

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

\*

CRUISE BARGE COLLIDES WITH DOCK AT \*

CHALMETTE REFINERY ON THE LOWER \*

Accident No.: DCA23FM031

MISSISSIPPI ROVER NEAR CHALMETTE, \*

LOUISIANA ON APRIL 25, 2023 \*

\*

\* \* \* \* \*

Interview of: KEVIN THOMAS, Tankerman

*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

FREE STATE REPORTING, INC.  
Court Reporting Transcription  
D.C. Area 301-261-1902  
Balt. & Annap. 410-974-0947

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Kevin Thomas:	
By [REDACTED] [REDACTED]	6
By Mr. Wisniewski	14
By [REDACTED] [REDACTED]	19

I N T E R V I E W

(9:48 a.m.)

1  
2  
3       ■■■■ This is ■■■■ ■■■■ ■■■■ with the Coast Guard.  
4 Before we get started here, I just want to make sure everybody's  
5 okay that we record this interview. Any issues with that at all?

6       MR. THOMAS: No.

7       ■■■■ Okay. Great. Thank you very much. All right. So  
8 the date is 28 April 2023. The time on deck is 0948 local.

9       The Coast Guard and NTSB are conducting a joint investigation  
10 into the *Ovide J* collision with the Chalmette Refinery crude dock  
11 that occurred on 25 April 2023.

12       We'll just go ahead and state our names and positions. This  
13 is ■■■■ ■■■■ ■■■■ United States Coast Guard.

14       MR. WISNIEWSKI: Luke Wisniewski, W-i-s-n-i-e-w-s-k-i, with  
15 the National Transportation Safety Board.

16       MR. HERSCHAFT: Jeremy Herschaft, with Blank Rome LLP, EMS'  
17 External Admiralty Counsel.

18       MR. JOHNSON: Jeff Johnson, Enterprise Marine Services.

19       MR. THOMAS: Kevin Thomas, tankerman, Enterprise Marine  
20 Services.

21       ■■■■ Thank you, all, very much. So, Mr. Thomas, is it  
22 okay if I grab your merchant mariner credential?

23       MR. THOMAS: Yes, sir.

24       ■■■■ I want to take a look at this real quick. Just get  
25 a few pieces of information here. So I just want to confirm your

1 address is [REDACTED]

2 [REDACTED].

3 MR. THOMAS: Yes.

4 [REDACTED] [REDACTED] Okay. Thank you so much. Can I please get a good  
5 phone number for you.

6 MR. THOMAS: Area code [REDACTED] --

7 [REDACTED] [REDACTED] Okay.

8 MR. THOMAS: [REDACTED] --

9 [REDACTED] [REDACTED] Okay.

10 MR. THOMAS: -- [REDACTED].

11 [REDACTED] [REDACTED] [REDACTED]. All right. Thank you so much for that.

12 INTERVIEW OF KEVIN THOMAS

13 BY [REDACTED] [REDACTED]

14 Q. Yeah. So just walk us through your role at the company and  
15 how long you've been with company.

16 A. Tankerman, next Monday, 9 years.

17 Q. Nine years. Okay. Great. Have you been a tankerman that  
18 whole time or other positions as well?

19 A. Deckhand, tankerman.

20 Q. Okay. Gotcha. What about previous experience in the  
21 industry?

22 A. None.

23 Q. Okay. So you've worked with this company the whole time?

24 A. Yes, sir.

25 Q. And how long have you actually been a tankerman?

1 A. Six and a half years.

2 Q. Okay. Awesome. So 6.5 years. If I stop, I'm just making  
3 notes. So just bear with me there. Tankerman. Great. All  
4 right. Any previous industry -- I mean any previous experience in  
5 other industries or have you pretty much worked in the maritime  
6 field the whole time?

7 A. Maritime field, only with Enterprise.

8 Q. Enterprise. Okay. Great. So, yeah. Walk me through crew  
9 that you worked with that day, how well did you know them, any  
10 issues with the crew.

