

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*

*

CARGO LOSS OF THE CGA CGM *BIANCA*

*

AT THE NAPOLEON AVENUE WHARF

*

Accident No.: DCA20FM024

IN NEW ORLEANS, LOUISIANA,

*

ON AUGUST 2, 2020

*

*

* * * * *

Interview of: STANLEY OVERTON, Foreman
Ports America

Via telephone

Friday,
August 7, 2020

APPEARANCES:

ANDREW EHLERS, Marine Accident Investigator
National Transportation Safety Board

LT [REDACTED], Investigating Officer
U.S. Coast Guard

SCOTT SOULE, Attorney
(On behalf of Ports America)

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Stanley Overton:	
By LT [REDACTED]	4
By Mr. Ehlers	18
By Mr. Soule	20

I N T E R V I E W

1
2 MR. EHLERS: All right. Recording started.

3 LT [REDACTED]: Thank you.

4 INTERVIEW OF STANLEY OVERTON

5 BY LT [REDACTED]:

6 Q. Stanley, what's your last name?

7 A. Overton.

8 Q. Can you spell it for me, please?

9 A. O-v-e-r-t-o-n.

10 Q. Great. What is your position with Ports America?

11 A. I'm a ship foreman with Ports America.

12 Q. And is your employer Ports America?

13 A. Yes.

14 Q. Okay. And how long have you been a ship foreman?

15 A. I've been a ship foreman for Ports America 23 years.

16 Q. That's a long time.

17 A. Yes.

18 Q. And, prior to that, were you still in the same industry?

19 A. Prior to that, I was still working in the same industry for
20 Ports America. (Indiscernible) ship for the same company.

21 Q. And what job were you filling?

22 A. I actually was a flagman and a crane operator.

23 Q. Oh, so you have experience as a crane operator?

24 A. Not the gantry but the MacGregor cranes, sea cranes.

25 Q. And, as a ship foreman, what are your duties?

1 A. My duty as the ship foreman is to -- I hire the labor; when I
2 get up here whatever time we start, like 0700, 12 o'clock, I put
3 the guys in position to get the job started.

4 Q. And who do you supervise?

5 A. You mean like the gang?

6 Q. Yeah, your gang.

7 A. The guys at the (indiscernible) I hire that, for the day,
8 under me.

9 Q. Okay. And what types of positions are they in?

10 A. Port varies for the different positions. Gantry operator. I
11 hired deckmen, like the guy would be on the ship communicating
12 with the crane operator. I hired the groundmen. I hired the
13 lashers, truck drivers, stock rollers (ph.).

14 Q. And it's my understanding that a lot of times you've worked
15 with these members for a very long time; is that correct?

16 A. Yes. The guys that's worked under me would be for a long
17 time.

18 Q. How long would you say?

19 A. I'd say at least 20 years. 20 years.

20 Q. Okay. Where were you on the day of the incident and what
21 location on the pier were you?

22 A. That particular day, the vessel was docked at Nashville C or
23 Nashville D. And I was in my work vehicle.

24 Q. Is that the typical location for your during the cargo
25 operations?

1 A. Well, normally when we start, I'll be out of the vehicle
2 getting the guys started. And then sometimes I get in the vehicle
3 because the guys are spread out all over the terminal.

4 Q. Okay. And who do you report to when these operations are
5 going on?

6 A. Well, we have different supervisors, and I report to whoever
7 worked the vessel at the time.

8 Q. Is the -- what about your relationship with the
9 superintendent?

10 A. Yes.

11 Q. Is he a supervisor --

12 A. I've worked with those guys -- like I said, been with the
13 company over 35 years. Everybody within the company -- higher
14 management, management, lower management -- they know me, and we
15 have a good relationship.

16 Q. And during these cargo operations, what are your specific
17 duties as the foreman?

18 A. Make sure the cargo is proceeding on and off the vessel
19 (indiscernible), no complications going on with it.

20 Q. So you're periodically checking in with your crew members?

21 A. Yes.

22 Q. What training have you received for to be a ship foreman?

23 A. Well, my training for being a ship foreman is just my
24 knowledge of the industry by being in it. It trains you for it.

