

**HUMAN PERFORMANCE FACTUAL REPORT  
ATTACHMENT A**

**TRANSCRIPTS OF INVESTIGATIVE INTERVIEWS**

**RELIEF CAPTAIN, M/V ROBERT Y. LOVE  
RELIEF MATE, M/V ROBERT Y. LOVE  
CHIEF ENGINEER, M/V ROBERT Y. LOVE  
MATE, M/V ROBERT Y. LOVE  
DECKHAND, M/V ROBERT Y. LOVE  
CAPTAIN, ROBERT Y. LOVE  
DIRECTOR OF MAGNOLIA MARINE TRANSPORT (MMT)  
DIRECTOR OF MARINE ENGINEERING, MMT**

(229 pages)

NATIONAL TRANSPORTATION SAFETY BOARD

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In the Matter of: \*

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MAJOR HIGHWAY/MARINE ACCIDENT \*

ALLISION OF M/V ROBERT LOVE \* Docket No.

with I40 BRIDGE \* HWY-02-MS. HARRIS-019

WEBBERS FALLS, OK on \*

MAY 26, 2002 \*

\*\*\*\*\*

Monday,

May 27, 2002

INTERVIEW OF:

CAPTAIN JAMES WILKINSON

PRESENT: JIM SHEFFERT, NTSB

JAMIE ESTOCK, NTSB

TOM ROTH-ROFFY, NTSB

DENNIS COLLINS

LIEUTENANT DONOVAN

CHIEF WARRANT OFFICER DOUG HALL

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## PROCEEDINGS

MR. SHEFFERT: This is Jim Sheffert. The lead investigator of the Marine Group regarding the collision between the Robert Love and the Interstate I40 Bridge, which occurred on Sunday, May 26. This is Monday, May 27 at 11:35. We are here to start our interview of the relief captain, aboard the tow vessel Robert Love. And of course with me here at the interview is Mr. Tom Roth-Roffy of NTSB, Mr. Dennis Collins, NTSB, Chief, Chief Warrant Officer Hall, U.S. Coast Guard, Lieutenant Donovan with U.S. Coast Guard, Mr. Roger Harris of Magnolia Marine Transport. And could you mention, could we have your name for the record?

CAPTAIN WILKINSON: James Wilkinson.

MR. SHEFFERT: And your position?

CAPTAIN WILKINSON: Relief captain.

MR. SHEFFERT: Okay, Captain Wilkinson, yes, could you start out by telling us what your normal tour of duty is aboard the vessel?

CAPTAIN WILKINSON: Thirty days.

MR. SHEFFERT: And what is your watch standing, how is that configuration?

CAPTAIN WILKINSON: Six hours on, six hours off.

MR. SHEFFERT: And what are those hours that you work?

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CAPTAIN WILKINSON: My first 15 days I work from 11 at night until six in the morning. And then I work from 11 in the evening until six in the morning, five in the morning.

MR. SHEFFERT: Okay. Five. So, it is a seven and five rotation.

CAPTAIN WILKINSON: Six hours.

MR. SHEFFERT: Six hours.

CAPTAIN WILKINSON: Right.

MR. SHEFFERT: Okay. Okay, six and six.

Could you start out, Captain Wilkinson, with the shift the day before and tell us what your activities were?

CAPTAIN WILKINSON: The day before.

MR. SHEFFERT: That day, let's say starting your watch before the incident.

CAPTAIN WILKINSON: The watch before the incident. I relieved the Captain, we made two locks, held up for traffic twice. The Captain relieved me, and I went to bed.

MR. SHEFFERT: Okay. About what time did the Captain relieve you on the Sunday the 26<sup>th</sup>?

CAPTAIN WILKINSON: Okay. He relieved at five.

MR. SHEFFERT: Yesterday.

CAPTAIN WILKINSON: Five thirty.

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MR. SHEFFERT: Okay. And just elaborate, okay, a little bit, where was the tow operating at that time and where were you approaching at 5:30 when you were relieved?

CAPTAIN WILKINSON: We were holding up for the Motor Vessel Miss Janice. And we were just fixing to get back underway, we are stopped approximately five minutes. And the Captain got underway at that time, at 5:30, heading out, we had been stopped for approximately five minutes.

MR. SHEFFERT: Okay, continue. Go ahead.

CAPTAIN WILKINSON: I spoke to him a few minutes, told him what I had heard coming, which was no other vessel coming south at that time. And I asked him how he was feeling and he said fine. And I told him I was going to get breakfast and go to bed. And that is what I did.

MR. SHEFFERT: Okay. So, you had breakfast?

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: And then, what time did you turn in?

CAPTAIN WILKINSON: Approximately six o'clock.

MR. SHEFFERT: And then go ahead, basically tell your story from there, from that point on?

CAPTAIN WILKINSON: The next thing I know we had hit the bridge. I mean, when I woke, walked out of the boat to run to the wheel house from the general alarm sounding, I saw the bridge and I ran upstairs and checked

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on the Captain. That is where I am suppose to go when the alarm sounds, is to the wheel house.

MR. SHEFFERT: So, so, you were awoken by the general alarm?

CAPTAIN WILKINSON: General alarm and I heard the horn sounding. I felt the bump, but it is pitch black in our rooms, it is dark so we can sleep during the day time.

MR. SHEFFERT: And then you said you went to the wheel house?

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: And then what, what happened up there?

CAPTAIN WILKINSON: I made sure the Captain was there, if he had had a heart attack, what was going on, and I took over as far as sending the crew to help any individuals that might be injured that they might can help. I asked the Captain if he was okay for me to run out and check, because I could hear people outside hollering and I proceeded out to the head of the tow to check. I could do nothing there and I returned to the wheel house.

MR. SHEFFERT: And about what time was that?

CAPTAIN WILKINSON: I have no idea, because I did not look at my watch at that point. My concerns were more with my crew being safe and trying to help any individual we were possibly able to help.

MR. SHEFFERT: And what did you notice as to the configuration of the vessel and tow?

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CAPTAIN WILKINSON: I don't understand what you are asking me now.

MR. SHEFFERT: Yes, tell us what you saw, I mean, I mean, when you came up on the bridge, and when you come up to the wheel house.

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: You said you went up there because you heard the general alarm and the whistles, I mean, you got out of your bunk and you went up there. What did you see when you looked out the wheel house windows?

CAPTAIN WILKINSON: As I looked out, I seen the boat and barges as they are sitting now, with the bridge laying upon them.

MR. SHEFFERT: Okay. And then how long were you engaged with other activities after that time?

CAPTAIN WILKINSON: I do not have any idea. I did not look at my watch.

MR. SHEFFERT: No, no, I mean, I mean, were you up for the rest of morning.

CAPTAIN WILKINSON: The rest of the day, yes, sir.

MR. SHEFFERT: Yes, that is what I mean.

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: And how would you characterize those activities from that point on for the rest of that day?

CAPTAIN WILKINSON: I don't understand.

MR. SHEFFERT: I mean, we are looking a little bit beyond, I mean, what sort of response work were you doing?

CAPTAIN WILKINSON: I was answering telephones, radios, contacting with the Coast Guard, communicating with the office people as much as I can to get them up here, telling them where we are. And that is basically what I did. Answered any questions that I could at that point.

MR. SHEFFERT: And, yes, who was the first external contact, who came aboard the vessel, did any other assistance come aboard any time after that?

CAPTAIN WILKINSON: Are you asking organization?

MR. SHEFFERT: Organizations, what not, so, who was the first on scene?

CAPTAIN WILKINSON: Oklahoma State Patrol.

MR. SHEFFERT: Okay. And what was your interaction with them? I mean, what happened, I mean, just give us a little bit of details of what happened that morning.

CAPTAIN WILKINSON: Officer Bill James, Badge Number 77, come aboard at approximately nine o'clock. And he asked if any of the crew saw any vehicles that would have went in the river. So, they could try to ascertain the amount of vehicles that were there. How many survivors we had personally seen? And then he asked the Captain if he would subject to a blood test. And I handed

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him one of our company drug and alcohol test kits, and him, he removed the Captain and I asked if it was all right if our mate with them. And they left.

MR. SHEFFERT: Okay. Okay, go on, after that.

CAPTAIN WILKINSON: Basically from that point on, I was in the wheel house answering the phone and radio, because I was the only other licensed person aboard the vessel until 16:00, approximately 16:00, yesterday evening.

MR. SHEFFERT: And you were relieved by?

CAPTAIN WILKINSON: Otis Carpenter.

MR. SHEFFERT: Okay. Which is another crew, relief crew?

CAPTAIN WILKINSON: Another wheelman.

MR. SHEFFERT: Okay. Any other questions? Tom, change over.

MR. ROTH-ROFFY: My name is Tom Roth-Roffy.

Just for the transcriptionist.

You say when the Captain relieved you, you asked him if he was okay, and what, how did the Captain look to you when he relieved you at 5:30?

CAPTAIN WILKINSON: Fine.

MR. ROTH-ROFFY: He looked fine.

CAPTAIN WILKINSON: Yep.

MR. ROTH-ROFFY: And then at the time of the collision, you say you heard the whistle, and the general alarm and you felt the bump and you went to the pilot house. What did the Captain tell you and what, could you give us a

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little more detail about that interaction and what you observed and what the Captain told you?

CAPTAIN WILKINSON: The Captain was visibly shaken. He did not know what happened. He apparently had blacked out or passed out and he was, like I say, he was shaken. I made sure the rest of my crew was okay at that point, too.

MR. ROTH-ROFFY: Okay. So you entered the wheel house, where, through the interior door, exterior door?

CAPTAIN WILKINSON: There is only one door, it is exterior. It is a retractable wheel house.

MR. ROTH-ROFFY: Okay. When you entered the wheel house, where was the Captain, what was he doing?

CAPTAIN WILKINSON: He was standing, standing and he was in tears, shaken.

MR. ROTH-ROFFY: Where was his location in the wheel house?

CAPTAIN WILKINSON: Close to the door, because the wheel house was in array from the collision.

MR. ROTH-ROFFY: I am sorry, could you say that again, it was in --

CAPTAIN WILKINSON: Everything was falling over.

MR. ROTH-ROFFY: Okay. And was the Captain standing when you saw him?

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CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: And what did he tell you at that time?

CAPTAIN WILKINSON: He didn't know.

MR. ROTH-ROFFY: I am sorry, he said he didn't know.

CAPTAIN WILKINSON: He didn't know what happened.

MR. ROTH-ROFFY: Okay. And what did you tell him? Did you say anything to him?

CAPTAIN WILKINSON: I just asked him if he was okay.

MR. ROTH-ROFFY: Okay.

CAPTAIN WILKINSON: Yes.

MR. ROTH-ROFFY: And what was his response?

CAPTAIN WILKINSON: He was just shaking, like I say, he couldn't hardly talk. He was visibly shaken, in tears.

MR. ROTH-ROFFY: Okay. And then did you leave at that time? You went back out on deck, did you say?

CAPTAIN WILKINSON: Yes, sir. I asked him could he, was he all right for me to check and do my job, to make sure everything was okay and get the crew to respond.

MR. ROTH-ROFFY: Okay. And then what did you do, you left the wheel house and where did you go?

CAPTAIN WILKINSON: I come out of the wheel house, I told the mate to get the skiff in the water, and to try to help any way possible and I ran to

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the head of the tow, put on a work vest, life jacket and went to the head of the tow.

MR. ROTH-ROFFY: And then what did you do or what did you observe when you were at the head of the tow?

CAPTAIN WILKINSON: I observed two people being put in bass boats, to survivors into bass boats, and they were heading to the boat launch up river. I could not see anybody else at that point, so I returned to the wheel house as quickly as I possibly could.

MR. ROTH-ROFFY: And how many bass boats did you see?

CAPTAIN WILKINSON: I can't count, give you an accurate count.

MR. ROTH-ROFFY: Estimate?

CAPTAIN WILKINSON: I would, it would, I couldn't estimate at that point.

MR. ROTH-ROFFY: Was it five or ten, or --

CAPTAIN WILKINSON: It was --

MR. ROTH-ROFFY: Fifty?

CAPTAIN WILKINSON: It was a lot of them.

MR. ROTH-ROFFY: And was there some kind of tournament going on or something?

CAPTAIN WILKINSON: There was a bass tournament going on and the bass people, the tournament fishermen responded greatly.

MR. ROTH-ROFFY: Okay. So you saw two people being taken out of the water and put into a bass boat. And the bass boats were proceeding, so how long did you stay up on the bow them?

CAPTAIN WILKINSON: I left after that point, because there was no one else I could see.

MR. ROTH-ROFFY: But, from the time you arrived at the bow to the time you left, about how much time were you up there?

CAPTAIN WILKINSON: I have no idea how long it was. It was not long, but, I can't give you a time on it.

MR. ROTH-ROFFY: Half a hour or an hour?

CAPTAIN WILKINSON: No, it was, we are not talking five, five minutes, maybe 10 at the most.

MR. ROTH-ROFFY: Okay, five or ten minutes.

CAPTAIN WILKINSON: A very short time because there was so much going on, and you are trying to do everything that you can.

MR. ROTH-ROFFY: Okay. And then when you left the head of the tow, where did you go?

CAPTAIN WILKINSON: Wheel house.

MR. ROTH-ROFFY: Back to the wheel house. On the way back to the wheel house, did you see any other crew members or talk to any of the other crew members onboard?

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CAPTAIN WILKINSON: The relief mate and the deck hand, I told them get off the barge, because there was wires off of the bridge and I didn't know if they were hot wires or what type of wires it was, and I told them to get off of the barge. And to stay off of it until they are told otherwise. And I told them I was headed to the wheel house, and I had seen several bass boats beside the, between the tow and the bank and they had had another man they were trying to get in at that point. But, I still could see nobody else and I proceeded back to the wheel house.

MR. ROTH-ROFFY: Okay. And these two crew members that you told to get off the barge, had they been there at the time of the collision or the allision or had they gone up there after the allision or do you know?

CAPTAIN WILKINSON: They followed me.

MR. ROTH-ROFFY: They followed you.

CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: Did they go up to the head of the tow with you?

CAPTAIN WILKINSON: They came up close to it.

MR. ROTH-ROFFY: Okay.

CAPTAIN WILKINSON: But, like I say, you have got a bridge laying on a barge, you run.

MR. ROTH-ROFFY: Okay. So, then, what about, you told, was it the boatswain you told to put the skiff in the water, who was that?

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CAPTAIN WILKINSON: The mate.

MR. ROTH-ROFFY: The mate. And did he do that?

CAPTAIN WILKINSON: Yes, sir, him and the engineer put the boat in the water, and they went out and tried to do any type of assistance they could.

MR. ROTH-ROFFY: Okay. So, when you came back from the head of the tow, was the skiff already in the water or were they still working on it?

CAPTAIN WILKINSON: They were in the water.

MR. ROTH-ROFFY: They were in the water. Okay. So, then you went up to the pilot house again and what did you, what did you do and say or hear?

CAPTAIN WILKINSON: The phone, I was answering the phone and the radio.

MR. ROTH-ROFFY: Okay. And where was the Captain at that time?

CAPTAIN WILKINSON: He was still there. He was in tears. Just shaking.

MR. ROTH-ROFFY: Okay. Was he answering the phone?

CAPTAIN WILKINSON: No, sir, I was answering the phone and the radio from that point on.

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MR. ROTH-ROFFY: Okay. And did you get any reports from the skiff, from the mate and the chief engineer?

CAPTAIN WILKINSON: They saw the man picked up that I was telling you I saw when I come back and that is all they saw. There was too many boats out there at that time for them to do anything safely in our little skiff, and they returned to the vessel.

MR. ROTH-ROFFY: About how long were they underway in the skiff?

CAPTAIN WILKINSON: I have no idea as far as time.

MR. ROTH-ROFFY: Just a rough estimate?

CAPTAIN WILKINSON: Thirty to 35 minutes, maybe.

MR. ROTH-ROFFY: Okay. And during that time did they have a radio that you were in communications with them or not?

CAPTAIN WILKINSON: They, I do not know if he had a radio or not.

MR. ROTH-ROFFY: Okay. So you didn't communicate with him while he was underway on the skiff?

CAPTAIN WILKINSON: No, sir. I do know he had a radio, because he laid it down when he came back to the wheel house. He did have a radio.

MR. ROTH-ROFFY: It is a walkie talkie.

CAPTAIN WILKINSON: Walkie talkie, yes, sir.

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MR. ROTH-ROFFY: All right. But, you didn't try to call him or he didn't try to call you?

CAPTAIN WILKINSON: No, sir. The phone, and the Coast Guard and everybody else was calling the console.

MR. ROTH-ROFFY: And who made the initial report to the Coast Guard or who was it made to?

CAPTAIN WILKINSON: I do not know.

MR. ROTH-ROFFY: Did you make any reports to any authorities?

CAPTAIN WILKINSON: No, sir.

MR. ROTH-ROFFY: Okay. But, you were talking on the radio, is that correct?

CAPTAIN WILKINSON: Yes, sir, I did talk on the radio, I did talk to Coast Group Lower Memphis, Coast Guard Cutter Muskogee.

MR. ROTH-ROFFY: So, they called you?

CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: Asking or what did they say when they called you?

CAPTAIN WILKINSON: They were asking if there was anything they could do to assist. The Coast Group Lower was asking conditions of whether I was blocking the channel, and just, that is what was being asked.

MR. ROTH-ROFFY: Okay.

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CAPTAIN WILKINSON: The major question was, was assistance, anyway of rendering assistance.

MR. ROTH-ROFFY: And how did you respond to that?

CAPTAIN WILKINSON: There was nothing that we could do at that point. The Muskogee was too far down river. They put their small boat out and they were up there, but the cutter had not arrived.

MR. ROTH-ROFFY: And who else were you talking to on the radio, if you can recall?

CAPTAIN WILKINSON: That is the only ones I can recall at this point. I really can't recall.

MR. ROTH-ROFFY: So, it was the Muskogee, the Coast Guard Cutter Muskogee and who else was it?

CAPTAIN WILKINSON: Coast Guard Group Lower Memphis.

MR. ROTH-ROFFY: Okay. And what about the cell phone, did you get any cell phone calls or did you make any cell phone calls during that time?

CAPTAIN WILKINSON: I received phone calls from Coast Guard Group Memphis Lower.

MR. ROTH-ROFFY: Okay. So, your communication was by radio as well as cell phone?

CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: And so you received, I am sorry, to interrupt you, cell phones calls from, from the Coast Guard Lower Group. Anybody else on the cell phone?

CAPTAIN WILKINSON: The port captain.

MR. ROTH-ROFFY: Coast Guard or company?

CAPTAIN WILKINSON: Our port, company port captain. And the corporate attorneys and everybody was trying to ascertain our location and how to get to us.

MR. ROTH-ROFFY: And did you call the company or did the company call you?

CAPTAIN WILKINSON: They called me, after I was up there.

MR. ROTH-ROFFY: Okay. And during this time you were doing these phone calls and radio communications, what was the Captain doing? Was he still in the pilot house at that time?

CAPTAIN WILKINSON: He was up there for a very short time, because they removed the Captain.

MR. ROTH-ROFFY: Okay.

CAPTAIN WILKINSON: The Oklahoma State Patrol removed the Captain and carried him to the hospital.

MR. ROTH-ROFFY: And I think you said that was about nine o'clock.

CAPTAIN WILKINSON: The Coast Guard, let me, the Oklahoma State Patrol arrived at nine o'clock, approximately and they removed him, I would have to have the logbook, look at it, but I believe it was, I can tell you when I look at the logbooks.

I logged the Oklahoma State Police 9:45 with the Captain.

MR. ROTH-ROFFY: Were any of the crew members of your vessel injured as a result of the allision or the falling?

CAPTAIN WILKINSON: Just shaken. Visibly shaken.

MR. ROTH-ROFFY: Okay. I think that is about all I have for right now. I would like to pass it to the next interviewee. Are we, Jim, are we going to do our standard?

MR. SHEFFERT: Yes, we are going to do our standard after we are done, as far as background.

MR. ROTH-ROFFY: No, I am saying, we are going to --

MR. SHEFFERT: Yes, go around.

MR. ROTH-ROFFY: Okay. So I will pass to the next interviewee. Okay. We will pause for a moment.

(Off the record.)

MR. ROTH-ROFFY: Okay. We are back on the record after a brief pause here. And we are turning it over to Lieutenant Donovan.

LIEUTENANT DONOVAN: Yes, Lieutenant Janine Donovan. Captain, you stated the general alarm sounded.

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CAPTAIN WILKINSON: Yes, Ma'am.

LIEUTENANT DONOVAN: Was that before the, before you felt the collision with the bridge or after?

CAPTAIN WILKINSON: I really do not know. I was asleep and it was all so confusing in the dark, when you are asleep, at that point, it is dark, you, I hadn't woke up good and I heard the alarm.

LIEUTENANT DONOVAN: So, you don't know if went off before or after?

CAPTAIN WILKINSON: I do not know, no.

LIEUTENANT DONOVAN: The horn, danger signal.

CAPTAIN WILKINSON: I heard it, but I cannot tell you if it was before or after.

LIEUTENANT DONOVAN: And the horn was going off at the same time as the general alarm?

CAPTAIN WILKINSON: Yes, Ma'am.

LIEUTENANT DONOVAN: Who contacted the Coast Guard, we already went over. That was all the questions I had.

CHIEF WARRANT OFFICER HALL: Just the frequencies they contacted -- What frequencies were you talking --

MR. SHEFFERT: State your name.

CHIEF WARRANT OFFICER HALL: I am Chief Warrant Officer Doug Hall with the Coast Guard.

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Captain, what frequencies were you talking with the Group and the other agencies on the radio?

CAPTAIN WILKINSON: Channel 16, Channel 21 and Channel 22.

CHIEF WARRANT OFFICER HALL: That is VHF?

CAPTAIN WILKINSON: Yes, sir.

CHIEF WARRANT OFFICER HALL: Thank you.

MR. SHEFFERT: Is that all you have?

CHIEF WARRANT OFFICER HALL: That is it.

MR. SHEFFERT: Okay, Mr. Harris, would you like to ask any questions?

MR. HARRIS: I don't have any questions at this time. I will be glad to try to answer them for you.

MR. SHEFFERT: Okay. Fine. This is back, Jim Sheffert.

Captain Wilkinson, I will be asking you some questions concerning your marine experience, training and background. So, could you start out by telling us how long you have been working in the tow boat industry?

CAPTAIN WILKINSON: Approximately 14 years.

MR. SHEFFERT: Okay. With the same company?

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: Okay. With Magnolia?

CAPTAIN WILKINSON: Yes, sir.

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MR. SHEFFERT: And in what position did you start out as?

CAPTAIN WILKINSON: A green deck hand.

MR. SHEFFERT: A green deck hand, okay. So you worked your way up through the ranks. How long have you been licensed?

CAPTAIN WILKINSON: This is my second issue.

MR. SHEFFERT: And you have been relief captain for how long?

CAPTAIN WILKINSON: Approximately one year.

MR. SHEFFERT: On which vessels?

CAPTAIN WILKINSON: The Motor Vessel Robert Y. Love.

MR. SHEFFERT: The same vessel the whole time?

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: Okay. With the 30 days on and 30 days off.

CAPTAIN WILKINSON: Thirty days on and 15 off.

MR. SHEFFERT: Okay. Thirty on, 15 off, beg your pardon.

And your normal tour as you said before was six hours on and six hours off.

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: So, your training, you came here as a green deck hand and all the skill sets necessary, you learned on the job here with the Magnolia Marine.

CAPTAIN WILKINSON: Yes, sir.

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MR. SHEFFERT: Did you have any other marine experience before you came to the Magnolia, I mean, were you working around boats or anything before?

CAPTAIN WILKINSON: I have been around boats all my life, but, as far as working in the marine industry, no, sir.

MR. SHEFFERT: Are you involved in routinely making up the tow or is that the deck hand's or tankerman's responsibility?

CAPTAIN WILKINSON: I don't understand what you are asking.

MR. SHEFFERT: In making up the tow to the tug, I mean, who makes it up, breaks it loose?

CAPTAIN WILKINSON: I operate the vessel.

MR. SHEFFERT: Okay. The tow boat only.

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: Okay.

CAPTAIN WILKINSON: I make the decision how to build it, or the other man in the wheel house.

MR. SHEFFERT: Okay. Okay. Routinely when you make locks, how many people are up for that evolution, going through locks?

CAPTAIN WILKINSON: Well --

MR. SHEFFERT: When you go through a lock, how many crew members are up to assist in making whatever you have to do make the lock and go through it?

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CAPTAIN WILKINSON: It depends on what, what lock you are making.

MR. SHEFFERT: Okay.

CAPTAIN WILKINSON: What amount of barges you have, what you have to do for that particular lock.

MR. SHEFFERT: Okay. Normally, how many people are on watch besides the mate or the captain up on the wheel house?

CAPTAIN WILKINSON: You have two men on barge for the tow we have.

MR. SHEFFERT: Okay. And that is two deck hands?

CAPTAIN WILKINSON: The mate and the deck hand.

MR. SHEFFERT: The mate and the deck hand. And as you said, depending upon what sort of lock you make up, you might have to call out some more barge people.

CAPTAIN WILKINSON: It depends on what, where you are at, the amount of tow you have, what you have to do.

MR. SHEFFERT: Okay. Okay. Anything else you would like to add about your marine experience or your training or your work with Magnolia to have on the record?

CAPTAIN WILKINSON: No, sir.

MR. SHEFFERT: Okay. Tom?

MR. ROTH-ROFFY: Just a few more follow on.

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You mentioned that you started as a green deck hand and worked your way up. What sort of training have you had, formal training, if any?

CAPTAIN WILKINSON: In what?

MR. ROTH-ROFFY: In marine operations, or --

CAPTAIN WILKINSON: On hands.

MR. ROTH-ROFFY: Professional training, I should say.

CAPTAIN WILKINSON: Yes, on hands. I have been through radar courses, which the Coast Guard does require. I have been through the marine schooling to obtain my license and passed the Coast Guard's testing. I, at one time, held a tankerman's document. But, that is basically it.

MR. ROTH-ROFFY: Okay. So you took a course to prepare you to take the license, is that correct?

CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: And that was, was that in this area or down in the Gulf, or where was that?

CAPTAIN WILKINSON: Memphis.

MR. ROTH-ROFFY: In Memphis. And how long was that course, if you can recall?

CAPTAIN WILKINSON: I cannot recall.

MR. ROTH-ROFFY: Like a month or two?

CAPTAIN WILKINSON: Approximately two weeks, but I am not sure how long I was there.

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MR. ROTH-ROFFY: Okay. Can you tell me a little bit about the engineering plant, were you having any problems when you were on watch, the watch before the incident occurred, did you have any engineering problems with propulsion or steering or anything like that?

CAPTAIN WILKINSON: No, sir.

MR. ROTH-ROFFY: Did you get any alarms during your watch, or do you typically get engineering alarms?

CAPTAIN WILKINSON: We have lights in the wheel house, that will go off if an engine alarm goes off.

MR. ROTH-ROFFY: And do you recall getting any significant alarms on your watch?

CAPTAIN WILKINSON: There were no alarms on my watch.

MR. ROTH-ROFFY: There were no alarms.

The engineer, is he, does he stand a watch or does he just work during the day or how does that work?

CAPTAIN WILKINSON: He stands a watch pretty much.

MR. ROTH-ROFFY: Was he on watch at the time or could you just tell me if there is anybody down in the engine room or how that works?

CAPTAIN WILKINSON: At the time of what?

MR. ROTH-ROFFY: When you were on watch, say?

CAPTAIN WILKINSON: When I am on watch?

MR. ROTH-ROFFY: Right.

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CAPTAIN WILKINSON: He is up sometimes. I was on back watch at this time. The Captain was on the front watch.

MR. ROTH-ROFFY: And that is the hours, when you say front and back, you are referring to the hours.

CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: And the engineer, what was his working hours?

CAPTAIN WILKINSON: Most engineers work with the Captain's hours. He gets up sometimes in the afternoons.

MR. ROTH-ROFFY: Okay. In the time you have been on the vessel, have you had any significant engineering problems with propulsion or steering or anything like that?

CAPTAIN WILKINSON: No, sir.

MR. ROTH-ROFFY: What about the current, how was that affecting your navigation of the vessel during your watch before the allision?

CAPTAIN WILKINSON: Just standard. No standard problems at all.

MR. ROTH-ROFFY: And you were going --

CAPTAIN WILKINSON: Northbound.

MR. ROTH-ROFFY: You were going northbound against the current.

CAPTAIN WILKINSON: Yes, sir.

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MR. ROTH-ROFFY: And the tow was responding fairly well --

CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: -- to helm orders.

MR. SHEFFERT: Okay. Jim Sheffert again. Captain, so, you could basically characterize it that you didn't have any difficulties steering through these sections of the river, you were going through that okay previous watch.

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: And what would you estimate the current normally runs this time of the year in between locks? Do you have any idea?

CAPTAIN WILKINSON: I have no idea how fast it runs. I would be guessing.

MR. SHEFFERT: Guessing, yeah.

CAPTAIN WILKINSON: If I told you and two to three miles an hour.

MR. SHEFFERT: What do you recall the weather was like prior to being relieved by the Captain? Do you recall --

CAPTAIN WILKINSON: That morning?

MR. SHEFFERT: Yes, yes, that morning.

CAPTAIN WILKINSON: Clear.

MR. SHEFFERT: Clear. Have you had any passing rain squalls or anything previous to that?

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CAPTAIN WILKINSON: It sprinkled for about five minutes.

MR. SHEFFERT: Okay. But, at the time you were relieved, it was clear?

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: It was clear visibility.

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: With your tow boat, how would you in your opinion characterize its horse power, sufficient power to handle the tow?

CAPTAIN WILKINSON: Plenty.

MR. SHEFFERT: Okay. What horse power does your vessel have?

CAPTAIN WILKINSON: Twenty six hundred.

MR. SHEFFERT: Twin screw.

CAPTAIN WILKINSON: Yes, sir.

MR. SHEFFERT: Twin rudder?

CAPTAIN WILKINSON: It has got four rudders actually. It has two steering and two flanking.

MR. SHEFFERT: And two flanking, okay.

Okay, Tom, anything else?

MR. ROTH-ROFFY: Just about the load on the barges and maybe some of the background on where you picked the barges up and where you were

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taking them. And when you started your voyage. I don't know if you call it a voyage or not. But, where did you pick up these barges?

CAPTAIN WILKINSON: We have these two for --

(Pause.)

CAPTAIN WILKINSON: Months. But, this particular trip, would you look back there for me so I can find when we picked them up in 62.

(Pause.)

CAPTAIN WILKINSON: I can pretty well tell you. It would be right in this area somewhere in there. I didn't get, the boat was already in route when I got on the vessel for this trip, for my hitch.

MR. ROTH-ROFFY: And when did you get aboard?

CAPTAIN WILKINSON: I got on the boat on the 22<sup>nd</sup>.

MR. SHEFFERT: Okay. And you joined the vessel where?

CAPTAIN WILKINSON: At Fitzgerald, just below Buckridge Landing on the lower Mississippi River.

MR. ROTH-ROFFY: Okay. So, when you joined the vessel, you have these two same barges.

CAPTAIN WILKINSON: We had three barges at that time.

MR. ROTH-ROFFY: Okay.

CAPTAIN WILKINSON: And two of them are the two that we have now.

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MR. ROTH-ROFFY: Okay. So at some point, so you discharged one of those barges. Do you recall when that was or where that was?

CAPTAIN WILKINSON: We started moving these barges in March. We did not discharge the barge, we dropped it in a fleet at Rosedale. The barges are empty.

MR. ROTH-ROFFY: Okay. Yeah, just, you know, because I don't really understand your operation. If you could kind of explain to us, the barges carry asphalt, is that correct?

CAPTAIN WILKINSON: Yes, sir.

MR. ROTH-ROFFY: And you haul them between two ports or how do you --

CAPTAIN WILKINSON: Yes, sir. We will load them at one dock, and carry them to another dock and unload them.

MR. ROTH-ROFFY: Okay. In this case you had unloaded these barges where and then --

CAPTAIN WILKINSON: I believe, I wasn't on when they were unloaded.

MR. HARRIS: Decatur, I believe.

CAPTAIN WILKINSON: Decatur, yes, that is right.

