

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

SINKING OF TOWING VESSEL *JACQUELINE* * Accident No.: DCA23FM044
A NEAR NORTH MYRTLE BEACH, SOUTH *
CAROLINA ON AUGUST 8, 2023 *

* * * * *

Interview of: JOHN EDWARD WARD, Co-Owner
Jacqueline A

Georgetown, South Carolina

Thursday
August 10, 2023

APPEARANCES:

CWO [REDACTED], Investigating Officer
DDO Myrtle Beach
United States Coast Guard

LT [REDACTED], Senior Investigating Officer
Sector Charleston
United States Coast Guard

ANDREW EHLERS, Marine Accident Investigator
National Transportation Safety Board

RYAN GILSENAN, Attorney
Representing the *Jacqueline A* Owner

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I N T E R V I E W

(2:11 p.m.)

1
2
3 CWO [REDACTED]: All right, good afternoon. It is August 10,
4 2023, Station Georgetown, South Carolina. Time is 1411. My name
5 is Chief Warrant Officer [REDACTED], with the Coast Guard from Sector
6 Charleston, stationed at DDO Myrtle Beach.

7 I have in the room with me.

8 MR. WARD: John Edward Ward. I am 50 percent owner in the
9 company that owns the *Jacqueline A* (indiscernible) *Jacqueline A*,
10 which is Jackson Creek Marine, LLC, based out of Deltaville,
11 Virginia.

12 MR. GILSENAN: And this is Ryan Gilsenan, counsel for the
13 vessel owner.

14 CWO [REDACTED]: And attending virtually or remote is Lieutenant
15 [REDACTED] from Sector Charleston. And Mr. -- would you
16 like to pronounce your name?

17 MR. EHLERS: Sure. Andrews Ehlers, E-h-l-e-r-s, from the
18 National Transportation Safety Board. I'm a marine accident
19 investigator.

INTERVIEW OF JOHN EDWARD WARD

20
21 BY CWO [REDACTED]:

22 Q. So as stated before, we're going to ask you some questions.
23 We're going to start off with -- we'll start off with like a
24 history of the vessel, how long you've owned the vessel, the past,
25 the past operation of the vessel, current status of the vessel,

1 last time it was hauled out, maintenance cycles. If you want to
2 start with how long you -- the company's owned the vessel, and
3 just kind of walk me through last maintenance conducted up until
4 kind of where she's at now. Where she was when she departed
5 Weems, Virginia.

6 A. Sure. So the *Jacqueline A* was built in 1981. We purchased
7 the vessel about nine years ago. I don't have the exact date.
8 About nine years ago. We've been -- we operated the vessel before
9 -- we've operated the vessel for about five years with -- with a
10 -- a crew on the vessel running mainly hyper-barges for Perdue
11 AbriBusiness on the Chesapeake Bay between Baltimore and Norfolk,
12 and most of the tributaries in between there, based out of Weems,
13 W-e-e-m-s, Virginia, at a dock where we rent, Ampro Shipyard which
14 we use as our hub to operate out of. Centrally located Chesapeake
15 Bay where we can kind of (indiscernible) works best for everyone.

16 Q. And then when was the last -- depot level maintenance when
17 the vessel was hauled out, last major repairs on the body?

18 A. Okay. Since Subchapter M came into effect or started phasing
19 into effect, say seven years ago, we -- our company is a, is a
20 five-boat company. We own five tugs under different, under three
21 different company names. The company Jackson Creek Marine we have
22 two tugs under that company; the *Jacqueline A* and the tug *Milton*
23 *W.* The other three tugs operate under Bay Freight, Incorporated,
24 and Captain Johnny, Incorporated. Those tugs are the tug *Gram-Me*,
25 the tug *Alexander Duff*, and the tug *Captain Johnny*, which make up

1 the five boats.

2 The other (indiscernible) your question --
3 (Crosstalk)

4 Q. The most recent --

5 A. Okay, yeah. So since sub -- I brought that in. I got
6 sidetracked. Since Subchapter started being phased in to the
7 commercial guys we encompassed a lot of expense, and we kind of
8 had a priority list with the five boats as to which ones would get
9 the most attention to come into compliance with the Coast Guard,
10 and we did, we did very well with the transition. We brought in
11 everything. We labeled the *Jacqueline A* through, through Sector
12 Hampton Roads as out of service so she did not fall under the 25
13 percent as, as a full company coming into compliance. As far as
14 Subchapter M is concerned Sector Hampton Roads considers our three
15 companies one entity. So we fell under the 25 percent 50 percent
16 coming into, into compliance with the five boats.

17 Q. Okay.

18 A. So with that being said, the *Jacqueline A* has been labeled as
19 far as our company and Sector Hampton Roads is concerned as short-
20 time service. Out of --

21 Q. Place in inactive status.

22 A. She's been in inactive status at our dock in Weems for four
23 years. So with that being said, about two months ago -- I don't
24 have the exact dates, but I will provide them later with -- about
25 two months ago we started planning on this, this overhaul for the

1 *Jacqueline A.* (Indiscernible) contracted with the shipyard Total
2 Marine out of, out of Harvey, Louisiana. And if you ask why we
3 were going so far it, it was a price point for us, quality of
4 work, labor, labor restrictions in our, in our area in Hampton
5 Roads why we don't or didn't use shipyards there. But in
6 preparation to take the *Jacqueline A* to Harvey we did a hull. I
7 say a quick hull. She was on the shore for about three weeks.

8 Q. Where was that?

9 A. That's at Fairlead Shipyard in Newport News, Virginia. I
10 know you're familiar with that area. That was the old Davis yard
11 (indiscernible) right by the Monitor-Merrimac Tunnel.

12 Q. Okay.

13 A. Where we did UV testing every two feet on the hull sides and
14 bottom, and everything under water.

15 Q. Just for the record that's UV testing?

16 A. Yes, sir.

17 Q. And what does UV stand for?

18 A. Ultraviolet.

19 UNIDENTIFIED SPEAKER: Ultrasonic.

20 MR. WARD: Ultrasonic. Okay. I'm sorry.

21 BY CWO [REDACTED]:

22 Q. UT gauging where they do an ultrasonic fit and testing of the
23 hull?

24 A. Yes, sir.

25 Q. Okay. All right.

1 A. I had a sub do that. Then I have documentation on that as
2 well that I will provide. Clean the bottom, clean the wheels.
3 She fouled up some. Put zincs on the boat. Put her back over,
4 and put her back over, took her back to our yard in Weems where we
5 have a, we have a, port engineer that is a really good mechanic.
6 He's -- went over all the electrical systems (indiscernible) all
7 the alarms, engine alarm, high water alarms, day tank, Murphy
8 gauges, bilge alarms. All that has been new in the last year.
9 And I can provide any documentation you would need on it. Also we
10 did some cosmetic woodwork in the, in the interior of the boat
11 just to -- we try to do everything that we could at our dock out
12 of the shipyard before we went down there to Harvey; just kind of
13 get ahead of the game.

14 Q. Right. Did you have a scope of work already kind of
15 predetermined when you were -- before you got --

16 A. For Total Marine at Harvey?

17 Q. For Harvey, correct.

18 A. Yes, sir.

19 Q. And what line items were on that --

20 A. If you'll make a note that would be a better question for my
21 father (indiscernible).

22 Q. You don't have -- like, I don't need like everything but
23 like, like was it top side work? Was it --

24 A. It was (indiscernible) hand rails, sandblasted throughout.
25 Pretty much -- just kind of a as we go sandblast, you know, the

1 decks.

2 Q. You anticipated growth work when you got there?

3 A. Anticipated growth work?

4 Q. Right.

5 A. Sure. It always is.

6 Q. Right. So I mean -- so you -- you had a punch list of items,
7 but it may not have been all inclusive when you got down there?

8 A. Honestly, it never is, yeah.

9 Q. Did the haul out that you did at Virginia at Fairlead
10 Shipyard did the results of the ultrasonic fitness testing was,
11 was there any -- did you have anything -- so most of the things
12 would be like green, yellow, red. Were there any things at the
13 red or below like the minimum meeting the standard?

14 A. No, sir.

15 Q. Okay. Did you -- while you all were there were the rudders
16 removed?

17 A. The rudders were not.

18 Q. Shafts?

19 A. The shafts were not. Shafts, wheels, rudders, nothing was
20 removed.

21 Q. Nothing was removed?

22 A. No, sir. The bushing clearances on everything was within
23 tolerance as far as a commercial tolerance what we are --

24 Q. For rudders and shafts?

25 A. Correct.

1 Q. They were all, they were all checked?

2 A. Yes, sir.

3 Q. Okay.

4 A. Visually, visually checked, you know. We could see the top
5 bushes in the rudder (indiscernible) the bottom bushes, cutless
6 bearings.

