaman fell down towards port. The witness was then standing on the outside of the door. He started climbing up the railing on the starboard side. The last thing the witness saw from the railing into the bridge was that one of the mates lost his grip of a shelf he was holding on to. This person fell down into a bulkhead. In the same instance, the ship capsized.

The witness was pulled down when the vessel capsized. He quickly surfaced. He was then half a meter from the vessel. He looked at his watch, which showed 17:05 hours. The witness had not had time to put on any life-saving equipment. He became aware of a seaman with a life-jacket in the water. The witness swam over to this person and held on to him. At the same time, the witness saw the vessel drifting away. From his position, the witness observed 3 of the crew members on top of a tank of chemicals. Just then he became aware of a raft that came drifting towards him and the seaman.

The witness and the seaman climbed into the raft. It was terribly cold, according to the witness. He was later told that the water temperature was 3 degrees centigrade. There was also a lot of water in the raft, but they managed to empty most of it out. After around 5 minutes, an Ordinary Seaman came swimming towards them. He was pulled aboard. At approximately 17:15, a MOB-boat from the standby vessel reached the raft. The standby vessel was the Viking Victory. They were told to remain in the raft while the MOB-boat made a search in the area. After around 5 minutes, the MOB-boat returned. It had then picked up the Steward and the Chief Mate. These two were taken to the standby vessel. Then the MOB-boat returned and picked up the witness and the other persons on the raft. The witness thinks he stayed for 30-35 minutes in the raft.

On a question from Marine Inspector SørDAL, the witness stated that he felt he had received adequate information about the vessel at hand-over when he came aboard. He made a round of the ship together with the other Second Mate on the shift to familiarise himself. When asked if he had been given any training on instrumentation and equipment on the bridge, the witness said the same equipment was used on board the Bourbon Orca. He had served there earlier.

When asked by the Marine Inspector if a check list had been used in connection with the handover, the witness answered in the affirmative. The check list of 35 points was reviewed and signed.

Moreover, when asked why the outer port towing pin was raised when work on letting out the chain began, the witness said that this is standard routine. When asked why this is standard routine, the witness said that seen from the stern, on the port side, a winch has been fitted in the cargo rail. You place the wire from this winch around the outer towing pin to help the chain over the cable lifter. The winch is often used for other tasks.

The witness also stated that it was the Towing Master who ordered a stop after 300-400 metres of the chain had been let out. The vessel had then drifted some way out of position due to winds. When asked by the Marine Inspector if this was the reason why the Highland Valour was engaged, the witness answered that the Highland Valour was engaged because they were operating at depths requiring assistance.

When asked by Jarle Honningsvåg, maritime expert witness, whether a grapple or a "keiserkrok" type of hook had been used, the witness said a grapple was used. The chain was placed in an open grapple.

On a question from the Marine Inspector, the witness confirmed that there was a sudden rise in tension after they continued letting out the chain. The witness assumed then that the Highland Valour had lost its grip on the chain. This was immediately verified by the Highland Valour.

The Marine Inspector referred to his statement that the Highland Valour had drifted towards Bourbon Dolphin's stern at great speed. When asked if he was certain that it was only the Highland Valour that had drifted, the witness answered that also the Bourbon Dolphin had drifted backwards. The witness is not 100% certain of this, but regards it as logical.

When asked the meaning of the term "full thruster capacity", the witness answered that everything was used, i.e. both bow, stern and azimuth thrusters, in addition to the main machinery and tillers. The witness explained that full thruster capacity and tillers were used in order to bring the vessel into the right position. On a question from Marine Inspector Ramsøy, the witness answered that equipment for dynamic positioning was not used. According to the witness, this equipment was never used on board the Bourbon Dolphin for anchor handling.

When the Highland Valour started pulling in the directly opposite course to what had been assumed, a list occurred, according to the witness, to such an extent that water entered over the rail. The Bourbon Dolphin straightened up again when the Highland Valour started pulling in the right direction.

