

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

INCIDENT ABOARD *JOHN J. BOLAND* \*

IN CEDARVILLE, MICHIGAN \*

ON APRIL 21, 2023 \*

Accident No.: DCA23FM029

\* \* \* \* \*

Interview of: JACOB HENLEY, First Mate  
*John J. Boland*

Via Microsoft Teams

APPEARANCES:

██████████ ██████████  
U.S. Coast Guard

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I N T E R V I E W

1  
2 MR. [REDACTED] I'd like to go around and introduce -- have  
3 everyone introduce themselves and who they're representing  
4 starting with Mr. Henley, if you could, sir.

5 MR. HENLEY: My name is Jacob Henley. I'm first mate  
6 currently on the *John J. Boland*.

7 MS. BEAUBIEN: Hello. I'm Sarah Beaubien. I'm counsel for  
8 Grand River Navigation.

9 MR. TUCKER: Yeah, I'll go next. This is Adam Tucker. I'm  
10 with the National Transportation Safety Board. Thank you for  
11 talking with us today, Jacob.

12 MR. PETERSON: And good afternoon. This is Brian Peterson  
13 with Grand River Navigation.

14 MR. [REDACTED] Okay. Thank you. I appreciate it. I  
15 appreciate everyone joining us today. As you know, this is  
16 regarding the grounding which occurred April 21st, 2023 on the  
17 *John J. Boland*.

18 MR. HENLEY: Yep.

19 MR. [REDACTED] So the primary objective, sir, of the Coast  
20 Guard's investigation is to figure out why the casualty occurred  
21 and determine cause and provide the necessary feedback primarily  
22 through conclusions and recommendations and to prevent similar  
23 accidents and casualties from occurring in the future.

24 INTERVIEW OF JACOB HENLEY

25 BY MR. [REDACTED]

1 Q. So we just wanted to discuss with you regarding your time on  
2 board the vessel, and I'd like to start off with just some  
3 generalities. So just to make sure I'm talking to the right  
4 person, your name is Jacob Henley, and date of birth is 30  
5 November 1995. Is that right?

6 A. That is correct. Yep.

7 Q. Okay. Can you discuss your time in a maritime environment or  
8 your background on board commercial vessels?

9 A. Sure. I went to a maritime academy. I went to the Great  
10 Lakes Maritime Academy. I did all of my training, my cadet  
11 shipping, during that time on board Grand River vessels here on  
12 the Great Lakes. Once I graduated from the Maritime Academy, last  
13 year, the beginning of last year, I went right to work with Grand  
14 River Navigation, and I've been working now on their vessels ever  
15 since.

16 Q. Okay. And when did you say your graduation was?

17 A. It was the spring of last year.

18 Q. Okay. So, April, May 2022?

19 A. That is correct.

20 Q. And prior to the Maritime Academy, any commercial or  
21 shipboard experience?

22 A. No commercial experience prior to the Maritime Academy.

23 Q. And what license did you graduate the Maritime Academy with,  
24 Jacob?

25 A. I graduated the Maritime Academy with a third mate limited

1 tonnage ocean's license as well as full Great Lakes pilotage.

2 Q. And you mentioned that you had worked with Grand River during  
3 your cadet shipping seasons. Is that correct?

4 A. That is correct. I did a 30 -- basically a 30 day hitch,  
5 winter hitch during the winter as an OS, and I did two summer sea  
6 projects both with Grand River.

7 Q. So I'm not familiar with the Maritime Academy. When do you  
8 start doing your winter and summer hitches or your training  
9 programs or cadet programs?

10 A. The program I was a part of at the Great Lakes Maritime  
11 Academy was a 3 year program. I came into the Maritime Academy  
12 with prior a degree, with a Bachelor of Economics from Michigan  
13 Technological University. So in that program, you do, the 3 year  
14 program that is, you do a fall semester and then a spring semester  
15 of coursework. The summer semester you will do a training ship  
16 cruise on usually the training ship that the Great Lakes Maritime  
17 Academy has. In my case, I did it on a different training ship.  
18 The training ship that belongs to Mass Maritime due to COVID at  
19 the time. And then you do another fall and spring semester of  
20 coursework and then a summer section of cadet sailing followed by  
21 a fall semester of coursework. You test for your license in  
22 January and then after you've tested for your license, you go out  
23 for a last round of cadet shipping to finish off all of your sea  
24 days.

25 Q. Okay. So, when you did your winter as an OS, what ship were

1 you on?

2 A. When I did my winter's OS, it was after my first fall  
3 semester coursework, and I did my time on the *Victory Maumee*.

4 Q. Okay. And *Victory Maumee* is an ITB.

5 A. That is correct.

6 Q. Okay. And then you mentioned a couple cadet summer seasons,  
7 and what ships was that on?

8 A. I did all of my cadet shipping time on the *Victory Maumee*.  
9 Both the sea projects happened to also be on that vessel.

10 Q. Okay. So you're somewhat familiar with the *Victory Maumee*  
11 and the ITB?

12 A. That's correct.

13 Q. So at what point, what point did you get on board on the  
14 *Boland*?

15 A. I arrived on the *Boland* at fit out on March 20th of 2023 is  
16 when I arrived on the *Boland* this year.

17 Q. And what kind of things did you do at fit out?

18 A. At fit out, we placed all of our safety equipment back on  
19 station. We went through the whole vessel making sure everything  
20 was in order. All of our equipment was working. And then we  
21 ballasted the vessel and we went to a Coast Guard inspection prior  
22 to being able to sail?

23 Q. Was that an annual or a COI inspection?

24 A. It was a COI inspection.

25 Q. Okay. Do you remember running drills during that fit out

1 period?

2 A. Yes, sir. We ran a fire and boat drill during that time.

3 Q. Well, what was your position on board the *Boland* then when  
4 you got underway after fit out?

5 A. My position on board was first mate from the time of fit out.

6 Q. Okay. Do you remember what day you got underway from fit  
7 out?

8 A. I believe it was March 22nd.

9 Q. Okay. And where did you fit out at?

10 A. The vessel fit out at Ashtabula, Ohio.

11 Q. So underway from Ashtabula on the 22nd, and where was your  
12 first, where was your first load trip?

13 A. Our first trip was Marquette, Michigan. We loaded iron ore  
14 in Marquette, Michigan.

15 Q. And had you been into Marquette before on the ITB?

16 A. Yes.

17 Q. And so, after Marquette, how many trips would you say before  
18 the Cedarville trip?

19 A. I don't remember offhand. I believe Cedarville was trip 7 or  
20 8 for the season, but I do not remember. I would have to look it  
21 up.

22 Q. Yeah, that's okay. So you were on board from the March 22nd  
23 approximate sailing date up until Cedarville on the 21st?

24 A. Is that correct? Yep.

25 Q. What's your typical hitch or your typical employment



1 timeframe that you're to be on board for?

2 A. According to CBA with the union, the prescribed rotation for  
3 an officer is 4 weeks on, 4 weeks off.

4 Q. Okay. So your departure in Cedarville was on time or that's  
5 when you were due to get off for a normal rotation?

6 A. That would have been due to get off for a normal rotation.  
7 However, the way I departed the vessel was not normal.

