### NATIONAL TRANSPORTATION SAFETY BOARD

IN RE:

THE ALLISION INVOLVING THE : NTSB Accident No. AFRAMAX RIVER ON THE HOUSTON: DCA16FM055 SHIP CHANNEL ON SEPTEMBER 6, : 2016

INTERVIEW OF: Bharatkumar Ramanlal Tandel

September 8, 2016

BEFORE

USCG BRUCE DAVIES, USCG LUKE WISNIEWSKI, NTSB

MIKE USHER, Port Pilot Commission for Harris Co. Ports

#### **APPEARANCES:**

# On Behalf of G&H Towing Company:

JAY HUFFMAN, ESQ. Blank Rome LLP 717 Texas Avenue Suite 1400 Houston, TX 77002

# On Behalf of the Aframax River:

JAMES BAILEY, ESQ.
Eastham, Watson, Dale & Forney, LLP
The Niels Esperson Building
808 Travis, Suite 1300
Houston, TX 77002-5769

# On Behalf of the Interviewee and Other Individuals Involved in this Investigation:

JIM BROWN, ESQ. Legge, Farrow, Kimmitt, McGrath & Brown LLP 5151 San Felipe, Suite 400 Houston, Texas 77056

### On Behalf of ITC:

STACEY T. NORSTRUD, ESQ. Fowler Rodriguez, Counselors at Law Four Houston Center 1331 Lamar Street, Suite 1560

## P-R-O-C-E-E-D-I-N-G-S

| 2  | 12:16 p.m.  |
|----|---|
| 3  | All right, sir. Good morning,                         |
| 4  | or good afternoon. Just here conducting a post-       |
| 5  | casualty interview of the incident. The time on deck  |
| 6  | is approximately 12:16. We're on board the Aframax    |
| 7  | River. It is September 8th. I'm                       |
| 8  | Con Sect to Houston Galveston Investigation Division. |
| 9  | I'm the investigating officer. We'll go around the    |
| 10 | table, introduce ourselves.                           |
| 11 | MS. NORSTRUD: Stacey Norstrud with Fowler             |
| 12 | Rodriguez representing ITC.                           |
| 13 | MR. HUFFMAN: Jay Huffman of Blank Rome                |
| 14 | representing G&H Towing Company.                      |
| 15 | MR. USHER: Mike Usher with the PBIRC.                 |
| 16 | MR. WISNIEWSKI: Luke Wisniewski, National             |
| 17 | Transportation Safety Board.                          |
| 18 | MR. DAVIES: Bruce Davies with Coast Guard             |
| 19 | Investigations.                                       |
| 20 | MR. TANDEL: A/V's Helmsman.                           |
| 21 | Your name?  |
| 22 | MR. TANDEL: Bharat Tandel.                            |
| 23 | MR. BAILEY: James Bailey with Eastham                 |
| 24 | Watson representing the Aframax River.                |
| 25 | All right, and I'd like to                            |

| 1  | start with a little bit of background information. So, |
|----|--|
| 2  | your experience as a helmsman?                         |
| 3  | MR. TANDEL: Yes, experience, 13 years                  |
| 4  | helmsman.  |
| 5  | 13 years?  |
| 6  | MR. TANDEL: Yes.                                       |
| 7  | As a helmsman? Have you                                |
| 8  | served aboard this type of vessel, is it this size?    |
| 9  | MR. TANDEL: This type size with a four.                |
| LO | Four years?  |
| L1 | MR. TANDEL: Four, four vessels.                        |
| L2 | Oh, four vessels?                                      |
| L3 | MR. TANDEL: Of these types.                            |
| L4 | Of this type?  |
| L5 | MR. TANDEL: Aframax.                                   |
| L6 | Okay. He's a helmsman. Can                             |
| L7 | you -  |
| L8 | MR. TANDEL: 14.  |
| L9 | You said four years in this                            |
| 20 | size ship? You've served as helmsman?                  |
| 21 | MR. TANDEL: Yes.                                       |
| 22 | Okay. And have you ever                                |
| 23 | served on this Aframax River before this voyage?       |
| 24 | MR. TANDEL: This voyage, yes.                          |
| 25 | Is this your first time on                             |

