

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 MELVIN WARD, JR., Owner
Jacqueline A

via telephone

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

1
2 CWO [REDACTED]: Today's date is August 10th, 2023. We are at
3 Station Georgetown at Georgetown, South Carolina. I have -- my
4 name is Chief Warrant Officer [REDACTED] with TD in Myrtle
5 Beach. With Section Charleston online, Lt. [REDACTED], and
6 Mr. Ehlers with the NTSB. I have in front of me -- please state
7 your name.

8 MR. WARD: John Melvin Ward, Jr.

9 MR. GILSENAN: Ryan Gilsenan, counsel for the vessel owner.

10 CWO [REDACTED]: And we are -- this interview is for the
11 *Jacqueline A* incident that took place on August 7th off of Myrtle
12 Beach, South Carolina, the sinking of the *Jacqueline A*.

13 All right, Mr. Melvin -- do you want to be called Mr. Melvin
14 John, what do you --

15 MR. WARD: Call me John.

INTERVIEW OF JOHN M. WARD, JR.

16
17 BY CWO [REDACTED]:

18 Q. Okay. So we're going to -- can you just tell us, like, your
19 history with the company, how long you've been with the company,
20 just day-to-day involvement with the company, short history about
21 yourself and the boats.

22 A. A little history about myself. About 72 years old. I've
23 been (indiscernible) this kind of stuff, you know, for a while.
24 I've had cancer three times. And since I've had that, about ten
25 years ago I've had some more. And I've kind of backed into the

1 program a lot. And Jay Howell's (ph.) the day-to-day operations
2 and that kind of stuff.

3 Q. How long have you been, like, working with the *Jacqueline*?
4 How long have you --

5 A. Basically bought it -- I think we said we had ten years. I
6 don't really know --

7 Q. Right.

8 A. -- how long we've had it.

9 Q. Approximately 10 years?

10 A. I guess 10, somewhere in that area. It may be a little bit
11 longer. I don't know.

12 Q. Okay. During the 10 years, have you operated that boat?

13 A. Yes, sir.

14 Q. Okay. And by operating that boat, do you -- prior to
15 Subchapter M --

16 A. Yes.

17 Q. -- you operated the boat?

18 A. Yes, prior to subchapter M.

19 Q. Okay. And during that time, what did you do with the boat?
20 What was it mainly used for?

21 A. We towed some grain barges, we did a little bit construction
22 work, stuff like that. That's about it.

23 Q. And for the grain barges, did you pull them astern or were
24 they pulled on the -- pushed.

25 A. We had pushed and pulled and that's how it was towed.

- 1 Q. Okay. Those operations were primarily in the Chesapeake Bay?
- 2 A. In Chesapeake Bay, yes, sir.
- 3 Q. Did you ever operate the *Jacqueline* offshore?
- 4 A. No.
- 5 Q. Had it ever been operated offshore, like, while you -- this
- 6 10-year ownership?
- 7 A. No, sir.
- 8 Q. All right. So day-to-day, like, your son stated, so like the
- 9 last four and a half or five years of the *Jacqueline's* been at the
- 10 pier?
- 11 A. At the pier.
- 12 Q. And he also stated that it -- at certain intervals, not all
- 13 the scheduled interval, that you all would get the boat underway
- 14 to exerciser?
- 15 A. Yes.
- 16 Q. When was the last time that you recall the vessel was --
- 17 A. I'd say about maybe a month ago, somewhere in there or
- 18 earlier. I guess, I don't know. I don't pay much attention to
- 19 time.
- 20 Q. Right.
- 21 A. You know, we took it to the shipyard.
- 22 Q. And that shipyard, according to your son, was Fairlead
- 23 (ph.) --
- 24 A. Fairlead --
- 25 Q. -- Shipyard in Newport --

1 A. Yes, sir.

2 Q. -- Newport News.

3 UNIDENTIFIED SPEAKER: If I can -- if you would -- since this
4 is being recorded, so let Mr. █████ finish the question.

5 MR. WARD: Okay.

6 UNIDENTIFIED SPEAKER: And then answer.

7 (Crosstalk)

8 UNIDENTIFIED SPEAKER: It's normal to do it, but --

9 MR. WARD: Okay.

10 UNIDENTIFIED SPEAKER: -- we're on a recording.

11 BY CWO █████:

12 Q. All right. So the transit time from Weems, Virginia to
13 Fairlead?

14 A. Seven, eight hours, roughly.

15 Q. And who took the vessel from Weems, Virginia to Fairlead?

16 A. Me.

17 Q. Okay. During that transit, was there anything that you
18 noticed that was unusual about the boat, the way she was handling,
19 responding to commands, speed, anything unusual?

20 A. No, sir.

21 Q. Okay. Any vibrations?

22 A. No, sir.

23 Q. What was the speed -- what was the RPM's that you would have
24 been operating the vessel at during that transit?

25 A. 1550.

1 Q. 1550. And no noticed vibrations?

2 A. No, sir.

3 Q. Okay. What was the reason for taking the vessel to Fairlead
4 Shipyard?

5 A. We were getting the boat ready to go do a (indiscernible) or
6 whatever you want to call it. And we took it down, we had it
7 audio gauged. We put on new zincs and stuff like that, and
8 everything looked good. The auto gauge looked good, we put zincs
9 on and then we set it back in the water, and we took it back to
10 our dock.

11 Q. Which is another five, five-and-a-half-hour transit?

12 A. It took us five, six, seven, somewhere in that area.

13 Q. During your time operating the *Jacqueline* in the Chesapeake
14 Bay, did you ever encounter sea states? What was your average,
15 like, sea state conditions -- what's the operating standard for
16 the vessel? Are there any limitations on the vessel that you
17 should not break a certain sea state?

18 A. I guess whatever your barge or whatever can handle. You
19 know, grain barge, you know, four-foot (indiscernible).

20 Q. Is that written, like, in a company policy or company
21 standard?

22 A. Yes.

23 Q. Is that provided in any type of training with the -- you own
24 a few other -- you and your son own a few other vessels. Correct?

25 A. Yes.

1 Q. Is -- are any of those (indiscernible) or standards like
2 given to the other (indiscernible) of your vessel, like, that you
3 should not break in certain sea states?

4 A. We use captain discretion.

5 Q. Captain discretion, okay. All right. Do you ever operate
6 the *Jacqueline* in the Chesapeake Bay with sea states that are
7 around four, four-and-a-half-foot range?

8 A. Yes.

9 Q. How does she handle in those conditions?

10 A. No problem.

11 Q. In any time operating the vessel in those conditions, would
12 you take sea spray or whitewash onto the deck?

13 A. Sometimes, yes.

14 Q. And what was her capabilities in handling that? Would she
15 shed that water --

16 A. Yes.

17 Q. -- pretty quickly?

18 A. Yes.

19 Q. In your opinion the (indiscernible) ports were significant
20 enough to handle four-and-a-half-foot sea state --

21 A. Yes.

22 Q. -- washing on board?

23 A. Yes.

24 Q. The vessel didn't hold that water, wouldn't list to one side
25 or the other?

1 A. Yes.

2 Q. All right. At some point, there was a discussion about
3 taking the boat to -- all right, let me back up for a minute.
4 Subchapter M implementation. Are you familiar with that process
5 and how that process took place and --

6 A. A little bit.

7 Q. Okay. When you say a little bit, like, what was your
8 understanding with the Coast Guard as to why you couldn't use this
9 boat commercially and she was tied to the dock?

