

**RESPONSES RECEIVED ON DRAFT REPORT 'COLLISION ON THE WESTERN SCHELDT RIVER CRUISE SHIP VIKING IDUN AND CHEMICAL TANKER CHEMICAL MARKETER, 1 APRIL 2019'**

No.	Organization	Chapter / paragraph	Text to be corrected (first ... last word)	Argumentation	Corrected	Response from the Dutch Safety Board
1	Joint Nautical Authority (GNA)			The Permanent Committee asked the GNA to check the report for possible factual inaccuracies or unclear points. The GNA has already evaluated the report and its comments were processed in the reaction from RWS (IenW) to the draft report. This reaction from RWS has already been received by you. The Permanent Commissioners underwrite the comments made and hereinafter refer to this reaction.	n/a	The review reaction from the GNA refers in its entirety to the review reaction from the Ministry of Infrastructure and Water Management. For the processing of this reaction, see the relevant points in the table.
2	Viking River Cruises	1	... 171 passengers and 48 crew members	49 crew members (instead of 48)	yes	Correction of original text. New text reads '... 171 passengers and 49 crew members'.
3	Dutch Pilotage Region River Scheldt	2.1	For seagoing vessels ....	Not all seagoing vessels are required to take on board a pilot, depending on the size and cargo; Add: seagoing vessels of this kind	yes	Clarification in the text. The words 'of this kind' added in the new text.
4	Ministry of Infrastructure and Water Management	2.2	The mobile traffic controller of Rijkswaterstaat on board the patrol vessel RWS79 was instructed by the Hansweert traffic control centre ....	Replace the 'the Hansweert traffic control centre' by 'the GNA'. This is an adaptation of the existing text. The mobile traffic controller was instructed by the GNA to observe the situation, and not by the Hansweert traffic controller.	yes	Content correction. The new text replaces 'Hansweert traffic controller' with 'GNA'.
5	Dutch Pilotage Region River Scheldt	2.3	At 23.28 hours, the captain of the Viking Idun reported his presence to the traffic control centre Terneuzen, on VHF block channel 03.	Add: this is a compulsory report on the traffic channel according to the applicable VHF marine radio block channel procedure. Clarification of why the ship reported.	yes	Valuable addition in the text. Text adapted as proposed.
6	Dutch Pilotage Region River Scheldt	2.3	The Viking Idun continued its journey towards the Eastern lock in Terneuzen. In the meantime, the Chemical Marketer was sailing upstream, towards Antwerp.	Leave out upstream. In this case the tide was rising; better: ... the Chemical Marketer was sailing towards Antwerp. At that time, there was a tidal current of approximately 1.5 knots.	yes	Correction applied as proposed. 'Upstream' left out and footnote added about 'tidal current'.
7	Dutch Pilotage Region River Scheldt	2.3	Manoeuvre according to the traffic rules ...	Add in blue block: Possible manoeuvre: The traffic rules (SRW) do not prevent a possible 'green-to-green' passage (cf. proposal from pilot on Chemical Marketer); article 9.4.a. SRW.	yes	Text in blue block adjusted as proposed. It now states 'possible manoeuvre'
8	Dutch Pilotage Region River Scheldt	2.3	The traffic controller did not name the Chemical Marketer because at that time the Chemical Marketer had already passed the Oost Buitenhaven, and was in principle no longer relevant for the Viking Idun.	This is an estimate made by the traffic controller.	yes	Clarification in the text. The role of the traffic controller is clarified.

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9	Dutch Pilotage Region River Scheldt	2.3	The VTS operator offered no further advice to the captain of the Viking Idun about the ideal course for the unhindered entry to the lock in Terneuzen.	Add: The traffic controller is not authorized to offer course and speed advice. Important addition why this did not happen.	no	Section 6.2 describes the role and authorities of the traffic controller. This also covers the issuing of advice on heading and speed. This review comment is contradictory.
10	Dutch Pilotage Region River Scheldt	2.3	... to the captain of the Viking Idun about the ideal course for unhindered entry to the lock in Terneuzen.	Unhindered: leave out. Within the GNB area, vessels are self-regulating; vessels are not piloted inwards but are required to make their own traffic agreements with other traffic participants.	yes	Correction to original text. New text reads: '... the captain of the Viking Idun about the ideal course for the entry to the lock in Terneuzen.'