11 A. No issues with the crew. I get along well as far as the  
12 crew.

13 Q. Yeah. How long have you worked with the crew? Just rough  
14 estimates are fine.

15 A. Like a year and 3 months.

16 Q. Okay. Quite a while. And how many times have you docked at  
17 the refinery?

18 A. A good 20 times.

19 Q. Twenty times out there. Quite a few times. All right.  
20 Okay. And then who is your supervisor?

21 A. As far as the boat or --

22 Q. I mean -- well, either I guess. Obviously the boat, it would  
23 be the captain, right?

24 A. Yes.

25 Q. What about the company?

1 A. Pat Theriot

2 Q. Can you say that again? I'm sorry.

3 A. Pat Theriot.

4 Q. Theriot. How do you spell his last name if you know?

5 A. T-h-e-r-i-o-t.

6 Q. T-h-e-r-i-o-t, okay. Gotcha. Thank you so much. That's  
7 your supervisor. Okay. All right. Do you know what his role is,  
8 I mean just considered a supervisor or what --

9 MR. JOHNSON: Personnel manager.

10 [REDACTED] [REDACTED] That's at the personnel office.

11 MR. JOHNSON: Okay. Gotcha.

12 [REDACTED] [REDACTED] Personnel. Great.

13 BY [REDACTED] [REDACTED]

14 Q. Okay. Yeah, I think at this time we'll just kind of let you  
15 walk us through what happened. We just ask that you be as  
16 detailed as possible, and we won't interrupt. We'll just listen  
17 to you.

18 A. When I came up, they were just about to top around on  
19 southbound.

20 Q. Okay.

21 A. They topped around. Being a member of the deck crewmember, I  
22 was on the stern talking him in. The other deck crewmember was on  
23 the bow talking him in. On this dock, the way you have to land,  
24 you have to land stern first. I talked him down, and as I talked  
25 him down, I started walking towards the bow to help the other deck

1 crewmember. Then about between -- somewhere the dock itself and  
2 closer in above, that's when it fell. It fell straight down.

3 Q. Okay. So where were you? Point out me here. Where were you  
4 at exactly on the makeup here?

5 A. I was on the stern.

6 Q. So this is the tug. This is kind of just a rough thing, but  
7 this is the barge, right. So this is the tug. So you were here.  
8 Is that correct?

9 A. More like here.

10 Q. Okay. So you were actually on the tug.

11 A. Yeah.

12 Q. Gotcha. You were on the tug. Okay. And then where was the  
13 deckhand?

14 A. The deckhand was on the bow.

15 Q. On the bow here?

16 A. Yeah.

17 Q. All the way on the barge.

18 A. Yeah.

19 Q. Gotcha. Starboard bow.

20 A. Yeah.

21 MR. HERSCHAFT: And just so the record's clear, we had just  
22 made a little demonstrative.

23 ■■■ ■■■ Yeah, these are.

24 MR. HERSCHAFT: That's okay, and this is a demonstrative of  
25 the tug. And this is meant to be the starboard barge and the port

1 barge. Sorry about that.

2 [REDACTED] [REDACTED] No, I should have explained that prior to. Yeah,  
3 thank you for that and walking us through that there.

4 BY [REDACTED] [REDACTED]

5 Q. So you've obviously been here several times. You said  
6 approximately 20 times. Have you ever noticed any previous issues  
7 with the facility, the dock, anything?

8 A. No, sir.

9 Q. What do you think -- what is your overall I mean take on the  
10 condition of that? I mean prior to you coming in. Obviously now  
11 you know that there was an issue with it, but -- potential issue  
12 with it but, yeah, walk me through. I mean previously, did you  
13 ever think it was like unsafe or just looked bad, in bad shape at  
14 all?

