

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*
*
*
*
*

COLLISION OF THE USS *FITZGERALD*
AND *ACX CRYSTAL*

Accident No.: DCA17PM018

* * * * *

Interview of: ESPERIDIAN PLENOS
Second Mate

Saturday,
June 24, 2017

APPEARANCES :

U.S. COAST GUARD (USCG)

PHILIPPINE MARITIME INDUSTRY AUTHORITY (MARINA)

JAPAN TRANSPORT SAFETY BOARD (JTSB)

I N T E R V I E W

1
2 SPEAKER: So you are now before the panel of Marine Safety
3 Investigation. You have been asked Japan Transport Safety Board
4 as well as the U.S. Coast Guard and Maritime Industry Authority.
5 The reason why we asked you to execute your affidavit so we could
6 counter your statement.

7 So this is the signed affidavit. So right now we will ask
8 you a series of questions. Please answer them truthfully.

9 MR. PLENOS: Yeah, no problem. Just (indiscernible).

INTERVIEW OF ESPERIDIAN PLENOS

10
11 BY MARINA SPEAKER 1:

12 Q. Good afternoon, sir.

13 A. Yes.

14 Q. I am Siri (indiscernible) from the Maritime Industry
15 Authority. I will be asking a series of questions with reference
16 to the casualty investigation that transpired between *ACX Crystal*
17 and *USS Fitzgerald*.

18 First of all, could you kindly state your name, rank, and
19 date of embarkation?

20 A. I am Esperidian Plenos, second mate on board *Crystal*. I
21 embark at (indiscernible) Taiwan, 23 April 2017.

22 Q. Could you briefly describe the handover duties prior to the
23 start of the watch?

24 A. Before my duty, I was called by third officer 15 minutes
25 before, called by telephone. Then I roughly came up at 5 minutes,

1 came to -- about 10 minutes before watch.

2 Q. What are your (indiscernible) being undertaken prior to the
3 start of your watch?

4 A. (Indiscernible) before watch plus I'm (indiscernible). Well,
5 the course came in is 0-8-8 that time. Then I was observing also,
6 checking the radar, the ECDIS. So I see again -- well, he appear
7 to us at -- this is RPM 0- --

8 (Noise interruption)

9 -- at the time. Because he say to me that there is third
10 officer note from the night order from master, 15 minutes before
11 we arrive, we arrive the pilot station, we must give 15 minutes
12 ahead. So that's what we did.

13 So at that time checking all the -- this one here for
14 (indiscernible) so it's nice for (indiscernible). So that's what
15 we did.

16 Q. Could you describe the master's standing orders?

17 A. Yes.

18 Q. Could you describe them for us?

19 A. Well, master gave the -- master told the -- told his second
20 mate to call anytime we provide her (indiscernible) the same route
21 and (indiscernible).

22 Q. How about any specific instruction? Did the master provided
23 any specific instruction?

24 A. Specific instruction was (indiscernible) giving night order
25 at the time. He did. But RPM is just, it depends on me to reach

1 the pilot station that time. Adjust for meeting, slow orders 15
2 minutes.

3 Q. So you were saying that your next waypoint is the pilot
4 station?

5 A. No, no, no. Next waypoint is 0-69 (indiscernible).

6 Q. 0-6?

7 A. 0-6-9.

8 Q. Okay. Could you describe the operation conditions of the
9 navigational equipment during the handover of the watch?

10 A. On watch, I check all navigation are good working condition.

11 Q. Good working condition, meaning? Could you elaborate, sir?

12 A. Yes. Everything is good pickup, range giving before we
13 watch?

14 Q. Yes, sir.

15 A. Twelve and 6, and the ECDIS is ready. Everything is good.

16 Q. Okay. Could you describe the radar settings on board the X-
17 and S-band radio -- X-band radar?

18 A. The setting on X-band is 12 miles.

19 Q. Twelve miles.

20 A. And the S-band is 6 miles.

21 Q. Six miles for the S-band.

22 What are the activities of the bridge team composition prior
23 to the occurrence? What are your -- what usual things are you
24 doing, I mean?

25 A. Well, I am on the bridge.

1 Q. Okay.

2 A. Always focus on the (indiscernible).

3 Q. Could you show to us your location, sir?

4 A. Yes. Came to here. Then also here and --

5 Q. Could you confirm if the bridge -- if the vessel is -- during
6 after the handover of the watch, if the vessel is under autopilot
7 or manual steering?