11	Dutch Pilotage Region River Scheldt	2.4	At 23.58 hours, the pilot on board the Chemical Marketer called the Viking Idun via the VHF frequency, to request confirmation of the red-to-red passage.	VHF frequency should be traffic channel. Area is divided into VHF marine radio blocks, each with its own traffic channel.	yes	Correction to original text. New text reads: 'At 23.58 hours, the pilot on board the Chemical Marketer called the Viking Idun via the traffic channel, to request confirmation of the red-to-red passage.'
12	Dutch Pilotage Region River Scheldt	2.4	... to make room for the chemical tanker.	Add: and sticking to the starboard side of the channel. Clarification.	yes	Clarification in the text. New text becomes: '... to make room for the chemical tanker and sticking to the starboard side of the channel.'
13	Dutch Pilotage Region River Scheldt	2.4	The traffic control centre explained that the plan was a red-to-red passage ...	Change traffic control centre to traffic controller. Clarification.	yes	Clarification in the text. New text becomes: 'The traffic control centre explained that the plan was a red-to-red passage'.
14	Chemship	2.4	... the traffic controller repeated the red-to-red passage agreement.	Request to change to: 'the traffic control centre repeated the red-to-red <i>passage rule</i> '.	yes	Clarification in the text. 'the traffic controller repeated the red-to-red passage rule, at which point the captain of the Viking Idun replied affirmatively.'
15	Dutch Pilotage Region River Scheldt	2.4	... to ensure that the larger seagoing vessel would not hit the river cruise ship amidships.	Hit ... add: thereby as far as possible avoiding damage to the river cruise ship. Clarification from the pilots statement.	yes	Clarification in the text: '..... to ensure that the larger seagoing vessel would not hit the river cruise ship amidships thereby as far as possible avoiding damage to the river cruise ship'.
16	Dutch Pilotage Region River Scheldt	2.5	... and was towed to the West Buitenhaven of Terneuzen by tugboats that were stationed nearby in connection with dredging work.	In connection with dredging work. Seems incorrect, this should be transshipment work.	yes	Non-relevant text section about transshipment work has been scrapped.
17	Dutch Pilotage Region River Scheldt	2.5	... to the south of the accident site ...	To the south of the accident site; should be to the southeast. Correction.	yes	Correction of the location in the original text. New text reads: '.... to the southeast of the accident site ...'.
18	Dutch Pilotage Region River Scheldt	3.1	Over the past few years, the popularity of river cruises in Europe, and in the Netherlands, has grown hugely. In 2017, 407,000 tourists visited the city of Amsterdam, as part of a river cruise, a number comparable to the total number of tourists that visit the city as part of an ocean or sea cruise. The number of river cruise ships sailing in the Netherlands has risen from around 50 in 1990 to several hundred planned cruises in 2019-2020. The busiest month of the year is generally April, when the Keukenhof gardens are a huge tourist attraction, and special cruises are organized for that specific purpose.	Reference is made to river cruises in the Netherlands. The Viking Idun was en route from a Flemish port to another Flemish port and sailing through Dutch waters. In my opinion, an addition should be made about the rise in the number of river cruises on the Western Scheldt. After all, this is the location of the collision and not Amsterdam.	no	In this case, we have opted for an overall picture of the situation concerning river cruise ships in the Netherlands, and not specifically for the Scheldt area. No comparative figures are available.

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19	Dutch Pilotage Region River Scheldt	3.2.3	It is in theory also possible for a corporate captain himself to go on board a ship on which the crew is not authorized for part of the route.	Question: not authorized on what basis? It subsequently emerged that there were for example shortcomings in terms of language requirements.	yes	Clarification has been made in the text. 'It is in theory also possible for a corporate captain himself to go on board a ship on which the crew is not sufficiently qualified or authorized for part of the route'.
20	Dutch Pilotage Region River Scheldt	3.2.4	[Table 1: Crew composition of the nautical crew of the Viking Idun]	Table not clear.	yes	Table adjusted specifying the relationship between names of positions used by Viking River Cruises and the names used as standard in the Inland Navigation Regulations. An explanation has also been added.
21	Ministry of Infrastructure and Water Management	3.2.4	[Relates to adaptations at various points in the draft report]	In the report, reference is made on various pages to such terms as captain, first and second mate, and designations of rank and for position on board. These are names used internally by the operator. To understand the report for the entire inland shipping sector, it would be useful to tie in with the terminology from the Inland Navigation Regulations. See appendix 2 to the recommendation letter.	yes	See comment 20.
