

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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M/V *CONTI PERIDOT* COLLISION WITH

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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: LARRY EVANS

Houston, Texas

Wednesday

March 18, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: ROB JONES

Senior Marine Investigator

APPEARANCES:

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

ERIC STOLZENBERG, Investigator in Charge
National Transportation Safety Board

BARRY STRAUCH, Ph.D., Supervisory Investigator
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National Transportation Safety Board

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Board of Pilot Commissioners for
Harris County Ports

MIKE MORRIS
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HENNING PULMER
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(On behalf of *Conti Peridot*-Liberia Flag)

NICK KOTSOVOLOS, Senior Marine Superintendent
Maersk Tankers

JIM LEVINE, Esq.
KEITH LETOURNEAU, Esq.
(On behalf of Larry Evans)

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1 I N T E R V I E W

2 MR. JONES: Good morning. My name is Rob Jones.
3 I'm the group operations chairman for the National Transportation
4 Safety Board with the investigation concerning the *Carla Maersk*
5 and the *Conti Peridot*. With me today is?

6 [REDACTED]

7 [REDACTED]

8 DR. STRAUCH: I'm Barry Strauch with the NTSB.

9 MR. BETTS: David Betts, flag state Liberia.

10 MR. PULMER: Henning Pulmer, BBG.

11 MR. LEVINE: Jim Levine representing Captain Evans.

12 MR. JONES: Sir?

13 MR. EVANS: And my name is Larry Evans, pilot on the
14 *Carla Maersk*.

15 MR. LETOURNEAU: Keith Letourneau, also representing
16 Captain Evans.

17 MR. USHER: Mike Usher on behalf of the Board of Pilot
18 Commissioners for Harris County Ports.

19 MR. MORRIS: Mike Morris, Houston Pilots.

20 MR. KOTSOVOLOS: Nick Kotsovolos, Maersk Tankers.

21 MS. BELL: Carrie Bell, NTSB.

22 [REDACTED]

23 [REDACTED]

24 MR. STOLZENBERG: And Eric Stolzenberg, NTSB.

25 MR. JONES: Okay. Again, I'd just like to acknowledge,

1 let you acknowledge that you're being recorded?

2 MR. EVANS: Okay. I understand.

3 MR. JONES: Okay. And you are represented here today?

4 MR. EVANS: Yes.

5 MR. JONES: As they introduced themselves. I did make
6 the announcement before, but if everybody can make sure their
7 phones are on mute or silenced?

8 Captain, anytime you want to take a break -- I mean, I
9 don't want to push it past an hour. If you'd like to take a
10 break, get a glass of water or something, we'll try to find an
11 opportune time in between questioning. As we go, I'll start off
12 the questioning and then we'll go around the room one at a time,
13 and I ask everybody to hold their questions until it's their turn,
14 and then we'll come back around, okay?

15 MR. EVANS: I understand.

16 INTERVIEW OF LARRY EVANS

17 BY MR. JONES:

18 Q. All right. Thanks again. I appreciate you being here
19 today. And if we could just start with a little bit about your
20 background, your maritime career?

21 A. Well, after graduating high school, I started on the
22 harbor tugs.

23 Q. And what year was that?

24 A. 1976.

25 Q. Okay.

1 A. And then after a year, I got my AB ticket, which you
2 have to have a year of sea time. After 3 years, I went and got my
3 -- what do you call it, the license? It's not a masters, it's
4 a --

5 UNIDENTIFIED SPEAKER: Mate.

6 MR. EVANS: Well, just your normal license. I don't
7 know what you call it. Okay? I forgot. But anyway -- excuse me,
8 I'm a little nervous.

9 BY MR. JONES:

10 Q. Yeah, take your time. Again, this is, you know, we're
11 here as a safety investigation, and all we're trying to do, the
12 Safety Board, is trying to find out the particulars of what you
13 knew and what you know about it and, you know, we'll end up
14 writing a report and possibly make recommendations.

15 A. Well, to put it gently, I come up through the hawsepipe.

16 Q. Okay.

17 A. I studied on my own. I got my license on my own, and
18 when I got my license, I went from the harbor tugs to Exxon
19 pushing barges. I pushed barges for 2 years, and then the oil
20 crisis in the 1980s, they started laying up tugs and wanted me to
21 go work on the Mississippi River, and I told them no, thank you.

22 So then I went on a seagoing tug and worked there for 2
23 years, going to Tuscan and back and Bayonne and up the Mississippi
24 River. And anything you can do with a tugboat, I can do it,
25 except for the tractor tugs. They didn't have them back then. I

1 had become a pilot before they got the tractor tugs.

2 Q. Okay. So your career before piloting was just all tugs?

3 A. Right.

4 Q. All right. And when did you apply for the pilot's?

5 A. I would say -- can you help me out with that, Mike? I
6 really don't know. It, it had to been, like, 3 years before I
7 become a pilot and I've been a pilot for 18 years, so --

8 Q. Okay. And I'm trying to get, again, I'm just trying to
9 get a background.

10 A. Yeah.

11 Q. So even if you're tugboats, you know, took tugs for 10
12 years and then pilot, you know, applied for the pilot, you know, I
13 don't need the exact day.

14 A. Yeah.

15 Q. But I know there's an apprentice program or a deputy
16 program, and so when did you become a branch -- or a pilot? Or
17 how long have you been a pilot?

18 A. Eighteen years.

19 Q. There we go. Okay. We'll get it.

20 A. I wasn't prepared for -- I could've went back and looked
21 at my records and everything.

22 Q. That's okay.

23 A. But I just wasn't prepared for --

24 Q. Yeah, we're just having a conversation.

25 A. That's fine.

1 Q. And I'm just trying to get a background for --

2 A. Eighteen years.

3 Q. Okay. For others so we're not going over and --

4 A. Okay.

5 Q. -- regurgitating the same questions.

6 A. Okay.

7 Q. All right? So 18 years as a Houston pilot?

8 A. Yes.

9 Q. All right. And now you're full branch pilot? That's a
10 full branch pilot you are now?

11 A. Right.

12 Q. Okay. And that means you can, any vessel that pulls,
13 that comes into the harbor in Houston --

14 A. I have unlimited tonnage --

15 Q. All right.

16 A. -- on my license for the Houston Ship Channel.

17 Q. Well, if -- let's just start out with the day of the
18 accident. When were you, when did you wake up or when were you
19 called for the job? And then just take me through that -- and
20 again, it could be general. You know, when you got to the ship,
21 you took the ship and stuff like that?

22 A. Well, dispatch called me at 7:00, woke me up. I took a
23 shower and went to work. And it was a very rainy, misty, low
24 ceiling, miserable day. Traffic was horrible.

25 I got to the ship and I set up my equipment. And there

1 was a car carrier turning around up at Brady's Island, and he
2 called me and says, look, I'm almost turned around. And I said,
3 well, I'm still setting up my equipment. You know, you got time.
4 I'll let you get on by. So after he came by, then I got underway.

5 Q. And where did you get underway from?

6 A. Petrotechs.

7 Q. And about what time was that?

8 A. 9:30. 9:36, I believe, was the last line.

9 Q. Okay. And you had been aboard about how long?

10 A. Forty-five minutes.

11 Q. Okay. And just take me through the process of you
12 coming aboard a tanker or this, this vessel and, and what you do
13 once you get up to the bridge?

14 A. Well, I get a cup a coffee -- I'm just kidding.

15 Q. One or two sugars?

16 A. Well, I set my laptop up and, you know, get all
17 everything set up and put into dimensions and where are my
18 antennas at on my GPS, and just basically talk to the captain and,
19 you know, everything's okay, nothing, no problems, you know. The
20 pilot and master exchange, you know, and then I tell him, you
21 know, we can let go the head lines and stern lines because the
22 linemen were standing there on the dock. And then I said just
23 hold the spring lines until the car carrier went by and we let
24 them, we got underway.