25 Q. So really on the job training is what has helped you become

1 this position?

2 A. Yes.

3 Q. What about what -- does Ports America have specific trainings
4 or courses that they require you to take?

5 A. Negative.

6 Q. Okay. Even maybe something as simple as some safety
7 trainings or familiarity?

8 A. Well, we have training, and the safety guy comes around and
9 gives us training, you know, talks.

10 Q. And what types of training, and what does he talk about?

11 A. They're just basic safety issues within that (indiscernible).

12 Q. No specifics. And what about for the cargo operations? Do
13 you discuss safety concerns?

14 A. Yes.

15 Q. What types of safety concerns?

16 A. As far as what might happen, what could happen, what happened
17 at previous ports that day.

18 Q. Okay. What about you -- is there a safety meeting prior to
19 cargo operations?

20 A. Yes.

21 Q. And who attends those meetings?

22 A. The gang that's working that vessel, superintendent, foreman.

23 Q. And what do you guys talk about?

24 A. Well, we talk about safety.

25 Q. And so, the morning prior to the cargo operation on the

1 Bianca, what types of things were discussed?

2 A. Just normal safety, you know, what to do, what not to do.

3 Q. Okay. Is weather ever discussed in these meetings?

4 A. No.

5 Q. Okay. And was weather discussed that morning?

6 A. No.

7 Q. Okay. Are you familiar, does Ports America have any written
8 procedures for emergencies or heavy weather?

9 A. You mean like as far as bad weather?

10 Q. Right. A written procedure, steps to take, different duties
11 for specific people.

12 A. It's just normally when the bad weather goes off, the guys,
13 you know, (indiscernible) too badly, we take cover.

14 Q. Can you describe to me the events that took place on Sunday
15 as you remember them?

16 A. Actually, I didn't see it. It was 1-something when the rain
17 occurred. When it started raining, I actually went in the
18 warehouse. When I went in the warehouse, within a 10-minute span,
19 I seen all these trucks that were pulling in the warehouse because
20 I could see the weather was getting bad. And when I went back out
21 the warehouse, it was ceased. Everybody was safe, like out in the
22 calm, and it was over. So I didn't actually see nothing.

23 Q. Okay. What steps did you take after the incident?

24 A. Well, we start looking around and making sure no -- everyone
25 was accounted for.

1 Q. How far away is the warehouse from the vessel?

2 A. 20, 30 feet.

3 Q. Oh, so very close.

4 A. Yes.

5 Q. Do you remember, do you recall hearing a high wind siren?

6 A. No.

7 Q. Are you, your duties as a foreman, are you ever going onboard
8 the vessels that come in?

9 A. Sometimes if I have to.

10 Q. And why would you have to go onboard?

11 A. We get conditions that may require someone with more
12 experience to solve it, and I would be that guy that goes to do
13 what I need to do.

14 Q. Were you on -- did you ever go onboard the *Bianca*?

15 A. No.

16 Q. Was -- how were the cargo operations with the *Bianca*? Was
17 there anything more complex or out of the ordinary?

18 A. No.

19 Q. What time did those operations start?

20 A. (Indiscernible) it started as 0700.

21 Q. And is it within your duties to stay for the entire
22 operation, or do you have a crew change-out?

23 A. No, no. I stay for the entire operation.

24 Q. Okay. And is that typical for you?

25 A. Yes.

- 1 Q. And so how long normally do these operations last?
- 2 A. It can vary. It varies.
- 3 Q. How long did you anticipate the *Bianca's* operation taking?
- 4 A. I think the end, it was 2200 finished.
- 5 Q. And that's pretty typical?
- 6 A. Yes.
- 7 Q. Do you remember seeing anything out of the ordinary with the
- 8 *Bianca* in general, maybe something didn't look right with the
- 9 vessel or the way that the vessel was tied to the pier?
- 10 A. No.
- 11 Q. In your experience, how many mooring lines might you see out
- 12 on the pier for these large vessels?
- 13 A. I don't really count them.
- 14 Q. Okay. But you know there should be a lot on the pier?
- 15 A. Yeah, I'm pretty sure that should be tied up to secure the
- 16 ship, but I don't really know because I don't know nothing about
- 17 that.
- 18 Q. Right. Were there any particular hazards in relation to the
- 19 vessels outside that you were concerned with?
- 20 A. No. None.
- 21 Q. Okay. And was this your first cargo operation of the day at
- 22 7:00? This was your first --
- 23 A. Yes.
- 24 Q. And so, for you, how does that work? You work the one
- 25 operation and you go home?

