

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CRUISE BARGE COLLIDES WITH DOCK AT

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CHALMETTE REFINERY ON THE LOWER

*

Accident No.: DCA23FM031

MISSISSIPPI RIVER NEAR CHALMETTE,

*

LOUISIANA ON APRIL 25, 2023

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Interview of: JAMES LATTA, Relief Captain

Ovide J

Houma, Louisiana

Friday,

April 28, 2023

APPEARANCES:

██████████

United States Coast Guard

LUKE WISNIEWSKI

National Transportation Safety Board

JEREMY HERSCHAFT, Maritime Attorney

Blank Rome LLP

External Admiralty Counsel for EMS

JEFF JOHNSON, Manager of Investigations

Enterprise Marine Services

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(9:07 a.m.)

██████████ All right. Good morning. This is ██████████
██████████ with the Coast Guard. Before we get started, I just
want to make sure everybody's okay that we record this interview.
Any issues with that at all?

CAPT. LATTA: No.

██████████ Okay. Perfect. All right. So the Coast Guard and NTSB are conducting a joint investigation into the *Ovide J* collision with the Chalmette Refinery crude dock that occurred on 25 April 2023.

We'll just go ahead now and say our names. This is

United States Coast Guard.

MR. WISNIEWSKI: Luke Wisniewski with the National Transportation Safety Board.

MR. HERSCHAFT: Jeremy Herschaft, with Blank Rome. I am EMS' External Admiralty Counsel.

MR. JOHNSON: Jeff Johnson, Enterprise Marine Services.

CAPT. LATTA: Jim Latta, relief captain on the *Ovide J.*

[REDACTED] All right. Thank you, sir. Yeah. So I went and I looked at the merchant mariner credential for Mr. Latta, and I just want to confirm your address. It's [REDACTED],

CAPT. LATTA: That has since changed.

Okay. What's your new one?

1 CAPT. LATTA: [REDACTED] --

2 [REDACTED] [REDACTED] Okay.

3 CAPT. LATTA: -- [REDACTED].

4 [REDACTED] [REDACTED] [REDACTED].

5 CAPT. LATTA: [REDACTED].

6 [REDACTED] [REDACTED] [REDACTED]. All right. Thank you so much. And what's
7 a good phone number for you?

8 CAPT. LATTA: Area code [REDACTED].

9 [REDACTED] [REDACTED] And that's your cell phone number?

10 CAPT. LATTA: Yes, sir.

11 [REDACTED] [REDACTED] Awesome. Thank you so much.

12 INTERVIEW OF JAMES LATTA

13 BY [REDACTED] [REDACTED]

14 Q. All right. So, yeah. We'll just let you start with what's
15 your role at the company, how long have you been at the company,
16 and other positions held.

17 A. I've been with the company since November 30th, 2021. So
18 just over a year and a half I guess. I started on the *Jeannie*
19 (ph.), was on there for 3 weeks. Come over here, was a pilot on
20 here for half a hitch and then was relief captain. I've been
21 relief captain for about 11 years, relief captain at Blessing
22 Marine, relief captain here, and before that I was a volunteer
23 firefighter. And, in the Marine Corps for 8 years.

24 Q. Thank you for your service. That's awesome. All right. And
25 then walk me through the crew makeup, you know. How well did you

1 know the crew? Was there ever any issues, anything like that?

2 A. Wrangler's the deckhand. Tankerman trainee I guess, he's
3 been going to tanker school, no issues with him. He's bright eyed
4 and bushy tailed, no problems. He does his job to the T. I've
5 been working with Kevin for about a year now, and we're thick as
6 thieves. I don't have any issues with him. Been with Captain
7 Mike since I got on the boat, and we don't have any issues either.
8 We two peas in a pod. So everybody gets along, knock on wood.
9 And I know some boats have issues there, but I mean we cut up,
10 joke around because if you can't have fun while you're at it, it
11 ain't worth it.

12 Q. That's true. All right. What about any company issues
13 anything like that?

14 A. No. Checks ain't bouncing. So we're good.

15 Q. Okay. Thank you very much. I appreciate that. Okay. So
16 who's your supervisor?

17 A. Well, you got Mike and then you've got city port captain,
18 Bobby Tyson.

19 Q. Okay. All right. And then -- okay, yep. And then I think
20 we'll just let you kind of walk us through what happened. We just
21 ask that you're as detailed as possible.

22 A. Sure.

23 Q. And, we won't interrupt you. So please go ahead.

24 A. I get up probably -- I'm usually up kind of early because of
25 getting coffee, probably 2245, something like that, come down and

1 got my coffee. Went upstairs, get my eyes adjusted. That's
2 usually my role in that time. I go upstairs and chew the fat with
3 him. So that way -- because at night way, depending on your
4 moonlight and all that stuff, you do want to get your adjusted to
5 kind of see what's going on, get a visual before you sit in the
6 seat.