7 Q. Okay. So they were -- so the, the results of the haul-out
8 there was nothing that was discovered during that time. Did you
9 discover anything at that time that was going to be added to the
10 list of work that was going to be done when you got to New Orleans
11 under body?

12 A. Well, I wouldn't say we discovered at that time, but in, in
13 the overhaul and in Harvey when we got the total we would have
14 pulled rudders, shafts, wheels, and renewed, renewed bearings and
15 so forth as far as, as below the waterline.

16 Q. Okay. Were you in communication at all with Sector Hampton
17 Roads prior to getting underway or prior to the vessel getting
18 underway with the crew you hired?

19 A. No, sir.

20 Q. Okay. Were there any -- after -- during the Subchapter M
21 implementation phase end period ended were there any restrictions
22 put on the vessel at that time?

23 A. The end period being two years ago?

24 Q. Right. So there was a, there was a like drop dead phase.

25 A. Yes, sir.

1 Q. Subchapter M. Were there -- did the Coast Guard say, hey --
2 did they put any limitations on the vessel?

3 A. It was understood that that vessel was not in service.

4 Q. Okay.

5 A. We had -- I mean, it wasn't like, well, it wasn't like we --
6 all of our (indiscernible) inspections are done at the same time,
7 the Sector Hampton Roads. We walk down the dock together. All of
8 our boats are there. The *Jacqueline A's* there. It wasn't, it
9 wasn't a case of, of -- it, it being out of the picture. It was a
10 topic of discussion.

11 Q. Right. So you had mentioned earlier in some earlier
12 discussion when you first came down like that there was a
13 discussion that you had with the Coast Guard based on the -- your
14 movement of -- what you needed to do to move the vessel. Was
15 there a discussion? You said you had a discussion with a Coast
16 Guard representative about --

17 A. Yes, sir.

18 Q. -- and, and what did that entail?

19 A. If the boat is not for hire we could move it.

20 Q. Okay. And do you -- is there any -- do you have any evidence
21 from the Coast Guard like a e-mail or anything from that that
22 would support that?

23 A. I can -- I do not think so, but I will definitely go through
24 my records and see.

25 Q. Okay. All right. So did you -- how did you come into

1 contact with the crew that was delivering the vessel to New
2 Orleans from Weems, Virginia? How did that transaction take
3 place?

4 A. Where we rent our dock space at our home --

5 Q. No, no. So the --

6 (Crosstalk)

7 Q. Yeah.

8 A. Yes, sir. Just the back to that story. Where we rent the
9 dock space in Ampro at Weems.

10 Q. Okay.

11 A. The owners of that yard also own a boat that they bought in
12 New Orleans. So they've used this crew. They've kept the crew,
13 the three gentlemen that you met yesterday. They -- the Kellums,
14 Mr. Kellum, who owns Ampro Shipyard where we're docked, hired this
15 crew to bring his boat from Louisiana to Weeks to the shipyard at
16 Ampro where we're based. The understanding was once they got
17 there to the shipyard to deliver his boat they were going to get
18 on our boat *Jacqueline A*, and take it back down. So they were
19 going to do a roundtrip, bringing his boat up, which is named the
20 *Replenisher*, and our boat the *Jacqueline A* back down.

21 Q. Okay. And then so what would be the timeline of these
22 discussions? So when did the planning process start where you
23 knew you were going to like hire this crew -- *Replenisher* got
24 there to take your boat back? When did these -- when did you make
25 the decision to do all --

1 A. Well, this timeline as far as, as planning the logistics of
2 all this --

3 Q. Yes.

4 A. -- been going on for four to five months.

5 Q. Okay.

6 A. And that's just casual conversations with the guys at the
7 yard that bought the boat from (indiscernible). How's your boat
8 coming? When are you going to be ready to bring it up? Well,
9 we're doing a few more things. When she gets up, you know, the,
10 and, you know, in contact with them as far as that's -- to plan
11 our, our haul just to be sure that everything was ready. He had
12 some holdups on his end so that was a two-month period between the
13 time that the *Jacqueline A* went over (indiscernible) and came to
14 Weems.

15 Q. Okay. When was the last time -- so Subchapter M
16 implementation process ended. Did the Coast Guard give you any
17 documentation saying hey you can't use the boat or 835 or anything
18 like that?

19 A. No, sir.

20 Q. Okay. So was your understanding as to the operations of the
21 vessel was that -- are you under the understanding that the Coast
22 Guard just told you verbally that you couldn't use the boat, and
23 you never received any -- you never received an 835 to say you
24 can't operate the vessel until this day or 'til these requirements
25 are met?

- 1 A. I never saw an 835 for the *Jacqueline A*.
- 2 Q. All right. When was the last time that the *Jacqueline A* was
3 operated as a tug -- but like operated commercially? So when was
4 the last time that you used the vessel pushing, pulling, towing?
- 5 A. I would have to look back at my billing records just because
6 it's been so long. I would be just --
- 7 Q. An estimate. Just so you know. So you don't have --
- 8 A. This is just an estimate.
- 9 Q. And you can say that in your statement.
- 10 A. Okay.
- 11 Q. Just say it was approximately --
- 12 A. Approximately five years ago, four and a half years ago.
- 13 Q. So during the four and a half to five year the *Jacqueline A*
14 has been tied up at the dock in Weems, Virginia?
- 15 A. Correct.
- 16 Q. And has not been in use?
- 17 A. Not in use, no, sir.
- 18 Q. Did the *Jacqueline A* -- did you or your father get the
19 *Jacqueline A* underway and do any type of sea trials before she
20 departed Weems to go --
- 21 A. Yes, sir. Yes, sir.
- 22 Q. And what was the results of the sea trial?
- 23 A. Everything -- you can -- once again, you can ask -- I was not
24 on either of those two, three trips. Initially I would call it a
25 sea trial. We ran it from Weems to Newport News.

- 1 Q. Okay.
- 2 A. Before the haul-out.
- 3 Q. What were you doing during that time? Was it just a sea
4 trial or what were you doing?
- 5 A. Well, we were transiting from, from Weems to Newport News
6 with the boat to haul it out to inspect it.
- 7 Q. Okay. So you were going to the --
- 8 A. Correct.
- 9 Q. -- you were going to Fairlead Shipyard?
- 10 A. Yes, sir. That's a five-hour transit.
- 11 Q. And during that time --
- 12 A. About.
- 13 Q. During that time nothing abnormal?
- 14 A. Nothing.
- 15 Q. Any unusual vibrations, noises?
- 16 A. No, sir. Once again, I wasn't actually on the boat itself.
- 17 Q. Okay.
- 18 A. It was reported to me.
- 19 Q. And who was, who was on the boat at that time?
- 20 A. My father and our port engineer, Ryan Dame.
- 21 Q. Spell his name.
- 22 A. Ryan D-a-m-e.
- 23 Q. And he's the port engineer?
- 24 A. Correct, yes, sir.
- 25 Q. And he's an employee of?

1 A. Of the three companies that I mentioned my father and I own
2 together.

3 Q. How long has he been with you?

4 A. Three years, maybe more.

5 Q. And during the three years has he worked on the *Jacqueline A*?

6 A. Yes, sir.

7 Q. Okay. So he's --

8 A. He's familiar, worked on all of them.

9 Q. Was he the person that replaced like all the gauges and --

10 A. Correct.

11 Q. -- the --

12 A. Correct, yes, sir. I didn't answer your question yet. So we
13 ran the boat to the shipyard to Fairlead, ran it back, which I
14 would consider a sea trial also, and then before the boat got
15 underway, I did have -- well, my father, once again, you can ask
16 him, but they did another local sea trial before the boat got
17 underway (indiscernible).

18 Q. All right. How familiar would you say you are with the
19 Subchapter M regulations? Have you had time -- you've read them
20 or have you like had a chance to review them?

21 A. Give me one second. I've been present for seven of our COI
22 inspections in the water from start to finish, and two hull
23 inspections out of the water. So out of my inspections I would
24 say that I would be fairly knowledgeable.

25 Q. Okay. Are you familiar with what an 8 -- when I say the term

1 835 CG -- are you familiar with that?

2 A. Yes, sir.

3 Q. Okay. You said -- you stated earlier that you, you don't
4 recall ever receiving or signing an 835 for the *Jacqueline A*?

5 A. No, sir. Do you have an 835?

6 Q. There's an 835 on file for the vessel, yes.

7 A. Is my signature on it?

8 Q. I would need to verify, but we can take a look at it.

9 A. Okay.

10 Q. I don't have it in front of me but we --

11 A. Okay.

12 Q. -- we can definitely take a look at it and see who signed it.

13 There was an -- there's an 835 for the vessel.

14 A. Okay.

15 Q. All right. So --

16 UNIDENTIFIED SPEAKER: I guess I'll have a chance to ask
17 questions later.

18 CWO [REDACTED]: You will.

19 UNIDENTIFIED SPEAKER: (Indiscernible).

20 BY CWO [REDACTED]:

21 Q. Since the day that -- on August when the vessel got underway
22 from Weems on August 7th.

23 A. 6th.

24 Q. 6th. When the vessel got underway from Weems, Virginia, were
25 you present at the dock the morning that she departed?

