

## UNITED STATES OF AMERICA

## NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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M/V *CONTI PERIDOT* COLLISION WITH

\*

THE M/T *CARLA MAERSK* IN THE

\*

HOUSTON SHIP CHANNEL

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MARCH 9, 2015

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Docket No.: DCA-15-MM-017

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Interview of: FRANCIS ANGELOU APGAO ESTREBOR

Houston, Texas

Wednesday,  
March 18, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: ROB JONES  
Senior Marine Accident Investigator

## APPEARANCES:

ROB JONES, Senior Marine Investigator  
Deck Operations Group Chairman  
National Transportation Safety Board

CARRIE BELL, Marine Accident Investigator  
National Transportation Safety Board

[REDACTED]  
[REDACTED]

MIKE USHER  
Board of Pilot Commissioners for  
Harris County Ports


MIKE MORRIS  
Houston Pilots Association

NICK KOTSOVOLOS, Senior Marine Superintendent  
Maersk Tankers

MADS NIELSON, Maritime Accident Investigator, DMAIB  
THOMAS DAVIDSEN, Maritime Accident Investigator, DMAIB  
(On behalf of the Maersk-Denmark Flag State)

DAVID BETTS  
(On behalf of *Conti Peridot*-Liberia Flag)

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Eastham, Watson, Dale & Forney, LLP  
(On behalf of *Carla Maersk*)

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1                   MR. USHER: Mike Usher, Port Pilot Commissioners for  
2 Harris County Ports.

3                   MR. BETTS: David Betts, Log Data and Ship Registry.

4

6                   INTERVIEW OF FRANCIS ANGELOU APGAO ESTREBOR

7                   BY MR. JONES:

8           Q.    Okay Francis, if you could just tell me a little bit  
9 about your maritime background, when you first started sailing and  
10 how you rose up through the ranks, whether it was ordinary AB or  
11 where you went to school. Stuff like that.

12          A.    I started at Philippine Merchant Marine Academy.

13          Q.    Yeah a little, just a little louder please if you can.

14          A.    Philippine Merchant Marine Academy and graduated 2004,  
15 but I started sailing as a cadet 2001. From 2004 I boarded my  
16 first chemical tanker and 2004 as a (indiscernible) member I  
17 become third officer and I've been on nine different chemical  
18 tankers from that time until now.

19                   Onboard *Carla Maersk* I've been here for three contracts.  
20 So from cadet to second officer.

21          Q.    Okay and when did you become a second officer?

22          A.    On *Carla Maersk* I was promoted last contract date.

23          Q.    About how long ago was that contract?

24          A.    May 2014 until November and then I came back January  
25 until today. At on my previous company I was also second officer

1     there for one year and then I came to *Maersk*.

2           Q.     Okay.  And how long have you been onboard this vessel?

3           A.     Uh this contract?  Two months.

4           Q.     Okay.  And you've been on here before?

5           A.     Yes, sir.

6           Q.     All right.  Can you -- and how many times total have you  
7     been on this ship?

8           A.     Roughly 12 months.

9           Q.     Okay.  And have you worked with this captain before?

10          A.     Yes, sir.

11          Q.     Have you been into Houston before?

12          A.     Yes, sir.

13          Q.     About how many times?

14          A.     I don't remember how many.

15          Q.     Okay.

16          A.     But plenty.

17          Q.     Plenty?  Two dozen?  20 -- No?

18          A.     Cannot (indiscernible).

19          Q.     All right, plenty.

20          A.     Yes.

21          Q.     Okay, we'll go with plenty.  All right, now you came on  
22     watch at 12:00?

23          A.     Around.  I usually go 15 minutes before my watch to the  
24     --

25          Q.     Okay.

1           A.    -- bridge.

2           Q.    Okay.  And what's your regular watch?

3           A.    12:00 to 4:00.

4           Q.    12:00 to 4:00.  So we're you out on watch that morning,

5 12:00 to 4:00?