10 A. Well, like I said, my son handles most or all of that, and I
11 get -- or he tells me and, you know, he said Dad, we've got to do
12 this or Dad, we've got to do that. And he tries not to bother me
13 with a whole lot of that stuff. I guess we had to get to a
14 certain level of Subchapter M on safety equipment, and alarms and
15 stuff like that.

16 Q. Do you recall anybody from the Coast Guard giving you any
17 documentation or telling you you cannot use the *Jacqueline A*?

18 A. Not I.

19 Q. Okay. Do you recall the company receiving any information
20 from the Coast Guard and --

21 A. Nay, sir.

22 Q. -- can't use the vessel. Okay. What was your understanding
23 on your authority to take the boat from Weems, Virginia to New
24 Orleans? Do you have any -- were you aware that you were running
25 any restrictions of -- to do?

1 A. No.

2 Q. -- for doing that? Who scheduled -- who contracted the crew
3 you had on board to take the vessel from Weems to New Orleans?

4 A. A friend of ours owned a boat down in that area off of
5 (indiscernible) Alabama or somewhere. And these three men
6 delivered his boat to him, and they agreed to deliver our boat
7 back down the way we were taking it.

8 Q. And when did this discussion begin to take place?

9 A. I don't know, about a month ago, something like that. I
10 wasn't really involved in that. My son was really involved in all
11 of that.

12 Q. Okay. So the crew that was hired to take your vessel, the
13 *Jacqueline*, to New Orleans, when did you first meet them?

14 A. I met them about two weeks ago, a week and a half ago.

15 Q. And where did you meet them?

16 A. At Weems, Virginia.

17 Q. So that's how they were delivering another vessel?

18 A. Yes, sir.

19 Q. And at that time, the discussion was had about transporting
20 your vessel -- delivering your vessel from Weems to --

21 A. My son had talked to them prior, you know. Say, you know,
22 they talked to us, demanded me to bring the boat up, and he was
23 talking to the crew.

24 Q. Okay. Did you have any discussions with -- about, like,
25 history, how many years they've been operating their vessels --

1 A. A little bit, not much.

2 Q. Did you --

3 A. They showed them to me and that was it. I mean, you know.

4 Q. And based on your experience, you felt they were confident
5 and capable to deliver the boat from Weems, Virginia to New
6 Orleans?

7 A. Yes.

8 Q. Okay. All right. Let's talk about the date that they
9 arrived to pick up the boat and take it to New Orleans. How did
10 that transaction -- what took place that morning or evening?

11 A. They came in that morning or evening, I don't know when they
12 got there. And they tied up alongside of the *Jacqueline*. They
13 were on the other boat, and they talked to the owner of the other
14 boat. And all -- and then they looked around on the *Jacqueline A*
15 and then they started moving their clothes and supplies over to
16 the *Jacqueline*, because he told them to take it all, you know, the
17 perishable stuff and all that and put it over on the *Jacqueline A*.

18 Q. And then what -- did any -- did you go -- at that time, did
19 you meet them there to go over operations on the *Jacqueline*?

20 A. Yes.

21 Q. And just tell me, like, what all you went over with them?

22 A. We went over the documentation papers. We went over the
23 certification for the life raft, and we went over all the life
24 jackets, fire extinguishers and we went over the electronics. Up
25 in the wheelhouse, we went over all of that, and then we moved on

1 down to the engine room. And I showed them the engines, this,
2 that and the other on the engines, the generators, fuel valves,
3 where extra filters were for engines and generators. I showed
4 them where the extra blue ball was, extra hydraulical.

5 And then we went through the (indiscernible) mechanical part
6 of it. I showed them where all the extra stuffing box packing
7 was, I showed them everything that I include in the engine room.
8 Then we went over the bilge pump system, the vials, the fuel
9 filter systems, how to change the fuel filters. And then we
10 started each pump up and, you know, I just took them all and I
11 showed them that we're running. And then we showed all -- I
12 showed them all on the dials. Then we looked at the hydraulic
13 steering system. We looked at the hoses. I had extra hoses for
14 the hydraulic steering system, I had extra hoses for the hydraulic
15 rams and everything on the steering deck. They knew what all of
16 those were.

17 Q. What documentation did the *Jacqueline* have that you showed
18 them?

19 A. She had the COD or COI. They checked her documentation
20 papers, her official documentation papers.

21 Q. COD --

22 A. Yes --

23 (Crosstalk)

24 A. -- yes.

25 Q. And that's valid?

- 1 A. Yes, it was brand new in an envelope sitting in the drawer.
- 2 Q. Okay. All right. Did you take a walk around the exterior of
3 the vessel with the --
- 4 A. Yes.
- 5 Q. -- with the crew?
- 6 A. Yes.
- 7 Q. Did anybody bring up any calls for concern with the condition
8 of the exterior of the vessel?
- 9 A. No.
- 10 Q. In your -- did you recall the conditions of the exterior of
11 the vessel, topside deck, forward? Any areas of the exterior of
12 the vessel where water could have, you know, entered the hull of
13 the ship?
- 14 A. Not to my knowledge.
- 15 Q. Nothing was found during the hull out at --
- 16 A. No --
- 17 Q. -- Fairlead?
- 18 A. -- no.
- 19 Q. Okay. The *Jacqueline* has two bilge pumps. Correct?
- 20 A. Yes, sir.
- 21 Q. These bilge pumps are electric bilge pumps?
- 22 A. Yes, sir.
- 23 Q. Does the *Jacqueline* have a mechanically driven bilge pump off
24 of one of the engines?
- 25 A. No.

1 Q. The two bilge pumps on board are piped through a bilge
2 manifold. Is that correct?

3 A. Yes, sir.

4 Q. Is the bilge manifold labeled where they would know if they
5 open this valve it's for the lazarette, this valve is for the
6 engine room? Is that how the system is designed?

7 A. Yes, although it's not labeled.

8 Q. It's not labeled?

9 A. No. All of that was going to come under the Sub M.

10 Q. Okay. Would there have been any way for the crew to have
11 known in the time that they would have had -- they quickly looked
12 at this valve, this --

13 A. Yes --

14 Q. -- manifold --

15 A. -- yes --

16 Q. -- and said this valve is for this and this -- how would they
17 have been able to make that determination?

18 A. Well, I went -- unless they forgot, I went over each valve
19 and what it did. Like, this valve right here, you'll pump this
20 valve, you'll open up that valve and you'll cut your pump off.

21 Q. How many valves are there?

22 A. Oh, I think it was four or five.

23 Q. And what stations do those four or five valves -- do they
24 take suction from?

25 A. They took suction from the five -- forepeak we call it.

1 Q. The forepeak.

2 A. Forepeak. Main engine room, water tank, potable water and a
3 half forward rudder, forepeak or whatever you want to call it.