When asked who gave the order to shift the ballast, the witness answered that it was the Captain who gave the First Mate this order. Ballast water was moved from a tank on the port side to a tank on the starboard side.

When asked whether the witness understood the reason for lowering the inner starboard towing pin, he answered that he thought afterwards that it would allow more room for the chain. The chain could then move between the outer port and outer starboard towing pins.

When asked whether the great listing towards port occurred immediately, the witness answered no, not immediately, it took some seconds.

The Marine Inspector referred to his statement that the vessel was drifting at great speed towards port and that large parts of the cargo deck were submerged. When asked if the vessel was also drifting astern, the witness answered that he did not notice this.

When asked whether the emergency release had been tested earlier in the course of moving other anchors, the witness answered in the negative. At least, this had not been done on his shift. Nor had he seen in the deck log that it had been done in the period while he was on board. However, the witness knows it had been tested before he came on board.

The Marine Inspector asked whether the witness knew anything of the vessel's load condition, and the witness said he had an overview of fresh water, diesel and lubricating oil. He had no overview of the ballast. On departure from Lerwick, the vessel had a GM of 0.26 metres. The witness wrote this in his logbook. In addition, he wrote down the gauge at the bow, stern and amidships. On departure from Shetland, the vessel had a tiny trim before the beam. The average gauge was 6.5 metres.

The witness confirmed that provisions relating to rest periods were observed on board.

On a question from Marine Inspector Ramsøy, the witness answered that he had not heard any special sounds when the vessel listed. Only the sounds that were made on the bridge. With regard to loose deck cargo, the witness said that there was an 18-tonne bruce anchor on the port side, on the afterside of the main winch. In addition, there were pennant wire and left-over j-hooks there.

The six persons on the bridge were the Captain, the First Mate, the witness, the Second Mate, who was asleep and who appeared on the bridge after a while, the Captain's son and an Able Seaman. The witness was sitting on the port side by the mid-console.

The witness stated that he did not register any power failure before the main machinery stopped. He heard afterwards that there had been a blackout. The Able Seaman he was with in the raft told him so.

When asked the direction the thrusters and tillers before the vessel capsized, the witness answered that they were thrusting towards port. The starboard tiller was in the midships position and the port tiller was turned toward the starboard. He cannot say what the tiller angle was. The angle of the propeller blades were 30-40 degrees on the port propeller. The main engines' did 500-600 revolutions a minute. The starboard propeller had stopped and the tiller lay at midships.

With respect to the winches, the witness stated that they used speed step of 50% when they were letting out chain. 35 metres would then be released a minute.

Marine Inspector Ramsøy asked whether any risk assessment had been made in this case, and the witness answered that this was done in Aberdeen by the other shift. The witness underlines that this is what he thinks. What was addressed there was a change of crew in the middle of the rig move. The witness states that there was a manual on board – a scope of work – which he studied carefully. According to the witness, listing due to weight and chain was never discussed during the risk assessment, at least not the risk assessments which the witness took part in.

The witness confirmed the question of whether there was an anchor-handling manual on board. It appears from this manual that if the wire comes up on the cargo rail, listing may occur. Apart from the handover procedure, the witness got no other briefing about the anchor handling. He was informed that it was a rig move at rather deep waters and that there would be a lot of waiting. According to the witness, no unusual incidents occurred on board before the vessel capsized.

When asked by Advocate Øystein Horneland what was, to the witness' knowledge, the highest tension the vessel's main winch has had, the witness answered that this is a question of a 400-tonne winch. The witness knows that the winch has had a tension of 330 tonnes while he has been on board. The witness also confirms that there was a secondary winch on board. It had two pennant wires plus 3500 metres of ordinary 77-mm wire.

Advocate Horneland asked how far from the centre line the winch may be subject to full tractive pull vertically without a critical situation arising, and the witness answered he did not know. The witness observed that he had not understood the question fully.

