

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: Lone Star Committee Members:

JOHN PETERLIN

J.J. PLUNKETT

RICHARD RUSSELL

PAUL CARUSELLE

Houston Pilots Offices

Deer Park, Texas

Wednesday,

July 29, 2015

The above-captioned matter convened, pursuant to notice.

BEFORE: ROB JONES

Senior Marine Accident Investigator

APPEARANCES:

ROB JONES, Senior Marine Accident Investigator
National Transportation Safety Board

ERIC STOLZENBERG, Investigator-in-Charge
National Transportation Safety Board

CARRIE BELL, Accident Investigator
National Transportation Safety Board

[REDACTED]
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1 I N T E R V I E W

MR. JONES: Good morning. This is Rob Jones with the National Transportation Safety Board. We are in Houston, Texas today on the 29th of July with the Lone Star Committee, Harbor Safety Committee. We're at the Pilot's office in Deer Park. This is in regards to the *Carla Maersk* and *Conti Peridot* follow-up investigation.

With me today is?

MR. STOLZENBERG: Eric Stolzenberg, NTSB.

MS. BELL: Carrie Bell, NTSB.

MR. JONES: And from the Lone Star Committee?

MR. PLUNKETT: I'm J.J. Plunkett. I'm the chair of the waterway utilization subcommittee.

MR. PETERLIN: John Peterlin. I'm the chair of the committee as a whole.

MR. CARUSELLE: Paul Caruselle. I'm the chair of the causality committee.

MR. RUSSELL: Richard Russell. I'm the vessel owner/operator representative to the Lone Star Harbor Safety Committee.

MR. JONES: Okay. And I'd -- this is Rob Jones again. I'd just like to start off with the chairman, Captain Peterlin. Could you describe to me what the Lone Star Committee

1 does, its mission, a little background about yourself too and --
2 actually, before we do that, let's -- let me get a little bios
3 from the committee members.

4 And I'll start with you, J.J.

5 MR. PLUNKETT: I --

6 MR. JONES: Quick bio, background, and why you're a
7 member of the committee.

8 MR. PLUNKETT: The last 4 years, I've been with the
9 Houston Ship Pilots as their port agent. Prior to that, I was an
10 officer in the Coast Guard.

11 MR. PETERLIN: John Peterlin. I'm the Port of Galveston
12 representative on the Lone Star Safety Committee. I'm a
13 professional mariner. I graduated from the Merchant Marine
14 Academy at Kings Point in 1976; sailed offshore until the end of
15 1990; have been ashore in a variety of positions since then both
16 in the private sector, maritime operations, and have been in the
17 port sector now for about 15 years; and have been involved
18 previously with the predecessor committee, which was the Houston-
19 Galveston Navigation Safety Advisory Committee, which was a
20 statutory committee, a FACA committee; and I was involved with
21 HOGANSAC off and on as an appointee from about 1991 until the
22 committee was dissolved when the charter was let expire around
23 2010, and have since been involved with the Lone Star Harbor
24 Safety Committee when it was stood up in 2012.

25 MR. JONES: Okay. Thank you.

1 MR. CARUSELLE: Paul Caruselle. Currently vice
2 president of Moran Shipping Agencies. Prior to that, 40 years
3 with SeaRiver/ExxonMobil in a variety of shoreside jobs, including
4 fleet manager, as well the safety, security, health and
5 environmental manager. Like John, I was on the original HOGANSAC
6 until it was dissolved, and then have participated in the NavOps
7 subcommittee, the utilization subcommittee, as well as this
8 causality committee, over the past the years, and I'm also a
9 member of the Pilot Board Review and Investigating Committee.

10 MR. JONES: Okay. Thank you.

11 MR. RUSSELL: Captain Richard Russell. Graduated from
12 New York Maritime in '81; spent 3 years active duty and 23 years
13 in the reserves, retired Navy captain; sailed in my merchant
14 license for 10 years, the last 3 as master; came ashore in '94,
15 worked 12 years for Stolt-Nielsen, and the last 8½ or so, I've
16 been with AET. I'm currently at AET as head of global operations.
17 And I've been involved with the HOGANSAC and the Lone Star Harbor
18 Safety Committees since coming down here to Texas back in 2003,
19 and I'm currently the vessel owner/operator representative to that
20 Lone Star Harbor Safety Committee.

21 MR. JONES: Okay, thank you very much, gentlemen.

22 So, I'd like to again start with the chairman. And if
23 you could just give us a brief background of Lone Star and its
24 mission and what it tries to affect and accomplish with your
25 committees?

1 MR. PETERLIN: Okay. Lone Star Harbor Safety Committee
2 was created, stood up in 2012, after the HOGANSAC was expired.
3 And here in the Galveston Bay region, we've got a very
4 longstanding -- and I think Paul and Rich would concur -- a very
5 longstanding history of a lot of cooperation and collaboration and
6 communication between all the various private and public
7 stakeholders and entities in the region. A lot of us have lived
8 in different parts of the country. Those of us who've been in the
9 private sector know that you, you know, you like to keep your
10 cards right under your chin and competition can sometimes be a
11 little cutthroat. Down here we find that everybody competes, but
12 there's a sense of a couple of things, you know, maybe the Texas
13 culture of get it done, but also what's good for the whole is good
14 for everybody, and although everyone competes, there is a lot of
15 willingness to share ideas, views, and to -- a willingness to
16 collaborate to make things work.

17 So we had that culture and we had that sense of
18 operating on the HOGANSAC committee, and a lot of the members who
19 had been part of the HOGANSAC committee decided we did not want to
20 let that lapse. It was something that we felt was very beneficial
21 to the region, and so it was decided to go ahead and stand up a
22 Harbor Safety Committee. There were some benefits. You know,
23 under the Federal Advisory Committee Act, there are certain things
24 that you can and can't do. You sometimes have some handcuffs on
25 the way you have to operate. So, although it's a safety

1 committee, as the HOGANSAC, we were directly involved with
2 District 8. We were the advisors to the admiral in New Orleans.
3 We still have a very positive and ongoing interface with the Coast
4 Guard as a Harbor Safety Committee. We have 29 members, and then
5 we have ports and private sector representing a broad array of
6 stakeholders; terminals; different operating entities, non-liquid,
7 liquid, dry, commercial, recreational, fishing vessels, and so
8 forth, so that there's -- you try to get as much of a viewpoint as
9 you can across the sector. And then we have -- those 29 are
10 voting members. Then we have five non-voting federal stakeholders
11 who are also participatory of the Coast Guard, the Army Corps of
12 Engineers, NOAA, CBP, and --

13 Who did I forget? Coast Guard -- Corps of Engineers?

14 UNIDENTIFIED SPEAKER: Corps of Engineers.

15 MR. PETERLIN: -- Corps of Engineers.

16 And the focus of the committee is to be an interface and
17 to allow all of the various stakeholders to participate in what is
18 primarily navigation safety and efficiency topics related to the
19 region. We had our first meeting in February of 2012, when the
20 committee was chartered. We're now in our third year. I started
21 as vice chairman of the committee and I am now in the latter part
22 of the second year, so I will be completing my term as chairman in
23 February of '16.

24 Participation is voluntary. Oftentimes, different
25 entities may -- for instance, the port authorities will designate

1 who their representatives are. I represent the Port of Galveston.
2 The Lone Star Harbor Safety Committee encompasses the ports of
3 Houston, Texas City, Galveston, and Freeport, and we have pretty
4 steady participation from all of the ports authorities'
5 representatives, as well as the various commercial and
6 recreational entities in the region.

7 We have an interface -- what I think is really good is
8 we have the interface between brown water and blue water. The
9 Harbor Safety Committee covers the waterways from the head of
10 navigation at the Houston Ship Channel all the way down to the
11 offshore lightering areas and the Intracoastal Waterway within
12 what we would consider the boundaries out to Freeport, probably
13 over towards where the SETWAC boundaries would be, you know, on
14 the Golden Triangle to the east of us.

15 So, it's really a forum to generate and to provide for
16 that kind of cooperation and communication and collaboration with
17 industry and government and with the interest of promoting safety
18 and efficiency in the waterways.

19 MR. JONES: Okay.

20 MR. RUSSELL: I would add none -- this is Rich Russell.
21 I would add one very important aspect to that is that a number of
22 folks that are on the Lone Star Harbor Safety Committee are also
23 on other harbor safety committees. For instance, I'm on Corpus
24 Christi and SETWAC, so that allows exchange of ideas. And
25 currently, we're working on this menhaden fish issue, we're

1 working on that across the Gulf. We started here at Lone Star,
2 but because I'm -- and I participate in New Orleans as well. We
3 can take things across the Gulf.

4 MR. JONES: And Richard -- this is Rob Jones. Since you
5 brought up the menhaden, just for the record, what's the problem
6 quickly?

7 MR. RUSSELL: So, seasonally, from April to November, we
8 get fish, schooling fish, massive amounts of schooling fish, that
9 when encountered by an ocean -- by a vessel, can be sucked up into
10 the cooling water intakes and cause a loss of cooling water and
11 therefore a loss of -- or not a loss -- a reduction in propulsion.
12 Because typically, fortunately, you don't lose the whole vessel,
13 you just lose -- the engines will do an automatic slowdown and
14 you'll have to find a place to anchor or go back to berth and
15 you'll have to clean out your strainers. We're working on ways to
16 try to (a) figure out their patterns and come up with a best
17 practices, and (b) maybe even look at ways that ships can improve
18 their design.

19 MR. JONES: Okay, thanks.

20 MR. PETERLIN: If I may, Rob?

21 MR. JONES: Yeah.

22 MR. PETERLIN: John Peterlin, the chairmen. The way the
23 committee operates is really all of the heavy lifting is done in
24 subcommittees. The committee as a whole meets once a quarter to
25 get all the input from all the subcommittees, but really all of

1 the work is done in subcommittees that are headed by Lone Star
2 members and then we invite through various avenues --
3 announcements in the West Gulf Maritime Association and just sort
4 of word of mouth. You don't have to be -- regionally, you do not
5 have to be a member of the committee to participate in the
6 subcommittee work or the -- or various working groups that are
7 established under the subcommittees, and we have several primary
8 subcommittees.

9 We have a waterways utilization subcommittee, which is
10 -- primarily deals with blue water issues and ship channel
11 navigation issues. We have a navigation, what we call the NavOps,
12 navigation and operations committee. That tends to have evolved
13 into a brown water type of a committee dealing with brown water
14 barge type of issues. We have a maritime outreach and training
15 subcommittee. We have a dredging subcommittee that deals with
16 issues regarding all the aspects of dredging and it's effects on
17 navigation. And then we have a committee -- a subcommittee on
18 mariner access and facility access that was established last year
19 in response to the issues that have come up in regard to seafarers
20 being able to get on and off vessels at various facilities.

21 And so, the various chairs of those subcommittees work
22 to establish issues that are discussed in the committee as a whole
23 or that come up in the course of the subcommittee meetings, and
24 then they may establish various working groups, such as the
25 menhaden, you know, fish working group. And then the working

1 groups do their work. They -- the working groups may have
2 subchairs and they, over the course of that -- the intervening
3 quarters, they'll have one or more meetings during those quarters.
4 They'll report back to the subcommittee, and then at the quarterly
5 meetings, the subcommittees then provide their reports to the
6 committee as a whole.

7 The public -- the quarterly meetings are open to the
8 public. They are announced publically. And as subcommittee
9 reports are brought up, if it's felt that there is an issue that
10 is -- needs more attention or formal input by the committee as a
11 whole, they're -- they may recommend action to the voting members
12 of the committee to either establish another subcommittee, ask for
13 more information from a working group or a subcommittee, write
14 letters to various entities. We've provided correspondence, for
15 instance, to the Corps of Engineers regarding issues in relation
16 to waterway depth, turning radiuses, choke points, and so forth,
17 correspondence with the Corps of Engineers, for instance. So,
18 it's really a bottom-up structure and it seems to, I think, have
19 worked fairly well.

20 MR. JONES: No, that's a great term heading into my next
21 question because -- bottom-up. How do problems get brought to the
22 committee or, you know, singular issues that are -- you know, that
23 are -- how does the committee become aware of that and then how do
24 you deal with it?

25 MR. PETERLIN: Well, I think we'd -- let's say we'd be

1 in a quarterly meeting and we go through on the agenda and we'll
2 have each subcommittee chair go through -- let's say, waterways
3 utilization and, let's say, for instance, the anchorage working
4 group on waterways utilization. J.J. as the chair, for instance,
5 of waterways utilization, would provide a report, here's what
6 we're working on and what we've been doing this quarter and we
7 have the following working groups. And in the course of our
8 normal subcommittee meeting, this company, SeaRiver or AET or this
9 company, indicated that they had an issue or we found that, as a
10 pilot's organization, for instance, we think that it would be
11 beneficial to have an additional anchorage area, let's say in the
12 Bolivar Roads area, to provide for flexibility and elasticity in
13 certain situations and we think that if we did this with this old
14 disused disposal area -- and then there's general discussion
15 amongst the members and then the chair or another member may say,
16 you know what, I think that's a good idea; I think we need to
17 study that more. J.J., why don't you go and have this group see
18 if they can do this, that, or the other and bring it back at the
19 next meeting or 6 months from now? And, you know, all in favor,
20 you know, majority vote.