4 Q. Is -- would you -- is there a requirement or a need to
5 operate these pumps independently or do you operate both of these
6 pumps simultaneously?

7 A. You can operate them independently.

8 Q. And can you operate them simultaneously at the same time?

9 A. Yes.

10 Q. Okay. And --

11 A. There was also a two-inch electrical submersible pump.

12 Q. Was it operable?

13 A. Yes.

14 Q. And how would you -- what would need to happen to put that
15 pump into service? How would you use that pump?

16 A. Put the hose on it, plug it in.

17 Q. And then you would run the discharge hose --

18 A. (Indiscernible), yes.

19 Q. Is the -- would the hose have been long enough to reach from
20 the engine room to overboard?

21 A. Yes.

22 Q. When was the last time that pump was tested?

23 A. I think about a couple of -- three months ago, something like
24 that.

25 Q. And was the crew aware that this pump was onboard?

- 1 A. Yes.
- 2 Q. All right. Going back to the bilge pump.
- 3 A. Sure.
- 4 Q. Would -- how -- what visual indication do you have to know
5 that these bilge pumps are running?
- 6 A. You see the water swept up to the side of them.
- 7 Q. They'd have -- you turn them on in the engine room, exit the
8 engine room and look --
- 9 A. Or you can crack a vial on top of the pump and see if water's
10 coming out.
- 11 Q. But no lights to indicate that the pump is running or not?
- 12 A. No. But put your hand on the motor, and you can tell the
13 motor's running.
- 14 Q. Okay. Can you energize these pumps from the bridge?
- 15 A. No.
- 16 Q. The bilge -- not bilge -- the hot water alarms on the vessel.
- 17 A. Yes.
- 18 Q. They're located where?
- 19 A. They were located in the engine room.
- 20 Q. Are there any in the lazarette?
- 21 A. No.
- 22 Q. Are there any in the forepeak?
- 23 A. No.
- 24 Q. Just the engine room?
- 25 A. Just the engine room.

- 1 Q. When was the last time that was tested?
- 2 A. Before we got underway.
- 3 Q. Who conducted that test?
- 4 A. Me.
- 5 Q. And when you --
- 6 A. You just flick the switch up, you hear the bong go off.
- 7 Q. Where do you hear the alarm go off?
- 8 A. I heard it go off down in the engine room. Now I don't know
- 9 if -- I think it's in the wheelhouse also.
- 10 Q. Is it an audible and a visual?
- 11 A. Yes.
- 12 Q. And the visual is indicated how?
- 13 A. I think it's a light in the wheelhouse.
- 14 Q. Is there a light in the engine room like a --
- 15 A. No.
- 16 Q. -- amber light, red light, or anything that flashes?
- 17 A. All that was coming on the Sub M.
- 18 Q. Okay. So where in relation in the engine room is the hot
- 19 water alarm placed, like -- so aft forward, head forward,
- 20 bulkhead? Where would it be -- where would that alarm be located?
- 21 A. Up around that front manifold.
- 22 Q. All the way up at the forward --
- 23 A. I think --
- 24 Q. -- bulkhead?
- 25 A. -- yes.

1 Q. Centerline?

2 A. Yes.

3 Q. How much water in inches would you estimate that it would
4 have taken to have lifted the alarm to alert that there was water
5 in the bilge in the engine room?

6 A. I'd say 8 inches, 10 inches maybe. Take a -- but it's -- I
7 mean, I go from one boat to the other just looking around.

8 Q. And the -- there's no way for the bilge pumps to start
9 automatically? They have to --

10 A. Yes.

11 Q. -- manually operated?

12 A. Manual.

13 Q. The lazarette -- was the lazarette -- did you enter the
14 lazarette or check the lazarette parts of the boat leaving your
15 facility in Weems?

16 A. I didn't crawl in it. I looked in it.

17 Q. And when you looked in it, was there any water in there?

18 A. No.

19 Q. Could the rudders have a history of making water -- like,
20 when you -- when it was just sitting at the dock, would the
21 rudders, like, seep or weep --

22 A. No.

23 Q. -- water into the space?

24 A. No.

25 Q. Lazarette routinely a dry space?

1 (Crosstalk)

2 A. Pretty dry, yes.

3 Q. Never had any issues where you have to go in there and pump
4 water out of it?

5 A. No.

6 Q. Even water from rain or weather sitting on the deck?

7 A. No.

8 Q. You ever had any history of the -- or knowledge of the
9 lazarette scuttles leaking?

10 A. No.

11 Q. The (indiscernible).

12 A. No. They were -- fairly new hatches.

13 Q. And when you said fairly new, like, in what timeframe would
14 you say they were fairly new? Are we talking --

15 (Crosstalk)

16 A. -- roughly.

17 Q. How many?

18 A. Eight.

19 Q. Eight years? And that would have been a total replacement of
20 the hatch --

21 A. Hatch and ring and (indiscernible).

22 Q. Okay. Any reference as to when the last time the hatch
23 gasket was replaced?

24 A. No.

25 Q. Is there a maintenance procedure written or otherwise given

1 to the port engineer on how often those gaskets would be replaced?

2 A. No.

3 Q. Who would be responsible for going down and, like, checking
4 that gasket to make sure the gasket was good?

5 A. I guess (indiscernible).

6 Q. Would that responsibility would be on like, the master of the
7 vessel, who's operating it?

8 A. Yes or the guy who works for us.

9 Q. Does the *Jacqueline* have a maintenance plan? Do you have
10 anything --

11 A. No.

12 Q. -- written out?

13 A. No.

14 Q. Say -- okay.

15 A. No.

16 Q. Bulk changes are conducted based off of what? Hours?

17 A. Yes.

18 Q. How do you track the hours on the engine?

19 A. How do we track them?

20 Q. Yes, sir.

21 A. (Indiscernible).

22 Q. And are they logged anywhere? Are the hours logged anywhere?

23 A. Yes, I think the man that works for us does it

24 (indiscernible). This boat, like I said, hadn't been used.

25 Q. Right.

- 1 A. And there was no need to do that stuff.
- 2 Q. So prior to you leaving -- so prior to the vessel leaving and
3 the last time you saw all the -- would you say that the engine
4 room space was free of water and oil?
- 5 A. Yes.
- 6 Q. Lazarette free of water?
- 7 A. Yes.
- 8 Q. Forepeak free --
- 9 A. Yes.
- 10 Q. -- of water? And you visibly verified those?
- 11 A. Yes.
- 12 Q. And you would have verified those on the day or -- the day
13 that it left or -- when would that --
- 14 A. A couple of days before. Is that on a Sunday, maybe on a
15 Saturday or something like that.
- 16 Q. So the Saturday before they left? The day before they left?
- 17 A. Yes, I walked around and looked at everything, you know.
18 Looked in the forepeak, and looked at -- you know, I just looked
19 around at everything. I didn't physically go down in the
20 lazarette.
- 21 Q. But you opened the scuttle and looked in there?
- 22 A. No.
- 23 Q. You didn't, okay. So when would -- who would have last
24 looked into the lazarette prior to it getting underway?
- 25 A. When we had it in the shipyard.