25 Everything's normal. The ship handled well, very well,

1 really well. It was a even keel, so usually in keel they don't
2 handle that great, but this ship handled really well. And it had
3 a lot of power if I needed it. Everything just went just fine. I
4 just followed the car carrier out.

5 Q. Did you have tugs coming off the dock?

6 A. Yes.

7 Q. How many?

8 A. Two.

9 Q. How were they made up?

10 A. One of them was starboard bow; one of them was starboard
11 quarter. The *Rosemary* was on the bow, and the *Claxton* was on the
12 quarter.

13 Q. Okay. And they just, as soon as you -- when did you let
14 them go?

15 A. As soon as I got headway.

16 Q. Okay.

17 A. Seeing that I had steerage. Then there's no need to
18 keep them.

19 Q. And what was the propulsion on that? It was single
20 screw or twin or --

21 A. On the ship?

22 Q. Yeah.

23 A. Single screw. It must've had a big rudder because it
24 handled really well.

25 Q. Okay. And you just had mentioned that traffic was

1 horrible. You meant --

2 A. Coming into town.

3 Q. Highway traffic?

4 A. Yes, sir.

5 Q. Like we see every --

6 A. Yes. Yes.

7 Q. -- every day here on 45?

8 A. Right.

9 Q. Okay. So just did you get a weather forecast before you
10 got on board or while you were on board, before you started
11 transiting down? Did you know what it was supposed to, predicted
12 to be then?

13 A. No. I just could tell by looking what it was going to
14 be.

15 Q. And what was, what did you feel it was going to be?

16 A. Well, with the low ceiling, I figured, you know, sooner
17 or later, the fog was going to set in, and as I got close to, I'd
18 say, Lynchburg Ferries or so, you know, I heard that it was shut
19 out from 11 to 12 on out. Then I heard it was shut out from 25
20 and 6 on out. And I knew, you know, that's not a good sign. It
21 was coming up the bay. And I could see half the San Jacinto
22 Monument because of the low ceiling, so that's not a good sign.
23 So I pretty well knew it was coming, you know. But I don't know.
24 I could still see three-quarters of a mile up there in the
25 incident.

1 Q. Okay.

2 A. It wasn't completely shut out.

3 Q. All right. Well, take me through the rest of the
4 transit. You're off the dock; you've let the tugs go. I know you
5 say you saw the, half the San Jacinto -- how far is that between
6 where you undocked and Morgan's Point?

7 A. About halfway.

8 Q. Halfway?

9 A. Yeah.

10 Q. All right. Take me through the rest of the transit from
11 the monument.

12 A. Well, when I got down there around the monument, they
13 closed the bar. They weren't boarding any more ships. So said,
14 well, that's a good sign, you know, nothing's coming at me.

15 Q. Okay.

16 A. But I already had, I think, four more that I had to
17 meet. I met one right there at Goose Creek, a big Morgan's Point
18 high lines, and I could see him just fine. But as I turned to
19 Morgan's Point, then it just deteriorated really fast, and that's
20 when I had to meet the *Conti* ship. I met her tug and barge. I
21 saw him okay. And then --

22 Q. Do you remember the name of the tug and barge?

23 A. It's on here.

24 Q. Okay. Is that the last vessel you met before the *Conti*?

25 A. Yeah.

1 Q. Okay. And you met --

2 A. Well, I met the ship, and then I met the tug and barge.

3 Q. Okay. And you met the tug and barge port to port?

4 A. Yes.

5 Q. Okay. So what was the, just what were you doing with
6 the bridge team at the time as you're -- you told us the fog was
7 closing in or it looked like it was. You knew the *Carla* was
8 coming up. Just describe your interaction with them, if any, or
9 what you were doing with them or what they were doing?

10 A. Well, I discussed with the captain, I said, you know, we
11 got two more ships to meet, or three more. And I met that one.
12 But anyway, I discussed with the captain, I said I'd really like
13 to go into Barbours Cut, you know, a layberth, because I really
14 don't feel comfortable meeting all these ships in this building,
15 deteriorating. But we don't have any tugs, and there's a ship on
16 their last dock, so I knew if I tried to turn in there without
17 tugs, I might compromise hitting the ship on the last dock. I
18 said, well, we're kind of committed here. And I could still see
19 three-quarters to a mile, so I said, you know, we'll be all right.
20 I've done it before many a times with no problems.

21 And so we just kept going. And he said, well, the last
22 time I went out, it was shut out. We couldn't see the bow of the
23 ship and we made it okay. And I said, yeah, but you weren't
24 meeting other ships. And I said, but I can do it. I've done it
25 many a times, but it's not fun, you know. And that was my

1 conversation with the captain.

2 Q. Right. And he didn't -- any more objection from him or
3 anything --

4 A. No.

5 Q. -- at that point?

6 A. Well, but we could still see, you know, three-quarters
7 to a mile, so it wasn't any kind of dire straits or anything, you
8 know.

9 Q. And what was --

10 A. I wasn't panicking.

11 Q. Okay. And what was the bow, the telegraph on at that
12 time for that speed?

13 A. Half ahead.

14 Q. Is that --

15 A. And the reason why I was half ahead was because of the
16 weather.

17 Q. Okay. But you normally run full at that point?

18 A. Oh, yes. But I didn't. I just felt like with the
19 conditions, the weather conditions, you know, half ahead is
20 sufficient for me. I'm making 8, 9 knots, you know?

21 Q. And you said you were using your laptop --

22 A. Right.

23 Q. -- and obviously you provided us a copy.

24 MR. JONES: And for the parties, the pilot has provided
25 us a copy of his, of the software, the Raven, the playback, and we

1 will do what we did yesterday, just run it later on today and
2 everybody can see it.

3 BY MR. JONES:

4 Q. If you'd like to show it to us and describe it that way,
5 you're more than welcome to do that. But we --

6 A. Sure. I'd love to do that.

7 Q. Yeah.

8 MR. LETOURNEAU: Entirely up to you.

9 MR. JONES: Okay.

10 MR. EVANS: If you all want to see it, I'll --

11 BY MR. JONES:

12 Q. Well, if we -- well, let's just continue the questioning
13 right now.

14 A. Okay.

15 Q. Maybe after the first round --

16 A. Okay.

17 Q. -- we'll play it and we'll do it that way, okay?

18 A. Sure.

19 Q. That's great. I appreciate it. So how was the, up to
20 this point, the crew, no problems with the crew? Was the rudder
21 orders being --

22 A. No. Actually, they had a really good first mate, chief
23 mate --

24 Q. Okay.

25 A. -- or whatever you call him. I thought he did a

1 excellent job, and after the incident, he did a excellent job.

2 The captain did a excellent job.

3 Q. Was the captain on the bridge with you prior to the
4 incident?

5 A. Yes.

6 Q. Okay.

7 A. He was there watching it.

8 Q. Okay. If you could just describe the complement of the
9 bridge team that was up there with you, at least from the --

10 A. They were very professional.

11 Q. Well, who were they and where were they located?

12 Obviously, helmsman on the helm. But go with that. If there was
13 three of them, four of them? Do you remember?

14 A. I don't remember that. But I remember the chief mate
15 and the captain was up there. And I think another mate was up
16 there. I don't know if he's second or third or whatever he was.
17 But up there, there was probably three or four of them up there.

18 Q. Okay. Were they standing in front of the radars,
19 standing in front of the X's?

20 A. No.

21 Q. Moving around?

22 A. Yeah.

23 Q. All right.

24 A. I was standing in front of the radar.

25 Q. Okay. And I haven't been on the *Maersk* ship yet, just

1 because of what they're still going through. Is the console up
2 against the windows, or could you stand back behind?

