

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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COLLISION OF THE USS *McCain* AND
M/V *Alnic MC* ON AUGUST 21, 2017

* ACCIDENT NO.: DCA17PM024

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Interview of: LEMUEL ERA DE GARCIA
Chief Mate, *Alnic MC*

On Board the *Alnic MC*

Monday,
August 28, 2017

APPEARANCES:

CWO [REDACTED] [REDACTED] Lead Investigating Officer
U.S. Coast Guard

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

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

CAPT. KUNAL NAKRA
Transportation Safety Investigative Bureau (TSIB)
Singapore

EDWARD SHIN, Detective
Singapore

VINCENT BRADY
Flag State Liberia

[REDACTED] FARMER, Attorney
Ince & Co., London
(On behalf of the Owners)

ALAN WEIGEL, Attorney
Blank Rome
(On behalf of the Owners)

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I N T E R V I E W

(1:15 p.m.)

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2
3 CWO [REDACTED] Today is the 28th of August, year 2017, conducting
4 an interview with the chief mate. The time is 1315 local. This
5 is Chief Warrant Officer [REDACTED]

6 And if everybody in the room would please state their name
7 and who they're with?

8 MR. [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard INCOE.

9 LCDR [REDACTED] [REDACTED] [REDACTED] Coast Guard, legal.

10 CAPT. NAKRA: Captain Kanul Nakra, TSIB Singapore.

11 MR. BRADY: Vincent Brady, Flag State Liberia.

12 DET. SHIN: Ed Shin, detective (indiscernible) Singapore
13 (indiscernible).

14 MR. FARMER: [REDACTED] Farmer, Ince & Co., London, owner's legal
15 representative.

16 MR. WEIGEL: Alan Weigel, Blank Rome, New York, owner's legal
17 representative.

18 MR. ERA DE GRACIA: I'm chief officer of the *Alnic MC*.

19 CWO [REDACTED] Could you please spell your name for us?

20 MR. ERA DE GRACIA: Yeah. My name is Lemuel Era De Gracia, a
21 Pilipino, (indiscernible) worked this vessel almost 5 months.

22 CWO [REDACTED] Okay. Could you please spell your name? Spell --

23 MR. ERA DE GRACIA: Yeah, my name is Lemuel Era De Gracia.

24 CWO [REDACTED] Okay. Spell it.

25 MR. ERA DE GRACIA: Huh?

1 CWO [REDACTED] Spell it.

2 UNIDENTIFIED SPEAKER: Letters.

3 CWO [REDACTED] Letters. Spell.

4 MR. ERA DE GRACIA: It's spelled Lima-Echo-Mike-Uniform-Echo-
5 Lima, Echo-Romeo-Alpha, Delta-Echo, George-Romeo-Alpha-Charlie-
6 India-Alpha, Lemuel Era De Gracia.

7 CWO [REDACTED] Thanks, Chief. Appreciate that.

8 INTERVIEW OF ERA DE GRACIA

9 BY CWO [REDACTED]

10 Q. Okay. So, as I said, you're chief on the vessel. How long
11 have you been the chief on this vessel?

12 A. On this vessel?

13 Q. On this vessel.

14 A. So I was on board here on April 12. So almost 5 months.

15 Q. Have you ever sailed through this area?

16 A. Yes, before. I have experience.

17 Q. How much -- how many times, do you think?

18 A. So many times in my previous company, but I forgot already
19 what year.

20 Q. How much rest did you have before taking watch?

21 A. Sorry?

22 Q. How much rest did you have before you came on watch?

23 A. Rested?

24 Q. Yeah. How many hours of rest did you have?

25 A. I have plenty of -- I have plenty time of hours rest.

1 Because on the last day Sunday, so we don't have work.

2 Q. Okay. Were there pre-checks completed before entering the
3 area? Tests of the steering, engines, any of those tests?

4 A. Before I come on the bridge?

5 Q. Before you came to the bridge or when you came to the bridge?

6 A. Yeah. When I come on the bridge, you know, check the
7 checklist, and then steering, they stay from manual to automatic
8 -- I'm sorry -- automatic to manual, and then turn to automatic.
9 Navigational equipment at this time normally. And then the radar,
10 VHF, everything, I check.

11 Q. Okay. So when you were on the bridge, who was on the bridge?

12 A. When I come on the bridge, so the captain and second mate,
13 the AB, and OS.

14 Q. And what time was that approximately?

15 A. When I come on the bridge, around -- not exact time -- about
16 4:00 or -- 4:00, maybe 4:00 or 4:05, 4:10. I don't know exactly
17 the time.