When asked by Advocate Horneland what weight the vessel would tolerate, what the critical limit would be, the witness answered that he does not know what is the pressure weight on the port side. Nor does he know the critical limit on the outermost part of the roller.

When asked if roll reduction tanks were used during anchor handling, the witness answered in the affirmative and said it was used during this operation.

Finally, on a question from Advocate Horneland on whether the shipowners had established any operational restrictions for the Bourbon Dolphin when working on different depths and significant wave heights and currents, the witness stated he did not know of this. When the witness said that it was the boys on deck who took the decision, this was due to the need to consider the safety of the deck crew.

When asked by Advocate Morten Lund Mathiesen who was in command on the bridge, the witness answered the First Mate. With regard to responsibility for stabilisation and ballast, the witness said it was the responsibility of the Captain, but that it had been delegated to the First Mate.

When asked by the expert attesting witness, Steinar Klokk, on the situation as regards currents, the witness answered that the current was good, 1.5-2 knots. He did not know the direction of the current. On a further question from Mr. Klokk, the witness said he did not notice any difference in the vessel after the First Mate started moving ballast from one side to the other.

There were no more questions to the witness.

The witness accepted what had been recorded as his statement in court.

**Witness no 2 appeared:**

Name: Egil Atle Hafsås  
Date of Birth: 25.01.1971  
Position: Able Seaman  
Permanent residence: N-6750 Stadlandet

He was admonished, gave an affirmation and made his statement.

On a question from the Presiding Judge, the witness said he had been working at sea for 6 ½ years. He has no maritime education. Before he started in supply, he was engaged in auto longline fishing. He was employed by Bourbon Offshore Norway AS in December 2005. He has served on the Bourbon Hidra off Nigeria. He signed on the Bourbon Dolphin for the first time in November 2006. Before the accident, he joined the ship on 30 March on Shetland. The witness has all the time worked as Able Seaman.

On a question from Marine Inspector Ramsøy, the witness stated that he started his shift at 12:00 hours on 12 April. According to the witness, nothing special occurred in the afternoon. The witness was working with Ordinary Seaman Øystein Sjursen on connecting the rig chain to the chain on board. After this, they connected the end of the chain on board to the vessel's working wire. After this operation, the witness sat down and waited for the vessel to come into position. The witness says he finished work on deck at 16:30. He stayed on the A deck, looking towards the rear. He also went forward to the engineers' control room and took a trip up to the bridge before descending to the deck again.

When he was down on the deck, the witness saw that the port tiller came up. The centre starboard tiller dropped slightly after this. A direct result of this was that the chain rushed over to the outer port tiller with great force. The vessel then started listing toward port. After that a lot happened very quickly.

The witness explains that he moved forward on the deck. He got hold of three life-jackets. One for himself and two more for the trainees. He then went toward the starboard side of the A deck. Mr. Sjursen, Mr. Vike and the Steward followed immediately after. Also the two trainees were with the witness. When the witness was standing by the box with the life-jackets, the electric power failed for an instance. The witness believes the power was off for 10 seconds at most.

According to the witness, they were all standing on the starboard side. There was a lot of noise. He heard the winches screech, but observed no movement in the winches. The witness underlines that he did not see the winches from the place he was standing. The witness and the others with him understood that this would go wrong. At this time, the vessel was listing at 45 degrees. The witness climbed up the side of the vessel and moved forward. Having nearly reached the anchor, he lost his footing and fell into the sea.

After the witness fell in the sea, he registered that the vessel was drifting quickly away from him. The witness thinks this was due to tension in the chain. He observed the two trainees in the sea between him and the vessel. Furthermore, he saw a 1000-litre container drifting in the sea. The witness told the trainees to get a hold on the container, and when it came drifting in his direction, the witness also grabbed hold of it. The witness saw a raft and he saw that Able Seamen Per Jan Vike was taken on board.