8 A. After the AB and I relieve the watch, that's the steering is
9 still autopilot.

10 Q. So autopilot. Was the vessel under bridge control mode or
11 engine control mode?

12 A. No, under bridge control.

13 Q. Okay. Can you provide specific details on the occurrence?
14 Could you relay to us what transpired at during -- or before the
15 occurrence, during the occurrence, and after the occurrence?

16 A. To run 0115.

17 Q. Yes, sir.

18 A. My course is 0-88. I started it to alter course
19 (indiscernible) by 5 degrees to port, two times.

20 Q. Two times.

21 A. Then I tell him switch to 0-6-9 and said to be here to
22 continue. The EC, EC took 5 degrees with it, move it.

23 Q. Then?

24 A. Then next switch to 0-6-9 at around 0119.

25 Q. 0119. Go ahead, sir.

1 A. Then 0119 -- 119, previous course (indiscernible). So at
2 that time, again, I visually alter my course to 0-6-9, I have
3 sighted one vessel only.

4 Q. Could you confirm that, sir?

5 A. I sighted one vessel at the port.

6 Q. Okay.

7 A. 40 degrees to port side.

8 Q. Okay.

9 A. So I check the radar.

10 Q. Okay.

11 A. When I start to check the radar, because already I have
12 plenty of break left with these readings.

13 Q. Okay.

14 A. Twenty minute break. So I was expecting that time that he
15 was altering course to starboard to make it (indiscernible). So
16 visually, again. Then I go to center, check. Go to the port side
17 to make -- to (indiscernible) lamp, using August lamp to attract
18 him, because we are now already close to him. So I make two times
19 flashing and I came back and sit there. I check his
20 (indiscernible). Then I say to AB just stand by. Stand by means
21 ready to any (indiscernible) manually. Then (indiscernible)
22 command that time because (indiscernible) procedures to me
23 (indiscernible) start to change. Sit there. Then I am, I am
24 already focusing to see, because closer, closer, closer.

25 About 100 meters, (indiscernible) meter, I change my course.

1 I (indiscernible) speak to AB, starboard turn. Then starboard 15.
2 So close again, I make hard starboard. Again (indiscernible). So
3 that time, at hard starboard, I make call to captain, we made a
4 collision.

5 Q. So when you attempted to contact through August lamp and
6 there was no reply, did you attempt to establish communication
7 through radio?

8 A. No, no time.

9 Q. Okay.

10 A. It cross my mind no time to make communication. The more I
11 -- I'm focusing already.

12 Q. And did you receive any radio calls?

13 A. No. I didn't. Or flashing, no.

14 Q. Go ahead, sir. Continue.

15 After you called the master, what happened?

16 A. I give him the (indiscernible). I (indiscernible), I say had
17 hard starboard, sir.

18 Q. Okay.

19 A. Then he said (indiscernible), he said you should turn back to
20 hard port.

21 Q. So after the collision, the master was the first to come up
22 in the bridge?

23 A. Yes.

24 Q. Okay.

25 A. Then followed by chief mate, was just hurry, hurry come in.

1 Q. Okay.

2 A. Then also some (indiscernible)

3 Q. Could you describe what's the position of the two vessels
4 when the master arrive at the bridge?

5 A. No, I'm not, I'm not really focused on that because I was
6 watching this target and getting ready to meet.

7 Q. What target? Could you specify that, sir?

8 A. Yeah, about right there, they had caution, red caution is
9 coming from my --

10 Q. Starboard side?

11 A. Yes. Port.

12 Q. Port side. So there's another vessel coming on the port
13 side?

14 A. It's coming, coming with us there. That's why I focused --

15 Q. After the collision, there is another target coming on your
16 port side?

17 A. No, no. No more. No more. Because I am already starting
18 this maneuver coming to meet.

19 Q. Okay.

20 A. Coming to meet. So I target this -- focused, I focused on
21 this --

22 Q. To the vessel that you collided --

23 A. Yes, is coming to me. The green light. I don't know what is
24 the kind (indiscernible), but the next thing I know, we are
25 getting closer (indiscernible) because --

1 Q. You saw that light or green light?

2 A. Green light.

3 Q. Green. Okay. You determine it's a green light by means only
4 of visual?

5 A. Visual, only as visual.

6 Q. Visual only?

7 A. Yes.

8 Q. Okay. In your estimate, what's the -- before the collision,
9 prior to the collision, what's the distance between -- estimate
10 only.

