

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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FIRE ON SCRAP BARGE NEAR *

BOWERS BEACH, DELAWARE IN THE * Accident No.: DCA22FM019

DELAWARE BAY ON MAY 23, 2022 *

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Interview of: JOHN McNULTY, General Manager
Coeymans Marine Towing

Via telephone

Wednesday,
June 8, 2022

APPEARANCES:

■■■■ Investigating Officer
United States Coast Guard

BART BARNUM, Investigator
National Transportation Safety Board

MIKE TUCKER, Attorney
Coeymans Marine Towing

LUKE REID, Attorney
Eastern Metal Recycling

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of John McNulty:		
By Mr. [REDACTED]		4
By Mr. Barnum		13
By Mr. Reid		16

I N T E R V I E W

(10:00 a.m. EDT)

MR. [REDACTED] Sir, again, I want to thank you for taking some time to discuss the situation with me. Before we get started, I would like to (indiscernible) the conversation so I can reference it later and make sure that I have all the facts straight. Are you okay with me recording this conversation?

MR. MCNULTY: I'm good with that.

MR. [REDACTED] Have you ever been involved in a Coast Guard of NTSB investigation before?

MR. MCNULTY: I mean, we had an incident when one of our vessels, a few months ago, that there was an investigation going on. Somebody had hit our vessel. So I worked with the Coast Guard in regards to that matter.

MR. [REDACTED] So you're somewhat familiar with process. Just kind of explain the purpose of my investigation -- this is a fact-finding investigation to determine the contributing factors that led to the incident. I will analyze all the facts and determine if there are any measures that can be put in place to provide the type of accident from happening in the future. Any information that you can provide me will be extremely helpful in that endeavor. If you need a break at any time, let me know.

MR. MCNULTY: Okay.

INTERVIEW OF JOHN MCNULTY

BY MR. [REDACTED]

- 1 Q. First, can you please spell your first and last name?
- 2 A. John, J-o-h-n. McNulty, M-c-N-u-l-t-y.
- 3 Q. What's your date of birth, sir?
- 4 A. [REDACTED]
- 5 Q. What company do you work for?
- 6 A. Coeymans Marine Towing LLC.
- 7 Q. How long have you worked there?
- 8 A. I've worked for Carver Companies for three years. And I've
- 9 worked as the general manager for Coeymans Marine Towing for about
- 10 a year-and-a-half now.
- 11 Q. You said you're the general manager?
- 12 A. Correct.
- 13 Q. That's your official position and title?
- 14 A. Correct.
- 15 Q. Is that over general manager of operations or something
- 16 specific?
- 17 A. Correct. Over CMT operations of CMT. Coeymans Marine
- 18 Towing.
- 19 Q. Can you please explain to me some of your duties and
- 20 responsibilities?
- 21 A. So I manage the team which we have a dispatch team. We have
- 22 a compliance team. We have a financial team. And I have a lead
- 23 captain who deals with the boat crews. So basically, I manage all
- 24 those pieces of CMT.
- 25 Q. What is your involvement with the CMT Y NOT 6?

1 A. My involvement. So CMT purchased the vessel sometime in
2 February in Louisiana. We had a shipyard blaster paint the side
3 shell, install (indiscernible) walls and prepare the barge to go
4 from Louisiana to New York. Once it got up to New York, EMR was
5 interested in bareboat chartering it. They had an on-hire survey,
6 did their inspection, did their due diligence to confirm that the
7 barge would fit their operations. And then executed the bareboat
8 charter agreement and took ownership of the barge probably -- it
9 was early May.

10 Q. So May is when EMT [sic] took over the Y NOT 6.

11 A. EMR.

12 Q. EMR. Oh, okay. For the bareboat charter.

13 A. Correct.

14 Q. Do you have an idea of the value or the cost of the CMT Y NOT
15 6?

16 A. The -- basically, the value is somewhere around 7 million.

17 Q. Is that how much it was purchased for in February?

18 A. The purchase price in February without the work being done I
19 think was somewhere around 5.5.

20 Q. And then you said that there were modifications done.

21 A. Correct.

22 Q. Then you listed a few of them. Addition of the bin walls and
23 sandblasting and stuff like that. What other modifications were
24 made if any?