8 Q. And how was that not normal?

9 A. The normal way a rotation works is each vessel has a crew  
10 that is assigned to it. It's basically two full crews for the  
11 vessel. So two captains assigned to that particular vessel, two  
12 first mates assigned to that particular vessel, so on and so  
13 forth. And those other crewmembers do not sail on any other boat  
14 during the year. They sail only on that vessel. So at fit out,  
15 you know exactly who your relief is going to be, and you can talk  
16 with them and plan with them and schedule dates if you needed a  
17 certain date off, but in this particular instance, it is not a  
18 regularly scheduled relief. I was being seniority bumped by Brian  
19 Harvey, and I did not find out I was being seniority bumped off  
20 the vessel until the morning of the -- the day we arrived at  
21 Cedarville which was 4/20.

22 Q. Okay. So you didn't -- you weren't aware that Mr. Harvey  
23 would be your normal relief?

24 A. I was not aware that Mr. Harvey would be my relief until the  
25 day I got off, yes.

1 Q. Who did you believe that you would be rotating with?

2 A. I believed I'd be rotating with Trevor Schick.

3 Q. Was Trevor Schick on board at the time?

4 A. He was. The original plan was he was going to be doing 2  
5 weeks as second mate and then he would relieve me and do 2 weeks  
6 as first mate.

7 Q. Okay. So, had you discussed the plan and the load with Mr.  
8 Schick then?

9 A. That is correct. Yep.

10 Q. And how were you notified that you would have a replaced in  
11 Mr. Harvey?

12 A. I was notified by the captain that morning at my departure at  
13 4/20.

14 Q. Okay. When was your planned departure?

15 A. My planned departure I believe was another 2 weeks after  
16 that.

17 Q. So if you say a planned departure was 2 weeks after, would  
18 that have put you at around 6 weeks on board?

19 A. That's correct. I would have been doing 6 weeks. That was  
20 the planned amount of time for me to be sailing on board, correct.

21 Q. Okay. I'm confused. I thought you originally mentioned that  
22 you typically 4 weeks on and 4 weeks off?

23 A. That is correct. According to our CBA from our contract with  
24 our union and the company, the planned rotation is 4 weeks on, 4  
25 weeks off. But due to the current mariner shortage and the

1 limited number of mates available for Grand River, I volunteered  
2 to do extra time in order to help out. So I was planning to be on  
3 for 6 weeks.

4 Q. Okay. So you didn't have any issue for staying on board for  
5 2 more weeks?

6 A. That is correct. I did not have any issue with that>

7 Q. When the vessel arrived in Cedarville, what was your location  
8 on board for the arrival?

9 A. For our arrival, I was in the pilothouse observing the  
10 arrival with the captain.

11 Q. So more or less training?

12 A. Not official training. Informal training for my own  
13 knowledge.

14 Q. Right. And during that time period, had you had an  
15 opportunity to work with Captain Porinchock prior to coming on  
16 board the *Boland*?

17 A. Yes, I worked with Captain Porinchock a lot. He was the  
18 second mate and then first mate on the *Victory Maumee* when I was  
19 over working on that vessel. So I worked with him before.

20 Q. Okay. So he was on the *Victory Maumee* last year?

21 A. Not last year. The year before I believe.

22 Q. Okay. So you had prior knowledge of him and knew him  
23 already?

24 A. That is correct.

25 Q. Do you know how long Captain Porinchock had been on board?

1 A. Captain Porinchock got on at fit out with me.

2 Q. Do you know if that was his first hitch on board the *Boland*  
3 or he had been on the *Boland* before?

4 A. He had been on board the *Boland* before. He sailed as first  
5 mate on board the *Boland* all of last year.

6 Q. Okay. And so with regard to the -- I know that at some point  
7 you had departed. Was there anything that took place during your  
8 approach or navigation up to the docks that would have been out of  
9 the ordinary?

10 A. No.

11 Q. No. So it was -- I should ask it, and if you already  
12 mentioned it, I'm sorry. But had you been into Cedarville  
13 previously?

14 A. Yes. I loaded the *Boland* in Cedarville on multiple occasions  
15 as well as other vessels.

16 Q. Anything that you had to be careful with on your way into  
17 Cedarville?

18 A. Can you rephrase that question please?

19 Q. Yeah, when you're navigating into Cedarville, are there any  
20 hazards to navigation that you have to pay close attention to with  
21 regard to that area?

22 A. Yes. There's numerous shoals around the area. Just to name  
23 a couple of them, one would be Polaroy (ph.) Reef. There's a  
24 couple others nearby. A lot of those shoals are test questions,  
25 local knowledge questions for the pilotage part for getting your

1 Lake Huron pilotage.

2 Q. So you were fairly familiar with those hazards on the trip  
3 in?

4 A. Yes.

5 Q. Okay. With regard to when you tied up to the pier, what kind  
6 of discussions or meeting would you have had with the master,  
7 chief engineer, et cetera, regarding the load?

8 A. Are you asking what discussions I had with the master upon  
9 tying or prior to commencing the load?

10 A. Upon tying up, was there any discussion or general meetings  
11 that you may have had with you, the other mates, the master, the  
12 chief engineer, regarding load plans, et cetera?

13 A. Upon tying up, the second mate started the load per the load  
14 plan in the book, and then I took over watch after him shortly  
15 after starting the load. There was no formal conversation upon  
16 tie up between the mates, master and I about the load. However,  
17 there were conversations prior to starting the load.

18 Q. So the conversations prior to starting the load, what were  
19 those? What did that consist of?

20 A. Prior to making arrival to Cedarville, while we were still on  
21 the open lake, Captain Porinchock and I had gone over the load  
22 plan together. We had changed a few things in order to make the  
23 load plan more efficient and to ensure the load plan didn't stress  
24 the hull in any normal ways or any ways that would not be  
25 acceptable. Prior to making the dock, I also discussed the load

1 plan with the second mate, and we discussed how the products  
2 switches would work and the load order.

3 Q. Okay. You mentioned that you may have -- you made some  
4 changes to the plan. Is there a standing plan or standing order  
5 that you typically go by for that dock?

6 A. There is not a standing order or standing plan for that dock.  
7 However, there are certain things about that dock that make your  
8 load similar every time. For example, the loader at Cedarville  
9 can move so many hatches before the vessel itself has to shift.  
10 So you plan for that in building your load. But a lot of making  
11 the load plan is based on what type of cargo you will be hauling.  
12 If you're hauling split cargos or multiple products, factors like  
13 that make the load plan have to -- make it so the load plan has to  
14 be adjusted every single time, but the bulk of the load plan is  
15 similar.

16 Q. Okay. So when you moored at the dock in Cedarville, do you  
17 remember how the vessel was tied up? Was the vessel up against  
18 the pier there?

19 A. We moored the vessel. The vessel was portside to, up against  
20 the pier, yep.

21 Q. Okay. Does the *Boland* take up the majority of that pier?

22 A. Yes, the *Boland* takes up the majority of the dock, and in  
23 order to load at that particular dock, you have to be up against  
24 for the majority of the time. Otherwise, the load rig doesn't  
25 reach the outboard side of the *Boland* and you can get an inboard

1 list real easily.

2 Q. So you could end up loading heavily with the side of the ship  
3 and the cargo that's against the dock?

4 A. That is correct. Due to the length of the *Boland*, and the --  
5 just the length of the load rig, if the boat's not tight up  
6 against the dock for most of the load, then the cargo will tend to  
7 build up on the inboard side and not reach the outboard side and  
8 the vessel will get inboard or in this case a port list if you do  
9 not watch it.

