

NATIONAL TRANSPORTATION SAFETY BOARD

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IN RE: :

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THE EL FARO INCIDENT OFF THE: NTSB Accident No.

COAST OF THE BAHAMAS ON : DCA16MM001

OCTOBER 1, 2015 :

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INTERVIEW OF: RON RODRIGUEZ

Thursday,

October 8, 2015

Jacksonville, Florida

BEFORE:

MIKE KUCHARSKI, NTSB

KEVIN STITH, TOTE Services

[REDACTED] [REDACTED] U.S. Coast Guard

PRESENT ON BEHALF OF THE INTERVIEWEE:

GIL FELTEL, ESQ., Tanner Bishop

This transcript was produced from audio
provided by the National Transportation Safety Board.

1 P-R-O-C-E-E-D-I-N-G-S

2 11:25 a.m.

3 MR. KUCHARSKI: Okay, good afternoon
4 everyone. My name is Mike Kucharski and we're starting
5 the interview of Ron Rodriguez with SeaStar. We're at
6 the Marriott Hotel in Jacksonville, and this is part of
7 the El Faro investigation. Ron, before we go any
8 further, do you mind if we tape this interview?

9 MR. RODRIGUEZ: That's okay.

10 MR. KUCHARSKI: Okay, great. A few
11 housekeeping items, the NTSB is investigating this.
12 The investigate -- we're mandated by Congress to
13 determine the probable cause of the accident. We
14 cannot force anyone, any regulatory agency, or private
15 agency, or corporation to do any of these things.

16 Most certainly, recommendations will come
17 out of this report, but we're really there to find the
18 probable cause and no enforcement, okay? So we can
19 take no legal proceedings against somebody, or put them
20 in jail, or anything else associated with the
21 investigation, so it's probable cause we're looking at.
22 For this interview, I will -- the way we will operate,
23 we'll first start off to ask you to just give general
24 information. I will first, of course, ask everybody to
25 identify themselves in the room.

1 We do have your personal representative here
2 which you're allowed to have. The personal
3 representative cannot take part in any of the interview
4 process. They can't ask you questions. They cannot
5 object to the form of a question, okay? We will still
6 continue, but it's not a legal proceeding. Of course
7 you're more than welcome to consult before you answer
8 with your personal representative, okay?

9 MR. RODRIGUEZ: Okay.

10 MR. KUCHARSKI: So any questions so far?

11 MR. RODRIGUEZ: Not to that.

12 MR. KUCHARSKI: Okay, great. So let's
13 please go around the room and identify ourselves.

14 MR. [REDACTED] I'm [REDACTED] [REDACTED] with the
15 Coast Guard. I'm part of this operations group. The
16 Coast Guard is a party to the investigation as it's
17 TOTE in ABS, so we're part of the operations group.

18 MR. KUCHARSKI: Okay, and I'm Mike
19 Kucharski. I'm the group chairman of the operations
20 for the NTSB.

21 MR. STITH: I'm Kevin Stith with TOTE
22 Services. I was the Chief Mate of the El Faro and the
23 Master of the El Yunque. I'm on the operations group.

24 MR. FELTEL: Gilbert Feltel, Tanner Bishop
25 law firm, here on behalf of Mr. Rodriguez. Mr.

1 Kucharski, before we start, I just wanted to ask, we've
2 got a fair amount of ambient noise and I notice Mr.
3 Rodriguez is fairly soft spoken, so if you could just
4 make sure you're speaking up so we get a good
5 recording?

6 MR. RODRIGUEZ: Okay, sounds good.

7 MR. KUCHARSKI: And let me also say although
8 you can't take part in this, we'll go off the record if
9 you want some clarification on something. This is --
10 it's not to trick anybody, or winners or losers.

11 So I've done that before, just we'll stop
12 the tape, go off the record, and you know, I'll ask the
13 question again, you know, if there's any confusion.
14 And that happened in one other and it was good that
15 they, you know, that it was asked, okay? And your
16 name, sir?

17 MR. RODRIGUEZ: My name is Ronald Rodriguez.
18 I'm a terminal manager for TOTE Maritime before SeaStar
19 Line in Jacksonville, Florida.

20 MR. KUCHARSKI: Could you please spell your
21 name for us?

22 MR. RODRIGUEZ: Ronald, R-O-N-A-L-D, last
23 name Rodriguez, R-O-D-R-I-G-U-E-Z.

24 MR. KUCHARSKI: Great, thank you. Okay, Mr.
25 Rodriguez, what we'd like to do is first, start off,

1 tell us about your background, your education, you
2 know, your involvement in the industry if you would,
3 any sailing experience, but walk us through from when
4 you started in the industry, maybe a little bit before
5 if your education was a maritime-type education,
6 anything related to your particular job right here,
7 more specifically to this job right here.

8 MR. RODRIGUEZ: Yes, I was -- I have three
9 years of college at Polytechnic University in Puerto
10 Rico as an engineer university. In 1989, I joined with
11 a cruise ship company in Puerto Rico as an agent, but I
12 started like a -- the mail guy. I'm the one to sort
13 the mail, the boxes and deliver the mail to the cruise
14 ships, and the company was Continental Shipping, still
15 in business in Puerto Rico, and I grew up with that
16 company into the position of operations manager step by
17 step.

18 In 1997, I decided to change from the cruise
19 ship company to a cargo because I always see the cargos
20 come to the island and I decided to, you know, see
21 what's the other part of the coin. And then in 1997, I
22 joined with Inchcape Shipping in San Juan, Puerto Rico
23 as a husbandry agent.

24 And again, I worked with this company from
25 the simple as a husbandry, attend the cargo vessel, the

1 arrival, working regularly with the Coast Guard
2 reports, customs, immigration, agriculture until I grew
3 up into the position of the cargo port manager.

4 And in that time, I took care of Kent Line.
5 That was a container division, a company from Saint
6 John, Canada, and also working with Dole Fresh Fruits
7 as a port manager working directly with the stevedore
8 loading and the operations of the vessel.

9 In 2001, I joined Navieras of Puerto Rico as
10 an assistant general manager, and then I have different
11 managers working with me on the stevedore loading and
12 terminal operations.

13 In 2002, SeaStar Line bought the assets
14 Navieras, and I'm one of the managers that stayed with
15 the SeaStar Line in 2002 as a stevedore loading
16 manager, then working direct with the vessels
17 operations. In 2002, on the end of the year, I took
18 the position of terminal manager, and then my
19 responsibility is working with the terminals and the
20 vessel operation, okay? Since 2002, I'm working with
21 this organization, SeaStar Line and now TOTE Maritime.

22 MR. KUCHARSKI: Great, and your current
23 position is?

24 MR. RODRIGUEZ: Terminal manager at the Port
25 of Jacksonville, Florida.

1 MR. KUCHARSKI: At the Port of Jacksonville,
2 so earlier when you said 2002 you came to SeaStar, were
3 you working --

4 MR. RODRIGUEZ: Navieras of Puerto Rico.

5 MR. KUCHARSKI: In Puerto Rico, okay. And
6 what year was that that SeaStar took over the assets?

7 MR. RODRIGUEZ: 2002.

8 MR. KUCHARSKI: Oh, it took over the assets
9 in 2002?

10 MR. RODRIGUEZ: In 2002, in April of 2002.

11 MR. KUCHARSKI: Great, who do you, who do
12 you report to? Who is your direct report?

13 MR. RODRIGUEZ: My report is a Mr. Jimmy
14 Wagstaff. He's the VP of operations, Jim Wagstaff.

15 MR. KUCHARSKI: Okay, now would you fast
16 forward a little bit to the very current period of
17 time? Well, actually, let me back up. As the terminal
18 manager, what do you do?

19 MR. RODRIGUEZ: I'm responsible to make sure
20 that the cargos come to the terminal correctly, and
21 then have the cargo available when the vessels come to
22 load on the vessel. The same as when the vessels come
23 to port, make sure that we have this paid for to charge
24 the vessel, and have it safety as far as our -- and
25 operations on the terminal and the vessel.

1 MR. KUCHARSKI: Okay, so you say the cargo
2 coming to the terminal and then the cargo going away,
3 but how about the vessel itself? Any responsibilities
4 on the vessel itself?

5 MR. RODRIGUEZ: The vessel is -- the
6 captains give out all the ETA, then we set up with our
7 vendor in Jacksonville. The vendor, we tell him the
8 vessels come at sea buoy at this time, and the vendors
9 set up the pallet tops and running lines, and then we
10 working together to set out the starting time for the
11 vessel operation. Then we report that to custom board
12 and protection. They record in customs when the vessel
13 will be along and when to start the operation.

14 MR. KUCHARSKI: Now you mentioned a vendor
15 to set up. Is there another vendor that you use to set
16 up the --

17 MR. RODRIGUEZ: In Jacksonville --

18 MR. KUCHARSKI: -- line handlers and
19 everything else?

20 MR. RODRIGUEZ: In Jacksonville, our vendor
21 is a stevedore loading post is the one to handle the
22 calls for the pallet, calls for the tucks, and they
23 have their own line handles, like I said, one to, you
24 know, pick up the lines and put it on there.

25 MR. KUCHARSKI: So would they be like an

1 agent or what would they actually be?

2 MR. RODRIGUEZ: He is like the agent. He's
3 working the terminal as a terminal operator and as a
4 stevedore loading operator working with the cranes and
5 the vessel operation.

6 MR. KUCHARSKI: Okay, so now, do you also
7 get involved with the lashings on the ship, or the
8 profile of the ship, anything done on board the ship,
9 stability on the ship? Do you pre-stow plan? Do you
10 do any of that stuff and stowage plan?

11 MR. RODRIGUEZ: Okay, our vendor is the one
12 to make up his stow. That is the marine department and
13 he is one of my employees (inaudible). He's always
14 looking at pre-stow. And also we look when they stow
15 the vessel on the system, we print that and we look for
16 the hazmat saturation and it must comply with the
17 hazmat saturation on the vessel, and also we add that
18 information on CargoMax, and CargoMax is the really --
19 software that we use is the same software that the
20 vessel have on board. We're only the facilitator.

21 We have the weight, plug the number on the -
22 - plug the data on the system, and then have the
23 communication with the chief mates and the captain just
24 in case, you know, the way the vessel react and we have
25 -- okay, we need to have more weight to establish port

1 side.

2 And then the final product, we give the pen
3 drive to the chief mate with a hard copy of the
4 stability of the vessel and he -- before he goes, he
5 looks for the stability documents. Before we end the
6 operation also, we have a conversation, a communication
7 with them via phone or radio with the chief mate and
8 the captain and say, "How is the list?" you know,
9 because the only way we can recompense a list is before
10 the cranes go.

11 If the captain and the chief mates say, "Oh,
12 we need to move a cargo port side or starboard side,"
13 then we do it in order to have that vessel level in the
14 end of operation, and then we finish because everybody
15 is agreeing that the vessel is in the accurate
16 conditions to go out to sea.

17 MR. KUCHARSKI: Okay, so back to Portus does
18 the pre-stow plan, do they also do the final stow plan?

19 MR. RODRIGUEZ: They always do the final
20 stow plan. We are the one to plug that weight on
21 CargoMax to put that information in CargoMax.