7 And, he was descending in the river. He had I believe three
8 engines in clutch reverse, slowing his headway down. And, I told
9 him, I would assume command of the sticks before he started the
10 top, because the top is considered a critical operation, looked
11 around, didn't see any traffic conflicting. Started my top. When
12 I finished my top, we was below the dock probably 150 foot from
13 where the point of top should be in. Probably at 400 feet wide.

14 And I got myself -- after I did my top and started descending
15 or slowing my sternway down, descending, I got myself parallel
16 with the river because the dock is not parallel. So you get
17 yourself parallel with the river, and once you get probably 20, 30
18 feet within your spot, that's when you start killing your headway
19 down. And then you start maneuvering yourself in using the water
20 to your advantage because the water will slow your sideways
21 motion, depending on if you want it on your port or starboard
22 side.

23 So I started to maneuver in towards the dock. This dock is
24 infamous with not having a gentleman out there to spot. We've
25 been to this dock 20 times in the year. We've got 22 trips. This

1 is the 20th time we've been on the dock. I come on the dock the
2 same way every single time. I come in slow and as even as
3 possible, like I said, using the river. The river stage was -- I
4 believe was 10.2. I've got the Corps of Engineers on speed dial.
5 So I usually call them every other day to get an idea of the
6 Carrollton, the New Orleans and Baton Rouge gauges. So that way I
7 familiarize myself with what kind of headache I'm looking at as
8 far as going into a dock or if it's drift. Drift is another
9 thing. When you're on a high rise, you get a lot of drift going
10 down. So we was on a slow fall, didn't want go and be in any
11 drift coming down.

12 So the current was about 3.7, and started easing my way into
13 the dock as far as I guess you'd say -- I call it fish tailing,
14 wherein you use the water to your advantage and then got in close
15 to the dock. And I knew where the spot was between the H bit that
16 they have on the dock and their crane. And my head was still
17 guided (ph.) up because of the position of the dock. If you come
18 in completely flat, you will smoke that dock. There -- and
19 there's no evasive maneuver if you are completely flat. Because
20 of the position of the dock and the way the river is set up, it's
21 at about a 15 and 20 degree angle in toward the bank. So it's
22 completely impossible -- well, it's not impossible. It's not,
23 it's not prudent mariner procedure to come in completely flat.

24 So when you come in, you touch up stern first. And --

25 MR. JOHNSON: There's a visual if you need it, too.

1 CAPT. LATTA: I came in. As soon as I touched up stern
2 first, I had -- Mike offered to be a lookout, an extra lookout in
3 the wheelhouse. I had two of my guys out there on the tow because
4 it was right at watch change. You can dock with one person. It's
5 always better to have two, but Wrangler's like I'll help you, stay
6 up, because sometimes the winch wire can be kind of a booger
7 especially if the river's a little bit lower.

8 So, when I came in, I lightly touch on the stern and Mike's
9 like counting me down, and Kevin was towards the stern. He was
10 counting me down, and Wrangler was counting me down on the head.
11 As soon as I touched up, the dock collapsed. There was no --
12 there was little to no sideways motion. If I had to do it again,
13 I would do it the same way over again. I would not change a
14 thing.

15 As soon as the dock collapsed, my immediate reaction was to
16 knock my inboard engine out of gear. So that way I didn't suck
17 anything up because you don't know what's under the water. There
18 was hoses visible above the water, but you could tell they were
19 submerged. So any floating debris or anything, I didn't want to
20 soak up into the inboard wheeling. I kept my two outboard engines
21 in gear as to not get sternway, and kept my headway at 0. And
22 then I immediately told the guys to get me as many lines as
23 possible. The current set my head in, touched up. They got me as
24 many lines as possible. I believe they got me six lines and a
25 wire.

1 And then that way we could assess the damage, and I didn't
2 want, I didn't want to further injury anything. Then I made sure
3 everybody was okay on the dock or on the tow.

4 Q. Once that happened, who did you contact?

5 A. Me personally, I didn't call anybody.

6 Q. Okay.

7 A. Mike was up in the wheelhouse. I was making sure that the
8 vessel and the tow was okay.

9 Q. Okay.

10 A. My first call would have been to my dispatch, then the port
11 captain and then made sure I followed my proper chain of command
12 as far as calling procedures.

13 Q. Gotcha. You mentioned that there's rarely if ever anybody
14 out there at the facility. How quickly did somebody show up with
15 this happened?

16 A. Oh, hell, it was probably 5 minutes and they had -- I don't
17 think there was traffic on the road, they had some people out
18 there.

19 Q. Okay.

20 A. The parking lot was full. They had the sheriff's department.
21 They had -- it looked like a response team. It was red and white
22 lights. So that took -- my thing was that was like a rapid
23 response team or maybe a investigation team or something like
24 that. I couldn't tell.

25 Q. Yeah.

1 A. Being dark, I couldn't see any writing. They was all white
2 trucks, and I'm sure there was dock personnel out there. And then
3 a couple of them started walking down the gangway. They didn't
4 approach the part that was messed up, that was -- that had fallen.
5 They went out there with a bunch of flashlights.