15 A. To be honest, yeah.

16 Q. Yeah. What was wrong -- potentially wrong with it?

17 A. It just looks unsafe really.

18 Q. Okay. Well, what was -- can you kind of walk us through that  
19 a little bit?

20 A. The integrity, structural.

21 Q. Okay. Are you talking mainly like the wood fendering system  
22 or more like the steel or what exactly looked out of place?

23 A. I would say both.

24 Q. Okay. Did you ever bring that up to anybody or mention it to  
25 the captain or anything?

1 A. It's pretty much what we all knew.

2 Q. You guys talked about that before?

3 A. Yeah.

4 Q. Okay. What about are you aware of anybody mentioning it to  
5 the facility at all?

6 A. No. I really --

7 Q. Did you -- what's that? I'm sorry.

8 A. I really don't pay attention. I just say what I have to  
9 say --

10 Q. Yeah.

11 A. -- and that's that.

12 Q. Gotcha. What about communications with the refinery staff?  
13 Do you ever communicate with them at all?

14 A. Not really.

15 Q. Okay.

16 A. It's not -- I can't really just tell them about that.

17 Q. Yeah, yeah. I mean is there normally somebody on the dock or  
18 at the facility there or is it just kind of you guys are on your  
19 own?

20 A. No one's ever on that dock when we get spotted.

21 Q. Okay. Did -- once you're spotted, once you're in there, did  
22 they come out at that point?

23 A. Yeah.

24 Q. Okay. Gotcha. Okay. So, I mean once it happened, what did  
25 you do?

1 A. Besides panic, tried to catch as many lines as possible. I  
2 mean he was going to stay there or going to leave, which I  
3 seriously doubt we was going to leave. I mean you're not going to  
4 leave, seeing it was something like that, but.

5 Q. Yeah.

6 A. We got as many lines as we could to make sure he don't get  
7 anything sucked up or maneuver the wrong way.

8 Q. Okay. Yeah. How many -- so I guess you were here. You're  
9 no longer on the tug. How many lines do you remember connecting?

10 A. Five lines and a wire.

11 Q. Was that you or you and the deckhand working together?

12 A. Me and the deckhand.

13 Q. Okay. So that's total. Gotcha. Okay. What about once that  
14 occurred, once the actual dock fell, did anybody from the refinery  
15 come running out or anything like that?

16 A. Not immediately but they came out.

17 Q. Do you recall what -- so approximately how long after that  
18 fell was somebody there?

19 A. I can't really because I was focused on securing the tow.

20 Q. Gotcha. Okay. Was there anybody in the actual shack?

21 A. I don't think there was. Like I said, I was focused on --

22 Q. I understand, yeah. You had a lot on your mind.

23 A. Yeah.

24 Q. I get that. Okay. What about any issues with the vessel or  
25 the vessel equipment that day at all that you noticed?

1 A. No, sir.

2 Q. Okay. What about weather? Any abnormalities?

3 A. Nothing out of the normal.

4 Q. Nothing out of the normal.

5 A. Normal day.

6 Q. Normal day. Okay. And then walk me through your role. So  
7 prior to the vessel and the barges coming in, what is your role?

8 I guess do you have an inspection or anything like that?

9 A. As far as?

10 Q. So, yeah. Like you're coming in and you know you're about  
11 to, you know, transfer. So what do you do prior to coming in, if  
12 anything?

13 A. You mean on that time?

14 Q. Yeah, or any time. Let's just say, you know, you've got a  
15 barge coming in, you know, you're going to offload crude oil. Is  
16 there any, you know, pre-transfer stuff you've got to do,  
17 inspections, look around at anything?

18 A. As far as the barge or the dock?

19 Q. Yeah, the barge.

20 A. Yeah, you have to do a pre-arrival. You have to inspect the  
21 barges, make sure they're good to go.

22 Q. Gotcha. What exactly -- walk me through some of things  
23 you're looking at prior to that?

24 A. The lights, drip pans, COI, COD, bring up the engines, make  
25 sure everything's good with them, so it can discharge.