18 Q. All right. And in your own words, can you tell me, from the
19 time that you came on the bridge to the time -- so leading up from
20 when you were on the bridge all the way through the incident, the
21 collision, and what happened afterwards?

22 A. So when I come on the bridge, so the second mate and me to
23 hand over with the master there. And then I check randomly the
24 target, the starboard side, because that time we are going to the
25 Singapore, Singapore pilot boarding ground for pick up the pilot.

1 And then that time, then the master order me to call the pilot,
2 the Singapore pilot, on channel 2-0. So I call the Singapore
3 pilot. So many times I call them, but nobody will answer.
4 Because I need to give notice, 4-hour notice. Because our ETA at
5 that time is 0830 for Pilot Eastern Boarding Ground Charlie to
6 pick up the pilot. But many times I call the pilot but nobody
7 answer.

8 And then I was monitoring the radar and then the VHF and then
9 the other vessel. Because we are on the starboard side and the,
10 what you call this, the flow of traffic, the TSS area.

11 And then duty AB and then reported me and said there's one
12 vessel on my starboard part, starboard side. I forgot -- that
13 name might be *Team Oslo* that time, on our starboard beam. That is
14 a parallel course on our ship. Also the same, the same way, but I
15 don't know -- I forgot to read the speed. And then also the one
16 vessel on our starboard quarter, I forgot that name. Then I was
17 monitoring that area, the radar, and then plotting the position.

18 And then I heard in the VHF, VHF radio -- I forgot which one,
19 the 1 or 2, that the Singapore pilot many times calling the U.S.
20 warship. They say "U.S. war -- U.S. warship, Singapore pilot."
21 That many times called. And then that time, so where is the
22 Singapore pilot? I saw where is the U.S. warship and I check.

23 The one vessel on our starboard quarter also, then I check
24 that one. And also the AB reported me there is one vessel at
25 starboard quarter, and then I check (indiscernible). So there is

1 -- I think that is a U.S. warship because I see the navigational
2 light and then masthead light. Then I forgot the time when I
3 acquired. And then also the second time I call again the
4 Singapore pilot to give notice for our ETA for Eastern Pilot
5 Boarding Ground Charlie, but nobody will answer again. And then
6 that time when -- I forgot who reported me, on the starboard side,
7 U.S. warship already. Then I saw the starboard side on abeam and
8 the same way, the parallel, parallel course.

9 And then we observe and then with binocular and check the
10 radar. Then also I reported to master, said there is one vessel
11 on our starboard side that is a warship. Because you can see by
12 your visual, (indiscernible) is very fast. And then the one
13 vessel on our -- *Team Oslo* already overtaken our vessel. That is
14 the time the one vessel at starboard beam is the warship. Then
15 master already know.

16 And then suddenly -- but maintain course, nobody will expect
17 that this will -- that U.S. warship will cross on our bow.
18 Because the same, the same course and parallel course, and then
19 suddenly they are change course to port to pass on the -- to cross
20 on our bow. Very fast.

21 And then the vessel crossing our bow, then I said to captain,
22 oh, they want to pass in between our vessel and that vessel. Then
23 I go to the telegraph, engine telegraph, and awaiting the master
24 order. But the master directly go to my side and I don't know
25 what they are doing because he pulled the telegraph. And then I

1 go to the (indiscernible), the console, steering console.

2 Q. So you went to the steering console? You were at the ETO,
3 engine telegraph order, and then went to the steering console?

4 A. I am, I stay beside the steersman, the AB.

5 Q. Okay.

6 A. Because the master -- this the console, the steering; this is
7 the AB at the (indiscernible); and then, as I said, the right
8 side, I am the right side of the AB. And I don't know what is the
9 master doing on the telegraph.

10 Q. Okay. So at that time, was that during the collision?
11 Before the collision?

12 A. Which one?

13 Q. So you said that the master went to the ETO. Was that before
14 or after the collision?

15 A. The ETA?

16 Q. Or ET -- yeah.

17 UNIDENTIFIED SPEAKER: EOT.

18 BY CWO [REDACTED]

19 Q. EOT. I'm sorry. EOT. The engine order telegraph.

20 A. Not before collision. Before collision, I was there in
21 engine telegraph and then I waiting order from the captain. But
22 suddenly master directly go to on my side and then call the
23 telegraph. I don't know what they are doing. And then I go to
24 the helmsman, on the right side of the helmsman.