22 MR. KUCHARSKI: So when you say, "we are the
23 ones," you or --

24 MR. RODRIGUEZ: SeaStar Maritime.

25 MR. KUCHARSKI: SeaStar does that.

1 MR. RODRIGUEZ: That's correct.

2 MR. KUCHARSKI: Okay, so Portus does the
3 pre-stow?

4 MR. RODRIGUEZ: Yes.

5 MR. KUCHARSKI: And then they provide the
6 information to you. You put it in CargoMax to look at
7 it, and then the final stowage plan based on what's in
8 CargoMax, what's been inputted, you actually have that
9 information?

10 MR. RODRIGUEZ: I have that information and
11 I supply it to the ship mate a copy of the load and
12 stow plans, reversal plan, the stability hard copies,
13 and the pen drive, you know, the flash drive, and he
14 can have that information at the time when the vessel,
15 before it departs.

16 MR. KUCHARSKI: And so then you also keep a
17 copy of that information at the office?

18 MR. RODRIGUEZ: We always keep a copy of the
19 -- of the hard copies and the information, yes.

20 MR. KUCHARSKI: Okay, great, so we would be
21 able to get that information then from TOTE or we can
22 make the request. There is some information there.

23 MR. RODRIGUEZ: Absolutely.

24 MR. KUCHARSKI: Great, great. Any questions
25 that you had so far?

1 MR. [REDACTED] Just one about the CargoMax.
2 Do you only keep the hard copy at the office or do you
3 also keep the electronic, what would have been on that
4 pen drive?

5 MR. RODRIGUEZ: The pen drive is always with
6 the ship mates, okay.

7 MR. [REDACTED] Right.

8 MR. RODRIGUEZ: We keep records in our files.

9 MR. [REDACTED] So only the hard copy?

10 MR. RODRIGUEZ: Only a hard copy plus the
11 electronic one.

12 MR. STITH: They have --

13 MR. [REDACTED] So electronic on the computer?

14 MR. RODRIGUEZ: Yes.

15 MR. [REDACTED] Got you.

16 MR. KUCHARSKI: Go ahead and identify
17 yourself.

18 MR. STITH: I'm sorry, Kevin Stith with TOTE
19 Services. So the CargoMAX load case file, you have a
20 copy of that on the computer at all times of all of the
21 loads?

22 MR. RODRIGUEZ: That's correct.

23 MR. STITH: And my question is so either you
24 or Don Matthews actually enters the information in?

25 MR. RODRIGUEZ: That's correct.

1 MR. STITH: Okay.

2 MR. KUCHARSKI: Okay, so now going to the
3 actual call of the ship in Jacksonville on roughly the
4 30th or 29th/30th on that port stay before she --
5 before the accident or before she set sail into the --
6 into Joaquin, do you physically put the information
7 into the computer for the cargo that came aboard?

8 MR. RODRIGUEZ: That's correct.

9 MR. KUCHARSKI: Okay, do you normally? Is
10 that normally your function?

11 MR. RODRIGUEZ: That's Don Matthew's
12 function. Don Matthews was on vacation and I covered
13 Don Matthews on vacation.

14 MR. KUCHARSKI: Okay, so you normally don't
15 do that, Don Matthews does?

16 MR. RODRIGUEZ: Yes.

17 MR. KUCHARSKI: How many times have you
18 worked, actually done that, the same role that you were
19 in working for Don Matthews in the past?

20 MR. RODRIGUEZ: Years.

21 MR. KUCHARSKI: Years --

22 MR. RODRIGUEZ: Before I began in
23 Jacksonville, the last three years I worked for San
24 Juan, and I worked also in (inaudible) and I also
25 worked in Philadelphia when we have business in

1 Philadelphia, and I plug those data on CargoMax. You
2 know, we're talking about years.

3 MR. KUCHARSKI: Okay, great. And Don
4 Matthews, what is his actual position?

5 MR. RODRIGUEZ: He is a marine manager.

6 MR. KUCHARSKI: Any questions there, gents?

7 MR. [REDACTED] No.

8 MR. KUCHARSKI: Is there -- are you familiar
9 with any different procedure that is followed for
10 securing the cargo, lashings, or in the containers, or
11 anything like that if the vessel expects a storm or
12 heavy weather?

13 MR. RODRIGUEZ: They -- when we have a storm
14 or heavy weather, they request to have a bad weather,
15 and it's adding more lashing to the cargo.

16 MR. KUCHARSKI: Is this in any kind of a
17 standard operating procedure, any document that says
18 what you do for heavy weather?

19 MR. RODRIGUEZ: Well, the heavy weather is
20 actually in Jacksonville because this is a season that
21 you don't know what's going on at the sea. Most of the
22 stevedore loading or all of the stevedore loading time
23 in the El Yunque and the El Faro, we all will lash as a
24 heavy weather, okay? Instead to make a call every
25 different vessel operation, we decide to tie the cargo

1 as a heavy weather.

2 (Simultaneous speaking)

3 MR. KUCHARSKI: So during the season -- yes.

4 MR. RODRIGUEZ: Yes.

5 MR. KUCHARSKI: So while the -- on this
6 particular voyage, the ship was -- you were putting
7 extra lashings on for heavy weather or rough weather?

8 MR. RODRIGUEZ: Yes.

9 MR. KUCHARSKI: Now, can you explain to us
10 what that entails, what you actually do when you put
11 the extra lashings on? Where do you put them, and is
12 it on just the rolling stock? Is it on the, you know,
13 the rolling vessels, right? It's a roll low vessel or
14 is there something -- and/or something for the
15 containers? Could you walk us through that process?

16 MR. RODRIGUEZ: Yes, when you do it on a
17 roll low part as a container, we put two chains back of
18 the container, okay, hauling the corner casting, bullet
19 corner casting of the container. We have to put chains
20 on the roller blocks and two chains in the front of the
21 container.

22 Then we add in two more containers and the
23 heavy lashing versus four that is the normal lashing
24 that we use on regular container trailer, okay, because
25 all we have for (inaudible) okay, and they make sure

1 they have it in parking and they have emergency brake
2 applied. It makes -- it's not in a container like a
3 boat, or truck, or any kind of office trailer, then
4 based on the length, they always add in more chains and
5 binder on the solid structure of the frame tied onto
6 the beams on the ro/ro area.

7 On the containers that's on the main deck,
8 we always lash as a typical lashing process two high
9 containers, the first three containers on the wings,
10 okay, any gap because we're carrying one or two on 96,
11 any gap of space that we have between bays, we always
12 consider that as the end of the stack and then we
13 lashing that too, always at two high. The third
14 container, we don't lash the third container.

15 MR. KUCHARSKI: Now, do you remember when
16 this vessel sailed how high the highest stack was?

17 MR. RODRIGUEZ: No more than three high.

18 MR. KUCHARSKI: No more than three high.

19 MR. RODRIGUEZ: Yes.

20 MR. KUCHARSKI: So it was -- did they have
21 those that were three high on this voyage?

22 MR. RODRIGUEZ: Yes, they had a couple bays
23 of three highs.

24 MR. KUCHARSKI: Okay, so -- but there was no
25 -- on the containers, there were no extra lashings put

1 on unless there was a gap in between?

2 MR. RODRIGUEZ: Exactly, because they
3 consider it as a block and then we always tie the first
4 three in order to have that block as the one unit.

5 MR. KUCHARSKI: If it was not heavy weather
6 and you had a gap between there, would you put the
7 lashings on there if it was just --

8 MR. RODRIGUEZ: We always put the lashing
9 between gaps and we always lashing three more -- three
10 and above.

11 MR. KUCHARSKI: So it's not different from
12 bad weather or --

13 MR. RODRIGUEZ: No, we always go with that
14 direction. We give the different instruction to the
15 stevedore. Somebody will say, "Listen guys, this is
16 where we lash. There is a three container on the
17 starboard side, on port side, two high, any gap between
18 one or two, and any six -- because about six inches or
19 eight inches, you need to consider that as the end of
20 the stack. Then we need to lash at the end of the
21 stack."

22 MR. KUCHARSKI: And all of these containers
23 were on which deck?

24 MR. RODRIGUEZ: Say that again.

25 MR. KUCHARSKI: The containers that were not

1 on chassis, what deck were they on?

2 MR. RODRIGUEZ: On main deck.

3 MR. KUCHARSKI: Main deck.

4 MR. RODRIGUEZ: That's correct. That's the
5 lo/lo part of the vessel.

6 MR. KUCHARSKI: The lo/lo being load on,
7 load off?

8 MR. RODRIGUEZ: Load on and load off.

9 MR. KUCHARSKI: Okay, and down -- you
10 mentioned containers down below in roll locks and the
11 box. Are those containers on the deck or are they on a
12 chassis?

13 MR. RODRIGUEZ: They're on a chassis.

14 MR. KUCHARSKI: They are, they're on a
15 chassis, and could you describe what the chassis
16 arrangement is that the container in that whole --

17 MR. RODRIGUEZ: The way that we operate the
18 roller area on any deck, we put a container on the
19 chassis. When we back it up or are parking that
20 container, the roller blocks need to hit the bottom,
21 and then is the first secure or lashing secure is a
22 setup that -- the lot of the roller blocks, okay?

23 Then the stevedore loading guy goes back to
24 the container, crawls the chains, okay, the two chains
25 direct to the container, not to the chassis because the

1 chassis already is locked on the container with the
2 twist locks, okay?

3 Then we lash the roller blocks because of
4 heavy weather. We lash the roller blocks to the deck,
5 and then we last it again in the front of the container
6 to the vessel.

7 MR. KUCHARSKI: Okay, so I'll ask a lot of
8 questions on this because it's tough to get it, you
9 know, on a recording to see what this is. So at the
10 back end of the chassis are wheels, rubber wheels?

11 MR. RODRIGUEZ: Rubber wheels.

12 MR. KUCHARSKI: Okay, and at the front end
13 would be the kingpin for the trailer?

14 MR. RODRIGUEZ: That's correct.

15 MR. KUCHARSKI: And that goes into the roll
16 locks box which is a large type, square, metal type,
17 very heavy-duty structure that then slides into the
18 deck into the -- what's it --

19 MR. RODRIGUEZ: On the bottom --

20 MR. KUCHARSKI: What's it attached to?

21 MR. RODRIGUEZ: They're called button.

22 MR. KUCHARSKI: Button, okay.

23 MR. RODRIGUEZ: Button is the attachment
24 that the roller blocks have, and we put the pin or the
25 lock pin for the roller blocks. That's the first lock

1 that we have for the operation.

2 MR. KUCHARSKI: Great.

3 MR. RODRIGUEZ: After that container's in
4 position -- because we consider when we make that lock,
5 that container is in position. Then we proceed with
6 the lashing, with the chains and binders.

7 MR. KUCHARSKI: And when you say the lock,
8 the roll locks box?

9 MR. RODRIGUEZ: It's locked.

10 MR. KUCHARSKI: It's locked into the deck,
11 okay.

12 MR. RODRIGUEZ: Yes, it's locked.

13 MR. KUCHARSKI: And then -- so for this
14 heavy weather, you doubled lashed. You had two
15 lashings crossed at the back?