- 1 Q. That would have been the last time?
- 2 A. The last (indiscernible).
- 3 Q. And no knowledge of the master, Mr. McGallagher --
- 4 A. No.
- 5 Q. -- checking spaces or --
- 6 A. No.
- 7 Q. -- any of that before you got underway? Did you know this --
- 8 when you were at the dock when the *Jacqueline* got underway?
- 9 A. No.
- 10 Q. When was the last time you put eyes on the *Jacqueline* prior
- 11 to it getting underway?
- 12 A. The day before they left.
- 13 Q. Did you notice anything unusual about the trim or list of the
- 14 *Jacqueline*?
- 15 A. No.
- 16 Q. So she would have been sitting in the water just -- water
- 17 mark same as she -- in your opinion, same as she --
- 18 A. Same as she always did.
- 19 Q. Lazarette -- *Jacqueline* has two rudders. Correct?
- 20 A. Yes, sir.
- 21 Q. The *Jacqueline* does not have (indiscernible) rudders?
- 22 A. No.
- 23 Q. The only way the water would have been able to enter the
- 24 *Jacqueline* would have been either through the rudder post stuffing
- 25 to or the scuttles. Correct?

1 A. Right.

2 Q. Or if you had damage to the side shell or hull
3 (indiscernible)?

4 A. Right.

5 Q. Was there any visible damage to the side shell or the hull of
6 the *Jacqueline* when you all had it out in the shipyard?

7 A. No.

8 Q. Was there any concerns or reason that the vessel would have
9 taken on water in or around the stern of the vessel of the
10 *Jacqueline* while she was underway?

11 A. No, sir.

12 Q. Are you aware of the two penetrations in the aft bulkhead of
13 the engine room where some pipes are -- electrical wires run
14 through from the engine room to the lazarette?

15 A. I think -- yes, I think so. I mean, yes, okay.

16 Q. So the captain and the crew stated that in the aft -- on the
17 aft bulkhead of the engine room --

18 A. Um-hum.

19 Q. -- there's two penetrations, stuffing tubes, pass throughs --
20 they're called many things --

21 A. Okay.

22 Q. -- that go through the aft bulkhead through the potable water
23 tank into the lazarette. Are you familiar with those?

24 A. Yes.

25 Q. Do you recall if those -- or, like, if there was any kind of

1 stuffing material in there that would have prevented water from
2 the lazarette being able to flow into the engine room without
3 restriction?

4 A. Not that I know of.

5 Q. Okay. Would there have been any other way the water could
6 have entered the engine room through those two pipes other than
7 the lazarette?

8 A. No, not to my knowledge.

9 Q. All right. What would be the -- so if you did ultrasonic
10 testing -- you saw the boat when it was out of the water at the
11 Fairlead shipyard?

12 A. Yes.

13 Q. Do you -- have you -- did you pin the hull outs for the other
14 vessels that you have? Like the (indiscernible), the *Graham E*
15 (ph.), the *Alexandra Duff* (ph.), the *Captain Johnny*? Have you
16 been on the shipyard with those?

17 A. Yes.

18 Q. What would you -- in your opinion, the condition of the
19 *Jacqueline* versus the other vessels that you saw in the drydocks,
20 would it be fair condition, poor condition? What -- how would you
21 say that the bottom of that -- the *Jacqueline*?

22 A. The bottom of that boat was equal.

23 Q. Equal? Equal meaning that -- in your opinion, was the
24 *Jacqueline* capable of making the voyage from Weems to New Orleans
25 satisfactorily?

1 A. Yes.

2 Q. In your opinion, was the *Jacqueline* capable of making the
3 voyage in the ocean versus the Intracoastal Waterway?

4 A. Yes, I would think so. I would have done it.

5 Q. Based on your experience, you would have had no problem
6 taking the *Jacqueline* --

7 A. No.

8 Q. -- along the coast to New Orleans?

9 A. No.

10 Q. Okay. And for the record, so the *Jacqueline* is a model bow
11 vessel, not a push knee vessel. Correct?

12 A. Correct.

13 Q. And model bow vessels are commonly used in the ocean? Again
14 they're typically used on those routes?

15 A. Yes.

16 Q. Was the discussion -- was there any time constraints or
17 limitations placed on the crew on when they need to be getting the
18 boat to New Orleans?

19 A. No.

20 Q. Was there discussion or an opinion in your -- based on your
21 behalf given to the crew on how they should get the boat in?

22 A. No.

23 Q. Was the decision solely on the master -- on the --
24 navigation, the voyage plan on how he seemed to best to get to New
25 Orleans?

- 1 A. Yes.
- 2 Q. Did the master ever make any comments to you about draft
3 constraints on the *Jacqueline* and the Intracoastal Waterway?
- 4 A. No.
- 5 Q. What is the draft of the *Jacqueline*?
- 6 A. Seven, eight feet, something like that. Everything was left
7 up to his discretion. If he wanted to go outside, if he thought
8 the weather was decent to go outside, he went outside. If he
9 wanted to stay inside, he could have stayed inside.
- 10 Q. Are you familiar with an EPIRB?
- 11 A. Yes.
- 12 Q. Did the *Jacqueline* have an EPIRB?
- 13 A. No. That was a Subchapter M item.
- 14 Q. Okay. Was the -- when you did -- you said you did a safety
15 walkaround, right, with them and showing them life jackets, life
16 rafts, all that stuff?
- 17 A. Yes.
- 18 Q. Was the fact that the *Jacqueline* didn't have an EPIRB ever
19 brought up in --
- 20 A. No.
- 21 Q. -- that walkaround? Okay. Was there any -- since -- the
22 *Jacqueline* had a VHF radio. Correct?
- 23 A. Two.
- 24 Q. It has two --
- 25 A. Three -- no, three or four.

1 Q. How many --

2 A. Huh?

3 Q. How many does it have?

4 A. They have two in the main wheelhouse and two in the --
5 (Crosstalk)

6 Q. Okay, the crow's nest. Okay. So a total of four. And the
7 VHF radios would have been the only lines of communication with
8 the Coast Guard other than a cellphone. Correct?

9 A. Correct.

10 Q. Did the *Jacqueline* have any auxiliary power for the radios --
11 for the marine radios?

12 A. I think one was on the (indiscernible), and I think one -- I
13 don't know. I don't really know.

14 Q. Okay.

15 A. But I just think I know some of our boats are on a
16 (indiscernible); some are hooked up direct to the battery. That's
17 not my expertise.

18 Q. Electronics. Was a discussion ever had as -- what
19 electronics does the *Jacqueline* have on board for navigation?

20 A. She had two NavNet Furuno chart plotters, she had an extra
21 one in the bedroom for a spare in case that one broke. She got a
22 (indiscernible), she had a pro pilot, she had an AIS, and that's
23 it. Two (indiscernible).

24 Q. And there was a discussion you ever had with Captain
25 McGallagher about what he planned on using for navigation purposes

1 as far as charts?