22	Viking River Cruises	3.2.4	The crew of the Viking Idun consisted of 43 people, ...	49 people instead of 43	yes	Correction to original text. Number of crew members adjusted.
23	Viking River Cruises	3.2.6	Damage caused by third parties, including human failure, suction or wave impact.	Damage caused 'to' (instead of 'of')	yes	Correction to original text. New text reads: 'Damage caused by third parties, including human failure, suction or wave impact'.
24	Dutch Pilotage Region River Scheldt	4	It is certain that the direct cause of the collision was the failure by the Viking Idun to take action to avoid the Chemical Marketer sailing on its course ...	After the passage of buoy 22, the ship should have turned to starboard, and maintained the starboard side of the channel (according to the SRW)	yes	Correction to original text. New text reads: 'The direct cause of the collision was the failure to maintain the specified shipping route (according to the SRW) by the Viking Idun, which placed the vessel in the course of the Chemical Marketer'.
25	Ministry of Infrastructure and Water Management	4.1	Refers to passages at various sections in the draft report, as also explained in the letter to the Dutch Safety Board.	This is a point of nuance. According to appendix 2 to the letter of recommendation, I would refer you to the conclusions relating to navigation licences.	partially	After assessing the review reaction from the Ministry of Infrastructure and Water Management, the Dutch Safety Board believes that it cannot be irrefutably stated that the Viking Idun was undercrewed. European regulations on this issue and the validity of navigation permits and licences are very complex. This was not investigated in detail in the framework of this accident. Passages and conclusions relating to this aspect have been removed from the report. It remains irrefutable that it must be guaranteed that the deployment of expert and competent crew members must be assured for example with the necessary language knowledge.
26	Viking River Cruises	4.1	On board of the Viking Idun at the time of the accident.	On board 'of' (instead of 'van de')	yes	Correction of the original text. New text reads: 'On board of the Viking Idun at the time of the accident'.
27	Viking River Cruises	4.1	De crewing requirements are dependent ...	'The' (instead of 'De')	yes	Correction of the original text. New text reads: 'The crewing requirements are dependent ...'
28	Viking River Cruises	4.2	The captain had no knowledge of or...."	Comma is missing.	yes	Correction of the original text. New text reads: 'The captain had no knowledge of, or ...'

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29	Dutch Pilotage Region River Scheldt	4.3	The combination of a strong current, generally around two knots, and the tide ...	Unfortunate choice of wording. The current on the Westerschelde can run at up to 3 knots. This current is due to the tide.	yes	Clarification made in the text. New text reads: 'The combination of strong current and a tidal current together with the heavy shipping traffic, the winding navigation channel and the occasionally bright background lighting makes the Westerschelde a high-risk navigation zone'.
30	Dutch Pilotage Region River Scheldt	4.3	That the pilot had proposed a plan which deviated from the prevailing traffic rules ...	The destination of the Viking Idun was the lock in Terneuzen, which meant that the navigation channel had to be crossed. Within the GNB area, traffic agreements are permitted between the traffic participants, concerning a safe passage. The traffic rules (SRW) do not prevent a possible green-to-green' passage (cf. proposal from pilot on Chemical Marketer); article 9.4.a. SRW.	yes	Clarification made in the text. New text reads: 'The fact that the pilot also proposed a plan which deviated from the prevailing traffic rules may well have caused extra confusion'. The destination of the Viking Idun was the lock in Terneuzen, which meant that the navigation channel had to be crossed. Within the Westerschelde area, traffic agreements are permitted between the traffic participants, concerning a safe passage.
31	Dutch Pilotage Region River Scheldt	4.3	They had not understood that the proposal by the pilot on the Chemical Marketer had been refused, and that the passage was due to be carried red-to-red, in accordance with the standard traffic rules, not even when the traffic controller explicitly made it clear that they should turn to starboard.	Better: that at the request of the traffic controller, green-to-green had not been agreed	yes	Clarification in the text. New text reads: 'They had not understood that at the request of the traffic controller, the proposal by the pilot on the Chemical Marketer had been refused, and that the passage would be carried out red-to-red, in accordance with the standard traffic rules'.
32	Ministry of Infrastructure and Water Management	4.3	Their years of experience ... safe sailing on the Westerschelde.	Proposal to leave out this sentence. Someone in possession of a large licence or an equivalent navigation licence is in principle sufficiently competent to be able to sail safely on the Westerschelde and need not have specific knowledge of this route. Unlike the specified sections of the Rhine and Danube.	no	The investigation revealed that in practice, due to lack of local area knowledge and insufficient command of the English or Dutch language, the crew was not sufficiently competent to complete the passage of the Westerschelde safely and in line with the regulations.
