



**STEALTH MARITIME CORPORATION S.A.**

Capt. Michael J. Kucharski  
Senior Marine Accident Investigator  
National Transportation Safety Board  
Office of Marine Safety  
490 L'Enfant Plaza, SW  
Washington, DC 20594-2000

**15<sup>th</sup> June 2018**

**Re: National Transportation Safety Board investigation of USS *John S McCain*/M/V *Alnic MC* collision on August 21, 2017**

On behalf of Energetic Tank, Inc., Owner of the M/V *Alnic MC* ("Owner"), who has been named a party to the subject safety investigation, we write to provide Owner's "Party Submission" in respect of that investigation.

This matter involves a collision between a Liberian-flagged merchant ship and a United States Navy destroyer. Although the National Transportation Safety Board ("NTSB") (directly and through the United States Coast Guard ("USCG"), who conducted the factual investigation on behalf of the NTSB) has apparently had access to the files and evidence obtained from the U.S. Navy relating to the casualty, most of these records have never been provided to Owner, despite repeated requests, ostensibly due to national security concerns or the designation of the documents as being "For Official Use Only."

Indeed, during the course of the Coast Guard's factual investigation, Owner was never even able to confirm what documents and evidence were made part of the record that was transmitted to the NTSB and, to date, Owner has seen no record reflecting what evidence the NTSB did or did not consider in conducting its investigation.

Moreover, there were significant gaps and inconsistencies in the factual record developed by the USCG on behalf of the NTSB. A number those deficiencies were identified in a letter dated March 20, 2018 from counsel for the Owner to USCG Captain Jason Neubauer, a copy of which is enclosed with this letter as Attachment A.

Additionally and importantly, it does not appear that either the USCG or the NTSB has made any analysis of the maneuvering characteristics of the vessels or considered what maneuvers could potentially have been implemented – and at what times they would have had to have been implemented – in order to have avoided the collision. Such analysis must be central to any reliable assessment of probable cause.

Although Owner was provided the opportunity to offer comments on the proposed factual “findings” to be presented to the Board, Owner’s ability to provide meaningful comments has been significantly impaired by its lack of access to relevant evidence. As noted, Owner recognizes that there are national security aspects of this casualty investigation that have presented certain procedural challenges. Those constraints, however, have prevented Owner from having full access to the relevant information and have significantly impaired Owner’s ability to discharge fully its responsibilities as a Party in Interest to the USCG investigation and as a Party to this investigation. Accordingly, Owner considers it premature to provide its proposed findings and will refrain from doing so at this stage. For similar reasons, at the present time, Owner is not yet in a position to submit its own proposed probable cause analysis or safety recommendations.

Respectfully submitted,

Captain Dimitris Fountoukidis