MR. ROTH-ROFFY: So, they were unloaded at Decatur and you were in the process of going back up to --

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CAPTAIN WILKINSON: To Kastoo, to reload.

MR. ROTH-ROFFY: Okay. Kastoo, and how far was that above the location of the collision?

CAPTAIN WILKINSON: One hundred, approximately 110 to 120 miles.

MR. ROTH-ROFFY: And when were you due to reach there, Kastoo?

CAPTAIN WILKINSON: The next morning.

MR. ROTH-ROFFY: So, then you would load the asphalt and then turn around and bring it back southbound to where?

CAPTAIN WILKINSON: We were headed for Cordova, Alabama, after we would load.

MR. ROTH-ROFFY: Okay. All right, back to the Coast Guard, any follow up?

LIEUTENANT DONOVAN: Lieutenant Janine Donovan, again. When was the last time you were in the accident location?

CAPTAIN WILKINSON: Accident, when was the last time I was there?

LIEUTENANT DONOVAN: You had been through that area, right?

CAPTAIN WILKINSON: You are talking about prior to the incident.

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LIEUTENANT DONOVAN: Correct.

CAPTAIN WILKINSON: I came through there approximately on the morning, last time we were through the area and I can't tell you if I was on watch at the time or not, but the last time I was on the vessel was the 21 of April, when it came through that vessel, area southbound.

LIEUTENANT DONOVAN: Okay. Is that a regular route for that vessel?

CAPTAIN WILKINSON: Yes, Ma'am.

LIEUTENANT DONOVAN: Okay. So, about how often do you come up through?

CAPTAIN WILKINSON: Approximately every 20 to 25 days.

LIEUTENANT DONOVAN: Okay. So, do you consider yourself familiar with the area?

CAPTAIN WILKINSON: Yes, Ma'am.

LIEUTENANT DONOVAN: That is all I have.

MR. ROTH-ROFFY: Okay. Just a follow on question. So, your round trip is basically 22 to 25 days.

CAPTAIN WILKINSON: Depending on weather, yes, sir.

MR. ROTH-ROFFY: And how would you rate that particular bridge passing through that in terms of difficulty relative to the other ones you go through? Is this a challenging maneuver or is it one of the easier ones or harder ones? If you could give me a sense for that.

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CAPTAIN WILKINSON: Any bridge is a challenge.

MR. ROTH-ROFFY: Is this one any more of less than the other ones?

CAPTAIN WILKINSON: No, it is just like the rest.

MR. ROTH-ROFFY: In terms of, you know, the amount of space you have to, you know, between the supports?

CAPTAIN WILKINSON: For the Arkansas River, it is an average bridge.

MR. ROTH-ROFFY: Okay. And I haven't seen the chart of the areas. Do you have any turns before or after the passing under the bridge?

CAPTAIN WILKINSON: It is in sort of a bend, yes, sir. It is not what I consider a turn, it is just a gradual bend.

MR. ROTH-ROFFY: Okay. Okay. Back to Captain Sheffert.

MR. SHEFFERT: Okay. Back to Jim Sheffert here, again.

Are these bridges along this section of the Arkansas River, in particular the I-40, is it such that you go up with a pilot house in the up or the lower position or what is your clearance going through there?

CAPTAIN WILKINSON: You have plenty clearance.

MR. SHEFFERT: Plenty of clearance.

CAPTAIN WILKINSON: The wheel house is up.

MR. SHEFFERT: Okay. The wheel house was in up and you would characterize this as just being a routine transit as far as the bridges in the

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Arkansas River, this isn't necessarily any more difficult or less difficult than the others, is that correct?

CAPTAIN WILKINSON: Right. It is approximately the same.

MR. SHEFFERT: Okay. We have some set of routine questions. I am going to turn it over to Dennis Collins, to ask you.

MR. COLLINS: Dennis Collins with the Safety Board.

Generally speaking do you have any problems falling asleep on the vessel after your work?

CAPTAIN WILKINSON: No.

MR. COLLINS: Okay. Have you ever been diagnosed with any sleep disorders or sleep problems or anything like that?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Okay. Do you consume alcohol when you are onboard?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Do you consume it generally speaking when you are not on duty?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Okay. Do you take any over the counter prescription medications?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Anything like normal over the counter like aspirin, anything like that?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Okay. Do you take any illegal or illicit drugs?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Okay. How would you describe your health just in general terms?

CAPTAIN WILKINSON: Average.

MR. COLLINS: Average, okay. Do you have any serious or chronic health conditions like high blood pressure or --

CAPTAIN WILKINSON: Yes.

MR. COLLINS: What do you have?

CAPTAIN WILKINSON: High blood pressure.

MR. COLLINS: High blood pressure. Okay. Any history of anything like seizures, epilepsy, congested heart failure, anything else?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Just the blood pressure.

CAPTAIN WILKINSON: Yes, sir.

MR. COLLINS: Okay. How was the interaction on the crew prior to the accident? Do you all generally get along pretty well?

CAPTAIN WILKINSON: We are like a big family, yes, sir.

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MR. COLLINS: And like a big family, did you notice anything was a little off, anybody was a little different or was everything pretty much like usual?

CAPTAIN WILKINSON: Like a normal day.

MR. COLLINS: Okay. Were you aware of any health problems that the Captain might have had?

CAPTAIN WILKINSON: No, sir.

MR. COLLINS: Okay. To the best of your knowledge, has anything like this ever happened to him before?

CAPTAIN WILKINSON: Not that I am aware of.

MR. COLLINS: Okay. I think that is all the questions I have.

MR. SHEFFERT: Okay. I think we are pretty much done then. Do you have any questions of the folks here at the table?

CAPTAIN WILKINSON: No, sir.

MR. SHEFFERT: All right, so that, that being said, it is about 12:20 and that concludes our interview of Captain James Wilkinson. Thank you very much, sir, for coming down.

(Whereupon, at 12:20 p.m., the interview was concluded.)

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
OFFICE OF MARINE SAFETY

**INTERVIEW OF MR. EUGENE FORET, MATE  
IN REGARD TO THE ALLISION OF  
THE M/V ROBERT LOVE WITH THE I40 BRIDGE  
IN WEBBERS FALLS, OKLAHOMA ON MAY 26, 2002  
HWY-02-MH-019**

Office of Marine Safety (MS-10)  
National Transportation Safety Board  
490 L'Enfant Plaza East  
Washington, D.C. 20594

Monday, May 27, 2002  
12:30 p.m.

APPEARANCES:

On behalf of the National Transportation  
Safety Board:

JIM SHEFFER  
DENNIS COLLINS  
TOM ROTH-ROFFY

On behalf of the U.S. Coast Guard:

CHIEF WARRANT OFFICER DOUG HALL  
LIEUTENANT JEANINE DONOVAN

On behalf of Magnolia Marine:

ROGER HARRIS

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PROCEEDINGS

12:32 p.m.

MR. SHEFFER: This is a continuation of the interviews, okay, regarding the incident with the towing vessel Robert Love. It is, okay, Monday afternoon, on May 27th, at, okay, 12:32 hours. We're here to conduct an interview with the relief mate, Mr. Eugene Foret.

And I have here with me today Commissioner Tom Roth-Roffy, Chief Warrant Officer Hall with the U.S. Coast Guard, Dennis Collins with the Safety Board, Lieutenant Donovan with the Coast Guard, and -- and Roger Harris, okay, with Magnolia Marine. And again, this is Jim Sheffer with the Safety Board.

I will start out by turning a line of questioning for Mr. Foret.

Could you, okay, give us your name, please?

MR. FORET: Eugene Charles Foret, Jr.

MR. SHEFFER: And what is your position on the, okay, Robert Love?

MR. FORET: I'm the relief mate.

MR. SHEFFER: I would like you to start by telling us your activities on the, okay, watch prior to -- okay, prior to being relieved and when you went on duty and -- and what transpired there.

Okay. Go ahead, Eugene.

MR. FORET: Okay. Well, at 11 -- just -- well, 11:30, around there, I'm getting -- I relieved the man on watch, which I've seen the captain at

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that moment. He's about to go to bed, so he's been relieved earlier. But he was in there eating something.

And -- say, he came in, put -- I had this helmet that I had from -- flight safety reasons, in case we put on hulls or something -- you know, had a safety helmet. He put -- I left it on another desk, so he brought it back for me and put it under the sink, play a little joke, saying, you know, look for it and everything else. And I missed it. And then, he -- like I say, he was joking around. He was in his regular mood like we always see him as. It's nothing different than what we always see.

We -- he goes to bed. Later, I -- scoped at my regular time, doing my duties, doing cleanup, checking on tow, anything that's necessary to -- cleanup.

By 5:00, I go in -- I go in, wake up captain. Just have to knock on the door, turn on the light, and he comes in a few minutes later than that, regular time, not -- he wasn't late. Comes in, tells me hello and everything else, gets a few pieces of bacon and goes upstairs to relieve the relief captain.

After -- I went to bed by 5:30. That's when I get relieved by the backhand, which is Eli. You're going to ask me the last name in a moment.

I think at, like, six, 6:30, something like that, after reading a little bit, I turned off the light. I go to sleep. Sometime after that I felt the bump, which -- it was like multiple bumps. It seemed -- the way it did, it just shook a lot.

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I wake up, I pull the shade, I see the deck hand. He's flagging me down to come with him because I heard them talking outside the window. He said, come on, you know, and the horns started hitting when he hit that -- the fifth time. That's when we towed the -- (inaudible) -- to the station bill that it is a collision or something that just occurred. You know, so you go out and the alarms went off and everything else, the general alarm.

Threw my boots on, went outside to assist on the scene as possible.

When I went on the barge with the relief captain and the deck hand where we observed anything that -- possibly if the barge is taking on water, any, you know, possible thing we need to report at that moment. The barges were empty. There was no -- necessary not to worry about anything pouring out, you know, going to pollution-wise. But we still walked around.

I relieved the captain after that. Seen the wires from the -- from the bridge lay on the barge stinking. They were hot. Told us to get off the barge, everybody off. He went to the wheelhouse, checked with the captain, made sure everything was okay in there, and I went and helped him clean up the galley and the -- everything else because everything had fell off all over, pretty much.

Let's see. That's pretty much. I didn't see the captain until he got off the vessel, and I couldn't really tell you a time when -- because I didn't pay attention to any time. The only time I did look at was after we had gotten back in the galley, which was 8-something. After I walked the barge and checked everything else on the boat.

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But other than that, as I said, the last time -- the first time and the last I seen of the captain was when he was leaving the vessel and he came through the galley after going to his room and left. And I didn't really speak to him or anything.

MR. SHEFFER: This is Jim Sheffer again. Yes, when you saw the captain just prior to leaving, what was his physical appearance? Did you notice anything different or --

MR. FORET: I mean, after the accident just pretty much what you'd expect of anybody just in shock. I mean, he just walked out and didn't say much. Just got on the, you know, the skip they had -- (inaudible).

MR. SHEFFER: And what are your activities after that on the, okay, tow boat for the rest of the day?

MR. FORET: Cleanup on the vessel. I had to go on the barge and help splice wires, -- (inaudible) -- to help secure the barges, catch lines, and do whatever was necessary to keep it from moving any further and possibly causing more damage to the barges and the bridge falling any further than it has.

MR. SHEFFER: So the bridge part of the roadway and part of the other structures were, okay, holding the barge in place?

MR. FORET: As -- you know, I -- say "hold in place." They're just sitting there. But it don't mean it'll stay there because any time a barge can really -- anything can make a barge, especially an empty one, move because all it is is sitting on top of that water. Any kind of vessel coming by at any speed can make that move.

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And then, while we was tightening up the wires, I'll give an example where we had to hook up to the pilot when the rescue team vessel assisted. They -- when it started tightening up, I had to get everybody off the barges, everybody get away, because it started to shift a little bit. You can hear. The way it was creaking. I mean, you don't want to stay around in that one point. We were all under the bridge hanging down trying to get the wires all set. But when it started to tighten up, everybody out of there. Anything can make that barge move.

MR. SHEFFER: Okay. Any other activities, okay, Eugene, that day that you would like to tell us?

MR. FORET: No, sir. Other than assisting the rescue team to -- and you know, anything I can I'll do to help, like the stability of the barge and everything else. I was just on the vessel making sure everything was okay on there. That's all I really could do.

MR. SHEFFER: Okay. Jim Sheffer again. Did you see any, okay, survivors in the water from the -- the I40 highway?

MR. FORET: I seen when they pulled one of them out into the bass boat. That was the only one I seen. I don't know who he was or anything.

MR. SHEFFER: Can you tell us a little more about the, okay, bass boats? There was, what, some in the area?

MR. FORET: Yes, sir. It's enough. It was a lot of them yesterday. It was during that tournament, I believe, which was about to start, and they all were generally in the area of assisting as much as they can to help clear it

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out, help them get as many -- you know, that they -- any survivors. Checked all around the vessel, checked around the barges. They would come in and help the situation. We were lucky on that.

MR. SHEFFER: Yes. When did you, okay, come on duty on the, okay, on the Love? When did you return to duty?

MR. FORET: Which day I returned back?

MR. SHEFFER: Yeah.

MR. FORET: On the 22nd of May.

MR. SHEFFER: For your 30-day tour?

MR. FORET: Yes, sir.

MR. SHEFFER: Okay. Yes, how was the weather on that previous watch before you got relieved? What sort of weather did they have outside? Did you notice anything unusual?

MR. FORET: Everything was clear, to my knowledge. It was -- I mean, not really no fog or anything I could see.

MR. SHEFFER: As your position as relief mate or as mate, do you spend much time up in the pilot house?

MR. FORET: No, sir. If I go up there, it's only when called upon. It's really not a, as we're told, a good idea to step in that wheelhouse because if a man is on -- you go check on him every once in a while to make sure he -- he's doing okay, make sure he's having his coffee filled and everything, whatever's called on duty, but if he don't call you, stay working.

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MR. SHEFFER: So your position as a mate is not as a, okay, navigating mate, it's more as a --

MR. FORET: Well, while the mate is aboard, I'm only, basically, a tankerman. And when the tankerman's not at dock, I'm a deckhand. It just drops further and further down. I just get paid good enough to do it. But until -- when the mate leaves for his 15 home, I assume duties as mate then.

MR. SHEFFER: So, okay, what sort of, okay, documents do you have, okay, Eugene, from the Coast Guard?

MR. FORET: I have a tankerman's license, a PIC license. That's the only one I hold.

MR. SHEFFER: Okay. So you have a tankerman PIC?

MR. FORET: Yes, sir.

MR. SHEFFER: And you also as -- in, okay, your tankerman capacity, you do the loading and discharging of the barges?

MR. FORET: Yes, sir.

MR. SHEFFER: Okay. We won't get into your, okay, work experience right now. I'll -- I'll turn it over to Tom Roth-Roffy. Any, okay, further questions?

MR. ROTH-ROFFY: Good morning. My name is Tom Roth-Roffy.

I'd like to -- for you, if you can, to go back to your initial observations after you got off watch. You went to bed, is that correct?

MR. FORET: (Inaudible).

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MR. ROTH-ROFFY: And you were asleep and you were woken -- or wakened by what?

MR. FORET: Well, whenever the vessel had hit the bridge, I assume, would do -- because I had seven, basically, want to call it a violent shaking. I was laying in my bed. All of a sudden, I mean just hit, jarred me. And I mean, that's pretty much what woke me up.

I heard the horns. Like I said, I opened the window to see what was going on. I heard the horns. The alarm went off right after he hit that fifth -- hit the button for the fifth time. The guy's right there telling me, okay, come on out. I looked to make sure because it could have been just -- just stuck on ground. We could have just held on ground somewheres, which I could have at least had enough time to get out of my pajamas. It was very embarrassing, people.

But -- but other than that, the guys did signal me when I opened that window because I heard somebody right there was yelling. He -- he told me, come on out, it was something severe.

MR. ROTH-ROFFY: Okay. So then, you -- you got --

MR. FORET: -- my boots on. Ran outside, and -- which I met up with the relief captain right there on the bow of the vessel, which he was throwing on his vest, so immediately I threw on my vest. When -- you really, in any situation, if it comes to something like that you should have your vest on, but I threw on my vest. And the deckhand was with us, and he -- we went on the barge to make sure it was not sinking. That's the first and foremost.

And the engineer and everybody else was checking out the bar -- he's checking downstairs to make sure the boat's not sinking, making sure everything's secured on there. We run out and go check the barges and make -- see how bad the situation really is.

MR. ROTH-ROFFY: And what did you do when you went on the barge?

MR. FORET: I look in -- I went to the bows of the barge itself to see -- you know, I know that the barge bridges -- lay on -- we know it's going to have some damage. Just to see, like I said. And then, the front tanks. We look in the side void tanks to make -- to see if there's any other punctures, if water is really coming in, how fast, and pretty much just so -- what we need out there. Pretty much a -- if we need to get another pump out there to get the water out fast. I mean, in any situation we just basically -- that's what you're looking for and that kind of thing.

MR. ROTH-ROFFY: And what did you find when you looked at the tanks?

MR. FORET: Well, we looked in there. It's no water. It did not get -- it didn't puncture the bottom part where it would be taking on water. It -- most of the damage is on top.

MR. ROTH-ROFFY: So none of the tanks, from what you could see --

MR. FORET: Right.

MR. ROTH-ROFFY: -- had -- were taking on water?

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MR. FORET: No, sir.

MR. ROTH-ROFFY: Okay. Then, what did you do next after that?

MR. FORET: Well, --

MR. ROTH-ROFFY: How -- let me back up first. How long did that take you to do that?

MR. FORET: Walk around, maybe 10, 15 minutes, guesstimate.

MR. ROTH-ROFFY: Okay. And did that involve -- basically, did you look in all the tanks on both barges?

MR. FORET: Well, you don't really have to look in all the tanks because the way they're set, you can look in, like, every other. Because if you've got two right here, if you look in these two, you don't have to look in your next one right there because these two are here in the middle connected. So like, every -- like I said, about every other one you can look in and tell about where it's at.

MR. ROTH-ROFFY: And you did that for both -- both barges?

MR. FORET: Sir, I was up -- I went and looked around both barges.

MR. ROTH-ROFFY: Okay. And then, what did you do next?

MR. FORET: Well, the relief captain notice that there was -- the wires from the bridge was laying on the barge itself. He immediately tells me and the deckhand to get off the barge, I need to go, there's hot wires, get off.

So basically, we all got off. And we caught -- (inaudible) -- we had to put a bowl in (ph) a long knot into -- making basically a temporary eye into

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a line for the capstan line, from the bow of the vessel, so we can catch. It's something better to hold us on because the wires, one of them is pretty much damaged. It -- the other one popped, the other one is damaged a little. We were going to have to replace them. But it was enough for something to hold it on there better.

MR. ROTH-ROFFY: Had the barges -- the wires connecting the barges, had they parted or --

MR. FORET: Yes, sir. Some of them -- well, let me phrase that. They have one of them, I think it was, that was not broken, or one or two of them that were on the stern where the bridge itself had not touched. It had probably pulled the slack out of it and spread some, but were in the front end, that's where most of your damage was, were.

MR. ROTH-ROFFY: And who was going with you when you were checking tanks? Who was --

MR. FORET: Deckhand.

MR. ROTH-ROFFY: The deckhand. And after you -- you done -- after the relief captain told you to get off the deck, where did you go?

MR. FORET: Went straight to the boat. He -- we went -- me and the deckhand, we went inside, checking everything out inside the vessel, picking up all things to clean up so it can get where you can actually walk around in there. Because the galley, everything came out of the freezers, the fridge, everything. We have to mop up because -- you've got a few things off and it's still slick enough to hurt somebody else walking through. We had to make sure all the

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bedrooms, all the hallways, everything was out of the wing and just secure everything else that we can.

And the relief captain went upstairs, and he checks with the captain to make sure everything's okay up there. The mate was already up there because when he heard, he ran up to go see. His job is to go and make sure what's going on in case he has to relay messages downstairs to us, or he'll come out and, okay, this is what we gotta do. But the captain -- the relief captain came out first and took care of the deck first. Then, after everybody -- when he made sure everybody was okay, everything was okay, he went upstairs to make sure what was going on, but the mate was upstairs with the captain the whole time.

MR. ROTH-ROFFY: The mate was with the captain the whole time?

MR. FORET: Upstairs, after -- after the incident, shall I say. Not the whole time. But they woke him up before. Just a certain point.

MR. ROTH-ROFFY: Okay. The mate's name is?

MR. FORET: Marty Cumberland.

MR. ROTH-ROFFY: Okay.

(Pause)

MR. ROTH-ROFFY: And when was the first time you saw the relief captain after the allision?

MR. FORET: Afterwards? After --

MR. ROTH-ROFFY: After -- after you, you know, you were woken and went out on deck for the first time.

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MR. FORET: Well, I was on the front deck. I ran out, put my boots on. I hurried up and got my boots, went on front deck, and he met me up there. He just came out of the room, too.

MR. ROTH-ROFFY: Okay. And then, at some point after you had checked all the tanks, he told you to get off?

MR. FORET: Told everybody to get off the barges.

MR. ROTH-ROFFY: Okay.

MR. FORET: And I didn't see him until after the -- the captain himself was taken off and everything. I went upstairs to see if there's anything I really need to do. I checked with him, told him everything was been done, you know, that we'd keep him up to date on the situation.

MR. ROTH-ROFFY: And did you see any people in the water while you were up on deck or at any time later?

MR. FORET: No, sir.

MR. ROTH-ROFFY: Okay. I'm going to go ahead and pass it to Lt. Donovan.

LT. DONOVAN: Lieutenant Jeanine Donovan. Good morning.

MR. FORET: Morning.

LT. DONOVAN: What exactly is your watch schedule? The hours?

MR. FORET: I work from 11:30 to 5:30 in the morning. And I'm relieved at 5:30.

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LT. DONOVAN: And you're relieved? How long -- about how long does that relief process take?

MR. FORET: I mean, not long just to get relieved. I mean, the guy could come out, you know, early enough. He can get -- feels like getting out of bed early, he can come in there and say, okay, I got you. Or at 5:30, we're legally -- he's in there where I'm relieved. Usually I wait 'til 5:30 when he's good and awake and he's -- knows what's going on.

LT. DONOVAN: Okay. What exactly does the relief process entail?

MR. FORET: Pretty much relaying message, what I have done in my watch, what needs to be done in his watch, or what I have -- I've started on that I could not finish. That way he knows what to start next and go forth.

LT. DONOVAN: You're a qualified tanker on PIC?

MR. FORET: Yes.

LT. DONOVAN: The two barges that you were pushing when this happened, how many tanks do they have? What types of voids?

MR. FORET: We have those -- it's four sets of two. It's about eight tanks per -- you know -- yeah, eight tanks per barge.

LT. DONOVAN: Four sets of two.

MR. FORET: Yeah. They --

LT. DONOVAN: So you have a starboard and a port?

MR. FORET: Yes, ma'am.

LT. DONOVAN: And they have voids?

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MR. FORET: Yes, ma'am.

LT. DONOVAN: Both of them? So they're double-skinned?

MR. FORET: Yes, ma'am.

LT. DONOVAN: Double -- do the voids go all the way around?

MR. FORET: Yes, ma'am. They go around --

LT. DONOVAN: -- centerline?

MR. FORET: Hmm?

LT. DONOVAN: There's no centerline bulkhead -- (inaudible)?

MR. FORET: Well, they got -- you got a, like, a certain --  
(inaudible) -- that it'll have your tanks in. At certain points it'll stop. Like, you'll  
have your ones voids, you'll have your two voids, but it don't go circular around.

LT. DONOVAN: Right. But does it go from port to starboard, the  
void?

MR. FORET: Yes, ma'am. It goes -- yeah, it -- yes, it's port to  
starboard because it goes around, like for your ones, then it'll go down to your  
next step and both -- and to --

(Pause)

LT. DONOVAN: Here's a diagram. So you have your port and  
starboard cargo tanks.

MR. FORET: Right.

LT. DONOVAN: This is your void. Is there anything blocking  
this? If you -- if you got anything in this void on the -- on the starboard side,  
would it come --

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MR. FORET: Well, the really -- one that was blocking --

LT. DONOVAN: Yes.

MR. FORET: -- would have your -- like your ones and -- ones and ones, and then twos with twos. Your ones are all together, so you'll have a well and it goes straight across at your first tank set. Then you'll have your next set. So like, these which were -- you'd have -- you'd have the tank that's up here. All you got is usually one or two up here, but you can look in either one. They're all connected up here. Or you go down here, you can look and they'll have -- let's see -- when you have two here, it becomes one. Then you'll have a one, two, something in that area because, like I was telling you earlier, that if you usually look in here, you don't really have to look in this one next to it because it's all the same tank.

LT. DONOVAN: Right.

MR. FORET: But there is a connection between --

SPEAKER: The voids do have a centerline, then?

SPEAKER: That's what we're getting at, the centerline.

(Comment off mike.)

LT. DONOVAN: Okay. So four sets port and starboard tanks, and then four voids?

MR. FORET: Mm-hmm.

LT. DONOVAN: All right. Four on each side?

MR. FORET: Yes, ma'am.

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LT. DONOVAN: Four on each side and then a bow rig in the stern?

MR. FORET: Yes, ma'am.

LT. DONOVAN: Okay. And up on deck they have some fuel tanks?

MR. FORET: Yes, ma'am. We have two fuel tanks on the barge itself.

LT. DONOVAN: Okay. What is that for?

MR. FORET: That's to run our heater, the pump engine. You got some generator. You have -- pretty much that's the only time we would usually use them.

LT. DONOVAN: That's all I have.

CHIEF WARRANT OFFICER HALL: This is Chief Warrant Officer Doug Hall. Hey, Cap.

On the -- when you felt the bumps, how long after that did you -- was it the alarm or the horn that went off? Did you --

MR. FORET: I heard the horn first, right after. I mean, exactly after it happened because that's -- because when I felt it, I climbed out. I heard the first horn. That's why I said something's wrong. When I opened up, there he was. You know, and I noticed -- usually the first one can be anything. I mean, if you just have one, it can be somebody on the bank, a little kid. But when you got five, one after the other, -- (inaudible) -- that as an incident, as a collision, which I

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immediately got my boots. And when I heard the -- like I said, when he finished the horn, the alarms were going. So I ran off.

CHIEF WARRANT OFFICER HALL: Okay. And how -- how far in between the -- it was immediate?

MR. FORET: Yes, sir.

CHIEF WARRANT OFFICER HALL: Immediate, okay. And when you felt the bumps, did it throw you out of the rack or --

MR. FORET: It just shook me enough to wake up. It didn't throw me out, but like I was telling him, for the bed across from me, which is supposed to be nailed to the wall, it moved almost a foot across. I mean, it's enough to move that thing, it was enough to do it.

CHIEF WARRANT OFFICER HALL: And do you know what the engines were doing? Could you feel it from when you woke up, if there it was in any kind of --

MR. FORET: No, sir. I could not tell you.

CHIEF WARRANT OFFICER HALL: That's all I have.

MR. SHEFFER: Jim Sheffer. I have a few more questions.

As, okay, Warrant Officer Hall was, okay, stating about the engines, can you -- can you feel whether they were, okay, backing or not or couldn't you tell?

MR. FORET: No, sir. I could not tell from that. I really couldn't - I don't feel that where -- when I'm in the room. Usually, if you -- I mean, if they

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already -- when I got out already, it was done. It was already at a stop. So I mean, I don't know if he was backing up or anything. I couldn't tell you.

MR. SHEFFER: Under, okay, normal conditions, can you feel, okay, the, okay, difference between the engines going ahead and the engines backing? I mean, if you were in your rack?

MR. FORET: The only thing usually was hear them. If -- and it depends how much. I mean, because if he's just backing -- if he throws -- I mean, if it's all of a sudden I feel a full reverse, I mean you will hear something. But I will -- like I said, when I'm just waking up, I didn't -- I mean, like I said, I didn't know what was going on altogether. I didn't know -- I didn't hear no backing. I could tell you that much. I did not hear a backing or go ahead, nothing. I was just trying -- I heard them yell, so I really couldn't tell you offhand what I was -- other than like I didn't hear it. Because everything was already at a stop, like I said, whenever I did get out.

MR. SHEFFER: So as you said before, you -- you heard the, okay, horn with the five, okay, short blasts, the -- okay, collision or the danger signal. And then after that you felt the bumps?

MR. FORET: No. I felt that bump before.

MR. SHEFFER: Okay. The bump first?

MR. FORET: That's what woke me up. Then I heard the horn.

MR. SHEFFER: Okay. Sorry about that. The bumps woke you up, and then you, okay, heard the horn. And then -- and then, after that what did you hear?

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MR. FORET: Right after the horn they had the general alarm.

MR. SHEFFER: And from your knowledge of the vessel, is the only, okay, switches are for either the, okay, whistle or the general alarm, where is that located?

MR. FORET: The captain has access to that in the wheelhouse.

MR. SHEFFER: Okay. Only in the wheelhouse were the, okay, general alarm?

MR. FORET: Yes, sir. The only other one we have anywhere around would be our fire alarm, but that's not general. They use the general alarms controlled in the wheelhouse.

MR. SHEFFER: Getting back -- just touch on your training issues, how long have you been going to -- yes, how -- how long have you been working in the tow -- in the, okay, tow boat industry?

MR. FORET: Since -- I don't know, April of '97, somewhere in that area. I know it was in the year '97.

MR. SHEFFER: And -- and what sort of training have you had, formal training, to -- to get your tankerman's ticket?

MR. FORET: Starting out as a deckhand, your basic training, learning how to tie your lines and everything else, your bowline knots, everything, too, which pretty much helped in the situation. Helps if necessary when you're also tying off in docks. Other tankermans taught me how to -- point on how to load, discharge barges and the necessities of what it takes.

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And then I go to school. Once I have my paperwork, when -- necessary, 10 -- well, five load, five discharges required by Coast Guard, which I'm correct on the paperwork and other things given by the office. And I bring that in and I went to -- go through a class learning your CFR information, taken your test.

MR. SHEFFER: Okay. As part of that whole package, what other training -- formal training have you received from Magnolia Marine?

MR. FORET: Well, Magnolia Marine also has classes, refreshment courses for tankerman and -- and they -- just pretty much we go in and you just -- they go over different things, incidents that may have happened in case -- something that you can learn from what another person has or done or situations they may have noticed that we are doing wrong so they can point it out before something does occur.

MR. SHEFFER: Have you had any marine firefighting training?

MR. FORET: Yes, sir. I was at Beaumont class when I went to tankerman's school. That's when we had done the situations at the -- (inaudible) -- or something, you know, the stuff like that, but it was a firefighting class.

MR. SHEFFER: And -- and how long have you been a tankerman?

MR. FORET: Since 1998.

MR. SHEFFER: '98. Started with the company in '97?

MR. FORET: Yes, sir.

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MR. SHEFFER: Okay. So your, okay, marine experience, has just been with Magnolia?

MR. FORET: I've also worked with Synac (ph) Towing for about -- almost two years, which I just came -- about a year ago I came back, a little over -- about a year and a month or something like that. I just -- I came back from Synac from working with the company again.

MR. SHEFFER: Okay. That's all I have right now. Pass this on to Tom Roth-Roffy.

MR. ROTH-ROFFY: Tom Roth-Roffy again. Could you describe what you were doing on your watch before the collision or the allision? Did you work on a barge or do you work on the boat? What were your activities?

MR. FORET: Okay. First thing I do when I do wake up, like, you know, besides drinking my coffee when I first wake up, I do all cleanup. You go -- well, when you go tank tow, you make sure all your wires are tight, all the lines secured, the main parts. If you need some more done, you do those.

You go -- I go back. I do my cleanup and, like -- like, once an hour, every two hours, you go back out and check on -- on -- I go back like every two hours or something. I'll go out and I'll check the two again. So like three times a watch I'm out there checking the yinning (ph) and the last -- the end of my watch I usually check the tow to make sure the wires are all secure.

Other than -- like I said, my cleanup. Other than that, I just go upstairs and check on the captain or relief captain if he's on watch.

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MR. ROTH-ROFFY: And your cleanup is what? The cleanup of the interior of the ship?

MR. FORET: Yes, sir. That's clean up the galley, make sure everything's stocked up, any necessary -- any material we need. Make sure all tools and equipment are picked up and in the deck locker so there are no safety hazards. And checking on the engine room also to make sure all engines are -- they're working, not on fire should I say. I'm not an expert on the engine, but make sure nothing's on fire.