21 So it's typically brought up by the people who are
22 attending the meetings. And we want people who were out there in
23 the waterways, who are working in the companies, who are working
24 in the region, who are out there every day, who see a problem, may
25 have an out-of-the-box idea, to go ahead and bring that up. So

1 it's really anything goes, and if it makes sense to pursue that,
2 we really encourage people to point out areas where there -- they
3 think there are things that can be done to fix problems, things
4 that may not be a problem but things that can be done to improve
5 the process.

6 MR. JONES: Okay. So --

7 MR. PETERLIN: And --

8 MR. JONES: So if I could -- what's -- while I'm
9 thinking, Paul --

10 MR. CARUSELLE: Go ahead.

11 MR. JONES: Just -- so, an issues brought to the -- from
12 the subcommittee or even lower than that, the subcommittee looks
13 at it, brings it to the committee. Lone Star says it wants to go
14 forward; this is a good idea. The people that enact that idea in
15 the port would be Coast Guard or the Pilot. How do you bring it
16 higher than that? How does Lone Star then interact with the
17 bigger entities in the port, like the Coast Guard, the
18 authorities?

19 MR. PETERLIN: Well, those members are at the meetings.

20 MR. JONES: Okay.

21 MR. PETERLIN: So we'll have the sector commander, we'll
22 have the region director for CBP, we have the regional MARAD
23 Gateway director, we have the regional director -- I guess Allen
24 is the regional director for NOAA, I guess. So we have the senior
25 people in those federal entities and --

1 UNIDENTIFIED SPEAKER: Army Corps of Engineers.

2 MR. PETERLIN: And the Army Corps of Engineers, the
3 district commander --

4 MR. JONES: Okay.

5 MR. PETERLIN: -- typically the colonel, attends when he
6 can or each party has a designated alternate that we encourage to
7 have them attend.

8 So they're there to hear that dialogue themselves, which
9 just by virtue of you're already dealing with the top-tier
10 management in those agencies, you know, regionally, locally, and
11 then typically the people who are attending from the ports
12 authorities are also in senior management at the ports
13 authorities, so they have the ability to go back and work within
14 their own organizations to promulgate changes perhaps, if they
15 feel that what they're hearing makes sense or -- we don't have any
16 authority to tell any entity, you know, what they should or should
17 not do. We can make recommendations, and just the fact that
18 you're able to have that open discussion and communication and
19 bring those issues up, I think, is positive rather than assuming
20 someone knows that there's a problem or --

21 MR. JONES: Okay.

22 MR. STOLZENBERG: Rob, Paul --

23 MR. JONES: Paul, you were about to say something?

24 MR. CARUSELLE: Yeah. I was going to say another way
25 that issues get into the Lone Star Harbor Safety Committee is from

1 the Pilot Investigating Committee, Review and Investigating. We
2 see a systemic problem with some areas for improvement, we will
3 make a recommendation to the record that the Lone Star Harbor
4 Safety Committee look into this and see if it values even putting
5 a subcommittee together to work it or, you know, work through one
6 of the existing committees to address the issue, and we talked a
7 little bit about that.

8 You know, back in the HOGANSAC days, we looked for
9 systemic problems. So, the Texas City Y in the HOGANSAC days was
10 a problem and the alternate channel was a direct result of the
11 HOGANSAC effort. That was something where, you know, we kept
12 seeing a problem with the tows turning into Houston -- we -- and
13 it came from the brown water side there, John Huba (ph.), from
14 Hollywood, at that time brought it forward. We embraced it and we
15 worked it through to fruition.

16 But at that point we could recommend to the Coast Guard
17 and they had to respond to us. Now we still make the
18 recommendations, but we work it internally within the committee
19 and we have enough horsepower, I would say, throughout the
20 committee to effect change. We do have a lot of people in a lot
21 of different organizations all working towards the same goal, and
22 I think that's the key. Like John said, there's no politics.
23 It's not commercially driven. Nobody gets an advantage. Our Port
24 Coordination Team works the same way. You know, yes, we all
25 compete, but we're all there for one reason and that's to make

1 sure the ship channel is safe and effective in how we do our
2 business. So --

3 MR. JONES: Well, the alternate channel -- this is Rob
4 Jones. That was a -- that's a good example. That's the one
5 coming out of Bolivar --

6 MR. CARUSELLE: Yes.

7 MR. JONES: -- going into the northbound and only
8 northbound, right?

9 MR. CARUSELLE: I believe that was -- if I remember.

10 MR. JONES: Into the -- okay.

11 MR. CARUSELLE: Yeah.

12 MR. JONES: [REDACTED] you just had a --

13 [REDACTED] [REDACTED] [REDACTED]. If you
14 -- to just expand on how the Lone Star Committee gets some of
15 their information, especially when it involves Coast Guard. With
16 the menhaden issue, I don't know exactly who brought that up to
17 the committee, but the Coast Guard Investigations department
18 certainly recognized there was a problem with this either
19 reduction or loss of propulsion and that kind of bubbled up. But
20 the people at Sector Houston knew exactly where to bring this to
21 see if it could be rectified and, as a matter of fact, somebody
22 from my department is involved, as I have been. It's not quite
23 Investigation's forte, but because we seem to be, like, the most
24 knowledgeable at the Coast Guard unit, we kind of took over that
25 and we have a representative on that. And we also involved Texas

1 Parks and Wildlife, a couple of fish experts on there --

2 MR. JONES: Right.

3 MR. [REDACTED] -- and that meeting today is to determine
4 what the analysis -- and we involved the Houston Pilots in that
5 also. So, that was one way. And I'm not even positive how that
6 was actually brought up to the committee.

7 MR. CARUSELLE: Actually, it -- excuse me. This is Paul
8 Caruselle -- it came from Captain Morris, asked for help and said,
9 you know, could the causality committee look at this; it's a work
10 group under the NavOps subcommittee, and we said yeah. You know,
11 we know we have a problem. We know it has led, as Rich said, to
12 reduction in power, sometimes ships anchoring and all.

13 I think what that shows is we don't wait for a problem
14 to happen; we're trying to get ahead of it. And now that we find
15 this problem is the same in other ports, we seem to be the only
16 port right now that's aggressively pursuing. Maybe we have more
17 of a problem than other ports, but, again, we don't wait for
18 somebody to tell us to do something. We can figure it out that
19 this could lead to a collision. It could lead to a lot of things
20 happening and, you know, how would it look if the industry, the
21 pilots, the Coast Guard, all know this is a problem and we're
22 doing nothing about it? So, I think that's a good example of how
23 we don't wait for something to happen, we try to get ahead of it
24 and be proactive.

25 That would be the right word in my mind for this

1 committee. It's very proactive. I've served on committees all
2 over the country -- we talked about that this morning -- you know,
3 Alaska, Washington state. This area is the most cooperative, you
4 know, between regulator and stakeholders, as well as, you know,
5 the people -- in my opinion. That may not be what other people
6 feel. But I've seen it all and we seem to get things done; things
7 seem to get done.

8 MR. JONES: Okay. Well, that's great. I appreciate it.
9 And I think that's kind of where I wanted to get, like a basis of
10 Lone Star. And hopefully, as long as we're not back here for a
11 probable cause that involves menhaden --

12 MR. CARUSELLE: We're working on it.

13 MR. JONES: That would be a first. But --

14 MR. RUSSELL: Rob --

15 MR. JONES: Go ahead.

16 MR. RUSSELL: I'm sorry. This is Rich Russell. Let me
17 add one more thing. Another input -- another entrance to the --
18 to a harbor safety committee, for instance, in Corpus, we stood
19 that one up about 2 years ago and the first tasking we received
20 down there was from the pilot commission and it was to hammer out
21 work/rest hours for pilots. So we cover the gamut.

22 MR. JONES: All right. Well, now specific to our
23 nature, how does -- we were down here a few months ago with the
24 recent accident, the *Carla Maersk* and the *Conti Peridot*. How does
25 that accident or does Lone Star get involved with the specifics of

1 certain accidents, or do you?

2 MR. PETERLIN: I think, you know, in regard to ongoing
3 incidents, for instance, we recognize that there are
4 investigations going on both on the Coast Guard side and on the
5 NTSB side. So, we may, for instance, ask -- at a quarterly
6 meeting, say, the next quarterly meeting immediately following an
7 incident, we'll, for instance, ask the sector commander to provide
8 an overview to the extent possible that he's able to share
9 information, recognizing that certain things cannot or should not
10 be discussed in open meetings or, you know, it could affect an
11 investigation.

12 But it makes the members aware that there may be an
13 ongoing situation and, of course, the members in most cases are
14 involved in some way, shape, or form as members of the
15 subcommittees or as part of the working group, so they're already
16 aware of those issues. And there may already be a working group
17 within a subcommittee addressing, you know, things in that area.
18 So they could talk about, you know what, this is -- going back to
19 a previous incident -- well, this was a barge and a ship issue, so
20 you know what, we think that maybe there needs to be more
21 education ongoing in the brown water side to let them know what
22 the blue water guys are up against, and the blue water guys, you
23 know, and the pilots, maybe there's some benefit in gaining some
24 perspective in what the brown water guys are doing so nobody's
25 making assumptions that people know or understand.

1 It's like 4-wheelers and 18-wheelers. You know, you
2 have -- a lot of 4-wheeler drivers don't understand what that 18-
3 wheeler driver is up against in the no-go zones, in the -- you
4 know, he -- I can't see in my mirror issues. And so, you know
5 what, let's establish some workshops or let's try to get these
6 folks together or -- normally these subcommittees meet separately,
7 let's get these two subcommittees together and meet jointly.

8 And so -- because a lot of people who might attend the
9 navigation operations subcommittee meetings that are more brown
10 water related may not attend the waterways utilization meeting.
11 So that there's -- people can hear what's going on generally in
12 those committees and gain more perspective and information and
13 that might lead to, you know what, we need to have a formal
14 training session, so let's fund a Brownwater University and let's
15 suggest that this particular stakeholder group get it out to their
16 membership that we're going to have this training, and it'll be
17 nominal fee or we might sponsor it and pay for it ourselves. But
18 let's get these people talking about it. Let's take it to the
19 next level. Let's give it some visibility.

20 And so that's generally what we try to do is just to
21 take an issue and say, are you guys addressing this? Do you have
22 a workgroup? We don't have a working group, suggest maybe we
23 stand up a working group and let's get down into the weeds on this
24 and see what the issues are.

25 MR. CARUSELLE: Yeah.

1 MR. JONES: One second, Paul. Before I -- I don't want
2 to lose my train of thought, but I'll let you jump in in a minute.

3 And I actually -- asking that, John, I might have -- I
4 actually maybe put you in a bind there because, yeah, as much as
5 we want to talk about the *Conti Peridot* and the *Carla Maersk*, and
6 as much information as the party that we designated participated,
7 we actually -- they are not really at liberty to discuss a lot of
8 the findings. So that might be a little bit of something we can
9 look at that, you know -- and proactively, maybe that -- some
10 information -- obviously, you knew it was fog and there was -- and
11 there's ships, but a lot of some of the other information might
12 not to privy to the group.

13 That being said though, past accidents, if we go back to
14 say, like, *Elka Apollon* --

15 MR. PETERLIN: Yeah.

16 MR. JONES: -- and you made the -- it was a good segue
17 when you say the 4-wheelers and -- maybe you said 12 or 18-
18 wheelers. But, you know, you have the *Elka Apollon* accident where
19 there was a small ship -- or tugboat coming out of the Bayport
20 flare in the channel, and a deep draft. Is that -- do you look at
21 our reports? And I know the PBIRC has their own --

22 MR. PETERLIN: Right.

23 MR. JONES: -- but do you look at ours and utilize them
24 in any way in the operations in the waterway and our findings?

25 MR. PETERLIN: I don't know.

1 J.J., I'm -- I guess I'll defer that.

2 I think the committee as a whole, to my knowledge, I
3 don't think we have had a full quarterly committee saying -- that
4 said let's sit down and review this. It might be something, you
5 know, to say, okay, this report has come out; let's look at these
6 findings of fact and recommendations. But I think at the -- when
7 we get into the subcommittee level, I'm almost positive that those
8 things are looked at and --

9 MR. PLUNKETT: So, I -- this is J.J. And I guess the
10 formal place for something like that to happen -- and it kind of
11 predates you, Paul -- was in the casualty analysis workgroup. So,
12 they were working with the IOs and looking at different casualties
13 that have happened. I don't know that -- I'm not part of that
14 workgroup, so I don't want to speak for them. So I don't know if
15 they have ever taken a report and dissected it and said, well,
16 this is something that we should take on or not, but I think that
17 would probably be the proper home for it.

18 MR. PETERLIN: Yeah.

19 MR. PLUNKETT: So --

20 MR. PETERLIN: Yeah.

21 MR. JONES: Go ahead, Paul.

22 MR. CARUSELLE: Yeah, so a couple of things. So, you
23 know, so far, the Pilot Board Review Investigating Committee has
24 not heard the *Conti-Maersk* case. So, right now, there is no feed
25 into the Lone Star Harbor Safety Committee because the way it

1 generally works is the PBIRC would review the case and come out
2 with recommendations, right, either to the pilots or to something
3 to be followed up. A good example of that would be the *Miss*
4 *Susan* --

5 MR. JONES: Summer Wind.

6 MR. CARUSELLE: -- *Summer Wind* incident. The
7 recommendation out of the PBIRC to the Lone Star Harbor Safety
8 Committee and the Houston Pilots was to get a -- not a Brown/Blue
9 Water University, but get senior people from the pilot
10 organizations, from the brown water side, from the blue water
11 side, have them all in a room, which we did, and have a candid and
12 frank discussion of each other's issues. That happened. We've
13 already had one. We'll have another one coming up here in
14 September.