16 MR. RODRIGUEZ: Two lashings back, two
17 lashings on the roller blocks, and two lashings in
18 front of the container, not to the chassis, to the
19 container.

20 MR. KUCHARSKI: So that's a total of six?

21 MR. RODRIGUEZ: Six.

22 MR. KUCHARSKI: Six, great. And can you
23 tell me a little bit about the lashing, what you're
24 actually using?

25 MR. RODRIGUEZ: It's a chain, more than 3/8

1 was the dimension of the chain if I remember this. I
2 think it's more than 12 or half an inch with the
3 ratchets, very heavy ratchets binders. It's not like a
4 regular chain. It's like a regular (inaudible) you can
5 use on the rote.

6 MR. KUCHARSKI: Okay, let me just stop for
7 one quick second. We had somebody join this interview.
8 Could you state your name please?

9 MR. PETERSON: Yeah, Lee Peterson, Director
10 with Marine Services with TOTE Services.

11 MR. KUCHARSKI: And which group are you a
12 part of?

13 MR. PETERSON: I'm the lead from the TOTE
14 side.

15 MR. KUCHARSKI: Okay, you're the lead, so
16 you're the party representative?

17 MR. PETERSON: Party representative.

18 MR. KUCHARSKI: Okay, thank you. I get
19 confused with those titles too.

20 MR. PETERSON: I was trying to come up with
21 the title.

22 MR. KUCHARSKI: Okay, so now back to the
23 securing of the container on the chassis, it would be
24 secured with a total of six chains. What about a
25 standard trailer, over the road type trailer, without,

1 you know, a non-container so to speak?

2 MR. RODRIGUEZ: Even though we always pull
3 the roller blocks, the roller block's always attached
4 to any kind of trailer or container on the vessel, and
5 it's the same process. They need to hit the button.
6 We load the roller blocks, and then again we go through
7 the same process.

8 Even though it's not a chassis, the end of
9 the trailer have a non-heavy metal that you can put
10 those chains, tie down, tie down the roller blocks, and
11 then go front of the trailer, again the plate, the
12 field plates. You have another heavy, strong area
13 there you can put the chains and tie down the front of
14 the trailer to the vessel.

15 MR. KUCHARSKI: So there's a total of four
16 chains then on that?

17 MR. RODRIGUEZ: Six.

18 MR. KUCHARSKI: Six also. Do all the over
19 the road trailers have some kind of a d-ring or
20 attachment into the frame or substantial where it's not
21 part of the box itself?

22 MR. RODRIGUEZ: I don't know that answer.

23 MR. KUCHARSKI: Have you ever had any of
24 those pull out?

25 MR. RODRIGUEZ: Not that I remember, no.

1 MR. KUCHARSKI: Not that you remember, okay.
2 Any questions, gents? Okay, so now we've covered a
3 container that's on a chassis and we've covered an over
4 the road type trailer, then are there other types of
5 items that are on the rolling deck?

6 MR. RODRIGUEZ: Oh, yes, we have autos,
7 cars. We have trucks. It can be any kind of truck,
8 box trucks or a bobtail truck. We also have boats. We
9 have trailers, office trailers, regular utility
10 trailers, or a -- that we consider any one car as a not
11 in container. We call those cargo that way, and the
12 hustlers from Tyco. That would be all of those.
13 That's technical all the cargo we have mixed on the
14 roller area.

15 MR. KUCHARSKI: Okay, so the boats you
16 mentioned, they're on a trailer also?

17 MR. RODRIGUEZ: That's correct.

18 MR. KUCHARSKI: And so you have numerous
19 types of trailers, and you mentioned boats on trailers,
20 and automobiles. Is there any other cargo that goes
21 right on the deck without any being on a roller type
22 setup?

23 MR. RODRIGUEZ: It can be any kind of
24 bulldozer, an excavator, anything that's roll-on/roll-
25 off it goes to the main deck, I mean to the roller

1 decks there, the roller area, to the second deck. On
2 the third deck we plan to -- we always put containers,
3 cars, any trucks that we can drive down to the third
4 deck, or cars on containers on trailers. On the four
5 deck we have cars, containers, and the on board times.
6 That's all we have.

7 MR. KUCHARSKI: How many holds are there and
8 can you name them on the ship?

9 MR. RODRIGUEZ: They have three decks
10 starting from the stern to the bow. The first is 2a,
11 echo, third charlie, bravo, and alpha. Then we have we
12 call the five hold. They have three foxtrot and an
13 echo. On the third deck we have delta, charlie --
14 delta, charlie, bravo. On the bravo, we have the
15 elevator for the four deck, and then we have three
16 alpha. For alpha we have the on board times, the
17 fructose times, three bravo, the elevator, 4a, 4b, 4c,
18 and 4d. That is the compartment that we have.

19 MR. KUCHARSKI: Okay, so let me start from
20 the bow. What's the first hold called?

21 MR. RODRIGUEZ: The first one on the second
22 deck is 2a.

23 MR. KUCHARSKI: Okay --

24 MR. RODRIGUEZ: On the second deck.

25 MR. KUCHARSKI: On the second deck.

1 MR. RODRIGUEZ: On the third deck is 3a. On
2 the fourth it's 4a. From the bow to the stern, A to F,
3 and it starts second deck, third deck, and the four
4 deck.

5 MR. KUCHARSKI: Okay, so the bow you have
6 that hold area, that hold. That's called from top to
7 bottom, do you have a name for that?

8 MR. RODRIGUEZ: We call it separate. We
9 call the 4a, 3a, and then 2a.

10 MR. KUCHARSKI: Depending on the deck you're
11 on?

12 MR. RODRIGUEZ: That's correct.

13 MR. KUCHARSKI: Okay, and then the next
14 area?

15 MR. RODRIGUEZ: The next area is the same.
16 It depends what deck we are, four, three, and two. And
17 because they have compartments, they have doors, and
18 that's the reason it depends what area you are. We
19 have four charlie. Even though you need to take the
20 elevator past it to 4b, then you are on the four
21 charlie, okay? That's the way the vessel is.

22 MR. KUCHARSKI: Okay, and how many of these

23 -

24 MR. STITH: This is Kevin Smith with TOTE
25 Services. Do you want to refer to the general

1 arrangement?

2 MR. KUCHARSKI: Yeah, sure. Sure, would you
3 pull that up for us?

4 MR. STITH: Yeah, just so everybody is
5 clear, and I'm sure it will be more clear tomorrow when
6 we get there to the El Yunque. So this is a general
7 view, so -

8 MR. KUCHARSKI: Let me just stop you for a
9 quick second.

10 MR. STITH: Okay.

11 MR. KUCHARSKI: We're looking now at what?

12 MR. STITH: This is the profile of the
13 vessel, the general arrangement of the sister ship.

14 MR. [REDACTED] That was the El Faro?

15 MR. STITH: Yes.

16 MR. KUCHARSKI: And you say sister ship, so
17 is this, for all intents and purposes, a duplicate of
18 the El Faro?

19 MR. STITH: Yes, this would be the
20 duplicate.

21 MR. KUCHARSKI: Okay, and can you make that
22 a little bit larger?

23 MR. STITH: Yeah.

24 MR. KUCHARSKI: We're looking at this on a
25 computer now. Okay, so here I see numbers like two,

1 three hold. What am I looking at there that's
2 different I hear this explanation now from Ronald?
3 Okay, so can we look towards the bow and just start
4 from the bow and work our way aft? Okay, this shows
5 number one 'tween, number one hold. Is that -- does
6 the El Faro have the same setup?

7 MR. RODRIGUEZ: Yes, it had the same setup.
8 It has -- in this form you have the alpha is four
9 alpha, three and two alpha, then go to the B, second
10 bravo, three and four, you know, and then it's like
11 when you divide up the vessel, this is the bow of the
12 vessel.

13 This is A, B, C, D, E, and F. The F on the
14 starboard side you have the door, okay, then you need
15 to look on the top view. This is your vessel going
16 down.

17 MR. KUCHARSKI: Okay, and I'll just stop for
18 the -- Mr. Rodriguez is drawing some pictures. What I
19 will ask for is that a copy of something that shows me
20 A, B, C, D there because that's not what we're seeing
21 in here.

22 MR. RODRIGUEZ: I have --

23 MR. KUCHARSKI: Okay.

24 MR. RODRIGUEZ: We have that.

25 MR. KUCHARSKI: That will help for the cargo

1 stows. And somebody just joined the interview here.

2 Could you state your name and what group you're in?

3 MR. MILLAR: Michael Millar, I'm with the
4 American Bureau of Shipping. I'm the district
5 principle here in the southeastern U.S., licensed mate
6 and licensed chief engineer.

7 MR. KUCHARSKI: Okay, and which group will
8 you be working in?

9 MR. MILLAR: I have not been given a group
10 as of yet, but I was asked to probably take the deck
11 and safety, LSA.

12 MR. KUCHARSKI: Okay, so safety, okay.
13 Normally it's just group members that commit to
14 interviews, so you'll come in for this one here now,
15 okay, but normally we assign groups of what you'll be
16 part of.

17 MR. MILLAR: I only showed up about an hour
18 ago.

19 MR. KUCHARSKI: Right, right, I know, I
20 know.

21 MR. MILLAR: So I apologize.

22 MR. KUCHARSKI: No, no, no, that's okay,
23 that's okay. It's just we want to try to hold off on
24 interruptions. So right now we're looking at the
25 general arrangement plan. We have four peak deep

1 tanks, number 1 'tween and hold, okay, and then I see
2 number two hold in 'tween, number three 'tween and
3 hold, and then I'm moving further aft looking at the
4 machinery and boiler, the machinery space, and then
5 what I see on here -- what is this area in here?

6 Is that between number 3 'tween and number
7 two 'tween? Is that a different area? Is that a
8 different -- is there watertight integrity between that
9 and something else? Do we know, or is that all part of
10 number three?

11 MR. STITH: Yeah, I think --

12 MR. KUCHARSKI: These two areas.

13 MR. STITH: This is Kevin Stith. I believe
14 that's part of number three. There should be a
15 watertight door here.

16 MR. KUCHARSKI: Okay, okay. And then
17 further aft we have -- aft to the engine or machinery
18 spaces, we have number five 'tween. So what we're
19 looking at here is basically the same setup or the same
20 general arrangement of the El Faro.

21 MR. RODRIGUEZ: That's correct.

22 MR. KUCHARSKI: Okay, good. Let me stop and
23 pause here because does anyone want to ask any question
24 about this?

25 MR. STITH: I think it will help make -- it

1 will be an easier visual when we see it on board and
2 see the other plan that you're going to provide.

3 MR. RODRIGUEZ: Absolutely, you know, and
4 the cargo plan that we have is not the same cargo plan
5 there because we separate by compartments, you know.
6 2a, you know, the 2a is this position.

7 2B is starting this one, and C, okay, same
8 with the three and the four, especially the four
9 because the 2a, the second is completely open. It's
10 like we call like an oven that complete. When you go
11 to the third deck and the four deck, then they have the
12 division by the order type, and then you can --

13 MR. KUCHARSKI: Order type.

14 MR. RODRIGUEZ: Then you can see that hold
15 completely.

16 MR. KUCHARSKI: Okay, just so I'm
17 understanding here too, do you actually -- you have
18 drawn a picture, A, B, C, and D, sort of subdivisions
19 if you will, and each one of the holds or 'tweens in
20 this general arrangement plan, okay. Stop me if I'm
21 saying something that's wrong.