| 1  | this ship or have you served on this particular ship |
|----|--|
| 2  | before?  |
| 3  | MR. TANDEL: Aframax, first time. It's                |
| 4  | company, another ships.                              |
| 5  | Okay. And when did you join                          |
| 6  | the vessel?  |
| 7  | MR. TANDEL: U.S. Joining with U.S.                   |
| 8  | U.S.? You recall the                                 |
| 9  | approximate date?                                    |
| LO | MR. TANDEL: Philadelphia. (Foreign                   |
| L1 | language spoken).                                    |
| L2 | MR. BAILEY: When, when did you start your            |
| L3 | contract? This contract?                             |
| L4 | MR. TANDEL: Two and a half months.                   |
| L5 | Two-and-a-half months ago?                           |
| L6 | Okay. In those two-and-a-half month, how many times  |
| L7 | would you say you've served as a helmsman?           |
| L8 | MR. TANDEL: Steady?                                  |
| L9 | Yes.   |
| 20 | MR. TANDEL: And then pilot and I watch the           |
| 21 | [unknown].   |
| 22 | Okay. Safe to say you've done                        |
| 23 | several voyages as a helmsman on this ship. Have you |
| 24 | been going in and out of channels?                   |
| 25 | MR TANDEL: Veg Coming me 24 instance                 |

| 1  | Okay, so, September 4th, the                        |
|----|---|
| 2  | first time the vessel entered Houston. Were you the |
| 3  | helmsman on that voyage?                            |
| 4  | MR. TANDEL: Yes, yes.                               |
| 5  | From 12 to four?                                    |
| 6  | MR. TANDEL: Yes.                                    |
| 7  | INTERPRETER: 12 to four?                            |
| 8  | MR. TANDEL: (foreign language spoken)               |
| 9  | INTERPRETER: (foreign language spoken)              |
| 10 | MR. TANDEL: (foreign language spoken)               |
| 11 | INTERPRETER: He was the steering guy.               |
| 12 | Okay.   |
| 13 | MR. TANDEL: Yes.                                    |
| 14 | This is on September 4th.                           |
| 15 | Vessel came about?                                  |
| 16 | INTERPRETER: (foreign language spoken)              |
| 17 | MR. TANDEL: (foreign language spoken)               |
| 18 | INTERPRETER: (foreign language spoken)              |
| 19 | MR. TANDEL: (foreign language spoken)               |
| 20 | INTERPRETER: (foreign language spoken) Yes.         |
| 21 | MR. TANDEL: (foreign language spoken)               |
| 22 | Steering part. And who was                          |
| 23 | giving you orders, helms commands, who was relaying |
| 24 | helm commands to you? Was -                         |
| 25 | INTERPRETER: (foreign language spoken).             |

| 1  | starboard port (foreign language spoken).     |
|----|---|
| 2  | MR. TANDEL: Pilots.                           |
| 3  | INTERPRETER: Pilots? (foreign language        |
| 4  | spoken).                                      |
| 5  | MR. TANDEL: Pilot (foreign language           |
| 6  | spoken).                                      |
| 7  | INTERPRETER: Pilot.                           |
| 8  | MR. TANDEL: Pilot stand by here, say, go      |
| 9  | starboard.                                    |
| 10 | Okay. So you were taking                      |
| 11 | commands directly from the pilot?             |
| 12 | MR. TANDEL: Yes.                              |
| 13 | All right.                                    |
| 14 | MR. TANDEL: (foreign language spoken).        |
| 15 | Were you relaying the commands                |
| 16 | back to the pilot once he gave you a command? |
| 17 | MR. TANDEL: Yes. Command. He yell close,      |
| 18 | we have steady                                |
| 19 | INTERPRETER: (foreign language spoken).       |
| 20 | MR. TANDEL: (foreign language spoken).        |
| 21 | INTERPRETER: So, he would repeat we long      |
| 22 | starboard 10.                                 |
| 23 | Okay.   |
| 24 | INTERPRETER: And then he will continuously    |
| 25 | explaining the process that speed stay.       |