Also, just clean up in the wash area, wash room where we have the washer and dryer and all.

MR. ROTH-ROFFY: And you make a periodic report to the bridge?

MR. FORET: Yes, sir. I make -- I let him know when everything's okay. If there is a problem, I do let him know. That way if he does have a situation he knows what's going on in case it gets worse or if it was anything, he still knows ahead of time.

MR. ROTH-ROFFY: So after you -- say, two or three times a watch you go up to check the wires to make sure they're all tight, and you make adjustments if they need to be or slack?

MR. FORET: No, sir. I do not slacken the wires.

MR. ROTH-ROFFY: Okay.

MR. FORET: I tighten them up. We've got a -- (inaudible) -- ring on deck. You know, you're not supposed to stick your feet in there. A lot of

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hazards have happened because of that, but I mean, -- (inaudible) -- tighten them down on the wires on the head and on the stern, pull up the slack on the lines if they didn't get enough slack out of them, or put more lines down if necessary. Before I -- I let the captain know -- relief captain where I was stand watch to -- that I am going out there. That way he knows where I'm at at the time. And when I return, I let him know the same thing, so that way he knows I'm on the vessel.

MR. ROTH-ROFFY: Okay.

MR. SHEFFER: Okay. Jim Sheffer. I have a few other questions.

These are, okay, general questions, okay, Eugene, okay, regarding your hours of duty. You say you work from, okay, 11:30 to 5:30?

MR. FORET: Sir.

MR. SHEFFER: Six on, six off. Is that pretty routine or -- or are you called off watch sometimes for some activities?

MR. FORET: We do have what they call a "call watch," and I can be called if necessary. Sometimes if they need help with something, I will stay on my off watch to help. But they've got a call watch also, which is 12 hours on, 12 hours off, which you can -- and also, if necessary, they're called up at any time to make -- like, if they've got to make a lock or something or dock. But you can be called off watch.

MR. SHEFFER: Okay. Now, who normally is on that call watch for the, okay, 12-hour shift? Is that split between you and someone else?

MR. FORET: We got six and six between the tankermans. We try to stay on that in case we get near a lock -- or a dock, excuse me. That way we're

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not work down by the time we get to dock in case one of us -- both of us have to stay up.

But call watch can have anybody on. I mean, you're just a solid 12. Like if it's a deckhand or another tankerman that's aboard.

MR. SHEFFER: Okay. So they're on a solid 12 watch, the call watch?

MR. FORET: Sir.

MR. SHEFFER: Okay. Twelve on, 12 off. And those are the ones which would be, okay, available as the extra personnel when you're making a lock?

MR. FORET: Sir.

MR. SHEFFER: So, since you joined five days ago, or actually, six days ago now, you've generally just stood your six and six?

MR. FORET: Six and six. The only time I've stayed up longer which was yesterday at the incident. I was up for pretty -- a little while just to make sure everything was okay before I did go to bed, which was around nine at night.

MR. SHEFFER: Okay. Which portion of the six off do you normally take as your major rest period?

MR. FORET: I sleep better during the day, in the morning.

MR. SHEFFER: Okay. So basically, you're saying you mostly sleep from after you have breakfast, after you get off at 5:30, from then until --

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MR. FORET: Well, I sleep both watches, but I mean I get my better sleep --

MR. SHEFFER: I mean, the longer or the --

MR. FORET: Right.

MR. SHEFFER: -- better sleep but in the --

MR. FORET: That would be the morning shift. After --

MR. SHEFFER: Okay. The morning shift. So you would say generally you're pretty well rested between your six and six, okay, shifts?

MR. FORET: Pretty rested.

MR. SHEFFER: There'll be a couple of questions here. Dennis, okay, Collins, down at the end of the table there is taking some notes. He'll -- he'll have a few follow-on questions for you next.

MR. COLLINS: Dennis Collins with the NTSB.

To follow up on some of those, on the -- generally speaking, when you wake up, you feel pretty rested? You don't have any problems going to sleep on the craft?

MR. FORET: At first I'll read a little bit because I can't really go to sleep at first. It's to wind down pretty much, you can say. And waking up, I just get up. I don't have no problems waking up. I'm always on watch.

MR. COLLINS: In general terms, how would you describe your health?

MR. FORET: I'd say good.

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MR. COLLINS: And your vision and your hearing? Do you have any problems with either one of those?

MR. FORET: The only thing I have with vision is for a slight astigmatism and far sight.

MR. COLLINS: Do you wear glasses for that?

MR. FORET: Yes, but they're swimming in the Mississippi River.

MR. COLLINS: Do you take any over-the-counter medications like Tylenol or Robitussin or anything like that?

MR. FORET: No, sir.

MR. COLLINS: Do you have any prescription medications?

MR. FORET: The only thing I haven't taken in a while was a Diovan (ph) 80, which is for a blood pressure problem I had. It was just something to get it down. I was taking also at that point a Meridia, which is for weight loss, which they also thought was contributing to my blood pressure because ever since I'd lost the weight down pretty good, my blood pressure's been down. And other than that, it's just the allergies, and that's Zyrtec. That's every once in a while, whenever I need to.

MR. COLLINS: But you're not currently taking the Diovan and the Meridian?

MR. FORET: No, sir.

MR. COLLINS: When was the last time you took the Zyrtec?

MR. FORET: Almost a year ago.

MR. COLLINS: Do you consume alcohol on a regular basis?

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MR. FORET: No, sir.

MR. COLLINS: Did you in the 24 to 72 hours prior to this accident?

MR. FORET: No, sir.

MR. COLLINS: Okay. Do you take any illicit or illegal drugs?

MR. FORET: No, sir.

MR. COLLINS: How would you describe the relationship among the crew?

MR. FORET: We have a good relationship on the boat. I mean, everybody gets along. We're always there to help somebody else. If you see somebody's having a problem with something, there's somebody right there to help them. We're always -- you know, just right out of the buddy system.

MR. COLLINS: Was anything different or -- or abnormal or off prior to the accident amongst the crew?

MR. FORET: No, sir.

MR. COLLINS: When you interacted with the captain, as you were -- I believe you said as he was going on, you were coming off, is that correct?

MR. FORET: I was getting on when I first seen him, getting on watch. It was around 11:30. And he was getting off watch, about to go to bed.

MR. COLLINS: How did he seem then?

MR. FORET: Seemed okay, like he always does. His regular self.

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MR. COLLINS: To the best of your knowledge, does he have any health -- any health problems?

MR. FORET: No, sir.

MR. COLLINS: I think that's it for me.

MR. SHEFFER: Okay. Jim Sheffer again. I have another cleanup question.

Okay. What sort of drills or on-the-job training do you do aboard the K. Robert Love?

MR. FORET: Monthly we have fire drills. That is to maintain pretty much awareness of in case of something does occur in a fire. The -- the crew is there. You know, we have just practice fire drills.

You have meetings upon issues, like benzene awareness, collision. We might do -- there's different issues. Whatever comes in mind at a time.

MR. SHEFFER: Okay. So they're on different topics each month?

MR. FORET: Sir.

MR. SHEFFER: And your fire drills in, okay, different areas of the -- of the -- tow?

MR. FORET: Sir.

MR. SHEFFER: Who conducts those drills?

MR. FORET: That would be the captain or relief captain, whoever's on at the time in charge does it.

MR. SHEFFER: Okay. Tom Roth-Roffy.

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MR. ROTH-ROFFY: Just one -- one or two follow-on here, short ones. Tom Roth-Roffy.

How often did you say you went through the engine room to -- to make a round?

MR. FORET: Usually about every -- every hour or so you go walk through, just -- I mean, you ain't got to sit there and thoroughly look in -- under every engine because it's not just for, like, fires because, I mean, you walk downstairs, you walk around, you have your hearing on, you can't -- I mean, you can still hear the engine dome, but just protection to you. But you're checking for all details. I mean, you just walk around. You see all sprayouts and -- (inaudible) -- engineer or alert the captain, get the engineer up, everybody's on -- is on cue in case something happens and we need to know.

But every, like I say, hour or so we go check and make sure everything's okay.

MR. ROTH-ROFFY: And during your -- your watch, did you see any unusual conditions in the engine room?

MR. FORET: No, sir.

MR. ROTH-ROFFY: Was the chief engineer on watch?

MR. FORET: No, sir. He wasn't then at the time. He runs, like, a call watch, so we only have one engineer there. So he has to pull some -- like, six hours he'll stay and then he'll get a few hours or so sleep here. Or he'll stay up 12 hours and then he'll sleep that night. And if we need him, then we wake him up.

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MR. ROTH-ROFFY: And how many times did you wake him up during your watch?

MR. FORET: None. Not necessary.

MR. ROTH-ROFFY: Okay. That's all I have.

MR. SHEFFER: Okay. Mr. Harris?

MR. HARRIS: No questions.

MR. SHEFFER: Okay. We'll conclude. Is there any other questions?

MR. COLLINS: Can I just ask -- Dennis Hall with the NTSB. Could I get your date of birth for the record?

MR. FORET: Yes, sir. 9/24/73.

MR. COLLINS: Thank you.

MR. FORET: Sir.

MR. SHEFFER: Okay. The rest will be some personal data we'll get off the record here, and then we'll conclude this interview at, okay, 13:10.

(Whereupon, at 1:10 p.m., the proceedings were concluded.)

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
OFFICE OF MARINE SAFETY

**INTERVIEW OF MR. JAMES LOWERY, CHIEF ENGINEER  
IN REGARD TO THE ALLISION OF  
THE M/V ROBERT LOVE WITH THE I40 BRIDGE  
IN WEBBERS FALLS, OKLAHOMA ON MAY 26, 2002  
HWY-02-MH-019**

Office of Marine Safety (MS-10)  
National Transportation Safety Board  
490 L'Enfant Plaza East  
Washington, D.C. 20594

Monday, May 27, 2002  
2:50 p.m.

APPEARANCES:

On behalf of the National Transportation  
Safety Board:

JIM SHEFFER  
DENNIS COLLINS  
TOM ROTH-ROFFY  
JAMIE EASTOCK

On behalf of the U.S. Coast Guard:

CHIEF WARRANT OFFICER DOUG HALL  
LIEUTENANT JEANINE DONOVAN

On behalf of Magnolia Marine:

ROGER HARRIS

**EXECUTIVE COURT REPORTERS, INC.  
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PROCEEDINGS

2:50 p.m.

MR. SHEFFER: Okay. This is James Sheffer, a marine accident investigator.

And we're here interviewing the chief engineer of the Robert Love, James Lowery, and -- and this is in connection with the allision of the I40 bridge, okay, which occurred May, okay, 26th. This is Monday afternoon, May 20 -- May 27th, at -- at 2:50 p.m. And we'll be starting our questioning with Chief Engineer Jim Lowery.

Chief, good afternoon.

MR. LOWERY: Good evening.

MR. SHEFFER: It almost seems like evening, yeah. But I would like you to start out by telling us the, shall we say, the story of those few hours, starting with, okay, when you went on that duty, the, okay, day of the incident yesterday? So you could just start when you normally get up and start your duty and go from there.

MR. LOWERY: I get up at 5:30 in the mornings. Breakfast and coffee. Smoke me a cigarette or two. Then I go into the engine room checking everything out: the oil; the water; checking the leaks, seeing if anything might be leaking in the bilges. And I've done this procedure yesterday morning.

And from there I went to the galley because we don't carry a cook. So I was peel -- I peeled me some potatoes and put them on to boil to cream. I got them going. And I went back downstairs to do something that I had forgotten, check something down there.



And I went back up, and just as I got to the top of the steps, this one problem started. A big boom. And we, I guess, hit the bridge because I didn't realize that's what we had hit. I thought we had hit a rock in the river.

Then I turned around and went back down and went to really checking for water leaks because I was going to find out if we was leaking where we had knocked a boat loose from the barges to go to the bank. We wouldn't sink completely under the water. And I was down there at least five to 10 minutes, maybe 15 minutes, checking all my bilges and void tanks and things to make sure that they weren't leaking.

And then I come back upstairs, and one of the boys says we hit the bridge and knocked it down. And at that point in time, Marty Cumberland come around, and he said, let's put the motor boat over and go see if we can help out there picking up bodies or whatever we can come up with.

So we put the motor boat over, and there was a man hollering right out just a little ways from us for help. But by the time we got good and started out there, a motor boat picked him up and I had then got a garden hose wrapped up around my prop. One of those floating. And by then there was 30 to 40, maybe 50 boats there searching. And when I finally got the garden hose loose from my prop, he said, we might as well go back to the boat. So we went back to the boat.

And then I walked up and talked to the captain. And he didn't have very much to tell me because he just was in a daze or something or other. And I told him everything looked good downstairs. Wasn't no leaks. And he never did answer me. And I said, well, I got to go back downstairs. I went back downstairs to the engine room.

(Pause)

MR. SHEFFER: Okay. Go ahead and continue.

MR. LOWERY: Other than that, we just waited for some more people to come to help see what we could do.

(Pause)

MR. SHEFFER: Jim Sheffer here. Chief, how long were you in the skip in the water, okay, in the work boat?

MR. LOWERY: About 35 minutes.

MR. SHEFFER: About 35 minutes?

MR. LOWERY: Thirty-five, 40 minutes.

(Pause)

MR. SHEFFER: Okay. We're back going again. Jim Sheffer, okay, interviewing Chief Lowery.

Anything else, okay, Jim, you'd like to add after that happened? You said you were out in the craft for 35 to 40 minutes when you returned to the vessel. And now, you said you went up to the, okay, pilothouse to, okay, speak with the captain. Now, did you observe anything different? I mean -- I mean, did he look anything different before or -- quiet or --

MR. LOWERY: He was just sort of quiet.

MR. SHEFFER: How often have you sailed with him on a --

MR. LOWERY: My first trip was with him in '92. 1992. He made a couple of trips on the boat that we had blown with the Magnolia Marine, too. And he had his boat in the shipyard and he was -- come over to pilot.

MR. SHEFFER: So you've been sailing on and off with him for almost 10 years?

MR. LOWERY: Mm-hmm.

MR. SHEFFER: How long have you been on the Robert Love?

MR. LOWERY: Since the 9th of this month.

MR. SHEFFER: Okay. That's as this, okay, current tour. Have you been on prior to that for a while?

MR. LOWERY: No. No, I work on one of the other boats, and they run short-handed and I had to catch this boat and ride.

MR. SHEFFER: So in this case you were just filling out another --

MR. LOWERY: Right.

MR. SHEFFER: -- okay, position here. So you were about a third of your way through your 30 days?

MR. LOWERY: Right.

MR. SHEFFER: Just give us a sample, and then we'll get back to more questions in detail, what your normal, okay, day's duties involve? I mean, you get up every day at 5:30 and then --

MR. LOWERY: I generally work --

MR. SHEFFER: -- proceed from there?

MR. LOWERY: -- from 5:30 in the morning to around 11:30, quarter to 12, nearing to noon. Then I lay down for a couple hours. Then I get up and go again 'til about 11 p.m. that night. Checking -- doing some kind of maintenance or piddling work, painting or something.

MR. SHEFFER: Do you have help with the maintenance or are you just the only one down there below?

MR. LOWERY: If I have major maintenance, I get help. The small stuff I do.

MR. SHEFFER: Getting back to the day of the allision with the bridge, so after you returned and, okay, spoke to the captain then you went, okay, back down below?

MR. LOWERY: Uh-huh. I still wasn't satisfied that it didn't -- wasn't leaking or something or another. And I was checking out to be sure.

MR. SHEFFER: And how long were you down in the engine room then for?

MR. LOWERY: Oh, about five minutes or so.

MR. SHEFFER: And then, what was the activities after that? You returned to where?

MR. LOWERY: Well, the first thing, I went back and turned the stove off, cut them potatoes and things off, and then I told that mate out there, if ya'll need me, I'm in here somewhere, down in the engine room or something if you need me. Other than that, I was just around checking things, looking around.

MR. SHEFFER: How much horsepower does the Robert Young have?

MR. LOWERY: Twenty-four hundred horsepower.

MR. SHEFFER: Now, is that total?

MR. LOWERY: Uh-huh.

MR. SHEFFER: Okay. So it's 1200 each --

MR. LOWERY: Uh-huh.

MR. SHEFFER: -- okay, each screw?

MR. LOWERY: Yeah.

MR. SHEFFER: And have you noticed any problems with the engineering plant since you came on there about 10 days ago?

MR. LOWERY: I've had no problems other than yesterday -- yesterday morning, or was it the day before yesterday now? Yesterday morning. Day before yesterday. I switched generators and the switches and things are -- manually you have to push it back on, and I didn't cut one back on -- on my -- one of my gear boxes. And it run a little bit warm, but that didn't have no effect on it. That just made that a small item.

MR. SHEFFER: Okay.

MR. LOWERY: Soon as I got the pump going, it cooled back down.

MR. SHEFFER: Okay. I'm going to pass it on to Tom Roth-Roffy.

MR. ROTH-ROFFY: Hi, Chief. This is Tom Roth-Roffy. I'd like to go back again a little bit more in detail of your activities when you first came on watch. I believe you said you -- you got up about --

MR. LOWERY: 5:30.

MR. ROTH-ROFFY: -- 5:30, and you had your coffee and then you went down to the engine room to look around. How long were you down in the engine room?

MR. LOWERY: I'm generally down in there around five to 10 minutes, 15. Just -- just around that because I don't ever really time myself.

MR. ROTH-ROFFY: Sure.

MR. LOWERY: And just checking everything out. I check my oil, my water, checking these voids and things. The old boat's old, and you never know when you might spring a leak or something or other. And you get in trouble if you don't check them.

MR. ROTH-ROFFY: Okay. Then you said you went back up to the galley to --

MR. LOWERY: I had my potatoes and stuff on that I was working on for fixing dinner. And I was --

MR. ROTH-ROFFY: This was -- what, you cook your dinner in the morning?

MR. LOWERY: Well, I start early on that because I can't just stay right there with it. I have to go back and forth to that engine room.

MR. ROTH-ROFFY: Okay. So after you made your initial round, this was sometime before 6:00, you went up to the galley and started cooking.

MR. LOWERY: Yeah.

MR. ROTH-ROFFY: And you forgot -- you needed to go back down. What was that you had to go back down for?

MR. LOWERY: Just go back checking because I told the boy, I said, I'm going to run back downstairs and look around.

MR. ROTH-ROFFY: Okay. Which boy did you tell this to?

MR. LOWERY: Marty. I mean, Eli. Eli was the one that was in there.

MR. ROTH-ROFFY: Okay. Eli was in there around the same time you were?

MR. LOWERY: Right. In the galley.

MR. ROTH-ROFFY: Around 6:00?

MR. LOWERY: Uh-huh. Because he starts his cleanup work at that hour, just a little after.

MR. ROTH-ROFFY: Okay. So, then you went back down to the engine room for how long?

MR. LOWERY: Oh, it couldn't have been over five to 10 minutes.

MR. ROTH-ROFFY: Just trying to work out a time line here. It seems like the collision or the allision happened at around --

MR. LOWERY: Seven -- around 7:50, somewhere along in there. Because I had been back downstairs at that point and I had just came back up when this happened.

MR. ROTH-ROFFY: Okay. So between the time -- say, between -- what time would you say you started your work if you woke up at 5:30?

MR. LOWERY: I generally go in that engine room somewhere around six.

MR. ROTH-ROFFY: Okay. So, between six, and the collision was about 8:00, was it?

MR. LOWERY: Around 7:50 a.m.

MR. ROTH-ROFFY: 7:50. So that's almost two hours. Where would you say you were spending most of your time during those two hours?

MR. LOWERY: Well, part of it was in the galley trying to cook, and then I -- like I said, I would go down there pretty regular in my engine room. I might have made two or three trips down there before this happened. Just checking now. I'm not got no problems or nothing.

MR. ROTH-ROFFY: Right.

MR. LOWERY: I just check.

MR. ROTH-ROFFY: Okay. So the rest of the time was spent in the galley?

MR. LOWERY: Uh-huh. And I had went back down there around 7:30, and I had just came up when this happened.

(Pause)

MR. ROTH-ROFFY: Okay. When you had just come back up, were you at the top of the steps? Could you look out any of the portholes or windows and --

MR. LOWERY: I had come from downstairs. The stairs come up in the back end of the engine room, and I had walked up to the front doors. Right in the center of the engine room there's a way -- walkway through there. And I was standing there, and I looked out the doors to see which door I wanted to go walk out and look out a minute. Because it gets pretty warm downstairs. So I had started for that door, and about the time it -- I started, it hit, and I went down on one knee. And I thought, boy, we've hit a rock.

And I got up, and about that time I guess is when the bridge collapsed on top of the barges, and it made another big boom and shook the boat up. And I went back down in there just real quick, checking all of them. I was pulling plates up looking to see if I could see any water coming in anywhere.

MR. ROTH-ROFFY: Okay. When you went down to make your first round of the engine room around 6:00, what power were the engines running out? I don't know if you measure it in RPMs or --

MR. LOWERY: I got RPMs. One of them, the port engine was running 707. The starboard engine was running 796 -- I mean, 696. Because I



had took the log reading on that at just -- just prior to 6:00. And it's on my logbook, but I don't have it with me. It's in the -- at the boat.

MR. ROTH-ROFFY: Okay. We'd probably like to see that at some point.

MR. LOWERY: Well, --

MR. ROTH-ROFFY: If we could.

MR. LOWERY: -- it's fixed up for yesterday, and I done changed it over to another date, so it'll be all right there.

MR. ROTH-ROFFY: Okay. And then, subsequent to that, when you went deck -- down into the engine room, what was the engine doing in terms of RPM? Basically, I'm trying to determine if there were any speed changes, or did you notice any speed change?

MR. LOWERY: There wasn't no speed changes. Just a steady run. They're not hooked up at this point.

MR. ROTH-ROFFY: Okay. What would hook up the --

MR. LOWERY: Around 8:50.

MR. ROTH-ROFFY: And by "hooked up," do you mean that's full power?

MR. LOWERY: Full throttle.

(Pause)

MR. ROTH-ROFFY: Okay. And the last time you went down to the engine room just before the problem, were the engines -- seemed to be running okay?

MR. LOWERY: Right. Everything seemed to be working perfect. To my knowledge, with the experience and the years that I have.

MR. ROTH-ROFFY: Okay. Did you notice that the engines were backed down at any time before the collision?

MR. LOWERY: No.

MR. ROTH-ROFFY: Would you have been able to notice that?

MR. LOWERY: If one changes very much, it's slowing down, I'll notice it. And I'll hear it.

MR. ROTH-ROFFY: What kind of a reversing system do you have on -- on the boat? How do you reverse your -- your propeller?

MR. LOWERY: It's an air clutch. He shifts it from upstairs, and it dumps downstairs right behind the gear box.

MR. ROTH-ROFFY: Okay. So, does he have to slow down to --

MR. LOWERY: No --

MR. ROTH-ROFFY: -- disengage his clutch?

MR. LOWERY: No. Just pull it straight out.

MR. ROTH-ROFFY: And --

MR. LOWERY: And the air dumps out.

MR. ROTH-ROFFY: And that basically disengages the propeller?

MR. LOWERY: Right.

MR. ROTH-ROFFY: And then he put --

MR. LOWERY: If he wants to go backward, he pulls them back. And then the clutch starts to fill up and the wheel'll start turning.

MR. ROTH-ROFFY: But the engine RPM stays --

MR. LOWERY: It idles down when it -- the engine idles down when he kicks them out of gear. When he comes back in gear with it, the engine picks up.

MR. ROTH-ROFFY: Okay.

MR. LOWERY: Works off of air pressure.

MR. ROTH-ROFFY: And you probably would have noticed that had that happened?

MR. LOWERY: Yeah, because when they -- one idles down or something, the other -- I go to check it to see. And then I'll call him most of the time to see if he had slowed it down or if it slowed down itself. Because sometimes he won't notice it and I notice it slowed down. Well, I'll call him and ask him. I said, have you slowed the starboard engine down or the port engine, whichever one idled down. He said, I got it cut back.

MR. ROTH-ROFFY: Okay.

MR. LOWERY: Just checking to make sure there's nothing wrong.

MR. ROTH-ROFFY: What about the steering system? What kind of a steering system does the boat have?

MR. LOWERY: It's a cable steering.

MR. ROTH-ROFFY: And did you check that any time during your watch?

MR. LOWERY: Right. I'm looking at it constantly. I check the steering pumps. It's right there.

MR. ROTH-ROFFY: So, it's a -- is it a hydraulic system?

MR. LOWERY: Uh-huh.

MR. ROTH-ROFFY: Is there a separate steering compartment or is it within the engine room?

MR. LOWERY: It's within the engine room, but it sits in the back end of the engine room, down in a little alleyway. You've got a door that goes between them, but it stays open most of the time.

MR. ROTH-ROFFY: And since the time you've been on board the vessel the last 20 days or so, is it? Have you had any problems with the propulsion system or the steering system?

MR. LOWERY: No.

MR. ROTH-ROFFY: Have you done any -- any repairs to the -- to the engine since you've been on?

MR. LOWERY: Just changed some fuel filters is all.

MR. ROTH-ROFFY: How about the steering system? Have you done any repairs or maintenance --

MR. LOWERY: No.

MR. ROTH-ROFFY: -- on the steering system?

MR. LOWERY: Just keep it greased. Grease it every Sunday. Anything that's got a grease fitting on it I grease.

MR. ROTH-ROFFY: Do you have filters on that hydraulic system that you have to change periodically, or do you know?

MR. LOWERY: I don't believe there's any filters there. There may be, but I haven't seen none.

MR. ROTH-ROFFY: And the work you did on the main engines was, you say, changing --

MR. LOWERY: Change the fuel filters.

MR. ROTH-ROFFY: Fuel filters?

MR. LOWERY: Uh-huh.

(Pause)

MR. HARRIS: And that's part of our routine maintenance.

MR. ROTH-ROFFY: Could you identify yourself?

MR. HARRIS: I'm Roger Harris. That is part of our routine maintenance program, to change those fuel filters upon a certain PSI reading on the fuel gauge.

MR. ROTH-ROFFY: Thank you.

(Pause)

MR. ROTH-ROFFY: Now, did you say you had sailed with this captain previously?

MR. LOWERY: Uh-huh.

MR. ROTH-ROFFY: Since '92, I said --

MR. LOWERY: No.

MR. ROTH-ROFFY: -- I believe?

MR. LOWERY: It's been several years since '92 since I've been with him, but I've talked to him several times when I'd meet him.

MR. ROTH-ROFFY: When was the most recent time you've sailed with him or gotten --

MR. LOWERY: This here -- this is the recent now.

MR. ROTH-ROFFY: Prior -- prior to that?

MR. LOWERY: -- '92.

MR. ROTH-ROFFY: So you hadn't worked with him since '92?

MR. LOWERY: No. But I see him a lot.

MR. ROTH-ROFFY: Okay. And in your experience, how is he as far as a captain? I know you're not really working with him that closely, but generally, does he have a good reputation?

MR. LOWERY: Right. I like riding the boat with him. What little bit I've rode with him. In the two -- back in '92 and now. He handles a boat just about as good as anybody would want to handle a boat.

MR. ROTH-ROFFY: Okay. I'm going to pass it to the United States Coast Guard.

LT. DONOVAN: Lieutenant Jeanine Donovan. Good afternoon.

MR. LOWERY: Good afternoon.

LT. DONOVAN: We met yesterday. Do you hold a Coast Guard-issued license?

MR. LOWERY: No.

LT. DONOVAN: Chief engineer license?

MR. LOWERY: No.

LT. DONOVAN: No sort of Coast Guard license? Okay. Did you talk about the general alarm going off?

MR. LOWERY: No.

LT. DONOVAN: We didn't cover that? Did the general alarm go off? Did you --

MR. LOWERY: It went off.

LT. DONOVAN: When did that happen?

MR. LOWERY: Just immediately when it happened. Shortly there -- a few seconds after. I mean it's a something -- it went off.

LT. DONOVAN: After?

MR. LOWERY: We hit.

LT. DONOVAN: So you hit and then the general alarm went off. What's the procedure on your vessel when the general alarm goes off? Do you have a predesignated job or do you all muster?

MR. LOWERY: They have stations to go to. Deck department's got theirs and I got mine, and mine is the engine room.

LT. DONOVAN: Okay. So everybody already knows exactly --

MR. LOWERY: Right.

LT. DONOVAN: -- where they're supposed to go --

MR. LOWERY: Right.

LT. DONOVAN: -- when it goes off? Are you the only one in the engine room?

MR. LOWERY: Uh-huh. Yes.

LT. DONOVAN: And you do have the engineering logs but they're on the vessel. Engineering logs are on the vessel?

MR. LOWERY: Uh-huh, yeah.

LT. DONOVAN: Okay. That's all I have.

CHIEF WARRANT OFFICER HALL: Hey, Chief. This is Chief Warrant Office Doug Hall.

MR. LOWERY: Good afternoon.

CHIEF WARRANT OFFICER HALL: Did you hear anything else after the general alarm or in between? Was there any other communications that went on after you felt the bump? You said you went down on one knee and then general alarm after that?

MR. LOWERY: Yeah. No, there wasn't nobody there to talk to for me -- with me. You know, I just --

CHIEF WARRANT OFFICER HALL: Okay. Any other sounds, signals, or anything --

MR. LOWERY: No.

CHIEF WARRANT OFFICER HALL: -- that you heard?

MR. LOWERY: The only thing, he blows a horn up there, but I didn't hear it because I can't hear it. But I was -- somebody told me he was blowing that whistle something furiously up there.

CHIEF WARRANT OFFICER HALL: Okay. Excuse me.

(Pause)

CHIEF WARRANT OFFICER HALL: Any other people out running around on deck?

MR. LOWERY: Well, there was two that was up, Marty and -- Marty Cumberland and Eli Hogsett. They were up and the other two was in the bed, the relief captain and the other deckhand.

(Pause)

CHIEF WARRANT OFFICER HALL: I think you answered the other -- that's it. Thank you, Chief.

(Pause)

MR. COLLINS: Can we go off tape for a second?

(Pause)

MR. COLLINS: Just some general questions. This is Dennis Collins with the Safety Board. I have -- just have some general questions about your health. Just in general. How would you describe your health?



MR. LOWERY: My health?

MR. COLLINS: Your health.

MR. LOWERY: I'm in fairly good health.

MR. COLLINS: Okay.

MS. EASTOCK: This is Jamie Eastock (ph) with the NTSB. So, describe your general health?

MR. LOWERY: Well, I feel good. I -- I take a little medication, but that's -- comes with it.

MS. EASTOCK: What medications are you on?

MR. LOWERY: Well, I didn't bring them with me, but I take Flomax (ph) and an asthma -- two asthma breathing apparatuses, but I got all that on the boat for the information. When we go down there, I can get it for you.

MS. EASTOCK: Okay. Have you had any changes recently in your -- in your health or your medication use?

MR. LOWERY: No.

MS. EASTOCK: Have you had any recent stress within the past --

MR. LOWERY: No.

MS. EASTOCK: -- six months?

MR. LOWERY: No.

MS. EASTOCK: I'd like to go back real quick. When you describe heading back to the vessel and speaking with the captain, just to continue with Tom's time line, approximately what time do you think you were -- you spoke to the captain? Do you have any idea?

MR. LOWERY: It was right close to 9:00. Roughly.

MS. EASTOCK: In your recent -- in your recent communications with the captain prior to the accident, when you said you saw him between the times that you sailed together, did you notice any changes in -- in him? Did he mention any recent changes in his --

MR. LOWERY: He -- he hadn't said nothing about being no kind of ill, ailments or nothing to me.

MS. EASTOCK: If you could go back from the morning of the accident and describe the previous few days, your -- what you ate, when you slept, when you started, any kind of schedule so we can get a history of -- so starting Saturday night?

MR. LOWERY: What I ate?

MS. EASTOCK: Right.

(Laughter)

MS. EASTOCK: Just the best you can.

MR. SHEFFER: Okay. Excuse me for a second. Jim Sheffer here. What we can more than likely do is answer it the best way you can now, and then when you go back on the vessel, take a piece of paper and just start to write down your -- basically, when you got up to start watch, when you were off, when you took a rest, and rough idea when your meal hours were. Maybe not specifically every food item, but --

MS. EASTOCK: Right.