15 MR. JONES: Are those meetings -- are there minutes?

16 MR. CARUSELLE: Yes. So actually we have George from
17 Maritime -- who's he with -- the Maritime --

18 MR. JONES: Oh, George Burkley?

19 MR. CARUSELLE: Yeah. Kind of being our facilitator,
20 coordinator. So I believe that there's minutes, there's follow-
21 ups, there's questionnaires that came out of the first one, a lot
22 of lessons learned, and we are tweaking the program for the
23 September one to get even more benefit out of it. You know, we're
24 trying to involve every brown water company. We have members from
25 Corpus Christi Pilots, I believe, the Galveston Texas City Pilots,

1 the Houston Pilots, and the Sabine Pilots all here for that
2 meeting. And again, it had -- it was a recommendation by PBIRC to
3 the Houston Pilots and they took action or it could have gone
4 through Lone Star. I think that's the way a lot of information
5 gets in to Lone Star when it affects a pilot, whether it's a brown
6 water or blue water incident or two blue waters.

7 The other thing is on the causality workgroup, you know,
8 from Captain Penoyer -- and this was stood up by Captain Woodring,
9 so you're going to meet with him later --

10 MR. JONES: We already did.

11 MR. CARUSELLE: Yeah.

12 MR. JONES: We did.

13 MR. CARUSELLE: Oh, you already did? Okay, good.

14 And that was to look at, again, systemic problems.
15 That's why menhaden is under that group. Are there issues coming
16 up that we continually see that we need to address to get ahead of
17 the curve, to be proactive, as I said before, and that's what
18 we've seen.

19 Now, if this workgroup starts to see fog navigation,
20 communications, whatever it is, then, yes, we will take that on.
21 We have the right people to -- on that group, workgroup to work
22 with the NavOps subcommittee and handle it. But to date, we've
23 not done many. I think there's been two that I've read in the
24 minutes. There could be something that predates it, but as it's
25 been formalized now, menhaden happens to be our first major one.

1 The other one was fuel switching. Again, it was systemic
2 problems, you know, we constantly see. Again, it's more
3 preventative than after the fact, but there's nothing says we
4 can't take an after-the-fact report and look at it and try to be
5 proactive in preventing a reoccurrence. So does that help?

6 MR. JONES: Yes.

7 MR. RUSSELL: Rich Russell. A couple of things, one, I
8 forgot to mention I am also on the Pilot Review Board.

9 MR. PETERLIN: I think you did.

10 MR. RUSSELL: Okay. I'm getting old. I don't remember
11 anymore. One significant result of the *Carla Maersk* that's
12 already come to the Lone Star, we formed a working group to look
13 at safe refuge. A number of years ago, we had one that looked at
14 harbors of safe refuge after the --

15 UNIDENTIFIED SPEAKER: Salvage (indiscernible).

16 MR. RUSSELL: Well, the tanker sunk off the coast of
17 Spain, the --

18 UNIDENTIFIED SPEAKER: Oh, right.

19 MR. JONES: *Prestige*?

20 MR. RUSSELL: *Prestige*.

21 UNIDENTIFIED SPEAKER: Yeah.

22 MR. RUSSELL: And we put together quite a substantial
23 document that is now with the Coast Guard. What we realized after
24 the *Carla Maersk*, the work we had done previously dealt with a
25 ship offshore wanting to come in. Now we have a ship that's

1 already in, what do you do with it? So we've stood up a working
2 group; I'm part of that, and over the next year and a half or so,
3 we're going to work on that and come out with a document.

4 MR. JONES: And, Richard -- this is Rob Jones --
5 specifically, this was post-accident?

6 MR. RUSSELL: This was post-accident.

7 MR. JONES: So, we're talking about the *Carla Maersk*
8 that was damaged --

9 MR. RUSSELL: Correct. It was a --

10 MR. JONES: So where to put it?

11 MR. RUSSELL: It was a gap --

12 MR. JONES: Right.

13 MR. RUSSELL: -- that was identified in the response to
14 the *Carla Maersk* that we're going to take up and hopefully provide
15 answers to.

16 MR. JONES: Are you dealing with anything with regards
17 to the waterway and vessels underway that are in the channel, like
18 when the fog actually closes in or hits? Is there any look at
19 that between pilots, the brown water vessels, you know, what can
20 be done with regards to the operation? Can the ship stop? And
21 I'm just throwing questions out there. I know there are some that
22 can be done, can't be -- what -- but has any merit been given to
23 what can be done when fog closes in and all that traffic is two-
24 way traffic in a long stretch of waterway?

25 MR. CARUSELLE: This is Paul. The Port Coordination

1 Team, and that was stood up after the sulfur barges many years ago
2 when there was a sinking of a sulfur barge that closed the channel
3 and we had extended fog. And so, this team, which I think Captain
4 Nerheim chairs, the Port Coordination Team, right, it stands up
5 whenever there's an extended closure of the waterway and what that
6 -- everybody feeds in, whether you're refineries, you're ships,
7 you're terminals, what the priorities are. This team has
8 representatives for each of those. They come up with a game plan
9 on -- you know, I'll give you an example. Rich's ship may be
10 working for ExxonMobil, but we don't need the crude, but we were
11 first line. Shell may need the crude more than us. That ship
12 jumps the SeaRiver ship, let's say, or Rich's ship, and that's the
13 way that team works.

14 And then there's coordination of -- with the pilots on
15 that and then the brown and blue water VTS takes a look at them.
16 And I think you heard some of that at our VTS meeting the other
17 day, where they'll do one-way traffic for a while, try to clear
18 the port with the ships, and inbound the tows so that they're
19 meeting each other instead of overtaking. That team has been in
20 effect, like I said, since probably 2009 or maybe a little
21 earlier. I can't remember when that -- Captain Ford was the
22 sector commander back then. So, you know, I think that --

23 MR. PETERLIN: You're talking about the Port
24 Coordination Team?

25 MR. CARUSELLE: Yes.

1 MR. PETERLIN: That predates, oh, going back pre-2008,
2 even earlier. That's --

3 MR. CARUSELLE: So, it's whenever Captain Ford --
4 whenever that incident was, that incident was, that's when we
5 started with a formalized Port Coordination Team. And so that's
6 how traffic as a group -- you know, inputs are done and then
7 traffic --

8 MR. JONES: Right.

9 MR. CARUSELLE: -- is managed from that.

10 MR. PETERLIN: John Peterlin here. I think your
11 question, Rob, may be more in -- you've got -- probably predating
12 convening of PCT is you've got these vessels on the waterway now,
13 how are we interacting? And J.J. had mentioned those
14 conversations have occurred in the waterways utilization/NavOps
15 maybe joint meetings or in the subcommittees?

16 MR. JONES: I'm not sure I understand the question or
17 the comment.

18 MR. PETERLIN: Well, I think the question -- your
19 comment or question was that you've got a beautiful day. All of
20 the sudden, you've got multiple ships coming down, down, down --

21 MR. JONES: Everything's normal.

22 MR. CARUSELLE: Right.

23 MR. PETERLIN: -- you've got ships in the barge --

24 UNIDENTIFIED SPEAKER: Oh, okay.

25 UNIDENTIFIED SPEAKER: How do you shut it down, not how

1 you start it up again.

2 MR. PETERLIN: You've got the ships in --

3 MR. JONES: Right.

4 MR. PETERLIN: -- in the barge channels. How do we
5 safely decouple all of these moving parts so that we don't have
6 unexpected consequences or unnecessary interactions between the
7 vessels?

8 MR. JONES: And, John, if I can jump in. This is Rob
9 Jones. I'm not saying how do you do it.

10 MR. PETERLIN: Right.

11 MR. JONES: I'm not asking you today how do you do it;
12 I'm asking if you discuss it.

13 MR. PETERLIN: No, and we've had conversations --

14 MR. JONES: Yeah.

15 MR. PETERLIN: -- about how that can happen or how does
16 it occur, what's -- what are best practices we might recommend to
17 make sure we can safely --

18 MR. JONES: Or has it come up an issue --

19 MR. PETERLIN: Right.

20 MR. JONES: -- as you said, from the ground up? Has it
21 come up as something that Lone Star is discussing or going to
22 start discussing?

23 MR. PETERLIN: I don't know that we've formerly
24 discussed this in a full committee meeting, but I'm thinking that
25 those conversations have taken place perhaps in the subcommittee

1 or working group, so --

2 MR. PLUNKETT: So, within waterways, we do talk about
3 fog season. As far as establishing some kind of policy or
4 procedure either for startups or closedowns or anything like that,
5 we haven't ever gone into those kind of discussions.

6 I think that with respect to the PCT, those guys are
7 making kind of tactical decisions with respect to prioritization,
8 but certainly not -- they're not talking about startups or
9 shutdowns as much; that's all been within the Houston Pilots.

10 MR. JONES: Okay.

11 All right, I think I've done enough talking right now.
12 Is anybody --

13 MR. [REDACTED] I don't have any questions.

14 MR. JONES: Okay. Eric?

15 MR. STOLZENBERG: I can --

16 MS. BELL: Go ahead.

17 MR. STOLZENBERG: -- follow up a bit.

18 I realize you said earlier, John, that you make
19 recommendations but you don't have any teethe behind them, which
20 is quite similar to the NTSB that we can only make
21 recommendations. Are there any outstanding recs at this time?
22 And if there are, what -- in other words are any -- any recs that
23 the Lone Star Committee makes, are there any that just aren't
24 followed or that are followed? Or what happens to things that --

25 MR. PETERLIN: I think the last -- John Peterlin here.

1 I think the last formal, real formal action was taken was recently
2 -- I think earlier this year the committee voted to send
3 correspondence to the Corps of Engineers headquarters regarding
4 the Bayport flare issue, which is, you know, you've got larger
5 ships coming up, you've got issues in the waterway related to
6 turning radius. Again, Bayport, Bolivar, we've got certain areas
7 along the system that are a little more active in terms of variety
8 of the traffic that's taking place in those areas.

9 And so, after discussion related to some of the working
10 groups and at the formal meeting, it was requested that Lone Star
11 on -- as Lone Star, address correspondence to the general asking
12 that the Corps take a hard look at what could be done to widen,
13 change, shape, deepen what we call the Bayport flare to allow for
14 easier navigation, safety of turning, and so forth. And that
15 generated a response back actually fairly quickly from
16 headquarters, where then they sent folks down to the region to
17 have discussions with a lot of the stakeholders and to take a look
18 at, you know, what actions could be taken by the Corps to move
19 that forward.

20 Can you -- maybe you can address a little more. Because
21 they actually met with the pilots and the Port Authority.

22 MR. PLUNKETT: So -- this is J.J. The nature of the
23 improvements was to ease the flare going into Bayport knowing that
24 it's a tough place for ships to enter, and also that by using the
25 flare that there'd be better separation between brown and blue

1 water, let's say, a barge coming in and a ship going downbound.
2 So that was kind of the advantages of the improvement. I know the
3 Corps is working through that process right now, but I'm not sure
4 if in the end it'll be addressed or not, so --

5 MR. JONES: Right.

6 MR. STOLZENBERG: Are these communications public? When
7 you write the letter, is it on a public website or --

8 MR. PETERLIN: I'm not sure if we posted that letter to
9 the Lone Star Harbor Safety Committee website. It may be, if
10 not --

11 UNIDENTIFIED SPEAKER: Yes.

12 MR. PLUNKETT: And -- this is J.J. We distributed it at
13 the subcommittee meeting, so --

14 MR. PETERLIN: Right. It --

15 MR. PLUNKETT: -- I guess it's -- I don't know if it's
16 on the website or not, but it's --- put it out to the
17 (indiscernible).

18 MR. PETERLIN: Yeah. The contents of the letter
19 actually were read out publically at the meeting when it was voted
20 to send the correspondence to the Corps. I actually read the
21 letter publically into the public record at the public meeting and
22 then it was widely distributed by cc to the various interested
23 parties.

24 Another recommendation that's still going on, we had
25 another working group that looked at -- what we call the anchorage

1 working group. And that looked at the Bolivar, what we call the
2 Bolivar Roads area, and it was suggested that perhaps we could
3 create some additional anchorage areas there. There was a disused
4 dredge material disposal area. And so with interaction then again
5 within the committee and the working groups with the Corps and
6 NOAA, it was, okay, can we get this formally declared as a disused
7 site? Let's have a look at it. What are the soundings? How
8 large can it be? And then -- I think we're getting fairly far
9 along where we're going to, hopefully in the not too distant
10 future, actually see that designated on a chart.

11 So that's actually a good example of sort of a start to
12 finish recommendation where, you know, we'll create some ability
13 to have additional anchorages in areas which could provide for
14 potentially in a restricted visibility situation you can have a
15 place to park.

16 MR. JONES: Before I forget, Eric --

17 MR. PLUNKETT: Maybe just for --

18 MR. JONES: Sure.

19 MR. PLUNKETT: Another outstanding recommendation was
20 the precautionary areas. I think we actually issued a letter up
21 to either NAVSAC or to the Coast Guard on precautionary areas.
22 That might predate yours, John.