1 Q. Okay. Standard. That's what you do every time?

2 A. Yeah.

3 Q. Okay.

4 A. Make sure there's no leaks.

5 Q. And nothing out of norm this time?

6 A. Nothing.

7 [REDACTED] [REDACTED] Okay. All right. Go ahead with what you've got.

8 MR. WISNIEWSKI: This is Luke Wisniewski.

9 BY MR. WISNIEWSKI:

10 Q. I just want to follow up with a couple of your items. So  
11 this pre-arrival, is this a checklist that you -- as the  
12 tankerman, PIC?

13 A. Yes.

14 Q. Do you sign off? How often? When you do you sign that off  
15 or who signs it off? Who -- is it just yourself? Do you have to  
16 have the captain sign it? We had a form that wasn't filled out.  
17 So you completed this pre-transfer checklist? Is that what you  
18 did?

19 A. Yeah.

20 Q. Is that what we're referring to?

21 A. Yeah.

22 Q. Okay. And we don't have a copy of the one that you actually  
23 did, but there was nothing for that day?

24 A. Everything was good.

25 Q. Everything was good. Okay. And with the terminal itself, do

1 you make contact with the terminal as the tankerman?

2 A. Personally before or --

3 Q. Yeah, before you're arriving, say, hey, we're getting there  
4 or is that just really the captain.

5 A. Just the wheelhouse.

6 Q. The captain. Okay. You indicated the lines. Can you just  
7 specify which line you actually hooked up on the tug when you were  
8 told to grab lines? You had the -- the deckhand was up here. You  
9 were back on the tug. Where were you grabbing lines from?

10 A. I was grabbing lines from the middle cluster and upper  
11 cluster.

12 Q. So middle cluster of EMS Barge 348, and then -- you said  
13 middle cluster and what was the other one?

14 A. This upper cluster right here because that one was --

15 Q. In the water.

16 A. Yeah.

17 Q. In the drink (ph.). Okay. All right. We also were told  
18 that you call out distance, and where are you standing when you  
19 call out distance?

20 A. On the stern.

21 Q. Stern of the barge itself.

22 A. Stern of the barge itself.

23 Q. Okay. And when you were calling out distance, was there  
24 anything abnormal, different than you're normally calling out?  
25 Like were they, you know, you weren't coming in too fast, too

1 slow?

2 A. No, sir.

3 Q. Okay. And what was the distance you were calling out? When  
4 do you start calling out distance for the captain or the relief  
5 captain?

6 A. As soon as they finish topping around, you let them know like  
7 500 wide.

8 Q. Okay.

9 A. And let them know if they're -- if you're on the bow of the  
10 tow, we'll tell them, here, dead even with this upper cluster.  
11 That's where you've got to catch the first line, on that upper  
12 cluster. You give them distance and how -- if they're above or  
13 below it. So as they ease in, he don't have no problem, and we  
14 give him cushion just in case something goes, you know, something  
15 goes wrong at the last second. We give them cushion to maneuver.

16 Q. Right. So you're saying cushion meaning you give them a  
17 little bit of exact.

18 A. Yeah, extra.

19 Q. And you call them out in feet or yards?

20 A. Feet.

21 Q. Okay. And you said -- when do you start calling them out  
22 roughly? Is there a certain distance from the width you would  
23 call out?

24 A. Any were from 3 to 500.

25 Q. Okay.

1 A. But usually 500 because they're mainly this far out after  
2 they finish topping around. So it's about 5.

3 Q. And during that evolution on that evening, at what point or  
4 what set point did the relief captain ask you to point as far as  
5 how far you're set up on the dock or -- let me see if I can say  
6 that again. So, basically you're trying to line up for a point of  
7 where to dock that, you know, come over this way. Do you set  
8 farther up and then you give that distance to -- is that the  
9 distance you're talking about? You're giving the width but then  
10 you're also -- you're like 25 feet from this first cluster, second  
11 cluster. How do you describe that as far as your set?