1 A. No, sir. I was there briefly the day before, but I wasn't
2 there the day, the morning she departed.

3 Q. Your father was there, correct? The --

4 A. I can't speak to that. I'm not 100 percent sure.

5 Q. Okay. That's fine. I guess, prior to the vessel getting
6 underway who -- did anybody -- was anybody -- did anybody from
7 your company go to the vessel to do any kind of checks you're
8 aware of?

9 A. The day before.

10 Q. The day before.

11 A. Yes, sir.

12 Q. And what would those checks have involved? What would
13 they --

14 A. I wasn't present.

15 Q. Okay. And who was -- was Mr. Dame present the port engineer?

16 A. My father can tell you more about that. He was actually
17 there. I don't know. It was some crew on the dock. I'm not sure
18 that he was, but that would be a question to ask, ask my dad.

19 Q. Okay. When was the last time that the *Jacqueline A* was
20 operated offshore? Offshore meaning beyond the boundary line in
21 the ocean.

22 A. Not (indiscernible).

23 Q. It has never been operated offshore to your knowledge since
24 you've owned the boat?

25 A. Not to my knowledge.

1 Q. Okay. So the operation while you owned -- you said earlier
2 so the, the day-to-day operations about five, four and a half,
3 five years ago when the *Jacqueline A* was in service --

4 A. Um-hmm.

5 Q. -- she would have been operating solely like on a lakes, bays
6 and sounds route in the Chesapeake Bay?

7 A. Correct.

8 Q. Okay. She got underway from Weems Point with the crew
9 onboard. During the transit did the operator, the master,
10 Mr. McGallagher, did -- were you in contact with him at any
11 time --

12 A. Yes, sir.

13 Q. -- during the trip?

14 A. Yes, sir.

15 Q. Did he report anything to you like anything unusual with the
16 boat or --

17 A. No, sir. We were in contact quite a bit. This was -- this
18 is a big deal bringing the boat down, and I, I stayed in contact
19 with them quite a bit just to make sure that everything was going
20 well, and they were -- didn't need any resources from me as far as
21 anything that they would need.

22 Q. All right. Were there any discussions about the route that
23 the *Jacqueline A* was to take to get from Weems, Virginia, to New
24 Orleans?

25 A. We casually discussed routes, and that they would be weather

1 dependent, but at the end of the day it was the master's
2 discretion on, on the --

3 Q. Were there any time constraints? Did you need to be at the
4 yard by a certain day or time?

5 A. No time constraint whatsoever.

6 Q. So the master was at discretion as to the route that he chose
7 to get to New Orleans, and the amount of time that it took to get
8 there? He chose?

9 A. Yes, sir, absolutely, 100 percent.

10 Q. Did the master whenever he brought the -- what's the first
11 boat he delivered?

12 A. The *Replenisher*.

13 Q. The *Replenisher*. When he -- so when he arrived at Weems,
14 Virginia, and delivered the *Replenisher*, did the master ever bring
15 up anything about the draft constraints for the *Jacqueline A* going
16 back down the intracoastal waterway to New Orleans?

17 A. No, sir, he didn't, didn't seem to have any --

18 Q. What is the draft for the *Jacqueline A*?

19 A. The *Jacqueline A* is average of seven to seven and a half
20 feet.

21 Q. And --

22 A. (Indiscernible).

23 Q. My next question was so she departed Weems, Virginia, what's
24 the tank -- the fuel tank capacity of the boat?

25 A. The tank capacity, the fuel tank?

- 1 Q. Fuel tank.
- 2 A. 95, 100 gallons, I believe.
- 3 Q. Total?
- 4 A. Yes, sir, total.
- 5 Q. And how much fuel was on it when she left?
- 6 A. She had about 60, about 6500 I would say. That's an
7 estimate.
- 8 Q. Okay. And then the night of the, the casualty, I spoke to
9 you, and you said that the lube oil that was onboard was all
10 stored in 5-gallon containers?
- 11 A. Correct.
- 12 Q. And then what was the capacities of those?
- 13 A. Lube oil five 5-gallon pails.
- 14 Q. And then the hydraulic fluid?
- 15 A. About the same.
- 16 Q. And then there's a steering reservoir and a winch reservoir,
17 correct?
- 18 A. Correct.
- 19 Q. And the capacities of those?
- 20 A. 25 apiece gallons.
- 21 Q. And that would have been all of the petroleum products that
22 would have been onboard?
- 23 A. Yes, sir.
- 24 Q. All right.
- 25 A. Yes, sir. No lube oil tank on that boat. Now that's all the

1 petroleum (indiscernible) in the base in the engines but --

2 Q. Okay. So going back to the operations on the *Jacqueline A*,
3 four and a half five years ago when the *Jacqueline A* was in
4 operation on the Chesapeake Bay in the Weems Point area, would the
5 *Jacqueline A* would it have ever encountered a sea state similar to
6 what would have been like in the ocean? Like what would be normal
7 sea state kind of conditions that they would be in where they're
8 operating?

9 A. Yes, sir. I mean, I've been on the boat, and run it myself
10 quite a bit. And you know as well the Chesapeake Bay can get
11 rough. We try to restrict our, our -- we try to restrict our tows
12 to three to four feet, which --

13 Q. Sea state?

14 A. Sea state, yes, sir.

15 Q. Okay.

16 A. Which is -- which three to four feet in the Bay is a, is a
17 different sea than three foot in the ocean, you know, swell.
18 You're talking the difference between 10 seconds apart, 3 seconds.

19 Q. So you said you've operated *Jacqueline A* on the Chesapeake
20 Bay and the sea state of three to four feet?

21 A. Yes, sir.

22 Q. During that time, I know it's dependent on wind and tide, but
23 during that time in three to four-foot seas would the *Jacqueline A*
24 while you were operating it would it -- would sea spray be coming
25 onto the deck?

1 A. Occasionally. Depending on if you've got a head to sea or on
2 (indiscernible) you would -- yeah, you would get some spray.

3 Q. And if sea spray or white water was coming onto the deck from
4 the sea state, what deck penetrations are on the *Jacqueline A*
5 where that water -- void spaces, lazarette? Like, where would
6 that water have a likely chance of accumulating? I guess we can
7 talk about the space -- so let's, let's talk about so going from
8 the stern. So what void spaces are at the stern?

9 A. Okay. Our lazarette is, is, right, okay, from the stern
10 forwards. Lazarette --

11 Q. Which has how many accesses to the lazarette?

12 A. Two deck plates. I believe there are 20 or 22-ish round deck
13 plates.

14 Q. Are those --

15 A. Flush mount.

16 Q. Like a Freeman hatch, like a quick acting hatch where --

17 A. No. They are the -- they have the bolts in the center with
18 the dogs, the draw bar that comes out, and you have the wrench
19 with the, the bigger Allen heads probably inch and a half that --

20 Q. All right. So those two spaces are back aft. What -- is
21 there a void space forward of the lazarette?

22 A. No, sir. Forward of the lazarette is the potable water tank.

23 Q. Were they empty or full when she left?

24 A. I would say three -- about three-quarters potable water.

25 Q. Does the *Jacqueline A* have the capability of making water

- 1 while she's underway?
- 2 A. No, sir.
- 3 Q. So she can only take on water at the dock?
- 4 A. Correct.
- 5 Q. Okay. So three-quarters of, three-quarters of the way full.
- 6 Forward of that space would be?
- 7 A. Engine room.
- 8 Q. Any voids in the engine room other than the engine room space
- 9 itself? (Indiscernible) tanks that would have been --
- 10 A. No, sir. She's from the -- yeah, yeah. You're looking right
- 11 into the bilge.
- 12 Q. Okay. And that's forward of the engine room fuel, fuel
- 13 tanks?
- 14 A. Yes, sir.
- 15 Q. Two separate tanks, independent tanks?
- 16 A. She's as -- she has four tanks, but they all had cross-overs.
- 17 Q. Okay. And then forward of the fuel tanks?
- 18 A. Forward of the fuel tanks forepeak (ph.).
- 19 Q. The forepeak?
- 20 A. Yes, sir.
- 21 Q. Okay.
- 22 A. And then forward of it is a crash bulkhead.
- 23 Q. Okay. And in those spaces -- let's go back to the stern. In
- 24 the, in the lazarette are there bilge alarms or high water alarms
- 25 in that space?