6           A.    Yes.

7           Q.    Is that midnight to 0400?

8           A.    Yes, midnight to 0400 and then 1200 to 1600 that's my

9 watch.

10          Q.    Okay.  And what were you doing from midnight to 0400?

11 The ship was at the dock?

12          A.    Yes.

13          Q.    Working -- do you work in cargo --

14          A.    Yes.

15          Q.    -- or just stand at --

16          A.    Yes.

17          Q.    Okay.  And what did you do after you came off watch at

18 0400?

19          A.    I went to rest.

20          Q.    All right.  And when did you get up from rest?

21          A.    11:00.

22          Q.    So did you sleep through breakfast?

23          A.    Yes.

24          Q.    All right.  So you got called in at 1100?

25          A.    No, I set my alarm.

1 Q. Okay. At 1100 though? You woke up at 11:00?

2 A. Yes.

3 Q. Okay. And then what next?

4 A. Had lunch 11:30, then by 11:45 I was already in the  
5 (indiscernible).

6 Q. Okay. And the ship underway? Is it at the dock?

7 A. Yes, we are already underway.

8 Q. All right. So tell me, you're coming up to the ship,  
9 it's underway in the river and the other watch officer is up on  
10 the bridge?

11 A. Yes.

12 Q. All right just tell me about the relief between you and  
13 the other watch officer?

14 A. Well a number of things I first observe what they are  
15 doing. Then I - we have a checklist to follow.

16 Q. Okay.

17 A. So I check the radars, everything. (Indiscernible) and  
18 the helmsmen but first they are following (indiscernible).

19 Q. Okay. And if just -- if you could a little bit louder.  
20 That's all right. I appreciate it, but thank you. So when you  
21 relieved the other mate at 11:45.

22 A. 12:00, 12:00.

23 Q. 12:00. At 12:00. What was the visibility like then at  
24 12:00? If you look out the bridge windows, you're going down the  
25 river, how far could you see?



1           A.    It's good visibility.

2           Q.    Good visibility at the time.  Was it hazy?  Rainy?  If  
3 you say good, how far is -- can you say, can you estimate how far  
4 is good?

5           A.    More than eight miles.

6           Q.    Okay.  So at 12:00 you're more than eight miles  
7 visibility?

8           A.    Yes.

9           Q.    All right.  Can you tell me how the -- what happened  
10 next with the visibility?

11          A.    It's getting less and less.

12          Q.    It happen quickly?

13          A.    No.

14          Q.    All right.  Well just describe it to me in your own  
15 words when the visibility got - how the visibility between good at  
16 12:00 when you relieved and then just prior to the accident.

17          A.    Yeah.  Let me see.  From here all (indiscernible) up to  
18 the bridge you can still see.

19          Q.    Okay.

20          A.    Okay.  And then coming up to the bridge then slowly  
21 becoming less and on the last power cable there's a point that  
22 more less.

23          Q.    More or less the visibility?

24          A.    Yeah more less visibility.

25          Q.    Okay.  Do you remember seeing - we've heard from the

1    lookout on the bow, the standby that he recorded a tug boat and  
2    barge coming up your portside.

3           A.    Yes.

4           Q.    Did you take that phone call? Did he - does he report  
5    to you on radio?

6           A.    Yes, he reports.

7           Q.    All right. When you first saw that tug boat and barge,  
8    can you tell how far you could see it? Visibility-wise? Did it  
9    come out of the fog or did you see?

10          A.    Oh we see it before.

11          Q.    All right. All right. Do you remember when you first  
12   saw the vessel that hit your ship, the *Conti Peridot*?

13          A.    Yeah.

14          Q.    Do you remember how far away you could see that?

15          A.    She was 0.55 miles.

16          Q.    0.55 miles?

17          A.    Yeah. From the time it was reported, I already saw and  
18   I measured the range for the first time. My visual.