2 A. No.

3 Q. Okay. Was he familiar with the equipment on board? Did he
4 make mention, like, I'm using --

5 A. Yes.

6 Q. -- this? Okay. So based on what you understand --

7 A. I'll be honest with you, I'm thinking. I'm thinking here.

8 Q. Okay.

9 A. I can't remember if I was on the *Jacqueline* with the bilge
10 alarm or I was on one of the other boats.

11 Q. When you tested the bilge alarm?

12 A. When I checked the bilge alarm. I can't remember.

13 Q. So you may or may not have tested the bilge alarm?

14 A. I may or may not have checked it.

15 Q. If you didn't check the bilge alarm prior to the vessel
16 getting underway and you're not aware if the master or the crew
17 checked the bilge alarm prior to getting underway, who else would
18 have -- well, that bilge alarm was fairly new. Correct?

19 A. As far as I knew it was, yes.

20 Q. And who would have installed that?

21 A. The guy that works for us some.

22 Q. The port engineer?

23 A. Yes.

24 Q. Would that be Mr. Ryan Bang (ph.)?

25 A. He works for us now, but the other port engineer that might

1 have been the one that installed it, because I know he installed a
2 few shutoff valves on the *Jacqueline A.* He's dead. You can't
3 talk to him.

4 Q. I see. But Mr. Ryan would have been the one that did it?

5 A. Yes.

6 Q. Okay. All right. So based off of what we know now, like,
7 what -- you know, you've had some time to think about the
8 condition of the *Jacqueline* And the event that took place, would
9 there be -- and you ran the *Jacqueline* many times.

10 A. Yes.

11 Q. Do you have -- in your opinion, where could the water have
12 came from that would have filled the engine room up, the lazarette
13 up, where would that water have come from?

14 A. I don't know.

15 Q. Is it likely that it could have come from the rudder post?

16 A. Anything's likely.

17 Q. Correct.

18 A. I mean, you know --

19 (Crosstalk)

20 A. You got a brand new car up on that road, somebody could run
21 into you.

22 Q. Is it possible, based on your experience and years that you
23 have operating these boats, is it possible that the amount of
24 water that could have come in the boat through the rudder post
25 would have been enough to cause the boat to sink?

1 A. If you're vigilant, you can avoid a lot of things.

2 Q. Right.

3 A. If you stay on top of your equipment, on top of your -- what
4 you're doing at that time, you know. Or you detect it early
5 enough or you keep watching on it and you keep looking, you know,
6 you could have -- it could have been avoided.

7 Q. So your opinion, based on your years running these boats --
8 all right, let me ask you one more -- so was a watch period ever
9 discussed? Like rounds, like you expect --

10 A. Yes.

11 (Crosstalk)

12 A. Yes.

13 Q. And what was that?

14 A. I think every couple of hours they would have rotated in the
15 engine room.

16 Q. And did you discuss that with them, did you --

17 A. Yes.

18 Q. And what expectations did you have of them to make rounds?

19 A. Every hour or two, something like that. I mean, I kind of
20 left it up to them. They just said to deliver two boats to
21 Virginia --

22 Q. Right.

23 A. -- for the same guy. They brought an 80-some foot
24 (indiscernible) boat last year for him or year before last, and
25 they just brought this (indiscernible), which was about the same

1 size as the *Jacqueline*. So, you know -- and then we discussed
2 that and they were telling me how they did their (indiscernible)
3 on the other boats -- on the boat they just brought up. And I
4 said that's fine.

5 Q. So you didn't have the master -- you obviously had a master
6 at the helm --

7 A. Um-hum.

8 Q. -- all the time they were doing six-hour watches. Who would
9 make the rounds in the engine room?

10 A. The deckhand.

11 Q. The deckhand. Would he be awake at the same time that the
12 master's awake?

13 A. No.

14 Q. He would be where?

15 A. And then the mate, I guess, would be checking also. They'd
16 rotate around, so.

17 Q. Does the mate stand the watch?

18 A. I don't know about (indiscernible).

19 Q. Well, I'm just saying does the mate usually stand the watch?

20 A. I mean --

21 Q. Engine room watch? Not a (indiscernible) watch, but does he
22 stand and watch at all? Does he -- does -- what --

23 A. I would assume, yes.

24 Q. Okay. Did you place any expectations or was there a
25 discussion ahead, like prior to the masters relieving each other?

- 1 A. Um-hum.
- 2 Q. -- upon making the round of the vessel?
- 3 A. Yes.
- 4 Q. Were they supposed to make a round of the vessel prior to
5 relieving the watch?
- 6 A. I don't know what they did.
- 7 Q. But did you discuss anything like that --
- 8 A. Yes.
- 9 Q. -- with them? Okay. Is it customary -- or is that, in your
10 -- like, based on your experience on running these boats, does
11 that normally happen prior to the masters relieving each other, do
12 you normally make a round to the boat prior to taking over the --
- 13 A. Prior to Subchapter M, on the boats that we have, we just did
14 take the engine room. We just kept talking --
- 15 Q. Right.
- 16 A. -- with ourselves and say -- he'd say I just came or I just
17 went down and stuff like that.
- 18 Q. And is it fair to say the mate is kind of like a -- is his
19 job would be to, like, just roam the boat whenever he's not, like,
20 cooking or cleaning or doing whatever he's doing, but he just of
21 popping in the engine room --
- 22 A. Yes.
- 23 Q. -- in and out?
- 24 A. Yes.
- 25 Q. And then would the mate usually come and tell you, hey, I

1 just checked the engine room or --

2 A. Or a deckhand, whoever.

3 Q. Okay.

4 A. But always holler up at me and tell me -- I mean, I'm just
5 talking on my boat. I don't know what they --

6 Q. Right. I'm just trying to figure out what a normal, based on
7 your past experience, like what normally would take place --

8 A. Right.

9 Q. -- when you were running, you know, when you would be running
10 a vessel and what the mate would have been doing while they run
11 their, like -- okay.

12 CWO [REDACTED]: And I think I've hit all the questions that I
13 had, if you want to pick up.

14 LT. [REDACTED]: Okay. Let me just look at my notes.

15 BY LT. [REDACTED]:

16 Q. I mean, kind of along the same lines that we were just
17 talking about -- I don't want to belabor it all too much -- but
18 just curious about a couple of more things. It sounds like there
19 wasn't any written direction or guidance or even like a specific
20 verbal order when exactly to do the rounds, but it was kind of
21 expected to do it before taking (indiscernible) and occasionally
22 throughout. What would that round consist of, aside from a walk
23 down to the engine room?

24 CWO [REDACTED]: Were you able to -- you were breaking up a
25 little bit.

1 BY CWO [REDACTED]:

2 Q. What she was asking is there may not have been anything
3 written formally, like, hey, you're supposed to check the engine
4 room or check the -- you know, do a round prior to a relieving the
5 watch.

6 A. Right.

7 Q. What LT is asking is, like, what specifically would be
8 involved in that round? What spaces would you check? What would
9 you normally -- what would you expect them to be checking prior to
10 relieving the watch?