3 A. No, it was behind.

4 Q. So you could walk --

5 A. Because --

6 Q. -- walk across in front of the windows?

7 A. Yeah.

8 Q. Okay.

9 A. I was sitting right in front of the window. That's the
10 way I like to pilot. But as the weather deteriorated, I took my
11 unit and come back and set it right on the radar.

12 Q. Okay.

13 A. So I had the radar and my unit working together.

14 Q. And which radar were you working with?

15 A. Port side.

16 Q. Was it 3 or the 10? Do you --

17 A. I don't -- I don't know. It had a good picture though.

18 Q. All right. How'd you have it configured? North up
19 or --

20 A. Head up.

21 Q. Head up?

22 A. I'm a tugboat guy.

23 Q. Yeah. We get it.

24 A. He'd probably have it on head up.

25 Q. And it was --

1 A. I mean north up.

2 Q. -- and what scale?

3 A. One and a half miles, but I had the center at the
4 bottom.

5 Q. So it's offset to this bottom?

6 A. Correct. So you get 3 miles, but you get a better
7 picture and -- you still get 3 miles like you would if you had it
8 on in the center, but if you put it, the bottom, you get 3 miles,
9 but it's a better, you know -- I don't know how to describe it,
10 but your buoys are better picked up and everything. It's a better
11 way to do it to me.

12 Q. Yeah, your preference?

13 A. Yes.

14 Q. All right. As the fog, as the weather started
15 deteriorating, did anybody initiate the fog signals? Was there
16 any discussion of that?

17 A. Yes, we did.

18 Q. All right. Did the captain just do it, or did you talk
19 about it?

20 A. No, I told him to.

21 Q. Oh, okay. Do you know if they did anything else, put a
22 lookout forward?

23 A. Yeah, they put a -- they had one man forward, but as we
24 were, like, in Baytown, we still had good visibility, but I told the
25 captain, we're fixing, you know, it's fixing to get bad. He put

1 another man up there so we had two lookouts.

2 Q. Okay. All right. We've gotten to that point. Just
3 tell me next your recollection of the events as they unfolded to
4 you at this point?

5 A. Right before it happened? Is that what you want?

6 Q. Well, I'm figuring you're -- where is the vessel now --
7 when you started the fog signal? Right around Morgan's Point?

8 A. Well, yes.

9 Q. Okay. So I don't think it's too much time between
10 Morgan's Point and -- I mean, I don't need every rudder order,
11 captain, but --

12 A. Yeah, yeah.

13 Q. -- you know, just if you can remember --

14 A. Okay.

15 Q. -- as things happened?

16 A. Well, on my Raven unit, I saw the *Conti* ship was very
17 far over on my side of the channel, and I said that doesn't look
18 good, but his heading flasher on my unit shows that he's headed
19 back towards the middle. So I said, well, he just met the car
20 ship, so he got a little out of shape, and he's coming back to the
21 middle. Everything's fine. Because he's headed back towards the
22 middle.

23 Then I saw him cross the middle, and now he's way over
24 on the other side. And I go well, hum. And then all of a sudden
25 visually I could see him and he's pointing right at me. And I

1 said oh, my God. This ain't good. The captain on the ship, on
2 the *Carla Maersk*, he said what the hell is he doing? And I said I
3 don't know, but he's fixing to whack us. And then he said, the
4 pilot on the other ship told me go left, Larry, go left. But I'm
5 already committed to starboard. I already got the ship swinging
6 to starboard, so if I try to go left, the rudder wouldn't have had
7 time to get over there, and if it did have time to get over there,
8 it wouldn't have stopped the swing fast enough.

9 So my only thought is to run. So I put the ship hard
10 starboard full ahead. And I'm on half, so now I've got to kick.
11 So I'm trying to run from him, but it's, he's got too much of an
12 angle. I said, well, I'll just run her to ground. I don't know
13 as long as I get away from him and -- that's the story.

14 Q. When you had mentioned as you started describing this
15 that the first time you saw him or before that out of shape, but
16 he was way to your side of the channel?

17 A. On here. I couldn't see him.

18 Q. Right. Okay. Right. So when you saw on your Raven --

19 A. I thought he'd just, when he come around the car ship, I
20 thought he just got out of shape, and I've seen that many a times.
21 But if you see it visually, you know, it's not that big a deal.

22 Q. And had you made a passing arrangement, a meeting
23 arrangement --

24 A. Yes.

25 Q. -- with him? Was that before you saw him?

1 A. Yes.

2 Q. Okay. And did you try to call him when you saw him that
3 far over to the one side of the channel, over to your side of the
4 channel? Or did he try to --

5 A. No. Because -- 100 percent of the time, everybody gets
6 out of shape every once in a while. Well, you just get back in
7 shape and then you're okay, you know? I've seen it a million
8 times. It's not that big of a deal to me for somebody to get out
9 of shape.

10 Q. Okay.

11 A. They just recover, you know? And plus, we were still,
12 when I saw him out of line, we were probably 2 miles apart, so he
13 had plenty of time to recover. If he'd have had a normal handling
14 ship, which I understand that that's a bad handling ship, it
15 probably wouldn't have been no problem. You know.

16 Q. If after you came after the meeting agreement, the one
17 whistle --

18 A. Yeah.

19 Q. -- if when you saw him on your Raven that far to, it'd
20 be the west side of the -- to your right?

21 A. Right.

22 Q. To the right, your right and --

23 A. On the green side.

24 Q. On the green side. Was there anything you could do from
25 that point, that your vessel could've done differently if he had

1 called and said --

2 A. If he would've called me and told me that he was having
3 a problem, I could've stayed right in the middle and wait until
4 the last minute and then I could go either way. But he didn't
5 tell me he was having problems. I didn't have any idea.

6 Q. Is that something that you've encountered before? Like,
7 if someone --

8 A. Oh, yes. Many times.

9 Q. And that's the --

10 A. Somebody will call you and tell you hey, you know, pay
11 attention. I'm having a, I'm taking a run or whatever --

12 Q. A tough time steering?

13 A. Yeah. Yeah.

14 Q. And is that the procedure, to stay to, the other vessel
15 stays to the middle until you break one way or the other to avoid
16 it or --

17 A. Yeah. Well, if he would've told me, I would've stayed
18 in the middle until the last, until, you know, I visually saw him
19 and then I could see what was going on and, you know, it's just
20 nothing was said to me. There's nothing else I could've done. I
21 mean, I committed. I got the ship swinging to starboard, so the
22 only choice I've got is to keep going starboard and kick it full
23 ahead and try to get out of his way. That's the only thing I
24 could do.

25 Q. Could you possibly hazard a guess at why nothing was

1 said to you?

2 A. No. I don't have any idea.

3 Q. But when you did hear, then, what's the next thing you
4 heard from the pilot on that vessel?

5 A. Go left. Go left, Larry. Go left.

6 Q. And at that point you knew something was --

7 A. I could see it.

8 Q. Yeah.

9 A. It had too much of an angle. There was no way he was
10 going to recover.

11 Q. Okay. And you did mention that you thought the best
12 course then was to just run away to starboard?

13 A. Yeah.

14 Q. You were already gone to starboard?

15 A. I was swinging to starboard. That's the whole trick --

16 Q. Yeah.

17 A. -- is if I'd already gone to starboard and I was steady,
18 that would be one thing. But I wasn't. I was swinging to
19 starboard.

20 Q. And why were you swinging to starboard?

21 A. Because that's how you meet a ship? You both swing to
22 starboard.

23 Q. Right.

24 A. And then go around each other.

25 Q. All right. So you were preparing for that meeting,

1 which is the normal maneuver --

2 A. Right.

3 Q. -- both go break to the right?

4 A. Yeah. Starboard 10.

5 Q. Right.

6 A. And the ship starts slowly swinging to starboard. But
7 when it's swinging, there's no way you can check it and then make
8 it swing back the other way because it's already swinging that
9 way. So my only course of action is hard starboard, full ahead,
10 to no avail.