6 Q. So was anybody in the shack?

7 A. No, sir.

8 Q. Nobody was in the shack.

9 MR. JOHNSON: How do you know that?

10 CAPT. LATTA: I don't know nobody was in the shack. I didn't
11 see anybody come out of the shack.

12 MR. JOHNSON: Okay.

13 BY [REDACTED] [REDACTED]

14 Q. Okay. I don't think I mentioned this earlier. Weather.
15 What was the weather?

16 A. Visibility was 5 plus miles. I had both spotlights on. It
17 was clear. The wind was probably 10 to 12 miles an hour out of
18 the southwest. Visibility was good. I mean it was picture
19 perfect. You could ask for better visibility.

20 Q. Okay. What about the vessel, vessel equipment, anything
21 abnormal that day?

22 A. No, sir.

23 Q. Okay. All right. And then just walk me through -- I mean so
24 tankerman's -- I think from what they explained, I'm just kind of
25 pointing the pictures here.

1 A. Sure.

2 Q. So this is the tug. The tankerman was here.

3 A. Yeah.

4 Q. The deckhand was up here.

5 A. Yeah.

6 Q. Once it happened, what -- did you direct them to do anything
7 or did they just kind of take over at that point?

8 A. No, I told them to catch some lines.

9 Q. You told them to catch some lines?

10 A. Yes, sir.

11 Q. Was there an order to that or were you just kind of like
12 throw them, let's get moored up?

13 A. What do you mean an order?

14 Q. Like an order. Did you say, hey --

15 A. Yeah, yeah. I told them, I says, you know, as soon as I
16 touch up and get flat, start catching me lines. That way we --
17 the whole reason why I had them catch lines was one, to not have
18 any more damage because you can't see what's below the water. So
19 I didn't know if there was anything on the barge, boat.

20 And the other thing is whenever you try to come off this
21 dock, all right. So you're sitting cockeyed in the river already.
22 So when you come off, when we're empty, you have to pitch your
23 head out to where the water starts coming down the starboard side.
24 Once the water starts coming down the starboard side, it starts
25 pulling you off the dock.

1 Q. Okay.

2 A. So there's no way for me to come off this dock, and I told
3 the port captain when he got on, we was still on the dock. I told
4 him, I said, before I maneuver off this dock, I want an assist
5 boat period, no questions asked. Because if you kick your head
6 in, and then you try to maneuver off the dock like this, you've
7 got all the water hitting you on your ass end. So when you go to
8 pitch back out, now if you don't get enough water coming down that
9 starboard side, you're going to smoke that stern.

10 Q. Gotcha. That makes sense.

11 A. So -- and the water will only let you kick it out so far.
12 You'll get to the point of no return and now you've got all that
13 weight off them loads on that one closed is in. You can be full
14 ahead and that water won't let you come out so far. See what I'm
15 saying.

16 Q. Yeah.

17 A. And I didn't know if with this, how it affected the
18 structural integrity of these two.

19 Q. Absolutely.

20 A. So I didn't want to come off the dock. I wanted to stay put.

21 Q. Yeah.

22 A. Because had I pitched my head out like that and I affected
23 that integrity more, then I could have taken everything out, you
24 know. I don't know. I'm not a structural engineer, but my gut
25 told me stay put and get people out there so that way they can

1 assist. Because, one, you can't see what's under water. And two,
2 I don't know how that could have affected that because now you're
3 putting -- instead of having three clusters, you're putting all
4 this way on two clusters.

5 Q. Right.

6 A. So I stayed put.

7 Q. Okay. Thanks for that. And then have you ever noticed any
8 damage previously to this dock or --

9 A. No, sir. But I mean you could tell it was older than
10 Methuselah. I mean you needed tetanus shot to get on there.

11 Q. Okay. Gotcha.

12 A. I mean it wasn't to the point of dilapidated where you're
13 going to use stop work authority and say I ain't going on the
14 dock. I mean it's just -- you could it was old.

15 Q. Okay. And then you mentioned earlier, you know, if you come
16 in flat, you're going to cause damage. I mean --

17 A. Yeah, because what it does -- all right. So when you're
18 coming in, if you're completely flat with the dock, you're not
19 completely flat with the current.

20 Q. Yeah.

21 A. So what it does is speeds up your sideways motion because
22 you're at an angle, and there's no way to minimize your speed to
23 come on the dock. What you would have to do is when you got
24 close, if you were completely flat, you would have to do this. So
25 all you're doing is putting all that weight right there on that

1 stern and cluster.

2 Q. Okay.

3 A. Because up underneath these clusters is open water. It's
4 just a gangway, you know what I'm saying. So, one, when you come
5 in, you don't want the stern of your tow to get up underneath
6 there. You don't want it to be too far. You don't want it to be
7 too back. You want to right in the middle. And then I touch up
8 on the same spot every time.

9 Q. Yeah.

10 A. And if you come in completely flat, your speed on approach, I
11 guess, is going to pick up. So if you start at 400 feet, and
12 you're completely flat, you've got all that time to speed up, see
13 what I'm saying.