11 A. Three miles.

12 Q. Could you confirm 3 miles?

13 A. Yeah.

14 Q. Okay. Was it recorded in the ECDIS or --

15 A. Yes, sir.

16 Q. -- just you're approximating?

17 A. Approximate.

18 Q. Okay. After the collision has transpired and the master came
19 to the bridge, he took over the command?

20 A. Yes.

21 Q. Could you describe what command did the master give to the
22 AB? In your recollection only.

23 A. Command to AB?

24 Q. Yes.

25 A. Yes. He tell him what -- which (indiscernible)

1 Q. He ordered?

2 A. Order again. But the course --

3 Q. So what specific command did the master give to the AB?

4 A. Port and then, after port, give 0-6-9, come back the first.
5 And then after 6 miles, we back, because we heard vessel that we
6 collide is asking --

7 Q. You're saying after the collision, the master took over the
8 command and directed you to proceed to the original course --

9 A. Yes, sir.

10 Q. -- that (indiscernible). And it took you another 6 miles --

11 A. After 6 miles --

12 Q. -- before you realized that --

13 A. Before 6 miles, before 6 miles we are returning the pilot
14 document is what's called about the ETA, but the captain said
15 change transit because we have a collision, you know, at that time
16 (indiscernible)

17 Q. Could you confirm again, sir, that -- who called about the
18 estimated time of arrival? The pilot? Could you confirm again?

19 A. The pilot estimated time is 0500.

20 Q. Okay.

21 A. But canceled.

22 Q. So you canceled the meeting with the pilot due to the
23 collision.

24 A. Ask -- their dock Martis (ph.) is asking what -- to certify
25 what is your ETA.

1 Q. Could you describe when did you report the collision to the
2 proper authorities?

3 A. To Yokohama Coast Guard.

4 Q. Please could you estimate the approximate time when you
5 report the collision?

6 A. The collision time?

7 Q. Yes. I mean, when you reported to the authorities, what time
8 did that happen?

9 A. A little bit after, a little bit after the -- after we read
10 the pilot -- after we read what dock in Martis ask, dock in Martis
11 asking the ETA.

12 Q. When -- what's your approximate time on that? Around how
13 many minutes?

14 A. Fifteen minutes, I think.

15 Q. Fifteen minutes. You are -- are you the one who reported it
16 to the proper authorities or the master?

17 A. I'm the one report it's a Navy ship.

18 Q. To the?

19 A. To the -- first, the dock in Martis, because dock in Martis
20 was holding the, holding the vessel.

21 Q. You reported it to the dock in Martis?

22 A. Yes. Because they call.

23 Q. Okay. Did you confirm who -- what the captain is --

24 A. Because they are before arrival.

25 Q. Yes.

1 A. So dock in Martis, we were supposed to be, we will record the
2 time (indiscernible) people, that's the original course.

3 Q. Okay.

4 A. But they are (indiscernible)

5 Q. When did you refer the incident to the Coast Guard, Japan
6 Coast Guard?

7 A. Right after we went the dock in Martis.

8 Q. Could you approximate the -- inform us what time that --

9 A. 0- -- I think it's 01- -- 014 or (indiscernible).

10 Q. Pardon, sir?

11 A. No, 0155, I think.

12 Q. 0155.

13 A. That's an estimate because they are --

14 Q. It's an approximate only. Yes. Thank you, sir.

15 Can you describe the bridge manning that day? At the time
16 the required bridge manning available at the time in accordance
17 with your IMS procedure? When you're navigating through high
18 density traffic, what's the required bridge manning level?

19 A. That we have to clear, we sail. Yeah.

20 Q. I mean, I mean, what's the composition of the bridge?

21 SPEAKER: How many watch?

22 BY MARINA SPEAKER 1:

23 Q. How many on the bridge is required?

24 A. Oh, watch people, we have only two.

25 Q. That is in accordance with your safety management procedure?

1 A. Being an officer, an officer, one AB watch, and captain say
2 anytime, anytime; that's anytime.

3 Q. Could you confirm the location of the AB at -- during the
4 collision, sir?

5 A. Yes, here.

6 Q. Okay, sir.

7 A. Just here, at position.

8 Q. Sir, could you describe to us briefly the characteristics of
9 the vessel in terms of navigating on full speed and stopping
10 distance and rapid response? I mean, if you're going to go to
11 starboard 20 or starboard 10, what's the time response of the
12 vessel going to starboard 10 after you put that on the helm?