The witness explains that he stayed in the water for 15-20 minutes. Then the Highland Valour's MOB-boat came and picked up him and the two trainees. They were taken on board the Highland Valour.

Marine Inspector Sørdal asked the witness to describe the hook-up of the chain to the working wire. The witness explained that the working wire was in the roller. The chain was locked with a shark jaw. The working wire was connected to the chain. After connection to the working wire, the slackened chain on the working deck was led into the winch roller with 3-4 turns and tightened up. When asked by the Marine Inspector whether working conditions on deck were satisfactory, the witness answered that there was a little splashing on the deck, but this did not cause any problems in the work. On a question from the Marine Inspector, the witness answered that they had had sufficient rest periods. They did 6 hour shifts, 6 hours on and 6 hours off.

On a request from Advocate Horneland, the witness stepped forward and indicated on the general arrangement of the vessel where the outer port tiller was located. When asked by Advocate Horneland, the witness estimated the distance from the outer port tiller to the roller to be 3 metres. The witness also said that the chain passed via the outer port tiller and over the roller. The witness says that the chain did not at any time pass over the rail.

There were no more questions to the witness.

The witness accepted what had been recorded as his statement in court.

**Witness no 3 appeared:**

Name: Per Jan Vike  
Date of Birth: 16.10.1950  
Position: Able Seaman  
Permanent residence: N-6095 Bølandet

He was admonished, gave an affirmation and made his statement.

The witness said in answer to a question from the Presiding Judge that he has now been working at sea for two years. Also in the 1980s he worked at sea. He has no maritime training apart from the courses required. On land, he worked as carpenter. On 1 June 2005, the witness was employed in Bourbon Offshore Norway AS. First he worked on board the Bourbon Carisma, until the vessel was sold last year. Then he worked as substitute on one trip on the Bourbon Skagerak. He signed on the Bourbon Dolphin in November 2006. On 29 March 2007, he boarded the Bourbon Dolphin in Scalloway on the Shetlands.

On a question from Marine Inspector Ramsøy, the witness explained that on 12 April 2007, he began his shift at 06:00 hours. He continued until 12:00. At around 09:00, they took the pennant wire from the rig on board and connected it to the working wire. They let out chain from the rig and secured the chain in the shark jaw shortly before the witness went off duty at 12:00 hours. According to the witness, nothing unusual occurred on his shift.

The witness explained that he did not notice anything unusual until around 17:05. He was then in the smokers' mess, where he was watching the news on TV Norge. The smokers' mess is located on the A deck on the port side. Also the Steward was in the mess. Suddenly the vessel tilted so that the chair the witness was sitting in fell toward the port side. Then the power failed briefly. The witness happened to look out of the porthole and saw the sea just below it. He told the Steward that they had better get out.

The witness and the Steward left the smokers' mess and went into the open air on the A deck via another mass. The witness then saw a couple of men on the starboard side with life jackets. He registered that the life-belt box was open. The witness and the Steward each took a jacket and joined the others. The witness reckons that the ship was listing approximately 30 degrees as he was on his way from the outer door to starboard.

After the witness had donned his life jacket, he tried to climb along the boat as it capsized. He cannot remember coming up over the side of the vessel, but realises that he must have done so. The witness says things happened incredibly quickly from he got up and donned the life jacket and until the ship capsized.

Then the witness fell into the sea. He saw a raft drifting along and positioned himself in relation to the raft. To start with he saw nobody else in the sea. However, he did so afterwards. The witness, Second Mate Syversen and Able Seaman Øystein Sjørusen climbed on board the raft. The witness believes he stayed around 35 minutes in the raft before he and the others were picked up by a MOB-boat from the standby vessel, the Viking Victory. He and the others were taken on board the Viking Victory.