11 A. Well, I'd go down the engine room. I'd walk all around my
12 engine room and I'd look for oil leaks, I'd look for fuel leaks,
13 I'd look under the engines for oil (indiscernible), I'd look at
14 the stuff in boxes and I'd look anything in the engine room that
15 looked abnormal from usual. If it's bad weather, nobody -- I tell
16 all my people don't -- I don't want my men going on deck nights or
17 bad weather. I really don't want them going up top, but they
18 can't get no cellphone service inside the tug boat. So you have
19 an issue.

20 But -- yes, I told them go around, anything you don't
21 understand right, I mean, you know, I'm down in the engine room
22 and maybe come on deck, you know, and that's it. I mean, they
23 come in the wheelhouse and they tell me everything down in the
24 engine room's good and I'll say okay, buddy, thank you. And
25 that's it.

1 Q. Is it -- would you normally expect that or have them check
2 void spaces like look in the forepeak or look in the lazarette?

3 A. Yes.

4 Q. Would that be a normal --

5 A. Yes.

6 Q. -- part of that round?

7 A. Yes.

8 Q. Okay.

9 BY LT. [REDACTED]:

10 Q. Are you aware of anyone looking in the lazarette at any time
11 during that voyage?

12 A. Yes, they said they did it before they came out of --

13 UNIDENTIFIED SPEAKER: Cape Fear.

14 BY LT. [REDACTED]:

15 A. -- Cape Fear.

16 Q. Who said and who did it?

17 A. The captain and the mate -- all three of them said they
18 raised the hatch up, I think. I don't know, my son was talking to
19 them, not me. But I did hear that they looked in the lazarettes
20 and everything was fine.

21 Q. And that would have been on Tuesday, the day of the incident
22 prior to leaving the ICW?

23 A. Yes.

24 Q. And how did those hatches get secured. Are they dogged down
25 individually?

1 A. They are brier (ph.), I think it is. You know, thatcher
2 hatches that you buy. They'll flush mount, and the hatch goes
3 down in the ring and you have a branch -- nut in the middle of the
4 hat and you tighten that down.

5 Q. Okay. So it can be closed by one person?

6 A. Yes.

7 Q. And just to clarify, because I got a little confused where we
8 were talking about this earlier. Did you or did you not open the
9 -- one of the lazarette hatches and look in the lazarette on --
10 last Saturday?

11 A. No.

12 Q. Okay. You were saying that you think you last looked into the
13 lazarette at some point in the shipyard?

14 A. Correct.

15 Q. Okay.

16 A. The boat was sitting high in the water, you know, and they
17 never changed, everything looked good.

18 Q. Does the boat have any draft marks or a load line?

19 A. No.

20 Q. Was there any expectation or direction to the crew to keep
21 any log books?

22 A. No.

23 Q. Were there log books available on the boat?

24 A. It was the note pads on --

25 Q. Do you know the size of the potable water tank?

1 A. I think it might be like 5,000 or 6,000 gallons, something
2 like that, at the most.

3 Q. Do you know how full it was prior to getting underway?

4 A. I think it was about half full.

5 Q. And does the vessel make its own water?

6 A. No.

7 LT. [REDACTED]: [REDACTED], did you already ask about life saving
8 equipment or no?

9 CWO [REDACTED]: I did. I asked him -- he said they --

10 LT. [REDACTED]: I must --

11 CWO [REDACTED]: -- showed them, yes. Yes, we addressed them.

12 LT. [REDACTED]: Okay.

13 (Crosstalk)

14 MR. WARD: -- like two weeks old.

15 LT. [REDACTED]: Right.

16 BY LT. [REDACTED]:

17 Q. So since you're a little bit familiar with Subchapter M and
18 you own the other vessels that are -- that currently hold COI's,
19 just to your knowledge, what are some things that you know of that
20 this vessel did not have that would have brought it into
21 compliance with Subchapter M? I think during your discussion you
22 mentioned a few things that would need to be updated or altered or
23 fixed in order to --

24 (Crosstalk)

25 A. Let me think of --

1 Q. Like how much work do you think it needed?

2 A. It didn't need a whole lot, because we put all new emergency
3 lighting, when we put in long solid generators in the main
4 engines. The main engines were all (indiscernible), but we put in
5 all new alarms for the generator sets. I think he installed the
6 general alarm also on that. We were kind of -- my -- the man that
7 works for us now was kind of working on her a little bit along
8 doing things trying to bring her up to Sub M when he had time not
9 working on the other boats.

10 Q. Okay.

11 A. They had the emergency lighting and I don't know. It wasn't
12 a whole lot more, I don't think. Some (indiscernible) and stuff
13 like that.

14 Q. In regard to the VHF radios, I know you said you weren't
15 confident on how the battery arrangement was.

16 A. Yes.

17 Q. Who would have a better understanding of that or was the port
18 engineer involved in the installation or someone else?

19 A. No, all of that was done before he came to work with us.

20 Q. Okay. And since 2021, when Subchapter M came on line,
21 approximately how many times would you say the vessel's been
22 underway and for what purpose?

23 A. As far as I know, when we go to the shipyard and be hulled
24 out and do the sandings on the bottom and then some on the sides
25 and come back to the shipyard -- come back to our personal dock.

1 Q. Is that part of you referring to just the time when it went
2 to the shipyard this year or was there another time before then?

3 A. No, it went to the shipyard about -- I don't know -- a couple
4 of months ago. We went down -- we took it down to the shipyard
5 because we were talking about doing some work to the boat. We
6 hauled it up, we pressure washed the bottom, we had it ultrasound
7 or whatever you call that, and all of those readings came back
8 fine. So we put zincs on the boat. Electrolysis, we welded zincs
9 on. Some of -- I think we bolted them on, if I can remember,
10 zincs on the boat. And we put it back in the water and we took it
11 back (indiscernible) where we tie our tugboats at, and it's been
12 sitting there since.

13 Then we talked with the shipyard down in Louisiana. He had
14 -- and things, you know, he said he could do the work because we
15 had one of our other boats there a couple of years ago and we were
16 satisfied with his work and everything. And we were going to take
17 this boat back to him.

18 Q. Okay. So --

19 A. And --

20 Q. -- so prior to being in the shipyard this summer, it had just
21 been at the dock in Weems since at least 2021.

22 A. Yes.

23 Q. Okay. Do you know approximately how long it had been at the
24 dock and --

25 A. No, I really don't.

1 (Crosstalk)

2 A. Go ahead.

3 Q. Did you have any other crew members on the boat with you the
4 last time you operated it, like, from the shipyard back to Weems?

5 A. My -- the guy that's working for us now kind of a port
6 engineer, he rode down and rode back with me.

7 Q. Okay. And what other vessels do you own, sir?

8 A. I've got the *Graham E.* That's the only one I actually own
9 myself.

10 Q. Okay. That's -- you own 100% of that boat and then you have
11 partial ownership of the *Jacqueline A.* Correct?

12 A. Yes.

13 Q. Any other vessels that you have partial ownership of?

14 A. The *Milton W* (ph.) and the *Alexandra Duff.*

15 Q. You have partial ownership of both of those boats?

16 A. Yes.

17 Q. Is that directly or like in conjunction, like, with your
18 company. I guess who's the registered owner of those boats?