22 I'm just trying to understand all of this
23 and making sure that everybody else listening will
24 understand it. So you drew something here, but you
25 have some kind of a plan or diagram, if you will, that

1 has these individual subdivisions on it?

2 MR. RODRIGUEZ: That's correct.

3 MR. KUCHARSKI: Now, do you also have
4 individual stow positions either by number or -

5 MR. RODRIGUEZ: Yes.

6 MR. KUCHARSKI: You do? You do for each
7 stowage position, so that would be another area within
8 the subdivision A, B, C, D, that you're showing on the
9 picture?

10 MR. RODRIGUEZ: That's correct.

11 MR. KUCHARSKI: So to get the big picture,
12 we're looking at the GA plan on the computer which
13 shows a rather large area, say number three hold, and
14 then within number three hold you're going to have some
15 kind of an A, B, C --

16 MR. RODRIGUEZ: Yes.

17 MR. KUCHARSKI: -- D-type number, and then
18 you will have even another number just for that
19 individual area where the automobile or the trailer
20 will go into?

21 MR. RODRIGUEZ: That's correct.

22 MR. KUCHARSKI: Okay, great. Any questions
23 there? As the marine operations manager or you were
24 stand-in for Don Matthews, he was the marine operation
25 manager that was on vacation, when you stand-in for him

1 as marine operations manager, do you interface with
2 people on the ship?

3 MR. RODRIGUEZ: On the arrival of the
4 vessel, Don or myself goes on the vessel with the mail,
5 say hello to the chief mate and the captain, and the
6 chief engineer. We deliver to them any mail they have,
7 and then we collect from them the information from San
8 Juan if there is a reefer manifest or a hazmat
9 manifest, and mail from the crew, or any special
10 commodity cargo.

11 Then we have that and we deliver that papers
12 to the office. In that moment, we plug in about when
13 we're planning to have the operation, what time we
14 start, what time we finish, and we go back to the
15 office.

16 MR. KUCHARSKI: So let's concentrate now on
17 the particular -- this last voyage of the El Faro on
18 the 29/30 when the ship was in port. So you actually
19 went on board. You brought the mail on. You collected
20 the documents from San Juan.

21 MR. RODRIGUEZ: From San Juan, and I then
22 brought it back to the office.

23 MR. KUCHARSKI: The dangerous cargo
24 manifest?

25 SPEAKER: Look, my apologies. We were

1 looking for the families who are also here, so sorry
2 that I -- just letting you know why I stepped in.

3 MR. RODRIGUEZ: We have hazmat documents
4 northbound, like from San Juan, yes, we have the
5 manifest with us.

6 MR. KUCHARSKI: And do you also get the stow
7 plan from San Juan at that time or is it -

8 MR. RODRIGUEZ: That stow plan came
9 electronically from San Juan. It's the same as when we
10 finish the operation here in Jacksonville, we
11 distribute -- we have the distribution leads with our
12 stow plans, the reefer manifest, and the dangerous
13 cargo manifest to the entire organization.

14 MR. KUCHARSKI: And the reefer manifest just
15 for the record is for?

16 MR. RODRIGUEZ: For a refrigerator container
17 to make sure that they have a set time on the reefers
18 and monitoring the reefers.

19 MR. KUCHARSKI: And these refrigerated
20 containers, many of them will have some kind of
21 tracking system on them?

22 MR. RODRIGUEZ: Yes.

23 MR. KUCHARSKI: Now, so after you come on
24 board and you give the mail to the chief mate and the
25 captain, you distribute the mail and you collect the

1 documents, do you have any other discussions during the
2 course of the day that the ship's in port with anybody
3 on the ship and who would they be?

4 MR. RODRIGUEZ: No, if we have any kind of
5 discussion it would be from the captain and chief mate
6 or a chief engineer to give us our requests on
7 information. After that, that's when we left and go to
8 the office.

9 MR. KUCHARSKI: And then you don't have any
10 other interface except for when you come back or at the
11 end?

12 MR. RODRIGUEZ: I come back or we always
13 have communication via radio and cellulars. Again,
14 doing the operation, if something is awry because the
15 stevedore loading guy starts loading from port side and
16 they have too many containers on port side, the chief
17 engineer will always call us, "Hey, we need to have
18 some starboard side container," you know, to put the
19 vessel in the right position, you know.

20 If the chief mate or the second mate sees
21 something that is not lashing properly on the ro/ro,
22 they call the chief mate, and the chief mate
23 immediately calls and we go to the stevedore loading,
24 and we send the people to put and correct the lashing
25 on the vessel.

1 MR. KUCHARSKI: Okay, so now who was the
2 actual stevedore? That's Portus?

3 MR. RODRIGUEZ: Portus.

4 MR. KUCHARSKI: Okay, and then so everybody
5 understands the operation, maybe me more than anybody
6 else, then you have -- does the stevedore actually
7 physically put the chains on or is there somebody else
8 that does that?

9 MR. RODRIGUEZ: They have a union guy that
10 he uses employed from Portus, and Portus has the
11 managers working with us in the main office.

12 MR. KUCHARSKI: So the union guy that Portus
13 has, are they the ones that are physically putting the
14 chains on?

15 MR. RODRIGUEZ: Yes, drive in, drive the
16 cargo on, and lashing the cargo.

17 MR. KUCHARSKI: Drive the cargo on, lash the
18 cargo. Do they run the container cranes too?

19 MR. RODRIGUEZ: Yes.

20 MR. KUCHARSKI: Okay, and these are union
21 members. What union do they belong to?

22 MR. RODRIGUEZ: SIU.

23 MR. KUCHARSKI: The SIU. So if I understand
24 the structure now, you're acting as -- you're the
25 terminal manager, but for this particular voyage you

1 were standing in as the marine operations manager. You
2 come on board the ship. You drop off mail. You pick
3 up documents. Then you go back ashore, and the
4 stevedore, Portus, then handles the -- most of the
5 lashing stuff and bringing the cargo physically onboard
6 the vessel.

7 MR. RODRIGUEZ: Yeah, they manage the
8 operations.

9 MR. KUCHARSKI: Great, and who would be the
10 person at Portus who would be the -- do they have a
11 manager or a foreman for that particular day in port?

12 MR. RODRIGUEZ: Oh, yes, they have a
13 manager, and that day it was Butch Newkirk.

14 MR. KUCHARSKI: Butch?

15 MR. RODRIGUEZ: Butch, and the last name is
16 Newkirk.

17 MR. KUCHARSKI: Newark?

18 MR. RODRIGUEZ: Yes.

19 MR. KUCHARSKI: N-E-W-A-R-K?

20 MR. STITH: Newkirk.

21 MR. PETERSON: Newkirk.

22 MR. KUCHARSKI: Oh, Newkirk.

23 MR. PETERSON: N-E-W-K-I-R-K.

24 MR. RODRIGUEZ: And --

25 MR. KUCHARSKI: And could you state your

1 name that just said -

2 MR. PETERSON: Lee Peterson.

3 MR. KUCHARSKI: Thank you.

4 MR. RODRIGUEZ: And the foreman for the
5 stevedore loading is Tony Callaway. That's the
6 foreman.

7 MR. KUCHARSKI: Tony Callaway. And Butch
8 Newkirk's position at Portus is?

9 MR. RODRIGUEZ: Butch is the stevedore
10 loading manager and Tony Callaway is the foreman. Also
11 they have another stevedore loading manager working
12 with Butch together is Chris D'Berry.

13 MR. KUCHARSKI: Okay, Chris D'Berry?

14 MR. RODRIGUEZ: D-B-E -- Berry, B-E-R-R-Y.

15 MR. KUCHARSKI: And his position was again?

16 MR. RODRIGUEZ: Stevedore loading manager
17 too from Portus.

18 MR. KUCHARSKI: Okay, so he's an equivalent
19 of Butch Newkirk?

20 MR. RODRIGUEZ: That's correct.

21 MR. KUCHARSKI: Were they all working the
22 ship on that day?

23 MR. RODRIGUEZ: Yes, most of the time they
24 worked together and they worked that day.

25 MR. KUCHARSKI: So then they would be the

1 ones -- are they the ones that are directing --
2 directly working with the chief mate or the mates on
3 the ship?

4 MR. RODRIGUEZ: No, the chief mate and the
5 captain directly working with us, and we directly
6 worked with Portus.

7 MR. KUCHARSKI: Okay, so they don't work --
8 if they have a problem with some kind of a lashing,
9 they come to you.

10 MR. RODRIGUEZ: And we organize with Portus,
11 and Portus enters with the foreman, and the foreman
12 enters with the people on board and fix it.

13 MR. KUCHARSKI: Great, great, and the
14 stevedore foreman who is an SIU member is Tony
15 Callaway?

16 MR. RODRIGUEZ: That's correct.

17 MR. KUCHARSKI: The stevedore managers,
18 Butch Newkirk and Chris D'Berry, are they SIU members
19 also?

20 MR. RODRIGUEZ: No, they are managers for
21 Portus.

22 MR. KUCHARSKI: Great, okay so during this
23 load out -- let me pause here. Do you have any
24 questions, [REDACTED]

25 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast

1 Guard. Just to make sure I have it clear in my head, I
2 think I heard you say when your -- you go back to the
3 office. I think I heard you say, correct me if I'm
4 wrong, that the stevedore managers, both Butch Newkirk
5 and Chris D'Berry, they're with you. They stay with
6 you, correct?

7 MR. RODRIGUEZ: They stay in the office.

8 MR. [REDACTED] Right.

9 MR. RODRIGUEZ: And we're working in the
10 same area. They have their own office -

11 MR. [REDACTED] They're in the office.

12 MR. RODRIGUEZ: -- working with the
13 stevedores towing the vessel, selecting the cargo to go
14 to ro/ro.

15 MR. [REDACTED] Right.

16 MR. RODRIGUEZ: And then we have that
17 information and we validate that they're making the
18 separation for hazmat, and then the vessel, the
19 containers go per slot or bay. We put that weight on
20 CargoMax.

21 MR. [REDACTED] Perfect, and on board is Tony
22 Callaway, the stevedore foreman, and the rest of the
23 stevedores from -

24 MR. RODRIGUEZ: The stevedores are always on
25 board and Callaway goes back and forth.

1 MR. [REDACTED] Got you.

2 MR. RODRIGUEZ: Callaway is whatever they
3 need as a foreman. They go and fix the situation.

4 MR. [REDACTED] Perfect, thank you.

5 MR. KUCHARSKI: So Callaway is on the whole
6 time the ship is in port?

7 MR. RODRIGUEZ: Yes.

8 MR. KUCHARSKI: What time was the cargo
9 start? Well, let me back up. What time did the vessel
10 actually come alongside the dock, finish with the
11 engines approximately, and then what time was the cargo
12 start?

13 MR. RODRIGUEZ: It was a Monday around 12:45
14 more or less, and we started operation at 1300 on
15 Monday.

16 MR. KUCHARSKI: The cargo started at 1300 -

17 MR. RODRIGUEZ: Yes.

18 MR. KUCHARSKI: -- on Monday? And when was
19 the -- when was the finish of cargo, and then when did
20 the vessel actually leave the berth approximately?