10 Q. What would you do to compensate for that?

11 A. You -- in order to compensate, you watch the pile of cargo.  
12 That we start in the middle generally, and you make sure that they  
13 are keeping as I always call it, even to the eye, make sure the  
14 pile looks like it's even on both sides of the hatch. In addition  
15 to that, you are in charge of communicating with the loader and  
16 telling them to push his rig further outboard or to stop loading  
17 altogether in order to maintain an even keel while loading.

18 Q. And is there anything that you have that -- to assist you in  
19 maintaining that even keel or the list factor?

20 A. Yes. We have a list light on the port end of the house that  
21 has a white light means the boat is pretty much even keel, and a  
22 single green or double green. Single green would mean the boat's  
23 listed 3 inches to around 6 inches to starboard. A double green  
24 would mean the boat has listed 6 inches or more to starboard. We  
25 have -- and there's also a red light and a double red light. The

1 red light meaning the same for the port, one red meaning the  
2 boat's listed approximately 3 to 6 inches to port, two red meaning  
3 the boat's listed 6 inches or more to port. In addition to that,  
4 on our automated ballast screen, there's a list readout that tells  
5 you exactly how many inches to port or starboard the boat is  
6 listing.

7 Q. And do you recall -- you began loading, is that correct, on  
8 the 21st?

9 A. That is correct. The second mate tied it up and started the  
10 first hatch, and I took over from him, and began the first  
11 basically 6 hours of loading.

12 Q. Do you recall if those load lights or list lights were  
13 energized at the time?

14 A. Yes, they were energized at the time. I was using them to  
15 ensure that we were on an even keel the entire time.

16 Q. Okay. And at any time did you find yourself in a position to  
17 where you felt like there was additional adjustment needed or the  
18 ship was listing one way or the other?

19 A. Not during my watch, no.

20 Q. So, with regard to that dock in Cedarville, are you aware of  
21 any specific guidance regarding the load?

22 A. Can you rephrase your question please?

23 Q. Sure. Is there any company guidance or anything specific to  
24 the Cedarville dock with regard to draft, with regard to known  
25 hazards, et cetera?



1 A. In regard to the Cedarville dock, our company has a draft  
2 guide which is used when loading loads. It says what a rule of  
3 thumb draft is for a certain part in Cedarville. I used that  
4 draft guide to determine our limiting factor for every load that I  
5 make but especially for Cedarville load, and it has notes on that  
6 draft guide, and I know on the Cedarville section of the draft  
7 guide, there is a note saying that there is known shoal and you  
8 have to keep your bow 12 feet off. I believe it says at 24-6 or  
9 around 24-6 at datum is when you have to keep your bow off the  
10 dock 12 feet.

11 Q. So does that note mention the southern end of the pier?

12 A. That note doesn't specifically mention the southern end of  
13 the pier, no.

14 Q. Okay. So, when you say 24 foot 6 or approximate, what would  
15 mean for you if you're loading to 26 feet? Then what would you  
16 need to do at 24 feet?

17 A. The way our draft guide works is all of the drafts listed in  
18 it are at the Great Lakes datum, due to the water fluctuations,  
19 the water levels going up and down every year, and in some cases  
20 daily, the draft guide sets a minimum draft at datum, and then we  
21 use the NOAA water gauge to add or subtract whatever water level  
22 the draft guide is referring to. And usually it'll tell you like,  
23 just for a random example, I believe Cedarville is 25-0 is the  
24 draft, do not exceed draft, and then -- but I'll say plus low  
25 water gauge Mackinaw City. So you use that 25-0. You look at

1 what the average water level has been at that Mackinaw City NOAA  
2 station, and you can add that amount of water draft. So, for  
3 example, 25-0 at the NOAA water gauge at Mackinaw City was +12  
4 inches. Then you can add 12 inches to that 25 foot 0, and you can  
5 go to 26 feet 0 inches safely during your load without running  
6 into any issues with touching the bottom or anything like that.  
7 So basically the draft guide -- to sum it up, the draft guide  
8 tells you a specific draft for that port and then you use a water  
9 gauge that, you know, a NOAA water gauge to add or subtract water  
10 level to it, and that is the draft that you are not to exceed  
11 while at that port.

12 Q. So the draft gauge for Cedarville has, from your  
13 understanding, has a safety factor built into it?

14 A. Yes.

15 Q. During that meeting that you discussed having with the  
16 captain prior to arrival, did you look at the depths at the dock  
17 at any point?

18 A. During the meeting with the captain, did we look at the draft  
19 guide for all the different locations that we would be transiting  
20 during the trip, the dock in Cedarville, the St. Clair River, the  
21 Detroit River, and the dock and marine and then added all of the  
22 relevant water gauges and then also looked at our vessel's load  
23 line and came up with a limiting factor draft which for that load  
24 happened to be Cedarville. And we discussed a target draft that  
25 we wanted to load to.

1 Q. Do you recall what your target drafts were for and aft?

2 A. I believe the target draft for that specific was 26-8 which  
3 was a 25-0 plus a 20 inch water gauge at Mackinaw.

4 Q. So when you say 26-8, is that forward or aft?

5 A. In the ideal circumstance, it would be 26-8 forward and aft  
6 and 26-8 in the middle, at midship.

7 Q. Can say that one more time, Jacob? You're breaking up a  
8 little bit.

9 A. Sorry. I'll say that again. 26-8 on the Great Lakes, our  
10 goal is try and maximize the amount of cargo we can take. So that  
11 26-8 would have been a flat boat. 26-8 forward, 26-8 at midship  
12 and 26-8 aft.

13 Q. Okay. What time did you depart the vessel after you were  
14 relieved?

15 A. I departed the vessel at approximately 2010. Brian Harvey  
16 came on board the vessel at -- I'm sorry. Brian Harvey came  
17 aboard the vessel at 2010. I departed the vessel at roughly 2210.

18 Q. And that was on the 21st, correct?

19 A. That is correct. On the 21st, yes.

20 Q. And when Mr. Harvey came on board, what discussions or past  
21 down took place between the two of you?

22 A. As soon as Mr. Harvey came on board, I showed him our load  
23 book, talked him through the whole load. It was a split cargo  
24 load. So I talked him through what different cargos we were  
25 loading, where we were loading them. I discussed our limiting

1 factor for the load which in this case was Cedarville, the do not  
2 exceed draft, and then what water gauge and the level of the water  
3 gauge that was used to come up with that draft. I discussed our  
4 ballast situation on board the vessel, how the mates run the  
5 ballast system, and it's an automated ballot system. I showed  
6 Mr. Harvey where the ballast screen is, how to function the  
7 ballast screen, and where our notes are located if he has any  
8 questions about the ballasts. And then I also told him that our  
9 third mate on board was brand new, and that I would be standing  
10 half of her watch in the second mate would be standing the other  
11 half of her watch. And that once he put his stuff away, he could  
12 come find me on deck, and I would explain anything more about the  
13 vessel and the vessel particulars if he had any questions.

14 Q. So he arrived somewhere around 2010 you said?

15 A. That is correct. Yes.

16 Q. Okay. And were you with him for most of that 2 hours then  
17 until you departed?

18 A. That is not correct. Our initial turnover where I discussed  
19 all of these things I just listed, lasted around 10 minutes. And  
20 then he went to his room to put his things away, and I did not see  
21 him again until I departed the vessel.

22 Q. Okay. So you met him when he came on board?

23 A. Correct. I met him at the ladder as soon as he came on  
24 board.

25 Q. And you kind of broke up again, but did you say that you

1 discussed those things with him for approximately 10 minutes?