11 Q. Okay. Let me go -- well, I appreciate it. I think we
12 covered that part of it. Let me go to -- you take ship handling
13 courses, you know, concurrently, like, every few years or
14 something like that?

15 A. Sure.

16 Q. Like emergency ship handling?

17 A. Sure.

18 Q. Does it deal with the events you saw?

19 A. No.

20 Q. No? Is that something they need to try to deal with or
21 try to put on the curriculum?

22 A. I don't know how you could simulate anything like that.

23 Q. Yeah.

24 A. I just really don't. I mean, we go to France and we
25 drive model ships, and we go to Louisiana and drive model ships.

1 We go to Azipod training. I mean, we do all kinds of, you know,
2 radar training and we do a lot of training. But you just can't
3 train somebody for this kind of an event. I've never seen
4 anything like it in my life.

5 Q. Okay. That's all I have for you right now, captain.
6 We'll just go around the room and --

7

8 Q. [REDACTED]. Captain, you said
9 the captain of the ship said what the hell is he doing? How did
10 he find out, what was he looking at, the captain of the --

11 A. The angle of that ship coming at us.

12 Q. Well, he didn't see -- we're talking visually, that
13 was --

14 A. Yes.

15 Q. -- the first time the captain of the *Carla* realized that
16 the ship --

17 A. Right.

18 Q. -- was kind of out of position?

19 A. Yes, sir. That's correct.

20 Q. And the other question I have is the, like, the bridge
21 team up there. You said, you know, chief mate, captain, and there
22 may have been another mate. Did anybody up there notice that the
23 *Peridot* was out of shape at any time?

24 A. No. They couldn't see it.

25 Q. Well, I'm looking at it as if they were looking at the

1 ECDIS or the radar --

2 A. No, they weren't. They weren't looking at the ECDIS or
3 the radar.

4 Q. Okay. I don't have any other questions.

5 BY MR. BETTS:

6 Q. Just one question. What was the look range of
7 visibility when you first saw the *Conti Peridot*, when you actually
8 saw him?

9 A. Three-quarters to a mile.

10 Q. So you saw him at three-quarters of a mile? Thank you.
11 That's all. Thank you very much.

12 A. Okay.

13 MR. JONES: Henning?

14 MR. PULMER: No questions. Thank you.

15 MR. JONES: Mike?

16 MR. USHER: No questions. Thank you.

17 UNIDENTIFIED SPEAKER: No questions.

18 UNIDENTIFIED SPEAKER: No questions.

19 MR. JONES: Barry?

20 DR. STRAUCH: I have a couple of questions. First of
21 all, before we start, did -- Keith, did you sign this or --

22 MR. LETOURNEAU: I did.

23 DR. STRAUCH: Okay. Would you mind signing it just to
24 make this --

25 MR. LETOURNEAU: Sure.

1 DR. STRAUCH: -- legal? I'll just feel better there.

2 MR. LETOURNEAU: Because it asked me who prepared it,
3 and I prepared it, so --

4 DR. STRAUCH: Right. I, I know.

5 MR. LETOURNEAU: It was from information provided by the
6 Houston Pilots and by Captain Evans.

7 DR. STRAUCH: I understand. But you know how lawyers
8 are, and I don't want at some point down the road, you know, a
9 lawyer --

10 MR. LETOURNEAU: Thank you, Barry.

11 DR. STRAUCH: -- to objection. Nothing personal.

12 MR. LETOURNEAU: Okay. Thank you, sir.

13 BY DR. STRAUCH:

14 Q. And we'll get back to this in a minute. So I don't have
15 any questions and my questions may be all over the place, and I
16 hope you bear with me, as I'm approaching this from a human
17 factors viewpoint. And you said you were about three-quarter of a
18 mile when you saw the --

19 A. Right.

20 Q. -- the *Conti* and at that point it had broken out of the
21 fog?

22 A. Uh-huh.

23 Q. At what point would you say the accident was
24 unavoidable, the accident was going to happen no matter what
25 somebody did?

1 A. I guess when I saw him, at what angle he had, you know,
2 visually see the angle that that ship had at me, I told the
3 captain he's going to get us.

4 Q. And that's something you can't see on your PPU or the
5 radar?

6 A. No.

7 Q. But you had to see it visually?

8 A. Right.

9 Q. Okay.

10 A. You couldn't see on radar either.

11 Q. But that's what told you, not his location but his angle
12 and his location --

13 A. Well, the only thing I knew was he was, by my PPU, was
14 that he was over there, but I didn't know what kind of angle he
15 had towards me. And when I saw the angle that he had towards me,
16 I said this ain't good.

17 Q. And I'm not sure if you've been asked that, but could
18 you describe what was the angle that he was towards you?

19 A. Probably about 45 degrees.

20 Q. That's 45 degrees off, what, center?

21 MR. JONES: If you wanted to draw it on that, you
22 certainly could.

23 MR. EVANS: I don't --

24 MR. JONES: I got a pen there.

25 MR. EVANS: This is the channel, and I'm very much right

1 in the center because I'm, that's the way you meet another ship is
2 we're both in the center and then we go starboard 10, starboard
3 20, whatever it takes, then you get away. So this is the center
4 line. But he is, like, this to me. So when I go like this, then
5 this is when we saw each other, well, there's nowhere for me to
6 go. I mean, it's either run aground or I thought to myself if I
7 put it full ahead, the ship's got a lot of power and it's got a
8 good rudder, I thought maybe I could do like this and get my,
9 whenever right before he hit, I thought maybe I could just swing
10 my stern out of his way, but it was too late.

11 BY DR. STRAUCH:

12 Q. Okay. And you said if he had said something to you --

13 A. Yes, sir.

14 Q. -- then you might've been able to --

15 A. If he would've told me that he was taking runs, then I
16 could've stayed in the center and then when I saw him, I could
17 tell that he's not going to come back to the port like he's
18 supposed to to meet me. I could've went port and saw him on two
19 whistles is what, that was my theory. But he didn't tell me
20 anything, so how am I supposed to know that he's taking bank
21 sheers, and he had already took two bank sheers, so I don't know.

22 Q. Okay. And is that what you mean when you said doing
23 runs?

24 A. Taking a bank sheer.

25 Q. Okay.

1 A. But I thought since he met that car carrier that it was
2 normal, you know. People do that all the time. They, you know,
3 get out of shape because they just met another ship and they
4 always, you know, recover. But evidently his ship was a very poor
5 handling ship, and I understand there's -- I don't know. I don't
6 know what to say.

7 Q. When did you first learn that his ship was a poor
8 handling ship?

9 A. I guess when we went to the pilot office to take our
10 drug test and, and everything, the pilot on the *Conti* ship told me
11 that someone had written the ship a concern on that ship, and
12 that's when I first knew about it.

13 Q. And suppose you knew this before the accident. Do you
14 think it would've made any difference in what you did or could've
15 done?

16 A. No. Because the other pilot has more experience than I
17 do and, you know, we have a lot of poor handling ships that come
18 into Houston. And we just handle it. So it's not that big of a
19 deal. I mean, some ships you want to pull your hair out when you
20 get off of them because you fought them all day long, you know?
21 And that's just what Houston pilots do. We're pretty good at our
22 job. I mean, it's amazing we don't have more incidents. That's a
23 very busy channel, and you get a poor handling ship, it'll wear
24 you out.

25 Q. And you said you were considering anchoring the vessel

1 because of this?