14 Q. Yeah.

15 A. Now, if you were 20 feet, and you got really flat, you're
16 going to pick up speed, but it's not as fast if you're 400 feet.

17 Q. Right, right.

18 A. Because you're going to increase your momentum, see what I'm
19 saying. Does that make sense?

20 Q. Yeah.

21 A. So when I started at 400 feet, I was parallel with the river,
22 not the dock.

23 Q. Yeah.

24 A. And then when I came in, that's when you come in and you do a
25 touch, and then you let the current set your head in.

1 Q. Gotcha. Okay.

2 A. That way, your -- I'm trying to work this right. Your
3 sideways momentum, the weight and everything, the distribution is
4 as minimal as possible --

5 Q. Gotcha. Okay.

6 A. -- to do a controlled touch.

7 Q. So you mentioned earlier -- I mean yeah. So it seems like of
8 experience is required to do this, right? I mean it's not -- I
9 don't think anybody, you can correct me if I'm wrong, you've been
10 doing this a long time. Would a new captain understand this or I
11 mean --

12 A. Well, it -- that's like saying how much somebody understands
13 baseball.

14 Q. Yeah, right.

15 A. It -- yes and no. It depends on your knowledge of the river.

16 Q. Okay.

17 A. You know, it's using the river -- well, one, it's knowing
18 your vessel. A 6,000 horsepower vessel is going to maneuver way
19 faster than a 2,000 horsepower vessel.

20 Q. Yeah.

21 A. Because you've got weight distribution. Now, this boat ain't
22 got no ass to it. So you have to use the water to your advantage.
23 You want the water to work for you, not against you.

24 Q. Oh, yeah.

25 A. Now that being said, this boat handles this tow perfectly.

1 But you just have to plan according, you know what I'm saying. If
2 you've got 100 foot boat, it's going to do a lot more than a 60
3 foot boat. And this boat don't have EMDs. So there's no lag on
4 your clutches. You don't have any type of delay. You don't have,
5 you know, everything's air throttle. You don't have a metric
6 throttle. So everything's responsive. It almost drives like a
7 fleet boat.

8 Q. Gotcha.

9 A. I've driven everything from a 500 horsepower cable steer to a
10 3200. This boat handles fine.

11 Q. Yeah.

12 A. But that being said, going on somebody's experience, yeah. I
13 mean, yeah, you've got to be experienced coming on this dock
14 because if not, you -- like if it was somebody's first time, yeah,
15 you'd have to be (indiscernible).

16 Q. That's kind of what I'm -- my whole point of that is just
17 thinking how many times has somebody came in flat potentially, you
18 know.

19 A. That's a good question.

20 Q. And that's kind of what I'm getting at here is it seems
21 somebody with a lot of experience understands these dynamics.

22 A. Yeah.

23 Q. But with an old dock, how many times maybe has it been, you
24 know, hit.

25 A. And that's not, you know -- and I don't know. Sometimes

1 they'll call in somebody where it's pumped instead of piped in.

2 Q. Yeah.

3 A. Which means your boat's down here and your header's up here.

4 So, now all the weight is going next.

5 Q. Right.

6 A. Now, the way we come in, it's always piped down. So when you
7 come in, it's obviously a dead end approach.

8 Q. Okay.

9 A. But now, if I had header up, me personally, I'd touch up down
10 here. That way, I have all the water to my advantage, and then as
11 soon as I touch up down here, then I start inching up. That way,
12 that water's helping me keep it off this. See what I'm saying.

13 Q. Yeah.

14 A. So you've got to use the water to your advantage.

15 Q. Okay.

16 A. And somebody without experience with water, also depending on
17 the river stage. The higher the water, the more velocity, the
18 water will hit you more. I mean it can take you quick, and
19 without -- the whole name of the game is making sure that you have
20 an out.

21 Q. Right.

22 A. An evasive maneuver to where if something, God forbid, does
23 go wrong, you have an out and my out was tying the tow off and
24 make sure that everything was secured so nothing got more messed
25 up.

1 Q. Yeah, gotcha.

2 A. I don't know if that makes sense.

3 Q. No, I appreciate it. And then I think my last question, and
4 then I'll let Luke jump in here. But how does this dock compare
5 to other docks in the area?

6 A. Honestly mostly docks in the area, Exxon Baton Rouge, you
7 take PBF dock 4, dock 2, you take Plains St. James, I mean you go
8 down the list, (indiscernible). They're all pretty much parallel
9 with the water.

10 Q. Okay.

11 A. You know what I'm saying.

12 Q. Yeah.

13 A. Does that make sense?

14 Q. Yeah.

15 A. Now, you might have some in the bend which you're going to
16 have an eddy trying to kick you out at the last minute. The water
17 will set you into the eddy and kick your behind. But for the most
18 part, all your docks, for simplicity reasons are parallel with the
19 water. So that way, whenever you come in, you coming in flat --

20 Q. Right.

21 A. -- and most of your docks don't have it cockeyed like that,
22 you know what I'm saying. Now, they may not have the best tie
23 off, being if you're going to do a ship dock or if you're going to
24 do a barge dock. The tie offs are a little bit harder to get to
25 but for the most part, most -- 99.9 percent of your docks, even in

1 the canal, you know, in Natchez (ph.) River, Houston, they're all
2 parallel with the water system.