2 A. That is correct.

3 Q. And you didn't see him again after you departed or when you  
4 departed at like 2210?

5 A. That's correct. I was standing half of the third mate's  
6 watch from 2000 to 2200. After I was relieved by the second mate,  
7 I went up to the pilothouse, signed my discharges and did not -- I  
8 grabbed my bag from Brian's room and he was sleeping at the time,  
9 and that was the last time I had saw him.

10 Q. Okay. And are you aware of any -- was the captain with you  
11 or anyone else when you were discussing the load plan with  
12 Mr. Harvey?

13 A. The captain was not with me when I discussing the load plan,  
14 but the AB on watch was sitting right next to me when I discussed  
15 it.

16 Q. And where was that at?

17 A. I discussed the load plan right by the ladder, right in front  
18 our port boom shack with him.

19 Q. Okay. And then the last thing I have is, you know, you sound  
20 like a very thought out and sharp individual, and you must be.  
21 You've moved up the ladder fairly quick with the company. Did you  
22 have any concerns whatsoever sailing with a third mate unlimited  
23 as a first?

24 A. No, I had no concerns whatsoever. I had been sailing aboard  
25 the *Boland* all of last year. I said as first mate a couple times

1 last year, and I had no concerns with her whatsoever.

2 MR. [REDACTED] Okay. Adam.

3 BY MR. TUCKER:

4 Q. Hey there, Jacob. (Indiscernible).

5 A. Adam, I don't know if you just asked me a question or not,  
6 but you were very broken up on my end, and I did not catch what  
7 you asked me.

8 Q. Okay. Well, that was a kind of a question if you could hear  
9 me or not?

10 A. I can hear you better now.

11 Q. Okay. I'll try to speak as clear as possible and  
12 (indiscernible). I understand that you're probably at sea or  
13 something else. First of all, thank you for speaking with me.  
14 The National Transportation Safety Board (indiscernible), with the  
15 Coast Guard, and we'll gather the same evidence, the same  
16 information, documents, et cetera. And we'll do a separate  
17 analysis. In this case it would a brief analysis, probable cause  
18 and if there's any recommendations that could be made, the  
19 National Transportation Safety Board has the ability to do that.  
20 Like I said, we work with the U.S. Coast Guard. The U.S. Coast  
21 Guard is lead for this investigation. So we're just working with  
22 them, like I said, gathering the same facts. So I appreciate your  
23 time, and I appreciate you listening to that spiel.

24 I do have a couple follow ups, Jacob, and I think you  
25 answered most of them, but given the bit of background noise, I

1 may ask you to repeat a few of these questions. So please bear  
2 with me and please be patient with me.

3 First and foremost, you had mentioned them and I was a little  
4 bit confused and it might have been the connection. You had  
5 mentioned that you had been -- you had loaded the *John J.*  
6 previously in Cedarville. Did I understand that correct?

7 A. That is correct. I have previously loaded the *John J. Boland*  
8 in Cedarville, yes.

9 Q. Okay. And this is the part that I missed. Did -- was that  
10 as chief mate or during your capacity as cadet or less, et cetera?

11 A. I have previously loaded the *John J. Boland* at Cedarville.  
12 When I did that, it was in the capacity of second mate. I was  
13 training to be a first mate at the time.

14 Q. Okay. And, any other (indiscernible) during your time as  
15 second mate in training to be first mate at Cedarville,  
16 (indiscernible) loading, how it went (indiscernible)?

17 A. I've never had any issues loading at Cedarville, and I've  
18 loaded the vessel to 26 feet -- flat, 26 feet forward, 26 feet at  
19 midship and 26 feet aft at Cedarville with no prior issues.

20 Q. Okay. And to that, while we're on the subject, you discussed  
21 this draft guide, and if I understand what at least what you said  
22 (indiscernible) ship had to be held 12 feet off the dock for it to  
23 come out. The question is, did you have to do this during any of  
24 your previous loading experiences?

25 A. No, I have not had to do that during any of my previous

1 loading experiences. I've not been hung up on that shoal ever  
2 before. That is the reason I did not include note in the load  
3 plan. I have had no experience prior to that where the shoal had  
4 ever been an issue with me.

5 Q. Okay. And staying on that subject, you mentioned the pass  
6 down process with the oncoming first mate and -- Mr. Harvey. And,  
7 did you have any discussion about that -- the draft guide and that  
8 shoal at that time during the hand down -- the pass down?

9 A. I did not have any discussion with Brian about that specific  
10 shoal during that handoff, no.

11 Q. Okay. Now, we did talk to Mr. Harvey. We understood  
12 (indiscernible). Did he express to you his experience  
13 (indiscernible)? Did he express any experience that he's had?

14 A. He expressed to me that he had been sailing for 20 plus  
15 years, doing this forever, but like had no problems whatsoever  
16 loading.

17 Q. Okay. I understand that. Thank you. And, again just back,  
18 I apologize if I'm repetitive here, but your time as chief mate,  
19 your only time, your first time as -- sorry, first mate on the  
20 *John J.* was this particular (indiscernible). Is that correct?

21 A. That is incorrect. I have done approximately 30 days as  
22 first mate on board the *John J. Boland* last season.

23 Q. All right. Okay. Now, let's see. Bear with me, I've got a  
24 couple questions here but most of these -- a lot of these have  
25 been answered already. This is well over a month ago already. Do



1 you recall where (indiscernible) at the time that you completed  
2 your watch?

3 A. I'm sorry. You were breaking up a little bit. Could you  
4 repeat that question?

5 Q. Yeah, and this is okay if you don't know or if you don't  
6 remember. I can't remember what I had for breakfast this morning.  
7 But do you remember where you were in the loading process at the  
8 last time that you got off watch?

9 A. Where I was at the loading process the last time I got watch  
10 -- when I got off watch. Yes and no. I can't give you a specific  
11 hatch but I do remember that we had just finished with the first  
12 product, and we had switched over to the product. And, we were in  
13 the first or second hatch down first run of the deck of the second  
14 product.

15 Q. Okay. Bear with me. I'm just taking notes. Do you recall  
16 again the last time you took any draft readings before you got off  
17 watch, your last -- basically the last drafts before you got off  
18 watch?

19 A. I do not recall those drafts. I did look at them before I  
20 got off watch, but I don't recall what they were.

21 Q. Understood. Do you recall during your handover or pass down  
22 process, did Mr. Harvey take any draft readings?

23 A. Not that I'm aware of during the pass down process, no.

24 Q. Understood. Still staying on the subject of pass down, I  
25 understand this was not a normal relief. I understand that you

1 were going to be -- were supposed to stay on board for another 2  
2 weeks and hand over to Trevor, the second mate. So, when were you  
3 notified that you were basically going to be getting off the  
4 vessel?

5 A. That morning of the 21st. I believe it was around 10 or 11  
6 a.m., but it was that morning of the 21st.

7 Q. And do you remember who informed you of this?

8 A. The captain inform me of that fact that I would be departing  
9 the vessel, that Brian Harvey would be my relief.

10 Q. Okay. And, what were you told? Like why were you having to  
11 get off the vessel?

12 A. There's language written in our union contract that  
13 essentially states if a vessel is a vessel that a person is  
14 normally assigned to is laid up and another vessel has been  
15 sailing for 30 days or more, a member can basically seniority bump  
16 another crewmember off the vessel if that person has more company  
17 seniority than the one currently sailing on the vessel. So Brian  
18 Harvey exercised his right to seniority bump me off of the *John J.*  
19 *Boland* because he had more company seniority than I did at the  
20 time.