13 A. Only a sequence, a sequence --

14 Q. Seconds, how many seconds, sir?

15 A. But 10 seconds, I think.

16 Q. Ten seconds. So --

17 A. Yes, sir, the --

18 Q. As you're looking at -- are you sitting at the bow or are you
19 looking at the rudder indicator?

20 A. I'm looking here (indiscernible)

21 Q. Okay, sir. Last (indiscernible), sir, can you briefly expand
22 your regulation in terms of the safety management system on
23 position fixing?

24 A. Well, every time we fix, every at -- first time, 30 minutes
25 or 1 hour, and inside 5 minutes (indiscernible).

1 Q. Sir, when you have determined that imminent danger, the only
2 course of action, according to you, that you have undertaken was
3 use the August lamp at --

4 A. Yes.

5 Q. -- communication to, in order to --

6 A. That is communication.

7 Q. Yes.

8 A. To attract.

9 Q. Okay. Does -- did you ever consider calling the master
10 that an imminent --

11 A. No, that time I was not expecting that, that time a
12 collision.

13 Q. So how about the closest point of approach of the vessel, of
14 the target vessel, have you not considered specifics on it, sir?

15 A. No. I'm not -- I'm just, just observing him because I am
16 start (indiscernible). So I set in my own course, 0-6-9. I --

17 Q. Okay. Last question, sir. Can you provide details on the
18 contingency being undertaken by the crew after the accident?

19 A. What things?

20 Q. You know, on your boat, a contingency plan? Do you have a
21 contingency plan or a plan --

22 A. Yes.

23 Q. Could you relay it, sir?

24 A. After 6 miles, after 6 miles, bridge takes the --

25 Q. Would it be 6 miles or 6 nautical miles, sir?

1 A. Six nautical miles.

2 Q. Sure.

3 A. Six nautical miles, we heard this vessel have a -- what's
4 called -- flooding. He asked, they ask for assistance.

5 Q. Assistance. Okay.

6 A. So we decided -- captain decided come back the 6 miles. We
7 come back. And we (indiscernible) that time since the
8 communication was not to us, that was between the Navy and this
9 vessel. So there is another vessel closer (indiscernible), sir.
10 It's *Ital Unica*.

11 Q. *Ital Unica*.

12 A. Uh-huh. *Ital Unica* was the one to assist, Yokohama and also
13 us.

14 Q. Sir, when did you realize that you have a collision accident
15 with a U.S. naval warship? Is it at the collision itself or after
16 when you returned 6 miles?

17 A. Yeah, we know that the -- yeah, I already I get the number.
18 I know that's the (indiscernible), but I never know what's their
19 name. We never know. When we just come back to -- we're in this
20 position just to make help for them, this vessel, the Yokohama
21 Coast Guard asking the name of the vessel. So they gave name,
22 type of (indiscernible). And so we copy. So that's why we know
23 that this vessel *Fitzgerald*.

24 MARINA SPEAKER 1: And that's all, I guess.

25 SPEAKER: Sir, Captain, would you have any more questions?

1 USCG SPEAKER 1: I do.

2 BY USCG SPEAKER 1:

3 Q. So you mentioned the captain said, you know, you want to stay
4 15 minutes ahead of pilot time and waypoints. Did you say that,
5 that he mentioned to you during the night orders or standing
6 orders to stay 15 minutes ahead, to get to pilot station 15
7 minutes ahead or early?

8 A. It's 15 minutes early.

9 Q. Fifteen minutes early.

10 A. Before 5:00.

11 Q. Before.

12 A. Or that's the time, ETA, at the station.

13 Q. Did you feel pressure, like, to stay on course and speed?

14 A. Yes, sir. Pilot orders.

15 Q. Right.

16 A. From the -- and even from third officer said on the night
17 orders.

18 Q. Okay.

19 A. And while we must ahead 15 minutes to 20 just to make this
20 engine steady before pilot station.

21 Q. No, at that -- I understand. But did you feel pressure?

22 A. No, no, no.

23 Q. Like you said you have to stay. Is that normal?

24 A. That's normal.

25 Q. That's normal to try to get there 15 minutes ahead?

1 A. Yes, every time before we hit pilot station. Yes, every
2 time.

3 Q. Okay. Did you -- also, you mentioned that you were on
4 autopilot. So were you -- did you -- were you on autopilot or did
5 you manually change your course from 0-8-8 or to 0-6-9?