25 Q. Okay. And then that's when the collision happened?

1 A. When the collision happened, I be on the starboard -- the
2 right side of the AB. And I don't know, I really forget or I do
3 not remember what the master doing. Only I heard master calling
4 on the -- "U.S. warship" or "Warship, warship," but nobody will
5 answer. That time already calling.

6 Q. So master called the warship after the collision?

7 A. I not remember. I not remember, but many time I heard master
8 calling the U.S. warship, but nobody will answer.

9 Q. Now, before the collision, was there any radio communication
10 from the Navy --

11 A. No.

12 Q. -- that you recall?

13 A. No.

14 Q. What channels were you monitoring on the radio?

15 A. Channel 2-0 and channel 16.

16 Q. Sixteen and --

17 A. Yeah, 1-6 and 2-0.

18 Q. 1-6 and 2-0.

19 A. 1-6 for the general and then 2-0 for the pilot.

20 Q. Okay. Now was there any -- when you knew that the navy
21 vessel was coming to port, was there -- did you try to contact the
22 Navy?

23 A. No, I -- no, because that one is -- we never expect that
24 vessel will cross on the port side. Because in the same way, we
25 are on the same parallel course. I thought the vessel is the

1 overtaking vessel.

2 Q. Was it -- did you remember hearing any alarms, sounds, a
3 horn, lights coming from the Navy before --

4 A. Nothing.

5 Q. Nothing?

6 A. Nothing.

7 Q. How about after the collision?

8 A. Nothing, sir. After the collision also nothing.

9 Q. Did you ever talk to the Navy after the collision? Did the
10 vessel ever make contact with the Navy after the vessel -- after
11 the collision?

12 A. Yeah, the master calling the Navy.

13 Q. Did he ever talk to the Navy?

14 A. Sorry?

15 Q. Did the master talk to the Navy after the collision?

16 A. Yeah, only calling, many times calling by VHF, but nobody
17 would answer.

18 Q. Nobody would answer? Okay. All right.

19 Was the engine in -- was it bridge control or engine room
20 control?

21 A. Bridge control.

22 Q. Bridge control. Okay. And how was the vessel being steered?

23 A. Sorry?

24 Q. How was the vessel being steered? Was it manual, autopilot?

25 What -- how was --

1 A. The steering?

2 Q. The steering, yes.

3 A. That time is autopilot.

4 Q. Autopilot. Okay. And how many -- did you have lookouts
5 posted?

6 A. Yes.

7 Q. How many did you have?

8 A. The AB and then the OS.

9 Q. AB and OS?

10 A. Yes, sir.

11 Q. Now were -- there was a comment about bridge BL2 in the
12 logbooks. It's written that you guys were at BL2. What is --

13 UNIDENTIFIED SPEAKER: BM.

14 MR. ERA DE GRACIA: BM.

15 UNIDENTIFIED SPEAKER: BML.

16 CWO [REDACTED] BM?

17 UNIDENTIFIED SPEAKER: BML.

18 CWO [REDACTED] BML2?

19 UNIDENTIFIED SPEAKER: Bridge manning level.

20 MR. ERA DE GRACIA: Bridge management level 2.

21 BY CWO [REDACTED]

22 Q. Okay. And what does that mean?

23 A. Bridge management level 2, so we need additional post lookout
24 and then officer on the bridge, (indiscernible) officer on the
25 bridge.

1 Q. Okay. How many people does that consist of? How many people
2 on the bridge?

3 A. At that time the captain, the chief officer, AB, and then OS.
4 Also, the second mate was there in the chart room.

5 Q. Second mate was in the chart room?

6 A. Um-hum, the chart room. Because that time second mate is not
7 on duty. We are finish handover him. I don't know what the
8 second mate doing in the chart room.

9 Q. Okay. So BML2 consists of --

10 A. Additional lookout and then duty officer.

11 Q. So how many people does that consist of? Just if you're in
12 that status, how many people on the bridge?

13 A. During accident?

14 Q. No, no, no. If you're in BML2 status --

15 A. Yeah.

16 Q. -- how many people need to be on the bridge?

17 A. Four.

18 Q. Four?

19 A. Yeah.

20 Q. Okay. At any time was there less than four people on the
21 bridge?

22 A. Less people?

23 Q. Less than four on the bridge?

24 A. Sorry. What do you mean?

25 Q. Did anybody leave the bridge at any time?

1 A. Somebody -- you mean somebody go down or leave the bridge?

2 Q. Did somebody leave the bridge? Did they leave their post?

3 Did they go down to use the toilet, to get some water or some

4 coffee?