21 Q. Okay. I understand. Going to company policy, for example,  
22 and again I know that your mindset was that you were going to be  
23 handing over to Mr. Schick who was on board as second mate at the  
24 time, but what is the company policy or is there a company policy  
25 for a handover especially in an important position like first

1 mate?

2 A. I'd have to refer to our SMS for our official company policy.  
3 I can tell you what my personal policy is, but I would have to  
4 refer to the SMS for the company policy.

5 Q. Okay. Then we'll just go with your personal policy.

6 A. My personal policy is I like everything to be squared away  
7 before I hand things over. I usually type up a bunch of notes  
8 about the crew on board, kind of just casting the boat, what the  
9 upcoming trips are, what any limiting factors of the trip or  
10 anything like that would be, and just kind of general vessel  
11 notes. And then I usually like to print those off, and I give  
12 them to the person. However, I was not able to do that in this  
13 case due to the short timeframe of finding out I was being  
14 relieved.

15 Q. Okay. And on that subject, and I think you answered this  
16 already, but (indiscernible) load completed or (indiscernible) had  
17 to get off right away?

18 A. I think your question was a little bit broken up, but the way  
19 I understood your question was would I have been able to stay on  
20 the vessel until like the next dock or something like that or did  
21 I have to get off immediately? Is that correct?

22 Q. Mostly correct. The question was would you have been able to  
23 stay on until loading was completed in Cedarville and kind of got  
24 off just before the gangway came up?

25 A. In theory, I could have been able to do that. However, I've

1 never seen anyone stay on like that. Usually when you get  
2 relieved, you turn over with your relief and then you depart the  
3 vessel.

4 Q. Okay. So you had already had a long day. I'm wondering, how  
5 did you get home and how many hours of drive or flight or whatever  
6 or maybe you went to a hotel. I don't know.

7 A. Sure. Yeah, I did have a long day that day. I had watch in  
8 the morning from 4 to 8 a.m. We were originally supposed to go to  
9 a different dock that day. We were originally supposed to go to  
10 Stoneport, to find out that they had traffic issues at Stoneport,  
11 and out load would be switched to Cedarville. So I stayed up past  
12 my watch and made the load plan, discussed the load plan with the  
13 captain, and then took a (indiscernible), went down and ate some  
14 food, and then our internet on board the vessel went out. So I'm  
15 usually the guy who everyone reaches out to for all the technical  
16 issues. I'm the younger guy on board. So, they always reach out  
17 to me for those issues. So I helped try and sort that out, and  
18 then had a couple hours off before coming onto watch at 1600 and  
19 stayed out until 2200, 2 hours past my normal watch to go stand  
20 over with the third mate. And then I drove 2 hours to Gaylord,  
21 Michigan and stayed in a hotel room before I finished my drive to  
22 my hometown in Traverse City.

23 Q. Okay. I think I've got all of that. You kind of broke up  
24 here. So if I understand correctly, you got on watch at 4 o'clock  
25 that morning. Your watch is supposed to end at 8 o'clock as

1 (indiscernible). You mentioned you were supposed to go to  
2 Stoneport but that got canceled and you went to Cedarville,  
3 correct? Or, no. You weren't even at Cedarville at that time.

4 A. Yeah. In the morning when our load at Stoneport got  
5 canceled, we were still on the open lake, and instead -- Stoneport  
6 is -- we were headed upbound. So Stoneport's a port on Lake  
7 Michigan -- or sorry, Lake Huron, on the Michigan -- more  
8 peninsula side before Cedarville. So the traffic department  
9 decided to just keep going north to Cedarville. And so our load  
10 got switched to Cedarville and I stayed up talking with our load  
11 dock in Lorraine to clarify exactly what products they wanted, how  
12 much of what they wanted and stayed up and made the load plan for  
13 the dock at Cedarville. And then we actually had to go to anchor  
14 for a couple hours before we could even make the dock in  
15 Cedarville.

16 Q. Okay. I understand. And curiosity, just with this change,  
17 Stoneport from Cedarville, is that (indiscernible) on your  
18 planning on the (indiscernible)? Were you kind of rushed to get  
19 the load plan ready for Cedarville?

20 A. I would not say I was rushed. It did change how I had to  
21 build the whole load plan, but I would not say I was rushed in any  
22 form. I had plenty of time, and I took my time while making the  
23 load plan. I used our CargoMax software on board the vessel to  
24 ensure that we didn't have any weird bending, stresses or anything  
25 like that and, yeah, I was not rushed while making the load plan.

1 Q. I understand. Okay. And thank you for clarifying that.  
2 Let's see. Bear with me. I have questions here, but some have  
3 been answered already. When you departed that day, I understood  
4 you drove for 2 hours, went to a hotel and then continued the next  
5 morning. So my question is this. What did you drive? Did you  
6 have a car, a company car or what was that?

7 A. So the way the majority of our crew change works is the  
8 person that's coming to the vessel, they usually rent a car, and  
9 then the person departing the vessel takes the car that their  
10 relief had rented. So you drive a rental car.

11 Q. Understood. Okay. (Indiscernible) at Cedarville where you  
12 (indiscernible). Have you ever been in that situation?

13 A. I have never personally been in that situation although I'm  
14 aware that some day I might have to be or have to do that, but  
15 I've never been in a situation yet where I've had to do that.

16 Q. Okay. And so just clarifying. Have you ever experienced  
17 that like in a lower capacity or have you ever seen it as a cadet  
18 or anything like that?

19 A. Not at Cedarville. I've seen it at other docks where you  
20 have to tricks like that, but not specifically at Cedarville.

21 Q. I understand. Okay. And I've been -- I'm a mariner but I'm  
22 a salt water guy, deep sea. I've never sailed the Lakes before.  
23 So I apologize if some of these questions are dumb. But, in that  
24 change from Stoneport to Cedarville, I understand that in  
25 addition, you've got to make -- you've got to review mooring plan,

1 et cetera, like that. Just curious. During your load plan  
2 preparation, did you also review the load plan -- the mooring plan  
3 and the mooring arrangements for Cedarville?

4 A. No, not during making the load plan, I didn't review the  
5 mooring arrangements. It's a pretty popular stone dock that all  
6 of the guys -- sailing on the Lakes, I've been to many times, our  
7 vessel ties up the same way there every single time. So it wasn't  
8 a new mooring arrangement or anything like that. Everyone was --  
9 well, everyone except the new third mate who had just started  
10 sailing, but everyone else, like the captain, myself, we were all  
11 well aware of how we moored the vessel at Cedarville.

12 Q. Okay. Understood. And, previous to that, you had mentioned  
13 as well, just because of your testing for Lake Huron and  
14 everything like that, I'm curious. Do you know what the bottom  
15 composition is at Cedarville? Are we thinking it's mud, sand,  
16 rock, mixed?

17 A. I'd have to refer to the chart for the exact bottom  
18 composition but I'm sure there's some rocks involved.

19 Q. Okay. Again bear with me. You've answered a lot of these  
20 questions here. Just curious. I've seen a couple of little mixes  
21 on this. So I just wanted to verify. The gauge that you were  
22 using, the NOAA gauge you were referencing, was that from  
23 Mackinaw?

24 A. That is correct. That is correct. There's no NOAA gauge in  
25 Cedarville. The one we use is in Mackinaw City.

1 Q. Okay. I looked at or referenced, I understood, I think I've  
2 seen in some notes somewhere that De Tour was also referenced.  
3 Was that a factor in this one?