33	Ministry of Infrastructure and Water Management	4.3	The Scheldt area is a complex sea area and the crew of the Viking Idun had recognized this fact prior to their departure from Antwerp. However, the operator had not recognized this complexity in advance, and the Viking Idun had not been provided with a crew with the required competences and experience. The marginal and outdated knowledge of the sea area and of the compulsory working languages contributed to a situation in which the collision could occur.	This is a point of nuance. According to appendix 2 to the letter of recommendation, I would refer you to the conclusions relating to navigation licences.	no	See comment 32.
34	Ministry of Infrastructure and Water Management	4.4	For Dutch inland navigation vessels ... must immediately be put into the nearest port.	In this passage, the background colour should be changed from blue to neutral. This is a change to the background colour for the text. The blue shaded block suggests that this text is also covered by article 51 of the Westerschelde Shipping Regulations. This is not the case.	yes	Correction of the original text. [Blue block adapted to text of article 51 SRW].

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35	Ministry of Infrastructure and Water Management	4.4	Following a grounding, as a rule the parts of the vessel below the waterline must be inspected for damage, and the vessel should be put into the nearest port.	'Following a ... into the nearest port' should be replaced by: 'Following a grounding, based on a risk estimate, the decision is made whether or not to investigate the ship below the waterline, for damage. If the decision is taken to examine the ship below the waterline, this takes place in the nearest port'. This is a point of nuance. It is not a rule that the ship below the waterline must be inspected following a grounding. This is based on a risk assessment made by the GNA in consultation with the mobile traffic controller.	yes	Clarification in the text. New text reads: 'Following a grounding, based on a risk estimate, the decision is made whether or not to investigate the ship below the waterline, for damage. If the decision is taken to examine the ship below the waterline, this takes place in the nearest port'.
36	Dutch Pilotage Region River Scheldt	5.1	In the SRW and in the BVA, the rule is that the vessel should remain on the starboard side of the fairway, as close to the starboard side as is safe and achievable.	That when sailing in the direction of the fairway, the starboard side .... The obligation to maintain the starboard side (as safely and closely as possible) applies to the situation following the fairway (Article 9.1 SRW). In other words, not in the situation of wishing to cross the fairway.	yes	Clarification in the text. New text reads: 'Both in the SRW and the BVA, the rule is that when sailing in the direction of the fairway, the starboard side of the fairway must be followed (SRW art. 9.1), as closely and safely as possible. This rules does not apply for a vessel wishing to cross the fairway'.
37	Ministry of Infrastructure and Water Management	5.1	'in accordance with article 6.04a of the regulations ... of the fairway' replaced by: 'in accordance with article 6.04a of the regulations and contrary to the main rule in article 6.04'	This is an addition. The described article 6.4a is an exception to the main rule in article 6.4 of the BPR. The main rule there is the same as in the RSW. Only the option in article 6.4a to deviate from this is not included in the RSW.	yes	Text adapted according to the changed text in section 5.1 based on the review comments. 'The SRW does not feature the rule with the blue sign or all-round flashing light.'
38	Dutch Pilotage Region River Scheldt	5.1	Would have been possible according to the BPR and is also permitted according to the SRW. On condition that it would not result in a course and speed change by the Chemical Marketer, in order to avoid the risk of collision.	Crossing the fairway is permitted according to the sailing rules of the SRW. However, if following the fairway (and not wishing to cross it), the starboard side must be maintained (article 9.1 SRW in combination with article 9.4.a SRW).	yes	The crossing of the navigation channel is permitted according to the SRW, on condition the vessel in the channel is not <u>forced</u> to change course and speed. New text becomes 'Reaching such an agreement is not in contravention of the regulations, and from a nautical viewpoint is logical, but reaching deviating agreements can also lead to confusion'.