MR. SHEFFER: -- something along those lines so we can get a rough idea of -- of your, okay, duty schedule. And we're going to be asking the other, okay, crew members to do the same thing. Just sit down. Sometimes when you're here and you say what did you do the last three days and on and off, we can

get -- we have here a form you could fill out here to indicate which hours you were let's say asleep, which one you were off duty but not sleeping, and which ones you were on duty. Excuse me, which ones you were asleep, which would be a big help. We'll have a few photocopies of them made and pass them out to yourself and the other five crew members.

Okay, Ms. Eastock. You may continue.

MS. EASTOCK: So, do you -- do you run a regular schedule?

MR. LOWERY: Uh-huh. Some -- my -- my -- I generally try to -- go from 5:30. I get up at 5:30, and then I go from 5:30 until about a quarter to 12, something like that, at noon. Then I lay down. From then until about 2 or 2:30. Sometimes I get up before then. And then I go from then until around 11, 11:30 at night. And I lay back down again.

MS. EASTOCK: And how do you describe your overall sleep quality?

MR. LOWERY: I sleep fairly good when I sleep.

MS. EASTOCK: Do you have trouble falling asleep or --

MR. LOWERY: Sometimes when I'm real tired. If I've been working real hard that day on something, you know, just maintenance or something or other. Just -- I sleep a little weird and -- rough, but then I sleep.

MS. EASTOCK: Do you have trouble maintaining your -- your sleep or is it --

MR. LOWERY: No.

MS. EASTOCK: -- you have trouble falling asleep?

MR. LOWERY: No.

MS. EASTOCK: Once you're asleep?

MR. LOWERY: I just get tired, and I'll lay down, then I just lay there and roll and tumble for a while before I go to sleep. Other than that, everything's --

(Pause)

MS. EASTOCK: How do you describe the interaction with the rest of the crew beside the captain? Your interaction with them?

MR. LOWERY: Everybody gets along real good.

MS. EASTOCK: We'll be doing training experience?

MR. SHEFFER: We were going to be doing that towards the end.

MS. EASTOCK: Okay.

MR. SHEFFER: We'll have you get that if you weren't sure.

MS. EASTOCK: That's all I have.

(Pause)

MR. COLLINS: I don't have anything.

MR. ROTH-ROFFY: Chief, I'd like you to think back again to when you came up after the collision. Where did you say you went after the collision?

MR. LOWERY: To the -- I mean, I went back down in the engine room --

MR. ROTH-ROFFY: Okay.

MR. LOWERY: -- to check -- to make sure there wasn't no water or nothing coming in those bilges and things and void tanks.

MR. ROTH-ROFFY: And you spent, I believe you said --

MR. LOWERY: Ten, 15 minutes.

MR. ROTH-ROFFY: Okay. And you came back up, and then what did you do?

MR. LOWERY: I went to the galley. And Marty was in the pilothouse, and he come down. And he said, James, we need to put the motor boat over and go see if we can help. And that's when we put the motor boat over.

MR. ROTH-ROFFY: And while you were in the motor boat, what -- what did you observe out there?

MR. LOWERY: A lot of stuff floating from out of those trucks. Hoses, boxes that had televisions in them, plastic that had been wrapped around them. The one man was hollering out from us for help, and I started towards him but the motor boat -- one of the fishing boats picked him up before we could get there because, like I said, I got a -- one of those garden hoses got tangled up around my prop and choked me down. I was just having to run real slow because it was so much drift, so much of that stuff in the water. The river was just covered with it. He had a truckload of it, I guarantee everybody that.

MR. ROTH-ROFFY: And could you estimate the current, how fast the current was flowing at that time?

MR. LOWERY: I didn't even really pay no attention to it, you know.

MR. ROTH-ROFFY: That stuff that was floating in the water, how fast --

MR. LOWERY: It was just moving real slow.

MR. SHEFFER: Okay. Jim Sheffer here. Moving real slow down river?

MR. LOWERY: Down river.

MR. SHEFFER: Down river.

(Pause)

MR. ROTH-ROFFY: And whose decision was it to go back after you got the garden hose out of the propeller?

MR. LOWERY: Marty Cumberland. He said, let's go back to the boat, James, because he said that we're just in the way out here. Because I had never got that thing out -- that hose unwrapped up around that wheel, propeller on my motor. I was still working on it.

MR. ROTH-ROFFY: And did you see any -- any persons in the water?

MR. LOWERY: Other than just the one man that we started to pick up and we never did get to him. Somebody else got him before we got there.

MR. ROTH-ROFFY: To your knowledge, was there any damage to the engine room equipment as a result of the collision or afterwards?

MR. LOWERY: None that I've seen.

MR. ROTH-ROFFY: Were any of the -- did you have any leaks?

MR. LOWERY: None whatsoever that I can find.

MR. ROTH-ROFFY: How much fuel did you have on board at the time of the accident? It's probably in your logbook, so if you don't remember --

MR. LOWERY: Well, I don't have that wrote down. I just -- I refueled in Memphis, and we went down to Rosedale, Mississippi and back up to here. That boat don't burn much more than 15 to 2000 a day.

MR. ROTH-ROFFY: That's gallons per day?

MR. LOWERY: Yeah.

(Pause)

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MR. ROTH-ROFFY: So, could you estimate the amount of fuel you had on board?

(Pause)

MR. LOWERY: I wouldn't be afraid to say we had about 14,000 gallons.

(Pause)

MR. ROTH-ROFFY: And you haven't lost any of that fuel --

MR. LOWERY: No.

MR. ROTH-ROFFY: -- since the collision, is that correct?

MR. LOWERY: No.

(Pause)

MR. ROTH-ROFFY: Okay. I believe that's all I have for now, Chief.

MR. SHEFFER: Jim Sheffer again. Chief, we're going to have you go through for us here your marine training and experience. So, if you could start off basically saying how long you've been, okay, in the marine field, on tow boats, if there was different companies other than Magnolias, or if you want to just -- start?

MR. LOWERY: Several companies.

MR. SHEFFER: Okay.

MR. LOWERY: My boating career started the 20th day of October in 1958. I have been doing this since that day. I have worked for seven to eight companies. The longest was Houston Barge Line, 27 years. I've been with Magnolia Marine almost 10 years.

MR. SHEFFER: In what capacities?

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MR. LOWERY: The first three years I rode a boat I decked. And the man said he needed an oiler in the engine room, so I started to work in the engine room, and I've been in the engine room ever since. With all of my training except for two weeks that I spent at EMD school in Chicago where they build these EMD engines. And then Magnolia Marine has a training class every year that I attend to. A week of it.

(Pause)

MR. SHEFFER: Do you have a Coast Guard document?

MR. LOWERY: No.

MR. SHEFFER: No, okay. Shall we say nor is he required to, but.

(Pause)

MR. SHEFFER: Any other company in-house training, firefighting training, anything like that?

MR. LOWERY: Well, not really on that. We have a class on it down at the school when we go to the engineering school, just a little, maybe, three- or four-hour training deal on it.

MR. SHEFFER: What kind of drills do they normally do on the Magnolia boats?

MR. LOWERY: We have fire drills. They set the alarms off and everybody goes to their station, drag out the fire hoses. Just like you've got a real fire or something going. They'll holler -- they'll turn it on, and somebody's supposed to call him to find out where the fire's at, the captain. Where's the fire, and he'll tell them where the fire's located. Well, everybody goes to that point.

MR. SHEFFER: And do you start the fire pumps as the engineer?



MR. LOWERY: I start the fire pumps. They're mounted on the outside of the boat.

MR. SHEFFER: With a local start right at the --

MR. LOWERY: Right, right. On some of them. Some of them don't have that, but this particular boat does. And the boat that I ride do.

MR. SHEFFER: I'll turn it over to Tom. Anything for training?

MR. ROTH-ROFFY: No, Chief. You mentioned that you had a one-week class every year. What -- what does that one-week class entail?

MR. LOWERY: It consists of working on the engines, cleaning up oil spills, electrical problems, heater maintenance.

MR. ROTH-ROFFY: And that -- so that class is strictly engineering?

MR. LOWERY: Right.

MR. ROTH-ROFFY: And all the people that are on vacation, I guess, during that time go to that --

MR. LOWERY: Right.

MR. ROTH-ROFFY: -- all the engineers --

MR. LOWERY: Right.

MR. ROTH-ROFFY: -- would go to that one week of training?

MR. LOWERY: Right.

MR. ROTH-ROFFY: Now, is that given several times a year or is it just once a year?

MR. LOWERY: Two to three times a year, I believe. I'm not -- I'm not going to quote that as perfectly, but I know it's two to three times I came.

(Pause)

MR. ROTH-ROFFY: Do you maintain a machinery history on your equipment? When you do a repair, do you have a separate logbook that you keep track of your repairs in?

MR. LOWERY: I keep all the hours on that engine room daily log sheet.

MR. ROTH-ROFFY: Okay.

MR. LOWERY: You keep them for so long and then send them to the office. For a year, I believe it is.

MR. ROTH-ROFFY: Is that separate from the -- from the engine logbook?

MR. LOWERY: No, it's the same logbook.

MR. ROTH-ROFFY: Same logbook?

MR. LOWERY: Mm-hmm.

MR. ROTH-ROFFY: If you have, for example, a crankshaft you have to change, do you have to record that somewhere?

MR. LOWERY: I'm sure it's recorded on the logbook, and then they know from there how many hours will be put on it or what -- what's on it at all times.

MR. ROTH-ROFFY: If you had a major engine problem, who would do that work?

MR. LOWERY: They generally come and check it out. Sometimes they get a crew to come in and -- from Mike's out of Wood River and do the work.

MR. ROTH-ROFFY: What about steering system? Do you work on the hydraulic system?

MR. LOWERY: Just small stuff. They've got a man that does that that comes -- they hired that sends up and checks it out. If the steering goes out, he comes.

MR. ROTH-ROFFY: What about the pneumatic controls for the main engine? Do you work on those?

MR. LOWERY: Sometimes, if I have the parts to do it with. To get us somewhere to where we can get tied off. You know, to where somebody can come if it's a major operation.

MR. ROTH-ROFFY: Have you done any -- any repairs on the hydraulic --

MR. LOWERY: Not on --

MR. ROTH-ROFFY: -- the pneumatic system?

MR. LOWERY: Not lately.

MR. ROTH-ROFFY: For the engine controls?

MR. LOWERY: Not -- not recently. Everything working good.

MR. ROTH-ROFFY: What about your alarm system? Any problems with the monitoring or alarm system on the boat?

MR. LOWERY: None. It'll go off if something goes wrong.

MR. ROTH-ROFFY: Okay. I think that's all I have.

MR. SHEFFER: Okay. Dennis?

MR. COLLINS: Dennis Collins with the Safety Board.

You listed some of your medications, and they seem to be asthma-related. Do you have a history of asthma?

MR. LOWERY: Well, I didn't know it until just recently.

MR. COLLINS: Okay. Do you have any other significant medical problems? Any history of high blood pressure, heart attack?

MR. LOWERY: None whatsoever.

MR. COLLINS: How's your hearing and your vision?

MR. LOWERY: I guess it's 20/20, and my hearing, I can hear good.

MR. COLLINS: Pretty good? Are you taking any other medicines than the ones you listed?

MR. LOWERY: That's all.

MR. COLLINS: Anything over the counter like Tylenol or Robitussin?

MR. LOWERY: None.

MR. COLLINS: Do you drink at all?

MR. LOWERY: None.

MR. COLLINS: Do you take any illegal drugs?

MR. LOWERY: None.

MR. COLLINS: Okay. Then I am out of questions. Thank you.

MR. LOWERY: None.

MS. EASTOCK: I have one more question.

MR. SHEFFER: We turn it back to Jamie Eastock.

MS. EASTOCK: This is Jamie Eastock, NTSB. About the engineering school, who offers the class?

MR. LOWERY: Magnolia Marine.

MS. EASTOCK: Okay. And do you have any other formal training that you can list beside the engineering school? Or is it mostly on-the-job training?

MR. LOWERY: It's on-the-job training. That's the base. You can't get it out of a book.

MS. EASTOCK: That's all I have.

MR. SHEFFER: Lieutenant?

LT. DONOVAN: I have nothing more.

MR. SHEFFER: Okay. That will conclude the interview at -- at 15:30. Thank you very much, Chief.

MR. LOWERY: You're welcome.

(Whereupon, at 3:30 p.m., the proceedings were concluded.)

NATIONAL TRANSPORTATION SAFETY BOARD

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In the Matter of: \*

\*

MAJOR HIGHWAY/MARINE ACCIDENT \*

ALLISION OF M/V ROBERT LOVE \* Docket No.

with I40 BRIDGE \* HWY-02-MS. HARRIS-019

WEBBERS FALLS, OK on \*

MAY 26, 2002 \*

\*\*\*\*\*

Monday,

May 27, 2002

INTERVIEW OF:

MARTY CUMBERLAND

PRESENT: JIM SHEFFERT, NTSB

JAMIE ESTOCK, NTSB

TOM ROTH-ROFFY, NTSB

DENNIS COLLINS

LIEUTENANT DONOVAN

ROGER HARRIS

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## PROCEEDINGS

MR. SHEFFERT: This is Jim Sheffert. I am a Marine Investigator with the National Transportation Safety Board. It is March 27(sic). It is 15:40 hours and we are here with an interview with Marty Cumberland, who was the mate on watch of the Robert Love at the time of the incident yesterday morning.

And here with me along with Mr. Cumberland is Jamie Estock, Human Performance Investigator for NTSB, Thomas Roth-Roffy, Engineering Investigator, Dennis Collins, Human Performance Investigator for Highway and Lieutenant Donovan with U.S. Coast Guard, MSO, Memphis, along with our party representative from Magnolia Marine Transport, Roger Harris.

I will start off the questioning. Could you please state your name, please for us, for the record?

MR. CUMBERLAND: Marty W. Cumberland.

MR. SHEFFERT: And also what is your position on the Robert Love?

MR. CUMBERLAND: Mate.

MR. SHEFFERT: On the day of the prior to the accident, Saturday night, could you just tell us your, basically start with your watch that night and when you went off watch and then bring us through the next morning going on watch, Marty.

MR. CUMBERLAND: Well, I run a call watch, you know, all different times of the night and I got up about five Saturday evening to make a lock, Captain Joe got on into the lock. And I sat up most of his watch that night, to about 11. I went down about 11. We talked all night. He was, you know, fully

alert. Joe can kid around, like we always we do. And I went down and he went, I didn't see no more that night. I went to bed and I got up at 2:30 and made a lock and I laid back down about 3:30. And the deck hand come in there and got me between, between, around 7:30 or somewhere along, seven, seven thirty there. And I got up and brushed my teeth, put on my clothes, went in the galley and sat down, and was making a lock ticket, because he got me up because we were suppose to make another lock. And I was filling out a lock ticket and all of sudden everything started flying in the galley, dishes and stuff and we heard a big bang. I went outside, looked out the galley door and I seen a truck go over in the river. And Captain Joe started sounding the danger signal and I run upstairs and about that time the general alarm sounded. And I went, got in the door and he said, make them stop, why won't they stop coming, you know, the cars off the bridge and stuff. He said, do something, call the Coast Guard. So I called the Coast Guard, and then I called the company, you know.

MR. SHEFFERT: Okay. You called the company on the cell phone?

MR. CUMBERLAND: Right.

MR. SHEFFERT: And you called the Coast Guard on the --

MR. CUMBERLAND: Radio.

MR. SHEFFERT: VHF.

MR. CUMBERLAND: Right.

MR. SHEFFERT: Just to clarify for the record, you said you were on, on call watch.

MR. CUMBERLAND: Right.

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MR. SHEFFERT: Now is that a 12 hour shift?

MR. CUMBERLAND: That is just any time they need you.

MR. SHEFFERT: Any time they need you.

MR. CUMBERLAND: Yes.

MR. SHEFFERT: And that is for primarily making up and locks and things when they need another hand.

MR. CUMBERLAND: Yes.

MR. SHEFFERT: Okay. Okay, Marty, continue after that. You are up on the bridge and you made these calls. Excuse me, the pilot house. Go ahead.

MR. CUMBERLAND: Captain Joe sat back down on the couch after we got everything. And I went back down, and at that time some of the bass fishermen, I guess, they were bass fishermen, I saw the fishermen, they come around in, trolling water, so we dropped our boat and went over and made a couple of rounds. I figured it was too many, so we put ours back on the boat, and I went back up there to see how Captain Joe was doing. That is, you know.

MR. SHEFFERT: And how was he doing?

MR. CUMBERLAND: He was, you know, like in a state of shock, you know, he just, you know.

MR. SHEFFERT: All right, this is Mr. Sheffert, again, and when you, okay, going back after you felt the impact there in the galley when you said things are being thrown around, and you went to the bridge, where was the Captain, when you went to the pilot house, rather, where did you notice Captain Joe was standing?

MR. CUMBERLAND: He was standing between the console and the chair. And he had told me that he had passed out, you know, blacked out, about, I guess about a quarter mile below the bridge, you know, he said the last thing he remembered the deck hand walked out of the pilot house and he said he didn't remember anything after that, you know.

MR. SHEFFERT: And who was the, the deck hand?

MR. CUMBERLAND: Eli.

MR. SHEFFERT: So, he had said to you when the deck hand walked out or a short time before, he didn't remember anything after that.

MR. CUMBERLAND: He said he seen him when he picked up his mop bucket and went down the stairs. He said after that he didn't, you know, he said, the next thing he knew is when he come to there was some water had dripped on his hand from a cup he had been drinking out and that is what woke him up, the cold water, you know. But, he said he never, never heard the impact or nothing, you know.

MR. SHEFFERT: So, that was after the, after the impact, you believe he said he woke up.

MR. CUMBERLAND: Right.

MR. SHEFFERT: I mean, those were his words

or --

MR. CUMBERLAND: Those were his words, that is what he, you know.

MR. SHEFFERT: Okay. Okay, Marty, then what happened after you came aboard with the skiff?

MR. CUMBERLAND: I put it back up and I guess that is when the Highway Patrol, I think he was upstairs interviewing, you know, talking to Captain Joe. I was downstairs. We were trying to put the boat back together, you know, inside the boat back together. And then I went up and they said they were going to take him to the hospital and the relief captain was up there, Flash, he said, or James Lucas, and he said, told me to go with Captain Joe to the hospital, you know. So, I went to the hospital with him yesterday.

MR. SHEFFERT: And do you recall approximately what time you left the vessel with the Captain?

MR. CUMBERLAND: Oh, I guess around 10, 10:30, something like, I am not real sure. I didn't really look, you know.

MR. SHEFFERT: And going back to what you had said earlier, when you were in the river with the skiff, okay, the work boat, who was in the boat with you?

MR. CUMBERLAND: The engineer, James Lowery.

MR. SHEFFERT: And what were you attempting to do in the river there?

MR. CUMBERLAND: Just see if we seen anything, or anybody, you know, just try to help, you know.

MR. SHEFFERT: And did you see anyone?

MR. CUMBERLAND: No, sir. Just a lot of debris.

MR. SHEFFERT: Okay. What sort of debris?

MR. CUMBERLAND: Water hoses, boxes, you know.

MR. SHEFFERT: How long were you in the work boat in the river?

MR. CUMBERLAND: Probably, maybe 20, 25 minutes, something like that. Not very long.

MR. SHEFFERT: So, basically going back to your schedule that day. The deck hand woke you up at 7:30 and was that to make another lock, in preparation of making another lock?

MR. CUMBERLAND: Right. Because Captain Joe said he was going to call the lock after we went through that bridge.

MR. SHEFFERT: And after you got up, how long were you in the galley area and what were you doing in there?

MR. CUMBERLAND: Maybe five minutes, maybe, just making out a lock ticket, just talking to Eli and making out a lock ticket.

MR. SHEFFERT: Okay. So, it was just a very short period of time.

MR. CUMBERLAND: Very short period. It may have been less than five, more than five, you know, just a very short period of time.

MR. SHEFFERT: And, okay, Marty, how would you describe the impact?

MR. CUMBERLAND: Loud. I mean, it just, you know, enough to turn the refrigerators and freezers over, I mean, it was a big impact, you know.

MR. SHEFFERT: So, the refrigerator fell off its foundation.

MR. CUMBERLAND: Oh, yes, every one of them fell over, yes.

MR. SHEFFERT: And when you left the boat with the Captain, that was with the State Highway Patrol?

MR. CUMBERLAND: Right.

MR. SHEFFERT: And where did you go from there?

MR. CUMBERLAND: Went to the Muskogee Regional Medical Center.

MR. SHEFFERT: And how long were you there?

MR. CUMBERLAND: We left about 6:30 or 7:00 o'clock last night and came back to the boat.

MR. SHEFFERT: And Captain Joe, he stayed in the hospital?

MR. CUMBERLAND: Right.

MR. SHEFFERT: Do you have anything else to add about that day's activities or is that about --

MR. CUMBERLAND: That is about it, you know.

MR. SHEFFERT: We will go over in a little other detail later about some of your work, sleep cycles. I will turn it over to Tom Roth-Roffy. Tom.

MR. ROTH-ROFFY: Hi, my name is Tom Roth-Roffy.

I would like to go back again, if I could, after you woke up, you went into the galley.

MR. CUMBERLAND: Right.

MR. ROTH-ROFFY: And you were there for about five minutes.

MR. CUMBERLAND: Yes.

MR. ROTH-ROFFY: Before the problem happened, is that correct?

MR. CUMBERLAND: Right.

MR. ROTH-ROFFY: And after that you went to the, where did you go?

MR. CUMBERLAND: I heard the impact and when I looked out the port galley door to see what happened, that is when I seen a truck going over and I took off for the, took off to the pilot house.

MR. ROTH-ROFFY: Okay. So, how long after the bump or the collision until you got up to the pilot house?

MR. CUMBERLAND: Oh, just minute, a couple of minutes, I mean, I am saying that, and I took off running, you know, it is not very far up there, you know.

MR. ROTH-ROFFY: Would you say less than a minute or more a minute?

MR. CUMBERLAND: I would probably say just about a minute.

MR. ROTH-ROFFY: About a minute.

And when you got into the pilot house, do you call to the pilot house or the bridge?

MR. CUMBERLAND: Pilot house.

MR. ROTH-ROFFY: When you got into the pilot house, the Captain was standing.

MR. CUMBERLAND: Right.

MR. ROTH-ROFFY: And you said that he told you why won't they stop coming?

MR. CUMBERLAND: He said, why won't they stop coming, make them stop coming, you know.

MR. ROTH-ROFFY: So, after the first ones fell into the water, there were other ones behind it.

MR. CUMBERLAND: I didn't see it, I just seen the one going in the water and I, you know, he just said make them stop coming, why won't they stop, you know.

MR. ROTH-ROFFY: Did you see the relief captain around that time?

MR. CUMBERLAND: After I went down and, he came up and he told me, the relief captain told me to drop our boat in the water.

MR. ROTH-ROFFY: And where were you when he told you to do that?

MR. CUMBERLAND: On the second deck of the boat, upper deck, rather.

MR. ROTH-ROFFY: You weren't in the pilot house at that time?

MR. CUMBERLAND: No.

MR. ROTH-ROFFY: Did you see the relief captain in the pilot house after the collision?

MR. CUMBERLAND: Right. I mean, after we put our boat back on, I went back, you know.

MR. ROTH-ROFFY: But, before that, right after, immediately after the collision, when you went up to the pilot house, was the relief captain there?

MR. CUMBERLAND: No, just me and Captain Joe.

MR. ROTH-ROFFY: And for how long was it just you and Captain Joe?

MR. CUMBERLAND: Probably five, 10 minutes, not very long.

MR. ROTH-ROFFY: And after those five or 10 minutes, did you, when you left the pilot house, was the Captain alone, I mean, when you left, walked out, or why did you leave, let's put it that way?

MR. CUMBERLAND: I went down to, you know, see what else was going on, you know, because other guys were down in the galley, because they, in our station, they staying together after something like that, until I come down and tell them, you know, and all. So, I went down to, you know, see what all was going on. At that time the relief captain was going, you know.

MR. ROTH-ROFFY: Okay. So as you were heading down, he was coming up to the pilot house?

MR. CUMBERLAND: Right.

MR. ROTH-ROFFY: Did you say anything to him or did he say anything to you?

MR. CUMBERLAND: He told me to drop the boat, you know.

MR. ROTH-ROFFY: Okay. And then from there you proceeded to do that.

MR. CUMBERLAND: Right.



MR. ROTH-ROFFY: And prior to getting up at 7:30, when had you last been up?

MR. CUMBERLAND: I got up at 2:30 and made a lock and I laid back down about 3:30 that morning.

MR. ROTH-ROFFY: Around 7:30 when you were in the galley, did you feel, did you, did you see the Chief Engineer?

MR. CUMBERLAND: No, sir, I didn't see him. He was downstairs doing something. Making his rounds, is what he told me later.

MR. ROTH-ROFFY: Was there anybody else in the galley at that time?

MR. CUMBERLAND: Just me and Eli, the deck hand.

MR. ROTH-ROFFY: And what was Eli doing at that time?

MR. CUMBERLAND: Just sitting there and talking, we were just, you know, talking.

MR. ROTH-ROFFY: Immediately before the bump or the collision, did you sense that the ship was having any problems or reversing propulsion or anything?

MR. CUMBERLAND: None whatsoever, it was smooth running, you know.

MR. ROTH-ROFFY: Okay. I think that is about all I have for now. I will pass it down to the Coast Guard.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan.  
Good afternoon.

MR. CUMBERLAND: Good afternoon.

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LIEUTENANT DONOVAN: About how long, I don't know if we covered this yet, do you estimate it took you to get from the galley up to the pilot house?

MR. CUMBERLAND: About a minute.

LIEUTENANT DONOVAN: About a minute. That is pretty quick. Did the Captain make any calls or notifications before you got up there?

MR. CUMBERLAND: Not that I know of.

LIEUTENANT DONOVAN: Okay. So, he asked you to do it once you got up there.

MR. CUMBERLAND: Right.

LIEUTENANT DONOVAN: Is that something you would normally do?

MR. CUMBERLAND: No, he would normally do it.

LIEUTENANT DONOVAN: Okay. What is your job on your station billet when the general alarm goes off?

MR. CUMBERLAND: I go and get a radio, I go to the pilot house and see what the situation is and go down to the galley and direct everybody to what they need to do.

LIEUTENANT DONOVAN: Okay. What was the weather like when you went up to the pilot house following the accident?

MR. CUMBERLAND: Nice.

LIEUTENANT DONOVAN: You didn't notice anything unusual about the current coming through there at that time?

MR. CUMBERLAND: It had been strong all the way up the river, you know, so I didn't really pay any extra attention to it.

LIEUTENANT DONOVAN: Is the river a little high at this time?

MR. CUMBERLAND: In some stages it was. It seemed like we got a little further up, it wasn't as near, you know.

LIEUTENANT DONOVAN: Okay. That is all I have.

MR. SHEFFERT: Okay. We are going to go back to Ms. Estock with the Safety Board.

MS. ESTOCK: Hi.

MR. CUMBERLAND: Hi.

MS. ESTOCK: I just have a couple of questions on some of the things you mentioned. When, do you know what time Eli had called you, when you actually received the call in the morning?

MR. CUMBERLAND: I would say it was around 7:25, 7:30, you know, I am not really, I didn't really look at the clock. He called me and I just get up and, you know.

MS. ESTOCK: And do you know where he was calling from?

MR. CUMBERLAND: He came in my room and told me.

MS. ESTOCK: Oh.

MR. CUMBERLAND: He wanted me to get up.

MS. ESTOCK: And then did you two go together to the galley or did you go separately?

MR. CUMBERLAND: He went on back in and I got dressed and then went in there.

MS. ESTOCK: You also mentioned the Captain saying something about cold water in a cup, waking up.

MR. CUMBERLAND: He said to me, he blacked out, he remember, he didn't remember the crash. He said he felt cold water dripping, he had a Pepsi, he drinks Pepsi for breakfast every morning, and the cup had turned over, he said he guess and some cold water, ice had melted and hit him on the hand and woke him up.

MS. ESTOCK: So, the impact, after the impact?

MR. CUMBERLAND: Right.

MS. ESTOCK: Then the ice hit him.

MR. CUMBERLAND: Yes.

MS. ESTOCK: Clarifying questions to go to.

MR. SHEFFERT: Yes, your questions.

MS. ESTOCK: All right, Marty, could you describe your overall health?

MR. CUMBERLAND: Good. Overweight, but I am --

MS. ESTOCK: So, you haven't had any recent change in your health conditions in the past six months?

MR. CUMBERLAND: No.

MS. ESTOCK: Are you taking any medications?

MR. CUMBERLAND: No, Ma'am.

MS. ESTOCK: Any over the counter?

MR. CUMBERLAND: I take a Benadyl every night for --

MS. ESTOCK: Were you taking it at the time?

MR. CUMBERLAND: No, Ma'am, I hadn't had any.

MS. ESTOCK: Have you suffered any recent stresses in the past six months?

MR. CUMBERLAND: No.

MS. ESTOCK: How is your vision?

MR. CUMBERLAND: Fair, I guess, I mean, you know, I have to wear glasses to read, you know, mostly.

MS. ESTOCK: When was the last time you had your vision checked?

MR. CUMBERLAND: Almost a year ago, it is about time to change glasses again.

MS. ESTOCK: How about your hearing?

MR. CUMBERLAND: Hearing is good. I had it checked last time I was home.

MS. ESTOCK: Can you describe your interactions with the rest of the crew?

MR. CUMBERLAND: Get along real good. I have worked, known most of them ever since I have been on the river, you know, get along real well.

MS. ESTOCK: How about with the Captain?

MR. CUMBERLAND: Excellent. We go to ball games together when we are off the boat, you know.

MS. ESTOCK: Have you noticed any changes in him within, any time recently?

MR. CUMBERLAND: None whatsoever, you know, he has always been his happy go lucky self. Joking around and stuff.

MS. ESTOCK: That is all I have.

MR. SHEFFERT: Jim Sheffert here again. Just to follow up on Captain Dedmon's, you made a comment that he only has a Pepsi for breakfast.

MR. CUMBERLAND: Well, he comes down and gets him a biscuit when we have, we will have a cook two weeks, and if, I don't know whether they even have got, cook breakfast, sometimes he gets himself a biscuit and goes on, you know, to the pilot house and gets him a Pepsi. He has got -- and everything else up there, he eats on, you know.

MR. SHEFFERT: So, he is not a big breakfast eater, then?

MR. CUMBERLAND: He is not a big eater, no.

MR. SHEFFERT: Okay. Ms. Estock said that you didn't notice, let's say, hindsight looking back, did you notice anything different from say with Captain Joe with his medical conditions or appearance in the last few days?

MR. CUMBERLAND: None whatsoever, you know.

MR. SHEFFERT: How long have you been on the Robert Love for this tour?

MR. CUMBERLAND: I got on the 7th of May.

MR. SHEFFERT: So, you were about halfway through.

MR. CUMBERLAND: Right. I get out, I get back off June 7th.

MR. SHEFFERT: Tell us a bit about your marine training, knowledge, how long you have been employed in the industry as far as money?

MR. CUMBERLAND: Magnolia Marine was the first marine job I had and I have been with them almost seven years.

MR. SHEFFERT: In what capacities?

MR. CUMBERLAND: I started out as a deck hand, worked my way all the way up to mate.

MR. SHEFFERT: Do you have a tankerman's ticket money?

MR. CUMBERLAND: Yes, sir.

MR. SHEFFERT: You also have a tankerman's ticket.

MR. CUMBERLAND: Right. I mean, you have to have a tankerman ticket or you can't run mate, you know.

MR. SHEFFERT: Okay. So, when do you do the tankerman's duties, when --

MR. CUMBERLAND: When we at a dock, before we get to a dock, I check my bar to make they are right, prepare to discharge or load, whatever, and when we get to the dock I load or discharge, whatever.

MR. SHEFFERT: Okay. So, who else is assisting you with that?

MR. CUMBERLAND: Eugene Foret right now.

MR. SHEFFERT: Okay. So, then when the loading and discharging, you don't follow your mate's duties, you go onboard and do the tankerman's duties.

MR. CUMBERLAND: Well, I still follow my mate's duties, I mean, I just, I get the deck hands lined out before I go on the barge.

MR. SHEFFERT: Okay. Get the deck hands lined up, but, then you just, your primary responsibility is the --

MR. CUMBERLAND: The barge, yes.