3 Q. Right.

4 A. If they're perpendicular with the water system, being like a
5 finger dock, they have ample rubber for you to touch up on where
6 you can pivot and stuff like that.

7 Q. Gotcha. That makes sense. What about the condition of it
8 compared to others?

9 A. It's probably one of the more bad condition --

10 Q. Yeah.

11 A. -- just in the fact that -- I mean just from high, it looks
12 dilapidated, you know what I'm saying.

13 Q. Are you able to even -- like you're coming in on a dock, are
14 you then able to adequately judge from your distance? You've got
15 to almost be up on it to even get a good look at it, right?

16 A. Yes and, you know, obviously it's nighttime. I've got my
17 spotlights on. I didn't have my forward flood lights on because
18 the flood lights are going -- if you turn the flood lights on at
19 night, then it bounces off the barge and coming back in your eyes.
20 But I had both side floods on, my aft floods on, and both
21 spotlights. I had good lighting. Well, you know, most time you
22 can't see until you get within 50 foot of the dock, if there's
23 going to be an obstruction, what we call them can openers, you
24 know, a piece of metal sticking out or you got a creosote timber
25 that's dangling, you know, something like that. But 99.9 percent

1 of the time, the docks that you go on, for example, I don't know
2 if you're familiar with -- what's that one right -- Cocashue (ph.)
3 Refinery. They always have the dock personnel out there.

4 Q. Right.

5 A. And the cameras. This dock don't have cameras. Every dock
6 I've ever been on to the best of my knowledge, has got cameras
7 just for their security. That way you don't have a he said, she
8 said type deal. But they all have spotters out there to where if
9 you do come in messed up and you break a creosote timber or you
10 land wrong or you don't have an assist boat like Casualty Fire.
11 Our company requires you to have an assist boat (indiscernible).
12 Then that dock worker or dock personnel is like, this timber
13 wasn't like this when you landed, it is now, you know what I'm
14 saying.

15 Q. Absolutely.

16 A. That way there's some -- there's a representative for them to
17 see why, you know, what I'm saying.

18 Q. Absolutely.

19 A. But, no, sir.

20 Q. You really rely typically on those dock crews to maintain and
21 make sure those are in good proper order prior to you coming in
22 basically. Am I correct?

23 A. Yeah, that and get the correct spot but, you know, they
24 usually tell you over the phone, where the spot, spot it between
25 the crane and the bit.

1 Q. Yeah.

2 A. Like I said, we've been on this dock 20 times this year. I
3 made the approach the same every single time, and we know exactly
4 where to spot and the guys, this ain't their first rodeo. They
5 know exactly where to spot it. They know which cavel to catch the
6 down river lead, they know which cavel to catch the up river lead.
7 They know how much winch wire to run out to catch that breast
8 line. I mean they -- it's like they could do it in their sleep.

9 Q. Right.

10 A. So it's the same way every time. I don't approach it
11 different. The only thing I look at is river stage and current
12 speed, and that let's me know how hard -- basically how hard I'm
13 going to have to use forward propulsion to slow my head point.
14 That's really the only thing.

15 Q. I gotcha. Okay.

16 MR. WISNIEWSKI: This is Luke with the NTSB.

17 BY MR. WISNIEWSKI:

18 Q. I just want to follow up on a few of these, Captain.

19 A. Yeah.

20 Q. You indicated that -- I just want to -- well, let me first
21 clarify, you ended up with the bow of the regular barge, is that
22 forward is the rake aft? And which way was your pipes, like when
23 you pipe down, please clarify for the record --

24 A. Sure.

25 Q. -- what --

1 A. All right.

2 Q. -- was the arrangement of those two barges, the EMS-384 which
3 was --

4 A. Yeah.

5 Q. -- the inboard barge.

6 A. 348 was the inboard, 321 is the outbound. So saying this is
7 the heading of your boat right here, all right. This is the stern
8 of your barge. Your pipeline is going to be down here.

9 Q. Okay.

10 A. The rake, we'll do a little doodad right there.

11 Q. Yep.

12 A. There's your rake.

13 Q. Okay.

14 A. That's the main pipe down. Now, if you pipe (ph.) above this
15 obviously and then this is your rake. This is your box. If you
16 pipe above, you're going to have box up which means you're going
17 to have a whole lot of harder shoving because you're pushing 108
18 foot of wide boxes. And then that tells you right there that you
19 going to have to use a whole lot more propulsion off your engines
20 to slow your head away. Does that make sense?

21 A. Yes.

22 Q. What was the draft of your two barges?

23 A. 9.6, 9.8, something like that.

24 Q. Both about the same?

25 A. Yes, sir. Yes, sir. But both of them, both of them was

1 even, and had 25 and some change on each barge, 25,000 barrels.