39	Chemship	5.1	The green-to-green passage proposed by the pilot, whereby the Chemical Marketer as it were would have changed course to avoid the crossing Viking Idun, would have been possible according to the BPR but not according to the SRW. The proposal by the pilot was in factual terms contrary to the sailing rules of the SRW, but from a nautical point of view it was not an illogical proposal.	You indicate entirely correctly that the SRW does not expressly state that parties are permitted to make deviating passage agreements, but also does not include this possibility and in jurisprudence [1] it has also been repeatedly confirmed, also in judgements by the Shipping Board, that parties are permitted to make passage agreements deviating from the SRW. Together with the SRW, this jurisprudence is the law, and on that basis, the comments in lines 19 and 20 and the subsequent conclusion in line 21 are factually incorrect. As a consequence, what the pilot proposed is not in contravention of the sailing rules of the SRW. We would much appreciate this passage being revised as follows: The green-to-green passage proposed by the pilot, whereby the Chemical Marketer as it were would have changed course to avoid the crossing Viking Idun, <del>would have been possible according to the BPR but not according to the SRW. The proposal by the pilot was in factual terms contrary to the sailing rules of the SRW,</del> but from a nautical point of view not illogical, and not excluded according to the SRW.	yes	See comment 38. Text adjusted. New text reads: 'When the pilot of the Chemical Marketer became aware that the Viking Idun was headed for the Eastern Lock, he suggested to the traffic control centre that the Chemical Marketer should maintain the red side of the fairway, so that the Viking Idun could pass ahead of the Chemical Marketer, thereby crossing the navigation channel. Reaching such an agreement is not in contravention of the regulations, and from a nautical viewpoint is logical, but reaching deviating agreements can also lead to confusion. In response, the traffic controller determined that the standard shipping rules had to be followed, such that the vessels would pass each other red-to-red'.

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40	Ministry of Infrastructure and Water Management	5.3	In the event of serious damage, renovation or transfer of ownership, the Inspection Certificate must be renewed, and is therefore subject to a new inspection.	'In the event of ... inspection' replaced by: 'Periodically, which for passenger ships means every five years, and in the event of serious damage, renovation or transfer of ownership, the Inspection Certificate must be renewed, and is subject to a new inspection.'	yes	Addition to original text. 'Periodically, which for passenger ships means every five years, and in the event of serious damage, renovation or transfer of ownership, the Inspection Certificate must be renewed, and is subject to a new inspection.'
41	Ministry of Infrastructure and Water Management	5.3	'... this relates to more than 16,000 vessels'	Point for attention: Although the figure of 16,000 is correctly quoted from the report by Twynstra Gudde, there seems to be a confusion of definitions in the report. In the report by Twynstra Gudde referred to, use is probably incorrectly made of the term 'ship(s)' whereas the term 'vessel(s)' should have been used. For that reason, an excessively high number of ships is referred to. The CCR market observation 2020 ( <a href="https://inland-navigation-market.org/?lang=nl">https://inland-navigation-market.org/?lang=nl</a> ) indicates that in the whole of Europe in 2019 there were 378 active river cruise ships and a cargo fleet of 15,200 ships, of which 9,800 in Rhine river states. This bears no relationship to the quote, which suggests that 16,000/0.74 i.e. 21,600 ships are subject to inspection by ILT.	no	The evaluation by Twynstra Gudde contains the following passage: 'To be able to carry out risk-based inspection, ships are classified into risk classes. The classification is based on the results of previous inspections. On 1 July 2018, the risk class was known of one quarter of the ships; the remaining three quarters of the ships are automatically eligible for inspection. The evaluation refers to a total of some 22,000 ships; three quarters of 22,000 ships is more than 16,000 (16,500) ships.'
42	Ministry of Infrastructure and Water Management	6	On the one hand, the Western Scheldt forms the border between the Netherlands and Belgium (Flanders), with an open connection to the North Sea, and is consequently subject to complex tidal currents.	The Western Scheldt is not the border between the Netherlands and Belgium. Part of the Netherlands lies to the south of the Westerschelde: Zeeuws-Vlaanderen.	yes	Correction of the original text. 'The Western Scheldt forms an open connection to the North Sea and is consequently subject to complex tidal currents'.