- 1 A. Yes.
- 2 Q. And what's a normal week look like for you?
- 3 A. How many hours could be flexing. It can go -- it varies the
4 whole week.
- 5 Q. How many cargo operations would you say you do on average?
- 6 A. Five to seven.
- 7 Q. And they -- are they normally 10 hours long would you say?
- 8 A. No. Some can be shorter.
- 9 Q. Okay. On the evening of Saturday night, did you get a good
10 night's sleep?
- 11 A. Yes.
- 12 Q. How many hours of sleep do you think you got?
- 13 A. Your normal sleep. I mean, I was a good (indiscernible).
- 14 Q. Okay. And you felt good?
- 15 A. Yes.
- 16 Q. So you said everything was normal with the cargo operations;
17 nothing seemed abnormal?
- 18 A. It was normal on that day.
- 19 Q. And what about the weather? How was the weather when you got
20 to work?
- 21 A. The weather when I got to work was just a beautiful day. I
22 guess, around that time, it just turned bad just so fast.
- 23 Q. And is that something that's customary in the summertime for
24 this area?
- 25 A. No. That was just -- that was a unfamiliar day there. It's

1 never like that here.

2 Q. So, in your 23 years, you've never seen weather pick up like
3 that around this area?

4 A. Not like that.

5 Q. If, let's say, that heavy weather was expected in the area,
6 how would that be communicated amongst the crew?

7 A. We would tell the guys and everybody to be aware, slow down,
8 make sure your seatbelt's on is just the safest part of it.

9 Q. And what about stopping work? When would that happen?

10 A. Well, I mean, when we hear the alarm, if the weather was
11 getting too bad, we would stop the work.

12 Q. So it really takes for that alarm to sound?

13 A. Yes, it does, for to know it's coming. We never know it's
14 coming. Very strange (ph.) here.

15 Q. And what about prior to that? Who's able to stop work if
16 they see something unsafe?

17 A. Well, I can stop it. My crane operator can stop it because
18 he's high enough I guess the weather and stuff. (Indiscernible)
19 he feel unsafe, at any time he can park that crane.

20 Q. And so do you rely on the crane operators because they have
21 that vantage point?

22 A. No, not at all. No. No.

23 Q. How are those types of hazards communicated throughout the
24 crew? Does everyone have radios?

25 A. Yes.

1 Q. And I know that operations can be really busy. Do you
2 normally -- would you say you have good communication with
3 everyone while the operation --

4 A. Good communication, yes.

5 Q. And what about from the pier to the ship? How are those
6 communications managed?

7 A. The same as everybody else. Everybody have a radio to
8 communicate on the ship, radio communicating on the ground, plus I
9 have a radio, crane operator has a radio.

10 Q. And who is on the ship maintaining those communications? Is
11 it your deck crew?

12 A. Yeah, deckman. Just one guy up on that ship.

13 Q. Did he tell you that there was anything unusual going on
14 onboard --

15 A. No. No.

16 Q. In your experience, not with gantry canes, but are you aware
17 of the cranes having any type of equipment that can help detect
18 foul weather approaching?

19 A. Yes. They have a wind advisor on that crane.

20 Q. Do you know what miles per hour that might be set at?

21 A. No.

22 Q. Do you work in some winds on occasion? If you could take a
23 guess what --

24 A. No.

25 Q. Okay. And it's my understanding that, I mean, you work in

1 rain and all types of weather conditions. It's really that you're
2 waiting for that alarm to sound.