- 1 A. No, sir.
- 2 Q. Engine room?
- 3 A. Yes, sir.
- 4 Q. Where are the high water alarms located in the engine room?
- 5 A. Forward -- if we call the fuel tank bulkhead, the furthest
- 6 part, the --
- 7 (Crosstalk)
- 8 A. -- I'd say four to five feet back of that behind that. So it
- 9 would be, yeah, two frames back I believe it is.
- 10 Q. Two frames after of the most forward bulkhead in the engine
- 11 room?
- 12 A. Correct.
- 13 Q. Okay. Were those -- was that alarm replaced with the alarms
- 14 that you mentioned earlier?
- 15 A. Yes, sir.
- 16 Q. Was that -- when was the last time that alarm was tested?
- 17 A. Very recent.
- 18 Q. Okay.
- 19 A. Yes, sir.
- 20 Q. And when that alarm sounds how does it sound, and where does
- 21 it sound?
- 22 A. That alarm sounds in the wheelhouse through the, through the
- 23 Murphy gauge --
- 24 Q. Is there a light and an audible or is it just a light? How
- 25 does it --

- 1 A. Light and audible, yes, sir.
- 2 Q. So if that alarm would have sent off, the master would have
3 been able to quickly recognize it would have brought --
- 4 A. Yes, sir.
- 5 Q. And then other -- forpeak does it have a bilge alarm?
- 6 A. No, sir.
- 7 Q. So the only space that has the alarm is the engine room?
- 8 A. Yes, sir.
- 9 Q. Okay. The aft bulkhead in the -- are there any penetrations
10 in the aft bulkhead of the engine room that would go into the
11 lazarette space?
- 12 A. Yes, sir.
- 13 Q. And what are those penetrations for?
- 14 A. Chases (ph.).
- 15 Q. When you say chases are those -- like what goes through?
- 16 A. Hydraulic pipes, and any wires that, that you would need to
17 get back there.
- 18 Q. When was the last time those were like looked at, inspected,
19 maintenance done on them, anything like that?
- 20 A. I don't know.
- 21 Q. Do you recall if those chases or stuffing tubes were they
22 sealed up or were they free -- was that opening free to the
23 lazarette?
- 24 A. I don't know.
- 25 Q. The shaft logs -- so the shaft log goes in back of the boat,

- 1 the aft --
- 2 A. Yes, sir.
- 3 Q. -- portion of the boat? Does it -- does the shaft logs
- 4 penetrate through the lazarette space?
- 5 A. Not on that boat, no, sir.
- 6 Q. Okay.
- 7 A. I don't know.
- 8 Q. The stuffing tubes --
- 9 A. I don't think so.
- 10 Q. Okay. The stuffing tubes are in the engine room?
- 11 A. Yes, sir.
- 12 Q. If the vessel were to --
- 13 A. I was just thinking back. The shaft, the shaft logs
- 14 themselves do not go -- the lazarette at all, no, sir.
- 15 Q. Okay. So you look in the --
- 16 A. Yeah. I --
- 17 (Crosstalk)
- 18 Q. -- lazarette you don't see any --
- 19 A. No, sir.
- 20 Q. -- or tube or anything like that?
- 21 A. No, sir.
- 22 Q. So the only thing that is in the lazarette that has a
- 23 penetration through the hull of the boat would be the two rudder
- 24 posts, correct?
- 25 A. Correct.

- 1 Q. Is there a bilge, is there a bilge suction in the lazarette?
- 2 A. Yes, sir, I believe so, yes, sir.
- 3 Q. And does the -- so --
- 4 A. It's -- I didn't mean to cut you off.
- 5 Q. No. Go --
- 6 A. I'm sorry.
- 7 Q. -- good.
- 8 A. It's like you've seen on a manifold that uses (indiscernible)
- 9 pump.
- 10 Q. Okay. The bilge pumps on the *Jacqueline A* how many bilge
- 11 pumps does she have?
- 12 A. Two.
- 13 Q. Are they electric driven?
- 14 A. Yes, sir.
- 15 Q. Is there any mechanically driven bilge pumps off of the
- 16 engine?
- 17 A. No, sir.
- 18 Q. So to start the bilge pumps where would you start them from?
- 19 A. Right beside the -- in the engine room.
- 20 Q. Okay. Is there any other processes that would need to take
- 21 place prior to starting the bilge pump, opening valves, closing
- 22 valves? Well, how would you, how -- walk me through the process
- 23 of starting the bilge pump.
- 24 A. We would have a gate valve. It's a gate valve right out the
- 25 side of the boat. We have the pumps mounted on a shelf right next

1 to the discharge that goes off, you know, over the side of the
2 boat. The only valve to open to start a bilge pump either one of
3 the two would be the gate valve right beside the pump that is a
4 discharge overboard, and that's, that's the only valve.

5 Q. Okay. So you go into the engine room, and you have to
6 manually start the bilge pump from the engine room. There's no
7 way to start it from the pilothouse?

8 A. No way.

9 Q. And then there's a gate valve that you have to open to take
10 suction or does the gate valve --

11 A. The gate valve is right off -- the gate valve is the next
12 stop for the bilge water before it goes overboard. So it's right
13 on the side of the boat.

14 UNIDENTIFIED SPEAKER: Discharge.

15 MR. WARD: Discharge, yes, sir.

16 BY CWO [REDACTED]:

17 Q. Do you -- and it may be a question to your father, but did
18 anybody go over like vessel operations with the crew prior to
19 getting underway? How to start fire pumps, bilge pumps, where the
20 bilge alarms are. Do you know if --

21 A. They, they -- I know they did. He can give more detail on
22 it.

23 Q. Your father. Okay. Would there have been -- so the
24 stuffing, the two, the two shafts in the engine room and the
25 stuffing tubes --

- 1 A. Yes, sir.
- 2 Q. -- are the two penetrations in the engine room that go
3 through the skin of the ship. Would there have been any other
4 penetrations below the waterline where water could have come into
5 the ship, to the *Jacqueline A*?
- 6 A. In the engine room?
- 7 Q. In the engine room below the water line.
- 8 A. No. No, sir.
- 9 Q. And the only two penetrations in the lazarette would be the
10 two rudder posts?
- 11 A. Correct.
- 12 Q. I think you may have mentioned it earlier. Was the rudders -
13 - you said the rudders -- was the rudders scheduled to be pulled
14 when it got to New Orleans?
- 15 A. Yes, sir.
- 16 Q. Like the rudders and shafts were --
- 17 A. Yes, sir.
- 18 Q. Okay. You may have already said this. When were -- when was
19 the last time they were pulled; do you know?
- 20 A. Rudders or --
- 21 Q. Rudders and shafts.
- 22 A. Everything?
- 23 Q. Yeah.
- 24 A. We -- I know I've done -- since we've owned the boat. I'd
25 have to get back to you on the exact date, but it was obviously,

- 1 it's obviously been about --
- 2 Q. Approximately.
- 3 A. -- about seven years ago.
- 4 Q. And was that -- would that -- that was done in Virginia?
- 5 A. Correct.
- 6 Q. And was that done in Fairlead Shipyard?
- 7 A. Yes, sir.
- 8 Q. Okay. Lifesaving equipment onboard. What does *Jacqueline A*
- 9 have onboard for lifesaving equipment?
- 10 A. She had a brand new four-man life raft.
- 11 Q. Serviced? When was it last serviced?
- 12 A. It was brand new. Three weeks ago. Bought it from
- 13 Bainborough (ph.) in Portsmouth, Virginia.
- 14 Q. Do you recall does it have a hydrostatic release?
- 15 A. Yes, sir. Everything was brand new.
- 16 Q. Okay. And then keep going through the rest of --
- 17 A. Fire extinguishers were serviced before she departed, within
- 18 the last two months. Life vests, life rings.
- 19 Q. How many life rings?
- 20 A. Two.
- 21 Q. Two. EPIRB?
- 22 A. No EPIRB.
- 23 Q. What's that? Everything -- life jackets?
- 24 A. Yeah, yeah, said yeah, yes, sir.
- 25 Q. Are you familiar with the EPIRB requirements for Subchapter

1 (indiscernible)?

2 A. No, sir.

3 Q. Okay. Was the -- do you recall a discussion -- was there
4 ever a discussion had on the, on the route of the *Jacqueline A*
5 when she departed Virginia? I know your dad -- you say your dad's
6 probably the best person to speak to, but a round for them to get
7 from Virginia to Florida. Was ocean versus intracoastal --

8 A. I left it to the captain's discretion, yes, sir.

9 Q. Do you have -- is there something that I failed to ask you or
10 that you would be aware of that I'm missing where water would have
11 been able to get into the boat other than the rudder post from the
12 lazarette?

13 A. No, sir.

14 Q. Was there any visible damage in the lazarette portion or
15 underneath the boat before she left after you hauled it out?