19          Q.    Visual. Now was it -- could you see the entire vessel?  
20   Or just the bow?

21          A.    The shape.

22          Q.    The whole ship?

23          A.    The shape, sir.

24          Q.    The shape?

25          A.    Yeah like a shadow shape.

1 Q. Okay. So just about 0.55 miles, but was it foggy behind  
2 it? Was it more --

3 A. Yes.

4 Q. All right. So was it like coming out of the fog at you?

5 A. Yes.

6 Q. All right. And if you could -- coffee time? So, okay.  
7 So, if you could just describe to me where everyone was on the  
8 bridge, helmsman obvious at the wheel. Where were you standing?

9 A. I'm standing on the -- by the radar, together with the  
10 list to monitor the procedure. That was the position.

11 Q. Is that to the right?

12 A. The starboard side.

13 Q. The starboard side of the helmsman?

14 A. By the radar.

15 Q. All right.

16 A. During and to also check the helmsman because I can see  
17 the telegraph.

18 Q. All right.

19 A. And to follow -- monitor the engine. So I'm on  
20 starboard side.

21 Q. And where's the captain?

22 A. Before?

23 Q. Yeah, well just describe where he was --

24 A. Well, he was --

25 Q. -- one place? Was he walking around? Was he with the

1 pilot?

2 A. Yeah, he was with the pilot.

3 Q. All right.

4 A. He was with the pilot at that time.

5 Q. And where was the pilot?

6 A. On the portside.

7 Q. And was the pilot using any equipment?

8 A. Yeah, he have the like this radio.

9 Q. Okay. Was he looking at the radar at all? Your

10 vessel's radar?

11 A. Yes, one radar is set for the pilot.

12 Q. And what was it set at?

13 A. He asked me to set it to 1.5 miles.

14 Q. And that's the radar to the portside?

15 A. Yes.

16 Q. And was it head up? Was it north up? Did he ask you --

17 A. Head up. Head up.

18 Q. Head up?

19 A. Yes.

20 Q. Was the radar that you were looking at - was that head

21 up or was that north up?

22 A. North up.

23 Q. North up. And you're working on the starboard side.

24 Does that have an ECDIS? Or separate ECDIS separate radar?

25 A. They all have a main ECDIS --

1 Q. Right.

2 A. -- and this radar about is the secondary ECDIS.

3 Q. Okay.

4 A. So it can move early. There is a (indiscernible) relief  
5 if you want.

6 Q. Okay. All right, I haven't been up to your bridge yet,  
7 so I appreciate you describing it to me. I'll get up there in a  
8 minute. Do you have a radar over-light on top of the ECDIS?

9 A. No.

10 Q. No? All right. Do you remember, was the helmsman  
11 steering a course or was he even rudder -- was the pilot giving  
12 the helmsman rudder orders? Starboard 20. Port 20. Midships.  
13 Or was he steering a course like 1-6-1? Do you remember?

14 A. I don't remember at that time, but I think they were  
15 giving him orders.

16 Q. Okay.

17 A. And steady.

18 Q. And was there any problems with the rudder that you  
19 witnessed?

20 A. No.

21 Q. All right. Was there any problem with the pilot and the  
22 helmsman? Or did the helmsman do everything the pilot said and  
23 never --

24 A. Yes. The helmsman followed every orders.

25 Q. Okay, all right. When the *Conti Peridot* was -- when the

1   lookout reported the *Conti Peridot*, and you saw it about 0.55  
2   miles away, tell me everything that you can remember now that  
3   happened next.

4           A.   From the time we saw, the pilot ordered to starboard. I  
5   don't remember (indiscernible) but we start from 10 then 20 like  
6   this and then she start as alarm procedure port to port and then  
7   she came to the port bow but one -- one point to port bow and we  
8   are passing as normal. And then from one point we already saw she  
9   started to turn to portside. And then all of a sudden, very quick  
10  rate of turn from her and then we saw her broad starboard side.