3 A. Yes.

4 Q. Okay. Are there specific heavy weather management plans or
5 policies that the company has that they need its employees to
6 follow?

7 A. I mean, we normally just have weather, if that siren goes
8 off, everybody just look and they start checking for heavy rain or
9 heavy anything we need to shut down.

10 Q. Okay. Who makes the determination that the area might be
11 safe again to resume operation?

12 A. Either -- that should be either, I guess the crane department
13 because once that happened, then they take over as far as like the
14 crane is run by the state, so their guys would take over. And I
15 guess they'll let us know that when, whatever they're having that
16 day, the crane can handle the stress.

17 Q. Okay. And what -- do you have specific things for emergency
18 conditions? Are you charged with anything if there's an emergency
19 on the pier, your responsibility?

20 A. No, just make sure the guys are accounted for in a safe
21 location.

22 Q. Were any of your crew members that you supervised, were they
23 injured?

24 A. No, not to my knowledge.

25 Q. And did you say, I'm sorry, did you hear the alarm come from

1 the crane?

2 A. The alarm didn't go off that day.

3 Q. You didn't hear it, so -- okay.

4 A. No.

5 Q. Did anyone say that they heard any type of alarm?

6 A. No. You would hear that alarm go off.

7 Q. If it went off --

8 A. No matter where you're at. You can be 200 yards away, you're
9 going to hear that alarm.

10 Q. Okay. What about any type of communication that anyone saw
11 some heavy weather setting in? Do you remember hearing anything
12 on the radio?

13 A. No. No.

14 Q. So what was the first time that you realized that something
15 bad was happening?

16 A. Well, you could -- the first time I realized it was happening
17 when I seen the winds -- I mean the rain picking up, pushing that
18 water maybe 30 or 40 feet inside the shed. I knew that wasn't
19 normal. And every -- all the guys were taking cover around that
20 time, so I decided to go out and just make sure everybody else was
21 secure that didn't think of it.

22 Q. Do you think -- so, if you didn't hear the alarm, and the
23 alarm never sounded, do you think that those conditions were safe
24 to continue cargo operations?

25 A. No. I wouldn't.

1 Q. You wouldn't have.

2 A. No, I wouldn't say that.

3 Q. Okay.

4 A. The alarm don't stop the cargo operation.

5 Q. Right.

6 A. The guys -- we would stop it at that point if we see the
7 weather picking up, so we don't just depend on the alarm. But the
8 alarm helps you.

9 Q. Sure. And who -- is there someone that makes the call to
10 actually stop, or is everyone's understanding, once that alarm
11 sounds, to stop?

12 A. Well, the superintendent can make the call to stop. I can
13 make the call to stop. My crane operator, if he feel unsafe about
14 being so high in the air, he knows the condition of the crane, he
15 can make the call to stop.

16 Q. Do you remember seeing any of the damage, after the storm
17 settled, to the crane?

18 A. Yes.

19 Q. What do you recall seeing?

20 A. Well, I seen wires hanging, crane over the ship like it's in
21 a bad position.

22 Q. And something that came up in another interview was a safe
23 position for the cranes that the person that we were interviewing
24 didn't necessarily know. Do you know what the safe position, if
25 there was an emergency, what position that would be that the crane

1 operator would put the crane in?

2 A. Well, he would have to put the crane in a parked position
3 where he can get out of that crane and get down to safety.

4 Q. Is the parked position -- so the -- I can't think. The
5 crane's just in a parallel position to the ground?

6 A. It's in a parallel position to the entry for the -- that they
7 can get on and get off it.

8 Q. Okay. And you weren't injured, and you've returned to work
9 since the incident; is that correct?

10 A. Yes.

11 Q. I think lastly, before I turn it over to Drew, is there
12 anything you wish you could've done differently or the crew done
13 differently, maybe have prevented some of this?