16 A. No, sir. I mean, we would have certainly addressed it before
17 she did. We had no, no concerns.

18 Q. Do you -- what's the hull thickness? When you did the --

19 A. I know she was built out of half-inch and three-eighths.
20 Half-inch in the, in the stern section on her, on her bottom hull.
21 Side plates three-eighths. And then at some point from the half-
22 inch it transitions to three-eighths. As you move to forward. I
23 can't give you the exact dimensions but --

24 Q. Do you recall any thickness, the thickness, the gauging
25 report showing a thickness of less than 25 percent?

1 A. No, sir.

2 Q. So no --

3 A. No, sir.

4 Q. So the results from the -- in your opinion the results of the
5 UT gauging report was, was satisfactory for the vessel to have
6 made the voyage --

7 A. Yes, sir.

8 Q. -- from Virginia to New Orleans?

9 A. Yes, sir.

10 Q. And that -- that opinion wouldn't have changed inside or
11 outside with sea state --

12 A. No, sir.

13 Q. -- limitations?

14 CWO [REDACTED]: [REDACTED], that's -- do you all -- either of you have
15 any additional questions?

16 LT [REDACTED]: Yes. I'll have a couple questions. Let me just
17 look through my notes.

18 MR. EHLERS: Same here, but I'll let [REDACTED] go first.

19 BY LT [REDACTED]:

20 Q. All right. So Mr. Ward you said you're pretty familiar with
21 Subchapter M requirements, and you've been through nine COI
22 inspections with your other vessels in and out of the water.
23 Based on your knowledge from that, and your knowledge of this
24 vessel can you tell us if there's any deficient areas on the
25 vessel that you would have known of that would have made this

1 vessel noncompliant with Subchapter M? Like, was there certain
2 work or additional equipment that it needed to come it compliance
3 with M?

4 A. I heard your question. Let me think for a second.

5 Q. Sure.

6 A. Okay. As far as the safety equipment on the boat no. I
7 don't, I don't know of anything else that could have been done.
8 Mainly what we were going to the yard for was to be a little --
9 for the steel work for the hull inspection itself, the out of the
10 water hull inspection, the actual structural inspection as far as,
11 as (indiscernible) works, handrails --

12 (Crosstalk)

13 UNIDENTIFIED SPEAKER: -- work?

14 MR. WARD: All that's topside work, yes, sir, absolutely.

15 BY LT [REDACTED]:

16 Q. Were you coordinating with Sector Virginia inspectors or any
17 other like Coast Guard inspectors to get a COI inspection on the
18 boat scheduled?

19 A. We hadn't moved that far yet, no. As far as, as myself and
20 Hampton Roads Sector.

21 Q. Okay. So just to confirm. The vessels never -- this vessel
22 has never had a certificate of inspection?

23 A. You kind of broke up.

24 Q. Oh, sorry. Yeah, it's been going in and out. Just to
25 confirm. The *Jacqueline A* has never had a certificate of

1 inspection, correct?

2 A. No, she has not. Yeah, she -- the commercial work that the
3 *Jacqueline A* did was prior to the Subchapter M restrictions.

4 Q. Understood. And I know you said earlier that you did not get
5 a hard copy or an electronic copy of an 835 that you recall,
6 correct?

7 A. Not that I recall.

8 Q. Do you recall getting -- having any other correspondence, e-
9 mails or letters or any other, I guess, documentation or
10 correspondence with the Coast Guard either Sector Virginia or
11 Headquarters regarding the vessel's status or restrictions?

12 A. No, I don't recall any documentation. If --

13 Q. Would you be willing to go back and --

14 (Crosstalk)

15 A. -- I would --

16 Q. -- through your records from like 2021?

17 A. 2021, yes.

18 Q. Okay. All right.

19 A. But could I ask -- go ahead. I'm sorry. I'll let you finish
20 with your questions.

21 Q. You said earlier that you believe the Coast Guard was aware
22 that the *Jacqueline A* was going to be transiting down to New
23 Orleans. When did that conversation occur or, I guess, where does
24 that come from?

25 A. I did not say that. You may have misunderstood.

1 Q. Oh, I'm sorry.

2 A. Yeah. They were not aware.

3 Q. Okay.

4 A. I had not contacted anyone about from Sector Hampton Roads
5 about the boat transiting from --

6 Q. Okay.

7 A. But it was my understanding that if the boat was not working
8 commercially or for hire then we could do what we wanted to with
9 the boat.

10 Q. Can you clarify what you mean by commercially or for hire?

11 A. For hire. If I've gotten on a job where I'm under a contract
12 getting paid --

13 UNIDENTIFIED SPEAKER: That's for hire?

14 MR. WARD: That's for hire. If I'm not, then I could transit
15 the boat to a shipyard. It's my --

16 UNIDENTIFIED SPEAKER: No one's paying you for that.

17 MR. WARD: Nobody is paying me for that, right.

18 BY LT [REDACTED]:

19 Q. Okay. So when this crew was getting hired I know you talked
20 about Mr. Kellum had hired them to bring his vessel up. Do you
21 recall approximately when you, like, officially hired the crew or
22 when you approved for those specific crewmembers to take your
23 boat?

24 A. The conversation with Mr. Kellum and, and Mr. McGallagher had
25 been going on for four to five months about coordinating and

1 getting, getting Mr. Kellum's boat here and our boat down.

2 Q. Okay. Did you have a -- so you didn't have any say on who
3 the crew would be that was directed by him?

4 A. Oh, no, these -- he's very familiar with this crew. They
5 brought up a boat for him two years ago. They brought this boat
6 up for him. He's very familiar with the crew, and, you know,
7 spoke highly of them, and was happy with the job they had done.

8 Q. Okay. What was your knowledge of their licenses and overall
9 experience with this transit and this type of vessel? You kind of
10 spoke to it a little bit, but maybe just dive into that more.

11 A. Just know that mainly, I mean, Mr. McGallagher was -- had
12 been around tugs and run them all his life. He said -- he told me
13 that he had experience on towing vessels towing up to 600-foot
14 barges, tandem barges, crew boats. I think he even said shrimp
15 boats. And he's older gentleman. I didn't have any, any concerns
16 with his knowledge of a 60-foot tugboat without a tow.

17 Q. Okay. What about the relief captain Ollie?

18 A. I didn't know Ollie as well as I did Mr. McGallagher, but it
19 was, it was the master's choice of who he wanted for a mate, and I
20 left that to his discretion.

21 Q. Okay. What about the other crewmember who was onboard?

22 A. Once again I just left that to Mr. McGallagher's discretion on
23 -- as a retired captain, I figured he'd put the best crew together
24 that he could have and trusted in.

25 Q. Okay. Did you ever see their merchant mariner credentials or

1 do you know what type of credentials they have?

2 A. No.

3 Q. Okay.

4 LT [REDACTED]: [REDACTED], I think you already went over this. I
5 might have missed a minute of it.

6 BY LT [REDACTED]:

7 Q. The instruction for the crew for the voyage, like, who
8 determined the voyage plan. Did you all already discuss that?

9 UNIDENTIFIED SPEAKER: Yeah. So Mr. J said -- Mr. Ward said
10 that that discretion was left up to the master as to the voyage
11 plan.

12 BY LT [REDACTED]:

13 Q. Okay. Did you give them like any recommendations in regards
14 to the route or speed, ETA?

15 A. No, ma'am, I didn't. I just, I mean, I'm more familiar with
16 the Chesapeake Bay, the areas where I run up north in Virginia,
17 Maryland, Delaware, and I left, I left the voyage plan as far as
18 from Virginia south or actually from dock-to-dock up to the
19 master.

20 Q. Okay. The bilge pumps -- I'm sorry?

21 A. I didn't mean to cut you off. I --

22 Q. No, that's okay.

23 A. -- couldn't have given him any insight that he didn't already
24 know. I mean, I'm almost half his age, and he's been doing it all
25 his life. So --

1 Q. Understood. The bilge pumps, I don't think I heard this
2 mentioned. Was just wondering what the indication is onboard when
3 they're energized. Is there like a light or an indication in the
4 wheelhouse?

5 A. I'm sorry.

6 Q. No, go ahead.

7 A. There is not a light in the wheelhouse, no. In the engine
8 room on the switch itself is -- it's push button start and stop on
9 each side. The indication would be -- I don't know how to explain
10 it. On the starter box where the green start button is when you
11 push it to engage the bilge pump -- I'm speaking to both of them.
12 This is the same on each side starboard and port. That button
13 remains depressed until you push the stop button, and it pops back
14 out, would be the only indication that it is on other than if you
15 could visually get outside and see the water discharging off the
16 side of the boat, you know, would be an indication.

17 UNIDENTIFIED SPEAKER: Is there a pressure gauge on the line?

18 MR. WARD: On the bilge pumps there is no pressure gauge on,
19 on either, either side.

20 BY LT [REDACTED]:

21 Q. Okay.

22 A. And depending on the rpms of the engine you can hear it.

23 BY UNIDENTIFIED SPEAKER:

24 Q. I have a follow-up question for the bilge pump. The -- you,
25 you mentioned earlier that that -- when you start those pumps do

1 they also take suction from the lazarette?