2 A. No. I didn't say that.

3 Q. I'm sorry. Then what, could you clarify then what you
4 said?

5 A. I said I considered going into Barbours Cut and getting
6 a layberth, but there was no tugs around me, and I didn't want to
7 take the risk of trying to turn in there without tugs and then hit
8 the ship on the last dock. The last dock is way out there on the
9 end of Barbours Cut, and I'm outbound and that ship's sitting
10 right there where you make your turn into there. I didn't want to
11 take that risk.

12 Q. If tugs were available, then you would've considered it?

13 A. If I had a tugboat, yeah, I would've done it. But I
14 didn't have a tugboat. And the *Maersk* ship doesn't have a bow
15 thruster, so I thought it was safer just to meet two more ships
16 and be on my way, you know?

17 Q. It sounds like you think that the other pilot should
18 have said something to you about the situation he was in. And you
19 said that had you known, that you could've done something such as
20 stay in the center of the channel and move left or right at the
21 last minute. What was the last point that you think he could've
22 said something to you and you would've been able to maneuver your
23 vessel safely out of the way?

24 A. What was the last point that I could've, that he
25 could've told me?

1 Q. Yes.

2 A. I think after he met the car ship and I didn't realize
3 he was against the bank, but I think if he'd have told me then,
4 then I could've started getting my ducks in a row.

5 Q. Okay. Have you ever been in a situation like he was,
6 where the ship is kind of going from one bank to the other and
7 he's, you know, trying to get it back and on course?

8 A. Well, yeah, but when you got visibility, it's a lot
9 easier to recover than it is when you don't have visibility, if
10 that makes any sense. So I'm not blaming him at all. I mean, it
11 was, he was in shutout fog, but I could still see. So when he
12 gets out of shape, that's tough to recover when you don't have
13 visibility. I mean, it's really tough. You're just going by
14 electronics, you know? Radar, this, whatever. So I'm not blaming
15 him at all. I just wished he would've told me that he was, you
16 know, having a little problem recovering, and maybe I could've
17 done something different. I don't know.

18 Q. Okay.

19 A. I'm just guessing.

20 Q. Well, no, it makes sense. And I think, I mean, one of
21 the questions we have to ask ourselves as a result of this
22 investigation is given how much traffic there is in the ship
23 channel, given the number of crossings there are and given the
24 fact that occasionally a pilot will take a vessel that handles
25 poorly up the channel and occasionally that pilot, with that poor

1 handling ship will encounter poor visibility, the question we're
2 trying to ask is what do we do next time. So could you help us
3 with that, what we, what do you think we could do next time in
4 this situation?

5 A. I think next time if there's a ship of concern and they
6 say this is a very poor handling ship, but they had good
7 visibility when he boarded, didn't he? Yeah. So that's harder to
8 answer, that question, because you know, if you're already 2
9 hours, 2½ hours into your transit and then the weather goes bad,
10 you know, if the weather was bad when you boarded, then maybe you
11 would maybe consider not boarding that ship because it does have a
12 letter of concern on it. But if the visibility was good when you
13 boarded, then I don't -- you know, 2 hours later it gets real bad,
14 then that's kind of a tough question really. I mean, we've got to
15 keep ships going. We've got to keep the channel going.

16 Q. You also want to prevent accidents.

17 A. Yes, sir. I understand that. But we didn't, you can't
18 see 3 hours ahead of time, you know?

19 Q. What about VTS? Could they have done anything? Could
20 anybody have called VTS and --

21 A. Nah.

22 Q. -- maybe have them do something?

23 A. Nah. It wouldn't have done anything.

24 Q. Why not?

25 A. Well, VTS is in the Ellington Field, and they're just

1 going by electronics. I mean, if they were sitting right there at
2 Morgan's Point, they might've said something or something. I
3 don't know. But I don't see what VTS could do. I mean, they can
4 tell you it's shutout fog from Redfish on out and stuff like that,
5 and that's a big help. But as far as preventing an incident,
6 there's nothing they can do about that. They're just looking at
7 it on radar just like everybody else.

8 Q. I just have a couple more questions. After the *Summer*
9 *Wind* accident, are there any changes in the way you use your PPU,
10 or do you have any problems with the PPU after that accident?

11 A. No. I don't have any problems with -- I mean, I piloted
12 for, like, 5 years without one when I started, and it just made my
13 job a lot easier. It's a very, very useful tool. I didn't want
14 one because I didn't want to carry the stupid thing around. It's
15 heavy. But once I saw, well, two pilot drives, I saw the other
16 pilots using them and what they could do and everything, I says,
17 man, I want to get me one of those, and it's been a great tool.

18 Q. Have you ever had issues with it, with its reliability?

19 A. No.

20 Q. And how long have you been using it now?

21 A. Twelve years, thirteen years. Something like that. And
22 I can't turn my computer on at home. I know nothing about it.
23 But I know this thing like the back of my hand. I'm very good at
24 it. I set this thing up real quick. I don't know how to use my
25 cell phone correctly. I don't know how to email. I don't -- but

1 I know this thing. This is a lifesaver.

2 Q. Okay. I just want to ask you a couple of questions
3 about your 96-hour history. According to this, and correct me if
4 I'm wrong, starting 4 days before the accident, and I'm not
5 exactly sure what day that was -- I guess that would've been
6 Thursday, before the -- if you go back 4 days from the accident.

7 MR. JONES: Thursday, yeah.

8 BY DR. STRAUCH:

9 Q. So Thursday, Friday, Saturday you worked at night, and
10 it looks like you slept during the day?

11 A. Yeah, I'm pretty good at that. I sleep all the time.

12 Q. Not on the job, of course?

13 A. No. But I mean, I like to take naps. I got the rollout
14 shutters on my room, on my bedroom. I don't know if you know what
15 those are, but --

16 Q. I don't.

17 A. Well, they're electric, and they go down and they're
18 like storm shutters, so I don't know if its daylight or dark or
19 anything. I watch TV until I get sleepy and turn the TV off.

20 Q. Okay. And then you slept during the day in those times.
21 So you were able to sleep okay during the day?

22 A. Oh, yeah. I sleep good during the day.

23 Q. Okay. And then the day before the accident, you had a
24 reverse schedule, where you were working during the day and slept
25 at night?

1 A. Okay.

2 Q. I don't know. It looks like you slept I think 7 hours
3 or so?

4 A. Yeah, I doubled. The first 2 days I singled. That
5 means they call you 3 hours ahead of time. Well, I take a 3½-hour
6 call because I'll take my truck to the office, and a taxi will
7 take me to Galveston and I'll get on the ship and I'll bring it
8 in. That's called a single. So I did that 2 days in a row, I
9 believe. Didn't I? Yeah, that's a single there.

10 Q. Single here.

11 A. Yeah.

12 Q. This was a single and then a double?

13 A. No, that's a single too. So I singled 2 days in a row.
14 The first day of our changeover, which means the white hats came
15 on and the black hats got off, the first day I worked at night on
16 a single. They bused me to Galveston. That's when we call it a
17 bus ride. And then the next night I think I went back down to
18 Galveston. And then the next time they called me, I think I did a
19 double and then I had, I don't know, 18 hours off, something like
20 that.

21 Q. Okay. Now, a single means you're a single pilot, a
22 double means there's two pilots on --

23 A. No, no. Single means -- usually when we double, we'll
24 sail the ship, go to Galveston, the pilot boat will get you off
25 and then put you on another ship, and then you bring it back.

1 That's a double. A single is, like, if you sail a ship and they
2 don't have a ship for you to bring back, then you go home.

3 Q. Okay.

4 A. Or the other way around. They send you to Galveston in
5 a taxi and you bring a ship in. That's a single.

6 Q. Okay.

7 A. Because you didn't do two ships.

8 Q. Okay. So you did a single on Thursday and Friday?

9 A. I believe so. Because there's a 3-hour transit.

10 Q. Okay. Okay. And am I correct in interpreting this,
11 that you were up from 2200 -- I'm sorry, yeah, 2200 on Saturday to
12 2300 on Sunday?