43	Ministry of Infrastructure and Water Management	6.1	Tasks of the mobile traffic controller:	'Tasks of the mobile traffic controller:' replace by: 'Tasks of the mobile traffic controller include:' This is a point of nuance. The summary of tasks is just a selection of the tasks of the traffic controller.	yes	Clarification made in the text as proposed. 'Tasks of the mobile traffic controller include:'
44	Ministry of Infrastructure and Water Management	6.1	Rijkswaterstaat operates two patrol boats in the Western Scheldt area, including the Ghent-Terneuzen Canal. One of these boats is stationed in Vlissingen and is on call 24/7. The other boat operates from Hansweert and is only available 16 hours a day, on working days.	'Rijkswaterstaat .... on working days' to be replaced by: 'Rijkswaterstaat operates three patrol boats in the Western Scheldt area, including the Ghent-Terneuzen Canal. One is stationed in Vlissingen, one in Hansweert and one on the Ghent-Terneuzen Canal. Of the two boats on the Western Scheldt, one is available 24/7 (Vlissingen) and the other (Hansweert) 16 hours a day on working days. The boat on the Ghent-Terneuzen Canal is available 24/7.' This is an amendment to the number of patrol boats on the Westerschelde, including the Ghent-Terneuzen Canal. The proposed alteration describes the actual situation at the moment of the incident.	yes	Correction to original text. 'Rijkswaterstaat operates three patrol boats in the Western Scheldt area, including the Ghent-Terneuzen Canal. One is stationed in Vlissingen, one in Hansweert and one on the Ghent-Terneuzen Canal. Of the two boats on the Western Scheldt, one is available 24/7 (Vlissingen) and the other (Hansweert) 16 hours a day on working days.'
45	Ministry of Infrastructure and Water Management	6.1	Because operation of the lock during night-time hours on the Ghent-Terneuzen Canal is restricted, during those hours, no patrol boat is available.	'Because ... available'. Proposal to leave out this sentence. Because the availability is not correctly described, the proposal is to leave out the sentence on limited lock operation (line 18-20). In terms of content, the sentence is incorrect since there is a patrol boat available 24/7 on the Ghent-Terneuzen Canal, so no use need be made of the lock.	yes	Correction to original text. Delete the sentence in question.

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46	Ministry of Infrastructure and Water Management	6.1	For the entire Western Scheldt area (from the Belgian border to the North Sea), this means that one mobile traffic controller based in Vlissingen is permanently available, with a second mobile traffic controller operating from Hansweert, for a large part of the day.	'For the entire ... of the day' replace by: 'For the entire Western Scheldt area (from the Belgian border to the North Sea), this means that one mobile traffic controller is permanently available with a second mobile traffic controller for most of the day.' This is a point of nuance. Two patrol boats are available in this area, one 24/7 and the other 16 hours a day, 5 days a week. It is however not the case that a mobile traffic controller is located in Vlissingen 24/7. This could equally be Hansweert. The location from which the mobile traffic controller operates can be either Vlissingen or Hansweert.	yes	Clarification in the text. 'For the entire Western Scheldt area (from the Belgian border to the North Sea), this means that one mobile traffic controller is permanently available with a second mobile traffic controller for most of the day'.
47	Ministry of Infrastructure and Water Management	6.1	These are the only two supervisors for nautical legislation and regulations, including the Western Scheldt Shipping Regulations (SRW), who are active on the Westerschelde.	'These are ... the Western Scheldt' replace by: 'These are the only two supervisors from Rijkswaterstaat for nautical legislation and regulations, including the Western Scheldt Shipping Regulations (SRW), who are active on the Westerschelde.' This is a point of nuance. In addition to Rijkswaterstaat, the ILT and the police have a supervisory task on the Westerschelde (see page 28 lines 26-28).	yes	Clarification in the text. 'These are the only two supervisors from Rijkswaterstaat for nautical legislation and regulations, including the Western Scheldt Shipping Regulations (SRW), who are active on the Western Scheldt.'
48	Ministry of Infrastructure and Water Management	6.1	In this case he opted for the Viking Idun, having previously been on board this vessel and because of the large number of passengers present on board. Nonetheless, the damage to the Chemical Marketer and the risk of the spillage of the cargo's hazardous substances also deserved his attention.	'In this case .... his attention.' replace by: 'In consultation with the GNA, he opted for the Viking Idun, because the information available suggested that the Viking Idun was the most vulnerable vessel'. This is a point of nuance. The mobile traffic controller did not opt for the Viking Idun because he had been on board the same vessel previously. In consultation with the GNA, he made an estimate on the basis of the knowledge and facts available at that moment. This included the number of passengers present on board the Viking Idun. In addition, as regards the Chemical Marketer, it became rapidly clear that there was no spillage, and the damage was above the waterline.	yes	Clarification in the text. 'In consultation with the GNA, he opted for the Viking Idun, because the information available suggested that the Viking Idun was the most vulnerable vessel'.