19 A. The company.

20 Q. Can you clarify which company?

21 A. Bay Fried (ph.) owns the *Graham E.* (Indiscernible) Marine
22 owns the *Jacqueline A* and the *Milton W.*

23 UNIDENTIFIED SPEAKER: Bay Fried also owns the *Alexandra*
24 *Duff*, right?

25 UNIDENTIFIED SPEAKER: Yes.

1 BY LT. [REDACTED]:

2 A. The Bay Fried owns the *Alexandra Duff*.

3 Q. Okay. So are you in ownership of all three of those
4 companies?

5 (Crosstalk)

6 Q. All right. So the Bay Fried owns *Graham E* and *Alexandra*
7 *Duff*?

8 A. Yes.

9 Q. Okay.

10 A. But really it's my son and his partner. He owns part of the
11 *Alexandra Duff*. We bought the boat together, so we just stuck it
12 in my company at the time.

13 Q. Okay. I think that's all the questions I had.

14 LT. [REDACTED]: Mr. Ehlers.

15 BY MR. EHLERS:

16 Q. Yes. Thank you, Mr. Ward. This is, again, Drew Ehlers from
17 the NTSB. So I'm just going to follow up some additional
18 questions.

19 A. Okay.

20 Q. Down at Fairlead when you had the boat hulled out, was there
21 a lot of sea life, grass or anything else growing on it? Did it
22 have a build-up of stuff on it?

23 A. It had some barnacles.

24 Q. Yes. And you mentioned it got pressure washed. Did they do
25 anything else to the hull to try and clean off the barnacles? Any

- 1 grinding, any sand blasting, anything like that?
- 2 A. No.
- 3 Q. So --
- 4 A. Just the pressure wash.
- 5 Q. Just pressure wash?
- 6 A. Yes, sir. They have a big, big pressure washer.
- 7 Q. Okay, all right. And did you walk around with it while it
- 8 was hulled out -- walk around it --
- 9 A. Yes.
- 10 Q. -- while it was hulled out?
- 11 A. I walked around it while the man was doing his UV readings.
- 12 Q. Okay. And while you were doing that, did you notice any
- 13 previous evidence of patches, like doubler plates or something
- 14 that's metal had been cut out and put back in?
- 15 A. No, sir.
- 16 Q. No, okay. Was underneath the -- after the pressure washing,
- 17 was the -- how was the condition of the paint underneath?
- 18 A. Well, the paint wasn't the best.
- 19 Q. Say again?
- 20 A. No -- the paint was not too good a shape.
- 21 Q. Okay. Was there peeling, bare metal, what -- was the rust
- 22 showing through?
- 23 A. Well, after they pressure washed, that is designed to cut
- 24 most of that off.
- 25 Q. Um-hum. So prior to the pressure wash, was there -- was the

1 rust showing through, any kind of corrosion you saw?

2 A. No.

3 Q. Okay. So let me back -- you said the paint wasn't in the
4 best shape. Can you kind of explain what you meant by that?

5 A. Well, once they pressure wash it -- first of all, when you
6 put the boat up out of the water, the paint dies.

7 Q. Um-hum.

8 A. But -- let's say a four-day, or two or three and it's
9 summertime or whenever. The paint dies. And then if you pressure
10 wash it with, you know, 25,000, 30,000 psi, you blow off
11 everything (indiscernible).

12 Q. Okay. So what was left, bare metal?

13 A. Some paint was left, yes.

14 Q. Okay, all right. When you took it down to Fairlead and
15 brought it back, did you have to run the bilge pumps at all?

16 A. No.

17 Q. No, okay. You mentioned the bilge pumps had a manifold. I
18 think you said it could go to the forepeak, the rudder room and
19 the engine room, I think the potable water tank.

20 A. Yes, sir.

21 Q. Was that manifold normally aligned a certain way? In other
22 words, to one space in particular?

23 A. Not really, no.

24 Q. Okay. So -- well, go ahead.

25 A. The bilge pumps, you didn't have to go through the manifold.

1 All you had to do was open the valve and it builds and open the
2 valve on the pump and cut the pump on. That's all you had to do.

3 Q. Okay. Where was the bilge valve at?

4 A. The what?

5 Q. The -- you said you had to open the valve in the bilge. Is
6 that the engine room bilge?

7 A. The bilge valve was right under the steps and you just picked
8 this little hatch up and it was right underneath the steps, and I
9 showed that to the crew.

10 Q. Okay. In the engine room?

11 A. Yes.

12 Q. Okay. But you -- you mentioned a manifold? What was that --
13 how is that manifold -- how did that integrate into the system?
14 How did that -- how is that hooked up to the system?

15 A. The manifold, they have a pump. And you have an inlet and a
16 discharge on your pump, right?

17 Q. Um-hum.

18 A. Okay. The inlet pipe came back from the pump, it goes to the
19 manifold. Okay. And that creates a suction on the manifold. You
20 following me?

21 Q. Yes, I'm following you.

22 A. Okay. Then a pipe leaves the manifold and goes to the rudder
23 room, another one leaves and goes to your potable water tank. One
24 leaves there and goes to the forepeak.

25 Q. Okay. So -- and that's connected to the bilge pump?

1 A. Yes, sir.

2 Q. Okay. So what -- was it normally -- were those valves in the
3 manifold that went to the rudder room, the forepeak and the
4 potable water tank, were those normally closed?

5 A. Yes.

6 Q. So the only valve that was opened when the bilge pump was run
7 normally was the engine room. Is that a correct statement?

8 A. The one in the engine room was shut also. You opened that as
9 needed.

10 Q. Okay, all right. So --

11 A. I never liked -- me, personally, I never like to leave valves
12 open because you can get down flooding.

13 Q. Um-hum. Okay. And the engine room valve, that was on the
14 manifold as well or was that a separate valve?

15 A. That was a separate valve.

16 Q. Oh, okay. All right. So when you showed the crew that came
17 aboard how to align the bilge pump, did you show them the engine
18 room valve or the manifold or both?

19 A. I showed both.

20 Q. Okay, all right. And they seemed to understand what you were
21 showing them?

22 A. Yes, sir.

23 Q. Okay, all right. And they were aware of what spaces the
24 manifold drew suction from?

25 A. Yes.

1 Q. Okay, all right. You mentioned the electrical sub pump.
2 Where was that stowed?

3 A. That was stowed in the forepeak.

4 Q. In the forepeak, okay. How is the forepeak accessed? How
5 did you get to it?

6 A. You walk around in front of the pilot, in front of the hull
7 on the deck, you open a (indiscernible) door, you go down the
8 steps, you turn to your left and it's sitting in the floor.