14 A. I guess if we heard that alarm, that alarm would've went off,
15 we probably would've took a different step.

16 Q. Do you think that -- and I know the conditions were -- they
17 developed very rapidly. Do you think, if the alarm went off,
18 there might've been time --

19 A. Most definitely. Definitely.

20 Q. In time for the crane operators to respond?

21 A. Most definitely.

22 LT [REDACTED]: Okay. Drew, I'll turn it over to you.

23 MR. EHLERS: All right. Thanks, [REDACTED].

24 Stanley, I'm going to jump around a little bit here because
25 I've been listening in and listening to the answers you've been

1 giving, and I appreciate that.

2 BY MR. EHLERS:

3 Q. So you mentioned the safety meeting that you have at the
4 beginning of the work day. Who leads that meeting?

5 A. The superintendent starts it out and guys, you know, any of
6 the guys got an opinion, he takes it.

7 Q. Does the superintendent or anyone else have like a list that
8 they go through, like a written down list of things to talk about?

9 A. Not that -- no. I can't think of none.

10 Q. Okay. All right.

11 A. Maybe he do. I can't think of it.

12 Q. Okay. You mentioned that you all communicate -- your team
13 communicates via radio. Are you the only group that's on that
14 frequency, or do you share that with other gangs, like other
15 teams? Like, you know, is there other people talking on the radio
16 when your team is on the radio?

17 A. No. No. Everybody have their own frequency, their own
18 channel. We got two channels set up for the -- out in the yard,
19 and only one channel set up for the ship operator -- I mean the
20 crane operator and the deckman.

21 Q. Okay. But if there's like another ship unloading down the
22 pier from you, you guys aren't on the same channel, are you?

23 A. No, no, no.

24 Q. Okay. You mentioned that it started raining, and then you
25 saw that the rain was coming 30 or 40 feet in the warehouse. Can

1 you give me an idea how long it went from being nice weather to
2 windy to the rain coming down? You got an --

3 A. It was like 10 minutes, 10 -- within 10 minutes. It happened
4 so fast, it wasn't no long time. Within 10 minutes.

5 Q. So it went from sun or partly cloudy to wind and -- did the
6 rain and wind come at the same time, or did the wind come first?

7 A. The rain came first.

8 Q. The rain came first? Oh, okay. And then the wind picked up
9 after that?

10 A. (No audible response.)

11 Q. Okay. You mentioned the alarm that sounds on the crane.
12 Have you ever had to stop work for weather without hearing that
13 alarm? Have you ever stopped work for weather without hearing the
14 alarm?

15 A. Yes.

16 Q. And what conditions caused that for you to do that?

17 A. Lightning. Lightning too bad.

18 Q. All right. But for winds, it's -- you wait for the alarm; is
19 that correct?

20 A. Not necessarily.

21 Q. Okay. You feel comfortable stopping work when you need to
22 when there's an unsafe situation?

23 A. It's no choice. That's an unspoken rule right there.

24 Q. Okay. And you've never felt pressure to keep working even
25 though something felt unsafe?

1 A. No.

2 MR. EHLERS: All right. That's really all I've got. Thank
3 you, sir.

4 BY MR. SOULE:

5 Q. Hey, Stanley. Just so everyone's clear, when you talk about
6 the shed that you go into, you're talking about Nashville B?

7 A. Yes.

8 Q. Okay. So it's not like a little separate shed that fits a
9 handful of people; it's the actual warehouse that's on -- right
10 adjacent to the ship?

11 A. Yes.

12 MR. SOULE: Okay. All right. That's all I have.

13 LT [REDACTED]: Okay. Great. That's all I have, too. Thank you
14 for your time, Stanley.

15 MR. OVERTON: Appreciate it.

16 (Whereupon, the interview was concluded.)

17

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

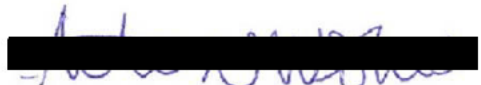
IN THE MATTER OF: CARGO LOSS OF THE CGA CGM *BIANCA*
 AT THE NAPOLEON AVENUE WHARF
 IN NEW ORLEANS, LOUISIANA,
 ON AUGUST 2, 2020
 Interview of Stanley Overton

ACCIDENT NO.: DCA20FM024

PLACE: Via telephone

DATE: August 7, 2020

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.


Autumn Weslow
Transcriber