5 A. Oh, the OS.

6 Q. The OS?

7 A. The OS.

8 Q. Okay. And did he just leave or how did he --

9 A. Yeah, he left because he say he go toilet.

10 Q. So he used the restroom?

11 A. Yeah. He reported me. Say possible I go to toilet because I

12 am -- I feel unwell. But that time also master know already.

13 Q. Okay. All right. Was there any communications that you

14 recall from the VTIS East?

15 A. Not yet. Because that time we are not in the sector, Sector

16 9, of the reporting system for the VTIS.

17 Q. What channel would that be on, would you have to call them

18 on?

19 A. For the VTIS?

20 Q. Yes.

21 A. For VTIS, that channel 10. But we never changed the channel

22 because we are not in the VTIS area.

23 Q. Okay.

24 A. I stand by only the channel for the radio, channel 16 and

25 channel 2-0, for the pilot and for the general use. For the

1 vessel, channel 16; channel 2-0 is for the pilot. For the VTIS
2 channel 10, but we didn't change the channel to channel 10 because
3 we are not in the sector area.

4 Q. Okay. Do you recall what the -- what speed you were making?

5 A. That time?

6 Q. At the time.

7 A. I remember about 9.3, the speed.

8 Q. 9.3 knots?

9 A. Yeah. Sometimes 10, because of the current, you know.

10 Q. Okay. And so there was a current?

11 A. I not remember that. No, I --

12 Q. You don't remember if there was a current or not? Okay.

13 What was the visibility?

14 A. Visibility good. Yeah.

15 Q. And was the -- what was the density of the vessel traffic
16 around you?

17 A. The vessel density is going to moderate.

18 Q. Moderate?

19 A. Yeah.

20 Q. So to paraphrase what you said: You had a vessel on your
21 port side?

22 A. Yes, on other side, the other lane.

23 Q. In the other lane?

24 A. In the other lane.

25 Q. Okay. And that was outbound or inbound?

- 1 A. Outbound.
- 2 Q. Outbound?
- 3 A. Um-hum.
- 4 Q. Okay. And you had a vessel in front of you?
- 5 A. I not remember on the -- the starboard bow.
- 6 Q. The starboard bow?
- 7 A. Yeah, starboard bow, the *Team Oslo*. Because that is
- 8 overtaking vessel on our ship.
- 9 Q. Okay. And was there anybody behind you?
- 10 A. There was, yes, one vessel behind our ship, but I forgot that
- 11 name.
- 12 Q. Okay. All right. So you said you saw lights from the Navy.
- 13 What characteristics were they showing?
- 14 A. The side light and the masthead light.
- 15 Q. Okay. How many steering pumps did you have on?
- 16 A. We had two, but I don't know that time which ones we use, 1
- 17 or 2 or both. I forgot that now. I not remember.
- 18 Q. Okay. So during that time do you recall any alarms on the
- 19 bridge -- engine alarms or anything?
- 20 A. Yeah, we have 12-month -- 12-minute alarm. That is the
- 21 BNWAS.
- 22 Q. Nothing else? No other alarms?
- 23 A. Sometimes the radar alarm.
- 24 Q. Radar alarm?
- 25 A. Yeah, that alarm. And the other, I forget on what is the

1 other alarm. Because normally the BNWAS every 12 minutes the
2 alarm.

3 Q. Okay. So you said that there -- you had the navy ship as --
4 you acquired that as a contact on the radar?

5 A. The navy ship?

6 Q. Yeah. Was it ever acquired as a target on your radar?

7 A. I forgot. I not remember if we acquired that one on the
8 radar or not.

9 Q. Okay.

10 A. I not remember.

11 Q. Which radar were you using?

12 A. We are using the X-band and then the S-band. We have two
13 radar.

14 Q. And were you watching one or both?

15 A. Yeah.

16 Q. Which radar were you watching? Which one were you --

17 A. The two, always two. Both we use.

18 Q. So you were going back and forth between the two?

19 A. Yeah. Sometime I check the other one and sometimes check
20 the, the number 2.

21 Q. Okay. And on that, do you usually set any -- is there a
22 standard setting for distance, CPAs, different (indiscernible)?
23 So if a vessel comes into zones, how -- the proximity --