25 A. That was it. Outside of just obviously the mobilization out

1 of Louisiana to New York, there was no other modifications.

2 Q. Were -- so were the deck reinforced or anything like that?

3 A. No. That barge was originally 4500 pounds a square foot. So
4 it's a very stout barge.

5 Q. You said 4500 pounds?

6 A. Correct.

7 Q. And what were the purpose of the modifications?

8 A. Just basically to utilize it for hauling different materials.
9 So the -- really the bin walls are just the -- just to help
10 consolidate stuff so it doesn't fall off the barge.

11 Q. Were those modifications in, you said, Louisiana, or were
12 they made in New York?

13 A. Oh, no, no. All that work was done in Louisiana at LAD
14 Shipyard.

15 Q. Do you have any plans, drawings, or (indiscernible) materials
16 that were used in the modifications?

17 A. There is a drawing that indicates the bin walls. Correct,
18 yes.

19 Q. Do you know if those drawings indicate like deck thickness or
20 hull plating thickness or anything like that?

21 A. No. I mean, the barge build documents won't have all that
22 information on it.

23 Q. Do you guys have that or would that be the construction
24 company that bought it -- or built it?

25 A. No. I can double check but I'm pretty sure -- so we bought

1 it from McDonough which is a tug -- well, I should say a barge
2 rental company in Louisiana. And I'm almost positive that they
3 have all the drawings. And I probably have those in a file.

4 MR. [REDACTED] And Mr. Tucker, if we can get a copy of some of
5 those, that would be helpful.

6 MR. TUCKER: Yeah, sure. Not a problem at all.

7 BY MR. [REDACTED]

8 Q. Do you know what -- the metal material that was used, is it
9 steel or aluminum?

10 A. For the bin walls?

11 Q. The bin wall and the barge itself.

12 A. The barge is entirely steel and the bin walls was three-
13 eighths ABS plate.

14 Q. Were -- during the modifications, were any deck hatches added
15 or removed?

16 A. No.

17 Q. Were you involved at all in preparing the vessel for cargo
18 operations?

19 A. At EMR physically?

20 Q. Yeah.

21 A. No.

22 Q. Yes.

23 A. No.

24 Q. So you weren't present before, during, or after CMT loaded
25 the Y NOT 6 or EMR loaded --

1 A. Correct, correct.

2 Q. When did you become aware of the fire onboard the CMT Y NOT
3 6?

4 A. So it was probably around 12:45 a.m. I got a call from my
5 dispatch that the boat notified them of a glow. I immediately
6 just told them get a hold of the Coast Guard and get a hold of
7 VMR. And yeah, that was around -- right around 12:45/1:00.

8 Q. Do you remember what date that --

9 A. That was -- that would be the 24th. So they left on the 23rd
10 so that was the 24th. Early morning. Twenty-four.

11 Q. You said you got that call from dispatch. Who at your --

12 A. From my dispatch.

13 Q. -- dispatch -- yeah. Who called you?

14 A. Richard. R.J.

15 Q. Richard. R.J. Do you know that individual's last name?

16 A. Yep. Thevenet.

17 Q. Cavanaugh?

18 A. Thevenet.

19 Q. Do you know how to spell that?

20 A. Yep. So it's T-h-e-v-e-n-e-t.

21 Q. What was your understanding of that situation when you got
22 that call?

23 A. Basically, he made it sound like the barge -- you know, the
24 barge was -- there was a fire on the barge. They saw a glow. But
25 they really couldn't identify anything because it seemed to be

1 coming from the back side to them. They were towing the barge.

2 Q. Did anybody indicate to you how the fire started?

3 A. No.

4 Q. What action did you take after you were notified?

5 A. I personally reached out to Will Durham of EMR to make him
6 aware of what was going on. And he immediately said, understood,
7 and said he was going to reach out to the Coast Guard, to all
8 entities so they could understand what was on the barge, if
9 anything was needed. And I called the owner of the company just
10 to put him on notice just in case the phone started ringing. I
11 wanted everybody to understand that it's a known entity. There is
12 -- nobody is in harm's way right now and the Coast Guard is on
13 their way out to try to figure out what's going on.