When Marine Inspector Ramsøy asked if the witness saw where the chain passed abaft, he answered that he did not see anything of the chain. He thinks there were around 3 turns of chain on the roller when he ran over to the starboard side. The witness also said that he has never taken part in any testing of towing pins and the emergency release of rollers. The witness explains that he does not know of anything unusual about the vessel. However, the witness does remember an episode off Mongstad in January this year. Something occurred in connection with the shifting of ballast or diesel. He was told that a porthole may have been open. The witness thinks the Bourbon Dolphin is a good boat to work on. This vessel had more aids than the vessel he had been on earlier.

There were no more questions to the witness.

The witness accepted what had been recorded as his statement in court.

**Witness no 4 appeared:**

Name: Frank Reiersen  
Date of Birth: 24.12.1970  
Position: Captain  
Permanent residence: Finnhvalvegen 47, N-9100 Kvaløysletta

He was admonished, gave an affirmation and made his statement.

When asked by the Presiding Judge, the witness stated that he was educated at the Tromsø maritime school. Before starting his training as mate, the witness had been a fisherman. After concluding his study programme at the maritime school in 1995, the witness worked as cadet on board a vessel belonging to Stolt Parsell Tankers. Here he got his papers as third mate. He left this shipping company in 1998 as second mate. Then he got a job in Havila Supply. He signed off as first mate after 3 ½ years on the Havila Charmer. The witness has sailed as captain since January 2003. He transferred from Havila to Bourbon Offshore Norway AS. The witness points out that he concluded his training as skipper in 1996-97 while was still working for Stolt.

The witness attended the final work on the Bourbon Dolphin at Ulstein shipyard. The vessel was handed over to the shipping company on 2 October 2006. The witness has been one of the two regular captains on board.

On a question from Marine Inspector Sørdal, the witness stated that he has taken part in anchor-handling operations with the Bourbon Dolphin. His experience of this type of operation goes back to 1999.

According to the witness, the Bourbon Dolphin was an excellent boat to work in. To start with, they had problems passing chain into the chain well. This was due to a design error in the chain channel up to the cable lifter. The channel was far too flat. This was pointed out and remedied.

The witness states that nothing unusual had occurred in the course of the actual anchor-handling operations. Apart from what is related to the problem referred to above.

Moreover, the witness states that he has taken part in anchor-handling operations at depths as great as the one the Bourbon Dolphin was operating at in this case. However, that was while he was on board another vessel, the Bourbon Borgstein. Then they were operating at a depth of 1700 metres.

When asked if the Bourbon Dolphin was suitable for this type of operation, the witness answered that during the review of this rig move in Aberdeen, the charterer was a little in doubt as to whether the Bourbon Dolphin had sufficient towing power. Based on the specifications available to the charterer, it was decided that the Bourbon Dolphin was to function as an assisting anchor-handling vessel, not as main anchor-handling vessel.

Furthermore, on a question from the Marine Inspector on why the Bourbon Dolphin subsequently took over the role of main anchor-handling vessel, the witness answered that he could not give an answer to this. He was not on board when this decision was taken.

The witness stated that the procedures available for anchor-handling had in all essentials been followed. These are procedures established by the charterer.

The witness confirmed that the shipping company has prepared a special anchor-handling manual. The manual is very general and does not cover all aspects of situations that may occur. The witness does not think there is any conflict between the charterer's procedures and the shipping company's manual, but the latter is, as stated, very general.

The witness states that a detailed planning meeting was held before the rig move. They received a visit on board by a representative of the charterer. The manual was reviewed step by step. On this occasion, the witness was with the First Mate and possibly also the Second Mate. The charterer's representative said they were not certain that they would be able to get all the five vessels they would like to have. These were two main vessels, two assisting vessels and one tugboat. They were told that there might be changes somewhere along the way.

The representatives of the shipping company made no objections during the review with the charterer. Nothing was said that they disagreed with. Everything was based on the Bourbon Dolphin being an assisting vessel. The witness noticed that great tension was planned, up to 240 tonnes.