24 A. On the S-band, between our vessel?

25 Q. Yes.

1 A. You mean like that?

2 Q. Yep.

3 A. So I not remember.

4 Q. Don't remember if there was any setting on that?

5 A. Yeah, I don't remember (indiscernible). I don't remember.

6 Q. What's the normal setting that you would put on there?

7 A. Sometime we use 6, 6 miles, and then sometimes we set on a 3
8 miles. It depend on the density of the traffic.

9 Q. Okay. What do you normally -- what would normally be the
10 setting for coming in through this --

11 A. Three.

12 Q. Three miles?

13 A. Yeah. When entering it's 6. The other one is 12.

14 Q. Okay.

15 A. The one is 6 and the one is 12. And then when in the traffic
16 area, we set to 3.

17 Q. So you try to maintain a distance of 3 miles between all
18 vessels?

19 A. Yes, 3 and 6 (indiscernible).

20 Q. Okay. So when you noticed the vessel coming across -- the
21 navy vessel --

22 A. Yes, sir.

23 Q. -- when did you notice that it was coming across and you were
24 going to hit it?

25 A. Because I saw already visually we're very near. And before

1 we are crossing -- we are in the same course or same course, I
2 don't know, with the same -- because parallel. And then suddenly,
3 because I observe this one here, I saw already, suddenly like
4 this, alter course to port.

5 Q. Okay. And how -- when do you see -- how long? What was the
6 time frame?

7 A. I forget. I forgot the time.

8 Q. Did you have an --

9 A. Very fast.

10 Q. Very fast?

11 A. Yeah, very fast.

12 Q. So is it --

13 A. Maybe a second only, then cross.

14 Q. Okay.

15 A. Then cross on our bow.

16 Q. And you didn't -- captain give any orders -- when you guys
17 noticed that the navy boat was going to come across, did the
18 captain, did he give any commands?

19 A. Yeah. When I saw the vessel intend to cross on our bow, I
20 say to captain, sir, the one -- the warship, they plan to, they
21 plan to pass in between our vessel, they crossed our bow. And
22 then I go to the telegraph. I waiting master order. But the
23 master not give any order. And then I go -- he go in my side and
24 he was in the telegraph, but I don't know what they are doing.
25 And then I go to the right side of the AB.

1 Q. Okay. Is there a procedure on the bridge that if the master
2 fails to attempt to avoid collision, is it your duty to take that
3 step to avoid collision, to overrule the master?

4 A. Yeah. Because that time is master conning.

5 Q. Okay. But if he fails to do anything, then do you take over
6 and try to avoid the collision?

7 A. I not remember.

8 Q. No, I'm not -- is normal procedure --

9 A. Yeah, yeah, yeah.

10 Q. -- if I'm the master and I freeze, I don't do anything, is it
11 your job to take action to avoid a collision?

12 A. Yeah.

13 CWO [REDACTED] I think that's all I got. Anybody else?

14 UNIDENTIFIED SPEAKER: Nothing right now. No.

15 CAPT. NAKRA: I've got a few questions, Chief.

16 MR. ERA DE GRACIA: Yeah.

17 BY CAPT. NAKRA:

18 Q. Let me start with, how many times in the 5 months that you've
19 been on board has the OS stand a lookout?

20 A. Every time passing in the (indiscernible) area or Singapore
21 Straight.

22 Q. So in your experience as chief mate, you are confident that
23 he knows how to perform lookout duties?

24 A. Yes, sir. Yes, sir.

25 Q. Okay. This is his first ship, so, in your experience, he is

1 (indiscernible)?

2 A. Yes. Yeah.

3 Q. How many -- how long have you had experience as a ship
4 officer in this whole company?

5 A. So this my first time in this company.

6 Q. And before this company, how many years experience?

7 A. So I started as chief officer in 2009 or 2010 like that.

8 Q. So 8 years as a chief mate?

9 A. Sir, I don't even know.

10 Q. When you said you went to the steering console when you saw
11 the navy ship come close, can you explain why did you go to the
12 steering console if she was on autopilot?

13 A. That time autopilot.

14 Q. The AB was navigating or (indiscernible) at that time?

15 A. The AB in the front of the console and then I am the right
16 side of the AB.

17 Q. So what was your intent of going to the steering console?
18 When you saw the ship come closer towards your ship, what was in
19 your mind, why did you go to the steering console? What was
20 your --

21 A. Because I waiting the order of master if he want to alter
22 course to starboard or port. That's why I stand on the starboard,
23 right side of the AB.

24 Q. But the AB was already there?

25 A. Yeah, my AB's already there.

1 Q. When you saw the navy ship come towards, alter --abrupt
2 alteration towards your vessel, did you attempt to use an Aldis
3 lamp to attract her attention?