4 A. It wasn't specifically a factor in that. When I do my load  
5 plan and I'm looking at the water gauges to determine a limiting  
6 draft, even though the draft guide may say that the water gauge  
7 used is just Mackinaw City, I usually look at a couple water  
8 gauges nearby just to verify that that gauge is kind of lining up  
9 with the water gauges in the surrounding area. It wasn't a  
10 specific. In this case, De Tour didn't really have any specific  
11 effect on the load plan.

12 Q. Okay. All right. So I'm going to get to a big question that  
13 I have, and maybe my notes are inaccurate, but -- and again,  
14 forgive me, I'm a salt -- what do you call us? I'm a salty. I'm  
15 a salty guy. So, the question is I understood -- let me back up  
16 in my notes here -- that limiting load or the limiting draft for  
17 this particular location was Cedarville and that was going to be  
18 26-8. Based on the datum that was given or that you had to  
19 reference, I'm -- oh, here it is. Okay. 26-8 and then the datum  
20 at Cedarville was 25 plus 20 inches at (indiscernible) and that  
21 makes 26-8 (indiscernible). So that leads me to think there's 0  
22 under keel for the vessel at departure. Am I understanding that  
23 right?

24 A. No. The draft guide has a built in safety factor. Usually  
25 it's around 18 inches. I think some ports might be more or less,



1 but if you go to the draft at datum that is listed in the draft  
2 guide, you should have at least 18 inches underneath you at that  
3 -- when finished. So the limiting factor for that trip was  
4 Cedarville which using our draft -- our company's draft guide, the  
5 draft at Cedarville at datum would have been 25 feet 0 inches, and  
6 then I used a Mackinaw City NOAA water gauge reading of +20 inches  
7 to come up with the no deeper than 26 feet 8 inches. That was the  
8 target draft and that should have left you with approximately 18  
9 inches underneath the vessel, possibly more depending on the  
10 safety factor the company used to figure out their target draft  
11 for their draft guide.

12 Q. Okay. I understand that now. Thank you for clarifying that.  
13 I may have missed it. You may have said that but again because of  
14 the technology, sometimes we get terrible message here. So, let's  
15 see. So the load book -- I'm going back to the load book now.  
16 And, I understand that you created the load plan, and I'm just  
17 wondering. Some of this is curiosity, but just wondering for the  
18 load plan, how do you create this? Is this done like through  
19 CargoMax or do you make -- is it a spreadsheet, Excel or how do  
20 you do this?

21 A. The way I make the load plan is to first kind of figure out  
22 roughly the amount of tonnage we will be taking total to get the  
23 boat to that limiting factor draft. And then I refer to previous  
24 load plans. I think this vessel in particular has been around --  
25 I think this boat's 50 years old this year. So she's done a whole

1 bunch of different loads especially at the Cedarville dock before.  
2 So I look at the previous loads at the dock and kind of how those  
3 were done. And, then I use kind of my own experience and then  
4 those numbers from the previous loads and kind of space out how I  
5 want to load the vessel, and then after I have kind of my plan of  
6 how I want to load the vessel, I run it all through CargoMax to  
7 double check that everything's good and we don't exceed any  
8 bending moments on the vessel.

9 Q. Okay. And for this particular plan, I believe I understand  
10 that there were no exceedances of any type of bending moments or  
11 shear forces or anything like that. Is that correct?

12 A. That is correct.

13 Q. Okay. And so based on -- with the load plan and -- was the  
14 instruction for the load plan, was that created through CargoMax  
15 or did you have to type that up on Excel or another program or  
16 basically how did this get -- it looks like it's been kind of  
17 glued into the book?

18 A. Yeah, I have a document in Excel that I use for every trip to  
19 kind of track our load, unload and it's an Excel sheet in there  
20 and I type all the information to that Excel sheet, print it out,  
21 cut it out, and glue it into our load book.

22 Q. Okay. Now, staying with this particular load plan, and again  
23 if you don't remember, that's fine, but -- and I don't know if you  
24 have a copy in front of you or not, but (indiscernible) 1M coal.  
25 Do you remember what --

1 A. You're a little broken up. I believe you were asking in  
2 hatch 5, it has a coal 1M listed on it. If that's what you're  
3 referring to, when you got to hatch 5, that would be the hatch  
4 that the mate on watch would call the first mate out with draft  
5 readings to have the first mate come out and finish the load by  
6 trimming the vessel down to the final draft.

7 Q. Okay. This particular one, it's not hatch 5. It says --  
8 it's kind of written by hatch number 9.

9 A. Then I think it would have been whenever -- I don't recall  
10 where it was written, but whatever hatch it was written next to,  
11 that would have been the vessel, up to that hatch, that would be  
12 the time for the mate on watch to call the first mate with the  
13 drafts and have the first mate come out to finish the load. At no  
14 time during the load should the vessel ever be more than 1 foot  
15 closer to the target draft. It was designed that the boat never  
16 reaches 1 foot to the target draft, and then that way the first  
17 mate can come out and he'll trim the vessel down to that exact  
18 draft.

19 Q. Okay. I understand that now. Okay. Thank you. A couple of  
20 things here, it says call first mate or captain any time needed.  
21 Again, I'm referencing the load plan and, of course, it says watch  
22 drafts exclamation mark times three. So the draft is very  
23 important here. (Indiscernible) out with H2O in 6 starboard. Do  
24 you remember what that was?

25 A. Yeah. So in order to load the aft hatches on board these

1 self-unloading vessels, we have to move our unloading boom out of  
2 the way. When we move the unloading boom, either port or  
3 starboard side, the vessel will list over. In order to counteract  
4 that list, you can either load cargo on the opposite side and  
5 counteract the list with cargo or you can counteract the list with  
6 ballast water. For this specific dock to counteract the list, we  
7 were using H2O water in 6, tank 6es, ballast tank 6es. So to keep  
8 the boat even, when you swung the boom out to load the aft  
9 hatches, you were to address the ballast in tank 6es in order to  
10 keep the boat even.

11 Q. Understood. Okay. And do you know how much ballast would be  
12 used or is that just basically whenever the trim is -- whenever  
13 the list is back upright?

14 A. As long as you're starting with an even keel, it's basically  
15 however much ballast is needed, but there is a rule of thumb, to  
16 get our boom out to 90 it takes approximately 10 feet of ballast  
17 water and to get our boom out to a 45, it takes approximately 5  
18 feet of water and that is listed on a piece of paper next to the  
19 ballast screen in the boom shacks as well as once you said on  
20 board the vessel, it kind of becomes common knowledge. But I  
21 usually list it in the unloading book but in the load book, you  
22 just kind of keep it on an even keel as you're booming out. You  
23 just make sure that you're even the whole time.

24 Q. I understand, yeah. Run rig off of tonnages. Don't run rig  
25 off if tonnages don't fit. Okay. I understand that, or I think I

1 understand that. Run rig off if tonnages don't fit basically  
2 means if the tonnages are not matching up based on the drafts, you  
3 tell the rig to stop. Is that -- am I understanding that right?

4 A. That is correct. I do my best to look at the previous loads  
5 and use CargoMax with that specific cargo to judge how much  
6 tonnage will fit in the hatch, except sometimes it doesn't always  
7 work out. So if the -- especially with this rig, if the -- you  
8 know, your tonnage is getting too much that you're kind of loading  
9 more on one side than the other, just run the rig off. That's  
10 what that means, yes.