14 Q. When you say that you contacted the owner, was that the owner
15 of CMT or EMR?

16 A. Oh, no. The -- Will Durham is EMR, a representative for EMR.
17 But the owner I spoke to was Carver who -- Carver Laraway who owns
18 Carver Companies, who owns CMT.

19 Q. Sorry. There's a few companies involved. So I just want to
20 make sure that I have everything.

21 A. Yeah, yeah. Sorry about that.

22 Q. No worries. Have you been out to the CMT Y NOT 6 since the
23 fire?

24 A. I personally have not.

25 Q. Do you know if there was a damage survey or anything

1 conducted?

2 A. So as I understand it, there's been multiple surveys done by
3 the salvage team to confirm with the Coast Guard that the vessel
4 is suitable to get moved from where she was sitting to Camden. I
5 personally have not received any of those documents. But at this
6 point, once that barge is unloaded, there's going to be a full
7 inspection between the Coast Guard, ABS, and all required parties.

8 Q. But no internal surveys or inspections so far other than just
9 the salvage piece?

10 A. No. It's -- because it's under the care and custody of the
11 salvage company through EMR, I have not received anything and have
12 not been on that barge.

13 Q. Fair enough. Do you know if any fire marshals or
14 investigators from Delaware or New Jersey have been on or plan to
15 attend?

16 A. I personally do not.

17 Q. At this time, would you be able to estimate damage like a
18 dollar amount of damage?

19 A. I couldn't. Until that barge is truly understood, I'd only
20 be guessing.

21 Q. Fair enough. So you said that the plan is after everything
22 is off, it gets up to Camden, then there will be an inspection at
23 that time?

24 A. I mean, that's -- right now, that's under the care and
25 custody of EMR, but that's how -- that's what I'm understanding is

1 once the barge is completely cleared, it will be open for
2 investigation and review and inspection.

3 Q. Are there any talks about the barge going to a repair yard or
4 facility or anything like that yet or does that inspection need to
5 take place first?

6 A. No. I think EMR is looking for a facility to be able to dock
7 that barge as we speak.

8 Q. Do you know if the barge -- does it still have the scrap
9 metal on it or has that been offloaded?

10 A. As I understand it, they've been working on offloading that
11 barge now for the last couple of days.

12 Q. Yeah, I think the -- the only thing that I really would need,
13 I guess, is just to try to get some of the plans and diagrams for
14 the barge. Maybe some -- if you have the pre-modifications, that
15 would be helpful. And then kind of what arrangements the barge
16 was in after the modifications were made.

17 A. Okay. I'll (indiscernible) to Mike.

18 Q. (Indiscernible). I appreciate that. Do you know if the CMT
19 Y NOT 6 or any of the CMT Y NOT vessels, do they have anchors?

20 A. No. No anchors.

21 Q. Is there anything else that you can think of that would help
22 me in my investigation or anything I didn't ask that should be
23 covered?

24 A. Not at this time. But if anything does come up, I will --
25 I'll notify Mike.

1 MR. [REDACTED] I don't have any more questions at this time.

2 Mr. Barnum, do you have any questions?

3 MR. BARNUM: Yes, thanks Lieutenant [REDACTED]

4 BY MR. BARNUM:

5 Q. Yeah. Bart Barnum from NTSB Office of Marine Safety.

6 Mr. McNulty, how are you, sir?

7 A. Good.

8 Q. Good. Well, thanks for talking to us. Just had a couple
9 follow-on questions to that. In your tenure with Coeymans and
10 before, have you experienced a barge fire like this?

11 A. No.

12 Q. And then, a question about the material loaded on the barge.
13 How are you, yourself, and your crew on the towing vessel, how are
14 you made aware of what you're hauling? What is on that barge?

15 A. So like if we were hauling sand, somebody would say, okay,
16 we're going to move sand, scrap, stone. So it's understood as
17 scrap. Scrap to us is like sand or stone.

18 We would just rely on the port who is loading it to do their
19 due diligence following their policies and procedures. And then
20 what we look at is okay, the barge is not overloaded, it's trimmed
21 correctly, it's clean access for the men, and we proceed from
22 there.

23 Q. So do you do anything different if you're hauling a load of
24 scrap or a load of sand or a load of stone?

25 A. No. No, because none of those items fall under a high

1 potential hazardous type of application. So to us, we're hoping
2 that everybody is doing their due diligence, that they're -- we
3 don't have something that we shouldn't have.