4 A. No. Because that ship is just very fast. Yeah. Only --

5 Q. And (indiscernible) whistle? You didn't take any sort of
6 actions?

7 A. No, nothing.

8 Q. You were -- you mentioned you were not in the VTIS monitoring
9 area for --

10 A. Yes.

11 Q. -- sector East.

12 A. Yes, sir.

13 Q. You were on channel 20?

14 A. Yes, sir, channel 20.

15 Q. Is it normal for you to not monitor the VHF going east, when
16 you are going to enter in the east and focus more on channel 20,
17 which is further away, because pilot boarding is much later. So
18 what was the priorities of the VHF monitoring? Channel 10 and 16
19 versus channel 20 and 16? Because the use of channel 20 would be
20 much later actually.

21 A. Yes, sir. It --

22 Q. Is it normal for the ship to --

23 A. No, sir. Because that time I calling the Singapore pilot to
24 give ETA notice. Because our ETA is 0830 that time. So 4:00 I
25 give notice. But I not -- nobody answer my call to Singapore

1 pilot. That's why I stand by channel 2-0, if the pilot calling
2 our vessel, so I give notice advance. Because (indiscernible) we
3 give 4-hour notice to the Singapore pilots. That's why I stand by
4 channel 2-0.

5 Q. Are you aware that the VHF has a dual watch capability? Your
6 VHF, does it have a dual watch capability?

7 A. Yes, sir.

8 Q. And it was on dual watch at that time?

9 A. Yeah, I not remember that one, sir.

10 Q. Who press the VDR save button after the collision?

11 A. Sorry?

12 Q. Who press the VDR save button? After the collision, who
13 saved the VDR (indiscernible)?

14 A. I not remember that one, sir.

15 Q. It was already --)

16 A. Yeah, yeah. No, not me. I not remember, because that time
17 is we are on -- the sudden collide.

18 Q. I know this question has already been asked, but the CPA,
19 TCB, I think, of the radar, you're not aware of the settings
20 (indiscernible)?

21 A. I forgot the -- to check that one. I not remember.

22 Q. And you came on watch at 0405?

23 A. Around, around like that, sir.

24 Q. Second officer, he's (indiscernible)?

25 A. Yes, sir.

1 Q. So what time did you take over your watch from the second
2 officer?

3 A. That time, the exactly time, I not remember. Because when I
4 come on the bridge, the master is there. And then during that we
5 hand over the second mate and me everything.

6 Q. Did you record somewhere that you've taken over watch? Not
7 the time. You've taken over watch from the second officer, do you
8 record it somewhere? Is it (indiscernible)?

9 A. In the logbook, sir. Yeah.

10 Q. So can you just quickly tell me by what time were you
11 confident that you are officer of the watch on the bridge?

12 A. Time, that time when I go on the bridge, I am confident, sir.

13 Q. No, no, no. Let me rephrase. You've gone on the bridge, you
14 take some time to familiarize what's happening, surroundings,
15 second officer hands over to you. The time that you've logged
16 down in the logbook --

17 A. Yeah, yeah.

18 Q. -- is that the time you said, okay, you are the officer of
19 the watch and the master has the con?

20 A. Yes, sir, that time. Because the second mate say -- said,
21 okay, now you can --

22 Q. Yes.

23 A. -- yes, I (indiscernible), yes.

24 Q. So roughly what time was that? Do you remember?

25 A. Around 4:00, that was. I not remember the exact time.

1 Q. Is it fair for us to know that for 45 minutes before the
2 collision you were already --

3 A. Yeah. Yeah, before, before the collision.

4 Q. You were well, you were well aware of what was happening on
5 the bridge?

6 A. Yes, yes. Yes, sir. Yes, sir.

7 Q. How was the bridge lighting internally? Dark, gloomy, bright
8 lights?

9 A. No, no, clear. Good visibility that time.

10 Q. Oh, sorry. The bridge equipment lights, your radar, your
11 lights, were they dim? Were they bright? Your lamps for charts.

12 A. Yes. They dim, adjust the brilliance already.

13 Q. So --

14 A. And good, what you call this, good for our eyes like that.

15 Q. Night, night (indiscernible)?

16 A. Yeah, night level.

17 Q. Is there anything else that you can recollect before the
18 collision that in your mind as the officer was of concern? When
19 you're helping the master, anything else surrounding the area,
20 actions of other vessels in the vicinity or lights behind you? Is
21 there anything else that you can think of when you looked out the
22 window that you found this is not normal, this is normal, or
23 whatever?