MR. SHEFFERT: The tankerman's duties on the barge.

MR. CUMBERLAND: Yes.

MR. SHEFFERT: And you said you have been working for Magnolia for the last seven years.

MR. CUMBERLAND: Right.

MR. SHEFFERT: Have any formal training, been in the marine area for any of your tickets?

MR. CUMBERLAND: No, sir.

MR. SHEFFERT: How about your tankerman's endorsement, did you go for some training for that?

MR. CUMBERLAND: Yeah, I went to New Orleans for a week, plus training on the job, too.

MR. SHEFFERT: And you hold then a Coast Guard document as tankerman and --

MR. CUMBERLAND: Right.

MR. SHEFFERT: Okay. I will turn it back. Anyone else? Lieutenant.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan, again. Do you have your tankerman's card with you?

MR. CUMBERLAND: Right.



LIEUTENANT DONOVAN: Could I get that number off of it, please. If you could read the number on it and or do you not want --

MR. SHEFFERT: Not on this tape.

LIEUTENANT DONOVAN: Okay. Thank you.

(Pause.)

MR. SHEFFERT: Okay. Any other questions? Okay, Ms. Estock.

MS. ESTOCK: No.

MR. HARRIS: Roger Harris. Marty, would you tell us about your training that your company does in house, tankerman's training?

MR. CUMBERLAND: We work with a mate on barge, plus we have the book we go by, you know, have an oral transfer procedure we go by. And Galen Cox, our tankerman, instructor, he does a good job of training, plus every year, we go once a year down to the office, you know, and go for a week of training, updating all regulations and, you know, stuff like that. Have safety tapes we go by, and all.

MR. HARRIS: Okay. Thank you.

MR. SHEFFERT: Okay. Does that conclude it? Okay. Dennis?

MR. COLLINS: Nothing.

MR. SHEFFERT: Okay. That will conclude the interview with Marty Cumberland. And it is 16:05. And we are going off the tape.

(Whereupon, the interview was concluded.)

NATIONAL TRANSPORTATION SAFETY BOARD

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In the Matter of: \*

\*

MAJOR HIGHWAY/MARINE ACCIDENT \*  
ALLISION OF M/V ROBERT LOVE \* Docket No.  
with I40 BRIDGE \* HWY-02-MS. HARRIS-019  
WEBBERS FALLS, OK on \*  
MAY 26, 2002 \*

\*\*\*\*\*

Monday,  
May 27, 2002

INTERVIEW OF:

ELI HOGSETT

PRESENT: JIM SHEFFERT, NTSB  
JAMIE ESTOCK, NTSB  
TOM ROTH-ROFFY, NTSB  
DENNIS COLLINS  
CHIEF WARRANT OFFICER DOUG HALL  
LIEUTENANT JANINE DONOVAN  
ROGER HARRIS  
LIEUTENANT COMMANDER LABLOCH

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## PROCEEDINGS

MR. SHEFFERT: This is Jim Sheffert, NTSB, Marine Investigator. We are continuing our interviews with the collision of the Robert Love with the I-4 Bridge on May 26. We have with us today, along with myself, James Sheffert, there is Jamie Estock, with NTSB, again, Tom Roth-Roffy, NTSB, Dennis Collins, NTSB, Chief Warrant Officer Hall, U.S. Coast Guard, Lieutenant Donovan, U.S. Coast Guard, and Mr. Roger Harris from Magnolia Marine Transport. And our interviewee this afternoon is Mr. Eli Hogsett. And we also have with us Lieutenant Commander LaBloch from Coast Guard.

We will start off with, okay, Eli, as I had said to you before, could you start off with your activities, the watch before the accident and then tell us what went on from there.

MR. HOGSETT: I got up that morning and went in the bathroom and brushed my teeth, and Captain Joe Dedmon, he walked by, he said "Good morning, how are you doing?" I told him, "I am doing just fine." So, after then I come out of the bathroom and went into the galley, and he was going to the wheel house. So, I done my regular clean-up in the galley, I wiped down everything and swept and mopped. And I left out of there and went to the wheel house and dusted and swept and mopped up there.

We talked up there for, I would say probably the whole time we was up there, I was up there in the wheel house. And so, he was telling me that he had got two kids and he was, you know, adopted two kids. And he didn't seem like he was sick or anything wrong with him or anything. So, he told me, after I got through, he told me to go down and wake Marty up.

I went down and work Marty up and went I carried the garbage on the stern, put it in the trash bin, I went out and dumped the mop water out. I came back in the galley and sat down. And by the time I sit down, we heard a bang. And everything, everything that was in the deep freezer/refrigerator came out of there on the floor. So, we tried to run, go out of the door, and then it was banging again. So, after then, we went outside and we seen one pick-up came across from the port side. He was coming from the west here into the east. And so, then we ran back through the boat and came out on the port side. And then that is when I seen that 18 wheeler come across and hit the water.

And that is when Marty went to the wheel house to check on him and that is when I heard the alarms go off and the whistle and the alarms go off.

MR. SHEFFERT: So, okay, Jim Sheffert here, so Eli, you heard the whistle and alarms go off after the impact.

MR. HOGSETT: After.

MR. SHEFFERT: And to just go back a little bit about your timing that day. What time did you get up that morning?

MR. HOGSETT: I got up a 5:45.

MR. SHEFFERT: Five forty-five. And --

MR. HOGSETT: I meant to say 4:45. That is my regular time to get up every morning.

MR. SHEFFERT: Okay. Four forty-five and you were, okay, getting dressed and brushing your teeth when you saw Captain Dedmon and about what time was that, just a few minutes later?

MR. HOGSETT: He came through about five o'clock.

MR. SHEFFERT: And then went to the pilot house?

MR. HOGSETT: To the pilot house.

MR. SHEFFERT: And what did you do in the galley, I mean, do you get a bite to eat then or did you notice anyone else there?

MR. HOGSETT: I seen Eugene sitting in the galley. I sit there and talked to him awhile and then after Eugene left, like 5:30, then I got up and started my clean-up.

MR. SHEFFERT: And Eugene was just coming off watch, is that right?

MR. HOGSETT: Yes, he was going off watch.

MR. SHEFFERT: Did you happen to see the Chief Engineer any time?

MR. HOGSETT: I seen him at 5:30, he come through the galley and got him some water to take his medicine and he left out and he went up in the engine room. And I went up in the engine room, he was down at the bottom and he was walking around checking everything out down there. And about that time I had, I came back to the galley and I didn't go to the wheel house, I got ready to go up there and clean up.

MR. SHEFFERT: So, that is when you said you were up in the wheel house cleaning up when you were talking with the Captain.

MR. HOGSETT: Yes, sir.

MR. SHEFFERT: And about what time were you finished when you left the wheel house, approximately?

MR. HOGSETT: I left the wheel house about, somewhere between 7:40 and 10 minutes to eight, when I left the wheel house.

MR. SHEFFERT: And at that time, how did the Captain appear?

MR. HOGSETT: He was doing fine, because he said he didn't have no dizzy spell or he weren't feeling bad or anything. That he was doing just great.

MR. SHEFFERT: Okay, he didn't say that, or he just looked that way?

MR. HOGSETT: Well, he told me, he said, doing great. And seemed like he didn't have, you know, have no problem or anything. We were laughing and talking.

MR. SHEFFERT: Have you sailed with this captain often?

MR. HOGSETT: No, that was the first time I rode the boat with him.

MR. SHEFFERT: Okay, this tour.

MR. HOGSETT: Right.

MR. SHEFFERT: Or this trip.

MR. HOGSETT: Right.

MR. SHEFFERT: Okay. And just give us a little more detail, after you felt the impact and you observed the various vehicles go off the bridge, okay, then what did you do?

MR. HOGSETT: The relief, the relief captain and the relief, we went out on the barge and we checked the barges out, find out it wasn't leaking water. We came back to the bough and I went around the stern and about that

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time he blew the whistle for me to come to the wheel house. I went up there and he told me, you just left, he said, I wasn't, there wasn't nothing wrong with me, he said, I don't know what happened. He said, all I know I hit the bridge.

MR. SHEFFERT: Who said this?

MR. HOGSETT: Captain Dedmon.

MR. SHEFFERT: The Captain.

And could you just repeat that again. He said this to who, you or the relief captain?

MR. HOGSETT: The Captain, he told me, he said, I don't know what happened. He said, all I know I hit the bridge. He said I don't know why the people won't, why they won't stop.

MR. SHEFFERT: Won't stop what?

MR. HOGSETT: He was not himself. And he was just saying, I don't know why they won't stop, you know. So, I left out of the wheel house. I was in a state of shock. I couldn't say anything. I just walked right back out of the wheel house.

MR. SHEFFERT: And then what, continue?

MR. HOGSETT: And I went down on the deck and I didn't want to see anything else.

MR. SHEFFERT: And what were your duties for the next few hours, Eli?

MR. HOGSETT: Tying different boats out on the side of the boat and dragging wires out on the barges, trying to tie them up.

MR. SHEFFERT: Okay. Some follow up, Tom?

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MR. ROTH-ROFFY: Before you joined the Love, what was your previous assignment?

MR. HOGSETT: Clean-up like six hours, I was on like for six hour and I go off at 11:30.

MR. ROTH-ROFFY: Okay, so your regular hours are what?

MR. HOGSETT: From 5:30 to 11:00.

MR. ROTH-ROFFY: Five thirty to 11:30?

MR. HOGSETT: Five thirty to 11 -- Well, I relieve early. So, I can get my work done.

MR. ROTH-ROFFY: Okay. And could you again repeat, after you left the wheel house, when you spoke with the Captain about, you know, you mentioned that he mentioned to you about his adopted children, after that conversation, you went down, he told you to go and wake up the mate, is that correct?

MR. HOGSETT: Right.

MR. ROTH-ROFFY: So you woke up the mate and then you went into the galley.

MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: And then what did you do after that?

MR. HOGSETT: We sit there and talked awhile while he was filling out a log ticket. And before he can get the log ticket filled out, that is when that bang was. And so, the chairs left the table and I was stuck up against the wall and I got ready to get up, and I felt another bang again. So, I sit down again, the



third time, that is when I got up and went out the port side and I seen that truck came off the west bound heading east and hit the water.

MR. ROTH-ROFFY: So, how long do you think, if you could estimate, from the time you left the wheel house, the Captain told you to go wake up the mate, until the time of the, you felt the bang?

MR. HOGSETT: I would say maybe five, maybe less than that, you know.

MR. ROTH-ROFFY: So, after you woke up the mate, it didn't take him very long to --

MR. HOGSETT: No.

MR. ROTH-ROFFY: -- to go into the galley, is that correct?

MR. HOGSETT: Yes, sir.

MR. SHEFFERT: I mean, you woke him up, this is Jim Sheffert. You woke him up because he was going to be doing, he was the mate on duty to do the extra hands for making up for the locks.

MR. HOGSETT: Yes, sir.

MR. SHEFFERT: Okay.

MR. ROTH-ROFFY: And you also assist with that on the barges, to make up, do you assist the mate doing that?

MR. HOGSETT: No, sir, I am not the, I am the deck hand. I was going to help him make the lock.

MR. ROTH-ROFFY: You were going to help him make the lock.

MR. HOGSETT: Right. We had to be on each corner of the barge to keep from hitting the wall, and the gates and the lock. We had to have a bumper out there.

MR. ROTH-ROFFY: Okay, so that is your job, you go rig the bumpers.

MR. HOGSETT: Right.

MR. ROTH-ROFFY: Do you also handle lines?

MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: Going through the lock is there, involves handling lines, is that right?

MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: I think that is all I have. I am going to pass it down.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan.

How long do you think it took you from when you felt the bumps and the general alarm went off?

MR. HOGSETT: It was after the second bump. Right after the second bump, that is when I heard the whistle go off and then I heard the general alarm go off.

LIEUTENANT DONOVAN: Do you have a position to go to when the general alarm goes off?

MR. HOGSETT: At the time, the mate told us, you know, go out and see what was going, what was wrong. He went to the wheel house.

LIEUTENANT DONOVAN: So, he went directly to the wheel house.

MR. HOGSETT: The mate went to the wheel house and he told us to go out on the barge.

LIEUTENANT DONOVAN: How long was it before they called you to the bridge?

MR. HOGSETT: I really, I really wasn't paying no attention.

LIEUTENANT DONOVAN: A time.

MR. HOGSETT: And, no.

LIEUTENANT DONOVAN: Ten, 15 minutes.

MR. HOGSETT: I really don't know, Ma'am. I was really upset and shook up and I didn't pay attention.

LIEUTENANT DONOVAN: When you got up there, who else was on the bridge besides the Captain?

MR. HOGSETT: Repeat that question?

LIEUTENANT DONOVAN: When you got up to the, when they called you up to the wheelhouse, who was in the wheelhouse when you got up there?

MR. HOGSETT: Oh, Marty was in the wheelhouse, he was the one that called the Coast Guard, and the office and so, that was me and the relief captain and relief mate was on the barge.

LIEUTENANT DONOVAN: So, Marty and the Captain.

MR. HOGSETT: Marty and the Captain was in the wheelhouse.

LIEUTENANT DONOVAN: That is all I have.

CHIEF WARRANT OFFICER HALL: Chief Warrant Officer  
Doug Hall.

When you were up there, when you first went up in the morning,  
up in the pilot house, when you were with the Captain and that was around 7:50  
or so when you were up there for about 10 minutes, cleaning, when you were  
cleaning up, up there, could you see the bridge?

MR. HOGSETT: Yes, sir.

CHIEF WARRANT OFFICER HALL: You could see it.

MR. HOGSETT: Yes, sir.

CHIEF WARRANT OFFICER HALL: Could you tell if you were  
in the channel or everything, or anything --

MR. HOGSETT: He was in the channel, but, I couldn't exactly tell  
how far, you know, the distance he was from the bridge.

CHIEF WARRANT OFFICER HALL: Okay. Did it seem like  
you, guys, were going real fast or just you were heading upstream, right?

MR. HOGSETT: Yes, sir.

CHIEF WARRANT OFFICER HALL: Did it seem typical on  
what you normally speed, your normal speeds going up that way?

MR. HOGSETT: Normal speed, I didn't pay attention to the speed  
either. We were just, you know, I looked, I look around at him and talked to him  
awhile and then I go back to dusting and sweeping. After I got through dusting, I  
swept and mopped, got that trash out.

CHIEF WARRANT OFFICER HALL: Okay. Could you gage any  
idea on gaging how far away that bridge was?

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MR. HOGSETT: To me --

CHIEF WARRANT OFFICER HALL: If it is hard to tell miles, just like way off, you could barely see it or you could see it, make out the spans or -

MR. HOGSETT: Well, you know --

CHIEF WARRANT OFFICER HALL: You could see cars traveling across --

MR. HOGSETT: I didn't pay too much attention. I just glimpsed the bridge and just kept on doing my work.

CHIEF WARRANT OFFICER HALL: Okay. And when you left and went back down, you had a bump, then another bump, about how far in-between was that?

MR. HOGSETT: I would say about, about a couple of minutes apart.

CHIEF WARRANT OFFICER HALL: They were a couple of minutes apart from the bump.

MR. HOGSETT: About a couple of minutes apart, something like that. When it hit, we just, everything was just, it jarred everything.

CHIEF WARRANT OFFICER HALL: That was on the first one or the second one?

MR. HOGSETT: Well, it jarred on the first one and the second one.

CHIEF WARRANT OFFICER HALL: And did the first one bring the freezers and all of that kind of stuff out?

MR. HOGSETT: Yes, everything.

CHIEF WARRANT OFFICER HALL: That was on the first one.

MR. HOGSETT: Yes, sir.

CHIEF WARRANT OFFICER HALL: And then a minute or so later, something like that, then the second one.

MR. HOGSETT: Yes, sir.

CHIEF WARRANT OFFICER HALL: Okay, and the alarms and the whistles that were going off, was that in-between those or was it after the second one?

MR. HOGSETT: After the second bump.

CHIEF WARRANT OFFICER HALL: After the second bump. Okay. And that is all I have got. Thanks.

MS. ESTOCK: Hi, this is Jamie Estock from NTSB.

I just have a couple of questions to clarify. You mentioned that you were having a conversation with the Captain when you were up in the wheelhouse. And you talked about him talking about his two kids, do you remember any other details of the conversation you had?

MR. HOGSETT: Well, we talked about, I used to work at Brent Transportation, we were talking about the old guy who used to drive, you know, the vehicles there, leave the keys there, we were talking about that, and then we got off that conversation and got on talking about the children. And so, you know, just talking, just a conversation we were talking. He didn't seem like he was sick or anything.

MS. ESTOCK: So, you didn't notice any change in his speech patterns or his behavior at all in that time?

MR. HOGSETT: No, Ma'am.

MS. ESTOCK: If you could for a minute try to visualize the wheelhouse at that moment, when you were up there before the accident happened. And kind of describe for me where the Captain was and what he was doing at the time, besides having a conversation with you?

MR. HOGSETT: Okay. When I got ready to dust, he moved up between the sticks and I got up there and dust, and so he got back up there. And then when I got ready to sweep, he moved the chair back, also, and he stepped back and I swept right between the sticks, off the floor. And when I got ready to mop, I mopped up there and he put the chair back up there and he sit back down and starting back to the stern. And I got through sweeping and got the trash out of there.

MS. ESTOCK: Was he holding anything or doing anything else besides --

MR. HOGSETT: His cup was sitting up on the console, but, I think he had some ice water in there. And I didn't pay too much, what he had in the cup, but, the relief captain says he got up there, he was wet. I don't know --

MS. ESTOCK: And when you returned to the wheelhouse after the accident, did you notice anything that was out of place or did it look different?

MR. HOGSETT: No, Ma'am.

MS. ESTOCK: There was nothing that had moved or shifted or --

MR. HOGSETT: No, Ma'am, I just walked in when he said, I just had left out of the wheelhouse, I looked at him, and I asked him, why didn't you tell me that you felt bad, and he said, I didn't feel bad. I don't know what happened. And I turned around and went back downstairs.

MS. ESTOCK: Can you explain that further about he didn't feel bad?

MR. HOGSETT: No, because that was the first time I ever rode with the boat with him. And I didn't know, I just, you know, we worked with Brent Transportation, he worked on another boat and I worked on a different boat. And we had never had, you know, ran into one another or met one another until I got on the Robert Love.

MS. ESTOCK: So, this was after the accident that you had that conversation?

MR. HOGSETT: Yes, he called me to the wheelhouse, and he said that to me.

MS. ESTOCK: Did he say anything else in the conversation after the accident to you?

MR. HOGSETT: No, Ma'am.

MS. ESTOCK: Sir, I have some specific questions.

Can you describe your overall health?

MR. HOGSETT: Okay.

MS. ESTOCK: Okay. Have you had any changes in your health condition within the past six months?

MR. HOGSETT: No, Ma'am.



MS. ESTOCK: Are you currently taking any medication?

MR. HOGSETT: No, Ma'am.

MS. ESTOCK: No over the counter?

MR. HOGSETT: No, Ma'am.

MS. ESTOCK: Okay.

MR. HOGSETT: Nothing.

MS. ESTOCK: Have you experienced any recent stress within the past six months related to family or work or --

MR. HOGSETT: No, Ma'am.

MS. ESTOCK: How is your vision?

MR. HOGSETT: I need glasses.

MS. ESTOCK: When was the last time you had them checked?

MR. HOGSETT: It has been awhile. My glasses got broken and I hadn't got anymore yet.

MS. ESTOCK: So, are you nearsighted or far sighted.

MR. HOGSETT: Well, what do you call, nearsighted in one eye.

MS. ESTOCK: Which one, do you need the glasses to read or to see far, far away?

MR. HOGSETT: Well, I need so I can read, I can see without them.

MS. ESTOCK: How is your hearing?

MR. HOGSETT: Okay.

MS. ESTOCK: When you returned to the wheelhouse, did you notice anything different as far as the equipment onboard or anything strange about?

MR. HOGSETT: No, Ma'am.

MS. ESTOCK: What was the weather like?

MR. HOGSETT: Fair, it was good. It was, the sun was shining and everything.

MS. ESTOCK: That is all I have.

MR. SHEFFERT: This is Jim Sheffert again.

What we are getting at, whereas you had said the impact was enough to knock the contents out of the freezer and chill box, but yet you didn't notice, I mean did you notice anything in disarray up in the wheelhouse? Was anything knocked around up there?

MR. HOGSETT: I didn't go to the wheelhouse at first.

MR. SHEFFERT: Okay. Let's go over your marine training and how long you were in the marine industry on the river boats.

MR. HOGSETT: I have been with Magnolia going on three years in July.

MR. SHEFFERT: What did you do before that?

MR. HOGSETT: I worked on land for a few months. I worked for a company called F. L. Crane. And I left F.L. and came back, came to Magnolia.

MR. SHEFFERT: Did you work on any other marine employer?

MR. HOGSETT: I used to work for Brent Transportation.

MR. SHEFFERT: Is that Brent?

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MR. HOGSETT: Brent Transportation. For, okay, how many years?

MR. HOGSETT: I worked there until, I worked there five years.

MR. SHEFFERT: And that is where you knew Captain Dedmon?

MR. HOGSETT: Right. Yes, sir.

MR. SHEFFERT: Any other marine jobs?

MR. HOGSETT: No, sir.

MR. SHEFFERT: Okay, let me pass on. Mr. Roth-Roffy?

MR. ROTH-ROFFY: Just to clarify, you may have already said this and I just want to make sure I had gotten it right. After you spent time up on the bridge with the Captain, cleaning up the wheelhouse, he told you to come down and wake up the mate. You woke up the mate, and then what did you do?

MR. HOGSETT: I carried the garbage around the stern, put it in the dump. And then I came back into the engine room and got my water out, the mop bucket sitting inside the engine room. And then I come back to the galley and sit down. And I was going to go out on tow, and check the tow and before I could go out and check the tow, that is when I heard the impact.

MR. ROTH-ROFFY: Okay. When you, you say you dumped water from the engine room, what does that involve?

MR. HOGSETT: Into the sink.

MR. ROTH-ROFFY: Did you step outside to do that?

MR. HOGSETT: No, no.

MR. ROTH-ROFFY: At any time after you left the pilot house, did you go outside?

MR. HOGSETT: I came back down the side of the boat.

MR. ROTH-ROFFY: I am sorry, say that again?

MR. HOGSETT: I came back, okay, when I left the wheelhouse, I came downstairs and went down and went down the side of the boat.

MR. ROTH-ROFFY: You went down the side of the boat and then you went into the boat.

MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: And after you went into the boat, did you at any time come back out of the boat?

MR. HOGSETT: I came back out after I woke the mate up and put the garbage on the stern, then after I put the garbage on it, I went up the other side of the boat, the port side and dumped the water into the sink.

MR. ROTH-ROFFY: Okay, the water was in the engine room, you say?

MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: And that is inside the ship, right?

MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: So, you went into the ship, got the water from, it was in a bucket in the engine room.

MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: And dumped it in the sink that is in the, inside the house.

MR. HOGSETT: Yes, sir. Yes, sir.

MR. ROTH-ROFFY: And then you went back into the galley.

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MR. HOGSETT: Yes, sir.

MR. ROTH-ROFFY: And did you sit down at that point or what did you do in the galley?

MR. HOGSETT: Yes, sir. Yes, sir, we sit down at the galley, in the galley, talking.

MR. ROTH-ROFFY: Okay and you were talking with Marty.

MR. HOGSETT: Marty.

MR. ROTH-ROFFY: Okay. I think that is all I have. I will pass it back down this way again.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan, again.

You were talking about cleaning up on the bridge, what, do you use any kind of cleaning solution when you mop the floor?

MR. HOGSETT: We, we use Pine Sol.

LIEUTENANT DONOVAN: You use Pine Sol.

MR. HOGSETT: Yes, Ma'am.

LIEUTENANT DONOVAN: Anything else that you use up there when you are cleaning the console or anything?

MR. HOGSETT: No, Ma'am. No, Ma'am.

LIEUTENANT DONOVAN: So, just Pine Sol?

MR. HOGSETT: Just that is all we use, water and Pine Sol. And I left the mop on the outside when I was doing the dusting, and the sweeping. I sit the mop on the outside.

LIEUTENANT DONOVAN: Are there windows open up on the, in the wheelhouse?

MR. HOGSETT: He had the windows open.

LIEUTENANT DONOVAN: He had the windows open. What type of flooring is there in the wheelhouse?

MR. HOGSETT: It is tile floor.

LIEUTENANT DONOVAN: Is it slippery right after you mop it?

MR. HOGSETT: No, Ma'am. It dries quick.

LIEUTENANT DONOVAN: Any type of rubber mats over it?

MR. HOGSETT: Yes, Ma'am, there is a mat there at the door.

LIEUTENANT DONOVAN: At the door.

MR. HOGSETT: Yes, Ma'am.

LIEUTENANT DONOVAN: Moving onto a different subject. Is there any certain date that you were suppose to be in Katusia, any type of deadline to get to your next destination?

MR. HOGSETT: I think they said we were suppose to have been there about Sunday, I haven't been up there. I had been on the -- River, but I had never been --

LIEUTENANT DONOVAN: Okay. You were suppose to get there on Sunday.

MR. HOGSETT: That is what they, that is what they explained to me.

LIEUTENANT DONOVAN: Okay. That is all I have.

LIEUTENANT COMMANDER LABLOCH: This is Lieutenant Commander LaBloch. I just had one question, talk about your conversations with the Captain during your five days that you were on the vessel. I understand you

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knew him previously. Throughout your five day hitch, did the Captain and you have any conversations about his health?

MR. HOGSETT: Well, I never did, when he caught the boat, we were at a lock. He got on the boat at the lock. And I helped him get his stuff to the boat. And so, we were making the lock, and I didn't have time to talk.

LIEUTENANT COMMANDER LABLOCH: Okay. What about previous to this hitch, any conversations with him about his health?

MR. HOGSETT: No, sir.

LIEUTENANT COMMANDER LABLOCH: That is all.

MR. SHEFFERT: Jim Sheffert again.

Just looking at the duty schedule for the crew members, the Captain only came onboard the day before. You had been onboard for five days. He only came onboard the day before. And were you on this boat regularly, the tour before this one?

MR. HOGSETT: No, sir.

MR. SHEFFERT: This is your first --

MR. HOGSETT: This was the first tour on this Robert Love.

MR. SHEFFERT: Okay. This is your first tour on the Robert Love. So, therefore, you only had the day before the accident to, let's say talk with the Captain, being on there together, since he had only joined on the 25<sup>th</sup>.

MR. HOGSETT: I didn't go up to the wheelhouse.

MR. SHEFFERT: Okay. So, the first time you are actually up having a conversation with him, was that morning?

MR. HOGSETT: That morning.

MR. SHEFFERT: Okay. Thank you.

Okay, Mr. Collins.

MR. COLLINS: No questions.

MR. SHEFFERT: No questions. Mr. Harris?

MR. HARRIS: No questions.

MR. SHEFFERT: Okay if there isn't anything else, we will conclude this. Thank you very much, Eli, for your candid remarks. And we will conclude this interview at 17:10.

(Whereupon, the interview was concluded.)



NATIONAL TRANSPORTATION SAFETY BOARD

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In the Matter of: \*

\*

MAJOR HIGHWAY/MARINE ACCIDENT \*  
ALLISION OF M/V ROBERT LOVE \* Docket No.  
with I40 BRIDGE \* HWY-02-MS. HARRIS-019  
WEBBERS FALLS, OK on \*  
MAY 26, 2002 \*

\*\*\*\*\*

Wednesday,  
May 29, 2002

INTERVIEW OF:

CAPTAIN WILLIAM JOSEPH DEDMON

PRESENT: JIM SHEFFERT, NTSB  
TOM ROTH-ROFFY, NTSB  
DENNIS COLLINS  
LIEUTENANT DONOVAN  
L. C. LABLOCH  
JOEL WALWITH(ph)

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## PROCEEDINGS

MR. SHEFFERT: This is May 29, 2002. And the time is 15:46 Central Daylight time. And this is James Sheffert with the NTSB. The lead marine investigator. We are here for the interview of the Master of the towing vessel Robert L. Love. And the interview will be with Captain William Joseph Dedmon.

And I have with me this afternoon at the interview and will do the introduction around the table.

MR. COLLINS: Dennis Collins, Accident Investigator, Office of Highway Safety, National Transportation Safety Board.

MR. HARRIS: Roger Harris, Director of Operations for Magnolia Marine.

LIEUTENANT COMMANDER LABLOCH: Lieutenant Danny LaBloch from the 8<sup>th</sup> Coast Guard District.

LIEUTENANT DONOVAN: Lieutenant JG Janine Donovan, Marine Safety Office, Memphis, with the U.S. Coast Guard.

MR. WALWITH: Joel Walwith, Tulsa, Oklahoma. I am an attorney representing Captain Dedmon.

MR. SHEFFERT: And also we have with us, Captain Dedmon.

I would like to start off the interview here this afternoon and there is going to be a statement?

MR. WALWITH: Yes. Thanks, Jim. I want the record to reflect that I did indicate to Jim before we begin that I wanted to make just an introductory statement. I think the record of this interview should reflect that

Captain Dedmon, we are currently in Room 3301 of the Muskogee Regional Hospital. Captain Dedmon is under the care of Dr. Thy. He has had a number of tests and including a stress test and may have some examinations tomorrow. In connection with his hospital stay and pursuant to doctor's instructions and orders, he has been taking various medications, including Xanax, Buffin, a sinus medication, Bacrin CR, Ambient, which was taken last night and I think, and he has a nitro patch on as we are here today. I just want that context to be clear and that he is prepared to proceed subject to any unnecessary stress that might be created by the situation. We will monitor that as we go along. We don't anticipate any problems and certainly, certainly willing to be interviewed and cooperate at this time.

MR. SHEFFERT: Thank you very much, sir.

This is James Sheffert again. We will be starting off the questioning here.

Good afternoon, Captain.

CAPTAIN DEDMON: Good evening.

MR. SHEFFERT: I would like you to state your name for us?

CAPTAIN DEDMON: William Joseph Dedmon.

MR. SHEFFERT: And for starting off with the interview, you were the Master of the Robert L. Love.

CAPTAIN DEDMON: Robert Y. Love.

MR. SHEFFERT: Excuse me. Robert Y. Love on the 26 of May. Could you start by telling us when you joined the vessel and the watches you stood from the time you came onboard?

CAPTAIN DEDMON: I joined the vessel at 18:40, I think that is the log time they put me on, on Saturday evening at Lock 13.

MR. SHEFFERT: And then, what were your activities for the rest of that evening?

CAPTAIN DEDMON: I come on the vessel and assumed my duties until approximately between 10:30 and 10:45, the relief captain, James Wilkinson, came up and relieved me. And as I always do, I went down to the galley got me a little snack, glass of water, and went to bed.

MR. SHEFFERT: And please continue, Captain.

CAPTAIN DEDMON: And at five o'clock, the next morning, they called me up to, that was our normal time to get up and resume our watch. And I got up, and went through the galley, got my glass of ice that I normally put water or Pepsi in, and went and relieved my relief at approximately, between 5:15 and 5:20. And after that I went on through the routine of getting my traffic gathered up, put in the computer and sent in, made a copy of my daily log, the smooth log they call it. And put it in the file cabinet and assumed my regular duties as steering the boat up the river.

MR. SHEFFERT: This is Jim Sheffert again, go ahead continue, Captain.

CAPTAIN DEDMON: Sir?

MR. SHEFFERT: Yes, continue.

CAPTAIN DEDMON: Okay. And then later on the deck hand on duty come to the bridge, you know, to the wheel house, what we call the wheel house to perform his duties like he is suppose to, clean and straighten up and do

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his duties up there. In the meantime, I had never ridden with him before, but, I had met him on another occasion. He knew who I was and I knew who he was. And he used to work with another company with my brother. And we got to talking and we sat there more likely talked for about 30 minutes, approximately 30 minutes. We had a conversation. It couldn't have been 30, you know, it might not have been 30 minutes, it could have been less or it could have been a few minutes more. You don't never look at your watch and time, you know, stuff like that.

But, any rate, I told Eli, I said we are coming up on the I-40 bridge. We have got Lock 16 up there above 64. So, is the mate up? He said he didn't know really if he was up yet or not. I said, well, how about going down and check on him and see if he is up, so he would have time to get up and prepare and make the lock. And I said, I will call the lock just as soon as I get above the bridge.