49	Dutch Pilotage Region River Scheldt	7	According to the traffic rules, the Viking Idun should have followed the navigation channel by turning to starboard ...	If the Viking Idun had intended at that moment to cross the fairway, this should not have taken place according to the traffic rules in such a way that the Chemical Marketer would have been forced to alter its course and speed in order to avoid a collision. To avoid this situation, the Viking Idun should have still continued following the navigation channel by turning to starboard, and passing behind the Chemical Marketer. The Viking Idun was free to pass either in front of or behind the Chemical Marketer (in order to cross the fairway). In the case of passage in front of the vessel, this must not result in a situation where the Chemical Marketer would have been forced to alter its course and speed in order to avoid a collision. In addition, both ships are free to reach a separate traffic agreement using VHF marine radio. The effective use of VHF marine radio is itself compulsory according to the SRW (Article 6.1.c SRW).	yes	Text adjusted based on the text changes according to the review comment in introduction Chapter 4. New text reads: 'The direct cause of the collision was the failure by the Viking Idun to maintain the specified shipping route (according to the SRW), which placed the vessel in the course of the Chemical Marketer. Because the Viking Idun maintained its heading and crossed the navigation channel, the river cruise ship found itself in the course of the chemical tanker'.

No.	Organization	Chapter / paragraph	Text to be corrected (first ... last word)	Argumentation	Corrected	Response from the Dutch Safety Board
50	Ministry of Infrastructure and Water Management	7	Due to the absence and the poor quality of communication, no clear agreement for the passage was reached between the crew of the Viking Idun, the pilot on board the Chemical Marketer and the traffic control centre in Terneuzen.	'Due to the .... Terneuzen.' replaced by: 'An agreement was reached between the pilot, the traffic control centre and the Viking Idun about the red-to-red passage. In hindsight, this agreement did not prevent the collision'. On page 11 line 11, the draft report states that an agreement was reached between the pilot, the traffic control centre and the Viking Idun about the red-to-red passage. In hindsight, this agreement did not prevent the collision. It does not become clear from the stated facts why the Viking Idun failed to comply with this agreement. The proposed text reflects the factual order of first the confirmed agreement, followed by the collision and then the cause.	yes	Clarification made in the text. New text reads: 'An agreement was reached between the pilot, the traffic control centre and the Viking Idun about the red-to-red passage. In hindsight, this agreement did not prevent the collision'.
51	Chemship	7	Due to the absence and the poor quality of communication, no clear agreement for the passage was reached between the crew of the Viking Idun, the pilot on board the Chemical Marketer and the traffic control centre in Terneuzen. The marginal knowledge of the sea area and poor understanding of the compulsory English language (in particular nautical English) on board the Viking Idun were the underlying causes.	In objective terms, we consider the conclusion drawn here to be factually incorrect. From our point of view (by way of suggestion), the following would be more precise: <i>The Viking Idun deviated from the prevailing traffic rules, in spite of the instruction via VHF marine radio that the vessels were to pass each other in accordance with the applicable traffic rules, in other words a red-to-red passage, and the confirmation from the Viking Idun that that instruction had been understood. The marginal knowledge of the sea area of those persons on the bridge of the Viking Idun and the poor understanding of the compulsory English language, in particular nautical English, on board the Viking Idun were undoubtedly the underlying causes.</i>	yes	Clarification made in the text. New text reads: 'An agreement was reached between the pilot, the traffic control centre and the Viking Idun about the red-to-red passage. In hindsight, this agreement did not prevent the collision. The marginal knowledge of the navigation zone and a limited understanding of the compulsory English language, in particular nautical English, on the part of the two crew members on the bridge of the Viking Idun were the underlying cause. As a consequence, the Viking Idun deviated from the prevailing traffic rules, thereby seriously threatening the safety of the passengers and crew on board the Viking Idun and the crew of the Chemical Marketer. In the event of a spillage, the cargo of the Chemical Marketer could also have caused serious environmental damage.'
52	Ministry of Infrastructure and Water Management	7	The crew of the Viking Idun was not at the required level, either in terms of quality or quantity. Only one crew member was competent <u>and</u> satisfied the working language requirement, but he had not been deployed to sail the ship over the Westerschelde. The Viking Idun was undercrewed and the journey as planned on this occasion should not have been undertaken.	This is a point of nuance. According to appendix 2 to the letter of recommendation, I would refer you to the conclusions relating to navigation licences.	yes	Correction of the original text. New text reads: 'The crew of the Viking Idun, on paper at least, broadly complied with the applicable rules and requirements, with the exception of the requirement on working language, as contained in the SRW. Only one crew member was both authorized and in possession of the necessary knowledge to be able to satisfy the working language requirement. However, this crew member was not deployed to sail the ship over the Westerschelde. Given the chosen staffing of the bridge, the journey of the Viking Idun should not have taken place'.