6 A. 0-6-9. First time, I have only 5 degrees, twice.

7 Q. And then you just set your course --

8 A. Then I say to AB continue and to 0-6-9.

9 Q. And you set it -- and then you set it?

10 A. Yes. I also --

11 Q. So you weren't, you know, on autopilot and you just said --
12 you let the boat do its own thing?

13 A. No, no, no, no.

14 Q. Okay.

15 MARINA SPEAKER 1: Any more questions?

16 MR. [REDACTED] Yes --

17 MR. PLENOS: Yes, sir.

18 MR. [REDACTED] Yes, I have a couple of questions for you.

19 BY MR. [REDACTED]

20 Q. [REDACTED] [REDACTED] with U.S. Coast Guard. From the time that you saw,
21 visually spotted the target, to the time that there was a
22 collision, how much time would you say was between that?

23 A. I cannot say that's time because I was just a couple minutes,
24 then they hit.

25 Q. How long?

- 1 A. Maybe around 8 minutes, 6 minutes.
- 2 Q. Eight minutes, 6 minutes, something like that.
- 3 And one of the things that you tried to do was to spot --
- 4 A. Right. To give spot with August light. So we can flash
- 5 (indiscernible) to here.
- 6 Q. Yes, sir. Do you feel there was enough time to do anything
- 7 else, to check CPA or --
- 8 A. No, no, no, no. After (indiscernible) --
- 9 Q. Yes.
- 10 A. -- I was start expecting that they already alter course.
- 11 Q. Okay.
- 12 A. That was --.
- 13 Q. Okay. So no change in course --
- 14 A. No. No, change course --
- 15 Q. No change of course. No change of speed?
- 16 A. No.
- 17 Q. No additional lights --
- 18 A. No.
- 19 Q. -- turned on, on the vessel?
- 20 A. Only --
- 21 Q. How about general alarm?
- 22 A. General alarm after the collision.
- 23 Q. Did you -- you sounded general alarm?
- 24 A. Only captain did.
- 25 Q. Okay. Whistle?

1 A. Whistle no.

2 Q. No whistle. Did it show red and alarm when you looked at it
3 on the -- the red?

4 A. The red lights, the red is coming, target 20 (indiscernible).

5 Q. Flashing?

6 A. Flashing. So that's caution. That means they don't
7 (indiscernible)

8 Q. Thank you.

9 SPEAKER: Yes, sir?

10 BY JTSB:

11 Q. Can you go over just the speed of vessel. I want to know
12 about the first finding of the other vessel was -- you said the
13 first time that this mark, why didn't you find it more far away so
14 you can use radar or something? Or what do you think about --

15 A. Because after my -- after, after alter course and
16 (indiscernible) before I enter the first time --

17 Q. Right.

18 A. Here. So after I enter --

19 Q. There is something preventing something?

20 A. No, no, no. No (indiscernible), because in front of me there
21 is no caution. Because after, after my first (indiscernible) this
22 will go caution, only after.

23 Q. This you mark?

24 A. Yeah, we mark (indiscernible)

25 Q. You use the radar 6 range mile or 12 range mile, so you can

1 -- you could find a little far away, yes?

2 A. Yes.

3 Q. Why didn't you find (indiscernible) --

4 A. I think that this one would be this vessel coming, check it.

5 SPEAKER: Okay. Anything more?

6 JTSB SPEAKER: Thank you. That's it.

7 SPEAKER: So are there any more questions, sir? Captain

8 Boone (ph.)? Siri (indiscernible)? Sir, you have no more?

9 So since there is no more question, I guess the initial phase
10 of the interview is completed. However, if there would be any
11 more question, we would be record anything with the ship
12 management and the ship owner in validating some of the account,
13 sir.

14 MR. PLENOS: Yes, sir.

15 SPEAKER: Thank you very much, sir. Thank you for your
16 support and thank you for your information, sir.

17 (Whereupon, the interview was concluded.)

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: COLLISION OF THE USS *FITZGERALD*
 AND THE *ACX CRYSTAL*
 Interview of Esperidian Plenos

ACCIDENT NO.: DCA17PM018

PLACE:

DATE: June 24, 2017

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.



Kay Maurer
Transcriber