So, in the meantime, I was coming up right below the green buoy, right below the bridge, and he left out, and it made, you know, that, it is just normal that you look and see when there is a little noise made, he made a little noise on the steps and I looked back, and then I turned back, you know, to steer to get lined up on the bridge. I was already abreast to the buoy, above it. And I was getting lined up on the bridge and when I passed the buoy, that is the last thing I remember until the collision, itself, didn't even jar me, you know, bring me conscious. And something wet, they said, I don't know, somebody said I had water on my head, but I knew I had water on my arm, which was ice that had melted down in my Pepsi, and evidently with the collision it went forward and

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turned over and it drained off on me. And I come around, but I could not get, I could not get focused on nothing and I finally got where I could get my eyes shaped before I could see in front of me. The bridge was on the barge. And that I guess, you know, just natural instinct of all my training over the years, took over, because I still could not get focused. I could not get oriented right. And I blew the normal five whistle signal. And then I guess I was concerned, because I saw a 18 wheeler and I think a pick up truck go off of the bridge. I started blowing the whistle again, just to try to get somebody's attention to stop that was on the bridge.

And, and, I believe the, I believe the mate can verify because I believe he had gotten up there about that time, that I was just screaming "why don't those people stop, why don't they stop." And then as familiar as I was with the boat, as I was with the boat, I had to fumble around and find the general alarm to get it set off. And then I told the mate, I said, "Marty, please send out a Mayday to the Coast Guard, please." And he got on the radio and sent out a Mayday. And then after that it was just one thing another trying to answer the Coast Guard's calls and then the, just probably 45 seconds or a minute, minute and a half, the relief captain come up and he had taken over and relieved me of answering the radio, answering the telephone, because I was not, you know, capable of talking to anybody. I believe I talked with the Coast Guard one time, and then I turned it over to James Wilkinson, which we call Flash.

And then I called our office, and Don Amesworth was on watch, and the only thing that I can remember saying to Don is that something terrible had happened, something terrible had happened. I was just out of control. And

he told me to hang up, and he would call the boat right back. And when he called back, Flash did most of the talking. And he did, you know, and he would ask me and I would answer the question the best I could.

And it wasn't too long, just, just a few minutes later or a minute later, they had picked up somebody and Marty, the mate, he reached and grabbed the radio and hollered, we need medical assistance fast, we need medical assistance fast, you know. But, it was, they had a bass rodeo that day, a bass tournament or something and there were a lot of fishermen around and thank God they were there to pick up the survivors.

And then it wasn't too long after that that the Highway Patrol come on the boat and took me to this hospital. He just asked me a minor, a few minor questions. He didn't go through no thorough drill, you know, excepting for what happened and I told him I just passed out, that I could not remember.

After I left the ship, I have no knowledge of what else took place down there or what.

MR. SHEFFERT: James Sheffert again. Captain Dedmon, when you, when you were at the hospital, do you recall giving a blood or urine sample?

CAPTAIN DEDMON: Yes, sir, I give one directly to the Highway Patrol and one to the hospital and a urine specimen to, I brought my own kit, but, we, in the turmoil, I couldn't think and Flash, or James Wilkinson, he was, I know he was upset, too, and he did not give me the paperwork that went with it, so, they had to call our man on watch, our safety man in Vicksburg, which is Jim Smith, and he verified and okayed for them to give me one through their, to their deal up

here. And I have the receipt on it over there somewhere. That was just a urine specimen, no blood, which is required by our company, regardless.

(Pause.)

MR. SHEFFERT: Thank you. I am just writing those notes down.

Thank you very much, Captain. That was, thank you for going through those events. I know that was probably difficult.

I will be passing it around to my right here, for some follow up questions with Lieutenant Donovan.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan.

Good evening, Captain, can you hear me okay?

CAPTAIN DEDMON: Yes, Ma'am.

LIEUTENANT DONOVAN: You stated you blew the danger signal five for collision, is that the company's rule.

(Pause.)

MR. SHEFFERT: Okay. We are resuming the tape.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan.

Captain, you stated you blew five on your whistle.

CAPTAIN DEDMON: Five, I believe five or --

LIEUTENANT DONOVAN: And then you kept blowing the horn trying to get people on the highway attention.

CAPTAIN DEDMON: When I blew that, then I hesitated and then I started blowing horns just to try to get the attention of the people on the bridge.

LIEUTENANT DONOVAN: And then after that, the general alarm.

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CAPTAIN DEDMON: After that the general alarm.

LIEUTENANT DONOVAN: Okay. To alert everybody on the boat.

CAPTAIN DEDMON: And I believe the mate had gotten up there about that time.

LIEUTENANT DONOVAN: Okay. You talked a little bit about how they had just cleaned on the bridge, in the wheel house, the deck hand had just finished cleaning.

CAPTAIN DEDMON: Yes.

LIEUTENANT DONOVAN: Did the cleaning solution that he used bother you at all?

CAPTAIN DEDMON: No, Ma'am.

LIEUTENANT DONOVAN: It doesn't bother you at all?

CAPTAIN DEDMON: I don't remember what he was using.

MR. SHEFFERT: Go ahead, Captain.

CAPTAIN DEDMON: Okay. Are you ready?

LIEUTENANT DONOVAN: Yes, sir. We were talking about the cleaning, that he was cleaning in the wheel house.

CAPTAIN DEDMON: Yes, he, they go so far up there, just straight up downstairs, they leave the mop bucket downstairs, but he brings a dust pan, broom, and mop, and I don't know what he was using. It had no distinctive odor, you know, it could have been Pine Sol, it could have been, the type of cleaning, you know, that they use all the time. And, but, I know when I had to get up and move my chair around so he could sweep, and then I had to move it

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around so he could mop, because it is a rather small wheel house. And when he got through, that is when we starting our conversation, you know, just talking. And he said he knew me, and I asked him where did he know me from. And he said Gene Neil, which is the boat I previously rode, but he was on the Gene Neil whenever I saw him, which I did never ride with him, but we had to help the Motor Vessel Gene Neil in Greeneville one time, pump some barges. And he come over and talked to me. But, we got to talking about people that we worked for in the past, worked with in the past and we just had a good conversation, you know.

And then, like I said, I noted we were coming up right below I-40 Bridge, and the lock wasn't too far up the river. We normally give all of our crew members anywhere from a 30 minute to an hour notice to get up, so they can get fully awake, aware of what they are going to do. And I told him, I said, I asked him, I said is Marty up yet, the mate, he said, he didn't know. I said, well, we are coming up on I-40 Bridge, I think you need to go down and check on him, get him up, so he can get up, get ready to make the lock and I will call him just as soon as I get above the bridge. That is normally where you call them from.

LIEUTENANT DONOVAN: Okay. So, sometime had passed between when he actually mopped the floor or used the cleaning.

CAPTAIN DEDMON: It had done been several minutes.

LIEUTENANT DONOVAN: And you think you talked for awhile.

CAPTAIN DEDMON: It had been several minutes since he had mopped the floor. So, we were sitting there discussing, you know, stuff, you know, through, he knew some people that still worked with Kirby, that worked

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with Brent Towing Company, which you all probably know that Kirby brought Brent out and I worked for Brent for 16 years. And he knew a lot of people that I knew over there. And so, then like I said, we was coming up on the bridge, and I told him to go down and make sure Marty was up, get him up, and so, he could get ready to make the lock.

LIEUTENANT DONOVAN: Okay.

CAPTAIN DEDMON: And then after he left out, as they normally always do, make a little racket going downstairs, but, I looked around to see, you know, and he had already gone out of sight, and then looked back and over, lining up on the bridge. It was not, you don't have to put no whole, great amount of rudder to it, the way the bridge is shaped and I was coming up on that last green buoy before you get to the bridge, and I remember looking out to the side of the buoy, and then looking back at the bridge, and after that I don't remember nothing.

LIEUTENANT DONOVAN: So, that approach to that bridge, do you consider that one of the easier bridges to transit through?

CAPTAIN DEDMON: Oh, that is one of the easier bridges on the Arkansas River or any river to make.

LIEUTENANT DONOVAN: Okay.

CAPTAIN DEDMON: And I have been through it probably 100 times.

LIEUTENANT DONOVAN: Do you remember following the collision seeing any type of flares go off or anything like that?

CAPTAIN DEDMON: No, Ma'am.

LIEUTENANT DONOVAN: And when you, you blacked out and you don't remember, the first thing you remember were you still standing at the sticks?

CAPTAIN DEDMON: No, I wasn't standing. I was crunched down. And, and I remember the liquid pouring on me. And then I raised up because I had to look, you know, look up to see what was going on. And all I could see was a big bridge down on the barge.

LIEUTENANT DONOVAN: So, are you below window level? You are below the line of sight.

CAPTAIN DEDMON: The console is below window level. But --

LIEUTENANT DONOVAN: You were below it.

CAPTAIN DEDMON: -- I got raised up enough to see over it. And then I seen a pick up truck or a semi truck just sail and that is when I blow the danger signal, and then I started blowing the whistle again. I can't recall how many times I blow it then. It was like I said, after I finally got a little bit of my wits about me, instinct taken over. That is all, you know, we, you all preach that to us anyway.

LIEUTENANT DONOVAN: Right.

CAPTAIN DEDMON: Trained for such stuff, and, and then I set off the general alarm. And about that time the mate had got up there, and I asked, Marty, please call the Coast Guard and send out a Mayday. And he did.

LIEUTENANT DONOVAN: Okay. So, when you, the first thing you remember you were down below and all you could see was the console in front of you, basically.

CAPTAIN DEDMON: I was, I can't remember, like I said, after I passed that buoy, I didn't remember anything until I found myself getting up.

LIEUTENANT DONOVAN: Getting up.

CAPTAIN DEDMON: And, and that is when I guess the natural instinct taken over to try to do and everything and then, it was terrible.

LIEUTENANT DONOVAN: Okay. Thank you, Captain. That is all I have.

LIEUTENANT COMMANDER LABLOCH: Lieutenant Commander LaBloch.

I just wanted to follow on that, since we are on that subject about when you came to. Were you crouched down and sitting on the chair, or in-between the chair and the console?

CAPTAIN DEDMON: In-between the chair and console.

LIEUTENANT COMMANDER LABLOCH: Okay.

CAPTAIN DEDMON: And --

LIEUTENANT COMMANDER LABLOCH: Do you remember prior to blacking out whether you were sitting or standing?

CAPTAIN DEDMON: I was sitting.

LIEUTENANT COMMANDER LABLOCH: You were sitting.

CAPTAIN DEDMON: But, I keep my chair back straight up, you know.

LIEUTENANT COMMANDER LABLOCH: Do you remember your rudder positions prior to passing out?

CAPTAIN DEDMON: Not, yeah, I remember them, my rudder position because it takes just very little rudder, just a little rudder, you know, just to make a gradual turn. And once I went by that black buoy. And so, evidently, you know, there was still just, when you go up into the bridge, you still have got a little gradual turn from that buoy to get lined up straight up into the bridge, and after I passed that buoy, that is when I blacked out and I don't remember nothing until I come around, you know, and the console, and the only way that water could have spilled off on me was me being below the console, because I would have been higher than the console if I had been sitting in the chair or standing.

LIEUTENANT COMMANDER LABLOCH: Right. So you had a little bit of rudder. Can you tell us port of starboard on your approach?

CAPTAIN DEDMON: To the port.

LIEUTENANT COMMANDER LABLOCH: To the port.

CAPTAIN DEDMON: Because that is the way it just, I tried to figure out, I looked behind me and everything, I seen the buoy back there, and I looked around, and I looked to the side of me, seen the channel span, and the buoy back there and it looked like the boat, it just gradually turned, gradually. It went out of, went out in behind the main channel pier and struck the, I believe, the next pier over.

LIEUTENANT COMMANDER LABLOCH: Okay. Just let me clarify one more thing. We are talking the steering rudder slightly to port.

CAPTAIN DEDMON: Yes.

LIEUTENANT COMMANDER LABLOCH: Okay. Let's see.

CAPTAIN DEDMON: It couldn't have been over two or three degree rudder because it don't take that much rudder to, to go up through there once you get lined up on it.

LIEUTENANT COMMANDER LABLOCH: Do you recall when you woke after the accident, what the position of the rudders were?

CAPTAIN DEDMON: They were still in the same position. But, the engine were still coming ahead and when I finally got to my senses, I knocked them out of gear.

LIEUTENANT COMMANDER LABLOCH: But, you didn't notice any change to the rudders?

CAPTAIN DEDMON: No, I didn't. No change to the rudder.

LIEUTENANT COMMANDER LABLOCH: How was your sleep right before that 05:15 watch?

CAPTAIN DEDMON: Well, I had a good night's rest.

LIEUTENANT COMMANDER LABLOCH: You say --

CAPTAIN DEDMON: I went to bed around, between 11:15 and 11:30 and that is just a little bit more than normal for me. I usually don't get to relieved until that time, and then by the time I get in the bed, it is quarter til or 12 o'clock, midnight, and then get up at five.

LIEUTENANT COMMANDER LABLOCH: Did someone come down to waken you?

CAPTAIN DEDMON: Yes, sir. The deck hand on watch woke me up at five o'clock.

LIEUTENANT COMMANDER LABLOCH: Did you have any problems awakening that morning when the deck hand --

CAPTAIN DEDMON: No, sir. That is something I have trained myself over the years, even when I was deck hand back in the late '50s and '60s and before I went in the pilot house, I had never had to be called twice to get out of the bed.

LIEUTENANT COMMANDER LABLOCH: Two more questions. Do you recall the weather conditions on your approach?

CAPTAIN DEDMON: The weather had been a little hazy and everything, at the time it was, the sun was peeking in and out, but later on that morning it started raining. But, that was way after the accident.

LIEUTENANT COMMANDER LABLOCH: So, the last you remember prior to the accident was a little hazy, with sunshine.

CAPTAIN DEDMON: I am not talking about, it wasn't hazy, just the clouds.

LIEUTENANT COMMANDER LABLOCH: Clouds. Okay.

CAPTAIN DEDMON: It was just a little over the sun, you know, it wasn't hazy on the water or anything, just a cloud, you know, up in the sky. The sun peeking through every once in awhile. But, the weather was fine. And, but, afterwards, by the time the Highway Patrol got me off the boat, it was raining, because we had to put on raincoats.



LIEUTENANT COMMANDER LABLOCH: Okay. And my last question. You mentioned that you heard the deck hand making a little noise on his departure from the wheel house, on the stairwell.

CAPTAIN DEDMON: Well, that is normal procedure on an up and down pilot house, they have to catch ahold of that handrail and it shakes, you know.

LIEUTENANT COMMANDER LABLOCH: Right.

CAPTAIN DEDMON: But, I always look back because there has been so many people fall down them things, you know.

LIEUTENANT COMMANDER LABLOCH: Do you have any sense of the amount of time after he left the wheel house until your last recollection of where you were and --

CAPTAIN DEDMON: Well, it couldn't have been too awful long, because I was already coming up close to the buoy. It couldn't have been too awful long, I could see the buoy real good with my naked eye. And I was already, you know, just coming up, it is just real easy steering, any pilot, you know, that knows the river. And it just, real easy steer to get up, you know, into the bridge, and after I come around that green buoy out there, we still call them black buoys. But, after I come around the buoy, that is the last thing I remember.

LIEUTENANT COMMANDER LABLOCH: That is all I have at this time.

MR. SHEFFERT: Mr. Harris?

MR. HARRIS: I don't have any questions.

MR. SHEFFERT: Okay. Thank you.

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Now, we will have some questions by Dennis Collins. Dennis.

MR. COLLINS: Dennis Collins with the Safety Board.

Captain, I have some clarification questions and then I have some other ones that we will go through.

You said when you awoke for watch that morning, you went down to the galley and got a snack.

CAPTAIN DEDMON: No, sir. I got a glass of ice, because I always carry it up to the pilot house with me.

MR. COLLINS: Okay. You didn't have anything to eat after you work up.

CAPTAIN DEDMON: No, sir. I do not eat breakfast after I wake up. As a matter of fact, when I am standing the captain's watch, the only meal I eat is lunch.

MR. COLLINS: And you said on this morning it is a glass of ice and you normally put water or Pepsi in there.

CAPTAIN DEDMON: Yes.

MR. COLLINS: Which did you pick on this morning?

CAPTAIN DEDMON: Pepsi.

MR. COLLINS: Pepsi. Okay.

When was the last time you did have something to eat prior to the accident?

CAPTAIN DEDMON: That night when I got relieved, I went down in the galley and got a snack. That is where, that is where the snack come in at.

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MR. COLLINS: Okay.

CAPTAIN DEDMON: And he relieved me, like I said approximately between 10:30 and quarter of 11.

MR. COLLINS: Do you remember what it was you had to eat that evening?

CAPTAIN DEDMON: It seemed to me like a can of Vienna sausage and a glass of tea.

MR. COLLINS: Do you recall if that was caffeinated or decaffeinated?

CAPTAIN DEDMON: It was normal, regular tea.

MR. COLLINS: Regular. And do you know about what time that was when you were relieved and went down to the galley and had that tea and Vienna sausage?

CAPTAIN DEDMON: It was around quarter to 11 when I got, 10 to 11 when I got in the galley, because whenever we relieve one another, we always go over what we are doing, where we are at, and everything, you know, and --

MR. COLLINS: Okay. I believe you also said that morning after you came on watch, the deck hand came up to the wheel house and he started his cleaning. Do you recall what time that was?

CAPTAIN DEDMON: It was in the neighborhood of around seven o'clock, because he has a lot of other clean up work to do. Somewhere in that neighborhood. I can't pinpoint, I can't say definitely seven o'clock or 15 til or 15 after. That is just approximately.

MR. COLLINS: Okay. And then I will jump forward a little bit. When you were describing when you woke up after the, came to after the accident, you said you saw an 18 wheeler and a pick up truck go off the bridge.

CAPTAIN DEDMON: I think so, I think that is, I am pretty sure that is what it was.

MR. COLLINS: Could you remember what color those two vehicles were?

CAPTAIN DEDMON: No, sir.

MR. COLLINS: Do you recall any other vehicles other than the 18 wheeler and a pick up truck?

CAPTAIN DEDMON: No, all of those had already went in before I got to my senses.

MR. COLLINS: Did you actually see any vehicles in the water when you came to your senses?

CAPTAIN DEDMON: After, after I come to my senses, it seemed to me like it was two 18 wheelers floating, but they was out of the water. You could see them.

MR. COLLINS: Okay.

CAPTAIN DEDMON: But, anything else I couldn't see, but just a lot of debris.

MR. COLLINS: And you mentioned that the Highway Patrol came onboard and took you directly here. Do you know what time that was?

CAPTAIN DEDMON: Well, it had to be in the neighborhood of probably around nine, between nine and ten a.m. because they had to, he had to

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come all the way down and get an outboard from way up the river and come down and it was, it was in that neighborhood. And I do remember that whenever he got in his patrol car, we went out, started out and he turned and come back to check with some of his co-workers on what to do on the, on the, whoever was in charge down there, you know, to take care of what was going on down there.

MR. COLLINS: Okay.

CAPTAIN DEDMON: And --

MR. COLLINS: You said -- Go ahead, sir.

CAPTAIN DEDMON: No, go ahead.

MR. COLLINS: I don't want to interrupt you. What were you going to say?

CAPTAIN DEDMON: And the mate on the vessel, Marty Cumberland, was with me. He went with me and the Highway Patrolman.

MR. COLLINS: Okay. You said the officer asked you a few minor questions and you indicated to him that you had blacked out or passed out.

CAPTAIN DEDMON: Right.

MR. COLLINS: Do you remember what questions he asked you?

CAPTAIN DEDMON: No, sir, I can't remember exactly what he asked me.

MR. COLLINS: After he came aboard and took you off, did you stop and see any medical personnel prior to getting into his cruiser?

CAPTAIN DEDMON: No, sir.

MR. COLLINS: No. Okay. We will go backwards for a minute. When the deck hand came up and finished his cleaning and started a conversation

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with you, you said you discussed some common co-workers. Did you cover any other topics?

CAPTAIN DEDMON: Any other what?

MR. COLLINS: Any other topics. Did you talk about anything else?

CAPTAIN DEDMON: No, sir, we were just talking about people that we knew, that, that worked with Kirby, and because I don't really know this man and I didn't have nothing else, you know, to discuss with him other than, you know, something like that. But, the only thing that I did tell him, you know, was had he asked, had, was the mate up and if he wasn't, to go down there and make sure he was up, so he could have plenty of time to get up to get prepared to make the lock.

MR. COLLINS: Jim, would you like me to go through the human performance questions?

MR. SHEFFERT: I think we will go another round.

MR. COLLINS: Okay. I have no further questions.

MR. SHEFFERT: This is Jim Sheffert again.

Captain, how long have you have been aboard the Robert Love as master, captain?

CAPTAIN DEDMON: Ever since February 22 of 2001. Oh, you are talking about how long I had ridden that boat?

MR. SHEFFERT: Right, how long have you ridden the boat?

CAPTAIN DEDMON: I had ridden that boat, they put me on there February 22, 2001. Is that right, Roger? They pulled me off of the Gene Neil and put me over there.

MR. HARRIS: That is approximate, yeah.

CAPTAIN DEDMON: Yeah. Because I had already been on the boat 15 days, which I had gotten on the seventh of February and then on the 22 of February, they pulled me off in Morgan City, and drove me to New Orleans to get on that boat. That is when, see I was a relief captain on the Gene Neil and they asked me to take the Robert Love as captain. And that is when I first went on there.

MR. SHEFFERT: So, that has been a little over a year.

CAPTAIN DEDMON: Yes, sir.

MR. SHEFFERT: Now, Captain, how does the Robert Love handle?

CAPTAIN DEDMON: Oh, it handles good for a small boat.

MR. SHEFFERT: Yes, continue.

CAPTAIN DEDMON: It handles good for a small boat and for any sailing experienced pilot, can get on any boat and handle it regardless of how it handles, you know, but it handled, it handled real good for a small boat like that, and especially with just two empty barges that, it was not overloaded in no kind of way, shape, form or fashion. Because two barges is a small tow for most any boat.

MR. SHEFFERT: Yes, how does that boat handle when the barges are loaded?

CAPTAIN DEDMON: It handled good.

MR. SHEFFERT: Handles good. How many barges do you normally push with the --

CAPTAIN DEDMON: Normally two, but every once in awhile we will pick up one or two extra barges, and whenever they have got something like to go a little distance, they don't want to have to tramp them out with another company, so if they got another company boat in the area, they will pick them up. But, in certain cases, as Roger, if we think the boat is going to be overloaded, we do have the option to tell them. But, two extra barges on that boat will not overload it in normal circumstances.

MR. SHEFFERT: On the, since you came aboard here on this past Saturday, and you stood those couple of watches, what sort of current do you estimate you had that day?

CAPTAIN DEDMON: Current?

MR. SHEFFERT: Yes, river current.

CAPTAIN DEDMON: Not very much. It was not very much current at all. It just a little more than normal for the Arkansas River, but it was not much.

MR. SHEFFERT: Do you have any estimates what you think it might be or --

CAPTAIN DEDMON: Well, maybe a mile an hour. I really don't know.

MR. SHEFFERT: And what do you normally go for speed when you are pushing --



CAPTAIN DEDMON: Well, on that boat with two empty barges we could have been running eight, nine miles an hour, but, the company has, we try to save as much fuel as we can, so I was running approximately 700 RPMs, which is normal speed would be, fluctuate between six, six and a half miles an hour. And good water, where we don't have to run hooked up, down on the Mississippi where you got a lot of current or the Missouri River where you have got a lot of current, you have to run hooked up to move, but up on the Arkansas River, other rivers do not normally have a lot of current, we pull it back and run fuel conservative.

MR. SHEFFERT: Okay. Thank you very much. I will pass it on if there is any second run here before we go back to Dennis' question.

Let's stop this.

(Off the record.)

MR. SHEFFERT: Okay. This is Jim Sheffert, the tape is back on. We just stopped for a short break here. We are resuming the interviewing questions with Lieutenant Donovan.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan.

Captain, going back to the approach to the bridge, you said you normally bring up port about two or three degrees when you are making, when you are setting up for your approach. Do you then go back to center, normally?

CAPTAIN DEDMON: Normally, yes. Whenever you get lined up for the bridge, then you normally go back to straight rudder. And, and whatever it takes to stop what little swing you have got, you may have to go to starboard a little bit to stop your swing. And, and all of that is just natural stuff that we have

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learned over the years on how to operate a boat. It is like you are riding a bicycle down the street, you are going to turn a corner, you have got to straighten up to go down that street.

LIEUTENANT DONOVAN: So, normally do it a few degrees, straighten her back up, and then go through the bridge.

CAPTAIN DEDMON: Yes.

LIEUTENANT DONOVAN: Okay. Going back a little before that, when you went to meet the boat. How far did you travel to go and meet the boat?

CAPTAIN DEDMON: How far did I travel? Well, it all depends on where the boat is at.

LIEUTENANT DONOVAN: When you met it this time, how far did you have to travel?

CAPTAIN DEDMON: From Jackson, Mississippi to Lock 13. And I do not know the name of town at Lock 13. I know it is right below Van Buren, Arkansas. But, it is, you have to come back down the river a little ways and cross the river to get over to Lock 13.

LIEUTENANT DONOVAN: A couple of hours.

CAPTAIN DEDMON: From Jackson, Mississippi is about seven hours.

LIEUTENANT DONOVAN: Seven hours.

Do you drive yourself or does the company drive you?

CAPTAIN DEDMON: The company furnished the vehicle. I drove myself.

LIEUTENANT DONOVAN: You drove yourself.

CAPTAIN DEDMON: But, I have done it hundreds of times.

LIEUTENANT DONOVAN: Okay. And your normal schedule, days on the boat and days off?

CAPTAIN DEDMON: Thirty days on and 15 off. But, normally, you know, it all depend on the day, the dates of the month. Some months I ride 30 days, some months I ride 31 and some months, it is just the cycle I have got, some months is 32 days.

LIEUTENANT DONOVAN: Okay.

CAPTAIN DEDMON: It all depends.

LIEUTENANT DONOVAN: And your normally stand the captain's watch?

CAPTAIN DEDMON: Since I got on the Robert Love, I have stood the captain's watch 30 days at a time and whenever I was on the Gene Neil, I stood the captain's watch 15 days at a time while the regular captain was off.

LIEUTENANT DONOVAN: Okay. And that is normally a 5:30 to 11:30.

CAPTAIN DEDMON: Yes.

LIEUTENANT DONOVAN: Okay. That is all I have. Thank you.

LIEUTENANT COMMANDER LABLOCH: This is Lieutenant Commander LaBloch again.

My map shows you if you left Jackson probably about a 11:30, 11:40.

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CAPTAIN DEDMON: No, sir, not Jackson. I left Jackson at 10 minutes after 10, because I was suppose to be in Vicksburg to pick up the crew van at eleven o'clock and I called them and I told them I was going to be about 10 or 15 minutes late, and they put a key in a precise place so I could find the van, and pick it up and I got there about 11:15. I left Vicksburg at 11:15, I did the normal procedure going up to the first service station, which is a Texaco, stopped, filled up with gas, got me something to drink, and called my wife and told her I had, was fixing to leave. And I called her twice on the way, I stopped and called her to let her know I was okay, because she was worried about me driving that distance by myself. And then I would call the boat to see where they was at to make sure of the point that I could on the boat. And I did not have no problem driving up there. I was a little tired, but, you know, it is normal. And which I have done it not only with this company, but with every company that I have worked with.

MR. SHEFFERT: All right, this is Jim Sheffert. We are going to stop and turn the tape over.

(End of Tape 1, Side 1.)

MR. SHEFFERT: This is side 2 of the tape. Jim Sheffert. And we are continuing with the interview with Captain Dedmon. The questions being asked by Commander LaBloch.

LIEUTENANT COMMANDER LABLOCH: Captain, can you expand a little bit on the night before you left your home, for the car trip to Lock 13. What was your sleep pattern that night before?

CAPTAIN DEDMON: About, it was about three hours, because I had just gotten off of another boat, up on the Missouri River. They put me up there to ride as a posting pilot with the man that wasn't used to the river, and we got off approximately, well, there wasn't no approximate, it was four o'clock Friday evening, and we drove to Vicksburg and he did half or over half of the driving. And when we got to Vicksburg, we transferred our stuff out of the crew van into his pick up truck and we drove, he drove to my house and we got there maybe 10, 15 minutes after four o'clock that morning. And of course, he stayed and visited a little bit with my wife, which was his mother. That was my step son. And he visited a little bit with her, then he left and we got into bed approximately a little after five, I can't say if it was five o'clock, a little after five, or exactly what it was, but I remember setting my alarm at 8:30, so I could get up and drive onto Vicksburg. And I had no problem with that. I drove to Vicksburg, changed out, left my pickup sitting there, got into the crew van, and left.

LIEUTENANT COMMANDER LABLOCH: Okay, Captain. How was your first watch on the Robert Love, your actual, were you fatigued?

CAPTAIN DEDMON: Oh, it was fine. I come on the boat and assumed my duties right off the bat. And, and I went to work just a few minutes after I got on the boat, after I got my stuff put into my room, I was say around 7:10 or 7:15 I assumed my duties. And the relief captain stayed up there and talked to me for a little while, and to tell me what all had been going on on the boat while I was off on that time that I was off. And, and after he left, Marty, the mate, come up and spent several, you know, he stayed up there quite awhile talking to me. And I had no problems, I had not problems with staying awake.

No problems of nodding or anything. Just, you know, that is just something we train ourselves to do out there, you know.

LIEUTENANT COMMANDER LABLOCH: How long was your hitch on the previous vessel that you had, just got off of?

CAPTAIN DEDMON: Let me see. I got on that boat on Monday, and got off on Friday.

LIEUTENANT COMMANDER LABLOCH: What is the name of that other boat, Captain?

CAPTAIN DEDMON: The MV Jennie Dehmer. Roger, you can spell that to him, can't you?

MR. HARRIS: Yes. J-E-N-N-I-E, D-E-H-M-E-R.

CAPTAIN DEDMON: I usually wind up putting a Y in it myself.

LIEUTENANT COMMANDER LABLOCH: Captain, would you say that you are accustomed to the sleep schedule of six on and six off?

CAPTAIN DEDMON: Yes, after 44 years, I believe I am.

LIEUTENANT COMMANDER LABLOCH: No further questions from me.

MR. SHEFFERT: This is James Sheffert, again. I am going to turn it over for a follow up with the human performance questions with Mr. Collins.

MR. COLLINS: Captain, I just need to ask you some general questions about your health and everything and we are going to cover a wide range of topics. I hopefully shouldn't take all the long. And just give me an idea of your health background prior to the incident.

Prior to the incident, how would you describe your health?

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CAPTAIN DEDMON: Pretty good shape.

MR. COLLINS: Do you have a history of any health problems along the lines of hypertension, high blood pressure, or --

CAPTAIN DEDMON: No, sir, I had never --

MR. COLLINS: -- diabetes.

CAPTAIN DEDMON: -- had high blood pressure and, and, or low blood pressure due to the fact mainly because I never smoked and didn't drink.

MR. COLLINS: Have you ever had any problems with diabetes or your blood sugar?

CAPTAIN DEDMON: No, sir.

MR. COLLINS: Have you ever had any seizures or any seizure disorder?

CAPTAIN DEDMON: Any what?

MR. COLLINS: Seizures or seizure disorders?

CAPTAIN DEDMON: What is that?

MR. COLLINS: Have you ever had a seizure?

CAPTAIN DEDMON: Seizure, oh, no, no, no, seizure, no, sir.

MR. COLLINS: Have you ever had a fainting spell like the one onboard the Love prior to this incident?