2 A. Yeah. It would through the manifold, if you had -- the valve
3 from the pipe to the lazarette open on the manifold she would pull
4 through.

5 Q. Are those labeled?

6 A. Yes, sir. Now, I believe they are, but you can, you can --
7 my dad would have more insight on that also. I'm not sure. I'm
8 thinking of looking at the engine room of five different boats,
9 and I'm like this one, this one, you know.

10 BY LT [REDACTED]:

11 Q. Okay. So from the -- this last haul-out do you have like
12 reports and documentation, invoices that you could possibly
13 provide us like from the, the UT testing, any other work that was
14 done?

15 A. I have my secretary preparing a package with all of that
16 right now.

17 Q. Okay, great.

18 A. This afternoon. I came down here without a -- I just have my
19 phone, and I don't even have my computer with me. So just kind of
20 calling back and forth with questions to the office. So she is --
21 on it trying to get that together.

22 Q. Okay. Can you go back and restate the names and the -- those
23 other companies of the vessels that you own, and could you spell
24 out the names of the vessels?

25 UNIDENTIFIED SPEAKER: Start with the company, and then what

1 vessels does the company --

2 MR. WARD: Okay, all right. Let's start with Jackson Creek
3 Marine, LLC, the tug *Jacqueline A* and *Milton W* work under that
4 company.

5 BY LT [REDACTED]:

6 Q. Is Milton spelled M-i-l-t-o-n?

7 A. Yes, ma'am. Then just the initial W.

8 Q. Okay.

9 A. The next company is Bay Freight, Incorporated, tug *Gram-Me*,
10 G-r-a-m hyphen M-e. And the --

11 UNIDENTIFIED SPEAKER: You okay? Hello?

12 UNIDENTIFIED SPEAKER: Yeah. We're still here.

13 MR. WARD: The *Gram-Me*, G-r-a-m -- m -- hyphen M-e, is under
14 Bay Freight. And the *Alexander Duff*, D-u-f-f. Then the next
15 company is Captain Johnny, J-o-h-n-n-y, Incorporated. That
16 company has one boat in it, and that is the *Captain Johnny*,
17 J-o-h-o-n-n-y.

18 BY LT [REDACTED]:

19 Q. Is that Captain fully spelled out or abbreviated?

20 A. Our documentation has it fully spelled out, I believe. Her
21 documentation number is 299649.

22 Q. Okay. And which of those boats, if any, have current COIs?

23 A. The four; they all have current COIs other than the
24 *Jacqueline A*.

25 Q. Okay.

1 A. Now just to clarify. I don't know if it means anything; back
2 to the three companies. Myself, I own 100 percent of Captain
3 Johnny, Incorporated. My father owns 100 percent of Bay Freight,
4 Incorporated. And then Jackson Creek Marine is half and half,
5 50/50 my father and myself.

6 LT [REDACTED]: Okay. Understood. I think those were all the
7 remaining questions I have. I'll hand it over to Mr. Ehlers.

8 MR. EHLERS: All right. Thank you very much.

9 BY MR. EHLERS:

10 Q. Thank you, Mr. Ward.

11 A. Yes, sir.

12 Q. Can you hear me all right?

13 A. Yes, sir, I can.

14 Q. Okay. All right. So I'm going to ask you to bear with me
15 because I'm going to jump around a lot in my different questions
16 here because they're a lot based on what you've already spoken to.
17 So, again just bear with me here. But I would like to back up to
18 your companies again. I just want to get a kind of a sense of the
19 size of your organization. So across the three companies about
20 how many folks do you have working for you?

21 A. I would say it varies. Full-time staff is between 22 and 29.

22 Q. Okay. All right. And for your boats that are in service
23 commercially operated do the crews work for you or do you -- how
24 do you, how do you handle crewing for your boats that are in
25 service?

1 A. The crews work for me through me, yes, sir.

2 Q. Okay.

3 UNIDENTIFIED SPEAKER: For the (indiscernible).

4 MR. WARD: Yes, sir.

5 BY MR. EHLERS:

6 Q. Yeah, yeah. They're directly employed by the company; is
7 that correct?

8 A. Pardon? I'm sorry.

9 Q. They're directly employed by the company that owns the
10 vessel; is that correct?

11 A. Correct, yes, sir; and then dispatched through me. I
12 misunderstood your question.

13 Q. Okay.

14 A. Yes, sir.

15 Q. All right. So, well, let's get into dispatch. How is
16 dispatch handled for each of your vessels?

17 A. Through myself.

18 Q. Okay. So you do the scheduling?

19 A. Yes, sir.

20 Q. Okay. And then you mentioned you have a port engineer. Who
21 does the day-to-day maintenance on your boats?

22 A. Depending on what it is. So far as oil changes our crews are
23 pretty efficient at that, if they have a dive bay or something
24 which a dive pay is when the boat is at the dock, and the crew is,
25 is doing maintenance on the boats. I mean, day-to-day maintenance

1 as far as, as grease (indiscernible) and oil changes deckhands and
2 the crew handle that. Anything much more extensive, you know,
3 I've got a port engineer that handles that. He works 5 days a
4 week, 8 to 10 hours a day, and handles pretty much anything else
5 that we don't need to farm out.

6 Q. Okay. Do the companies do any other business other than
7 marine transportation?

8 A. I'm not sure. Could you clarify that a little bit more? I
9 don't --

10 Q. Well, so, I mean, you've got five vessels under three
11 companies, but, I mean, do you do any other business, trucking
12 supplies from -- that kind of stuff? Go ahead.

13 A. No. No, sir. We don't, don't have anything land based or
14 other transportation other than the tugboat business.

15 Q. Okay, all right. And are all your tugboats based in Weems?

16 A. Yes, sir.

17 Q. Okay, all right. All right, some more questions about the
18 *Jacqueline A* herself, and some real basic questions here. How
19 many engines propellers did it have?

20 A. Two engines, two propellers.

21 Q. Okay, and the -- do you remember what the type of engine was,
22 what the make?

23 A. Yes, sir. It's -- it's a Kemp (ph.) generator assists four
24 engines in the engine room, but two main engines, two propellers.
25 The main engines are (indiscernible) 2000 MTU is the manufacturer.

1 Q. Okay. And the -- go ahead.

2 A. Built in -- they were rebuilt about six years ago, and they
3 only had about 1200 hours apiece on them, on the main
4 (indiscernible) 2000s.

5 Q. Are those the original engines that were rebuilt?

6 A. Original engines that were rebuilt, yes, sir.

7 Q. Okay. All right. And you said two generators. Do you
8 remember what the type of generators they were?

9 A. They're 40 KW Northern Lights Gen, Northern Lights Generator
10 sets.

11 Q. Okay. I'm familiar with those.

12 A. That's all in line 4 cylinder. I don't know the displacement
13 but --

14 Q. Okay. Do the generators work one at a time or they, did they
15 alternate? How did that -- how did he run the generators
16 normally?

17 A. One generator at a time, and, and (indiscernible) common
18 practice you try to put equal time on them --

19 Q. Yeah.

20 A. -- so you may run one for 24 hours, switch over, and run the
21 other.

22 Q. Okay. And two rudders; is that correct?

23 A. Correct, yes, sir.

24 Q. Okay. Was the steering gear, all of the steering gear
25 equipment in the lazarette?

1 A. No, sir. The lazarette has a tube or pipe that comes up with
2 the rudder stack through it. On the deck, on the -- deck itself
3 is the fire hydrant, the, the tie bar, jockey bar, and the
4 hydraulic rams. And then in the engine room is where the actual
5 steering pump and steering backup pump that -- it's two pumps on
6 one tank.

7 Q. Okay. All right. And then where did the hydraulic lines
8 pass through the -- from the engine room to the lazarette?

9 A. They passed through a -- about a four to five-inch pipe
10 that's a chase that goes through the potable water tank.

11 Q. Okay. Remember how high off the deck those were?

12 A. The deck of the engine room?

13 Q. Yeah, yeah.

14 A. Five feet. Five feet about.

15 Q. Okay. How high was the overhead in the engine room? How
16 tall was the space? You could estimate.

17 A. Depended on where you were in the engine room to be honest
18 with you. On the port, starboard side there was a -- hey let's go
19 this route. A minimum of five, five and a half feet, and the
20 maximum engine room space was seven feet.

21 Q. Okay. That makes a lot of sense. Okay. Thanks. Can you
22 tell me a little bit about the navigation equipment up in the
23 wheelhouse, things like radars, radios, charting systems, that
24 kind of thing that you had up in the wheelhouse?