23 MR. PETERLIN: That may have predated my chairmanship,
24 yeah.

25 MR. PLUNKETT: So a request came down from, I believe,

1 NAVSAC for some assistance on addressing precautionary areas along
2 the Houston Ship Channel and --

3 MR. JONES: Was a result of our, one of our --

4 MR. PLUNKETT: I believe so. I think it came in -- I
5 think your recommendations came through NAVSAC and then NAVSAC,
6 instead of making some kind of ruling on something they didn't
7 know a lot about, I think they asked for our assistance, Lone
8 Star's assistance. And so there was a letter generated by the
9 signed by the chair, voted on by the committee.

10 MR. JONES: Maybe we can talk about that later off the
11 record if --

12 MR. PLUNKETT: Okay.

13 MR. JONES: -- if you want our opinion.

14 But if -- were the barge lanes a result of possibly a
15 committee like this or HOGANSAC or -- I mean, I know they've been
16 around a while, but not very -- a very short term in the history
17 of the channel.

18 MR. CARUELLE: Yeah, I believe it was HOGANSAC.

19 UNIDENTIFIED SPEAKER: HOGANSAC, yeah.

20 MR. CARUELLE: Yeah.

21 UNIDENTIFIED SPEAKER: It was HOGANSAC.

22 MR. CARUELLE: And it was to create some separation, as
23 we talked about. Yeah. Paul Caruselle, by the way. Yeah, I
24 think that was a HOGANSAC recommendation with, along with the
25 deepening and widening project.

1 MR. PLUNKETT: Right. So that goes back quite a ways,
2 back in the early 2000s --

3 MR. CARUSELLE: Right.

4 MR. PLUNKETT: -- with the widening and deepening
5 project.

6 MR. JONES: Which again, isn't that early in the history
7 of the Houston Ship Channel --

8 MR. PLUNKETT: Right.

9 MR. JONES: -- but it's still a few years back.

10 But, I'm sorry, I didn't want to cut in on Eric. But,
11 go ahead. Keep going.

12 MR. STOLZENBERG: Well, to follow up on that, are there
13 any workings or subcommittees dealing with other navigational
14 safety issues regarding the channel, you know, one-way traffic,
15 future widening, two lanes? Just in general, are there any other
16 outstanding groups working on any of these issues?

17 MR. PETERLIN: I don't think we have any working groups
18 working on --

19 MR. PLUNKETT: Well, within the -- this is J.J. Within
20 waterways --

21 MR. PETERLIN: Waterways utilization.

22 MR. PLUNKETT: -- we have a lay berth working group.
23 Well, waterways is kind of focused -- well, safety is number one,
24 but they look at certain efficiency issues on the waterway and how
25 that relates to safety as reducing traffic. I mean, the less

1 volume of traffic, they kind of figure back to the less likely
2 there'd be some kind of incident. So we're always trying to
3 reduce the number of unnecessary transits.

4 So with lay berths in the chem tanker trade, it would
5 keep the number of transits out to the outer anchorage to a
6 minimum. So, you could jump a lay berth, if a lay berth is
7 available, instead of having to come in, do your business, go out,
8 come back in again, do your business, go out. So instead of
9 traveling 30 miles each way, you might be able to jump to an open
10 lay berth. So there's a working group actually working on lay
11 berth availabilities.

12 The anchorage was another one, to find some additional
13 space for people to do some of their business where it would be a
14 little safer to do it on the inner anchorage instead of the outer
15 anchorage, and they were able to identify some space with that.

16 MR. JONES: That's -- this is Rob Jones. That's one
17 thing I noticed in some of these past accidents. As I read their
18 logbooks, I was amazed at how many times they've gotten off the
19 boats and then have to gun all the way back down the channel to
20 the anchorage --

21 MR. PLUNKETT: Right.

22 MR. JONES: -- and then back up. I mean, if -- as a
23 ship owner, I'd be screaming, but actually what that also does is
24 adds more traffic to the channel. So, you know --

25 MR. PLUNKETT: Right, right.

1 MR. JONES: And some -- and probably the chemical
2 tankers, the old drug store --

3 MR. PLUNKETT: Sure.

4 MR. JONES: -- they're back and forth. They load a half
5 a tank, and then they're off to another berth.

6 MR. PETERLIN: Yeah. That's particularly an issue here
7 in the ship channel. You've got a lot of petrochemical and a lot
8 of what we call the drug store trade, and we have members here who
9 participate in Lone Star who are also part of -- we have other
10 entities in the Houston Ship Channel area. The Greater Houston
11 Port Bureau is an example of one. So there's actually a little
12 spillover from things that get discussed here at the safety
13 committee that then, you know, the Greater Houston Port Bureau --
14 I'm also -- I think, Rich, you're also on the Board of the Port
15 Bureau. Rich -- we're on the board of directors and the executive
16 committee there.

17 They've actually stood up a couple of committees and
18 they have one that's called an efficiency working group and
19 they're looking at trying to commercially, rather than from a
20 safety and navigation perspective -- they're looking at it from a
21 commercial standpoint of how do we maximize the efficiency, which
22 is to minimize the number of movements? And then that sort of --
23 so there's a little bit crosspollination between, again, all of
24 these various entities. Because the fewer movements you have, the
25 less likely you are to have an incident.

1 I know we have a slack lines facilities committee that's
2 looking at slack lines. We have AtoN knockdown working groups to
3 talk about how do we get these self-reported and not make it so
4 punitive so people will report these things and try to increase
5 the percentage of self-reporting, getting people to report slack
6 lines, address it, get it taken care of. Because, you know,
7 somebody pulls off a berth again, you've got a potential for a
8 casualty there. So --

9 MR. JONES: When you say reporting slack lines, is this
10 the ship that has the slack lines reporting itself or --

11 MR. PETERLIN: This would potentially be a ship going by
12 or a brown water going by saying, hey --

13 MR. JONES: And then they realize --

14 MR. PETERLIN: -- XYZ terminal, either the vessel itself
15 or get a hold of the terminal, let them know that the MV --

16 MR. JONES: So and so moved?

17 MR. PETERLIN: So and so, it looks like they've got the
18 stern lines or their springs lines are hanging in the water and
19 ask them to tighten these up.

20 MR. JONES: Okay.

21 MR. PETERLIN: And so you're trying to create awareness
22 on both sides, so it becomes cooperative rather than adversarial.

23 MR. JONES: Okay.

24 MR. STOLZENBERG: Just to follow up on the -- so, in
25 this case, if I understand it correctly, efficiency and navigation

1 safety do intertwine and -- because of their lowered risk with
2 lowered transits?

3 MR. PETERLIN: Correct.

4 MR. STOLZENBERG: And further then, is there -- does
5 Lone Star Safety Committee or a subcommittee do a risk analysis of
6 the waterway internally? Does someone develop it in your own
7 committees or do you rely on outside analysis from the Coast Guard
8 or somebody else, or how do you use that data? Do you use the
9 data? Do you develop it just in general?

10 MR. PETERLIN: I don't know that we've done internal
11 analysis.

12 UNIDENTIFIED SPEAKER: No.

13 MR. PETERLIN: I mean, the closest, I would think, would
14 be the casualty working group that might look at issues that have
15 caused or could cause casualties and -- but I don't know that
16 we've actually generated analytical tools or actually done -- you
17 know, gotten way down into the --

18 MR. STOLZENBERG: Okay.

19 MR. PETERLIN: -- into the weeds. We've -- I think
20 we've, in general, up to this date, been more policy and procedure
21 oriented rather than analytical.

22 MR. PLUNKETT: This is J.J. I guess we really haven't
23 gotten past more the awareness than the assessment part of it.
24 So, within waterways, we take a look at transit numbers, types of
25 ships and that kind of stuff, but also the broader, these are the

1 type -- this is the amount of traffic we have in there and this is
2 how it's segmented. And in the case of the efficiency or this lay
3 berth issue, we kind of looked at these are the comings and goings
4 and these are the ships. And we saw trends where the number of
5 ships, even though the number of chem tankers has stayed the same
6 or even gotten a little bit bigger, that the number of ships has
7 actually gone down.

8 So we kind of identified the problem, but there hasn't
9 been an assessment or a plan of action except for some of the
10 other things we've already talked about. So --

11 MR. RUSSELL: Rich Russell. Just under the heading of
12 giving NTSB a warm and fuzzy on harbor safety committees in
13 general, about a year ago in SETWAC, which is for the Sabine in
14 Lake Charles, we did such a study. I mean, it was kind of crude,
15 but what we did was we put a group together and we analyzed 6
16 years of data for incidents and we marked then on the waterway
17 just to determine if there were areas, hot spots, and if there
18 were, we would then take a step to try to address that. It turns
19 out, you know, for that one, we didn't find anything particularly
20 that jumped out at us, so no additional action was taken. But it
21 does exist; it's just that we haven't done it here, to the best of
22 my knowledge, at least not since 2003.

23 MR. PLUNKETT: And I guess, following up on kind of the
24 assessment part of it is, every year the Coast Guard does a state
25 of the waterway for us, and so, there again, it's -- there's some

1 awareness, but there's not the next step. You know, there are
2 trends as to the number of casualties. I'm trying to think of
3 some of the other, the other stuff that's in there. The hot spot
4 analysis goes into that.

5 MR. RUSSELL: Yeah.

6 MR. PLUNKETT: And so for the bigger audience, they get
7 to see that, but I don't know that the group actually has taken
8 the next step to turn some of that information into data.

9 MR. RUSSELL: And -- Rich Russell again. And, of
10 course, there's the PAWSA, the Ports and Waterways Safety
11 Assessment, and that's a -- it periodically hits the various
12 ports, as you know, sponsored or -- by the Coast Guard.

13 MR. STOLZENBERG: It's Coast Guard.

14 MR. RUSSELL: Corpus is due for one later this year and
15 I'm going to participate with that down there.

16 [REDACTED] Rich -- [REDACTED]rd.
17 Let me, Rob, interject in there.

18 I think you're incorrect about the assessment for the
19 casualties because when -- remember Mr. Henniger (ph.) was here?
20 I believe that he asked headquarters for a casualty pull to see if
21 there were any trends. Now, I -- I mean, that may not be exactly
22 what you were looking for. And if I recall, the trend was is that
23 there were debris and wires and ropes in the water that were
24 causing the greatest portion of the casualties. Nothing else was
25 anything that would establish a pattern. Are you familiar with

1 that? I --

2 MR. PLUNKETT: Yeah, that -- this is J.J. That was
3 actually the genesis of the casualty analysis workgroup within
4 navigation operations. So, Aaron (ph.) was a big part of that,
5 working with Dave Foret.

6 MR. [REDACTED] Okay. But there was nothing further done
7 on that? I --

8 MR. PLUNKETT: Well --

9 MR. [REDACTED] It was just the data pull that I was aware
10 of, that was all.

11 MR. PLUNKETT: I don't know if anything was passed along
12 as (indiscernible) transition.

13 MR. CARUSELLE: No. I mean, we -- Captain Nearpolk --
14 or Nerheim loaded up a bunch of incident data into our causality
15 workgroup's database. We've not looked at anything in particular
16 at this point. We've been focusing, like I said, on this current
17 issue, but that's not to say we won't, you know, start to look at
18 other issues like that if the team believes that it's, you know,
19 something we need to get our hands around. But I have not seen
20 the report. If you have that, that'd be great.

21 MR. [REDACTED] Let me look for it because I thought it was
22 presented to the Lone Star Committee, but it may have been a
23 working group that it was given to.

24 MR. CARUSELLE: We'd love to --

25 MR. [REDACTED] The causality analysis working group,

1 right? All right.

2 MR. CARUSELLE: Well -- yeah, we would love to load it
3 up. I don't see it out there on the database, so --

4 MR. [REDACTED] So let me check with a few people and I'll
5 see if I can --

6 MR. CARUSELLE: Okay.

7 MR. [REDACTED] -- I can get that.

8 MR. STOLZENBERG: Also following up -- I don't which --
9 who I direct it to, maybe J.J. But is there any work by the
10 committee regarding separation distances? And understanding that
11 separation means different things to different people, what I'm
12 specifically speaking to is like longitudinal separation distance
13 between deep drafts traveling in the same direction.

14 MR. PLUNKETT: The same direction. No, not for going in
15 the same direction within the committee. I mean, I know that
16 there's a policy that the pilots have and that's about a mile and
17 a half for ships traveling in the same direction for a number of
18 reasons, but I don't think it's every been discussed within Lone
19 Star as long as I've been here.

20 MR. STOLZENBERG: Okay. Another question would be
21 regarding -- and just going through the list, we're trying to see,
22 you know, for someone like me who's not a master and not involved
23 in the waterway, which groups are responsible for different
24 things. Has Lone Star ever taken on any actions or discussed port
25 closures in general, what -- when to close a port?

1 MR. PETERLIN: That generally takes place on the Port
2 Coordination Teams. Typically, I think the call has always been
3 with the individual pilot organizations here in the bay. You've
4 got two separate pilot organizations. You've got the Pilots of
5 Harris County, essentially, the Houston Pilots, and then you have
6 the Pilot Commissioners of Galveston County, which are the ports
7 of Galveston and Texas City. And my experience has been that
8 typically the call to close the bar or open the bar has been made
9 by the individual pilot organizations and then that filters back
10 up through the VTS, which then disseminates the closure.

11 Now, there are some commercial things. We've got this
12 thing called HarborLights, which was a program, a computer-based
13 program developed by the Houston Pilots initially and then it's
14 now spread through both pilot groups. That's really an
15 informational -- a dissemination of information system where that
16 -- openings, closings, berth availability, and so forth are sent
17 out where people could subscribe to that, ship agencies and so
18 forth.