24 A. No, nothing, sir.

25 Q. Anything else?

1 A. Nothing, sir.

2 BY UNIDENTIFIED SPEAKER:

3 Q. Just a few questions. At any point when the warship was
4 overtaking on the starboard side --

5 A. Yes, sir.

6 Q. -- did you ever see her stern light?

7 A. Only the side light, that's all.

8 Q. You saw --

9 A. The side lights.

10 Q. -- the side lights.

11 A. Yeah.

12 Q. First you saw --

13 A. The masthead light.

14 Q. -- mast light and then she was alongside, you saw --

15 A. Yes.

16 Q. Were you on the bridge wing or within the wheelhouse?

17 A. On the bridge in the right, right side.

18 UNIDENTIFIED SPEAKER: That's it.

19 CWO [REDACTED] Anyone else?

20 CWO [REDACTED] I have -- sorry. Chief Warrant Officer [REDACTED] from
21 the Coast Guard.

22 BY CWO [REDACTED]

23 Q. When you became concerned about the Navy and you were
24 standing waiting for the master to give you a command, did you ask
25 the captain anything or did you -- was he aware of the navy vessel

1 at the time when your concerns were brought up?

2 A. Can you repeat that, sir, please?

3 Q. So you said that you were waiting for the master to give you
4 a command. Had previously had you talked to the captain about the
5 navy vessel?

6 A. So you mean when I waiting the order from the master --

7 Q. Yes.

8 A. -- before the vessel collide?

9 Q. Before the collision.

10 A. Yes. Because I had (indiscernible) thought that the vessel
11 have intent to cross on our bow. I already said to master. And
12 then I go to the engine telegraph to waiting master order. But
13 that time the master no order.

14 Q. Earlier you had some acknowledgment -- yeah. He said the --
15 he said that -- did the master say anything to you right before
16 the collision? Did he say -- or was there any discussion before?

17 A. Before the collision?

18 Q. Yes. About the navy ship? About the navy ship?

19 A. Nothing, sir.

20 Q. Okay.

21 MR. NAKRA: There was no conversation between you and the
22 captain (indiscernible) --

23 MR. ERA DE GRACIA: No. I reported already the U.S. -- the
24 warship on the starboard side. I said, sir, have one vessel on
25 starboard side.

1 CAPT. NAKRA: What was his response or --

2 MR. ERA DE GRACIA: I not remember what the master say that.

3 CWO ██████ Do you recall him or anyone saying "Peero; peero,
4 peero"?

5 CAPT. NAKRA: Did anybody say the word "peero, peero"?

6 CWO ██████ Peero?

7 MR. ERA DE GRACIA: Peero?

8 CAPT. NAKRA: It's in Tagalog, so --

9 MR. ERA DE GRACIA: It's in Tagalog. "But."

10 CWO ██████ We have no idea what it means.

11 MR. ERA DE GRACIA: Yeah, peero is "but."

12 CAPT. NAKRA: Repeat that.

13 MR. ERA DE GRACIA: But.

14 CWO ██████ Like what are you doing, like that?

15 MR. ERA DE GRACIA: English is the "but." I mean the
16 "but" --

17 (Background conversation.)

18 MR. ERA DE GRACIA: English is but. I don't know who say
19 that, that "peero." I don't know. I not remember.

20 CWO ██████ How about "(in Tagalog)"?

21 CAPT. NAKRA: Only (indiscernible) what they have said. Did
22 anybody say that?

23 MR. ERA DE GRACIA: I don't know.

24 CWO ██████ What's that -- what does that mean in Tagalog?

25 MR. ERA DE GRACIA: (In Tagalog) maneuver. Yeah, wrong

1 maneuvering.

2 CWO [REDACTED] Wrong maneuver?

3 Okay. That's all. I just wanted to (indiscernible) --

4 BY CAPT. NAKRA:

5 Q. Just one question. You were monitoring both radars, X and S-
6 band, you said.

7 A. Yes, sir.

8 Q. Did you acquire the navy ship when you saw her on the radar
9 at any time?

10 A. I not remember that was, because I using the, what you call
11 it, the binocular.

12 Q. On the radar, did you acquire her on the radar?

13 A. (Indiscernible)

14 Q. As the officer of the watch, did you acquire the navy ship on
15 your radar?

16 A. I forget that one. I forgot that one, sir, which one the
17 radar I acquired. I forget X-band or the S-band, but I don't know
18 -- this time, you know, I do not -- forgot already.