25 A. Yes, sir. This boat was equipped with two wheelhouses; an

1 upper wheelhouse and a lower wheelhouse. All the chart plotter,
2 it was, it was all the Furuno brand. All the equipment as far as
3 the electronics chart (indiscernible) radar, autopilot, two VHF's,
4 everything was, was new within the last eight years. Now with
5 that being said, I'm sure you're familiar, but these -- some of
6 these boats have, especially the mido (ph.) valves which we have a
7 upper house on them. So this boat was equipped with two
8 wheelhouses. Had a upper house to see over barges to get a
9 better --

10 Q. Sure, yeah.

11 A. -- better visibility. But the upper house on this boat was
12 also equipped with a chart plotter, radar, and autopilot, all the
13 controls. Every system that's in the lower house is in the upper
14 house as well. And the only reason I was bringing that up because
15 one advantage of having the upper house is -- or two wheelhouses
16 is you have a backup of all your electronics if you -- if needed.
17 So (indiscernible) from the lower house.

18 Q. Okay. All right. Sorry. I got to go back to the lazarette
19 again. Was there any other equipment in the lazarette besides
20 the, the steering gear?

21 A. No, sir.

22 Q. Okay. The hatches to the lazarette do you know the last time
23 those hatches were opened up?

24 A. I was told they were opened by the crew three hours prior to
25 the incident.

1 Q. Who told you that?

2 A. Mr. McGallagher told me. And I'm, I'm not sure which
3 crewmember, but he said we looked in before we came out of the
4 inlet, opened the hatches, and the lazarette was dry. Then we
5 sealed it back -- back down.

6 Q. Okay.

7 A. (Indiscernible) yeah.

8 Q. Yeah. And you said those were -- was it bolted down or was
9 that -- sorry, I can't remember -- or was it a dog?

10 A. They're flush mounted. I don't know. I don't know what's
11 the proper name for them. They have a draw bar in the middle with
12 -- I think Freeman makes them; is the manufacturer.

13 Q. Okay.

14 A. So that draw bar is, is tightened up with a wrench where that
15 draw bar comes up tight with the dogs themselves.

16 Q. Okay. Do you know when the last time the seal or gaskets on
17 those hatches were replaced?

18 A. I don't know. I know they are maintained by -- I know they
19 were maintained. I can't tell you exactly when the last time they
20 were, but that's something that our guys stay on top of.

21 Q. Okay. Would you have any kind of record of that?

22 A. I may or may not, to be honest with you. I doubt that I do
23 because the -- that seal is, is around quarter-inch, three-eighths,
24 like a big O ring. We keep the material in stock. So the
25 deckhands when they're doing maintenance generally when they're

1 (indiscernible) on the steering gear, greasing the bushings and
2 everything back there they'll inspect the, the hatch, and if it
3 needs -- if the seal needs to be replaced, they replace it. But
4 that's not something that we -- I don't know what would
5 necessarily be in the logbook.

6 Q. Okay. All right.

7 A. I'll --

8 Q. Go ahead.

9 A. -- look.

10 Q. Okay. Yeah. I'd appreciate it if you could look and just
11 see. Now moving up to the, the main deck, the weather deck for
12 the, the *Jacqueline A.* Were there any deck vents that went down
13 to the engine room or the lazarette?

14 A. There --

15 Q. And if you don't recall, don't -- I mean, that's all right.

16 A. The vents for the engine room are, are in a stack
17 (indiscernible) of a stack.

18 Q. Okay. All right.

19 A. (Indiscernible). There is a vent that went into the
20 lazarette, yes, sir.

21 Q. Okay. And was that like a gooseneck or a --

22 A. Yes, sir. They, yes, sir, a gooseneck.

23 Q. Okay. Do you know did that have any kind of ball valve or
24 anything? Do you remember?

25 A. A valve on the, on the vent itself?

1 Q. Yeah. Like a ball valve that would close if water got in
2 there.

3 A. No, sir.

4 Q. Okay. It's not a ball valve. I'm forgetting what the term
5 is.

6 A. Right. But it just -- it doesn't matter. It doesn't have
7 any valves at all on it.

8 Q. Okay. All right. You mentioned the bulwarks. Did the
9 bulwarks have scuppers along the side of the, of the bulwarks?

10 A. Yes, sir.

11 Q. Okay. And do you, do you remember how -- what the distance
12 is between the scuppers were?

13 A. I would have to look at a picture to even --

14 Q. Okay.

15 A. -- even -- she -- from my experience on the boat she has
16 enough scuppers to, you know, to keep the deck clear.

17 Q. Okay. That was going to be my next question is in your
18 experience on the boat it was able to ship water pretty well?

19 A. Yes, sir. Yes, sir, she did a good job of that.

20 Q. Okay. All right. So you mentioned the boat was out of
21 service for four years. During that time was the boat ever
22 operated as a private vessel?

23 A. No, sir.

24 Q. Okay. So in that four years was it just sitting at the pier?
25 Where --

1 A. We did maintenance with the boat at the pier, yes, sir. It
2 sat at the pier, but it wasn't, it wasn't neglected. I mean, we
3 had -- I had our port engineer days that the other four boats were
4 out that he had projects going on the *Jacqueline* where he was
5 working on it.

6 Q. Okay. But it never --

7 (Crosstalk)

8 A. -- deckhands, you know, they, they could.

9 Q. Okay. But it never got underway during that four years?

10 A. We would -- yes, sir. I mean, we would take it out for a
11 30-minute sea trial, a hour-long sea trial just to keep things
12 moving and running, and get the engines up to temperature and --

13 Q. Okay.

14 A. -- keep things moving, yes, sir.

15 Q. Yeah. Sure. How often do you think that happened?

16 A. It depended. It just really would depend to be honest with
17 you. I'd say, I mean, maybe it would happen twice in a month, and
18 then maybe three months would go by, and it wouldn't. So, again,
19 I can't say every Friday we went down and took the *Jacqueline* for
20 a sea trial.

21 Q. Okay.

22 A. It just varied, you know.

23 Q. Okay. All right. Fair enough.

24 A. But it was, it was run regularly. I will say that.

25 Q. Okay, all right, fair enough. So the crew that was taking

1 the, the *Jacqueline A* down to New Orleans did they -- how did you
2 contract or how did you arrange -- I mean, I -- you, you told how
3 you arranged for with the other operator there at the shipyard but
4 were --

5 A. Yes.

6 Q. -- they under a contract? Did they work for a crewing
7 company? How did that work?

8 A. That was a, that was a verbal contract under a handshake
9 between Mr. McGallagher and myself.

10 Q. Okay, all right. So they, they didn't work for a company or
11 anything like that, that you know of?

12 A. No, sir.

13 Q. Okay. When did that crew arrive in, in Weems?

14 A. They arrived -- I want to say -- trying to think what day it
15 would be. It was the -- Monday was the 7th, 6th -- I believe they
16 arrived on the 5th.

17 Q. Okay.

18 A. Yes, sir.

19 Q. So that's the day before they got underway on the
20 *Jacqueline A*?

21 A. The 5th was a Saturday. Left on a Sunday morning. So I
22 believe they left on the 6th. If that's -- if the 6th is Sunday,
23 yes, sir, they left -- it was the day before they got underway on
24 the *Jacqueline*.

25 Q. Okay. All right. And did anyone provide them with a

1 familiarization of the vessel?

2 A. Yes, sir.

3 Q. And who did that?

4 A. That would be my father who you're going to speak to next.
5 So he could give you a little more insight in that.

6 Q. Okay. All right. I'm going to look here, see if I have any
7 other questions, but I think that -- I think you, you handled
8 everything I had. So okay, that's it. Thank you, Mr. Ward.

9 A. Thank you. I appreciate it.

10 CWO [REDACTED]: LT do you have any additional questions?

11 LT [REDACTED]: Let me just check my notes real quick.

12 CWO [REDACTED]: Okay. While she's checking that, Mr. Ward,
13 (indiscernible) if there was still time you said you had some
14 stuff. So is there -- out of, out of the questions that we've
15 asked you is there anything that we've missed to your knowledge
16 that you think would have contributed or caused the vessel to
17 sink?

18 MR. WARD: To the best of my knowledge I feel like you all's
19 questions were all very relevant, and I feel like three of you
20 covered your bases pretty good.

21 UNIDENTIFIED SPEAKER: I have questions.

22 CWO [REDACTED]: Okay.

23 BY UNIDENTIFIED SPEAKER:

24 Q. How long was the boat hauled out before the transit
25 (indiscernible)?

1 A. It was about, this was about two months ago, but she sat
2 onshore for about a month.

3 Q. Okay.

4 A. Just because not -- wasn't doing any work to it. Just
5 because we didn't have time or a crew to go pick her up, and the
6 guys at the shipyard are, you know, they said just, just let her
7 sit here 'til (indiscernible).