19 Once the call has been made that the bar is closed, port
20 is closed, then you have this standing group called the Port
21 Coordination Team, which are, I guess, entities registered with
22 sector and there's a call-in with a PIN and an email will
23 generally go out and say, you know, we're going to have a PCT
24 conference call at 0900 in the morning or we'll have another one
25 at 1600, and everybody calls in and it's here's what's going on;

1 here's the status of things, whether it's heavy weather or whether
2 it's restricted visibility; and who has what moving; how many
3 ships do we have at anchor; who's at what berths; whose tankage is
4 getting low; which refinery is on the verge of shutting down; who
5 has priority of movements; Port of Galveston, we've got 4500
6 people on a cruise ship stuck out here, and everybody throws their
7 issues out on the table. And so, that's actually separate, you
8 know, from the Lone Star, although most of the people who
9 participate in the PCT are also members of Lone Star.

10 But then post-situation, next -- usually the next full
11 Lone Star Committee or typically at a subcommittee meeting we'll
12 say, hey, you know what, we had -- you know, we've had 3 weeks of
13 fog and then here's what we talked about on the PCT calls, and
14 those -- that will generate discussion amongst the subcommittee
15 meetings.

16 But those prioritization of movements, that actually
17 happens on the PCT calls and, again, that's where this cooperation
18 is. You know what, I've got -- I need to get this here, but I
19 recognize that, you know, you're going to end up having to shut
20 down your facility if we don't get you moved first. And so, we'll
21 do, okay, deep drafts inbound, one way, daylight only, whatever
22 the situation or the call needs to be, those talked out and then
23 that order of battle, you know, or battle plan is laid out and you
24 follow from there.

25 MR. RUSSELL: Rich Russell. It's funny. Down here,

1 let's say, what, 6 weeks ago or so when we had Tropical Storm
2 Bill, I was speaking with Captain Penoyer. I'm -- our niche
3 business is lightering, so we're offshore, and he was wondering
4 when he might have to think about shutting that down. And I kind
5 of chuckled and I said, hey, Captain, you don't have to worry
6 about that because we're going to be shutting ourselves down long
7 before you ever think about it. Because, typically, with a
8 tropical system, once it turns up and shows itself in the Yucatan,
9 that swell is coming up here and we're shutting down lightering.
10 Well, the same premise holds true for the pilots. The pilots are
11 generally shutting down the bar long before the captain is
12 thinking about X-ray or, you know, or Yankee -- I'm sorry -- Zebra
13 or Yankee in his hurricane plan. So --

14 And then to follow up on what John said, with the PCT,
15 we'll convene ahead of time as well and we'll empty the port.
16 We'll help the captain of the port empty the port; we'll get the
17 ships out and we'll talk about the last ships out, which are
18 typically the tankers because the refineries want to bulk up as
19 much as they can before they're going to be shut down for a few
20 days. So, it's a well-orchestrated, it's cooperative effort
21 between everyone in these ports.

22 MR. STOLZENBERG: And to be clear, closing the bar, as I
23 understand it, is done by the Pilot's Association --

24 MR. RUSSELL: Yeah. Um-hum.

25 MR. STOLZENBERG: -- and closing the port -- and I'm not

1 familiar with the difference between Yankee and Zulu --

2 MR. RUSSELL: Right.

3 MR. STOLZENBERG: -- closing the port is done by the
4 captain for United States Coast Guard --

5 MR. RUSSELL: Correct.

6 MR. STOLZENBERG: -- and that's a complete traditional
7 closure of -- would that be Galveston Bay, Port of Houston,
8 Galveston-Texas City, just --

9 MR. RUSSELL: Correct. There's -- from the sector side,
10 there's condition X-ray, Yankee, and Zulu, and that's typically in
11 relation to a heavy whether scenario where, okay, 72 to 48 hours,
12 everybody's watching the weather. It looks like, you know,
13 National Weather Service is projecting a storm track here. Here's
14 the expected progression of the storm. So at condition x-ray
15 certain things are established in the sector hurricane plan and
16 within the ports. So, okay, start securing your cargo. Vessels
17 should think about completing cargo. Which vessels can sail? At
18 this point we're not going to allow any more traffic inbound. So
19 many hours out from landfall, then you set the next condition.
20 And then condition Zulu is then, at that point the ports are
21 closed, no internal movements, no inbounds, no outbounds.

22 So there's the, sort of the port scenario versus the
23 traffic movement, and at some point there's an overlap between
24 closing the bar and closing the port because obviously once the
25 port is closed, you're not going to have any traffic. So --

1 MR. PLUNKETT: Well, I think the one thing to make clear
2 about closing the bar and closing the port, the pilots suspend
3 boarding, so deep drafts don't move anymore --

4 MR. RUSSELL: Right.

5 MR. PLUNKETT: -- for one reason or another. But, as
6 far as the shallow draft stuff --

7 MR. RUSSELL: Yeah.

8 MR. PLUNKETT: -- the only person that can stop them is
9 the captain of the port, so the pilots have no effect on that
10 traffic. So that may or may not keep moving, depending on whether
11 the VTS and the captain of the port take some type of action to
12 stop their movement.

13 MR. STOLZENBERG: And again, closing the bar means no
14 more deep draft boardings at Bolivar Roads. Does it also mean it
15 in the other -- if you're an outbound vessel?

16 MR. PLUNKETT: Well, I -- for --

17 UNIDENTIFIED SPEAKER: No, you -- actually, we could ask
18 the -- Captain Morris that.

19 MR. PLUNKETT: Yeah, that's probably better --

20 MR. STOLZENBERG: All right, I'll defer to --

21 UNIDENTIFIED SPEAKER: But, real quick, the bar just
22 means no more boardings inbound, but there still could be outbound
23 ships coming down the --

24 UNIDENTIFIED SPEAKER: Well, again, that's probably more
25 for the Pilots --

1 UNIDENTIFIED SPEAKER: Yeah.

2 UNIDENTIFIED SPEAKER: -- because at some point the
3 Pilots may not --

4 UNIDENTIFIED SPEAKER: Yeah, he can (indiscernible).

5 UNIDENTIFIED SPEAKER: They may be able to depart up
6 here, but, may not be able to disembark --

7 UNIDENTIFIED SPEAKER: Get off.

8 MR. STOLZENBERG: Get off, right.

9 UNIDENTIFIED SPEAKER: -- the vessel once they get off
10 -- outside the jetties.

11 MR. RUSSELL: Yeah.

12 MR. STOLZENBERG: All right. I'll move on to the next
13 question. We'll save that later for Pilot's Association.

14 So can I also assume then the morning of the *Conti*
15 *Peridot/Carla Maersk* incident that the Port Coordination Team
16 would have been set up when the bar was closed, or is that an
17 incorrect assumption?

18 MR. RUSSELL: This is Rich Russell. The Port
19 Coordination Team doesn't stand up immediately. We could -- we've
20 sort of determined amongst ourselves in this area that we can have
21 a day's worth of disruptive weather, or maybe even two, before we
22 need to formalize a process by which we're going to deal with
23 those closures. I mean, a day or ish sorts itself out, but once
24 you start getting past that -- so, I don't recall --

25 MR. PETERLIN: I don't recall (indiscernible), no.

1 MR. RUSSELL: -- I don't recall it being stood up.

2 MR. CARUELLE: Yeah. Paul. It probably would be stood
3 up after the incident because the port was going to be closed for
4 an extended period of time. You've got ships backed up both in
5 and outbound and that's where the Coast Guard, through Steve
6 Nerheim, would ask for help in prioritizing once the -- because
7 ships could still move probably into other areas below the
8 incident, so it's just above the incident. But it's usually for a
9 protracted closure is when that team gets stood up when, like Rich
10 said, things are starting to really back up and refineries and
11 terminals either need to ship out or ship in.

12 MR. PLUNKETT: This is J.J. Usually, at 72 hours --

13 MR. CARUELLE: Right. Thanks. Yeah.

14 MR. PLUNKETT: -- there's going to be a 95 percent
15 chance that the PCT is going to stand up.

16 MR. CARUELLE: Right.

17 MR. PLUNKETT: So, at 48, people are starting to talk
18 about --

19 MR. CARUELLE: Think about it, yeah.

20 MR. PLUNKETT: -- okay, tomorrow we're going to have
21 one. That's usually how it works. But 72 hours is kind of a
22 magic number.

23 MR. CARUELLE: Yeah.

24 MR. STOLZENBERG: Okay. So developing marine fog that
25 doesn't have a long period forecast wouldn't typically --

1 MR. CARUSELLE: Correct.

2 MR. STOLZENBERG: -- require a PCT call?

3 MR. PLUNKETT: Right.

4 MR. CARUSELLE: Correct.

5 MR. STOLZENBERG: Okay, thank you.

6 I'll pass it for the moment to somebody else.

7 MS. BELL: I've got a few follow-up questions. You had
8 mentioned several subcommittees that are, you know, under Lone
9 Star. How -- and you mentioned also that nonmembers are allowed
10 to participate in those subcommittees. So how do those members
11 become -- I mean, how do you recruit them or how do they come into
12 play? I mean, how do they know about these --

13 MR. RUSSELL: This is Rich Russell. I'll take that
14 because I'm kind of an outsider here. I moved down here from
15 Connecticut in '03, when I was with Stolt-Nielson; I was the
16 general manager. And I can't remember exactly how I first found
17 out about it, but I quickly became aware of a number of the things
18 that I wanted to participate in, one of which was HOGANSAC at the
19 time. So probably through our trade association or something, I
20 knew the next meeting and I just showed up, and that's how people
21 do it. In fact, we probably couldn't operate without those people
22 because there's only a certain amount of official seats on the
23 boards; otherwise, I mean -- and if you came here, we'd be in this
24 room and the room would be filled with people and there'd be I
25 don't know how many of us sitting around the --

1 MR. PETERLIN: Well, there's -- if we had the entire
2 committee, we'd have 31 or 32 people, just the formal members of
3 the committee. I'll give you a -- John Peterlin here. I'll give
4 you a recent example. We have the -- again, we have a variety of
5 entities in the region. We have the Greater Houston Port Bureau,
6 which is really sort of a -- it used to be called the Greater
7 Houston Port Bureau and Marine Exchange, and a few years ago they
8 took the Marine Exchange off of it, as the traditional way marine
9 exchanges -- you know, we've gone into the digital age and, you
10 know, you no longer need to have somebody standing out at Morgan's
11 Point physically counting, you know, ships going by and saying,
12 okay, you know, the *Sea-Land Endurance* has just passed Morgan's
13 Point inbound.

14 You've got a lot of discussions going on at the Greater
15 Houston Port Bureau which is sort of more commercial across a
16 variety of sectors. You've got the West Gulf Maritime Association
17 -- I believe you guys were at a West Gulf Maritime Association
18 meeting -- and they're sort of shipping agencies, terminal
19 operators, stevedores, and that's a coastwide -- it's like the
20 PMA. It's like, you know, for the West Gulf; that's Lake Charles
21 all the way down to Brownsville. And there's a lot of information
22 that gets disseminated every day through the WGMA and, recently, I
23 was asked to attend as a speaker.

24 They have what they call the monthly meeting every month
25 and they'll have a monthly meeting Beaumont, Port Arthur, they'll

1 have one in Corpus, they'll have one here, they'll have one in
2 Brownsville. And so, they'll push all that information out to
3 terminal operators and stevedores and shipping lines and -- we're
4 going to have a meeting. And then the people who are interested
5 will say, oh, you know, Lone Star Harbor Safety Committee and the
6 Port of Galveston are going to talk about what's going on in their
7 respective entities.

8 And so -- and just last month, I think, we had the
9 Houston monthly meeting and I was asked to come and speak to talk
10 about the Lone Star Harbor Safety Committee, and as part of my
11 discussion, I gave the background and said here's our working
12 groups and I want to encourage any of you guys out there, if you
13 have an interest in these issues, you don't have to be a member of
14 Lone Star; please, get involved. Come to the working group
15 meetings. We have this website. Here's where you can find the
16 information on when these subcommittees are working. You know, we
17 want your feedback, we want your input, we want your
18 participation.

19 And then if we have empty seats, which we do right now
20 in a couple of different standing chairs or seats on the
21 committee, we've pushed out there and that goes out every day on
22 what the WGMA calls the WGMA daily news update. And it's Lone
23 Star Harbor Safety Committee is currently soliciting for
24 interested members to formally join the committee to represent
25 non-liquid terminal operators, commercial fishing vessels, you

1 know, we have these openings. The application may be found
2 online. Here's the link to the website. You know, those
3 applications received by this date will be given first
4 consideration. So there's --

5 MS. BELL: Um-hum. So you have like -- you have --

6 MR. PETERLIN: -- pretty widely disseminated.

7 MS. BELL: -- a set amount of people on each committee?
8 You have a set number of seats and then --

9 MR. PETERLIN: Right. Well, the standing committee is
10 29 voting members and --

11 MS. BELL: Oh, you're -- okay. I --

12 MR. PETERLIN: -- and 5 nonvoting governmental --

13 MR. RUSSELL: Yeah. It's like the board of directors.

14 MS. BELL: Right.

15 MR. PETERLIN: It's like a board of directors.

16 MS. BELL: I was thinking you were talking about the
17 subcommittees each have --

18 MR. PETERLIN: And then the committee as a whole will
19 designate a chairperson for the subcommittees and will either say,
20 okay, this subcommittee is a standing subcommittee or, in the case
21 of the facilities access committee, which was stood up a year ago,
22 we, in that instance said, okay, this is a short-term issue; for
23 the time being, we're going to sunset this committee. It will be
24 considered at the next annual meeting and if the board at that
25 point feels that they want to continue it -- because at some point

1 maybe the issues have been resolved and you don't need that
2 subcommittee anymore, and so you'll look at that. So you may have
3 committees stood up -- standing down, some standing subcommittees.