11           And then, then I realized that we could hit I informed  
12  the watchman forward. (Indiscernible). And then she hit us.

13           Q.   Okay. I just want -- you mentioned the -- was the  
14  watchband forward just one person was up forward at the time  
15  before the collision?

16           A.   No, there were already two person.

17           Q.   Already two?

18           A.   Yes.

19           Q.   All right. Do you remember what the engines were on  
20  before the collision?

21           A.   Half ahead.

22           Q.   Half ahead. Do you remember any other engine commands  
23  prior to the collision?

24           A.   Yeah when he already brought -- receiver brought  
25  starboard side the pilot ordered the full ahead.

1 Q. Full ahead?

2 A. And he asked the captain.

3 Q. And the captain went full ahead?

4 A. Yes.

5 Q. Is the captain on the telegraph now?

6 A. No. He run because he realized already --

7 Q. Right.

8 A. -- that there would be a collision. Tried to avoid

9 (indiscernible). And he's the one who put it to full.

10 Q. By himself or did the pilot order it?

11 A. The ordered pilot.

12 Q. Okay. And did the captain -- were the pilot and the

13 captain talking? Did they agree? Can you remember watching them?

14 Were they both in agreement with what they were doing hard

15 starboard and full ahead or were they discussing or talking about

16 doing something differently? If you remember.

17 A. They were not discussing.

18 Q. Okay.

19 A. It was very fast.

20 Q. All right. Do you remember -- just after the collision

21 do you remember anything happened after that, that you can tell us

22 about? What happened next?

23 A. After the collision, I briefed the captain and helmsman

24 before everybody was here to (indiscernible) master station.

25 Q. And who told you to do that?

1           A.    I don't remember if master told me, but it is my  
2 responsibility to alert everybody. I could have but I don't know.

3           Q.    Did you -- were you keeping the log book at the time?  
4 Log book for the engine orders?

5           A.    No.

6           Q.    No?

7           A.    No.

8           Q.    Did you log the time of the time of the collision and  
9 the latitude and longitude of the position?

10          A.    Yes. Yes.

11          Q.    Okay. Do you remember how long the ship had been in  
12 port prior to leaving the berth, the dock that day?

13          A.    No.

14          Q.    Okay. Had this ship been at anchor prior to coming into  
15 Houston?

16          A.    Yes.

17          Q.    Okay. And then just come up -- when the dock was ready  
18 you came up, loaded and then left?

19          A.    You mean for this loading --

20          Q.    For this --

21          A.    -- process?

22          Q.    Yes.

23          A.    Yeah, we came to anchorage. Then first we load into  
24 Morgan and then I think we shift to TPC.

25          Q.    Okay.



1           A.    And then we went out again, anchorage and then we came  
2 back TPC.

3           Q.    Okay.

4           A.    Complete the cargo.

5           Q.    All right. All right thanks. That's all I have right  
6 now. Coast Guard?

7

8           [REDACTED] with the Coast Guard. On the bridge,  
9 who made the communication or were there communications between  
10 your vessel, the *Carla Maersk*, and the *Conti Peridot* concerning a  
11 passing arrangement?

12          A.    The pilots. They're the one communication -- the bridge  
13 communication is between pilots.

14          Q.    Yes, but did you hear it? Let me rephrase that  
15 question. Did you hear the pilot call the pilot on the *Conti*  
16 *Peridot* and make passing arrangements?

17          A.    No.

18          Q.    Did anyone on the bridge, to your knowledge, have a cell  
19 phone or use a cellphone during this -- the collision?

20          A.    No.

21          Q.    Okay, you've said you've been to Houston. You said  
22 plenty of times before.

23          A.    Yes, sir.

24          Q.    Have you had any difficulties in the transit during any  
25 one of those former times?

1           A.    No, sir.

2           Q.    Do you think it's a difficult transit coming up the  
3 Houston channel?

4           A.    Yes.

5           Q.    And why do you think it's difficult?

6           A.    The channel is not so wide.

7           Q.    Okay. When you said you saw the *Conti Peridot*, you're  
8 talking about visually, am I correct?

9           A.    Yes.

10          Q.    Okay. Prior to that, did anybody up on the bridge and  
11 yourself included have the *Conti Peridot* on the ECDIS or the  
12 radar?