13 A. It's possible. Where's he talking about?

14 Q. Oh, D2, on D2.

15 UNIDENTIFIED SPEAKER: Saturday?

16 MR. EVANS: That's a transit.

17 UNIDENTIFIED SPEAKER: Yeah. Then you get the call so
18 you --

19 MR. EVANS: No, I got the call here --

20 UNIDENTIFIED SPEAKER: Right.

21 MR. EVANS: -- and then I went to work here. So I was
22 up from, what 2100 is when I got the phone call, you know,
23 transiting. Then I worked until, what --

24 UNIDENTIFIED SPEAKER: Looks like 5:15. And then you
25 had another call out at 8:00 and then completed that job at 1:30.

1 BY DR. STRAUCH:

2 Q. And looks like you went to sleep around 2300.

3 A. That can't be right. Work that to the end and then get
4 called again? No, that's not right.

5 Q. Well, I'll tell you what. Why don't you work that out
6 afterwards? I'd rather --

7 A. Okay. Okay.

8 Q. -- take your time and just make sure that this
9 represents your --

10 MR. MORRIS: This might -- if I -- want to think we --

11 MR. JONES: Yeah, I've got it right here.

12 MR. MORRIS: Oh, you do? Okay.

13 MR. JONES: Yeah.

14 DR. STRAUCH: Okay. And if there're any corrections --

15 MR. JONES: Okay.

16 DR. STRAUCH: -- make them before we finish today.

17 Okay. That's all for the questions I have right now. Thank you.

18 MR. EVANS: Okay. Of course.

19 MR. JONES: Okay. Captain, it's back to me. Do you
20 want to take a break before we go on?

21 MR. EVANS: Yeah, I'd like to smoke a cigarette.

22 MR. JONES: Okay.

23 UNIDENTIFIED SPEAKER: You got a pilot --

24 UNIDENTIFIED SPEAKER: I'm -- safe that there might be a
25 couple that want to join you. There's probably nowhere in the

1 hotel you can do it, so --

2 MR. EVANS: No, I'll go outside.

3 UNIDENTIFIED SPEAKER 2: -- okay.

4 MR. JONES: So we'll go off the record right now and
5 take a quick break. Can we get back by 2:00?

6 MR. EVANS: Yeah.

7 (Off the record.)

8 (On the record.)

9 MR. JONES: Rob Jones of the NTSB.

10 BY MR. JONES:

11 Q. Captain, we've gone around the room, and I'll start off
12 again. I've got some questions for you now about kind of post-
13 collision. You were upon the bridge of that vessel, and could you
14 tell me, you know, briefly what went on next? Like notifications
15 or when the crew was aware of things, just what your recollection
16 of those things were?

17 A. The ship took a 20 degree list to port, and immediately
18 everyone started trying to ballast and pump cargo to other tanks,
19 and they did a really good job. Within 45 minutes they had the
20 vessel uprighted. I thought they did excellent. And I was
21 talking to VTS, telling them everything.

22 Q. Now, did you make the initial call after the collision
23 from your vessel --

24 A. No.

25 Q. -- to VTS?

1 A. The other pilot did.

2 Q. But from your vessel, the vessel you were on, you called
3 VTS?

4 A. Right.

5 Q. Okay. And that was what channel?

6 A. Twelve.

7 Q. Twelve? And did any information with regards to the
8 cargo or did the crew know they were leaking cargo at that time?

9 A. Well, at first they told me no cargo was leaking.

10 Q. Okay.

11 A. But I could see foam coming out the hole there, so I
12 kind of didn't really know if it was cargo or not, but it looked
13 like something, you know. They said no, no cargo was spilt. And
14 then I guess several times they told me, yeah, we are leaking
15 cargo. Then they said no, we're not leaking cargo. Yeah, we are
16 leaking cargo. So I didn't know what was going on.

17 Q. Okay.

18 A. All's I could do is just go by what they were telling
19 me.

20 Q. At some point was it confirmed that they were?

21 A. Yes.

22 Q. And do you know when that was, about?

23 A. Oh, it had to have been at least 30, 45 minutes.

24 Q. Okay. And were notifications made anywhere then outside
25 the ship, to the Coast Guard or VTS or --

1 A. Well, Coast Guard asked me, VTS asked me what is the
2 cargo?

3 Q. Okay.

4 A. And I told them, and then a few minutes later they came
5 back and said, well, it's highly volatile and it's highly toxic,
6 so try to, anybody around, stay 1,000 feet away. But you know, I
7 had nowhere to go.

8 Q. Yeah. And do you know when that, about what time that
9 call came in or that notification took place and that
10 conversation, after the accident?

11 A. I don't know. At least 35, 40 minutes. I don't know.

12 Q. Yeah. Well, within the first hour, then?

13 A. Yeah.

14 Q. And how about a conversation between, radio conversation
15 between you and the *Carla Maersk* or the pilot?

16 A. I'm on the *Carla Maersk*.

17 Q. I'm sorry. I'm sorry. My mistake. On the *Conti*
18 *Peridot*?

19 A. What was that now?

20 Q. Well, did you, were you talking to the pilot on the
21 *Conti Peridot* after you --

22 A. No. All's I did was tell the captain, I said, look,
23 let's put one shackle in the water with the anchor, but don't drop
24 it. Just lower it down with the winch, because I don't want any
25 sparks. Because the Coast Guard had already told me that it was

1 flammable.

2 Q. Okay.

3 A. And he said, yeah, yeah, that's a good idea.

4 Q. And about how soon after the collision did you lower
5 down the anchor?

6 A. Two or three minutes.

7 Q. Oh, okay. And you already knew it was flammable? Coast
8 Guard already --

9 A. Well --

10 Q. -- told you it was flammable?

11 A. -- maybe it was more than 2, 3 minutes. Maybe it was
12 more like 10 minutes or something like that. Whenever the Coast
13 Guard told me it was highly toxic.

14 Q. Were you aground at all?

15 A. No.

16 Q. Oh. Okay.

17 A. Not that I'm aware of.

18 Q. All right. Yeah.

19 A. I may have been, but after the collision, I knew I was
20 way over there on the green side, my bow was. So I kicked the
21 ship astern, dead slow astern, and got it back into the channel.
22 And because it was listing so bad, I didn't know what was going
23 on.

24 Q. Do you know if the captain aboard the *Carla Maersk* ever
25 talked to the *Conti Peridot*?

1 A. I don't know that, but I'm pretty sure he didn't.

2 Q. Pretty sure he didn't?

3 A. Didn't.

4 Q. Did not?

5 A. Yes. I don't know that for a fact, but as far as I
6 know, I don't think he did.

7 Q. All right. And this is kind of going back to the actual
8 transit prior to the collision and, you know, you had mentioned
9 that the, when you saw the *Conti Peridot* and the pilot out of
10 shape coming, you know, on the green side, he was far to the green
11 side, is there any way VTS, you think, with their capabilities
12 could see that and know what was going on?

13 A. They could see what I saw probably. And all's I could
14 see was on here.

15 Q. Right.

16 A. And on here, you don't know if he's 200 foot to the left
17 of the stern line or 300 foot. You don't know. It's just showing
18 that his target is over on the right side. But you don't know how
19 far.

20 Q. And you think that's something VTS could understand what
21 was going on? Do you think they have enough knowledge and
22 experience to foresee it enough that they realize what's
23 happening?

24 A. I would think so. Because it's pretty common for when
25 you meet another ship, it's pretty common to pass the center line,

1 but you, if you got visibility, it's easy to correct that usually.
2 But when you don't have visibility, it's a lot tougher -- to get
3 back in shape is all I'm getting at.