4 But through word of mouth, through the Internet, through
5 other organizations in the region, we're constantly soliciting for
6 -- because people move in and out of organizations and people, you
7 know, move into different positions within the organization. So
8 we try to keep a constant flow of information --

9 MS. BELL: Yeah.

10 MR. PETERLIN: -- to keep ourselves visible.

11 MS. BELL: So, you have -- when someone leaves the Lone
12 Star Committee, you have applications that they have to fill out,
13 and who makes the decision --

14 MR. PETERLIN: We do. We've had people who have moved
15 in who were designated by the organizations to be their -- that
16 company's representative or that stakeholder group's
17 representative. Let's say harbor tugs, for instance. We had an
18 individual who was a member of our committee and he left to go
19 back to grad school. And so at the next formal committee, we
20 said, okay, we're going to solicit input to fill this seat, and
21 over the next quarter, we got the word out and we had several
22 applications to have someone represent that particular stakeholder
23 group.

24 We have five people on the executive board of the Lone
25 Star Harbor Safety Committee. We look at the applications and we

1 say, okay, this looks like the best qualified individual to
2 represent this stakeholder group. We correspond back with that
3 individual, okay, we think you're the best candidate. Are you
4 still interested in participating? And then at the quarterly
5 meeting, we'll say, okay, we've received applications for this
6 seat. Here are the individuals. Can I -- would someone please
7 nominate someone to -- Robert's Rules of Order at the meetings.
8 Please nominate this individual to serve on the committee. All in
9 favor of accepting this -- and so, we have one annual meeting
10 where chair, vice chair, you know, are voted on and then
11 subcommittee chairs. You do the procedural things to sort of
12 mechanically make the committee work, you know, through the next
13 year.

14 MS. BELL: Okay.

15 MR. PETERLIN: So we want to have full participation
16 from all of the stakeholder groups represented so that, you know,
17 it works properly. Currently, we have four vacancies out of the
18 29 --

19 MS. BELL: Oh, okay.

20 MR. PETERLIN -- that we're trying to fill.

21 MR. RUSSELL: This is Rich Russell. But, again, I want
22 to stress, because I think the genesis of your question is -- this
23 isn't, you know, five guys in the back room smoking cigars and
24 with the doors closed. This, again, this room would be filled
25 with people not officially designated to any spot on the official

1 board or the committee, and no Harbor Safety Committee could
2 possibly function without the masses being involved, and the
3 masses are involved.

4 MS. BELL: Yeah. Just for the record, I wasn't thinking
5 that.

6 MR. RUSSELL: No, no, no. But, I mean, I, you know --

7 MR. PETERLIN: Yeah.

8 MR. RUSSELL: Because if -- that's how you get the
9 proper cross-section --

10 MR. PETERLIN: Right.

11 MR. RUSSELL: -- to deal with problems.

12 MS. BELL: Right, right.

13 MR. CARUSELLE: Yeah, Paul Caruselle. So, one of the
14 things we'll do is bring in subject matter experts to the
15 committees. So, let's take the causality group right now with
16 menhaden. Rich's company and all have provided us -- people are
17 not on the committees at all but are marine engineers, and we're
18 looking for potentially an engineering solution, so they come and
19 participate in this committee. So we're always looking to have,
20 as Rich said, the right people in the room, subject matter
21 experts, and the committee will expand and contract -- well, the
22 workgroup, depending on what our needs are.

23 MR. PETERLIN: Right. And with regard -- John Peterlin
24 here. With regard to the working groups, recently, we've had a
25 number of times when we've had joint committee meetings and we

1 just recently had to combine three --

2 MR. RUSSELL: Right.

3 MR. PETERLIN: -- subcommittee where we had the
4 waterways utilization subcommittee, the navigational operations.
5 So you had the blue water subcommittee, the brown water
6 subcommittee, and then the dredging subcommittee all combined for
7 one meeting, and this room was standing room only. I mean, we --
8 we walked in and said, you know, we could have the quarterly
9 meeting now; we've got enough people here to have a quorum.

10 And we -- the casualty working group did bring in some
11 marine biologists and some folks from a commercial fishery that
12 fishes menhaden, and as part of the reports of the working groups
13 they had the subject matter experts give us, you know, a half-hour
14 presentation on here's how menhaden spawn, here's where they, you
15 know, here's where they migrate, here's where we fish them, here's
16 where we don't fish them. And, again, that was just sort of
17 broadcast out there publically for several weeks that we're going
18 to have this combined working group and you have a lot of people
19 who were just, you know, oh hey, that's affecting my business or
20 it could affect my business or I'm just personally interested in
21 that --

22 MS. BELL: Yeah.

23 MR. PETERLIN: -- and they'll show up to the meetings.

24 MS. BELL: So let me expand on that from -- so what I'm
25 understanding is the subcommittees are to bring awareness

1 basically to the community or to the -- to everyone, all the
2 stakeholders, and then from there, I know you guys write
3 recommendations for policies and things like that, correct?

4 MR. PETERLIN: The subcommittees are where the work is
5 really done and they'll establish working groups. The working
6 groups will report back to the subcommittees at the -- each
7 quarter, they'll have at least one, maybe two, subcommittee
8 meetings. Behind that, the working groups will meet as often as
9 they think they need to to hash out a subject and they work on
10 that --

11 MS. BELL: And so there they do the analysis?

12 MR. PETERLIN: -- as much as -- you could -- I don't
13 know, it could be as much as, you know, once a week.

14 MR. RUSSELL: Right.

15 MR. PETERLIN: And that's where the grinding work is
16 done, in the working groups. The working group will then bring it
17 back to their subcommittee --

18 MS. BELL: Okay.

19 MR. PETERLIN: -- and then -- I'll be -- as a matter of
20 fact, our next quarterly meeting is August 7th, so coming up here
21 in almost a week. So I'll go back this week to all the
22 subcommittee chairs and say, okay, I'm writing the agenda for the
23 quarterly meeting; what issues -- do you have any specific issues
24 that you want to have put on the agenda for the quarterly meeting
25 to be brought to the attention of the committee as a whole? And

1 as a standing part of the agenda, our reports of the subcommittees
2 where they'll, in general, say, okay, here are the working groups
3 we have going on now; here's in general what the working groups
4 are physically working on, and either we have some recommendations
5 we'd like to have the committee as a whole address and maybe vote
6 on, or for the information of the committee as a whole here is, in
7 general, what's going on.

8 Because those 29 members and those 5 governmental
9 members, we all have day jobs and we -- as much as I try to get
10 out -- I'll try to get out to meetings of the various
11 subcommittees so that I know what's going on in the various
12 subcommittees, I have to balance that with my day job. So we all
13 may not be able to participate in each one of those subcommittees
14 and then, below that, to participate in those working groups. But
15 we ask that -- again, it's a bottom-up. The reporting goes up and
16 then if those subcommittees feel that they need action or they
17 want some more muscle of -- they want the formal muscle of the
18 full committee to make a recommendation or to make contacts in
19 certain areas, then they'll bring that -- ask me to put it on the
20 agenda as the chairman when I set the agenda for the quarterly
21 meetings and we go from there.

22 MS. BELL: And so, from there, where does that -- if you
23 do -- everybody votes or you vote on this recommendation needs to
24 go into a policy or procedure, how -- where does that go from
25 here?

1 MR. PETERLIN: Well, let's just say to stand up the
2 committee -- when we stood up the facility access committee,
3 there's been this ongoing issue of seafarer access at facilities
4 and it's been talked about in various forums. And so, it was
5 brought up to the members we think we -- we don't have a
6 committee; we really want to look at this in depth. We request
7 that the Lone Star Harbor Safety Committee create a separate
8 subcommittee to address this issue.

9 And that was actually a pretty spirited discussion at
10 that meeting and there's -- because there are also other --
11 there's an area maritime security committee, and so there was some
12 discussion of is facility access a security function, is it an
13 efficiency function? We took the stand that, well, yes, there are
14 security aspects to that, but there is also a waterways efficiency
15 aspect of that in respect to seafarers being able to come and go;
16 what's their mindset; what -- you know, does it affect them
17 personally; does it affect them physically; how is that going to
18 affect the operation of the vessel? From the facilities side,
19 it's like, well, you know, we're worried about who's coming and
20 going through our facility.

21 So we said, no, we think we need to stand up this
22 working group -- this subcommittee to look at this, and that was
23 actually a divided vote. It was a split vote. And so, we said,
24 okay, now that we've decided to do that, do we think this needs to
25 be a standing committee? Do we need to think about a sunset

1 review in a year to see if we need that?

2 So it'll be someone in a subcommittee or a working group
3 or someone from the general public saying we think this is an
4 issue and we'd like you to do something to look at this. And then
5 we'll have that discussion in that open public meeting and then
6 say all in favor of taking this action, you know, say Aye and
7 raise your hand. And --

8 MR. PLUNKETT: This is J.J. Just a quick story about --
9 for the anchorage workgroup. Within the waterway utilization
10 subcommittee somebody had a problem statement of we don't have
11 enough anchorages. A workgroup was formed to attack that problem.
12 They developed 16 different things they thought that they should
13 do as they scoped out the problem. Of those 16, only 10 of them
14 were achievable within our group because of the way we're
15 structured. They worked that through the workgroup through the
16 subcommittee. Of those 10 things, three of them needed action by
17 the full committee, and then that was sent up to the full
18 committee. The full committee voted on those recommendations --
19 they were to the Coast Guard -- and then those recommendations
20 went to the Coast Guard.

21 So, it kind of started as an idea, down to the working
22 group, back to the subcommittee, up to the committee. Not all of
23 the actions needed committee help or assistance, but three of the
24 recommendations actually left and went to the Coast Guard and the
25 Coast Guard is developing a regulatory project. So --

1 MS. BELL: Okay. So --

2 MR. PLUNKETT: That's kind of how it's supposed to work,
3 so --

4 MS. BELL: All right. So once you've put in the
5 recommendation, the Coast Guard is the next step for --

6 MR. PLUNKETT: For that particular --

7 MS. BELL: -- to actually begin change?

8 MR. PLUNKETT: For that particular problem it was.
9 So --

10 MR. PETERLIN: Right.

11 MS. BELL: Typically, is that --

12 MR. PETERLIN: Well, for the -- let's say, the Bayport
13 flare issue, the Army Corps of Engineers was --

14 MS. BELL: Okay.

15 MR. PETERLIN: -- was the --

16 MS. BELL: The next --

17 MR. PETERLIN: -- the next step.

18 MS. BELL: Okay.

19 MR. PETERLIN: So, it might be the Coast Guard, it might
20 be Customs and Border Protection, which is why it's nice to have
21 the high-level interaction with the governmental federal agencies
22 involved as well. So it may be the Coast Guard. It may be the
23 Corps. It may be CBP. It might be MARAD, you know, for a certain
24 area. It might be NOAA for the chart. You know, okay, well, now
25 that we've determined that this can happen, can you -- what --

1 within NOAA, what do we need to do with the charts to get it to
2 the next level? So it's kind of prioritized as need be.

3 MS. BELL: Okay. I don't have anything else for now.

4 MR. [REDACTED] I don't have anything more.

5 MR. JONES: Well, that puts it back on mine.

6 MR. STOLZENBERG: I've got a quick one if you want.

7 MR. JONES: Well, actually, I just -- I want to -- Rob
8 Jones. You know, with the wealth of knowledge that's in this room
9 and actually that you -- with what your committees are and stuff
10 and, again, with the accident we're dealing with with the *Carla*
11 *Maersk* and the *Conti Peridot* and the fact that the reports haven't
12 been out yet and the investigation hasn't been concluded, but you
13 know enough of the -- what happened that day, fog, two ships
14 meeting in the Houston Ship Channel. Is that something that the
15 committee looks at with regards to the stakeholders?

16 Say, if it was a towing vessel. There's towing vessels
17 on the Lone Star, a representative --

18 MR. PETERLIN: There are, yes.

19 MR. RUSSELL: Um-hum.

20 MR. JONES: -- as in Rich represents deep draft or --
21 and not all deep draft or is it just -- is that --

22 MR. RUSSELL: Vessel owner/operator.

23 MR. JONES: Okay. So, obviously, the owner of a vessel,
24 the *Carla Maersk*, doesn't want to, one, get in an accident or, you
25 know, get stuck up in the channel due to an accident south of the

1 channel. So is that stuff that once something like that happens,
2 even though it's prior to the details of the accident coming out,
3 is that something that you look at, what can we do differently,
4 what can we -- even though it might have been fog developing and
5 that's a little harder to deal with then because there's vessels
6 in the channel already, than a prediction of 100 percent fog
7 tomorrow night, tomorrow we're not going to move any vessels. So
8 is there -- will you take that to table and to your committees and
9 say, you know -- I'm trying to phrase this so I can give you a
10 good opportunity to answer something that's just not so
11 farfetched.