11 Q. Okay. Rig can't reach outboard. I understand that, and then  
12 it says, don't pack inboard side. If I'm understanding this  
13 correctly, it just means don't put everything on the inboard side.  
14 Don't put all your cargo on the inboard side.

15 A. That is correct. It's just to -- if the rig doesn't reach  
16 the outboard side, don't fill up the inboard side too much.

17 Q. Okay. All right. During your time on -- during your time  
18 again on watch, during cargo watch, did you have to reposition or  
19 shift the vessel at all during your watch?

20 A. Not during my watch. The load rig at Cedarville can load  
21 quite a few hatches. You generally only have to shift the vessel  
22 a couple times during the whole load.

23 Q. Okay. And during basically your time until you left, had the  
24 vessel shifted at all?

25 A. The vessel had not shift at all while I was loading. We were

1 up against the dock the whole time.

2 Q. Okay. Now, I'm bouncing around again, but you mentioned  
3 earlier you had spoke with Brian. You did a handover that lasted  
4 roughly around 10 minutes. Then you didn't see him again. I just  
5 wanted to clarify. Well, sorry. What I want to clarify is you  
6 said you did see him again but that was -- you didn't have any  
7 discussion when you did see him again. Is that correct?

8 A. That is correct. After our short handover on deck, I told  
9 him to come find me. I'd be out on deck. I couldn't leave the  
10 deck while I was on watch with the third mate, but he never came  
11 down to the deck to speak with me again, and when I did see him,  
12 it was just while I was grabbing my bag from the first mate room  
13 in order to leave the vessel and he was sleeping at that time.

14 Q. Okay. I understand. This might be a salty question, but  
15 referencing tons, tons of cargo loaded. Are we talking long ton,  
16 straight ton, metric? What kind of tonnage is there actually  
17 referenced in the plan according to the load plan?

18 A. All of the stone docks on the Great Lakes deal in met (ph.)  
19 tons and short tons. So they were planned to be met tons, short  
20 tons.

21 Q. I understand that you had mentioned earlier the goal is  
22 always to load to the max. I understand that that's just a normal  
23 thing to load to the max. The question is this. Are you or the  
24 crewmembers -- are there any incentives to crewmembers loading to  
25 the max? In other words, if you can get a little extra cargo on

1 board, is there any incentives (indiscernible)?

2 A. There are no direct incentives to load more cargo. The only  
3 possible incentive is to be safe on board. We get a safety bonus  
4 if we have no safety incidents during the whole year. And then to  
5 be -- to go hand-in-hand with that, to be efficient. The more  
6 efficient the boat is, the more trips the boat can do, the better  
7 the company performs and we get a bonus at the end of the year,  
8 and the more trips we do, the better the company does, the bigger  
9 our bonus is, but there's no direct incentive to load absolutely  
10 more cargo. In fact, I've been told more than one, if you have to  
11 leave a little bit light, you didn't quite reach your target  
12 draft, that's perfectly acceptable and that happens every now and  
13 then.

14 Q. Okay. And that was actually going to be my next question. I  
15 think you answered it. Just to verify, there is also no punitive  
16 measures taken against crewmembers for loading light as you say.  
17 Is that correct?

18 A. That is correct. Some instances happen and sometimes you  
19 don't actually reach the target draft and there's no negative  
20 incentive or punitive punishment if you don't hit the target  
21 draft.

22 Q. Okay. Still working backwards here, so you're home. You've  
23 got your feet up, and I guess at some point you probably got a  
24 phone call from someone saying, hey, this happened on the *John J.*  
25 Is that correct?

1 A. I got a phone call from the captain after the incident, like  
2 a couple days after the incident happened, and that was the first  
3 I heard. When I left the vessel, I told both the third mate and  
4 second mate to call me if they had any questions or issues as well  
5 as I told Brian Harvey to call me if he had any questions or  
6 issues about the whole load. But the first time I heard about the  
7 incident was from the captain a couple of days after it happened.

8 Q. Okay. Now, do you recall what the captain told you  
9 specifically?

10 A. He just mentioned to me that the vessel had grounded and that  
11 the Coast Guard would be reaching out to me. It was a very short  
12 phone call. That was all he said.

13 Q. Okay. Again bear with me. I'm checking my questions. Back  
14 to the load plan. I understand you created the load plan. I  
15 understand that clearly. You clarified it through CargoMax. Does  
16 the captain -- did the captain review the load plan with you and  
17 approve it or does he have to do that or what do you recall the  
18 captain did with the load plan?

19 A. The captain did review the load plan, and he approved it.  
20 The captain will review and approve every load plan I create  
21 before we implement them.

22 Q. Okay. Is that a norm for -- is that like a company policy or  
23 is that more just because of your (indiscernible) or what is that?

24 A. It's company policy that the master will review and approve  
25 every load plan.



1 Q. Okay. Were there any other special instructions that we're  
2 not clear of or that we have -- that were passed on to either the  
3 oncoming first mate or just to the crew in general? Any special  
4 instructions?

5 A. The only other special instructions that were kind of passed  
6 down were to call me if they had any questions or any concerns or  
7 any issues. That was it.

8 Q. Okay. And, since we're on that, that's one thing I forgot to  
9 ask. During the time you were resting, had anybody called you for  
10 any issues or any problems?

11 A. No, not during the time I was resting on the 21st, no.

12 Q. Okay. Also just on that, do you recall, were there any  
13 problems with the vessel's ballast system or the ballast tanks,  
14 any problems?

15 A. No major problems. It is an automated ballast system.  
16 Sometimes it works better than other times, but there was no major  
17 problems where -- everything was functional when I left.

18 Q. Okay. And just to clarify, so there were no -- hang up is  
19 probably not the right word for me to use, but there were no  
20 places where the ballast operation had to stop and, you know, the  
21 loading operation continued. There were no deviations I guess for  
22 the load plan and the ballasts and the de-ballasting process.

23 A. That's correct. They should be able to de-ballast the vessel  
24 and load the vessel at the same time without any interruptions  
25 between one or the other.

1 Q. Okay. And for that particular unloading at least for the  
2 time you were on board, there no problems?

3 A. Correct.

4 Q. Okay. Let's see. When you signed off the vessel, were you  
5 told when you were due to return or was it kind of a question  
6 mark?

7 A. It was a question mark. I was not specifically told when I  
8 was due to return.

9 Q. Okay. All right. Let's see. This is kind of a -- I ask  
10 this of everybody, but are there any times, speaking of time, and  
11 that's one of the big things with investigations is, you know, the  
12 time, creating a timeline of the events. Are there any times that  
13 stick out in your head at all during your watch in port, anything  
14 at all?

15 A. No, during my 6 hours on watch before departing the vessel,  
16 it was business as usual. There's no -- nothing that stuck out.  
17 Everything was going very smooth.

18 Q. Okay. All right. So, that's all the questions that I have  
19 at the moment, and I will catch up with you to make sure I've  
20 captured everything. So I'll have some for you on the back end,  
21 but I'll turn it back over to Mr. [REDACTED] Thank you again,  
22 Jacob.

23 A. No problem.

24 MS. BEAUBIEN: [REDACTED] can I hope in with one quick  
25 clarification?

1 MR. [REDACTED] Yes, ma'am.

2 BY MS. BEAUBIEN:

3 Q. Jacob, did you depart the vessel on April 20th or was it  
4 April 21st?

5 A. I believe it was April 21st. Let me just double check my  
6 calendar to confirm that. Yeah, it was Friday, April 21st is when  
7 I departed the vessel.