13          A.    On the radar I saw her.

14          Q.    You saw her?

15          A.    Yeah.

16          Q.    Were you able to detect that it was having any type of  
17 problems?

18          A.    No.

19          Q.    Okay. When you did hit the fog, the restricted  
20 visibility, were any other additional precautions taken on the  
21 bridge?

22          A.    Before we enter the fog, we already posted the second  
23 lookout and sounded the fog signals for (indiscernible) vessel.

24          Q.    And during your previous transit to Houston Ship  
25 Channel, did you ever encounter fog?

1           A.    No.

2           Q.    Okay.  And these are some questions for us really.  In  
3   your previous transits to Houston, have you had any problems with  
4   the vessel traffic service in your dealings with the vessel  
5   traffic service?

6           A.    No, sir.

7           Q.    Have you had any, let's say, close calls with passing  
8   ships before?

9           A.    No.

10          Q.    That's all I have for right now, thank you.

11                   BY MR. BETTS:

12          Q.    I have two questions.  David Betts, Liberian Ship  
13   Registry.  Is your ECDIS your primary navigation system?

14          A.    Yes, sir.

15          Q.    So there's no data charts on the bridge?

16          A.    Yes, sir.

17          Q.    And all the engine movements are electronically  
18   recorded?

19          A.    Yes, sir.

20          Q.    Thank you, that's it.  Thank you.

21                   BY MR. USHER:

22          Q.    I'm Mike Usher, Houston Pilot Commissioner.  Did you --  
23   you said you were monitoring the starboard radar?

24          A.    Yes, sir.

25          Q.    And what did you have that set at?

1 A. 0.75. That's right, 0.75.

2 Q. 0.75 and you said north up?

3 A. Yes, sir.

4 Q. Good, thank you.

5 MR. MORRIS: No questions.

6 BY MR. DAVIDSEN:

7 Q. Were there any discussions to possibly avoid the passage  
8 or to (indiscernible) underway, like, between the pilots or  
9 between the master and anybody else? Did they discuss when the  
10 fog came in to do it differently (indiscernible)?

11 A. I'm not sure.

12 Q. Okay.

13 MR. KOTSOVOLOS: Two quick questions for you, Francis.

14 MR. JONES: Nick, just identify.

15 BY MR. KOTSOVOLOS:

16 Q. Oh, sorry. Nick from Maersk Tankers. Did you have the  
17 *Conti Peridot* on the AIS?

18 A. I did not check the AIS.

19 Q. Okay. Do you have an AIS overlay on the ECDIS?

20 A. Yes.

21 Q. Okay. But you don't -- do you remember if you saw --  
22 how did you know the ship's name?

23 A. Not until the ship hit us.

24 Q. Okay. But you didn't see the ship's name on the ECDIS?

25 A. No.

1 Q. Okay. And could you hear a fog signal from the *Conti*  
2 *Peridot*?

3 A. From the bridge, I didn't hear anything.

4 Q. Okay. Thank you.

5 BY MS. BELL:

6 Q. This is Carrie Bell. I have just a couple of questions.  
7 You said that you didn't hear any discussions about going a  
8 different way or doing something different due to the fog.

9 A. No.

10 Q. So does everyone on the bridge speak English or --

11 A. Yes.

12 Q. Everyone speaks English. And so you can understand what  
13 everyone is saying and, in those types of situations, if there's  
14 alarm talking going on, do you think you would be able to  
15 understand what they were --

16 A. They were on the portside and I was concentrating on my  
17 duty.

18 Q. So they were farther away and you wouldn't be able to  
19 hear that discussion?

20 A. Yeah.

21 Q. Possibly. So when you can see the side of the ship,  
22 you're looking out and you see the starboard side of the ship,  
23 does it appear as though anyone seems concerned about that?