21 MR. RODRIGUEZ: That was the next day,
22 Tuesday, approximately we finished the cargo at 1920,
23 1915 or 1920, and the vessel departed at 2010 from
24 berth 32.

25 MR. KUCHARSKI: So you had over 24 hours of

1 cargo?

2 MR. RODRIGUEZ: No.

3 MR. KUCHARSKI: Oh, it was 1300 the day
4 before?

5 MR. RODRIGUEZ: Yeah, but we stopped the
6 operations. Okay, when we have -- they bring the
7 vessel the day before. We then charge the vessel,
8 okay, and then we load partial of the bays, and then we
9 remain the operations again the following day at 0900
10 on lo/lo, at 11:00 on ro/ro, and then weigh the next
11 day working on to finish cargo.

12 MR. KUCHARSKI: I forgot to ask, is there
13 any other cargo that is not either rolling or
14 containers that's carried on that ship?

15 MR. RODRIGUEZ: Fructose.

16 MR. KUCHARSKI: The fructose, okay, and tell
17 me, tell us how that's put on the ship, and how is it
18 secured, and how is --

19 MR. RODRIGUEZ: The vessel has six on board
20 tines, 53 tines attached to the vessel, okay, then they
21 pump in from the rail tanks from the dock, pump in
22 fructose to each tank.

23 MR. KUCHARSKI: And where are these tanks
24 actually on the ship?

25 MR. RODRIGUEZ: On the four deck, two on

1 four alpha, and four on four bravo.

2 MR. KUCHARSKI: And would that be at the
3 tank top level at the bottom of the ship?

4 MR. RODRIGUEZ: Completely below the vessel.

5 MR. KUCHARSKI: Okay, great, were there any
6 different communications than your usual communications
7 between yourself and the vessel during this time in
8 port?

9 MR. RODRIGUEZ: No, only via radio or by
10 phone.

11 MR. KUCHARSKI: Right, but did they
12 communicate any problems or anything?

13 MR. RODRIGUEZ: No, they didn't communicate
14 any problems. Only the captain around, let's say
15 (inaudible) "We have about a one-and-a-half or two
16 degree to starboard side. Please tell the cranes to
17 load the opposite way. I need to have cargo to the
18 port side," and then we changed the sequence of loading
19 and we put it back on level again.

20 MR. KUCHARSKI: So no concern about any of
21 the cargo, any of the stows, and there was no special
22 requests for this particular voyage as far as lashings
23 go?

24 MR. RODRIGUEZ: No, because we know, you
25 know, they -- the stevedores know they need to lashing

1 the way that we request for a long time. You know, in
2 order to avoid a misunderstanding, the stevedores know
3 we lash that way at all times.

4 MR. KUCHARSKI: And there was no question
5 about missing lashings or anything like that, or -

6 MR. RODRIGUEZ: No.

7 MR. STITH: Kevin Stith from TOTE Services.
8 Do you remember if all six fructose tanks were loaded
9 or if less than six tanks were loaded?

10 MR. RODRIGUEZ: I think it was six tanks
11 were loaded.

12 MR. STITH: Okay, in regards to the
13 containers, what lashing gear did they use to secure
14 the containers?

15 MR. RODRIGUEZ: On the regular container?

16 MR. STITH: On the main deck, yeah.

17 MR. RODRIGUEZ: On the main deck, chains and
18 binders. Those they use six per unit.

19 MR. STITH: On the main deck, the --

20 MR. RODRIGUEZ: On the main deck, there's
21 only bars, the turn buckles, and the bars, and the
22 twist locks.

23 MR. STITH: So lashing rods and turn
24 buckles?

25 MR. RODRIGUEZ: That's correct.

1 MR. STITH: Okay.

2 MR. KUCHARSKI: So there are no chains on
3 the containers?

4 MR. RODRIGUEZ: No. On the main -- on the
5 lo/lo operation, they're turn buckles and rods and the
6 twist locks.

7 MR. STITH: And the --

8 MR. KUCHARSKI: Turn buckles, rods, and
9 twist locks?

10 MR. RODRIGUEZ: That's correct.

11 MR. STITH: Kevin Stith, TOTE Services. The
12 fructose tanks, how are those secured?

13 MR. RODRIGUEZ: I think it's -- and I say I
14 think because probably the engineer guy was the one to
15 explain how they attached on the vessel because we
16 don't move that tank. That tank remain after they
17 setup. They secure for the first day, and we never
18 close the lashing for those on board tanks. We
19 consider those as on board tanks.

20 MR. STITH: So you would say they're
21 permanently installed?

22 MR. RODRIGUEZ: Absolutely.

23 MR. STITH: Okay, thank you.

24 MR. KUCHARSKI: Do they have lashings on
25 them also?

1 MR. RODRIGUEZ: I don't remember the
2 configuration of how they lashing the tanks.

3 MR. PETERSON: This is Lee Peterson. I was
4 involved with the installation of those. These are --
5 they are ISO tanks, 53 foot ISO tanks that were
6 constructed for the new vessels. They were put on
7 these ships as an interim solution because the Faro did
8 not have any fructose tanks on it and that's what
9 allowed it to enter service.

10 Each tank will carry one railroad car worth
11 of liquid, so that's how we know that all of these
12 tanks are filled right up. So in other words, there's
13 no negligible free surface area on these tanks, but
14 they were welded right onto the foundations. On the
15 new ships, they were going to remove these and put them
16 on the new ships when they came around.

17 MR. KUCHARSKI: So there's no other chains
18 on there? They're just welded to the deck?

19 MR. PETERSON: Right, right.

20 MR. MILLAR: Mike Millar, ABS. I didn't get
21 your name. I think it's Joe?

22 MR. KUCHARSKI: Ron.

23 MR. MILLAR: Oh, Ron, I'm sorry. Ron, for
24 the lashing gear, do the stevedores bring lashings on
25 board the vessel?

1 MR. RODRIGUEZ: No, the vessels have the
2 lashing material.

3 MR. MILLAR: Okay, so all of the lashing
4 equipment, the chains, extra hooks, bars, rods, that
5 all comes from the ship's stock?

6 MR. RODRIGUEZ: That's correct.

7 MR. MILLAR: Okay.

8 MR. STITH: I have another question. Kevin
9 Stith from TOTE Services. The weights of the
10 containers, how do you determine the weights of the
11 containers? Is that weight given to you by the shipper
12 or is there another method to verify the weights of the
13 containers?

14 MR. RODRIGUEZ: Yes, we have a free scale on
15 the terminal, and we weigh all of the cargos coming to
16 the terminal. Then that weight is pulling from tons,
17 the terminal system, and we capture the cargo, the
18 gross of the container, and then we have one unit as a
19 gross unit.

20 When we go to ro/ro and we add in the roller
21 blocks and the chassis, those guys with Portus will
22 pick up the container's gross weight. That's the cargo
23 plus the (inaudible). They add the chassis weight and
24 they add in the roller block's weight.

25 MR. STITH: Thank you.

1 MR. MILLAR: Mike Millar, ABS. During the
2 process of, you know, developing the stow plan and
3 there's interaction with the ship, and the cargo is
4 coming on board, like you explained, the captain called
5 up and said there was a slight list and you adjusted
6 your loading plan.

7 Does the chief mate do a stability check on
8 the proposed loading stow plan to verify that it's
9 going to meet the voyage requirements, you know,
10 stability for the vessel? Does he give feedback, and
11 if he does give feedback, has there -- have you had to
12 change your stow plan in the past or you know, how does
13 that work?

14 MR. RODRIGUEZ: Okay, during the vessel
15 operation, what we do is we tell the chief mate the
16 base of the full vessel stow, okay. "You need to have
17 this amount of water on the working ballast," okay,
18 that they are the ones to provide all of those working
19 ballasts we can work.

20 And the during the operation, we see how the
21 vessel reacts with the margin, and then we say, "Okay,
22 chief, we need to take more water," or, "You need to
23 release water from those tanks." It's a continual
24 communication back and forth during the vessel
25 operation.

1 MR. MILLAR: Okay.

2 MR. [REDACTED] This is [REDACTED] [REDACTED] with the
3 Coast Guard. I think this may clarify your question.
4 When you talk -- when you spoke about the list to
5 starboard one or two degrees and the captain asked you
6 to load more on the port side, my understanding, and
7 correct me if I'm wrong, was all you were changing is
8 the order of the loading but not changing the stow
9 plan?

10 The stow plan remained the same so you
11 didn't have to change it, so there wouldn't have been a
12 change to the predicted stability or trim while they
13 were underway?

14 MR. RODRIGUEZ: Right, when we changed the
15 cargo on the same day, okay, if we have this amount of
16 container for that bay, 36, and we already loaded 11,
17 then we start looking at the weight that we have, and
18 then we put that weight immediately to the port side in
19 order to put the vessel on level, and then the cranes
20 work between containers and set up the containers in
21 the same position also.

22 MR. [REDACTED] So --

23 MR. RODRIGUEZ: At the end of operation if
24 we have some list, that's the point that we have a
25 conversation with the chief mate and the captain before

1 the end of operation, and then we have a bay five, and
2 the Faro was a bay seven, that we have 20 times, and 20
3 times they are heavy.

4 Then you put those on the wings and then you
5 put the vessel level after the captain can say, "Okay,
6 now we can limit those." If you have, like, it
7 happened on the Faro, less than half a degree to port,
8 they can transfer water from one tank or the other and
9 go level.

10 MR. [REDACTED] So did the stow plan change?

11 MR. RODRIGUEZ: It changed, but the chief
12 mate and the captain always had the last stow plans.

13 MR. [REDACTED] Okay.

14 MR. RODRIGUEZ: We never (inaudible) stow.
15 At the end of operation, we give the captain the
16 container with the right position and the right weight.

17 MR. [REDACTED] Got you.

18 MR. STITH: This is Kevin Stith with TOTE
19 Services. Just to elaborate because I was chief mate,
20 after we get the final stow plan and the load case, the
21 chief mate immediately enters that load case into the
22 CargoMax and we verify.

23 We also double check all of the weights, the
24 ballast, the fuel, the departure numbers, and basically
25 do another calculation to make sure our calculations

1 match theirs, and then take those calculations to the
2 captain before we get underway, have him look at it and
3 sign off on the GM margin and the drafts.

4 MR. RODRIGUEZ: Like I said, we facilitate
5 the information for the mates. You know, we put the
6 information because they have a lot of things to do,
7 okay. We facilitate that process. Instead to seeing
8 them plug in the number, we are the ones to put the
9 numbers on CargoMax.

10 But again, the chief mate is the last
11 validation guy, and I guarantee you if for some reason
12 something is wrong, they don't hesitate to call and
13 say, "Hey, call the people back, you know. We need to
14 fix this," and we need to fix it.

15 MR. KUCHARSKI: Okay, so just for my
16 edification, this is the process the way it should be,
17 but we have no verification because you were not on
18 board the vessel at that time?