2 Q. And then towing vessel draft?

3 A. Not a clue.

4 Q. And then the barges, were they pretty much even keel.

5 There's no ballast, right? You have no ballast, right?

6 A. No, no.

7 Q. It's all cargo.

8 A. Yeah, it's all cargo.

9 Q. So it's even keel though.

10 A. Yes, sir.

11 Q. No trim by the stern.

12 A. No.

13 Q. Okay. Your timeframe, you indicated that the flood stage was
14 at 10.2 and 3.7. Were those -- you indicate Army Corps. Is that
15 something that you got that night, right before your watch? How
16 do you --

17 A. Like I said, I usually check it every other day. I mean it's
18 not something I check every day. Now, what I do look at is
19 Enterprise sends out a operational email. It go -- it said -- it
20 states your call list, who's on call for night and day, river
21 stages, any notifications as far as any water notifications. It
22 goes through if there's any lock closures. It goes through --
23 it's probably, 18, 19 pages long. Lock delays, lock closures,
24 waterway closures, dredges in the area. I mean it goes from up
25 yonder, all the way down the lower Mississippi River, and

1 intercoastal waterways. So any type of delay that you may have,
2 you know. They have and then they have river stages. So me and
3 Mike look at that daily. And they update it daily. They're
4 really good about sending that out.

5 Q. Okay. So is it safe to assume those numbers from the -- your
6 daily reviews or --

7 A. Yes, sir. Oh, yeah.

8 Q. Now, are they also available like on your Rose Point system,
9 if there's any currents, a lot of predicted information but --

10 A. There's a lot of predicted information. Now, as far as the
11 river stage and current, no, sir. No, sir. That's all -- like I
12 said, I've got them on speed dial. I've had them for years on
13 speed dial. And that lady that comes on there, she gives your
14 discharge (ph.) of miles per hour. She gives you discharge
15 amount. She's pretty -- but she does from New Orleans all the way
16 up to Red River and all that stuff. And like I said, I check, I
17 check with her -- it's an automated, almost like a voicemail type,
18 but I check it about every other day.

19 Q. Okay. All right. Thanks for that. The spot on the H bit --
20 between the H bit on the dock and the crane --

21 A. Yes, sir.

22 Q. -- who told you that? Who --

23 A. The dockman.

24 Q. -- told you that?

25 A. That --

1 Q. The dockman relayed that to you?

2 A. The very first time I come on this dock last year was
3 probably October -- September, October, November timeframe last
4 year. We come out of Algiers Locks and come over to the dock and
5 he told me where to spot.

6 Q. Okay. But he doesn't tell you ever arrival where to spot?

7 A. No, no, because it's the same way. It's got one hose. It's
8 got one crane.

9 Q. One hose, one connection.

10 A. That's it.

11 Q. One manifold.

12 A. There's only one spot. That's it. It's not like a regular
13 dock, like what you have six hoses and you might have three favors
14 (ph.) where you got different cargo coming through different
15 pipelines. It's one hose and one connection, one crane, one spot,
16 and I mean it's --

17 Q. And you stayed married up with both these two barged?

18 A. Yes, sir. I stayed --

19 Q. So they haven't changed?

20 A. Never.

21 Q. Okay.

22 A. Now, sometimes we load strung out. Some docks we load
23 doubled up. Now, that may change as if we're loading a unit tow
24 or whatever, but this dock has always double load.

25 Q. You indicated like there's, you know, very little ass. You

1 were talking about the horsepower of propulsion, like as far as --

2 A. Very little what now?

3 Q. You indicated no ass to it like for the tug -- of the tug
4 vessel.

5 A. Oh, yeah.

6 Q. Can you clarify that? What do you mean by that? Is that not
7 enough horsepower or is it --

8 A. No, no, no, that means the weight.

9 Q. Okay. Not enough.

10 A. So say you're driving a 6,000 horsepower boat. It may have
11 600 tons. It's going to maneuver your tow a whole lot different
12 than a 120 ton boat. You know what I'm saying.

13 MR. JOHNSON: Displaced.

14 CAPT. LATTA: Yeah, you're displacing it. So that's all I
15 meant by it.

16 BY MR. WISNIEWSKI:

17 Q. Okay. And then as far as the propulsion steering, there was
18 no issues there?

19 A. No.

20 Q. And then when you indicated you clutched out of the inboard
21 or starboard engine --

22 A. Um-hum.

23 Q. -- you still had the engine on, right? It was just clutched
24 out.

25 A. Oh, yeah, yeah. No, the engine was still running. I just

1 took it out of gear so that way, I wouldn't suck anything up
2 because as soon as the dock fell, the -- I know it had -- there
3 was a cargo hose and I think there was another hose that was not
4 being used. It was a dead hose, and there might be a line or
5 something that was on the dock.

6 Q. Okay.

7 A. Now, I wasn't aware of what was on the dock, but I didn't
8 want to compromise that starboard engine. So my initial deal was
9 to knock it out of gear.