19 Q. Did you check the AIS if that ship --

20 A. Yeah, I check the AIS, but nothing. Nothing. Because when I
21 heard a U.S. warship many times calling the Singapore pilot, I
22 check the AIS, but nothing.

23 Q. How do you check the AIS? Is it a small screen or do you go
24 to the ECDIS and check the ECDIS?

25 A. No, no. The AIS is small -- the AIS. Because the name of

1 the vessel and you can see like (indiscernible).

2 CWO [REDACTED] Captain, could you play the alarms?

3 CAPT. NAKRA: Yeah. We could.

4 (Background conversation.)

5 BY CAPT. NAKRA:

6 Q. We have some alarms which we recorded from the VDR.

7 A. Yeah.

8 Q. Based on whatever your knowledge of being on board the
9 bridge, can you try to recall what these alarms are?

10 A. Yeah.

11 Q. What does it sound like? It's okay if you don't know, but
12 please try to help us. We don't know what the alarms are, but
13 maybe you know better than us.

14 A. Yes.

15 Q. First I'm going to play the entire thing together.

16 (Tone played.)

17 That's the first one.

18 (Tone played.)

19 A. A high level.

20 Q. High level?

21 A. High level, high level alarm.

22 Q. Okay.

23 (Tones played.)

24 A. I don't know that one. I forgot which ones they are. I
25 think the radar.

1 Q. Radar?

2 A. I think the radar.

3 Q. So based on our understanding, there were seven to eight
4 alarms that happened. We don't know the time exactly, but it
5 start off before the collision till the collision. So if you
6 think of any alarms that came, alarms that (indiscernible)
7 something came on.

8 A. I heard a BNWAS.

9 Q. What is the sound of the bridge navigation watch alarm? Is
10 it any of these?

11 A. They're not nothing, those are not.

12 Q. Nothing like this? Do you want me to play it for again for
13 you?

14 A. Okay. Just one more.

15 (Tones played.)

16 That's the high level.

17 I think that one is -- from the steering control.

18 Q. Which one?

19 A. The continuous --

20 Q. Continuous (indiscernible)?

21 A. -- continuous alarm. But I'm not positive. I'm not positive
22 it was.

23 Q. Okay.

24 (Tones played.)

25 A. That is the high level.

1 Q. This one?

2 A. I forgot. I forgot. I'm sorry, sir.

3 Q. All right. Thank you.

4 CWO [REDACTED] Okay?

5 UNIDENTIFIED SPEAKER: I have one quick follow-up. I just
6 want to show I'm clear here.

7 BY UNIDENTIFIED SPEAKER:

8 Q. Captain, before Mr. [REDACTED] was asking you about what the normal
9 settings were on the radar, and you mentioned that sometimes
10 you're 6 or it might be on 3 miles, and 3 miles is normal for a
11 high traffic area.

12 A. Yeah.

13 Q. Were you talking about the range that is set on the radar or
14 were you talking about the CPA alarm?

15 A. CPA alarm.

16 Q. CPA alarm is set for 3 miles in a high traffic area or is it
17 the radar range?

18 A. On the range only.

19 Q. Range?

20 A. Range only.

21 Q. Okay. So it's a range, not the CPA --

22 A. No, sir.

23 Q. -- your were --

24 A. No. The capacity of the -- the full range of the, of radar.

25 Q. Okay.

1 CAPT. NAKRA: Just one follow-up question.

2 BY CAPT. NAKRA:

3 Q. Have you gone to the captain's standing orders, night orders?

4 A. Yes, sir. I have.

5 Q. What's the captain's normal standing orders for maintaining
6 CPA in a traffic area like the TSS?

7 A. Two. Two miles, sir.

8 Q. Two miles? And in order to be aware of the 2 miles, how
9 would you be aware that the CPA is 2 miles?

10 A. In a high area, if it's just a high -- the 2 miles CPA for
11 traffic. Yeah.

12 Q. Okay.

13 A. Thank you, sir.

14 CWO ██████ Okay. This concludes the interview. Time is
15 1357.

16 (Whereupon, at 1:57 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: COLLISION OF THE USS *McCain* AND
M/V *Alnic MC* ON AUGUST 21, 2017
Interview of Lemuel Era De Garcia

ACCIDENT NO.: DCA17PM024

PLACE: On Board the *Alnic MC*

DATE: August 28, 2017

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.



Kay Maurey
Transcriber