12 A. As far as on the stern, I let them know that -- I just talk  
13 him in, how wide he is.

14 Q. Okay.

15 A. And if he goes up above this cluster, I let him know, like,  
16 hey, you're above this cluster, the stern corner.

17 Q. Okay. So does the captain call out what cluster he wants you  
18 to call out or is it just a standard --

19 A. It's only --

20 Q. -- from where you're at, from -- he can see you?

21 A. Yeah, I have one on the stern where we got to get spotted,  
22 one on the bow to catch the line.

23 Q. Okay.

24 A. So.

25 Q. And then what cluster were you actually calling out that



1 BY [REDACTED] [REDACTED]

2 Q. So, you were approximately here I guess on the stern barge,  
3 correct? So when this fell, the docking was well over you, right?  
4 Well, it was much higher than where you were standing, correct?

5 A. Yes. When I came out, topped around, stopped talking to him,  
6 got closer, I started easing up because he needed help up there on  
7 the bow. So I slowly started easing up, while talking -- looking  
8 back talking to him, how he was doing as far as speed and, you  
9 know, the width. So as he got closer, I think maybe like 3 feet,  
10 3 wide off of it, I talked him down, talked him down to 1, I  
11 turned around and went to -- I looked up there to see if the  
12 deckhand, you know, caught the line or was ready to, so I could  
13 assist him. And by the time I turned around, I seen it shake up  
14 and down which is -- I didn't feel the bump or anything.

15 Q. So where you were standing when it went down, I mean I'm just  
16 trying to picture the barge here. So the barge is lower than the  
17 top of that structure, correct?

18 A. Yeah.

19 Q. So you were basically standing kind of underneath almost, a  
20 little bit obviously the off course there, but underneath when it  
21 fell, right? I don't know if that makes sense.

22 MR. JOHNSON: Why don't we don't a picture.

23 MR. THOMAS: I'm terrible at drawing. All right. This is  
24 the dock right here. I was about right up in here, maybe 20, 25  
25 feet from it, and I was easing up walking. I was about right here

1 when I turned around and seen it collapse.

2 BY [REDACTED] [REDACTED]

3 Q. Okay. You weren't really directly --

4 A. I was closer to the stern. That's why I started -- I was  
5 talking.

6 Q. That makes sense.

7 A. During the time that that happened.

8 Q. Okay. So once that fell, you -- obviously I think the  
9 captains had seen it, and they got a good visual of it. You got a  
10 good visual of it.

11 A. Yeah.

12 Q. First instinct was to what?

13 A. Catch lines -- well, report it. Tell them it's fell down.  
14 Catch lines. I had to make sure my -- the deckhand was okay  
15 because I didn't know what happened.

16 Q. Yeah, gotcha.

17 [REDACTED] [REDACTED] All right. Anybody else have any questions or  
18 anything?

19 MR. WISNIEWSKI: No, I'm good.

20 BY [REDACTED] [REDACTED]

21 Q. Well, I think I just have two kind of final questions for  
22 you. One is what do you think could have been done, if anything,  
23 to prevent this from happening?

24 A. As far as?

25 Q. Anything? I mean is there anything in your mind that could

1 have prevented this from occurring?

2 A. No, we did everything by the book --

3 Q. Yeah.

4 A. -- and safely as possible.

5 Q. Okay. Anything further you'd like to mention that might help  
6 us in our investigation?

7 A. No, sir.

8 [REDACTED] [REDACTED] All right. I don't think I have anything else. If  
9 everybody's good, we're going to go ahead and conclude the  
10 interview. So it's -- the time on deck is 10:09, 28 April 2023.  
11 We're concluding the interview.

12 (Whereupon, at 10:09 a.m., the interview was concluded.)

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

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

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

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