10 Q. All right. And I'm going to pull up a video shortly but what
11 I'd like to just go through is the point when you were, you know,
12 were 20 feet let's say from the dock.

13 A. Yes, sir.

14 Q. And you were getting call out from Kevin, your tankerman that
15 was on the stern.

16 A. Um-hum.

17 Q. And just go through with us as far as how you were clutched
18 in on the engine. I have the video up.

19 A. Sure.

20 Q. I'll show you here. I just wanted to go through that and
21 maybe you call provide us a little bit more information. I'll
22 start the video at 11:10. Now, you have -- on this, on this
23 towing vessel, you have flanking rudders.

24 A. Oh, yes, sir.

25 Q. So you have both your standard rudder and the flanking rudder

1 or --

2 A. Yeah, yeah. You got your steering rudder and you got your
3 flanking rudder.

4 Q. All right. So we'll start it here. This is at 11:10, you're
5 in the captain's chair. You have your captain you just relieved
6 off to your right, your starboard side.

7 A. Yes.

8 Q. We'll go from there.

9 A. It's touchy little thing, ain't it?

10 Q. Yes, it is. It's a touch screen, too. All right. Okay.

11 A. I didn't (indiscernible).

12 Q. Let me see. One moment.

13 A. All right. My steering --

14 Q. Let me just stop it there.

15 A. Yeah.

16 Q. Go ahead.

17 A. I got my steering hard over to the starboard.

18 Q. Okay. So it's 11:41. Go ahead.

19 A. I'm sorry. The port, and I'm got my flanking to the
20 starboard.

21 Q. Okay.

22 A. Down there is -- I'm bringing my starboard. Like I said, I
23 was fish tailing. So you bring it in and then you stop. You
24 bring it in a little bit, and you stop. What you're doing is
25 you're basically just walking it over, trying to maintain your 0.0

1 headway. That way you don't have headway. You don't have
2 sternway, as much as you can. Now, you have to see what the water
3 is going to do to you first. You see what I'm saying. So that's
4 why I was 400 feet out at first. That way I could gauge how much
5 engine I'm going to need forward and reverse to where I can keep
6 the barges where they need to be, as close to spot as possible.
7 And then once I get the headway and tail way keeled out, that's
8 when I start fishing again.

9 Q. So that lateral movement --

10 A. Yes, sir.

11 Q. -- to the shoreline, to starboard.

12 A. Um-hum.

13 Q. What do you anticipate at this time it was? Is there any
14 indication whether on Rose Point or --

15 A. Well, we have --

16 Q. What do you have there that will provide that?

17 A. Well, the Rose Point does offer speed over ground.

18 Q. Vector.

19 A. Yeah. But, it's more for your head and sternway than makes
20 sense. It doesn't do a great service to you as far as sideways.
21 I use electronic GBS, and I kept it between .6 and .2. .6 is
22 going -- I try to keep it .2 and .8. .6 is whenever you initially
23 want to start working it over there, one, to get out of the way of
24 traffic, more power. Northbound traffic is going to want to come
25 right up your stern. See what I'm saying. Does that make sense?

1 Q. Yes.

2 A. And then once they get around this dock is when they cross
3 over to the west lane. It's right out of -- right adjacent to the
4 Algiers forebay. So they kind of -- they want to come up that
5 left descending bank by our dock and then they'll cross over right
6 there at Algiers Point. And if they got somebody coming out or
7 approaching Algiers forebay, they're not going (indiscernible)
8 traffic there. So they come up on this left descending bank.

9 Q. Let me clarify that, that .6 or .2, that's miles per hour?

10 A. Yes.

11 Q. Okay.

12 A. Everything is miles per hour, speed over ground. So I come
13 in and what I do is I just kind of wiggle it in there watching how
14 fast I'm going in. And then once you get that sternway coming in,
15 what you're doing is you're getting the sternway coming in but
16 you're allowing water to come down your starboard side. What that
17 does is if you keep it like that, it's going to walk you back out.
18 So what you want to do is keep a very little amount of water, but
19 inching that one into where you have water coming down the
20 portside that will bring you in, but then you slow it down. Does
21 that make sense?

22 Q. Yep. Very good description. I appreciate it. We'll
23 consider it a plan.

24 A. Yeah, a plan.

25 Q. Yeah. No, a great description. Appreciate it.

1 A. It's like watching a (indiscernible), ain't it? All right.
2 Now, I'm going to straight rudder. Now, what I'm doing is I'm
3 steering to the starboard.

4 Q. The time is 12:14. Okay. Say what you were saying. You
5 just straightened the rudder.

6 A. Yeah. I straightened the rudder, straightened my flanking.
7 Now, I think I'm not using any reverse. So now I steer towards
8 the port. What that does, it keeps the head. That way it keeps
9 your stern from going in any faster. So now you're kicking your
10 head in. Main thing is parallel to the wharf.