| 1  | All right. Were there any                              |
|----|--|
| 2  | issues during your inbound voyage on September 4th?    |
| 3  | Any problems?  |
| 4  | MR. TANDEL: No.  |
| 5  | No?  |
| 6  | MR. TANDEL: (foreign language spoken).                 |
| 7  | No problems?   |
| 8  | MR. TANDEL: (foreign language spoken).                 |
| 9  | All right. Now, do you recall                          |
| 10 | what time you came on watch on September 5th, the day  |
| 11 | of the incident? Does he recall what time he came on   |
| 12 | watch that day?  |
| 13 | INTERPRETER: (foreign language spoken).                |
| 14 | MR. TANDEL: (foreign language spoken).                 |
| 15 | INTERPRETER: (foreign language spoken).                |
| 16 | MR. TANDEL: (foreign language spoken).                 |
| 17 | INTERPRETER: (foreign language spoken).                |
| 18 | MR. TANDEL: (foreign language spoken).                 |
| 19 | INTERPRETER: (foreign language spoken).                |
| 20 | MR. TANDEL: 11:40.                                     |
| 21 | INTERPRETER: 11:40, 11:40.                             |
| 22 | 11:40?   |
| 23 | INTERPRETER: 23:40.                                    |
| 24 | Okay. Can we go into a little                          |
| 25 | bit your routine when you go on watch, what do you do? |

| 1  | To prepare yourself to get underway?                |
|----|---|
| 2  | INTERPRETER: (foreign language spoken).             |
| 3  | MR. TANDEL: (foreign language spoken).              |
| 4  | INTERPRETER: He verify the steering,                |
| 5  | whether the it's steering is complying with his     |
| 6  | commands, holding starboard.                        |
| 7  | MR. TANDEL: (foreign language spoken).              |
| 8  | INTERPRETER: Basically, he verifies that            |
| 9  | the steering system is in good order.               |
| 10 | Okay. And do you do that                            |
| 11 | along with the engine room? Do you communicate with |
| 12 | the engine room to conduct these tests?             |
| 13 | MR. TANDEL: (foreign language spoken).              |
| 14 | INTERPRETER: He does not, that's what he's          |
| 15 | saying -  |
| 16 | MR. TANDEL: The onboard steady.                     |
| 17 | INTERPRETER: No, no (foreign language               |
| 18 | spoken).  |
| 19 | MR. TANDEL: (foreign language spoken).              |
| 20 | INTERPRETER: No, that he doesn't do.                |
| 21 | Okay.   |
| 22 | INTERPRETER: That is done by the duty               |
| 23 | officer.  |
| 24 | MR. TANDEL: (foreign language spoken).              |
| 25 | INTERPRETER: A part of the pre-departure            |

2 All right, but before he, before he turns the helm, does he get an order from a, 3 an officer on the bridge telling him to do those tests 4 or does he just come up and kind of do it on his own? 5 INTERPRETER: (foreign language spoken). 6 7 (foreign language spoken). MR. TANDEL: INTERPRETER: Duty officer also tells him to 8 verify that the steering is in good order or not. 9 he also in case of anything he doesn't say, then he 10 11 does it on himself as well. Okay, all right. Were there 12 Any problems with the steering test? any issues? 13 14 MR. TANDEL: No. Do you know how long the 15 steering should take to go from port to starboard, 35 16 to 30? And do you know how long it should take? 17 INTERPRETER: (foreign language spoken). 18 (foreign language spoken). 19 MR. TANDEL: 30 seconds, about. 20 INTERPRETER: 21 Okay, all right. So, okay, you were on the bridge, do you remember who else was on 22 the bridge with you? 23 INTERPRETER: (foreign language spoken). 24 25 MR. TANDEL: Third officer, captain, and

1

checks.