24 A. When she start to turn to port maybe (indiscernible) to  
25 cause concern to us.

1 Q. And were there any other -- any discussions at the point  
2 about what --

3 A. On the bridge-to-bridge communication between the pilot  
4 that one I hear and I heard from the other pilot asking our own  
5 pilot to alter course to port. But he did not (indiscernible)  
6 bridge.

7 Q. Okay. One other question. You said that you started  
8 your shift at noon, correct?

9 A. Yes.

10 Q. And you slept -- what time did you say you went to bed?  
11 You got about how many hours of sleep?

12 A. Five hours. I say from 12:00 to 4:00 then maybe I fall  
13 asleep 5:00 then I woke up 11:00.

14 Q. Okay 5:00 a.m. to 11:00 a.m. Is that typical for your  
15 normal shift?

16 A. Yes.

17 Q. You sleep about six hours?

18 A. Yes.

19 Q. Between shifts?

20 A. Yes.

21 Q. And how many days do you work those shifts before you  
22 have a day off?

23 A. I don't have a day off. That's the only thing.

24 Q. So you continuously work that shift day in?

25 A. Yes, ma'am.

1 Q. Okay. Those were all my questions.

2 BY MR. JONES:

3 Q. Okay, thank you. Rob Jones again. Second the -- one of  
4 the questions were asked if you could hear the whistle from the  
5 *Conti Peridot*. Were your bridge wing doors open?

6 A. It's closed.

7 Q. Closed. Both closed?

8 A. Yes.

9 Q. And one other question you were asked about the -- you  
10 heard the pilot from the *Conti Peridot* talking to your pilot about  
11 altering course to port.

12 A. Yes.

13 Q. And your pilot said no, or they could not.

14 A. I don't remember the exact words.

15 Q. All right.

16 A. But he did not agree.

17 Q. He did not agree. At the time that, that was asked with  
18 your experience as a second mate and knowing how your ship handles  
19 and steers, do you think the ship could have come to port? Or was  
20 -- no? Do you agree with the helm order hard to starboard and  
21 full ahead? Do you think that was the best course of action from  
22 your experience? Was that the only thing your ship could do  
23 maybe?

24 A. Depends on the situation.

25 Q. Depending upon this situation. Do you think --

1 A. Yes.

2 Q. Yeah? Okay. That's all I have. We can go around  
3 again.

4 [REDACTED] No further questions from Coast Guard.

5 MR. BETTS: One question from Liberian Ship Registry.

6 BY MR. BETTS:

7 Q. You said the bridge door and windows were closed.

8 A. Yes, sir.

9 Q. Do you have sound notification system?

10 A. No, sir.

11 Q. So you have nothing to hear what's happening outside?

12 So --

13 A. The fog signals are heard. The watchman inform us.

14 Q. There's nothing -- you don't have a system of  
15 microphones outside which let you hear?

16 A. No.

17 Q. No? Okay, thank you.

18 MR. NIELSON: No further questions, thank you.

19 MR. DAVIDSEN: No further questions.

20 MR. JONES: Okay, all right. Thank you, Second. This  
21 concludes the interview. I appreciate your time and what you've  
22 told us.

23 (Whereupon, the interview was concluded.)

24

25



CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:           M/V *CONTI PERIDOT* COLLISION WITH  
                                  THE M/T *CARLA MAERSK* IN THE  
                                  HOUSTON SHIP CHANNEL  
                                  MARCH 9, 2015  
                                  Interview of: Francis Angelou Apgao  
  Estrebor

DOCKET NUMBER:           DCA-15-MM-017

PLACE:                   Houston, Texas

DATE:                    March 18, 2015

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

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Heidi Gardner  
Transcriber