9 Q. Okay, all right. And the discharge hose, was that with it?

10 A. Yes, sir.

11 Q. Okay. And you said you showed that to the crew before they
12 took -- started the voyage towards New Orleans?

13 A. Yes.

14 Q. Okay. One other thing, again, on the familiarization of the
15 crew before going to New Orleans, you mentioned the charting
16 system. Did you review --

17 A. Yes, sir.

18 Q. -- did you review the use of the charting system with the
19 crew?

20 A. The boat that they brought up had the same unit.

21 Q. Okay, all right. So they said that they were familiar with
22 it?

23 A. Yes.

24 Q. Okay, all right. Let me take a look here. Okay, that's all
25 I have. Thank you, Mr. Ward.

1 A. Thank you very much, sir. Anyone, anyone?

2 MR. EHLERS: Back to you, [REDACTED].

3 CWO [REDACTED]: Okay. LT, you doing good? Do you have
4 anything?

5 LT. [REDACTED]: No, I don't think so. Did Mr. Gilsenan have
6 any questions?

7 MR. GILSENAN: No, thank you.

8 BY CWO [REDACTED]:

9 Q. And then before we close, to finish up, is there anything
10 that we didn't ask that you -- that we should have asked that you
11 could add to it or any -- like, in your opinion, do you have -- I
12 think you may have already answered -- do you have any --

13 A. No.

14 Q. -- idea of what may have caused this?

15 A. Not really. I mean, I ran it up there on Chesapeake Bay, you
16 know, and I didn't have any problem. And we didn't have any
17 problem with it when we were working the boat at the time. It's
18 set to dock -- we set it to dock and, you know, we looked down on
19 it, it was tied onto the end of our pier -- well, the dock's pier
20 -- and every now and then you'd walk down and walk around the
21 look, and you could look down at the fenders, around the stern or
22 you could look down at the tires. And almost everything was the
23 same thing with the water, you say she's -- everything's good, you
24 know. I mean --

25 Q. You had a few days at least, or a day and half, I guess,

1 riding around with the crew when you and your son got down to
2 here, like, going from the hotel to here and stuff like that.

3 Based on any conversations --

4 A. Since we got here?

5 Q. Yes, sir.

6 A. Well, we got down here in -- well, that morning early, and we
7 went to the hotel to see them.

8 Q. You had a day --

9 A. And then we brought them here and that took up all day.

10 Q. Yes, sir.

11 A. And then we rushed over here, took them to the airport, and
12 that was it.

13 Q. Yes, sir. So like when you all were riding the vehicle, at
14 any time during, you know, you either traveled from North Myrtle
15 Beach to here and back to the airport, right, did you hear or pick
16 up on any conversations that gave you any concern based on the
17 actions that they took while they were on board to try to prevent
18 the boat from going down or anything that --

19 A. They said they did all they could do.

20 Q. How about, like, any actions or that they were -- would have
21 taken prior to the flooding that would have caused you any
22 concern? Like, just operating the boat, how they were doing their
23 watches, day-to-day op, did you pick up on anything that you --

24 (Crosstalk)

25 A. They said they were watching everything and doing everything

1 that they could. And when they discovered the water, they said
2 they did everything to stop it, but they couldn't. It was too far
3 advanced.

4 Q. Okay. And based on the actions that they took or they told
5 you they took, you would hire this crew again to take the boat --

6 A. Yes.

7 Q. -- from --

8 A. Yes.

9 Q. -- Weems to New Orleans?

10 A. Yes.

11 Q. Okay.

12 A. I would.

13 Q. Yes, sir.

14 A. They already made two trips from New Orleans to our way a
15 couple of years ago in this boat for the same guy, and he spoke
16 very highly of them. And when we met them, I was satisfied with
17 the capability.

18 Q. Yes, sir.

19 LT. [REDACTED]: [REDACTED], I have one last question.

20 CWO [REDACTED]: Yes, ma'am.

21 LT. [REDACTED]: A thing that was discussed.

22 BY LT. [REDACTED]:

23 Q. I know you said you kind of left it up to the crew to make
24 the voyage plan.

25 A. Yes.

1 Q. Knowing that the vessel didn't have an EPIRB, like, did you
2 have any concerns with them or any restrictions for how far they
3 could go offshore or any --

4 A. We -- they told us they were going to follow the shoreline.

5 Q. Okay. Like within a specific distance or --

6 A. As the water would allow you.

7 Q. Sorry, can you say that again?

8 A. They were going to follow the shoreline all around, you know,
9 stay at about 25, 30 feet of water, somewhere in that area. To
10 stay close to shore.

11 Q. Okay. So that was your guidance to them?

12 A. (Indiscernible).

13 Q. Was that, like --

14 (Crosstalk)

15 Q. -- them or that was just what you all agreed on? How did
16 that --

17 A. The captain said he was going to do. He said if the
18 weather's decent and I -- and we get the boat and go down the
19 coast, I'm going to follow, you know, follow the coastline around.
20 I'm not going to take a straight line from say here to St. Lucie's
21 inland. It would put me way off shore. I'm going to hook around
22 in with the land and stay kind of -- stay close to the land.

23 Q. Okay. Did he say that was because there was no EPIRB or was
24 there a discussion about how to, you know, mitigate any safety
25 concerns due to not having the EPIRB?

1 A. No, the main reason he was going to do that was to avoid
2 parts of South Carolina and Georgia on the Intracoastal Waterway.

3 Q. Why did he want to avoid the ICW in South Carolina and
4 Georgia?

5 A. Because of -- because it's, you know, it's per their opinion.
6 Everybody does that.

7 CWO [REDACTED]: What, the shoals?

8 MR. WARD: Yes, the shoal.

9 BY LT. [REDACTED]:

10 Q. Okay. So there was, like, a concern with the vessel's draft?

11 MR. GILSENAN: I think the concern is the maintenance
12 dredging in the ICW in South Carolina. It's notoriously bad.

13 BY LT. [REDACTED]:

14 Q. Is that right, Mr. Ward? Like, what was the -- why is the
15 ICW a pain in that area?

16 A. Because of the shoal.

17 Q. Because of the shoal?

18 A. Yes.

19 Q. Okay. So specifically, like, there would be a concern for,
20 like, the vessel running aground or just not having enough good
21 water to sail in?

22 A. Yes.

23 Q. Okay, okay.

24 A. I mean everybody does that. If they can avoid Georgia, you
25 don't do it.

1 Q. What would you say would like the acceptable or like a safe
2 draft be for going through that area?

3 A. Well, you can go through that draft. It's not a problem if
4 you want to.

5 Q. Okay. I'm just a little unclear on to -- as to why it was so
6 important to avoid that area.

7 A. Okay. Well, would you rather drive in a city or a country
8 road?

9 Q. Country road.

10 A. (Indiscernible).

11 Q. All right. I think I see what you're saying. That's all I
12 have.

13 A. Thank you so much, ma'am.

14 CWO [REDACTED]: Okay. Well, I don't have any further questions.
15 If Mr. Ehlers doesn't have any further questions, then we can
16 close the interview.

17 MR. EHLERS: I have no further questions.

18 MR. WARD: Thank you all very much.

19 LT. [REDACTED]: Thank you, sir. All right. We'll stop the
20 recording at 1511.

21 (Whereupon, at 3:11 p.m., the interview was concluded.)
22
23
24
25

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 Melvin Ward, Jr.

ACCIDENT NO.: DCA23FM044

PLACE: via telephone

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.



Maria Socorro R. Abellar
Transcriber