| 1  | pilot.  |
|----|---|
| 2  | INTERPRETER: Third officer, captain, and              |
| 3  | pilot.  |
| 4  | Okay. And, what was, who was                          |
| 5  | giving you the commands? The helm commands?           |
| 6  | INTERPRETER: (foreign language spoken).               |
| 7  | MR. TANDEL: Who? Captain's up the bridge,             |
| 8  | captain is radioing. The third officer on the radio.  |
| 9  | Okay, so the captain's giving                         |
| 10 | it, relaying it to the third officer, third officer's |
| 11 | giving you the commands?                              |
| 12 | MR. TANDEL: Yes.                                      |
| 13 | All right. And do you recall                          |
| 14 | what was the first command given to you prior to      |
| 15 | getting underway?                                     |
| 16 | INTERPRETER: (foreign language spoken).               |
| 17 | MR. TANDEL: (foreign language spoken).                |
| 18 | INTERPRETER: (foreign language spoken).               |
| 19 | MR. TANDEL: No, midships only.                        |
| 20 | Vessel was at midship? No                             |
| 21 | commands were given?                                  |
| 22 | MR. TANDEL: No commands.                              |
| 23 | Okay, all right. So, when the                         |
| 24 | vessel got underway, do you recall, was there any     |
| 25 | issues in the bridge, anything going on that caught   |

| 1  | your attention? Anything out of the ordinary that you |
|----|---|
| 2  | saw?  |
| 3  | INTERPRETER: (foreign language spoken).               |
| 4  | MR. TANDEL: (foreign language spoken).                |
| 5  | INTERPRETER: (foreign language spoken).               |
| 6  | MR. TANDEL: Normal.                                   |
| 7  | INTERPRETER: Normal. Everything was the               |
| 8  | usual.  |
| 9  | And you were standing by the                          |
| 10 | helm waiting for the command?                         |
| 11 | MR. TANDEL: Waiting for the command.                  |
| 12 | Onboard and [inaudible] midship.                      |
| 13 | All right. Was there, at any                          |
| 14 | time was there any commands given to you before the   |
| 15 | incident?   |
| 16 | INTERPRETER: (foreign language spoken).               |
| 17 | MR. TANDEL: (foreign language spoken).                |
| 18 | INTERPRETER: No.                                      |
| 19 | Okay, how about after the                             |
| 20 | incident?   |
| 21 | INTERPRETER: (foreign language spoken).               |
| 22 | MR. TANDEL: (foreign language spoken).                |
| 23 | INTERPRETER: (foreign language spoken).               |
| 24 | MR. TANDEL: No, no command.                           |
| 25 | Okay, all right. All right,                           |

| 1  | Mr. Davies, do you have any questions for him?         |
|----|--|
| 2  | MR. DAVIES: Not for that, I'm going to get             |
| 3  | right into the fire part of it. When the fire erupted, |
| 4  | could you see it from where you were at at the helm?   |
| 5  | The flames, I'm getting at.                            |
| 6  | INTERPRETER: (foreign language spoken).                |
| 7  | MR. TANDEL: (foreign language spoken).                 |
| 8  | INTERPRETER: Smoke. He could seek smoke.               |
| 9  | MR. DAVIES: Was there any smoke in the                 |
| 10 | pilot house?   |
| 11 | INTERPRETER: (foreign language spoken).                |
| 12 | MR. TANDEL: (foreign language spoken).                 |
| 13 | INTERPRETER: Just a little part.                       |
| 14 | MR. DAVIES: Were you given any helm                    |
| 15 | commands while the fire was going?                     |
| 16 | INTERPRETER: (foreign language spoken).                |
| 17 | MR. TANDEL: (foreign language spoken).                 |
| 18 | INTERPRETER: No.                                       |
| 19 | MR. TANDEL: No.  |
| 20 | MR. DAVIES: Did you assist in firefighting             |
| 21 | while you were up on the bridge?                       |
| 22 | INTERPRETER: (foreign language spoken).                |
| 23 | MR. TANDEL: (foreign language spoken)                  |
| 24 | sandbags.  |
| 25 | INTERPRETER: He just got -                             |