8 Q. Okay. Thanks, Jacob.

9 BY MR. [REDACTED]

10 Q. Okay. Jacobs, I have a couple. This is [REDACTED] [REDACTED]  
11 again. I have a couple of follow ups. So, are you on board the  
12 *Boland* right now?

13 A. That is correct. I'm currently on board the *Boland*, yes.

14 Q. Okay. And, so is Mr. Harvey -- are you scheduled in tandem  
15 with Mr. Harvey now or is he still -- will he be your relief?

16 A. No. I believe Mr. Harvey is assigned to the *Calumet*. My  
17 relief will be Trevor Schick still.

18 Q. Okay. So is that commonplace then if Mr. Harvey wants to use  
19 seniority, he can jump wherever he wants on whatever ship?

20 A. He can only jump wherever he wants if his assigned vessel is  
21 laid up, which it was at that time. It is currently sailing now.  
22 So now he's assigned to that vessel, and he has to stick to that  
23 vessel unless the company moves him.

24 Q. Okay. So it's your understanding that his ship is the  
25 *Calumet*.

1 A. That's my understanding, correct.

2 Q. Yeah. Okay. So it was just a short period switch then while  
3 his ship was laid up?

4 A. That's my understanding, yes.

5 Q. Okay. So, did you talk with the dock master, whoever was  
6 doing the loading on the dock side of things?

7 A. The loader, yes. I conversed with the loader. I send them a  
8 load plan and make sure that they have the correct load plan.  
9 And, after every hatch, I confirm the tonnage that went into that  
10 hatch to verify it was exactly what I had ordered on my load plan.

11 Q. At any time during that general discussion or back and forth,  
12 did the loader mention to you any other ships that may have had an  
13 issue at that dock?

14 A. No.

15 Q. So nothing was passed about any other vessels that may have  
16 bumped bottom on the way out or during loading?

17 A. No.

18 Q. Okay. And, when you were preparing to load in Cedarville,  
19 did you take a look at any hydrographic surveys of the area that  
20 may have been on board?

21 A. I did not, no.

22 Q. Are you aware of any?

23 A. I'm aware we probably have some on board. I would have to  
24 search hard to find them, but I generally do not look at the  
25 hydrographic surveys. That generally does not fall within my role

1 on board.

2 Q. Okay. If you're on the *Boland* now, so since the grounding  
3 incident, are you aware of any changes or any new directives that  
4 have come out regarding that dock?

5 A. No.

6 Q. So would you be aware then if there was a new hydrographic  
7 survey that was performed that may update the depth of water at  
8 that dock?

9 A. I'm sure they probably produced a new hydrographic survey and  
10 have sent it to the captain on board, but I have not specifically  
11 looked at new hydrographic surveys.

12 Q. So are you acting as first mate now then?

13 A. That is correct.

14 Q. And have you loaded at Cedarville since the incident?

15 A. We have not loaded at Cedarville yet since the incident, no.

16 Q. Okay. And at any time do you use an electronic log?

17 A. Can you restate your question please?

18 Q. Yes. At any time do you use an electronic log for logging  
19 your routine, similar to the deck log, but you would put your  
20 drafts in it and departure and watch change, et cetera?

21 A. Electronic log? No. What we use is called Buoy (ph.) Log.  
22 It's a program that our company uses to input drafts, amount of  
23 cargo, times we were at specific ports or specific locations such  
24 as (indiscernible), arrival, check, things like that. So in that  
25 instant, yes, I do use that program.

1 Q. And is that similar to a deck log?

2 A. I do not understand what you're referring to in regard to  
3 this deck log.

4 Q. So you put entries within the paper deck log. Is that  
5 correct? That's on the bridge.

6 A. The logbook on the bridge, yes. I put entries into that,  
7 yes.

8 Q. Okay. And do you record your drafts daily in that deck log?

9 A. We do not record our drafts daily. We record our drafts upon  
10 leaving and arriving docks.

11 Q. Okay. Is there any reason that -- I'm just, out of  
12 curiosity, looking at the deck log for a couple days that I was  
13 provided, and the drafts are exactly the same on those two  
14 separate days.

15 A. We were probably underway at that time, and generally the  
16 drafts listed on the deck log, the official log book, are the  
17 deepest drafts for that specific trip. Our load log captures our  
18 arrival drafts and departure drafts, but the deck log just has the  
19 deepest drafts of the vessel during that entire trip.

20 Q. Okay. Thanks for that clarification. I think that's all I  
21 have at this time.

22 MR. [REDACTED] Does anyone else have any additional  
23 questions?

24 MR. TUCKER: Yes. Adam here.

25 BY MR. TUCKER:

1 Q. I do have two more. I just wanted to clarify. I think I  
2 probably know the answer to this based on what I have here but did  
3 you do any type of dead weight survey during your time on board  
4 before you signed off?

5 A. I've done multiple dead weight surveys on my time on board  
6 before I signed off. I did not do any dead weight surveys for  
7 Cedarville specifically. I do a dead weight survey after I reload  
8 though.

9 Q. Understood. Okay. That's what I thought. And, last  
10 question I have, sometimes it can be the most important, and I ask  
11 this of everybody. Is there anything that I or we have not asked  
12 you that you might feel is important to share with us given the  
13 fact that our tasking is kind of putting this whole puzzle  
14 together and determining what happened?

15 A. Nothing specific that you guys haven't asked that I would  
16 like to add. The only thing would be in relationship to my  
17 experience on board the *Boland*. [REDACTED] asked about kind of what my  
18 previous commercial experience was, but it wasn't anything stating  
19 if I had kind of sailed aboard the *Boland* before. As soon as I  
20 graduated from the Maritime Academy, the first ship I worked on  
21 with my license was the *John J. Boland*, and I have worked on this  
22 ship since I graduated from the Maritime Academy. I don't know  
23 the exact date, but I had a lot of extra time last year. So I  
24 have kind of more days than what our normal rotation would be on  
25 board. So I kind of have a limited amount of experience in terms

1 of the number of years say I have, but I've a good knowledge of  
2 how the *John J. Boland* works and how we load and unload this  
3 vessel.

4 Q. All right. Thank you for that. Thank you for communicating  
5 that, and that is all the questions that I have. Again, a big  
6 thank you.

7 A. No problem.

8 MR. [REDACTED] Ms. Beaubien, would you have any questions,  
9 ma'am?

10 MS. BEAUBIEN: Nothing from me. Thank you.

11 MR. [REDACTED] Mr. Peterson, anything, sir?

12 MR. PETERSON: No, sir.

13 MR. [REDACTED] Okay. Jacob, like I said once before, and  
14 I'll say it again. I really appreciate your time. This helps out  
15 greatly. It helps add clarity to things, and I appreciate you  
16 making the time. So if nothing else --

17 MR. HENLEY: No problem.

18 MR. [REDACTED] -- we'll go ahead and sign out.

19 MR. HENLEY: Okay. Have a good day, guys.

20 MS. BEAUBIEN: Thank you, Jacob.

21 MR. TUCKER: Thank you again, Jacob. Appreciate it.

22 (Whereupon, the interview was concluded.)  
23  
24  
25



CERTIFICATE


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

IN THE MATTER OF:           INCIDENT ABOARD *JOHN J. BOLAND*  
                                  IN CEDARVILLE, MICHIGAN  
                                  ON APRIL 21, 2023  
                                  Interview of Jacob Henley

ACCIDENT NO.:               DCA23FM029

PLACE:                       Via Microsoft Teams

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