53	Ministry of Infrastructure and Water Management	7	Thirdly, the pilot and traffic controller failed to prevent the collision by reaching effective agreements with the Viking Idun, in time.	'Thirdly .... in' to be replaced by: 'Thirdly, the agreements between the pilot, traffic control and the Viking Idun were not complied with by the Viking Idun and as such proved ineffective.' This is a point of nuance. Both the traffic controller and the pilot believed they had reached clear agreements with the Viking Idun, because these agreements were also confirmed by the Viking Idun. See page 11, line 11. Eventually, the agreements were not complied with by the Viking Idun. The report does not explain why these agreements were not complied with.	yes	Clarification made in the text. New text reads: 'Thirdly, the agreements between the pilot, traffic control and the Viking Idun were not complied with by the Viking Idun and as such proved ineffective'.

No.	Organization	Chapter / paragraph	Text to be corrected (first ... last word)	Argumentation	Corrected	Response from the Dutch Safety Board
54	Viking River Cruises	7	Op top of that there are also Flemish / Belgian supervisory bodies active in the area.	'On' (instead of 'Op')	yes	Correction of the original text. New text reads: 'On top of that there are also Flemish / Belgian supervisory bodies active in the area'.
55	Viking River Cruises	Appendix A	171 (max.195)	Number of passengers 171 (max. 190 instead of 195)	yes	Correction of the original text. Numbers have been adjusted.
56	Ministry of Infrastructure and Water Management	Appendix B	The Western Scheldt area is the responsibility of Rijkswaterstaat VWM region South-West. The tasks entrusted to Rijkswaterstaat relevant to this investigation including traffic management (VTS) are undertaken under the auspices of the GNA.	'The Western Scheldt ... of the GNA' replaced by: 'The common nautical management on the Western Scheldt is the responsibility of Rijkswaterstaat Sea & Delta. The tasks entrusted to Rijkswaterstaat relevant to this investigation including traffic management (VTS) are undertaken under the auspices of the GNA, by staff of RWS VWM South-West region.' This relates to an adjustment to the organization of nautical management on the Western Scheldt. In the proposed text, the organizational agreements are adjusted and the role of the GNA added.	yes	Correction of the original text. New text reads: 'The common nautical management on the Westerschelde is the responsibility of Rijkswaterstaat Sea & Delta. The tasks entrusted to Rijkswaterstaat relevant to this investigation including traffic management (VTS) are undertaken under the auspices of the GNA, by staff of RWS VWM South-West region'.
57	Dutch Pilotage Region River Scheldt	Appendix B	From the Scheldt Coordination Centre in Vlissingen, a registered pilot and vessel traffic coordinators employed by Rijkswaterstaat (RWS) manage shipping traffic. The registered pilot (acting as Steenbank pilot) and the staff of RWS work closely together to guide vessels from sea to berth, in an uninterrupted chain.	Incorrect. There are two registered pilots present at the SCC; a registered pilot acting as duty pilot controller and who is responsible for nautical affairs, and a registered pilot who in his capacity as Steenbank pilot is responsible for safe traffic handling to the pilot station, in collaboration with the traffic control service and the Steenbank Traffic Centre.	yes	Correction of the original text. New text reads: 'There are two registered pilots present at the Scheldt Coordination Centre. One registered pilot acting as duty pilot controller and who is responsible for nautical affairs, and one registered pilot who in his capacity as Steenbank pilot is responsible for safe traffic handling to the pilot station, in collaboration with the traffic control service and the Steenbank Traffic Centre'.
58	Ministry of Infrastructure and Water Management	Appendix D	Table (figure 14)	In Appendix D, the table on crew requirements from the RSP is referred to. The table applicable to the Viking Idun is that from the BVR (in accordance with appendix 2 to the letter of recommendation).	yes	Correction of the original text. Table replaced as proposed.
59	Viking River Cruises	Appendix E	Table 5	Table of content is not finished (the corresponding numbers are missing)	no	This concerned a formatting problem in the PDF sent for review. The table itself is correct.
60	Chemship	Miscellaneous	The ship is operated by Chemship B.V. based in Capelle aan den IJssel, the Netherlands, which forms part of the ###.	We saw a number of references to the ### to which Chemship B.V. belongs. If not further relevant to this report, Chemship would appreciate company details being restricted to the private limited liability company itself.	yes	Correction to original text. Name of ### is removed from the text.