| 1  | MR. TANDEL: (foreign language spoken).   |
|----|--|
| 2  | INTERPRETER: He just got the extinguisher  |
| 3  | from the ver deck and gave it to the pilot and the   |
| 4  | third officer. And they connected the hose.  |
| 5  | MR. DAVIES: So you had to go out on deck to  |
| 6  | do that? Was the, could you feel the heat of the fire  |
| 7  | when you were out there?   |
| 8  | INTERPRETER: (foreign language spoken).  |
| 9  | MR. TANDEL: (foreign language spoken).   |
| 10 | INTERPRETER: He's just, he's saying that   |
| 11 | the fire on the bridge was just because of the sandbag   |
| 12 | and there was not much heat because of that.   |
| 13 | MR. DAVIES: And, I don't have any further  |
| 14 | questions. Thank you.  |
| 15 | MR. HUFFMAN: I don't have any questions,   |
| 16 | thank you.   |
| 17 | MR. USHER: I don't have any questions,   |
| 18 | thank you.   |
| 19 | MR. WISNIEWSKI: No questions, thank you.   |
| 20 | MS. NORSTRUD: No questions at this time.   |
| 21 | MR. BAILEY: I just want to clear up one, I   |
| 22 | just want to be clear on one thing. If I heard him   |
| 23 | correctly, he said on the inbound transit he was   |
| 24 | getting his, the helm commands directly from the pilot.  |
| 25 | I just want to see if, was the pilot giving the helm   |
| ļ  | I Control of the Cont |

| 1  | command to the master, then to the third mate, then to |
|----|--|
| 2  | him.   |
| 3  | INTERPRETER: Sure. (foreign language                   |
| 4  | spoken).   |
| 5  | MR. BAILEY: On the inbound.                            |
| 6  | INTERPRETER: (foreign language spoken).                |
| 7  | MR. TANDEL: (foreign language spoken).                 |
| 8  | INTERPRETER: Okay, so the master and the               |
| 9  | pilot were standing next to each other -               |
| 10 | MR. BAILEY: Okay.                                      |
| 11 | INTERPRETER: inside the bridge and pilot               |
| 12 | was saying the command and master was agreeing to it.  |
| 13 | MR. BAILEY: Okay. And then, he would make              |
| 14 | the, he would make the steer, he would do the steering |
| 15 | command once he got approval from the master, once the |
| 16 | master agreed with the pilot order?                    |
| 17 | INTERPRETER: Yes, master possibly didn't               |
| 18 | say it aloud, but he did not object to it.             |
| 19 | MR. BAILEY: Okay. That's all I have.                   |
| 20 | I just have one last question.                         |
| 21 | Is it normal operations for him to test the steering   |
| 22 | without getting any approval from anyone? You said     |
| 23 | sometimes he does it with the third officer or an      |
| 24 | officer on the watch?                                  |
| 25 | INTERPRETER: So, the procedure is that the             |

| 1  | third officer or the officer of the watch, whoever is  |
|----|--|
| 2  | there, has a part of pre-departure check. He will try  |
| 3  | out the steering in accordance with the solace and the |
| 4  | 33 CFR. That's a pre. That's done with.                |
| 5  | Once that is done with, the master and the             |
| 6  | helmsman comes up on the bridge. Once he takes up his  |
| 7  | position on the hilt, he just verifies that everything |
| 8  | is in good order for his, because that's his part of   |
| 9  | duty. So, just to verify whether it is in order. It's  |
| 10 | a check in addition to the usually statutory checks    |
| 11 | which are being done.                                  |
| 12 | Okay. I got you.                                       |
| 13 | INTERPRETER: So that's not the verification            |
| 14 | check. He's just verifying for himself whether it is   |
| 15 | okay or not.   |
| 16 | All right. That's it. Do you                           |
| 17 | have any questions for us?                             |
| 18 | MR. TANDEL: No.  |
| 19 | No? Thank you very much, that                          |
| 20 | concludes the interview.                               |
| 21 | (Whereupon the above-entitled matter went              |
| 22 | off the record at 12:29 p.m.)                          |
| 23 |  |
| 24 |  |

## CERTIFICATE

MATTER: Allision Involving the Aframax River on the Houston Ship Channel, Sept. 6, 2016 Accident No. DCA16FM055 Interview of Bharatkumar Tandel

DATE: 09-08-16

I hereby certify that the attached transcription of page 1 to 17 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.

### **NEAL R. GROSS**