11 Q. Okay. Starting again. Now, you're standing up.

12 A. Yeah, you get a better vantage in the wheelhouse but it's
13 kind of an old-timey window on it. I call it a trailer --

14 Q. And what are you looking at?

15 A. I'm looking at the dock --

16 Q. That crane and that H bit.

17 A. No, I'm -- I already know where I'm at. So what I'm looking
18 at is I'm looking at the timber and I'm looking at the corner of
19 the barge touching up on that dock. And what I do is I gauge my
20 speed off of that, how I'm approaching, if that makes sense. Now,
21 what I'm going is I got my flanking going towards the port and
22 I've got my steering going towards the starboard.

23 Q. Yeah, that's -- the time is 12:55.

24 A. What's that doing, that's bringing my side -- stern side
25 motion to a halt. I'm still scissoring it on in. I'm doing that.

1 Now, I've got my flanking going to the port. I'm pushing my stern
2 out, and I got my steering going to the port. All that's doing is
3 bringing the tow in pretty much even.

4 Q. And that's at 13:19.

5 A. Now, I'm steering back to port, still walking it in. There's
6 my stop light. Me talking to Kevin or Wrangler, one of the two.
7 And the whole time I'm watching the dock and I'm watching this.

8 Q. And so the --

9 A. It collapses.

10 Q. It collapsed at 1330 according to the video.

11 A. And then that's when I told them, go ahead and give me, give
12 me lines.

13 Q. All right.

14 A. And I knocked the starboard out of gear.

15 Q. Okay. Yeah, that's all I have for that. I appreciate doing
16 that. That was very good.

17 A. Yeah, I wouldn't change a thing. I'd do it the same way
18 again.

19 [REDACTED] Any other questions?

20 MR. WISNIEWSKI: I don't -- no, I don't have any other --
21 yeah, I guess I do have a couple.

22 BY MR. WISNIEWSKI:

23 Q. So the condition of the dock, you indicated that at no time
24 did you report that to anybody, right? Either --

25 A. No, sir.

1 Q. -- to your captain or maybe just talked about it with the
2 crew?

3 A. I mean everybody always talks about the dock.

4 Q. Yeah, you talked about it. But nothing was ever reported up
5 or documented?

6 A. No, sir. After the port captain got on, he had said that he
7 had talked to -- that they may have had an inquiry on it before to
8 the best of his knowledge, but I mean it's general knowledge that
9 that dock is just old. Now, as far as dilapidated and not able to
10 man on, no, nobody ever figured it was compromised I guess you
11 should say. Now, that being said, you can't see what's below the
12 water line, you know what I'm saying. I don't know if that made
13 any sense. So you can't, you can't see any of the structural
14 integrity, the welds and I'm not certified to do that. My job is
15 to come in and put the barges on dock and take them off dock. As
16 far as the integrity of the dock, I ain't (indiscernible).

17 Q. And as far as April 21st, when you were here before --

18 A. Yes, sir.

19 Q. -- prior, was there any time that, you know, like anything
20 that you saw that was abnormal.

21 A. It looked the same as it did on the 21st. And I made the
22 approach the exact same way.

23 MR. HERSCHAFT: Can I ask a quick question?

24 MR. WISNIEWSKI: Sure.

25 CAPT. LATTA: Yes, sir.

1 BY MR. HERSCHAFT:

2 Q. In addition -- on the 21st, in addition to it looking the
3 same, did it feel the same --

4 A. Oh, yeah.

5 Q. -- when you landed? There wasn't any sense that it was
6 giving way or anything like that?

7 A. There was no -- nothing compromised as far as the feeling.
8 There was no shifting or anything like that. I mean it felt the
9 same as it always did, and I touched up the same. I made the same
10 approach. Like I said, I use the water to help me not to hit.
11 And it's all about -- that dock right there is all about using the
12 water, nothing else. You can come on that dock with a 500
13 horsepower boat or a 6,000 horsepower boat, and you've got to do
14 the same way every time. You've got to use the water. If you
15 don't use the water, you're going to take the dock out.

16 MR. WISNIEWSKI: Great. That's all I have. Thank you.

17 BY [REDACTED] [REDACTED]

18 Q. All right. If nobody else has anything further, I just have
19 -- my last question is just anything further you'd like to mention
20 that might help us in our investigation at all?

21 A. No, sir.

22 [REDACTED] [REDACTED] All right. Well, I think that's all we've got.
23 We're going to go ahead and conclude the interview. It is 11:01,
24 28 April 2023, and the interview is concluded. Thank you.

25 (Whereupon, at 11:01 a.m., the interview was concluded.)

CERTIFICATE

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


IN THE MATTER OF: CRUISE BARGE COLLIDES WITH DOCK AT
CHALMETTE REFINERY ON THE LOWER
MISSISSIPPI RIVER NEAR CHALMETTE,
LOUISIANA ON APRIL 25, 2023
Interview of James Latta

ACCIDENT NO.: DCA23FM031

PLACE: Houma, Louisiana

DATE: April 28, 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.



Kathryn A. Mirfin
Transcriber