CAPTAIN DEDMON: The only incident I had was, was on the Jennie Dehmer, on Wednesday, we, they did not have a cook onboard at the time, which one got on the Friday I got off, but, I went down and fixed dinner for the crew because they were at the dock in Kansas City, and I went down and prepared dinner for them, and just as I was finishing dinner, I got a real dizzy spell and my

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eyes couldn't focus and I was nauseated. So, I went up and laid down for a few minutes, it was way before watch standing time, so, would say around, I finished lunch around 10:30, 10:45, something like that, but in the meantime, I had gotten a phone call from the captain, the relief captain on the Robert Love, and the pilot on the Jennie Dehmer hollered down in my room, and told me I had a phone call and I thought he said my wife. So, I come up there and dialed my home number and she did not answer the phone right away, so I left a message, I am returning your call. Because I went back down and I told the pilot, I said, I feel bad, I am going back down, I am kind of dizzy, I am going back down and lay down. So, in about 15 or 20 minutes, he hollered back down there and said I had a phone call. I went back up and it was my wife, she was wanting to know what was wrong. And I said, well, I thought you called me. And then the pilot informed me that it was Flash, the captain on the Robert Love. So, I talked to her for a few minutes, and I said, well, I am going to go lay back down because I have had one of those little dizzy spells, and I feel like I need to lay down. So, I went down and I don't really remember whether they called me at 5:30 but, I was up by 5:30. And I got up and I was not having to stand a watch, because I was on there as a posting pilot with the relief captain on that boat. He did all the driving and everything. The only thing I was up there in the pilot house with him, you know, to make suggestions and tell him what to watch for on the Missouri River.

But, I felt fine after I got up. All the dizziness had gone and nausea and everything was gone.

MR. COLLINS: That is the only time you have had anything like that happen to you?



CAPTAIN DEDMON: Well, at home a few times I had dizzy spells, but I contribute it to overworking. I am a real active person. I like to get the yard work, we have got a big huge yard to cut, trim, and I am always working on something. When you are gone for 30 days, things break down and tear up and so, when I get home, I have to, you know, go through it, first one thing, another.

MR. COLLINS: Have you ever had any other kind of health problem, something I haven't brought up previously?

CAPTAIN DEDMON: No, nothing real, what you would call health problems. I have a little sinus infection there every once in awhile, as a matter of fact, they are treating me for that now, right now, but, that is due to cigarette smoke. And back here, I can't remember exactly what year, and maybe Roger can't either, I had a hernia surgery and they did it with that new type of surgery deal, there is not even any scars.

And each time on my license renewal, I always had them renewed in Memphis, I have never had any problem getting my license renewed because I was always healthy.

MR. COLLINS: How is your vision, Captain?

CAPTAIN DEDMON: Right now my vision is not too good, since Sunday.

MR. COLLINS: Prior to Sunday?

CAPTAIN DEDMON: Prior to Sunday it was fine. That is why they had me scheduled to see an eye doctor today, but they had to cancel it until tomorrow.

MR. COLLINS: I notice that you wear glasses.

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CAPTAIN DEDMON: Yes, sir.

MR. COLLINS: What is the prescription on those and what condition are they designed to --

CAPTAIN DEDMON: Well, they are, they are not but a couple of years old. And, you know, it was my last prescription that I got. It is not the ones that I got whenever I renewed my license the last time. But, I have went in and had a new deal, I guess it is probably two years or so ago. And the company pays for it, the safety glasses. And the only thing I pay is for the examination. And so, my glasses, you know, my eye doctor said I needed to get my eyes about every five years.

MR. COLLINS: Okay.

CAPTAIN DEDMON: On account of two prior accidents.

MR. COLLINS: Do you know if without the glasses if you are far sighted or near sighted or what the condition that the glasses are correcting for is?

CAPTAIN DEDMON: Without the glasses everything is a blur. And before, before I got glasses, I could see way out yonder or up close. It is just the accidents mainly that hurt my vision. Because I had 20/20 vision all the time. Like out on the Mississippi Sound, they might be familiar with that, I could see those buoys five miles over there with my naked eyes and they couldn't even see them with the binoculars, you know. But, since those accidents, my eyes started going down and, and --

MR. COLLINS: Do you have a history of any problems with your hearing?

CAPTAIN DEDMON: Well, I have had my hearing checked every physical, and they said I had lost 10 to 15 percent of my hearing. That is kind of normal riding on a noisy river boat. We don't wear ear plugs on our, there because we don't go in the engine room that much. But, everyone else that goes in the engine room has to wear hearing protection. But, very seldom do we go through the engine room. In the first place, I got no business in there. That is the engineer's department.

MR. COLLINS: On the day of the accident, had you consumed any alcohol?

CAPTAIN DEDMON: No, sir. I do not drink alcohol, any drugs, I don't smoke. I never have and you can ask Mr. Harris over there, I have got a few of their employees that did.

MR. COLLINS: Had you taken any over the counter medicines, like aspirin or Tylenol or cold medicine?

CAPTAIN DEDMON: The only thing I had taken was around 11 o'clock the night before, was a Bendyl, sinus headache capsule. But, I have never had trouble in the past with them and I never take that much. I carry some with me all the time, because you are on the boat for 30 days, you have got no way of getting anything, so I carry some, but I still have got most everything I carried because I just, I don't like taking medicine.

MR. COLLINS: How many pills did you take that night?

CAPTAIN DEDMON: These particular ones calls for two capsules.

MR. COLLINS: Are you on any prescription medications?

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CAPTAIN DEDMON: No, sir.

MR. COLLINS: Or were you at the time of the accident?

CAPTAIN DEDMON: No, sir.

MR. COLLINS: Everybody has worked backwards from the time of the accident, I would like to go back just a little bit further and bring you forward to make sure that I am, I have got a good mental picture of what happened. So, the accident occurred on Sunday morning, I would like to go back to first thing Thursday morning. What time you work up on Thursday morning, and just go through your day and generally describe what you did.

CAPTAIN DEDMON: Thursday morning.

MR. COLLINS: Yes.

CAPTAIN DEDMON: Five o'clock. Because I was standing to watch with the captain on the Jennie Dehmer. I got up the same time he did. And I was in the pilot house, as a matter of fact, a couple of times I was with him up there and then relieved the pilot until the captain got up there, and then I would turn it over to him.

MR. COLLINS: When you woke up that morning, did you have anything to eat?

CAPTAIN DEDMON: No, sir, like I said, I never eat breakfast. Never eat breakfast when I first get up.

MR. COLLINS: Did you get your normal ice and Pepsi.

CAPTAIN DEDMON: Yes, sir.

MR. COLLINS: Okay.

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CAPTAIN DEDMON: Well, I didn't get Pepsi, because I didn't have any on that boat, I got ice water.

MR. COLLINS: Okay. Step through in your mind the events while you were standing that watch, did anything out of the ordinary happen, can you tell me when you did have something to eat and what it was you had?

CAPTAIN DEDMON: Well, that Thursday, somebody else fixed lunch. And I am trying to remember what it was. Whenever you don't have a cook, we don't have no schedule on what we, the cooks used to have a menu, you could pretty well go by what day it is, what they are going to have, but we don't have a cook, they just fix what they want to fix. If Roger would buy steaks all the time, that is what we would have, but he won't do it. But, let's see. Well, I can't remember the full course meal, but, I do remember he had some, some type of slaw, that is the best slaw I had ever eaten. Made out of raisins, cabbage, carrots, and different things. But, I can't remember what it was.

And on Friday, Friday at noon, see I am a pretty good cook myself, Friday at noon I went down and I prepared the catfish for them, and hush puppies, and I had no problem, you know, getting dizzy or anything, like I did on the Wednesday.

MR. COLLINS: Going back to Thursday, do you know what time it was you had lunch on Thursday?

CAPTAIN DEDMON: We normally get relieved around 11:15 something like that. But, being I was not standing what you call a watch, for just a post pilot watch, I think I went down a little earlier, about 11 o'clock. Because

they have got a good captain on that boat, relief captain and he was doing great, you know.

MR. COLLINS: So, you stood the watch on the, at five and nothing out of the ordinary.

CAPTAIN DEDMON: Nothing out of the ordinary happened. I sat up there with him all morning and observed him. I didn't tell him what to do. I just observed him. That is what I was on there for.

MR. COLLINS: And you came off the watch at 11, had a little something to eat, what did you do next?

CAPTAIN DEDMON: I went to bed.

MR. COLLINS: Okay.

CAPTAIN DEDMON: Well, I normally always go back to the pilot house for a few minutes, talk with the pilot, you know, just to let my lunch settle and, and so I don't just run, eat and run and jump in the bed. I went back up there and talked with him for a few minutes and then I went and laid down.

MR. COLLINS: And do you know about what time that was?

CAPTAIN DEDMON: Probably 12 o'clock.

MR. COLLINS: And do you have any problems sleeping then?

CAPTAIN DEDMON: No, sir.

MR. COLLINS: Have you ever been diagnosed with any sleep disorders?

CAPTAIN DEDMON: No.

MR. COLLINS: Do you snore?

CAPTAIN DEDMON: I never stayed up to see if I had.

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MR. COLLINS: Has your wife ever told you you do?

CAPTAIN DEDMON: Well, my wife says I do a little bit every once while, but I don't, you know, not that much.

MR. COLLINS: And on that Friday afternoon, evening, when did you wake up?

CAPTAIN DEDMON: Friday evening, I went to bed about 12 o'clock, and then I got back up two something, because I got up and packed my suitcase and everything, ready to get off when the crew change got there.

(Off the record.)

MR. SHEFFERT: The tape is back rolling and we have, and we are going to be continuing the questions from Mr. Collins.

MR. COLLINS: I am sorry, Captain, I misspoke with my last question. I didn't mean to jump to Friday. We are still on Thursday. You went to bed about noon, now what time did you wake up on Thursday evening?

CAPTAIN DEDMON: See, on my normal routine is standing the front watch, I go to bed around noon, and get up at four o'clock.

MR. COLLINS: Is that what happened on Thursday?

CAPTAIN DEDMON: That is in order to get up and take a shower, be ready to come on watch. I don't like to rush things, and I don't like to just jump right out of bed in cases, you know, run up to the pilot house and not be fully aware of what is going on, so I get up and take my shower and go on watch. And, but, the relief captain, like I said, was one that was doing the steering. The only time I steered was to let him go to the bathroom or sending, you know, work

on him, do his thing on the computer, which didn't exceed over five or 10 minutes.

MR. COLLINS: After you woke up at four on Thursday, did you have anything to eat?

CAPTAIN DEDMON: Yes, sir, that one particular evening I went down and eat a salad, which I normally don't do, but that boy on there can make some good salads.

MR. COLLINS: Do you recall if you had anything to drink with that?

CAPTAIN DEDMON: Glass of tea.

MR. COLLINS: Tea. After you finished eating, what did you do next?

CAPTAIN DEDMON: I went straight to the pilot house and the captain was not up there yet, and I relieved the pilot. But, he sat up there and talked to me until the Captain got up there.

MR. COLLINS: And the captain relieved you at that time?

CAPTAIN DEDMON: He relieved me around five, around five o'clock. He gets up early, too, you know.

MR. COLLINS: After the pilot, excuse me, the captain relieved you, did you remain in the wheel house?

CAPTAIN DEDMON: Yes, sir.

MR. COLLINS: What did you do, over the course of that watch while you were in the wheel house?



CAPTAIN DEDMON: I just sat up there with him, sat on the couch, talked to him, and whenever, at a place that he thought might not be familiar with, I would tell him what to expect and what to watch for.

MR. COLLINS: Understanding you weren't standing a normal watch, when did you end your watch and leave the wheel house?

CAPTAIN DEDMON: At 11 at night when the pilot got up there.

MR. COLLINS: After the pilot relieved you at 11, what did you do then, sir?

CAPTAIN DEDMON: Went to the galley, got me a little snack, and then go to bed.

MR. COLLINS: Do you remember what you had to snack on that night?

CAPTAIN DEDMON: CanaBiena(ph) Vienna sausage.

MR. COLLINS: Okay. Okay.

CAPTAIN DEDMON: I love CanaBiena Vienna sausage and onions. Because they have said onions are good for sinus problems.

MR. COLLINS: And on Friday morning, what time did you awake?

CAPTAIN DEDMON: Five o'clock.

MR. COLLINS: When you woke up, did you feel rested?

CAPTAIN DEDMON: Yes, sir.

MR. COLLINS: Had you had any problems falling asleep or staying asleep that night?

CAPTAIN DEDMON: No, sir, I normally read a book, and but, I normally work crossword puzzles, not crosswords puzzles, but fill in puzzles and crosswords puzzles, but, they were all still on the Robert Love, so I just looked through a river book that the captain had, somebody had in there, about the old steamboat days, I glanced through that a little bit and then went to sleep.

MR. COLLINS: And after you woke up at five on Friday, what were your activities? What did you do?

CAPTAIN DEDMON: I went straight to the, well, I went down to the galley, got me a glass of ice water, and then went to the pilot house. And on the Missouri River when the stages of river are like they were, we were tied off to the bank, and when the captain got up there in the daylight, started getting daylight, he turned it loose and we took off.

MR. COLLINS: And how did this watch proceed, what were your activities for this watch?

CAPTAIN DEDMON: We just, the same as, same as that, sat up there and observed him, be up there with him.

MR. COLLINS: And what time were you relieved on Friday?

CAPTAIN DEDMON: Eleven o'clock.

MR. COLLINS: That would be 11 a.m.

CAPTAIN DEDMON: Yes, sir.

MR. COLLINS: Okay. After you were relieved, what did you do?

CAPTAIN DEDMON: I went down and eat lunch, no wait a minute. Wait a minute, let me retrack that. That was on a Friday, right?

MR. COLLINS: Yes, sir, we are on Friday.

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CAPTAIN DEDMON: The captain said he felt comfortable running while I went down and prepared lunch, fish. So, there we go.

MR. COLLINS: And what time was it that you actually ate on Friday?

CAPTAIN DEDMON: Actually ate?

MR. COLLINS: Yes.

CAPTAIN DEDMON: About 10:45.

MR. COLLINS: Ten forty five.

CAPTAIN DEDMON: I like to sample it to see if I am going to die before they get it. I don't want to kill nobody with it.

MR. COLLINS: After you finished cooking lunch for the crew, what happened after that, sir? What did you do?

CAPTAIN DEDMON: I went back to the pilot house, and I told, I believe that pilot's name was Michael Carpenter. I told him that I was going to go lay down for a little while, and for them to call me about 30 minutes before the crew change got there so I could get up, and get my stuff ready to get off, to proceed back to Vicksburg to get back on my regular boat, but they told me in the meantime, you know, just to, the way it worked out, I went home, and then I drove my vehicle back to Vicksburg.

MR. COLLINS: What time was it that evening that they woke you?

CAPTAIN DEDMON: They didn't wake me, I woke up about 2:30.

MR. COLLINS: Two thirty in the afternoon?

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CAPTAIN DEDMON: Yes, sir.

MR. COLLINS: Okay. And what time was it that you left the boat?

CAPTAIN DEDMON: We make the crew changes by outboard, so the pilot topped around and shoved into the bank, we put the outboard over and we left the boat approximately 20 minutes or 25 minutes to four, because we had to travel down the river a little ways to Herman, Missouri. And you cannot just land anywhere because they have got some new dikes up there.

MR. COLLINS: Do you know what time it was you arrived in Herman?

CAPTAIN DEDMON: It is about 10, 20 minute drive down there in an outboard. But, the crew was already there, and so, we just, we don't put some kind of crazy time, we just put like a four p.m. something like that for crew change.

MR. COLLINS: Okay. And then you, so you drove home.

CAPTAIN DEDMON: We drove to Vicksburg, Mississippi, we come down, we got on 70, drove to the airport in St. Louis, dropped the relief captain, Hank Puryah, dropped him off, picked up a rental car, because he was having to drive to Mobile, Alabama. And then me and Raymond Stevenson, which is my stepson, but they normally have us ride in the same boat, but, I was just over there as a posted pilot, and we drove on to, well, we normally go down 55, we went down 61, so he would not have to double back, you know, to go home. So, we drove down 61 and went to Vicksburg, switched our stuff out of

the crew van into his truck, and then went straight to my house in Florence, Mississippi.

MR. COLLINS: Do you know what time it was you arrived in Vicksburg?

CAPTAIN DEDMON: It had to be around three, forty five, not 3:45, but 2:45 because it is, it all depend on traffic, it is an hour and 15 minutes drive from the office to my house, if no traffic, it is about an hour.

MR. COLLINS: So, that was, you left Herman at four p.m. and you arrived in Vicksburg at 2:45 in the morning.

CAPTAIN DEDMON: Yes, sir. Not 2:45, yeah, yeah, 2:45.

MR. COLLINS: Right.

CAPTAIN DEDMON: Because we got in Jackson just a few minutes after four.

MR. COLLINS: And did you do some of the driving you said?

CAPTAIN DEDMON: Yes, sir. But, I didn't do but just, not quite half of it.

MR. COLLINS: From when to when did you drive, roughly?

CAPTAIN DEDMON: I drove from Herman to, I didn't drive all the way to, I guess it was somewhere around, close to, between -- and Eliza, Arkansas, we stopped to get us something to eat, and refreshments, you know, and bathroom, because it is a pretty long drive, so we kind of set our pace on it. And --

MR. COLLINS: What time was it when you stopped to get something to eat and use the bathroom and such?

CAPTAIN DEDMON: That, we, I never looked, paid attention to what time it is. Whenever we stop, we just drive a certain length of time, you know, and when the moment arrives, we have to use the bathroom, or get thirsty, that is when we stop. Probably every, every hour and a half, two hours, like that, we stopped about three times.

MR. COLLINS: So, how long would you estimate you spent driving, time wise?

CAPTAIN DEDMON: Oh, about three hours.

MR. COLLINS: Okay. And do you recall what time it was when you left Vicksburg?

CAPTAIN DEDMON: I left Vicksburg, by the time we got our luggage and everything changed, it was close to three o'clock, it was about an hour drive to my house.

MR. COLLINS: Okay. After you departed the Jennie -- Dehmer, did you have anything to eat on the trip home?

CAPTAIN DEDMON: Yeah, we stopped a couple of times, you know, just got a little snack.

(Off the record.)

MR. SHEFFERT: We are starting up the tape again. We just had a short stop. And we are continuing with Dennis Collins.

MR. COLLINS: Dennis Collins with the Safety Board.

Captain, do you remember what it was you had when you stopped and got a couple of snacks? Do you remember what you had to drink with those snacks?

CAPTAIN DEDMON: Pepsi Cola, that is the only thing I drink. A -- soda pops when I get it. And I love Slim Jims. I ate a couple of Slim Jim. We don't stop and go into a restaurant and sit at a table and eat because our crew change, you know, some of them -- on the shore. But, we made it a practice to just get something to snack on while we are driving. And if one gets too much of stuff to try to eat while they are driving, another one would drive. Then they will stop and then let him eat, without having to drive down the road trying to eat and drive.

MR. COLLINS: Did you have anything to eat after you got home, before you rode to go to the Love?

CAPTAIN DEDMON: I think I ate some fruit, some grapes. I love fruit.

MR. COLLINS: And over that drive, you had to take to get to the Love, did you stop and get anything on the way back?

CAPTAIN DEDMON: Yes, sir. And the same thing, Pepsi Cola and a couple of Slim Jim or a bag of chips or something, pack of cookies.

MR. COLLINS: Okay. On an average day, about how many cans of Pepsi would you say you have? Just one a day? Do you know how many glasses on the average you have a day?

CAPTAIN DEDMON: One at a meal, whenever I drink a meal, I mean, eat a meal. And normally one meal and sometimes I will have a small glass of tea whenever I have my midnight snack.

MR. COLLINS: In between do you drink glasses of water or anything else?

CAPTAIN DEDMON: Oh, I drink a lot of water.

MR. COLLINS: How much water would you say you drink a day?

CAPTAIN DEDMON: Oh, a couple of quarts a day. At home I drink about a gallon a day.

MR. COLLINS: I would like to jump over now to the, to Sunday, to when you are in the wheel house. And I would like to have you humor me for a minute, and close your eyes and imagine yourself on the bridge of the Love, the deck hand is just left out. Can you tell me what you see, what you hear and what you smell, if anything?

CAPTAIN DEDMON: I couldn't smell nothing. I couldn't smell anything, but I heard the racket of the, you know, him bumping the mop handle against the hand rails and stuff. And I looked around, like I said, a lot of people have fallen off those up and down retractable pilot houses, off of the steps. And I - for safety and I like to make sure everybody is fine, so I look around and seeing he was still on his feet and going down the stairs, so I turned my attention back to the bridge, and getting line up on the bridge and when I passed the buoy, going around toward the bridge, that is the last thing I remember.

MR. COLLINS: Your lost of consciousness, was it, how would you describe it? Would you describe it as a gradual?

CAPTAIN DEDMON: No, sir. It was all at once, one time.

MR. COLLINS: So, if I was to pick a metaphor, it would be more like someone through a switch.

CAPTAIN DEDMON: It was like cutting a light switch off.



MR. COLLINS: And when you regained consciousness, do you remember hearing anything, what is the first thing you remember seeing or feeling?

CAPTAIN DEDMON: The first thing I remember feeling was the water running on my hand and I did not realize it was on my face. So, in order for it to get on my face, I had to be down in a crouch between my chair and the console because the console is not as high as my chair or me standing up. And then I realized, you know, that something was wrong. And then, of course, the mate said I was standing, but I was kind of slumped standing, you know, I was not standing straight up, I just, just instinct, I was trying to do something, you know, blowing the whistles and, and then I blow the regular five whistle, danger signal and then I just starting blowing whistles. I don't remember how many it was. But, I was just blowing them. And it just faintly, but he told me that I was screaming why don't those people stop, why don't they stop. And then I set the general alarm off.

MR. COLLINS: When you regained consciousness, do you recall having to move your feet or your hands to pull yourself up? How did you, do you remember, recall how you got up so that you could see out of the --

CAPTAIN DEDMON: Well, I like said, the console is right there, and I pulled myself up because that is just a small pilot house, I couldn't have fell all the way to the floor because you can't scoot the chair back far enough in order to do stuff like this. That is why we have to move our chair around when the deck crew come up there to clean up. And after, what, I was trying to get wits right

together, and then like I said, I looked out there and see a bridge laying on the barges.

MR. COLLINS: Do you recall the last time you went to the bathroom, prior to the collision?

CAPTAIN DEDMON: Just that morning, went I got up, that is the first thing I have to do.

MR. COLLINS: And you went pretty quickly when you woke up?

CAPTAIN DEDMON: Just as soon as I get out bed, I go straight to the bathroom.

MR. COLLINS: Was everything in the restroom that morning normal, any problems?

CAPTAIN DEDMON: Normal. And of course, I wear dentures, I use mouthwash, been using Scope a long time, I use mouthwash, got ready and got my hair combed, dressed and went through the galley and got my cup of ice. I have got a cup similar, well, really it is a hospital cup, but it come from Tennessee. And that is what I, I have got just one of those liquid thing inside of it, that you put it in the deep freeze and freeze it, to keep your liquid cold or you can leave it, put it in, you know, leave it out and keep it hot, to have something hot. But, I always, before I got to bed, I always put me a little bit of ice in it, so that morning, you know, the next morning, I have a good cold cup of ice and I went to the galley and got my cup, and went to the pilot house.

MR. COLLINS: That morning when you went to the bathroom, was it, did you both urinate and defecate, was everything --

CAPTAIN DEDMON: Everything.

MR. COLLINS: Everything was normal.

CAPTAIN DEDMON: Normal, looked normal to me.

MR. COLLINS: And I will need some information from you regarding your normal physician and your eye doctor, but I can take that information off the tape, off the record.

CAPTAIN DEDMON: Well, it has been a little bit since I have been to a regular doctor, but Dr. Don Gibson would be classified, I guess as my family doctor. He knows me down there better than any doctor I have been to.

MR. COLLINS: That was Don Gibson?

CAPTAIN DEDMON: Don Gibson.

MR. COLLINS: Can you spell it for me, sir?

CAPTAIN DEDMON: D-O-N, G-I-B-S-O-N.

MR. COLLINS: And where is he located?

CAPTAIN DEDMON: In Richland, Mississippi. I don't know his address.

MR. COLLINS: That is all right, sir. And your eye doctor?

CAPTAIN DEDMON: Dr. James, which is Maurice James, in Jackson, Mississippi.

MR. COLLINS: Thank you. I believe, Jim, that I am done.

MR. SHEFFERT: Jim Sheffert back. I have only a couple of follow on questions there. You had said about a half ago, when you were telling us about your vision, that you said your vision was never the same since the accidents. What accidents were they, Captain?

CAPTAIN DEDMON: I didn't understand.

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MR. SHEFFERT: Yes, you said your, were you were okay wearing glasses, and your vision hasn't been 20/20 since the accidents.

CAPTAIN DEDMON: No, it has been blurred.

MR. SHEFFERT: Blurred. Okay. What accidents were they that happened?

CAPTAIN DEDMON: What was it now?

MR. SHEFFERT: Yes, you had said before that you got blurry vision, I mean, not now, this was years back, you had to wear glasses for the last two years, after the accidents.

CAPTAIN DEDMON: I have been wearing glasses the last 18 years.

MR. SHEFFERT: Okay.

CAPTAIN DEDMON: That was due eye injuries.

MR. SHEFFERT: Eye injuries. Okay. What happened, can you tell us about that?

CAPTAIN DEDMON: Yes, I got hit with a baseball in my right eye. And with a little misunderstanding with one the family members, I got hit in this eye. And that is the eye that I had reconstruction surgery.

MR. SHEFFERT: Captain, could you come over and just finish up with a little easy questioning, and I think you could just tell us this story pretty clear. I won't have to egg you on here. Could you tell us about your marine career on the rivers? When it started, when you started to --

CAPTAIN DEDMON: Yes, sir, I started in 1957, I believe it was November 6, 1957. I can tell you the old captain name, it was William R. Dean,

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Sambo Dean, from, at that time he was Purley, Mississippi, but, I believe he is still living, but he is pretty old. I think he lives in Baton Rouge, Louisiana. But, I made that kind of a short career on the river. I went back, started working back at Anderson, Tully in Vicksburg. And I left them again and come back to the river.

And, but the last 40 something years, I have been on the Mississippi River, you know, the inland waterways. And I haven't worked for very many companies, because I never, I didn't like to jump from job to job, but, back then it was Commercial Barge Line when I first started, now it is A.C. -- But, then when I went back on the river, I went to work with Sioux City and New Orleans Barge Line out of Houston, Texas. Captain name was Sam Biggbee, called me at home, told me he had spoke with my brother, and wanted me to come out there and go to work. So, I went out there and I worked them for two and a half years. I left them and went to a bigger company, which was Nylo Barge Line, out of St. Louis, and that is the company that I went in the pilot house with on a 6,000 horse power boat that -- 30 and 35 -- and then from there, I went to Brent Tow and Company and I believe it was in '73 as a pilot. And I worked for them for 16 years. And I left them and went to work with -- Barge Company, every company I worked for has been a well noted company. I worked with them for three years, and then I come to work with Magnolia Marine, best choice I ever made.

MR. SHEFFERT: And what license do you have, Captain? What license?

CAPTAIN DEDMON: License. I hold an operator's license. I have got them right over here in my briefcase. And they cover the Great Lakes.

(Pause.)

CAPTAIN DEDMON: They might not be what they call as important as the first class license, but license does not a make a pilot, it is the man, itself.

MR. SHEFFERT: Okay. Thank you very much.

LIEUTENANT COMMANDER LABLOCH: I have a couple of questions.

MR. SHEFFERT: Go ahead.

LIEUTENANT COMMANDER LABLOCH: Lieutenant Commander LaBloch.

Sir, do you have a family history of any type of disease, say heart disease?

CAPTAIN DEDMON: The family history, yes, sir.

(Tape ended.)

NATIONAL TRANSPORTATION SAFETY BOARD

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In the Matter of: \*

\*

MAJOR HIGHWAY/MARINE ACCIDENT \*

ALLISION OF M/V ROBERT LOVE \* Docket No.

with I40 BRIDGE \* HWY-02-MS. HARRIS-019

WEBBERS FALLS, OK on \*

MAY 26, 2002 \*

\*\*\*\*\*

Monday,

May 27, 2002

INTERVIEW OF:

ROGER HARRIS

PRESENT: JIM SHEFFERT, NTSB

JAMIE ESTOCK, NTSB

TOM ROTH-ROFFY, NTSB

DENNIS COLLINS

CHIEF WARRANT OFFICER HALL

LIEUTENANT DONOVAN

ROGER HARRIS

LIEUTENANT COMMANDER LABLOCH

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## PROCEEDINGS

MR. SHEFFERT: This is Jim Sheffert. I am a Marine Investigator with the National Transportation Safety Board. This is Thursday, May 30, 2002. We are aboard the Robert Y. Love, a tow vessel. We are in the ship's gallery. And we are going to be interviewing members of management of Magnolia Marine Transport. I have with me today Mr. Tom Roth-Roffy, a Marine Engineer with NTSB. Lieutenant Jeanne Donovan of MSO, Memphis, with the U.S. Coast Guard. Chief Warrant Officer Doug Hall, also MSO, Memphis, U.S. Coast Guard. And we have Mr. Roger K. Harris, Director of Marine Operations of Magnolia Marine Transport and Mr. Dennis M. Ross, Jr., Director of Marine Engineering from Magnolia Marine Transport.

We will start off the interview with Mr. Harris, who will be starting off by giving us a overview and scope of the Magnolia Marine Transport Company.

Mr. Harris.

MR. HARRIS: Okay. I am Roger Harris, I am Director of Operations for Magnolia Marine Transport. Magnolia Marine Transport is a privately owned company out of Vicksburg, Mississippi. We are an inland waterway towing company. Urgo, Inc., is our parent company and they are located in Jackson, Mississippi. Magnolia Marine operates and owns 16 barges and about 16 boats and about 60 barges. We employ about 220 people. A hundred and a eighty five of those people are vessel employees with the remaining 35 short side employees in Management and various other positions.



We are primarily in the asphalt trade or black oil trade. We snap into tank barges. Mainly jumbo size tank barges. We have been in business for 32 years. We are a member in good standing of AWO, which is American Waterways Operators. We are compliant with the Responsible Carrier Program. We recently underwent a third party audit for that program. We are also complied with ISO 9002.

We have a management structure that includes Lee Lampton as the president, Stan Humphrey as the vice president. It goes down from there to three directors, myself, Director of Operations, Dennis Ross, Jr., Director of Marine Engineering, and Sam Figpen, Director of Marine Traffic. We also have a port captain, Lester Cruz, he has been up here sometime during this incident. And if you would like to know any more, any more facts about the company, I would be glad to answer those.

MR. SHEFFERT: Sure. Thank you very much.

I would like you to go into a little of detail for us concerning AWO's connection and in particular the Responsible Carrier Program, how that works and your auditing processes?

MR. HARRIS: Okay. American Waterways Operators is a representative group, an association for the tugboat, barge, towing industry. They are located in Washington, D.C. They help us with lobbying issues, representative issues to different agencies, Government agencies and the public. The American Waterways Operators in conjunction with different member carriers develop something called the Responsible Carrier Program, which is a safety and environmental program. It is very thorough and extensive. It is a

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condition of AWO membership that their companies become compliant with the Responsible Carrier Program.

In order to be compliant with the Responsible Carrier Program a member company has to undergo an initial audit, and then every three years undergo a third party audit to verify your continued compliance. Our programs are rolled into one. We have an ISO 9000 that we are compliant with, as well as Responsible Carrier. We call that our management system. We don't have one manual that says ISO or one manual that says Responsible Carrier. They are into one system that we call our management system and our management system is compliant with both standards.

MR. SHEFFERT: And, okay, Mr. Harris, this is Jim Sheffert here again, how does that, how is that system, management system implemented, shall we say at the grassroots level or up? Do you know, onboard the vessels, how do you implement that?

MR. HARRIS: Well, the implementation began with the vessel members being involved in the development and actually writing the programs and procedures. After it was initially developed, we have a training program that most of our crew members are required to attend once a year, where we review any new issues or revisions of any current issues. When a crew member is hired, he is required to be familiar with, read and sign off on all of our Responsible Carrier and ISO procedures, that he has responsibility in. Also any time a change comes to the Responsible Carrier or ISO program, we send out what we call a procedure acknowledgment that all crew members have to read the procedure and sign the slip where they have read it and understand it.

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MR. SHEFFERT: And the, okay, documentation for this is kept aboard the vessel or --

MR. HARRIS: The procedure of acknowledgments and documented acknowledgments are kept in the Vicksburg Office.

MR. SHEFFERT: And since you have been running this, have you seen any, any shall we say documentable results from a different operation or improvements in safety or is it just same as it was before, how you got yours done?