8 Q. So when you ran the vessel it's five hours from Weems to --

9 A. About.

10 Q. -- to Newport News?

11 A. Yes, sir.

12 Q. Sure. And about five hours back. No, no concerns?

13 A. No.

14 Q. No seaworthiness of the vessel?

15 A. No, sir. No, sir.

16 Q. And then how long was roughly in hours was she underway from
17 departure until she started taking on water?

18 A. 60.

19 Q. 60 hours?

20 A. Yes, sir.

21 Q. Okay.

22 A. About, yeah, about 60.

23 Q. Okay. And you were in regular contact with Captain
24 McGallagher?

25 A. Yes, sir.

- 1 Q. By cell phone?
- 2 A. Yes, sir.
- 3 Q. Okay. Did he raise any concerns to you about how the vessel
4 was performing?
- 5 A. None at all.
- 6 Q. Okay. Did you talk to anyone else either the mate or the
7 deckhand?
- 8 A. No. I just talked to Mr. Gallagher, yes, sir.
- 9 UNIDENTIFIED SPEAKER: And that's actually all I have.
- 10 BY UNIDENTIFIED SPEAKER:
- 11 Q. One question that I meant to ask you earlier. During the
12 interview with Mr. McGallagher the captain on the *Jacqueline* --
- 13 A. Yes, sir.
- 14 Q. -- he made mention that when the vessel -- if I recall
15 correctly at 1550 rpms or somewhere in that range he mentioned in
16 his interview that he noticed a vibration.
- 17 A. Okay.
- 18 Q. During when you, when you all took the boat from Weems to the
19 shipyard and back was, was any vibrations that were discussed?
- 20 A. Ask my dad that question. I was not aware.
- 21 Q. What's the normal engine rpm for --
- 22 A. We've run that boat about, about 1500, 1550, somewhere,
23 somewhere in that range.
- 24 Q. Is that the cruising range?
- 25 A. Yeah, yeah.

- 1 Q. And what would be --
- 2 A. Wide open throttle those engines I believe turn 1900.
- 3 Q. And that cruising range what, what would be the knots? How
- 4 many knots?
- 5 A. I'd say with, with a dead current at 1500 between 8 and 9
- 6 somewhere in there.
- 7 Q. So 8 knots, 8 to 9 knots would be the cruising speed --
- 8 A. Yes, sir --
- 9 (Crosstalk)
- 10 Q. -- 1500 rpms?
- 11 A. Yes, sir.
- 12 Q. Okay. So in your opinion, after talking with the crew, and
- 13 since the event, do you have any, like I was asking you earlier,
- 14 did I miss anything or do you -- in your opinion do you have any
- 15 -- what's your opinion on what may have happened or --
- 16 A. I'm just curious to see what we got when we get her up on the
- 17 shore because I, I know you all are running an investigation, but
- 18 an investigation in my head is far more intense than you all's.
- 19 Q. Yeah.
- 20 A. I just don't -- I just -- I'm going to be curious to see. I
- 21 just, I just don't -- I didn't have any red flags on the vessel.
- 22 If I did, I certainly would have, would have taken care of it
- 23 before, before we got into this.
- 24 Q. The potable water tank --
- 25 A. Yes, sir.

1 Q. -- was the potable water tank forward of the lazarette?

2 A. Yes, sir.

3 Q. And after of the engine room?

4 A. Yes, sir. That's the only thing between the lazarette and
5 the engine room.

6 Q. Okay. During the yard period did you inspect the potable
7 water tank?

8 A. No. We -- no, sir. I mean inspected it from the outside
9 shell, but, no, we didn't pump the water out and go into the tank.

10 Q. Okay. But UT shots would have been taken underneath the hull
11 of the vessel?

12 A. Correct.

13 Q. Were these -- was -- did you get like a gauging report where
14 it would have -- gauging report -- did they go up (indiscernible)?

15 A. Yes.

16 Q. Okay. How far above the waterline did they --

17 A. They went to -- I'd say they, they went to just about deck,
18 you know, the deck which is in the bow -- no, they didn't quite go
19 that far. Let's just say they went 10 to 12 inches above the
20 waterline -- around the boat, if that. Don't quote me on that. I
21 have to look at the report myself. That's one of the things my
22 secretary is getting.

23 Q. So the stuffing tube in the engine room there was -- you said
24 there's 2, 4 or 5-inch stuffing tubes were penetrations in the
25 upper most bulkhead --

1 A. Yes, sir.

2 Q. -- of the engine room? Running aft penetrating through the
3 potable water tanks into the lazarette?

4 A. Yes, sir.

5 Q. Are there -- is there a manhole cover or what type of access
6 would have been on the deck to the potable water tank?

7 A. A single manhole cover. Yeah, it's a manhole cover there for
8 the potable water tank.

9 Q. Is it possible --

10 A. Hold on a second. Hold on one second. Let me think for a
11 second. That boat does not have a manhole cover on the deck for
12 the potable water tank. Her access for the potable water tank is,
13 is through bolted plates in the engine room.

14 Q. Okay. So there would have been no way for water to ingress
15 the potable water tank via the main deck from the sea spray, from
16 the --

17 A. No, sir.

18 Q. -- from the water getting on the deck?

19 A. No, sir.

20 Q. Okay. So the only likely occurrence that would have taken
21 place where water could have gotten into the engine room through
22 the two stuffing tubes would have been from the lazarette
23 progressively flooding into the engine room? That would have been
24 the only likely occurrence --

25 A. The only likely occurrence.

1 Q. -- without -- and the only likely occurrence that that water
2 would have entered the lazarette space aside from hull damage
3 would have been through the tube rudder post stuffing boxes?
4 Those would have been the only other two penetrations in the
5 lazarette?

6 A. Yes, sir.

7 Q. Okay.

8 A. I would say that's --

9 Q. And I'm going to ask one more time. But there wasn't -- was
10 there -- there wasn't any visible damage? She hadn't -- there
11 wasn't any side shell damage in the lazarette where the boat had
12 been battened to a pier or a barge or anything like that where
13 there was like an inset? There was no insets?

14 A. No, sir.

15 CWO [REDACTED]: Okay, [REDACTED], do you --

16 LT [REDACTED]: I have a couple quick questions.

17 BY LT [REDACTED]:

18 Q. Mr. Ward, do you recall when the rudders, the rudder posts
19 were last overhauled? Like when they were last taken out or
20 installed on the boat?

21 A. We -- I, I'm going to say seven years ago. About seven years
22 ago. But still seems like a long time, but they didn't have four
23 years of wear on them where she was sitting at the dock.

24 Q. Okay. And when did -- I might have missed it, but when did
25 the boat get back in the water from the last haul out?

1 A. You didn't miss it. I didn't say. It was about two months
2 ago. I'm going to have to get you the exact dates when -- my
3 secretary gets your package together, if that's okay.

4 Q. Yeah, that's fine. Would you also mind if we made contact
5 with your port engineer, and interviewed him?

6 A. That would be fine. May have to be over the phone, if that's
7 okay with you all.

8 Q. Okay. We'll coordinate that.

9 BY CWO [REDACTED]:

10 Q. I didn't ask this, but the *Jacqueline A* didn't have
11 (indiscernible) converters, right?

12 A. No, sir.

13 Q. So it's just one, two, two separate stuffing tubes? I'm
14 sorry -- stuffing tubes -- rudder --

15 A. Rudder --

16 (Crosstalk)

17 A. -- yes, sir.

18 CWO [REDACTED]: Did you have more questions, [REDACTED]? I jumped in
19 front of you.

20 LT [REDACTED]: No. I'm good.

21 BY CWO [REDACTED]:

22 Q. Okay. Is there a possibility if the -- based on the
23 arrangement of how the rudders are attached in the, in the
24 lazarette is it possible for the rudder to like fall out of the
25 boat if it was to come unattached, the base nut?

1 A. Possible, but extremely, extremely unlikely.

2 Q. Okay.

3 CWO [REDACTED]: I'm good with the questions.

4 MR. EHLERS: I have no further questions.

5 LT [REDACTED]: I have no further questions.

6 UNIDENTIFIED SPEAKER: No further.

7 MR. WARD: I actually don't have any questions either. I
8 think we've covered.

9 CWO [REDACTED]: Do you want to conclude the interview at this
10 time?

11 LT [REDACTED]: I will conclude my recording at 1541.

12 (Whereupon, at 3:41 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

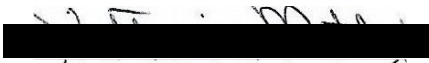
IN THE MATTER OF: SINKING OF TOWING VESSEL *JACQUELINE A*
NEAR NORTH MYRTLE BEACH, SOUTH
CAROLINA ON AUGUST 8, 2023
Interview of John Edward Ward

ACCIDENT NO.: DCA23FM044

PLACE: Georgetown, South Carolina

DATE: August 10, 2023

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.



Katherine Motley
Transcriber