19 MR. STITH: In this particular instance,
20 that's correct.

21 MR. KUCHARSKI: Right, well this -- so
22 that's the process where it should be where they
23 provide the stow plan and the stability, and then the
24 chief mate should be checking that, but --

25 MR. STITH: That is correct.

1 MR. KUCHARSKI: At this particular one here,
2 the actual -- this voyage, you can speak to your
3 providing the stability and the stow plan.

4 MR. RODRIGUEZ: That's correct. The chief
5 mate took that information and then almost we wait 15
6 to 20 minutes. When everything is set up, then that's
7 the time they start releasing the lines.

8 MR. KUCHARSKI: So the --

9 MR. RODRIGUEZ: That's the process between
10 that.

11 MR. KUCHARSKI: He didn't raise any
12 questions. You don't know if he actually plugged it in
13 the computer, you just assume he did. Were you there
14 physically?

15 MR. RODRIGUEZ: I was not there physically.
16 I cannot say that.

17 MR. MILLAR: Mike Millar again. The stow
18 plan that you provided in this case, during the course
19 of cargo loading, besides, you know, the order of
20 loading, was the stow plan -- do you know if the stow
21 plan when the vessel left is the same as what was
22 proposed?

23 MR. RODRIGUEZ: We made some changes during
24 the day, pre-stow versus the final one, and that
25 (inaudible) of the cargo arrive.

1 MR. MILLAR: All right.

2 MR. RODRIGUEZ: Okay.

3 MR. MILLAR: And you were given the post-
4 stow plan after it was finished?

5 MR. RODRIGUEZ: We don't call it post. We
6 call it final. The final is -

7 MR. MILLAR: Okay.

8 MR. RODRIGUEZ: -- when the last container,
9 that's the lashing you're putting on position, we have
10 those correct numbers on the CargoMax and on the stow
11 plans, and then that's the information that we bring to
12 the chief mate together, plus the pen drive.

13 MR. PETERSON: This is Lee Peterson with
14 TOTE. Just to kind of add onto what was Ron was
15 saying, being that this is a domestic run, on
16 international runs they have to have all of the cargo
17 24 hours in advance because of the customs sweep.
18 These guys are dealing with cargo coming in as they're
19 loading the ship, so you really can't have a preplan
20 that's -

21 MR. RODRIGUEZ: It is a -- there was a
22 business run. Again, as you know, it is a consistent
23 operation every Tuesday. Monday and Tuesday with the
24 Faro, Thursday and Friday with the Yunque. Also a time
25 in order to have a more accurate pre-stow, we use the

1 final pre-stow from the previous week, we make the
2 changes, and then send it as the pre-stow release and
3 we have 100 vessels at the station again this week,
4 okay? And then that's information that we have as a
5 back up, and then we give it to them, the final one.

6 MR. MILLAR: Mike Millar, ABS. Ron, when
7 you talked about when the cargo is coming into the
8 terminal, you've got scales for all of the cargo?

9 MR. RODRIGUEZ: Yes.

10 MR. MILLAR: Do you take -- what happens if
11 there's like an overage? It's way over its limit.
12 It's in a 20 foot container and it's, you know, 40
13 tons.

14 MR. RODRIGUEZ: Okay.

15 MR. MILLAR: I don't know whether that's -

16 MR. RODRIGUEZ: That's a different number
17 for the vessel. You're talking about receiving a
18 container over weight. At TOTE, we don't accept those
19 container. We call the customer. "You're exceeding
20 what the manufacturer said." We always go to the GW
21 weight, gross weight.

22 That's the safe way and that's the way to
23 prevent any damage, and that container, each particular
24 container in that particular voyage, that's a rule. We
25 don't play with the safety. You always look for that,

1 a gross weight, and we stow the vessel based on that
2 information. We are not exceeding.

3 And even though -- we don't allow it also to
4 go outside to the road. We call the customer and we
5 say, "Customer, you need to transfer and pay for that
6 transfer at the end of the terminal." We don't play
7 with our guys. We have fun outside.

8 MR. KUCHARSKI: Do you know everything
9 that's inside that particular container or trailer?

10 MR. RODRIGUEZ: No. For the terminal folks,
11 including and Matthews, for us it's (inaudible). We
12 don't need to know what is inside of that container.
13 And people on the terminal, they don't need to know.
14 For me, it's a regular container with this amount of
15 weight if it's refrigerator or a dry container. I
16 don't need to know and we would not know what we have
17 inside of the container. That's documentation. That's
18 the other department.

19 MR. KUCHARSKI: So somebody there at SeaStar
20 or TOTE, whatever, at SeaStar knows. Somebody knows
21 everything that's inside that container?

22 MR. RODRIGUEZ: After we receive the
23 manifest from the customers, absolutely.

24 MR. KUCHARSKI: And that's whether it's
25 hazmat or not, they tell you what's inside that

1 container?

2 MR. RODRIGUEZ: They never tell us what's
3 inside the container. All we have is the hazmat
4 information because we need to supply that to the
5 vessel before he departs. The regular cargo, you don't
6 need to know. I don't need to know what's inside of
7 that container.

8 MR. KUCHARSKI: Understood, okay, thank you.
9 Mike Kucharski again. Any problems with the securing
10 system, the containers, the container securing system,
11 or data on the vehicle decks, any problem with d-rings,
12 buttons that you're aware of?

13 MR. RODRIGUEZ: Not that I'm aware of.

14 MR. STITH: Kevin Stith from TOTE Services.
15 As far as you know, there was always adequate lashing
16 gear available on board?

17 MR. RODRIGUEZ: Yes.

18 MR. STITH: And no complaints from the
19 longshoremen or stevedores as to the condition of the
20 lashing gear?

21 MR. RODRIGUEZ: No.

22 MR. STITH: Okay, thank you.

23 MR. KUCHARSKI: Do you have a lashing
24 inventory for the vessel?

25 MR. RODRIGUEZ: Well, Don Matthews has the

1 twist locks inspections because we double pick, you
2 know, to have the double pick empties you need to have
3 that program to certify the twist locks in an amount of
4 time. We have physically the union guy. He is the one
5 and the chief mate most of the time to say, "Listen, we
6 have a bunch of lashing that is no good." Then we put
7 it on pallets and we remove it from the vessel and
8 destroy it. We buy new ones and put it back on the
9 vessel.

10 MR. KUCHARSKI: And I'm sorry, this is Mike
11 Kucharski again. How do you know they're no good? How
12 do they know they're no good?

13 MR. RODRIGUEZ: Physically by vision they
14 can see they can unloop or there's a rupture. There's
15 no tie completely. They identify it completely and we
16 destroy the lashing.

17 MR. KUCHARSKI: So to your knowledge,
18 they're not tested. They just visually look at them?

19 MR. RODRIGUEZ: That's correct.

20 MR. KUCHARSKI: And you mentioned chain. Do
21 we know the size of the chain, the diameter chain?

22 MR. RODRIGUEZ: Correct me if I'm wrong,
23 Lee. It's about a half-inch or more.

24 MR. PETERSON: This is Lee Peterson. I
25 think Kevin might have a better idea.

1 MR. STITH: I think it's either a half-inch
2 or a five-eighths. Kevin Stith from TOTE Services.
3 It's, you know, heavy duty chain, and I can't remember
4 the -- we'll get the specs from the El Yunque. They
5 have the same thing.

6 MR. KUCHARSKI: Okay.

7 MR. STITH: The loading weights and all of
8 that.

9 MR. KUCHARSKI: And what size chain do you
10 put on the automobiles?

11 MR. RODRIGUEZ: The automobiles do not have
12 any chains. They only have ropes or straps, rich
13 straps, okay? That's the automobile. And there is a
14 process and the foreman is responsible with a guy to
15 make sure that it's in parking, the emergency brake is
16 applied, and they have four ropes to put on the cars.

17 MR. KUCHARSKI: And these ropes are made of?

18 MR. RODRIGUEZ: We have different suppliers.

19 MR. KUCHARSKI: The material that they're
20 made of. You use different so you use manilla and you
21 use -- what is the actual lashing of the rope that
22 you're using? Do you know what it's made of?

23 MR. RODRIGUEZ: No, actually we have vendors
24 that we buy in the States (inaudible).

25 MR. KUCHARSKI: Okay, and then there is some

1 kind of binder or something to attach it to the
2 automobile?

3 MR. RODRIGUEZ: Well, they have a line and
4 like a binder. It's only to lug that particular lines,
5 and that would be the one we look at on the hooks on
6 the chassis of the car. If the car is a low clearance,
7 then we have a one-inch (inaudible) and we put it on
8 the wheels and the secure that the cargo's only moving
9 back and forth.

10 MR. KUCHARSKI: Were all of the automobiles
11 on this particular voyage down at the tank top level?

12 MR. RODRIGUEZ: It was the majority on the
13 tank top and a couple on the force ramp.

14 MR. KUCHARSKI: On the what?

15 MR. RODRIGUEZ: Force ramp. In the two
16 alpha and bravo, there was a ramp before to go to the
17 main deck when it was a ro/ro vessel, the same as in
18 two foxtrot, then we use those pockets to load cars
19 there.

20 MR. KUCHARSKI: Those are ramps?

21 MR. RODRIGUEZ: They're ramps.

22 MR. KUCHARSKI: They're ramps.

23 MR. RODRIGUEZ: They're ramps.

24 MR. KUCHARSKI: Okay, did -- so during this
25 particular load out of the El Faro in Jacksonville, you

1 did not have any other conversations with the master
2 except when you delivered the mail?

3 MR. RODRIGUEZ: I delivered it to the
4 captain on that particular day on Monday. A package
5 for one of the crew members was off two weeks, and they
6 called the crew member. "Listen, the package is here,"
7 and the crew member told the captain, "Please leave it
8 in the main office and we'll go pick it up." After
9 that, it was a complete strictly cargo operation.

10 MR. KUCHARSKI: So no other conversations
11 with the master?

12 MR. RODRIGUEZ: No.

13 MR. KUCHARSKI: How about with the mate?

14 MR. RODRIGUEZ: The same. All of the
15 conversation were about cargo.

16 MR. KUCHARSKI: Okay, so -

17 MR. RODRIGUEZ: On Monday and on Tuesday,
18 and the --

19 MR. KUCHARSKI: Okay, and -- I'm sorry.

20 MR. RODRIGUEZ: The conversations were only
21 strictly with cargo operation.

22 MR. KUCHARSKI: But throughout the day you
23 had conversations with him?

24 MR. RODRIGUEZ: Oh, yes.

25 MR. KUCHARSKI: Okay, so let me back up a

1 little bit. I'm sort of a little bit confused. So
2 after you brought the mail on and you dropped things,
3 you talked to the master, the chief engineer, and the
4 mate, then you went back into your office, but
5 throughout the day you're talking to the chief mate?

6 MR. RODRIGUEZ: Yes.

7 MR. KUCHARSKI: And he would be asking
8 questions about the stows or --

9 MR. RODRIGUEZ: The conversation was from us
10 to them most of the time. Periodically during the
11 operation we call and say, "Listen, this is -- are we
12 planning to have -- we have this available that way."
13 We cannot wait until the end of operation because it
14 would cause a tremendous delay.

15 And during the day, especially when we start
16 finishing the cargo operation, we start having that
17 conversation with the chief mate. "This is the systems
18 fit, okay." And sometimes the chief mate says, "Okay,"
19 and we take pictures and send it by text message and
20 say, "Listen, this is the condition of the vessel,
21 okay," and that's the kind of conversation we have back
22 and forth.