4 Q. Right. You said it falls under a hazardous substance. Is
5 there like -- who is determining that and how -- what criteria
6 have to meet -- does it have to meet to fall under that, under
7 that category?

8 A. Well, there's certain items that insurance companies will --
9 I won't say blacklist but you're going to handle accordingly and
10 we'll go through our insurance company and say, okay, these guys
11 want to move this type of rock. Oh, no problem. Sand, scrap, no
12 issue. So we work hand in hand with our insurance company for
13 those clarifications.

14 Q. Is there anything that you do haul that maybe -- or
15 potentially would haul that maybe you would deny because that is
16 classed is hazardous and your insurance company won't let you haul
17 it? Like what is it?

18 A. Oh, I -- I mean, we -- our stuff is so generic that we really
19 don't go too far off the reservation. But I imagine if there's
20 something that came across the table and we presented it to them
21 and they said no, we'd respect that.

22 Q. Do you haul garbage at all, household garbage?

23 A. Garbage?

24 Q. Yeah.

25 A. No. No garbage.

1 Q. Yesterday -- I'm sorry, Friday -- a gentlemen on the line
2 here speaking to, a fellow from EMR, and he was describing some of
3 the differences between scrap steel, and the different classes and
4 whatnot. Do you know what the class of cargo was on the day of
5 the fire?

6 A. Not intimately. I wouldn't know that.

7 Q. Have you heard of a term, a class, called feed stock?

8 A. I've heard people say that. Correct.

9 Q. And what's your understanding -- what is that? Is that --
10 what would make up that feed stock in your words?

11 A. Again, that's not -- I don't really -- I'm not the expert for
12 that. I've heard people say it but I'm not in a position to tell
13 you what it is.

14 Q. How about HMS light iron? Do you know what that is?

15 A. Again, in a generic sense. Just light steel. Maybe no
16 thicker than a certain value.

17 Q. Do you think you'd be able to identify between the two, HMS
18 light steel and feed stock? Do you know the difference?

19 A. It would be a guess.

20 Q. How about your crews? Do you think they would be able to
21 distinguish the two?

22 A. They're really not -- unless somebody has been in the scrap
23 business, it's not something that they're going to pick up on
24 right away.

25 Q. So you're just calling --

1 A. We move a lot of different stones. Yeah.

2 Q. You're just hauling scrap steel. You don't know if it's --
3 you don't know what it is other than scrap.

4 A. Correct, correct. And again, by taking up scrap, we're
5 looking at the EMRs of the world to do their due diligence so it
6 is just scrap. It's what exactly we were told to be picking up.

7 Q. Right. Thank you, sir. That's all the questions I had for
8 you. Thank you.

9 A. No problem.

10 MR. [REDACTED] Does anybody else on the line have any follow-
11 on questions?

12 MR. REID: This is Luke Reid. I just have a couple.

13 BY MR. REID:

14 Q. Hi, Mr. McNulty. My name is Luke Reid. And I'm -- I
15 represent EMR and the affiliated companies associated with this.
16 And I just had a couple of follow-up questions. So in your
17 discussion of your current position, I don't think you -- could
18 just fill us in a little bit on your background and how you came
19 to Coeymans to be in your current position. Just a brief recap of
20 your career.

21 A. Sure. I've been about 30 years in the marine construction.
22 Most of my career was in Boston. I live in Rhode Island. And a
23 facility in Somerset, Mass became available for port operations
24 and I thought that would be an opportunity for me to be closer to
25 home. And so Carver Companies got involved with another company

1 there. Then I ended up leaving there, going to South Carolina.

2 And now I am here in Coeymans New York managing the tugboat
3 division. But my whole career has been on the water with barges,
4 tugs, heavy construction. And that was my journey through Carver.

5 Q. Have you previously managed a -- like fleet of towing vessels
6 sort of like you're doing now is this the first time you've done
7 that specific task?

8 A. No. Within my career in Boston, I did work for Cashman
9 Equipment Corp. We had probably 200 barges that we would charter
10 and we had a small -- well, small -- six to eight tugboats. So
11 this is kind of been falling through my whole career.