MR. HARRIS: We have seen a downward trend in personal injuries as well as vessel incidents and oil spills as a result. And we contribute that directly to our management system and the Responsible Carrier Program. We were first compliant with our Responsible Carrier Program in '99, and we have been tracking those things that I just mentioned, the incident ratings, since, since that point consistently, but even before the end, we have been tracking those things and we, we compare them each year and on a five year basis.

MR. SHEFFERT: So, you would contribute, you know, the improvements to be into the program, just not training that you have had without the program, the whole package, is that true?

MR. HARRIS: It is the whole package. The program does require extensive training of crew members and we, we do that and we feel like there is direct result from the training as well as having the program's policies and procedures at the crew members' fingertips when they need it. So, it is the whole package that we seen improvement with.

MR. SHEFFERT: What sort of training, could you just go into a little bit training you have for your green employee, or say a new hire?

MR. HARRIS: A new hire goes through on shore training before he ever comes to the boat. A series of, a series of video safety tapes, document reading, and introductory material. Once he gets on the boat, the mate is responsible for orientating the crew member before he does any work. There is a list of things that he has to show him around and safety policies and procedures he has to view aboard the vessel before he can do any work aboard the boat. Once that is accomplished, there is a list of programs, procedures, that he has to read during his first 30 day trip aboard the boat. He signs off on everything that he has done during his first 30 day trip aboard the boat and sends that, those records into the office. There is a good bit of on the job training involved, especially during his first 30 day trip.

There are safety tapes aboard the boat that he has to watch, there is orientation tapes as well as safety tapes.

MR. SHEFFERT: Does Magnolia have much new hiring, or is there much turnover in this line of work?

MR. HARRIS: We have very little turnover in our wheelhouse group. For new hires, in the, in the green deck hand position, we do have a good amount of turnover. I would probably estimate that somewhere around 60 percent per year. The farther a man goes up the ladder, the least, the less amount of turnover we have.

MR. SHEFFERT: And when you said, yes, you have a, basically a recordable documentable, okay, amount of improvement in the overall safety,

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would you say that the improvement is in a certain area of your work force, since you said you have very little turnover up in the wheelhouse? How about your new employees that go through the program? I mean, do you see any difference in that area?

MR. HARRIS: A lot of our, a lot of our personal injuries do come from less than six month employees and we have improved in that area quite a bit. I wouldn't say there is anymore improvement in one area versus the other. We have noticed across the board improvement with our management system and the training we have in place that goes along with it.

MR. SHEFFERT: I will turn it over to Mr. Roth-Roffy here for a bit. I have a few other questions, I will come back later on some specific general corporate policies.

Tom.

MR. ROTH-ROFFY: Okay. Just, my name is Tom Roth-Roffy. I am an engineer with the NTSB.

I would just like to go back and maybe get a little more detail on some of the questions that Mr. Sheffert asked you.

Could you give us an idea of the annual revenues of the company, Magnolia Marine and then, if you have any idea of that, and the parent company, just to get a ballpark idea of how large the company is?

MR. HARRIS: Yes. We are approximately a 60 million dollar a year company.

MR. ROTH-ROFFY: That is for Magnolia.

MR. HARRIS: That is Magnolia. I wouldn't have a general idea for Uργο.

MR. ROTH-ROFFY: And you mentioned that you had observed a downward trend in the vessel incidents, spills and injuries. Can you provide any specifics on this, percentagewise or numbers or anything like that? Or is it just a general feeling that you have?

MR. HARRIS: Well, we track it, we actually have records of that, where we do track it. But, those records would be, of course, in our Vicksburg Office. I can't provide you with those.

MR. ROTH-ROFFY: Okay. And you also mentioned that the turnover for your newer lower ratings is about 60 percent, but the higher levels have a lower turnover. Do you have an idea of what those lower levels might be for say the chief engineer and the captains and the mates and stuff?

MR. HARRIS: We have, to my knowledge, we have about a 10 percent turnover rate with chief engineer up to captain.

MR. ROTH-ROFFY: And could you give us an idea of your personal education, training and experience background that qualifies you for your current position?

MR. HARRIS: Okay. I am a graduate of the University of Southern Mississippi with a Bachelor of Science Degree in General Business and Personnel Administration. I graduated in 1987, started with this company the same year in Purchasing. I was the purchasing agent for the company for approximately a year and a half. I was promoted to Personnel Manager, did that job for approximately eight years. And I was moved into Compliance Manager,

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Director of Quality Assurance is actually the title of it. And it was my job to implement the Responsible Carrier Program as well as ISO 9000. I did that for approximately four years and I was recently moved to Director of Operations in 2001. That makes 15, 15 years of service with Magnolia Marine.

MR. ROTH-ROFFY: You mentioned that the new hires received shore side training before they were put on the boats. How long does that training program last?

MR. HARRIS: It is approximately a half day worth of shore side orientation.

MR. ROTH-ROFFY: And then the first 30 days they have some kind of a checklist that they have to go through?

MR. HARRIS: That is correct. They have, I believe it is three different checklists, an orientation checklist, a safety tape viewing checklist, and then a procedure acknowledgment checklist.

MR. ROTH-ROFFY: And can you, if you know, tell us what the typical route for this vessel is, and where it typically picks up or discharges, the cargo and any other routes that it may have?

MR. HARRIS: For the past three months this vessel has been involved in trade between Muskogee, Oklahoma, Decatur, Alabama and Cordova, Alabama. Mainly on the lower Mississippi, the Arkansas, Tennessee and the Warrior River. Before that, this boat, this boat travels any inland water where we may have a customer that needs products.

MR. ROTH-ROFFY: So, and for this vessel, where did it typically pick up cargo and where did it usually unload or did it vary?

MR. HARRIS: It would vary typically. For the past trip, we loaded, this particular trip we were anticipating a load at Frontier, Muskogee, that load was going to discharge at Kote Materials, Cordova, Alabama. But, each trip may vary, it just depends on who needs the product, when they need it and how it fits into this vessel's schedule.

MR. ROTH-ROFFY: And could you describe the contractual relationships between, typically how, how the charter works, the duration of the charter and the customers you typically have and how that works, just to give us a background on that?

MR. HARRIS: Our charters can range from a single trip to a year, maybe even a five year contract. Some, some trips, some charters were paid by the day, some were paid by the ton per mile that we move. So, we have, we have several different ways that a vessel is chartered.

MR. ROTH-ROFFY: And for the Robert Love, how is that currently operating, what sort of charter arrangement?

MR. HARRIS: I am not really sure. I would have to check into that for you. We are Operations and our traffic manager, traffic director, Sam Figpen, and I could get that information from him.

MR. ROTH-ROFFY: And regarding the crewing of the vessel, are all the vessels operated on the same crew rotation schedule and could you please describe that a little bit for us?

MR. HARRIS: We work a rotation, all of our vessels work a rotation of 30 days aboard the boat, 15 days off. The ships typically work on called a square watch, six hours on, six hours off.



MR. ROTH-ROFFY: And how do you rotate your crews?

Obviously, you don't have two separate crews that alternate because of the way the schedule is 30, 15 off, how does that work?

MR. HARRIS: We have replacement crews. They are not a total replacement. At any given time half the crew may be 15 days on the boat, the other half may have their 30 days in. The ones that have their days in, we rotate them off with the replacement crews, the relief crews, we call them.

MR. ROTH-ROFFY: And how about the manning of the vessel, can you describe the manning? I know you have a captain and a mate, a deck hand, a tankerman, and how that works in the reliefs, how that fits in there?

MR. HARRIS: Okay. We have, all of our vessels are manned with two wheelhouse personnel. Usually a captain and a pilot, an engineer, two tankermen, of which one of those tankerman is considered a mate. At least one deck hand and two thirds of the time we have a cook aboard the boat. And that depends on, that crew situation depends on the size of the vessel, the number of barges in tow, the route that they are flying.

MR. ROTH-ROFFY: And on the rubber glove at the time of the accident, the manning was a captain, and a relief captain.

MR. HARRIS: Exactly.

MR. ROTH-ROFFY: Now there was no pilot onboard. Could you describe, you know, how that would work?

MR. HARRIS: A relief captain actually pulls 15 days as captain and then 15 days as pilot. So, when the captain is aboard, the relief captain on the boat is actually considered pilot. Even though his title doesn't change, he is

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actually riding the pilot watch. When the captain gets off the boat and the relief captain is still on the boat, he changes over and rides the front watch we call it, which is the captain's watch.

MR. SHEFFERT: Okay. Jim Sheffert here, and that is when you bring the pilot who was off, on.

MR. HARRIS: At that time the pilot, when the captain got off, the pilot would come to the boat and relieve him.

MR. SHEFFERT: So, the, so the pilot would stand 30 days as pilot?

MR. HARRIS: Exactly, yes.

MR. SHEFFERT: So, what we are getting at is there is a like a crew and a half assigned to the boat, personnel wise, and some people move up and down.

MR. HARRIS: Every, every position has a crew member and a half assigned to that position.

MR. ROTH-ROFFY: Okay. Tom Roth-Roffy again.

And what about the mate and the call mate, could you describe how that works and the deck hand, how that rotation fits in?

MR. HARRIS: Yes. The mate is the manager of the deck crew of the vessel. He works his 30 day schedule. Meanwhile there is a person on the boat called a relief mate. When the mate gets off the boat on his days off, the relief mate acts, who has been pulling a tankerman watch, considered a tankerman, he actually steps up to take the mate's duties. And you asked about

the call, the call mate. We really don't have such a term as a call mate.

Somebody may be pulling call watch. Is that what you are referring to?

MR. ROTH-ROFFY: Yes.

MR. HARRIS: Okay. The call watch is when the boat is operating in locking conditions. Somebody, we have to have at least two people up to make a lock. With three men on the boat, sometime the shift doesn't work out like that. So, we have to actually get someone on call watch so that they can be called to the deck when we are going through a lock.

MR. ROTH-ROFFY: And what would his normal working hours be, the call watch? Is he strictly on call or does he also stand a watch and then go on call as needed?

MR. HARRIS: He is strictly going to be on a call watch. It just depends on the length of the route, through the locking territory. But, but, if it is in a heavy locking river such as the Arkansas River, he strictly is going to be on a call watch. He will get up, help make the locks, help get the tow made back up after they get through locking, and then go back and get his rest and get ready for the next lock.

MR. ROTH-ROFFY: That is about all I have, actually. And Jim, if you want to do some follow-up.

MR. SHEFFERT: Just some follow-up with the manning. As far as personnel that are always on duty, there is always a member of the wheelhouse watch up, either the captain or pilot, then you always have a member of the deck department on duty?

MR. HARRIS: Yes.

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MR. SHEFFERT: Okay. Tell us about that.

MR. HARRIS: There is at least two people on watch at all time. One in the wheelhouse and one on the deck. And the deck hand maybe that person or it maybe the mate that is up there, but somebody, somebody besides a wheelman is up at all times.

MR. SHEFFERT: And then the third person, is the one that is that rotation for the call watch, is that correct, he would be the third deck hand.

MR. HARRIS: Well, it will easily an experienced person. It may be a deck hand, it may be a tankerman, it may be the mate. The captain assigns that person, that call watch.

MR. SHEFFERT: Now, Mr. Harris, does a mate also do tankerman duties?

MR. HARRIS: A mate is a tankerman with additional responsibilities of managing the deck crew.

MR. SHEFFERT: Just tell us a little bit about what involves making a lock, you can be as simple as you can, but, actually these vessels, I mean, when they make a lock, they go through barge at a time or do they stay, made up two barges wide? How does that work?

MR. HARRIS: It depends on the length of the lock. Some locks are 600 feet, some are 1200 feet, some are 300 feet. These particular locks on this river are 600 feet in length, 180 feet wide, 110 feet wide, excuse me. So, with this kind of lock, we put our barges, with the vessel such as the Robert Love with two barges, we put those barges side by side, which gives us 108 feet of width. The barges, themselves, are approximately 297 feet long, plus the boat, makes

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somewhere around 400 feet, somewhere in the 400 foot range. So, we don't have to do any tow work, any breaking up of the tow to get through the locks on the Arkansas River. The boat simply pushes into the lock, the two deck members check the boat down with lines, and tend those lines while the boat is locking up or down. When the gates open on the other end, they turn the lines loose, the boat shoves out, goes to the next lock.

MR. SHEFFERT: Now, that is on the Arkansas River, which is a fairly new waterway. How about some of the other rivers that you operate on, either the Tennessee or the others, do they have to break the tow down?

MR. HARRIS: Yes, any lock above, at or above Chattanooga on the Tennessee is the a 300 feet lock. So, that means that only one of our barges can get through that lock at a time. So, we have to break the two down and take it, the boat has to take one barge through, come back and get the other barge and take it through. So, it is a lengthy process to lock in those small locks.

MR. SHEFFERT: Jumping off to another area here, but just get that by us. Could you tell us about your required drug and alcohol program for the company and the testing, random testing and oversight of that program that is done by Management?

MR. HARRIS: Okay. Our Personnel Department handles our drug testing requirements. Those requirements are based on Coast Guard regulation. We do administer a pre employment drug screen as well as a physical. And every year at least 50 percent of our fleet, 50 percent of our vessel personnel have to be randomly drug tested. We have a company that has typically administered

that program for us, filed the reports with the Coast Guard. We have been audited at least twice by the Coast Guard on our random drug testing program.

MR. SHEFFERT: Okay. Thank you. I am going pass it along if there are any questions from down the table.

LIEUTENANT DONOVAN: Lieutenant Janine Donovan. I just have some policy questions.

Does your company have any policy for reporting any type of medical conditions, say the pilot or the captain is onboard and something happens to them, is there any policy on reporting that?

MR. HARRIS: Yes, we do have, we do have a reporting personal injury/illness procedure, describes what should be reported, who is should be reported to, and how to report it.

LIEUTENANT DONOVAN: Is that, does that include minor illnesses or would it only be of something serious?

MR. HARRIS: It does include, well, it includes minor injuries, illnesses, the captain has a responsibility to, should I say judge what needs to be reported.

LIEUTENANT DONOVAN: Right.

MR. HARRIS: Our policy lays it out, guidelines for reporting what type of illnesses and injuries.

LIEUTENANT DONOVAN: Okay.

MR. HARRIS: If the captain doesn't seem that it is, doesn't deem that it is something that warrants reporting, he wouldn't report it, however, the

crew member can certainly fill out a report and usually does fill out a report from anything to a cut finger to occasionally a cold or something like that.

LIEUTENANT DONOVAN: Okay. Do you have any policy on how many consecutive days somebody can work, say you have a licensed captain, is there any time limit, could he work for 60 days or 90 days if he wanted to?

MR. HARRIS: We don't have a policy against, we don't have a policy for that now.

LIEUTENANT DONOVAN: Okay. Do you have any policy on how, how far someone can travel to get to meet a boat and go immediately on watch? When they relieve, they normally immediately take over the watch, correct?

MR. HARRIS: If it happens to be their rotation of the position they are going to relieve, they would, yes.

LIEUTENANT DONOVAN: Okay.

MR. HARRIS: The captain, the person and the, the person traveling to the boat and the person already on the boat usually will work that out, so that we are not in violation of any 12 hour rule.

LIEUTENANT DONOVAN: Right.

MR. HARRIS: They will usually work the sleep schedule out so that if the man has been up traveling for 12 hours, he doesn't get to the boat and go directly on watch.

LIEUTENANT DONOVAN: Okay. But, there is no distance limitations or hours, if you drove 18 hours, when h get there, he needs to take a day off or --

MR. HARRIS: No, we don't have anything like that. We do have, we do have a change of watch procedure, policy, that describes work hours, and work hour limits for employees and wheelhouse employees. But, it doesn't require that they day a day off after they travel. It just requires --

LIEUTENANT DONOVAN: I am sorry. They have work hour limitations.

MR. HARRIS: Exactly.

LIEUTENANT DONOVAN: So, only when they are on boat, and they are standing a watch, then they comply with the work hour regulations.

MR. HARRIS: Yes, but we comply with it other times, too. We wouldn't ask a man to work anymore than 12 hours a day behind the sticks.

LIEUTENANT DONOVAN: But, travel, travel to and from the boat is not included in any of that.

MR. HARRIS: It is not a what?

LIEUTENANT DONOVAN: Isn't included in any of the limitations, work hour limitations?

MR. HARRIS: No, it is not included in our policy.

LIEUTENANT DONOVAN: Okay. About the posting pilot, Captain Dedmon was working as the posting pilot. Who do you normally use as a posting pilot?

MR. HARRIS: We usually use our better more experienced pilots to do that.

LIEUTENANT DONOVAN: Okay. Does the port captain do that job at all?



MR. HARRIS: The port captain does some. He does do some posting for us.

LIEUTENANT DONOVAN: Back to the relief crews. How many relief crews are there for say this vessel?

MR. HARRIS: There would be one relief crew.

LIEUTENANT DONOVAN: Just one.

MR. HARRIS: Yes.

LIEUTENANT DONOVAN: That is all I have.

MR. SHEFFERT: I will go back to Tom, anything regarding the R.C.P. or maintenance for --

MR. ROTH-ROFFY: I just have one follow-up question for you, sir.

Regarding your oversight of the crew. Could you describe that for us, how you, how management oversees that the crew is, you know, doing their job?

MR. HARRIS: Oversight of the vessel crew, we talk to each vessel just about every day, various things that come up. That is one of oversight of them. We get a report, a daily traffic report from them every day to see how they are doing, see where they are, and what the vessel is doing. There are various reports and things that we have to fill out on vessel crew activity as well as vessel activity. We visit vessels periodically, Port Captain, the Safety Environmental Coordinator, the Director of Marine Engineering and myself. So, there are several ways that we get reports from the crew on how they are doing.

MR. ROTH-ROFFY: And does the company have a personnel evaluation program that periodically assesses the crew members performance?

MR. HARRIS: Yes, we do.

MR. ROTH-ROFFY: And could you describe how that works?

MR. HARRIS: It is a yearly evaluation and an annual evaluation for every position below, from pilot and down. There is a person on the boat that is responsible for evaluating the different crew members. The port captain is responsible for evaluating the relief captain as well as the captain.

MR. ROTH-ROFFY: So, in general would the captain prepare evaluations of his subordinate crew members? Or who would do that evaluations?

MR. HARRIS: He and the mate would perform those evaluations. We do have a written policy or procedure if you would like to see.

MR. ROTH-ROFFY: I probably would like to see your performance evaluation program.

And I guess, at shore side, you monitor that these evaluations are, in fact, being done by the crew members on each, by the captain on his subordinate crew members.

MR. HARRIS: We do, yes.

MR. ROTH-ROFFY: Okay. I will go ahead and pass it to Chief Warrant Officer Hall.

CHIEF WARRANT OFFICER HALL: This is Chief Warrant Officer Doug Hall, from the Coast Guard.

You mentioned the pre employment drug screening for new folks, and pre employment physical. You require, is there any company policies on a frequency of physicals after that, after the pre employment?

MR. HARRIS: Only our licensed, Coast Guard licensed employees have to undergo a physical and that is at licensed renewal time. It is by Coast Guard regulations. We do offer health screening at our training meetings. But, no formal physical is required from the company for non licensed personnel.

CHIEF WARRANT OFFICER HALL: So, the physicals that the licensed personnel get is when they redo their licenses.

MR. HARRIS: Exactly, everybody.

CHIEF WARRANT OFFICER HALL: And does the company keep any records or files, personnel files, does that stuff get included or if there is any other medical conditions, what happened to somebody, would the company keep some kind of record of that? Such a policy on inquiry done from the --

MR. HARRIS: We would keep records if an employee had to get off the boat or had to seek medical attention while onboard the boat. We would have records of his medical history for those type things. If it is for a Coast Guard renewal of a license, a physical for renewal, we wouldn't have a record of that. Our record would simply be that his license was renewed and the Coast Guard deemed him physically fit.

CHIEF WARRANT OFFICER HALL: Thank you.

MR. SHEFFERT: Just one other follow-up question. This is Jim Sheffert here. You said that either yourself, the port captain, safety manager, or even as a matter of fact, the engineering director visits the ship periodically.

What sort of period of time is that, what sort of a cycle is that? Is it based on when they are near by or is it, what period of time frame?

MR. HARRIS: There is not a specific time frame. We try to get on every boat at least once a year, each of us. We usually get on each boat several times a year but our goal is at least once per year per boat. We travel to wherever the boat may be to get on it. We may be lucky and it be in our backdoor in Vicksburg, Mississippi. And if is, those boats that come to our home port more often, get visited more often. But, we were on this boat three weeks ago, I was on this boat three weeks ago on a visit.

MR. SHEFFERT: Okay. Thank you very much. This will conclude our interview, initial interview with Mr. Harris. I think we are going to take a break for a few minutes here.

(Whereupon, the interview was concluded.)

NATIONAL TRANSPORTATION SAFETY BOARD

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In the Matter of: \*

\*

MAJOR HIGHWAY/MARINE ACCIDENT \*

ALLISION OF M/V ROBERT LOVE \* Docket No.

with I40 BRIDGE \* HWY-02-MS. HARRIS-019

WEBBERS FALLS, OK on \*

MAY 26, 2002 \*

\*\*\*\*\*

Monday,

May 27, 2002

INTERVIEW OF:

DENNIS ROSS, JR.

PRESENT: JIM SHEFFERT, NTSB

JAMIE ESTOCK, NTSB

TOM ROTH-ROFFY, NTSB

DENNIS COLLINS

CHIEF WARRANT OFFICER HALL

LIEUTENANT DONOVAN

ROGER HARRIS

LIEUTENANT COMMANDER LABLOCH

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PROCEEDINGS

MR. SHEFFERT: This is Jim Sheffert. I am a Marine Investigator with the National Transportation Safety Board. We are continuing the interviews aboard the two boat, Robert Love. The time is 13:10, May 30, 2002. And we are here to discuss maintenance issues concerning the Magnolia Marine Transport Company.

And we have with us today, James Sheffert, NTSB Marine Safety. I have Mr. Tom Roth-Roffy, a Marine Safety with NTSB. Lieutenant Donovan of MSO, Memphis, with the U.S. Coast Guard. Chief Warrant Officer Hall, also MSO, Memphis, U.S. Coast Guard. And we have representing Magnolia Marine Transport, Mr. Roger K. Harris, Director of Marine Operations of Magnolia Marine Transport and Mr. Dennis M. Ross, Director of Marine Engineering.

I will turn the questioning over to Mr. Tom Roth-Roffy.

MR. ROTH-ROFFY: Okay. My name is Tom Roth-Roffy, I am with the NTSB. And I would like to ask you a few questions about the preventive maintenance program that Magnolia Marine has, if you could just generally describe it and then maybe we can get into more specifics.

MR. ROSS: Dennis Ross, Jr. with Magnolia Marine, Director of Marine Engineering.

We have a staff crew out of the Vicksburg Office shop, with mechanics, licensed electrician, hot oil heater maintenance people and barge inspection people that I am over. And we take care of all the maintenance on the boats and the barges. We have annual inspections that we do from shore, whether

1 it is by us or outside contractors that we hire. We have also got maintenance on a  
2 daily basis that the engineers pull, on the boats and the barges.

3 MR. ROTH-ROFFY: And can you describe how the daily, weekly,  
4 monthly preventive maintenance program is implemented on the vessels? How  
5 do they do that, know what to do and when to do it?

6 MR. ROSS: We have got procedures in our vessel engineering  
7 manuals, through our cooperative AWO Responsible Carrier, that gives the  
8 engineer his daily duties and his weekly duties and monthly. And also goes on  
9 how often as far as oil is changed by the hours or as needed or fuel filters, oil  
10 filters. It is kind of guidelines that he goes by on a daily and weekly.

11 MR. ROTH-ROFFY: And how do you as the Director of Marine  
12 Engineering verify that this maintenance is actually being done on the ship?

13 MR. ROSS: The engineer enters it in the daily log. The engineer  
14 enters this into the daily logs that we have got, that they keep onboard. And at  
15 crew changes they send in the copies to the Magnolia Marine Office that we keep  
16 them on file.

17 MR. ROTH-ROFFY: And how do you verify that the maintenance  
18 is actually being done on the vessel?

19 MR. ROTH-ROFFY: Through, through the log where he enters it  
20 in the log, but then we just kind of follow through as they come into the office, I  
21 review the engine room logs, and then the, I have got my assistant, we will  
22 periodically swap up and we review the engine room logs.

23 MR. ROTH-ROFFY: And how many logs do you review or what  
24 percentage of the logs do you review?

1                   MR. ROSS: I would say probably 25 percent of the logs we review  
2                   in a month's time or a year's time, I mean.

3                   MR. ROTH-ROFFY: And you review all logs of all vessels?

4                   MR. ROSS: No, we don't review all the logs. I will randomly pull  
5                   three or four and then I will have my assistant he will pull three or four different,  
6                   and then he will go through those. I go through, the ones I go through and we  
7                   kind of keep a running list that way.

8                   MR. ROTH-ROFFY: And your assistant, what is his position title  
9                   and name?

10                  MR. ROSS: He is Jeff Pete, Assistant Director of Marine  
11                  Engineering. We have also got a port engineer, which is Paul Henson, that  
12                  periodically goes through the engine room logs also.

13                  MR. ROTH-ROFFY: And what about your annual maintenance  
14                  that you do, what sort of a plan do you have for that? How do you know when to  
15                  do what?

16                  MR. ROSS: We got it into the computer on the last time that we  
17                  have done it. We have got a steering inspection. We have got an engine  
18                  inspections. We have got electrical inspections. We all do those from shore side  
19                  annually. And we schedule the boats annually to go into the shipyard, to go  
20                  actually on dry dock where we can view the hull of the boat and the rudders and  
21                  the wheels and everything. And at that time we try to take care of all of the  
22                  annual inspections and do them at that time. But, periodically we might have an  
23                  engineer or a mechanic or an electrician go to a boat for one reason or another and  
24                  at that time if they are coming close, they will --



1 (End of tape 1, side 1)

2 MR. SHEFFERT: Ok this is side 2 of the interview. Resuming  
3 here.

4 MR. ROTH-ROFFY: If the chief engineer or the captain has a  
5 problem on the vessel, how do they, that they cannot themselves correct, how  
6 would they deal with getting that problem corrected?

7 MR. ROSS: What they would do is they would call into the office,  
8 and either ask for myself or somebody, my assistant or port engineer, and we have  
9 got what we call a problem report program and at that time they will describe the  
10 dates entered, the boat or the barge that the problem is on, and they are issued a  
11 number and a brief description is written on the problem report. And from there I  
12 will get it or either Jeff would get it, and we will assign it to whoever it falls  
13 under, whether it is an electrical problem, whether it is a mechanical problem. If  
14 there is outside services that if the boat is away from us and we need to contract  
15 outside services to go take care of the problem, they will dispatch whoever that  
16 might be to go and get on the boat wherever they are, take the necessary parts,  
17 correct the problem. Once the problem is corrected, then they relay that back to  
18 the office, at that time we clear it, but that stays into our log, but it goes back in as  
19 cleared and taken care of at the time.

20 MR. ROTH-ROFFY: And you maintain a separate log of PR  
21 numbers for each vessel?

22 MR. ROSS: Well, we maintain a, not for each vessel, but, we have  
23 got them categorized for every vessel that comes in. If the Robert Love comes in  
24 with a problem, they have got them categorized where they all fall to that vessel.

1 MR. ROTH-ROFFY: Okay. We would probably like to maybe get  
2 a copy of that PR log for the Robert Young(sic), say maybe for the past year or  
3 so.

4 MR. ROSS: Okay.

5 MR. ROTH-ROFFY: And when was the last time the vessel was  
6 in, received its annual overall or maintenance?

7 MR. ROSS: The annual inspections and dry docking was done  
8 back the third month of this year. And at that time we did annual steering and  
9 engine inspections and hull inspections, electrical inspections and all.

10 MR. ROTH-ROFFY: And do you have a record of the tests that  
11 were conducted during that annual overall inspection?

12 MR. ROSS: Yes, we do.

13 MR. ROTH-ROFFY: Okay. I believe you have provided me here  
14 a copy with those reports, is that correct?

15 MR. ROSS: Right. You have got the steering, the main engine, the  
16 electrical, and also on there is signature and place that if we got any outside  
17 contractors to come on and actually verify what was there and needed repairs that  
18 we done and the condition that everything was in at the time.

19 MR. ROTH-ROFFY: And how do you keep track of the machinery  
20 history of, say for example, the main engines? Are you able to go in and  
21 determined the prior history of a piece of equipment?

22 MR. ROSS: Right now it is hard copies, files. We are getting a  
23 new system in place as far as the computer, where we can enter that into it. Other  
24 then the PR system in the hard files, that is basically what we have got right now.

1 But, we are going to a system and it has got a preventive maintenance program  
2 that has got where we can go into the computer and enter it and collect that data,  
3 keep better control of it, better stay on top of it.

4 MR. ROTH-ROFFY: And do you have a lube oil analysis  
5 program?

6 MR. ROSS: Yes, we do. We use a Chevron product and we are  
7 using Wearcheck, as the oil sampling analysis. The engineer pulls the oil from  
8 the engines and the gears every 500 hours. Those are mailed into the Wearcheck  
9 and they in turn as they run the analysis and everything, they will e-mail that  
10 information to me.

11 MR. ROTH-ROFFY: And as part of your electrical maintenance  
12 program, do you use thermal graph imaging?

13 MR. ROSS: No, no.

14 MR. ROTH-ROFFY: Do you have any type of a vibration  
15 monitoring program?

16 MR. ROSS: No kind of vibration monitoring.

17 MR. ROTH-ROFFY: And could you tell me your experience,  
18 training, education, background that qualifies you for your present position and  
19 how long you have been with the company?

20 MR. ROSS: I graduated high school, I attended about a year of  
21 college at a junior college through a drafting class, at which time I come to work  
22 full time with Magnolia Marine Transport and have been full time for 24 years.  
23 And part time every since I was 16 years old up until the time I went full time.

1 And I started out in the shop mechanicing and doing whatever and just come up  
2 through the ranks that way.

3 MR. ROTH-ROFFY: And how long have you been Director of  
4 Marine Engineering?

5 MR. ROSS: Director of Marine Engineering, six, about six and a  
6 half, seven years.

7 MR. ROTH-ROFFY: Okay. I think that is all I have for right now.  
8 Anybody else have any questions?

9 MR. SHEFFERT: I have a question. Okay, Dean, this is Jim  
10 Sheffert. When you say with the preventive maintenance program they fill out  
11 logs, etc, and then you review the logs, is there any check or auditing done  
12 between the logs and the actual work that is done on the vessel, so you can tell if  
13 it has been done?

14 MR. ROSS: No, not to, not to verify that the engineer is doing  
15 what they log down. No, there is no board to back that up between the time that  
16 we view the logs, no.

17 MR. SHEFFERT: That is all I have.

18 MR. ROTH-ROFFY: Okay. Tom Roth-Roffy again.

19 Regarding the operating history of the Robert Young(sic), has  
20 there been any recent problems with propulsion or steering?

21 MR. ROSS: Not to my knowledge, no.

22 MR. ROTH-ROFFY: Mr. Harris, can you speak to any knowledge  
23 of problems with machinery or steering on the Robert Young(sic).

24 MR. HARRIS: The Robert Love to my knowledge has --

1 MR. ROTH-ROFFY: I am sorry.

2 MR. ROSS: -- absolutely no problems with steering or propulsion.

3 MR. ROTH-ROFFY: Okay. Could I ask you to just verify that or

4 are you fairly certain that you have accurate information about any problem

5 history?

6 MR. ROSS: I am fairly certain. If we had had any kind of recent

7 steering or propulsion problem, at the time, the way we get our reporting is

8 through somebody on the vessel, calling the office, assigning a PR number at that

9 time.

10 MR. ROTH-ROFFY: Okay. If you can remember when the last

11 problem you had with loss of propulsion or steering on the Robert Love?

12 MR. ROSS: No, I can't remember that.

13 MR. ROTH-ROFFY: Do you recall any incidents of that?

14 MR. ROSS: Of loss of steering or loss of propulsion? No, sir.

15 MR. ROTH-ROFFY: Okay. Okay. I think that is about all I have.

16 MR. SHEFFERT: Okay. So the time being about 25 minutes after

17 one o'clock, that concludes our interview of Mr. Harris and Dean. Thank you

18 very much.

19 (Whereupon, the interview was concluded.)

20