23 If for some reason one of the mates during
24 the inspection sees a cargo has a lashing loose, then
25 that's a conversation from the chief main to us, "In

1 this particular deck or bay, the lashing it loose,
2 okay."

3 If they have, say the chief electrician or
4 the electrician has a problem with one of the reefers,
5 the chief mate is the one to call. "Hey, we have this,
6 a container, reefer number this in this bay with this
7 problem. Please send the technicians on." These kinds
8 of conversations we have back and forth every day,
9 every operation.

10 MR. KUCHARSKI: So you likely had some of
11 those conversations -

12 MR. RODRIGUEZ: Oh, yes.

13 MR. KUCHARSKI: You did, okay, and the other
14 conversations about list of the vessel.

15 MR. RODRIGUEZ: That's correct.

16 MR. KUCHARSKI: So it was --

17 MR. RODRIGUEZ: There was only one
18 conversation with the captain about the list during the
19 entire day around 3:00.

20 MR. KUCHARSKI: But numerous conversations
21 with the mate about secure lashings or about list?

22 MR. RODRIGUEZ: Not the lashings. It was
23 only with -- they had a couple of reefers without tack,
24 and they had a couple of reefers where they had some
25 alarms, and one in the roller that don't working

1 properly, and they request that the technician be on
2 board. The other communication from me to them is
3 continuously informing them of what the system said
4 about the list, and the margin, and the available dead
5 weight.

6 And if for some reason we wait for the
7 cargo, we always call the chief mate and the captain to
8 advise, "The estimated time of departure has been
9 changed," because they need to setup the sailing with
10 the crew members.

11 MR. STITH: Kevin Stith with TOTE Services.
12 Do you remember approximately how many refrigerated
13 containers they had?

14 MR. RODRIGUEZ: 230s.

15 MR. STITH: And do you know if they also had
16 a portable generator and diesel tank?

17 MR. RODRIGUEZ: Yes, they had in bay four,
18 central line, we have a 20-foot generator plus the
19 diesel tank.

20 MR. STITH: Thank you.

21 MR. KUCHARSKI: All of these reefers that
22 you had, the refrigerated cargo, are they all plug-ins?

23 MR. RODRIGUEZ: Yes.

24 MR. KUCHARSKI: None have any of their own
25 diesel tanks and generator sets that you operate?

1 MR. RODRIGUEZ: No, that's the reason why we
2 have the portable power pack on bay four in order to
3 supply power to the bay. The reefers are on that power
4 pack.

5 MR. KUCHARSKI: Did --

6 MR. STITH: Kevin -- oh, sorry.

7 MR. KUCHARSKI: No, go ahead.

8 MR. STITH: Kevin Stith with TOTE Services.
9 On the second deck, do you know if you had any what's
10 called goodnight reefers that have their own
11 generators?

12 MR. RODRIGUEZ: I don't recall any.

13 MR. STITH: Okay.

14 MR. RODRIGUEZ: I don't know if we have that
15 particular on that date.

16 MR. STITH: Okay.

17 MR. KUCHARSKI: And are the reefers, the
18 plug-in reefers, are they all 220 or are they 440 or --

19 MR. RODRIGUEZ: 480.

20 MR. KUCHARSKI: 480, so all is 480, 480
21 volts. Do you recollect if there was a night mate on
22 board or if they had the regular ship's officers?

23 MR. RODRIGUEZ: We had the port mate most of
24 the time when we have the operations.

25 MR. KUCHARSKI: You have a port mate. So he

1 or she comes on board just while the vessel is in port?

2 MR. RODRIGUEZ: Only when the vessel is in
3 port.

4 MR. KUCHARSKI: And that port mate, do they
5 relieve anybody so they don't have to work or are they
6 just an extra?

7 MR. RODRIGUEZ: It's an extra personnel from
8 the crew leads that's only helping the crew with the --
9 during the operations. And also sometimes we have an
10 electrical technician adding for that operation on that
11 vessel.

12 MR. KUCHARSKI: So you would have them on
13 that particular -- on this trip that we're talking
14 about, they had the chief mate, they had a port mate,
15 and then the third mate or second mate, they're also
16 out there looking at cargo, checking cargo?

17 MR. RODRIGUEZ: They only had the mates that
18 they have in the crew leads. What we're adding from
19 outside is the port mate, and that port mate can be on
20 the second deck, on the main deck, whatever they need,
21 and that coordination is between the chief mate and the
22 port mate. It's not with us because he tells when he
23 needs to have some help.

24 If -- on that particular vessel, I don't
25 recall if we had an electrician assistant. Again, if

1 that electrician was on that particular vessel from
2 offshore, he'd go to the electrician and say, "What do
3 you want me to do to help the reefers back and forth?"

4 MR. KUCHARSKI: Okay, I guess I'm just not
5 clear. This is Mike Kucharski again. Many ships have
6 night mates. They come on board to relieve the watch
7 standing mates so they can go ashore and not have to
8 work. I just want to understand clearly. In this
9 situation, the day the ship was in, the port mate was -
10 - they were using a port mate, the chief mate was
11 aboard, and then the watch standing mates were also out
12 there -

13 MR. RODRIGUEZ: Yes.

14 MR. KUCHARSKI: -- on their watches?

15 MR. RODRIGUEZ: Their watches, yes.

16 MR. KUCHARSKI: So the port mate was not to
17 relieve them so they can --

18 MR. RODRIGUEZ: No, no, no, no, no. The
19 port mate does not relieve anyone to go offshore. The
20 port mate is an extra hand to manage the cargo volume
21 that we have.

22 MR. STITH: Kevin Stith from TOTE. Did the
23 chief mate or the master send you an access list from
24 the ship with the names of maybe the port mate or
25 standbys that would be coming?

1 MR. RODRIGUEZ: The captain sent us the day
2 before, or prior to their arrival at port, the crew
3 list, and we call it a crew list. And most of the time
4 when they have the confirmation from the hold who goes
5 on the vessel, they add those add-in personnel on that
6 list and we forward that to customs on departure.

7 MR. STITH: So my question is do we know for
8 sure if there was a port mate or if there wasn't a port
9 mate?

10 MR. RODRIGUEZ: I don't recall right now.

11 MR. STITH: Okay.

12 MR. RODRIGUEZ: The only way we can do it is
13 to just go back to the information the captain supplied
14 to us.

15 MR. STITH: Okay.

16 MR. RODRIGUEZ: And -

17 MR. STITH: That's fine. Thank you.

18 MR. KUCHARSKI: And the same thing with --
19 this is Mike Kucharski -- the standbys. The same thing
20 with the standbys?

21 MR. RODRIGUEZ: That's correct.

22 MR. KUCHARSKI: And the standbys are used
23 for?

24 MR. RODRIGUEZ: Whenever the crew members
25 need to have some help. That issuance is made from the

1 crew members, the captain, or the ship mate with the
2 holds. It's not with TOTE. We don't make that call.
3 We identify the amount of volume, then we tell the
4 guys, and then they help.

5 MR. STITH: Kevin Stith from TOTE Services,
6 just a statement. Generally, the standbys can come for
7 one of two purposes, either to relieve a guy that is
8 taking a day off, or as an extra to help with the
9 reefers to plug-in and unplug reefers, and help as
10 needed. Generally that's how the unlicensed standbys
11 work.

12 MR. KUCHARSKI: Okay, this is Mike
13 Kucharski. Unlicensed?

14 MR. STITH: Yes.

15 MR. KUCHARSKI: So they would be for the
16 sailors, the ABs, or whatever it may be?

17 MR. STITH: The oilers, the SA, the cook.

18 MR. KUCHARSKI: So you don't typically have
19 standbys for the mates like a night mate?

20 MR. STITH: No, they do not get a night
21 mate.

22 MR. KUCHARSKI: Okay.

23 MR. MILLAR: Mike Millar, ABS. Regarding
24 the generator, is it just one generator on deck for the
25 reefer containers?

1 MR. RODRIGUEZ: Yes, on that particular
2 vessel, yes.

3 MR. MILLAR: Is it part of a permanent
4 installation on board the vessel or is that brought on
5 when they have reefer containers?

6 MR. RODRIGUEZ: No, when we have the amount
7 and volume of reefers and we decided that bay as a
8 reefer area three and in five, then we put the
9 generator, and the power, and the fuel tank, and add in
10 more reefers in those particular areas three and five.

11 MR. MILLAR: Is the generator and fuel tank
12 a combined unit?

13 MR. RODRIGUEZ: No, it's a separate unit.

14 MR. MILLAR: It's a separate unit.

15 MR. RODRIGUEZ: There's a 20-foot ISO tank
16 and the regular 20-foot power pack.

17 MR. MILLAR: Okay, and that's part of the
18 normal stow plan is to --

19 MR. RODRIGUEZ: Oh, yes.

20 MR. MILLAR: -- account for the generator
21 and the fuel tanks?

22 MR. RODRIGUEZ: Everything that we stow on
23 that vessel, we put in the weight, and we put it on the
24 -

25 MR. MILLAR: And is that a frequent thing or

1 is that unusual that you would carry 230 as frequent?

2 In other words, it's a regular thing?

3 MR. RODRIGUEZ: It's a regular thing that we
4 maximize the reefers on the vessels in order to supply
5 the mates (inaudible).

6 MR. MILLAR: And do they end up taking the
7 generator pack off in San Juan or does it come back to
8 Jacksonville?

9 MR. RODRIGUEZ: It stays on board and then
10 when the vessels return back to Jacksonville, we have a
11 mechanic and we charge that power pack and the diesel
12 tank. We fill up the diesel tank and we have a
13 mechanic to look for the PA, make any kind of PA,
14 change the oil or whatever they need to, and look that
15 the entire equipment is adequate to go back on board,
16 and supply whatever we need.

17 MR. MILLAR: And so since they're both ISO-
18 type container frames -

19 MR. RODRIGUEZ: Yes.

20 MR. MILLAR: -- then they're locked into the
21 deck with twist locks?

22 MR. RODRIGUEZ: That's correct.

23 MR. KUCHARSKI: Back to the fructose tanks,
24 are they -- do they run fore and aft or port?

25 MR. RODRIGUEZ: Fore and aft.

1 MR. STITH: Kevin Stith. Who handles the
2 loading and the -- the loading of the fructose tanks?

3 MR. RODRIGUEZ: A company named C&C of Boat
4 Solutions. They have their own personnel running on
5 the dock and the same person on the vessel switching
6 the lines to the different tanks.

7 MR. STITH: And how are those quantities
8 determined?

9 MR. RODRIGUEZ: Boat Solutions is the one to
10 determine what product capacity goes to each tank based
11 on the needs of the customers.

12 MR. STITH: So C&C Boat would give you the
13 quantities that were loaded, the tonnages or the -

14 MR. RODRIGUEZ: They send it by pound and we
15 make a calculation to convert it as a long ton, and we
16 put it on the CargoMax basically the ton position.

17 MR. STITH: Thank you.

18 MR. KUCHARSKI: And the fructose tanks, is
19 it fixed piping that goes to the tanks to pump in, or
20 is it hoses, or what is it?