12 Q. Do you -- I think you said you managed the compliance
13 department. So I assume that Coeymans has a towing vessel safety
14 management system of some kind. Is that correct?

15 A. Correct. We have a division that takes care of compliance
16 and all our operations on the boats goes through Helm Connect.

17 Q. The safety management system that you have, does it cover
18 voyage planning and the like?

19 A. Um-hum. Correct.

20 Q. Are there -- is there guidance for the captains and others --
21 other watch standards on how to evaluate weather and those sorts
22 of things for a voyage?

23 A. Correct.

24 Q. Do they report the weather back to Coeymans at all? In other
25 words, do they make a report of any kind that says, you know,

1 we've evaluated the weather and this is our assessment? Is there
2 any procedures for those types of communications?

3 A. Well, they have their logs which they fill out daily. Then
4 there's constant communication between dispatch and the boats in
5 regards to weather or any condition that might interrupt their
6 trip.

7 Q. Is there any guidance in your safety management system what
8 to do in the event of severe lightning or lightning of any kind in
9 the vicinity of the voyage? Does it specifically address that or
10 not?

11 A. You know, off the top of my head, I can't tell you if there's
12 a particular section in there for lightning.

13 Q. Is there a section in there that gives some guidance to the
14 captain and watch standards about keeping an eye on the tow while
15 you're under way to see if there's any anomalies of any kind? Are
16 there procedures or is there guidance for that effect in your
17 safety management system?

18 A. Correct. There's always a watch.

19 Q. Right. But is there any guidance about how often -- for
20 example, the watch standards should check the tow. Is there any
21 guidance as to frequency and what the nature of that
22 (indiscernible) observation should look like?

23 A. I can confirm back on that. The exact wording.

24 Q. Did -- had you -- during your involvement in this incident,
25 has anybody -- did anybody inform you that there was a lot of

1 lightning in the area where the vessel was transiting
2 (indiscernible) voyage?

3 A. At one point, when I spoke to Captain Bob who was the captain
4 on the (indiscernible) during the incident, he had mentioned that
5 there was lightning in the distance but nothing in the immediate
6 area of the boat or the barge.

7 Q. Had anybody else mentioned lightning in the area other than
8 the captain?

9 A. No, that was -- I only had that discussion with him.

10 Q. And is there -- in terms of the reporting, I think you
11 indicated that you had -- when you had spoken to your dispatch
12 that you instructed them to contact the Coast Guard. Is that
13 correct?

14 A. Correct.

15 Q. That was around, what, 12:45, I think you said?

16 A. Yeah, somewhere between 12:45 and 1:00.

17 Q. You instructed him to contact the Coast Guard?

18 A. Correct, immediately.

19 Q. Yeah. To your knowledge, did he do that?

20 A. Yeah, as far as I know. Yes. The Coast Guard was there.
21 The fire department. I mean, things started to unfold. So yes.

22 Q. But to your knowledge, did he actually report that to the
23 Coast Guard or no?

24 A. Correct, yes.

25 MR. REID: That's all I have, [REDACTED]

1 MR. [REDACTED] Thank you. Mr. Tucker, do you have anything?

2 MR. TUCKER: I do not. Thanks.

3 MR. [REDACTED] At this time, I don't have anything else.

4 Sorry, go ahead. Does anybody else have anything?

5 MR. BARNUM: No further questions from the NTSB.

6 MR. [REDACTED] Thanks, Bart.

7 MR. TUCKER: Nothing from me. This is Mr. Tucker.

8 MR. REID: Nothing from me. This is Mr. Reid.

9 MR. [REDACTED] Mr. McNulty, do you have any questions?

10 MR. McNULTY: No, I'm good.

11 MR. [REDACTED] Thank you. Thanks, everybody for being on this
12 call. At this time, I will conclude this interview.

13 (Whereupon, at 10:31 a.m. EDT, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FIRE ON SCRAP BARGE NEAR
BOWERS BEACH, DELAWARE IN THE
DELAWARE BAY ON MAY 23, 2022
Interview of John McNulty

ACCIDENT NO.: DCA22FM019

PLACE: Via telephone

DATE: June 8, 2022

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.

A handwritten signature in dark ink, appearing to read 'Katie Leach', is written over a solid black rectangular redaction box.

Katie Leach
Transcriber