When asked if any criteria have been laid down in the vessel's safety control systems for maximum values for safe operations in relation to weather, currents, sea depths and chain lengths, the witness answered that no weather criteria have been established. It is up to the captains to assess this at any time. Nor have criteria been established for sea depth and chain length.

The Marine Inspector pointed out that a Towing Master is on board the rig. When asked who decides whether an operation is to continue in critical situations, the witness answered that the weakest link decides. The Towing Master can under no circumstances carry out an operation without the consent of the vessels involved.

The witness confirmed that he is aware of the covering letter for the vessel's stability approval. Prior to the operation, a stability calculation was made on board. The stability calculation was compared to the load conditions already approved. There was 800 cubic of fuel on board. This is substantially more than the amount on which the approved load conditions are based. When asked if data about current load conditions are stored in some way, apart from in the vessel's logs or load computer, the witness answered in the negative. The witness states that the information he gives here is based on the situation when they tackled this job.

The witness confirmed the question of whether the vessel's maintenance system contains procedures for testing tillers and shark jaws, as well as the quick release emergency system. According to the witness, such tests were made at Ulstein shipyard in the course of towing tests. Subsequently, no such tests were made.

When asked if the working winch would function in case of a lasting black-out, the witness said he could not answer that. On the other hand, the quick release would function as long as the emergency power of 24 volt was on. According to the witness, it is not necessary to reset the quick release system after a black-out.

According to the witness, the Captain on the second shift was informed that the Bourbon Dolphin would be assisting anchor-handling vessel. At the change of crews, the vessel had been functioning as assistant on one anchor chain.

Furthermore, the witness stated that the Captain who relieved him came on board for the first time. The witness and the other Captain had no overlapping period. They only had the day when the other Captain came on board. The witness underlines that this was a question of a couple of hours. According to the witness, there was nothing unusual about the handover.

Finally, when asked by the Marine Inspector whether the witness, who has attended the hearing from the beginning, had reacted to any of the information that had emerged, the witness answered that he reacted to the fact that the Bourbon Dolphin was alone on this chain. The vessel should never have operated with such great forces on its own. The witness is aware that the Highland Valour was nearby, but as long as this vessel was not able to catch hold of the chain, assistance should have been requested from others.

On a question from Mr. Lund Mathiesen, the witness stated that the Captain who relieved him had served earlier on the Bourbon Borgstein. The witness thinks the other Captain had 2 years' experience as Captain on this type of operations.

Mr. Horneland asked what was the greatest weight under which the vessel could operate, and the witness answered that according to the charterer's procedures, it would operate up to 240 tonnes. To be on the safe side, it was assumed on board that they might reach a weight of close to 300 tonnes on the stern roller. The winch would under no circumstances manage more than 400 tonnes. The witness could not say whether the vessel would have been able to tackle 400 tonnes in the condition it was in there and then. It was underlined that when the word condition is used in this context, it refers to the ship's stability.

Moreover, on a question from Mr. Horneland of whether the vessel had any limitations with respect to what weights it could handle, the witness answered that the SWL on the stern roller must certainly amount to 600 tonnes. When asked, the witness answered that the stern roller thwartships consists of two rollers of 3 metres each. When Mr. Horneland asked if the witness had experienced listing when the weight is on the outermost part of one of the rollers, the witness said that he had not.

Normally the weight has been between 100-150 tonnes. Nor has the witness ever experienced that a chain or wire has ended up at the outermost point of the roller. The witness stated that he has never experienced reaching 300 tonnes on the Bourbon Dolphin. When asked if the Bourbon Dolphin uses roll-reducing tanks, the witness answered that there were two such tanks, but that it was not customary to use them during anchor-handling, and that it was not used on his shift.

There were no more questions to the witness.

The witness accepted what had been recorded as his statement in court.

The Presiding Judge declared the Maritime Inquiry to be concluded.

The hearing lasted from 09:30 to 18:45.

The Court rise!

Knut Anders Oskarson

Jarle Per Honningsvåg

Steinar Klokk