21 MR. RODRIGUEZ: No, there's a fixed pipe
22 from the connectivity side to the vessel all the way
23 down into the foredecks. It's a fixed pipe.

24 MR. KUCHARSKI: A fixed pipe.

25 MR. RODRIGUEZ: It's a fixed pipe on the

1 vessel.

2 MR. KUCHARSKI: On the vessel.

3 MR. RODRIGUEZ: Yes.

4 MR. KUCHARSKI: Okay, and it comes up to a
5 manifold where they connect it?

6 MR. RODRIGUEZ: That's correct.

7 MR. KUCHARSKI: Okay. Is there anything
8 that you want to add at this particular time?

9 MR. RODRIGUEZ: No, sir.

10 MR. KUCHARSKI: [REDACTED]

11 MR. [REDACTED] No, thank you. I'm clear on
12 everything. I appreciate your time.

13 MR. RODRIGUEZ: Okay.

14 MR. STITH: That's all I have. Thank you,
15 Ron.

16 MR. RODRIGUEZ: Thank you.

17 MR. MILLAR: Sorry about that.

18 MR. KUCHARSKI: No, that's okay. Is there
19 any last question you want to ask?

20 MR. MILLAR: I did have a couple of
21 questions about the lashing. In the past experience,
22 you know, I did not know how long you've been working
23 there, but when they -- you talked about disposal of
24 twist locks, or chains, or bars that are no good and
25 they're taken off. Do they -- and you said they were

1 replaced. How do they -- do they get more well in
2 advance or do you have a stockpile of new equipment?

3 MR. RODRIGUEZ: We have a stockpile for
4 equipment on the terminal, chains, binders, rods, turn
5 buckles, twist locks.

6 MR. MILLAR: Okay, and would the chief mate
7 or one of the mates onboard the ship, they'd come
8 aboard and they would actually look at the equipment in
9 the process of it being delivered to the ship or how --
10 it was just being turned over the stevedores and they
11 would --

12 MR. RODRIGUEZ: No, no, it is -- if for some
13 reason we need to change the lashing material, there's
14 a communication between the chief mate and us. And say
15 for example normally we have this beam with this amount
16 of twist locks that is broke. It's not in working
17 condition.

18 Then we pick up that beam and we have the
19 same amount of equipment of twist locks, and we put it
20 in the other beam and deliver it to the vessel. Then
21 we have those twist locks and we send it to be
22 certified again. We can fix it and certify it again in
23 order to have it in the rotation.

24 That company (inaudible) is the one to
25 decide with a testing if they can be fixed or they need

1 to be replaced.

2 MR. MILLAR: Okay, and given that the chain
3 sizes are so close, half-inch and five-eighths, and or
4 nine-sixteenths and five-eighths, as part of your stow
5 plan, do you actually specify what size chain needs to
6 be used on certain stock?

7 MR. RODRIGUEZ: For the vessel lashing, and
8 you can see the difference even though it's a five-
9 eighths or half, you see a big difference with that kind
10 of chain versus a regular change, and immediately the
11 stevedores know, "Use what is for the vessel." Any
12 kind of cargo on top of a flatbed or flat rack, then we
13 use a three-eighths. That will secure the cargo and the
14 flat bed or the flat rack, and then we secure the flat
15 rack to the vessel.

16 MR. MILLAR: Okay, I --

17 MR. RODRIGUEZ: From the vessel, from the
18 flat rack to the vessel, that's the lashing, chain, and
19 binding that we use from the vessel operations. Three
20 --

21 MR. MILLAR: Okay --

22 MR. RODRIGUEZ: Yes?

23 MR. MILLAR: In other words, if I have two
24 pieces of cargo, let's just say one's a tank and the
25 other is a helicopter, does the stow plan indicate what

1 size chain needs to be used to secure those items?

2 MR. RODRIGUEZ: We always use the lashing
3 chains and binders for the rope. We don't change
4 lashing.

5 MR. MILLAR: Can those --

6 MR. RODRIGUEZ: In other those, it can be
7 the same chain or binding even though it can be a 1,000
8 pound cargo or a 20,000 pound cargo. It would be the
9 same chain and bundle that we use for the container.

10 MR. STITH: Kevin Stith with TOTE Services.
11 They only have one size of chain in the ship for
12 lashing cargo.

13 MR. MILLAR: Okay.

14 MR. STITH: So everything gets the same.

15 MR. MILLAR: I thought earlier he said half-
16 inch and five-eighths.

17 MR. STITH: No, we're not sure right now.

18 MR. RODRIGUEZ: We're not sure if it is a
19 one half-inch or five-eighth inch, and we need to
20 identify that.

21 MR. MILLAR: So there's just one size chain.

22 MR. RODRIGUEZ: There's only one size chain.

23 MR. MILLAR: Okay.

24 MR. RODRIGUEZ: Only one lashing that's --

25 MR. STITH: I can't remember.

1 MR. MILLAR: Sorry for the confusion, but
2 thank you for that clarification.

3 MR. RODRIGUEZ: There's only one lashing
4 chain. There's only one. And you can identify that as
5 soon as you pick it up, as soon as you see it from
6 there, you'll see which one is for the vessel and which
7 one is the regular one.

8 MR. MILLAR: Is there anything else that you
9 think might be helpful in this, in our search for
10 information?

11 MR. RODRIGUEZ: For the operations
12 standpoint, guys, that's the way we operate every
13 vessel operation.

14 MR. KUCHARSKI: Okay, it's 2:43 and we're
15 stopping the interview right now with Mr. Rodriguez.
16 Thank you very much --

17 MR. RODRIGUEZ: Thank you.

18 MR. KUCHARSKI: -- again for your time. I
19 guess we'll see you tomorrow at the terminal.

20 MR. RODRIGUEZ: Absolutely.

21 MR. KUCHARSKI: Okay, have a nice day.
22 Thank you.

23 (Whereupon, the above-entitled matter went
24 off the record at 12:54 p.m.)

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3
3 29:6
3/8 20:25
3:00 61:19
30th 13:4
32 40:24
36 48:16
3a 25:1,9
4
40 53:12
440 63:18
480 63:19,20,20,20
4a 24:17 25:2,9
4b 24:17 25:20
4c 24:17
4d 24:18
5
53 41:20 45:5
6
7
8
8 1:9

9
96 16:10

C E R T I F I C A T E

MATTER: El Faro Incident
Accident No. DCA16MM001
Interview of Ron Rodriguez
Jacksonville, Florida

DATE: 10-08-15

I hereby certify that the attached transcription of page 1 to 90 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



NEAL R. GROSS

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NTSB RESPONSE (in bold blue) TO TABLE OF CORRECTIONS
TO TRANSCRIPT OF INTERVIEW FOR RONALD RODRIGUEZ
TAKEN ON
OCTOBER 8, 2015

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	Suggested CORRECTED WORDING	NTSB RESPONSE
8	9	pallet tops	pilot tugs	AGREE
8	11	board	and border	AGREE
8	21	post	Port	Do not agree. Sounds like "PORTUS"
8	22	pallet	Pilot	AGREE
8	22	Tucks	Tugs	AGREE
9	13	inaudible	Don Mathews	AGREE
9	16	saturation	Segregation	AGREE
9	17	saturation	Segregation	AGREE
9	25	establish	Starboard	DO NOT AGREE. Sounds like "starboard side or port side"
11	12	reversal	Reefer	Do not agree. Sounds like "ro ro stow plans."
11	19	--	stow plans	Do not agree.
13	24	Inaudible	Port Everglades	Do not agree. Sounds like "PE"
15	17	roll low port	roloc box	DO NOT AGREE. Sounds like "RO RO"
15	18	hauling	Holding	AGREE
15	18	bullet	Pulling	AGREE
15	20	roller blocks	roloc box	AGREE
18	18	roller	ro-ro	AGREE
18	20	roller blocks	roloc box	AGREE
18	22	lot of the roller	lock of the roloc box	AGREE
18	24	crawls	Grabs	DO NOT AGREE. Sounds like "cross"
19	3	roller blocks	roloc box	AGREE
19	4	roller blocks	roloc box	AGREE
19	24	roller blocks	roloc box	AGREE
19	25	roller blocks	roloc box	AGREE
20	17	roller blocks	roloc box	AGREE
22	3	roller blocks	roloc box	AGREE
22	6	load the roller	lock the roloc box	Do NOT AGREE. Sounds like "pull the ROLOCS Box"
22	9	non-heavy metal	piece heavy metal	Do not agree. Sounds like "you know, a heavy metal"
22	10	roller blocks	roloc box	AGREE
23	10	--	NIC	Do NOT AGREE
23	14	roller	ro-ro	AGREE
23	25	roller	ro-ro	AGREE
24	1	roller	ro-ro	AGREE
24	5	on board time	he onboard tanks	AGREE
24	11	Echo, third	Bravo, Charlie, Delta	AGREE
24	11	Bravo, and alpha	Echo, Foxtrot	AGREE
24	13	Delta, Charlie	Alpha, Bravo	DO NOT AGREE
24	14	Delta, Charlie,	Bravo Charlie, Delta	DO NOT AGREE
24	15	Three	Four	DO NOT AGREE
24	16	for	Four	AGREE
24	16	onboard time	onboard tanks	AGREE
24	17	times	Tanks	AGREE

30	10	an over	an open	AGREE
30	12	by the order	by water door type	AGREE
33	11	loads	List	AGREE
34	14	awry	wrong	DO NOT AGREE. Sound like "isn't right"
34	17	engineer	Mate	AGREE
34	23	loading	supervisor	Do NOT AGREE
41	20	times	tanks	AGREE
46	14	fee	three	AGREE
46	16	tons	TDS	DO NOT AGREE
46	20	roller	Roloc	AGREE
46	21	block	Box	AGREE
46	23	inaudible	total weight	DO NOT AGREE. Sounds like "tare"
46	24	roller blocks	roloc box	AGREE
49	2	times	tanks	AGREE
49	3	Times	tanks	AGREE
54	11	inaudible	transportable	Do NOT AGREE
56	14	unloop	unlock	AGREE
57	12	Rich	Inch	DO NOT AGREE
58	7	inaudible	Strap	DO NOT AGREE
58	13	Force	False	AGREE
58	15	Force	False	AGREE
60	11	--	a cargo that	DO NOT AGREE
60	18	fit	information	DO NOT AGREE
61	23	Tack	Tag	AGREE
61	25	Roller	ro-ro	AGREE
66	4	Hold	Haul	DO NOT AGREE. Sounds like "hall"
69	5	the mates	the Island needs	DO NOT AGREE. Sounds like "needs to the island."
69	11	we change	we impact	DO NOT AGREE. Sounds like "we charge"
69	13	Pd	PM	AGREE
70	3	Boat	Bulk	AGREE
70	9	Boat	Bulk	AGREE
70	12	Boat	Bulk	AGREE
70	23	fore deck	our deck	Do NOT AGREE. Transcription is correct.

If to the best of your knowledge, no corrections are needed kindly circle the statement "no corrections needed" and initial in the space provided.

NO CORRECTIONS NEEDED.

[Redacted Signature]

P [Redacted] above information

S [Redacted] e information

Date 11/16-2015