12 Say like the -- what you mentioned before about the
13 Coast Guard, the captain of the port and the closedown with the
14 onset of a hurricane, you've got X, Y, and Z. Is there a way that
15 you can say, okay, we've got this many vessels, fog's setting in,
16 let's stop all the traffic up north, you know, let's -- or find
17 them a lay berth; can we shut them down with tugs? Is there some
18 action that can be taken as this situation is developing or
19 something that you can look at instead of everything just
20 continuing on to its, in this case, you know, unforeseeable
21 conclusion but an accident?

22 You know, no one's going to say, oh, we'd better stop
23 it; otherwise, we're going to get in an accident, but maybe we
24 should stop it because there could be an accident. Is there a way
25 for you to look at that at this point in time or in the future for

1 any type of other accidents like that or possibilities like that?

2 Again, I'm sorry if I phrased it --

3 MR. PETERLIN: Yeah.

4 MR. JONES: -- a little bit --

5 MR. PETERLIN: Well, I think I understand your question.

6 This is John Peterlin here. I think in respect to that situation,

7 that's the type of thing that I think could be or sometimes

8 perhaps is discussed. That would be a waterways utilization

9 subcommittee, I think, in terms of deep drafts.

10 I alluded to a brown water/blue water interface

11 previously, which was the *Miss Susan/Summer Wind*. I think at the

12 time -- let's say the investigation was still going on with the

13 *Summer Wind*. That's where, I think, as a committee we said, you

14 know what? We need to get NavOps and waterways -- we need to

15 start having joint meetings between the waterways utilization

16 subcommittee and the NavOps committee and let's talk about things

17 in general even though we can't specifically talk about -- go into

18 certain areas.

19 And so, you have those two subcommittees getting

20 together and you say you know what, we think maybe communication

21 is something we need to talk about and maybe we need to get both

22 sides to understand that you can't, you know -- you don't have a

23 certain amount of visibility or you can't turn this vessel on a

24 dime or what those -- so let's have those discussions, let's have

25 those joint meetings. And then that leads to let's maybe have

1 some training sessions. So I think you could --

2 MR. JONES: Well, and --

3 MR. PETERLIN: And in relation to the casualty that
4 we're in general discussing here, it may be perhaps possible to
5 have those discussions at a subcommittee or a working group level
6 and say, you know -- maybe recommend that we consider best
7 practices perhaps. And there's, I know, within the industry --
8 and, you know, I've sailed as a master. I have never sailed as a
9 pilot, but I've sailed on the ship channel.

10 I know you've sailed as a master.

11 MR. RUSSELL: Um-hum.

12 MR. PETERLIN: You know, there are -- we all know there
13 are traditional separations and ways that you, you know, you
14 interact. But there's a reason we have all these various parties
15 together on the committee and to be able to say let's -- it could
16 be a forum to have discussions about creating best practices, you
17 know, like recognizing that, for instance, the pilots are managing
18 the navigation of the ship. At the end of the day, we, you know,
19 we recognize that it's still always the master of the vessel who
20 is responsible for the safe navigation of the ship, but you rely
21 on the pilot to provide the guidance and the input and,
22 traditionally, they're given the con of the vessel coming in.

23 So at the end of the day, you've got different ships,
24 different ship masters interacting. We know you've got the VTS
25 interaction, you've got the pilot interaction, but I -- if I

1 understand your question correctly, it's could the committee or
2 does the committee provide a forum where you could talk about --
3 we think we know -- we don't have the recommendations. We know
4 the investigation is ongoing but we think maybe this might have
5 been a contributing factor, so let's look at what we think might
6 have been possible causality and how do we mitigate or eliminate
7 that in the future. Is that --

8 MR. JONES: That's pretty much it. I mean, it's that
9 discussion. You know, I'm sure I'm -- I shouldn't say I'm sure,
10 but, you know, I've heard a lot about the brown water/blue -- the
11 Brown/Blue Water University, so I'm sure that discussion -- well,
12 let me ask you. Does it get lively, heated? I mean, you've got
13 tugboats and pilots and --

14 MR. CARUELLE: Yeah.

15 MR. JONES: -- maybe shipmasters and --

16 MR. CARUELLE: Actually, it was a very --

17 MR. JONES: On the radio alone that can be pretty
18 heated, so --

19 MR. CARUELLE: You know, actually, in that workgroup
20 meeting here, it was pretty candid and open, you know, a good
21 discussion about all of these issues and how do we manage it.

22 But, I guess back to your question, Rob -- and this is
23 Paul -- you know, we don't have all the details of that incident
24 yet and I think Lone Star has been pretty cautious in not to jump
25 out ahead until the Pilot Investigating Committee does its work.

1 We can't have Lone Star out ahead of the Pilot Investigating
2 Committee until we really review down and see what the cause of
3 the incident is. I --

4 MR. JONES: Right, but you've had fog before in Houston.

5 MR. CARUELLE: But fog -- you have a 60-mile channel,
6 let's call it. This fog was localized. It wasn't the whole
7 channel --

8 MR. JONES: Right, and it's --

9 MR. CARUELLE: -- right? And again -- I think when you
10 talk to Captain Morris, the minute the first ship anchors in the
11 Houston Ship Channel, the channel is basically closed for the deep
12 draft blue water. That would be the mechanism.

13 Do we have standards? Is that the question that --
14 well, the predictability of fog tomorrow is going to be we knew
15 the dew point and the temperature will be real close, so it's
16 probably 100 percent; we should be ready to take -- and I think,
17 again, that's a Captain Morris question about, yeah, we're ready
18 the minute we can't have the right navigation distance, we're
19 going to anchor the ships and the channel closes.

20 Then we go to the brown water. Okay, they're moving all
21 over the channel. Who is the controller of the brown water?
22 There is no pilot organization. It would have to be a captain of
23 the port order to stop that.

24 MR. JONES: Right. Well, that's all -- and that's what
25 I'm asking. I'm not saying what -- it's just that you have the

1 ability to discuss it --

2 MR. CARUSELLE: Yes.

3 MR. JONES: -- and you have the ability to address it
4 with different factions and their concerns, whether it's ship
5 owners, whether it's the pilots, whether it's the tows, or even
6 recreational boaters that could be out there.

7 MR. CARUSELLE: Yeah. And one thing we've done is in
8 that meeting that we've just talked about, which we're going to
9 have another one in September, we've actually taken cases and made
10 basically a vignette out of it and worked off of those with the
11 groups. So, yes, with the *Carla Maersk*, even though it was two
12 blue water ships and the *Conti*, had we a discussion on them? Yes.
13 So we've done is -- we can't take any active cases, but we've
14 taken past cases where it's brown/blue or blue on blue and had
15 that intense discussion in the room with all of the right
16 stakeholders. You're talking the master mariners from the inland
17 side as well as the pilot and ship sides. So we do use some of
18 this, but, again, we've got to wait until the case is --

19 MR. PETERLIN: Right. And were, you know -- were there
20 other mitigating or contributing circumstances? Was it a loss of
21 propulsion? Was it a potential temporary loss of steering? Was
22 it the radar went down? Well, I mean, you know, there are other
23 factors when -- at the end of the day, you need to really
24 understand what the full investigation determines, that -- you
25 know, you've got the human factor, you have the mechanical factor,

1 you have the electronic factor, you have the weather factor.

2 MR. JONES: Sure.

3 MR. PETERLIN: And so to really know what should we
4 potentially or what can we potentially address, there are certain
5 things that are within your control; that's the reason we're
6 talking about pogies is that, you know, you -- where are these
7 fish in the water column? What time they are they at what place
8 in the water column, and do you go on high suction or do you go on
9 the low suction? Does this foreign flag vessel who's never been
10 in the Houston Ship Channel before know that they need to have an
11 extra strainer basket ready and extra engineer on duty ready to be
12 able to pull a basket -- pull a -- throw another basket in there
13 so you don't suck a bunch of fish into the intakes and then they
14 ground up in the pumps and now all of the sudden you've got
15 serious loss of cooling and your propulsion goes down and you
16 can't the turns. That's going to affect the way the ship is
17 maneuvering. So -- but I think, in general, Paul's comments, you
18 know --

19 MR. JONES: Yeah, everybody's getting aboard, yeah.

20 MR. CARUELLE: We take lessons learned and --

21 MR. PETERLIN: Yeah, yeah.

22 MR. CARUELLE: -- and invoke them into group
23 discussions where -- and that's what we do both at Brownwater
24 University -- the pilots and the industry together have put out
25 brochures on Houston Ship Channel. We work with the -- just the

1 independent boaters, if you will, because they're out there in the
2 middle of everything too. So there's a lot of communication that
3 goes on, but, again, it's such a dynamic channel which such
4 diversity. And again, the pilots can control one portion of it,
5 but then you have the rest of the group, you know, whether it's
6 ferries -- you know, we've got another pilot organization, so
7 we've got to be mindful that what we do in Houston doesn't affect
8 the Galveston-Texas City Pilots.

9 MR. PETERLIN: Right. I -- John Peterlin here again. I
10 think, in general -- from my personal perspective, I know, with
11 the ongoing investigation, our approach up till now has been let's
12 ask Captain Penoyer to give us a general overview knowing the
13 limitations that he has in terms of what he can share and what he
14 can say and let's be informed. And then I think once that's
15 concluded, then we know -- then we have access to the full body of
16 information and can have a more informed discussion.

17 MR. JONES: Let me follow up on -- and I appreciate
18 that, John -- with communication. And again, you know, I admire
19 the group that you're able to -- like, everybody in the harbor
20 gets a voice. Channel through your subcommittees up the rank to
21 Lone Star and then -- one of the avenues with the *Summer Wind* --
22 and it was -- when we show up after an accident, we don't have a
23 dog in the fight, so to speak. We're looking at it fairly
24 inequitably before everybody. So whether the -- we own the facts
25 of the accident, so whether it's a tugboat, a pilot, the Houston

1 hierarchy as one, or the ship owner and the foreign crew.

2 Rich, as a -- as the owner/operator representative, one
3 of the things we heard during the *Summer Wind* was the owners and
4 operators with regard to communication, the local jargon. One of
5 the recs we've made before is for the pilots to use a ship's name
6 and I know that's been -- that's come down almost from the *Cosco*
7 *Busan* because the Chinese captain basically said I didn't know who
8 VTS was talking to because they were just saying unit Romeo and he
9 never heard a ship's name and he never heard -- and so, he -- all
10 he heard was unit Romeo.

11 We had the same thing happen with the *Eagle Otome*. It
12 was the first of two inbound ships, but they never said *Eagle*
13 *Otome*. So the crew that's on board -- and again, we're looking at
14 the broad perspective. We're -- everybody's got a stake in the
15 investigation.

16 So we heard that also on the *Summer Wind* that, you know,
17 the -- one of the parties to the investigation who represented the
18 shipping company said, you know, how can this captain even
19 understand what's going on if the pilot is talking to another
20 pilot or the tugs, but they're all talking the local jargon? So
21 is that something that could be -- is brought up at the table with
22 regards to -- and you know it's probably even more than 90
23 percent. All the ships are foreign, so it's all foreign crews.
24 So, you know, we felt in one of our recommendations that by not
25 using the ship's name, which is actually, by law, you should, is

1 actually disenfranchising with regard to the bridge resource
2 management. You're excluding the crew if you're not either
3 talking to them and/or are using that ship's name, and that once
4 it's over the radio, that's where you're -- there's drop there.
5 There's a miss. So is something like that brought up during the
6 Lone Star Committee with all of the ships that are coming in?

7 And maybe I could even address it to you, Rich, as the
8 owner/operator kind of committee representative.

9 MR. RUSSELL: This is Rich Russell. Let me say first
10 that I agree with your statement, because I agreed with it 5 years
11 ago with the *Eagle Otome*, and you can take it even one step
12 further to having discussions on the cell phone rather than on the
13 VHF. But to answer your question, no, to the best of my
14 knowledge, that topic, that aspect has not ever been tabled within
15 Lone Star. Should it? It's probably worth a round turn.

16 MR. CARUSELLE: Yeah. This is Paul.

17 MR. JONES: Well, I'm not -- and don't get me wrong.
18 This is Rob Jones. I'm not pushing it.

19 MR. RUSSELL: Um-hum.

20 MR. JONES: I'm just asking if it's come up or the
21 communication between the -- and again, I hear what you're saying.
22 I hear the -- this room is filled with members. I hear that the
23 Brown and Blue Water University is working well. But, after an
24 accident all you've got to do is follow the papers and look at the
25 blogs and if it's a ship involved with a pilot and if it's a tug

1 and tow, you can imagine the blogs and the spin in the rhetoric
2 that you can trawl, chain down. And so, I wonder if that gets
3 transmitted into the meetings, if they're -- whether it's
4 warranted or not, but the dissatisfaction that you might hear or
5 the ire that might come through there is then brought to a table
6 to actually figure it out, if there's a problem or work it out. I
7 mean, that is the real true nature of a working group like that or
8 a blue/brown -- so people's opinions, their dissatisfaction or
9 their accomplishments get heard and are they really bring brought
10 to the table or just being muttered in the back of a paper, you
11 know, or --

12 MR. CARUSELLE: Yeah, this is Paul. I mean, no doubt,
13 the PBIRC communications is sometimes noted as something we have
14 to talk about. Because the *Summer Wind* was still in an active
15 investigation, we didn't bring it up at the last committee --
16 well, there's a big symposium we had for a number of reasons. Of
17 course, we did have Captain Pizzitola in the room, and since that
18 was one of his missions after the incident, he was very open about
19 it. But, again, we don't want to embarrass Kirby or anybody else
20 that's involved in an incident or their people, so we're very
21 cautious. We kind of try to take the names off of things and all.
22 But your point is well noted, Rob, and it's been an area of
23 discussion and it's probably something that we should think about
24 and talk about under one of the committees, whether it's causality
25 workgroup -- we've just got to figure out where does it sit and

1 what do with it, you know.