4 Q. Right.

5 A. But I thought when I saw him coming back towards the
6 center line, I said, well, he's got it. He's back in shape, you
7 know. But when he crossed the center line, that's when I said,
8 uh-oh, and then I could see -- it's too late.

9 Q. And I know I'm bouncing, but let's go back now post-
10 collisions. And so did you just remain up on the bridge until you
11 were relieved?

12 A. Not the whole time. I went down and got something to
13 eat and stuff like that.

14 Q. While the ship was at anchor?

15 A. Yeah.

16 Q. Okay. And was there a, did you hear about a shelter in
17 place or anything?

18 A. Yeah.

19 Q. Okay. And how were you notified about that?

20 A. I don't remember. Somebody said something about --
21 because they was wanting to get me off of the ship so I could go
22 take my urinalysis. And somebody, I guess our dispatcher or
23 somebody said that, you know, it's hard to get someone down there
24 to relieve you because there's a shelter in place. I think that's
25 how I heard the --

1 Q. And when did you depart the vessel, approximately?

2 A. I think at 2100.

3 Q. Okay. And another pilot relieved you at that time?

4 A. Right.

5 Q. And what -- did you smell anything? Was there -- in the
6 air when you were relieved, when you went outside?

7 A. Well, it wasn't bad, but I could smell it, yeah. It
8 wasn't real strong.

9 Q. Yeah. Did you take any precautions when you went down
10 or just went down, getting one of your pilot ladder to the pilot
11 boat?

12 A. I did the same thing the Coast Guard did. They came up
13 the gangway. I went down the gangway.

14 Q. Okay.

15 A. But the gangway's back by the accommodation, and the
16 damage was up on the bow and the wind, the ship was sitting astern
17 to the east and bow to the west, and the wind was out of the
18 south. So it wasn't coming towards the accommodation. It was
19 going like this, crossing the ship. So I didn't get a real good
20 whiff of it.

21 Q. All right.

22 A. Now, the fireboat was going around taking -- I forgot
23 what he called it -- but readings, some kind of readings, and he
24 said they were real strong, like, on this side of the bow, and
25 which makes sense because it's, you know, southerly wind.

1 Q. Okay. All right. That's all I have right now.

2 MR. JONES: Again we'll just go around the room again
3 and --

4

5 Q. [REDACTED]. Captain, I think you
6 said this. Correct me if I'm wrong. You had an agreement port-
7 to-port passing with the *Conti*?

8 A. Right.

9 Q. When did you make that arrangement, if you can recall?

10 A. After I met that first ship, which was around Barbours
11 Cut high lines, so that would've probably been 2 miles away,
12 something like that.

13 Q. And who initiated the call? Was it your ship, you to
14 the *Conti* or the *Conti* to you?

15 A. I don't remember that.

16 Q. Do you remember what medium you used? Was it VHF?
17 Telephone?

18 A. VHF.

19 Q. VHF? Channel 13?

20 A. Yes, sir.

21 Q. That's all the questions I have.

22 MR. JONES: Dave?

23 BY MR. BETTS:

24 Q. Just one question. That's all, captain. Where was the
25 initial strike? Where did the *Conti* hit you first? Can you

1 remember?

2 A. What do you mean?

3 Q. Well, did she hit here or hit there and then slide down?

4 A. No.

5 Q. Where was the initial impact?

6 A. Just like that.

7 Q. You don't know where, you can't point to it in the
8 picture? It's just my own interest. Please don't --

9 A. Well, this was the whole bow right here.

10 Q. Yeah. So that's where she hit you first?

11 A. Straight in.

12 Q. And then just slid down?

13 A. Didn't slide nowhere. It just went straight in.

14 Q. Okay.

15 A. And then it bounced back.

16 Q. Okay. Thank you.

17 A. That's the shape of the bow of the --

18 Q. Yeah.

19 A. -- *Conti* ship.

20 BY MR. JONES:

21 Q. So, well -- this is Rob Jones with the NTSB. If I could
22 just -- with the picture that you were shown by Mr. Davis, there's
23 a, it's the port side of the *Carla Maersk*, and then what we're
24 looking at, and actually it was a question, you know, amongst the
25 group, that so here's more towards the beam, or more towards mid-

1 ship and then there's a lot of damage, and I'm just tracing my
2 finger along to the bow. So did she hit here or --

3 A. Well, the bow is shaped like that, and it just went in
4 and that was it. It didn't slide nowhere.

5 Q. Okay. Because it looks to us that there's a hulling at
6 the water line and then it, we were thinking it hit here, back in
7 this, you know, vertical and then just dragged forward?

8 A. No.

9 Q. Okay. All right. Well, I'm not going to -- that's
10 fine. If that's how you recall it. That's fine.

11 A. It just, it just, like -- say, this is the bow right
12 here. It just went like this. Boom. And then it came back. It
13 didn't slide anywhere. It went deep inside there.

14 Q. Okay.

15 A. That's the shape of the bow of the *Conti*. That's what
16 the shape of the bow looks like.

17 Q. Certainly at the first strike. But if the bow of the
18 *Conti* is only as wide as it's -- unless the --

19 A. He's hitting me at an angle. He's not hitting me
20 straight.

21 Q. Okay. All right.

22 A. That's how he lost his anchor. He hit me at an angle.

23 Q. Yeah. Okay.

24 A. See, like, say this is the *Maersk* ship, he hit like
25 this. So it's not, like, this. It's like this. So it's --

1 Q. So almost a 45-degree angle to --
2 A. Yeah.
3 Q. -- to the port --
4 A. So that's why it's so wide.
5 Q. All right.
6 A. But it didn't slide anywhere. It went way up inside
7 there.
8 Q. Okay. All right. Thank you, captain.
9 MR. JONES: Henning?
10 MR. BETTS: (Indiscernible) thank you very much.
11 MR. JONES: Henning?
12 MR. PULMER: Just one question. You said --
13 MR. BETTS: Oh, I'm sorry. I'm sorry.
14 UNIDENTIFIED SPEAKER: Are you even taping?
15 MR. JONES: Okay.
16 UNIDENTIFIED SPEAKER: Great.
17 UNIDENTIFIED SPEAKER: Since break.
18 MR. JONES: Didn't I say we came back on record?
19 MR. EVANS: Yeah.
20 MR. JONES: And I -- yeah.
21 DR. STRAUCH: Yes.
22 MR. JONES: And it was red light recording. That's
23 human error, Barry.
24 DR. STRAUCH: I'm sure it is.
25 MR. JONES: This is Rob Jones with the Safety Board, and

1 we're back on the record. Take two.

2 Mr. Davis? I don't know --

3 MR. BETTS: David.

4 MR. JONES: David, sorry.

5 MR. BETTS: No more questions, sir.

6 BY MR. PULMER:

7 Q. Henning Pulmer from BBG. You said the visibility just
8 before the collision was, like, three-quarter of a mile to a mile?

9 A. Um-hum.

10 Q. What's the visibility before, in the time before the
11 collision? Was it better or was it worse or --

12 A. A lot better.

13 Q. It was a lot better?

14 A. It deteriorated fast.

15 Q. Thank you.

16 MR. USHER: Mike Usher, Houston Pilot Commission. Thank
17 you, Captain Evans, Mr. Levine, and Mr. Letourneau for being here
18 today.

19 BY MR. USHER:

20 Q. Captain Evans, when you first got a visual of the *Conti*
21 *Peridot*, you said it's approximately three-quarter miles away when
22 it broke out of shutout fog?

23 A. Um-hum.

24 Q. Is that what you agree to?

25 A. Yes.

1 Q. Okay.

2 A. Well, I'm not sure if he was in shutout fog or not.

3 Q. I mean, that you first saw him --

4 A. Right.

5 Q. -- had a visual of him?

6 A. Right.

7 Q. How long after that would you say that the collision

8 occurred, approximately? Do you have an idea or could you share

9 with us?