2 Sometimes the NTSB recommendations come out after we've
3 had our PBIRC and, you know, so again -- I think I've told you, we
4 may not have all the data and all the facts. We only get what we
5 get. And so, it's helpful then to go back and relook at it and
6 see if there's anything -- not as a hearing, but just as a lessons
7 learned, because we do that all the time and all of the companies
8 do lessons learned and look at best practices. So we're not
9 adverse to doing that; we just have to, again -- I think John said
10 it right. We all have full-time jobs.

11 MR. JONES: Um-hum.

12 MR. CARUSELLE: This is a volunteer committee and people
13 spend a lot of their man hours working these committees, you know,
14 but you've still got to go back and do your job. So it's managing
15 workload, prioritizing correctly, and making sure we hit the
16 homerun with the most important things and not go down some rabbit
17 hole that's only going to give us 10 percent value and we're
18 missing the 80 percent.

19 But, yeah, I think communications is something that
20 we've talked about, certainly, in our PBIRC and probably filter at
21 some point to -- but, again, a lot of it's got to be the pilots.
22 You know, Captain Morris has go to participate in this as well was
23 the towboats. We don't know their feelings on a lot of this.
24 They make like unit names instead of ship names or -- we don't --
25 we've got to have the discussion, I think, is all I'm trying to

1 say --

2 MR. JONES: Sure. Right.

3 MR. CARUSELLE: -- and if that's what the committee
4 recommends, then that's what we're going to do.

5 MR. PLUNKETT: This is J.J. And I guess -- I might be
6 mistaken, but I think following the *Eagle Otome* and after the
7 Coast Guard's report came out that there was recommendations
8 directed towards SETWAC that said take a look at this, if I'm not
9 mistaken. But would NTSB be reluctant to recognize a Harbor
10 Safety Committee and address recommendations to them?

11 MR. JONES: No. Actually, recommendations can be made
12 to a harbor safety committee. If we feel that's the best way the
13 information can be disseminated between those groups, certainly,
14 and that -- you know, if we think that's the best avenue to pursue
15 it. But, yeah, and, again -- well, I'm not grandstanding on one
16 recommendation and I actually have heard or I've -- sometimes I've
17 heard -- I've actually got to agree some of these names are tough
18 to pronounce. I chuckled at that excuse first, but I know there
19 are some; even some are numbers. But, again, the bottom line is
20 just to communicate between the two and not exclude because -- and
21 I, as a past ship's master, as you were, John, and you were, Rich,
22 when we're in foreign ports and I've got a foreign pilot and he
23 starts going into his own language and the foreign language is
24 coming back, who are we talking about here, folks?

25 So I think, though, as Americans, we've also -- and

1 that's a human performance thing that Carrie is very familiar
2 with, you know, we've always -- we're quick to step out say, hey,
3 are you talking about us? But the shoe is on the other foot here
4 in the U.S. with the foreign sailors coming in --

5 MR. PLUNKETT: Right.

6 MR. JONES: -- and the American pilot. They're a little
7 slower to interject. So it's almost like the pilot has to draw
8 them out --

9 MR. PLUNKETT: Right.

10 MR. JONES: -- and when that doesn't happen, you'll have
11 a disconnected bridge just standing back watching the pilot run
12 the show --

13 MR. PLUNKETT: Right.

14 MR. JONES: -- and if something starts going wrong, it
15 goes wrong a lot quicker. So I was just wondering if that's
16 something your committee can look at, not by our account but if
17 it's brought up through the ranks the way it is, it usually is.
18 But that's just some of the things --

19 MR. PLUNKETT: Sure.

20 MR. JONES: -- that when we have the report, we try to
21 hit everything. We're not --

22 MR. PLUNKETT: Sure.

23 MR. JONES: -- focusing on one; we're looking at all the
24 things that might have contributed, so --

25 MR. RUSSELL: And -- this is Rich Russell. You and

1 Carrie were both at the meeting on Monday on --

2 MR. JONES: Yes.

3 MR. RUSSELL: -- where we -- at the request of Steven
4 Nerheim, the VTS director, he had a room packed. There was
5 probably -- when it's at the most fullest, there was probably,
6 what 75 people --

7 MR. JONES: Sure.

8 MR. RUSSELL: -- in that room? Many of us were in there
9 and one of the topics was bridge team management and
10 communication. So I think it is gaining some traction here --

11 MR. JONES: Right.

12 MR. RUSSELL: -- and I would say that there's a pretty
13 good chance that it'll be tabled and, you know, probably NavOps
14 subcommittee will be the way --

15 MR. JONES: Right.

16 MR. PETERLIN: Well, and -- John Peterlin here again.
17 Rob, you mentioned the *Cosco Busan* and that goes back to bridge
18 team management and language. And, you know, if you go back
19 further into that, then you have the, all the -- the STCW things.

20 MR. JONES: Oh, yeah.

21 MR. PETERLIN: You get into the ISM, how was your -- how
22 is that company actually working, is it a book sitting on a shelf,
23 how does the company manage their practices. My comments about
24 the human factors --

25 UNIDENTIFIED SPEAKER: (Indiscernible)

1 MR. PETERLIN: Yeah. And then, you know, you've got the
2 language issues as well. I think in terms of defining the Lone
3 Star as a whole, and I -- at the beginning of our discussion, I
4 talked about the histories, how we evolved from a statutory
5 committee to a safety committee. And I guess at the root of it,
6 as a statutory committee, we perhaps did a lot of the same things
7 but we had a different focus and we had certain things that we
8 could or couldn't do. There was a period of time when we weren't
9 having meetings at all --

10 UNIDENTIFIED SPEAKER: Right.

11 MR. PETERLIN: -- which is why we said you know what,
12 they're not going to renew this committee. This -- you know, the
13 administration has decided that they're going to sunset certain
14 statutory committees. Do we want to let this lapse or do
15 we want to try to pick up where we were left off to a certain extent
16 and keep this going? So we're kind of trying to gain traction
17 again and sort of define who, where, what we are as a committee.

18 We have actually only had, what, 8, 10, 10 or 11 full
19 committee meetings, so the -- as a Harbor Safety Committee, we
20 don't perhaps have the -- we've got the longstanding history
21 behind us as the HOGANSAC. But as Lone Star, we're still actually
22 evolving and trying to define our limits, our boundaries, what can
23 we do, where can we go, what -- how much horsepower do we really
24 have? Do we have more than we think that we have? Where, you
25 know, where can we make recommendations?

1 So, I think this is a very helpful discussion in terms
2 of, you know, how do we help ourselves look at ourselves and what
3 we can or can't do as a harbor safety committee. I know there are
4 other harbor safety committees that have a much longer history,
5 you know, as harbor safety committees. So, that's -- I think
6 that's part of the process as well is, you know, how much time do
7 we personally all have, where do we get the most bang for the
8 buck.

9 MR. JONES: Sure.

10 MR. PETERLIN: And so, you know, as a committee, I think
11 that's kind of where we are, so --

12 MR. STOLZENBERG: This is Eric Stolzenberg, NTSB. Can I
13 just follow up on that? At this -- you know, understanding
14 everyone's a volunteer at this point, is this new Lone Star, in
15 your opinion, the four gentlemen here, is more effective or less
16 effective or would it benefit from having permanent employees and,
17 if so, where might those -- who might be the lead agency or the
18 lead government authority that could head the committee? Maybe I
19 asked more questions at once.

20 MR. PETERLIN: Well, I, you know, I think -- well, from
21 a practical standpoint, permanent employees require capital, and
22 so one of the things you have as a volunteer committee is that you
23 get a lot of work done without having to employ capital. We do
24 have a small fund that is actually managed by the Greater Houston
25 Port Bureau, which is a nonprofit sort of association management

1 type of function. So one of the questions would be how would you
2 end up funding something like a permanent employee?

3 So from the standpoint of general back-office
4 management, we actually sort of have the Greater Houston Port
5 Bureau out there to -- because one of the things I've had in
6 discussion with Captain Bill Diehl, who's the president of the
7 Port Bureau, is recognizing that we do all come and go. You know,
8 I'll be coming off my term as chairman. We'll have a new
9 chairman. We'll probably have a new vice chair. From a
10 recordkeeping standpoint, you don't want -- you know, if I've got
11 certain records and you've got certain -- we need to have all of
12 that residing in one place so that as the committee matures and we
13 go down the road and you need to look back that you don't have a
14 loss of records to go back and say what was discussed, where are
15 the minutes from these working groups, where --

16 So we're having those discussions, sort of how to manage
17 the back office in the most economical, you know, way possible. I
18 think, right now, we have -- because the Lone Star is so new,
19 we've got a lot of, I'll call it, corporate history, corporate
20 knowledge of people like Paul and I and Rich.

21 J.J., you're relatively new, you know, coming out of the
22 Coast Guard, you know, in working with the pilots.

23 But, from, you know -- we have some of that HOGANSAC,
24 but at some point, you know, we'll, you know, we'll be moving on
25 into other assignments or moving into retirement as, you know, as

1 we get on in our careers or whatever. And so, there -- you know,
2 you've got those younger folks, you know, coming up.

3 MR. STOLZENBERG: Is there a natural agency that
4 might --

5 MR. PETERLIN: I don't know.

6 MR. STOLZENBERG: -- that might lead this?

7 MR. PETERLIN: I think -- my perspective is that we are
8 better off as a harbor safety committee than we were as a Federal
9 Advisory Committee.

10 MR. RUSSELL: Um-hum. Yeah.

11 MR. PETERLIN: I think that it does allow us to get into
12 certain things that we may not have been allowed to.

13 MR. RUSSELL: Right.

14 MR. PETERLIN: We don't have to worry, you know, from a
15 -- from a FACA Committee, you do have -- intentionally or
16 unintentionally, you know, you've got to check the box are you an
17 R or a D or an I, and then the secretary decides who the
18 appointees are going to be. In this case, we're free to
19 solicit one and all participation and we do try not to get any
20 political affiliations or political discussions, you know, going.
21 So, I think from that, you know, perspective, it's good.

22 I don't know that there is a -- I think to be
23 independent, my view is that to have a particular agency
24 overseeing this potentially interjects governance that I think --
25 you know, I think we're better off as an independent committee

1 with full participation rather than having one agency or another
2 there to guide because intentionally or unintentionally, perhaps
3 agendas or directions can be interjected. That's my personal
4 view.

5 MR. PLUNKETT: This is J.J. And I guess -- the success,
6 I think of our harbor safety committee and others is that we can
7 set our own agenda and the things we put on our agenda are things
8 of interest to us. So with the FACAs the agenda is developed by
9 whatever the sponsoring agency is and the membership may or may
10 not have an interest in that and take whatever action it needed.
11 But our board and our volunteers work on things because it affects
12 their operations. I mean, that's why they're involved with the
13 committee itself.

14 I think one of the other, I think, strengths of the
15 system that we have with the harbor safety committee is it gives
16 us access to the existing regulatory authorities or agencies. So
17 I think we have the right mix for the things that we're
18 interesting, having people like the Coast Guard involved at our
19 subcommittee level, the Army Corps involved, Customs and Border
20 Protection. We kind of knit those together as a forum, but we
21 really don't really need to take any action, and we couldn't
22 anyway because we have no authority except for by serving as a
23 place where people can discuss some of these issues. And I think
24 the agencies go back and then do -- they're responsive to us and
25 they exercise their existing authority without inventing a new

1 one, like a harbormaster or a port authority that's under the port
2 authority or something like that.

3 MR. STOLZENBERG: Okay, thank you.

4 MR. JONES: I have nothing further, gentleman. Does
5 anybody else or --

6 MR. [REDACTED] Nothing for me.

7 MR. JONES: I wanted to get you out of here on time. I
8 think we're 15 minutes early, but I did -- if that concludes it --
9 are we -- okay.

10 UNIDENTIFIED SPEAKER: I just want to thank you.

11 MR. JONES: Oh, well, thank you both -- all four of you.

12 MR. STOLZENBERG: And we can also follow up. If there's
13 something that we didn't ask directly --

14 MR. JONES: Yeah. Oh, okay. Oh, not a problem.

15 MR. STOLZENBERG: -- that you'd like to express, feel
16 free to at this moment if there's something we missed or that you
17 didn't get to complete your statements on.

18 UNIDENTIFIED SPEAKER: No.

19 MR. JONES: All right, we'll conclude the interview then
20 at this time. Thank you.

21 (Whereupon, the interview was concluded.)

22

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

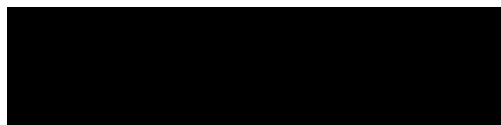
IN THE MATTER OF: M/V *CONTI PERIDOT* COLLISION WITH
 THE M/T *CARLA MAERSK* IN THE
 HOUSTON SHIP CHANNEL
 MARCH 9, 2015
 Interview of Lone Star Committee Members

DOCKET NUMBER: DCA-15-MM-017

PLACE: Deer Park, Texas

DATE: July 29, 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 M. Galvez
Transcriber