10 A. Well -- 2 minutes, 3 minutes. Wasn't long.

11 Q. Approximately 2, maybe 3 minutes?

12 A. Um-hum.

13 Q. Did you happen to hear any danger signals, sounds, sound

14 signals from the *Conti Peridot* during the course of that 2 or 3

15 minute interview?

16 A. I don't remember that. I could say yes or I could say

17 no, and they'd both be wrong.

18 Q. Okay. Do you recall if the master on your ship started

19 sounding arrive whistle, danger signal?

20 A. No, no. No danger signals. The time we saw him and the

21 time he hit, there was no time for no signals.

22 Q. Okay. In your opinion, in your professional opinion,

23 did you think a danger signal would've prevented this collision?

24 A. Oh, no way.

25 Q. Okay. All right. Thank you. That's all I have.

1 A. Okay.

2 BY MR. MORRIS:

3 Q. Mike Morris from the Houston Pilots. I'm trying not to
4 frame this to be leading, so help me if I do, but you were going
5 from better visibility to worse?

6 A. Right.

7 Q. So you got about three-quarters of a mile, you say,
8 looking down the channel to where the *Conti Peridot* was?

9 A. Right.

10 Q. Three-quarters of a mile seem like that would be over a
11 beacon set, but you could see him for a full beacon set, or was it
12 less visibility looking down the channel?

13 A. I would say I could probably see almost a beacon set.
14 But it was real fuzzy. I mean, when I saw him, it was really,
15 really fuzzy.

16 Q. Did you see him coming off --

17 A. No.

18 Q. -- both banks?

19 A. No. When I saw him, he was already coming into the
20 channel again, first time I saw him.

21 Q. From the last one?

22 A. Yes.

23 Q. From the last rudder.

24 A. Right.

25 Q. Okay.

1 MR. JONES: Which, just for the record, Rob Jones, just
2 that'd be from the red side?

3 MR. EVANS: Right.

4 MR. JONES: Okay.

5 MR. MORRIS: Correct.

6 MR. KOTSOVOLOS: No questions.

7 MR. JONES: Eric?

8 BY MR. STOLZENBERG:

9 Q. Yeah, I just have a few questions, captain. Is there a
10 rule of thumb or a natural practice on once a ship is underway and
11 it encounters visibility and along the route through the channel
12 where you just go or no go? Is there any kind of rule of thumb
13 that you all use, or is there some kind of policy that you use?

14 A. There is no policy.

15 Q. Okay. Is there a rule of thumb that you use?

16 A. I guess it's up to the individual pilot whether he wants
17 to continue or do something else.

18 Q. And what is your own personal practice?

19 A. Well, if I've got three-quarters of a mile visibility,
20 it should be okay, you know, but I've done it many, many times,
21 and it's okay, but I guess the *Conti* is just a poor handling ship,
22 so I think.

23 Q. What about no go? When do you decide it's too
24 dangerous, I'm not going any further?

25 A. Well, I've done it before. Like, coming in towards

1 Morgan's Point, there was a 1,000 foot tow outbound at Goose
2 Creek, so I know I can handle it, but I don't know what he's going
3 do, so I dropped anchor.

4 Q. So what are the factors that enter into your decision
5 not to go, not to proceed any further?

6 A. Because I couldn't see anything.

7 Q. So visibility has to be real bad?

8 A. Right.

9 Q. Below a quarter of a mile?

10 A. Oh, yeah. It's got to be, like, if I can't see the bow
11 of the ship, then that's, that's a no go.

12 Q. Okay. Suppose you can't see the bow of a ship and
13 there's another ship behind you and there's a ship --

14 A. Then he's got to go to anchor.

15 Q. So regardless of what other ships are around you, you
16 can't see the bow of the ship, you're going to anchor?

17 A. Right.

18 Q. Okay. How would handling characteristics of the vessel
19 enter into this decision? Would you do this regardless?

20 A. Well, let me rephrase that. If there's no inbound
21 traffic to me, then if I can't see the bow of the ship, I can
22 continue. It's okay. You know the Houston Ship Channel's soft
23 mud. If you do get out of shape, it's not going to hurt anything.
24 So we can do that. But if you got a, say, 10 tows coming at you
25 and a couple of two or three ships and you can't see the bow of

1 the ship, then it's probably time to consider, you know, dropping
2 the hood.

3 Q. In your opinion, do other pilots share the same practice
4 that you do?

5 A. I can't speak for the other pilots.

6 Q. Okay. What about Captain Reeser? What kind of pilot
7 was he? What was his reputation? What is his reputation?

8 A. Oh, I'm not going to say anything about that. He's been
9 pilot longer than I have.

10 Q. Okay. And just a few wrap-up questions. If we were to
11 look at your medical evaluation form, the 719K, that you filled
12 out with the Coast Guard, is there anything in there that would
13 arouse interest in terms of medication use or medical condition?

14 A. I take [REDACTED].

15 Q. Okay. And I'm going to ask you this, and I apologize,
16 but I know you smoked during the break. What is it like for you
17 and you're on the bridge of a ship and you're unable to smoke
18 because of policy or whatever?

19 A. It's just like flying to France. You just don't smoke.

20 Q. What does that do to your performance?

21 A. It doesn't do anything.

22 Q. Okay. And, again, I'm sorry to have to ask you this,
23 but I know you said --

24 A. Plus I got an electric cigarette in my bag.

25 Q. Oh, okay. You say you don't use cell phones -- for the

1 record, even though I know you said you don't use cell phones,
2 were you using a cell phone at any time during this transit?

3 A. No.

4 Q. Okay. All right. Thank you, captain.

5 A. Okay.

6 [REDACTED] I think I have one other question, Rob.

7 [REDACTED]:

8 Q. [REDACTED]. At zero visibility, I've
9 heard that defined a couple different ways over this course of the
10 investigation, what is zero visibility to you?

11 A. When you can't see your shoestrings.

12 Q. All right. If you were on the bow of the ship or you
13 were on the bridge and you could see the bow, but no further than
14 the bow --

15 A. That's pretty, pretty foggy.

16 Q. Yeah, but would you consider that zero visibility?

17 A. Yeah, probably so.

18 Q. All right.

19 A. But if I pass a set of beacons and I can't see the
20 beacons, then that's zero visibility.

21 Q. It's not meant to be a trick question.

22 A. No, no --

23 Q. It's just (indiscernible).

24 A. -- that's the best way I can answer it.

25 Q. Thank you. No other questions.

1 MR. JONES: All right.

2 MR. MORRIS: I have two clarifications. Can I do that?

3 MR. JONES: Well, we've gone around. I --

4 MR. MORRIS: Okay. That's fine.

5 MR. JONES: -- think, I think everybody's been pretty
6 cooperative, and I'll let you go, Mike. Just, I'll listen for
7 where you're going.

8 MR. MORRIS: Yeah, okay.

9 BY MR. MORRIS:

10 Q. And you weren't talking about beacons ahead of you? You
11 were talking the ones --

12 A. Right.

13 Q. -- on either side.

14 A. Right.

15 Q. And second clarification, you anchored when a dredge was
16 up there a mile and a half from you, probably going pretty slow.
17 Two ships meeting, would you have time to anchor and
18 (indiscernible)?

19 A. Well, we were about doing about 8 knots. It'd be -- you
20 know what happens when you come stern on a ship. They
21 (indiscernible) to port, the stern goes to the port and the bow
22 goes to starboard and you have two ships aground.

23 Q. Okay. Thank you.

24 MR. JONES: Okay. That concludes this interview with
25 Captain Evans.

1 I appreciate your time, cap.

2 MR. EVANS: Okay.

3 MR. JONES: All right. Thank you.

4 (Whereupon, the interview was concluded.)

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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 Larry Evans

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.

Karen A. Stockhausen
Transcriber