

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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INCIDENT ABOARD *JOHN J. BOLAND* *

IN CEDARVILLE, MICHIGAN *

Accident No.: DCA23FM029

ON APRIL 21, 2023 *

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Interview of: JEFFERY MICHAEL PORINCHOCK, Master
John J. Boland

Lorain, Ohio

Tuesday,
April 25, 2023

APPEARANCES:

LT. [REDACTED] [REDACTED] Investigating Officer
Marine Safety Unit Cleveland
U.S. Coast Guard

ADAM TUCKER, Investigator
National Transportation Safety Board

SARAH V. BEAUBIEN, Esq.
Gallagher Sharp, LLP
Representing Grand River Navigation

BRIAN PETERSON, Vice President, Operations
Grand River Navigation

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I N T E R V I E W

(3:13 p.m.)

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2
3 LT. [REDACTED] It is April 25th, 2023. The time is 1513.
4 This is the interview with Jeffery Michael Porinchock, reference
5 number [REDACTED], captain on board the *John J. Boland* for the
6 material failure that occurred on 21 April 2023.

7 Captain, can you state your full name for the record?

8 CAPT. PORINCHOCK: My name is Jeffery Michael Porinchock.

9 LT. [REDACTED] In the room, we'll go around.

10 MS. BEAUBIEN: Sarah Beaubien, counsel for Grand River
11 Navigation.

12 MR. TUCKER: Adam Tucker with the National Transportation
13 Safety Board.

14 MR. PETERSON: Brian Peterson, Grand River Navigation.

15 LT. [REDACTED] For the record, I apologize for mispronouncing
16 the last name even though we just went over it.

17 CAPT. PORINCHOCK: I don't even know if I say it right
18 sometimes.

INTERVIEW OF JEFFERY MICHAEL PORINCHOCK

19
20 BY LT. [REDACTED]

21 Q. So, Captain, can you briefly discuss your experience as a
22 credentialed mariner, what your history is, just speak generally
23 to your experience?

24 A. Sure. I began sailing June 2nd, 2006, with American
25 Steamship. I worked with them for 2 months as a utility

1 maintenance man. I then switched over to Grand River Navigation
2 on August 16th, 2006, and again started off as a gateman in the
3 tunnel and worked my way up to deckhand, AB. I became a licensed
4 mate in 2014, and just received my captain's license. I tested
5 this past February of 2023 and received my actual hard copy of my
6 license Friday of last week.

7 Q. Gotcha. And then when did you take over duties as captain on
8 board the *John J. Boland*?

9 A. On the 19th of April.

10 Q. April, okay. And then when did you get on board to start
11 your hitch on board the *John J. Boland*?

12 A. March 22nd.

13 Q. What were you doing between March 22nd and the time that you
14 took over as captain?

15 A. I was captain-in-training.

16 Q. Okay. Can you briefly just kind of explain to me what that
17 entails?

18 A. I was in on all of the decision making processes with the
19 master of the vessel. I was the captain -- I was the one in
20 charge of bringing the vessel into port and out of port with the
21 captain.

22 Q. So just to reconfirm, you took over as sole captain on board
23 on April 19th?

24 A. Correct.

25 Q. Okay. Can you go ahead and just explain to me kind of what

1 your roles and responsibilities are as captain, and kind of keep
2 going there.

3 A. Ultimately, the safety of the vessel, safety of the crew, and
4 bringing the vessel into port and out of port. It's my sole
5 responsibility to meet with the first mate and come to decisions
6 on how deep we're going to load the boat depending on which dock
7 we're going to, and just making sure that we're navigating
8 properly.

9 Q. So during your time as captain-in-training, who was
10 overseeing you at that point?

11 A. The master of the vessel.

12 Q. And who was that?

13 A. Jason Irving.

14 Q. Jason Irving. Is that a typical process? So it seems like
15 that was about a month that you were captain-in-training. Is that
16 a time period written in policy?

17 A. No, I was also training last year.

18 Q. Okay.

19 A. So I was making docks last year as well.

20 Q. Okay. About how long was that time period that you were a
21 captain-in-training?

22 A. For more than half the season.

23 Q. All right. And again, is there like a sign off sheet that
24 says, you know, you've done this many docks? Like what's kind of
25 dictating, okay, you're ready to be a standalone captain at this

1 point?

2 A. We have -- we do have forms that the master that is on
3 command at the time fills out every time I were to make a dock or
4 depart from a dock, and he'll fill out the weather conditions and
5 the visibility and just document the procedure and whether I do
6 well, whether I didn't do well, what his recommendations would be
7 and then to submit that to the office.

8 Q. Okay. So taking over a vessel for the first time, a pretty
9 big deal for your career, right?

10 A. I think so.

11 Q. Pretty big milestone. So first off, congratulations. Sorry
12 the first time we're interacting is now. But, during that time,
13 as a captain-in-training, do you feel like that timeframe and your
14 prior experience gave you the necessary tools to take control of
15 the boating operations and take over as the sole captain on board
16 the vessel?

17 A. I do.

18 Q. Okay. Okay. So, we're here to talk more specifically about
19 the load that you guys took on in Cedarville on April 20th and
20 21st. Can you kind of explain to me what the -- what you did in
21 preparation for coming into port into Cedarville, and we'll go
22 from there.

23 A. When we found out we were going to Cedarville, the first mate
24 at the time and I came up with a load plan. Rather, the first
25 mate came up with load plan. I looked at it and approved it.

1 And, we checked the water gauge and determining that the limiting
2 factor was at Cedarville. And, that was going -- that's what was
3 going to determine the draft set that we came to. And, that was
4 it.

5 Q. All right. The first mate that drafted the -- you said load
6 plan.

7 A. Um-hum.

8 Q. Who was that?

9 A. Jacob Henley.

10 Q. Jacob Henley. All right. And Jacob Henley from my
11 understanding departed when?

12 A. The night of the 20th.

13 Q. So, did Jacob depart prior to the start of the on load?

14 A. He -- no, he worked one watch at the load dock.

15 Q. Okay.

16 A. And a little bit extra.

17 Q. Okay. You said that you got a water gauge reading. Where
18 did you pull that data from or where was that data pulled from?

19 A. That is on the NOAA website. There's stations throughout the
20 Great Lakes that we track that down from, and there's two of them
21 that we use for Cedarville and we got the information from those
22 stations.

23 Q. Do you know which station -- stations those were?

24 A. Yes. De Tour and Mackinaw.

25 Q. Okay. So when you pulled that information, how was -- what

1 measurement are you receiving?

2 A. It gives us the current state of the water level, and it also
3 gives us the history of the water level so you can take average.
4 And then what we do is we take those two stations and take the
5 average of the two.

6 Q. Okay. And that's what you guys did for the load plan for
7 Cedarville?

8 A. Yes, it is.

9 Q. Okay. What was that average? Do you recall?

10 A. I don't recall exactly. I want to say it was +20 inches but
11 off the top of my head, I think it is, but it is in the boat book
12 though.

13 Q. Okay. And we can verify that. So, the first mate is in
14 charge of drafting that load plan. He come -- you guys checked
15 the water gauge. He comes to you to sign off on that load plan.
16 Do you know where -- what other information is going into that
17 load plan?

18 A. Nothing necessarily that pertains to the load dock itself.
19 More so the amount of tonnage that the dock that we're taking the
20 product to, how much tonnage they want of each product because
21 there was three products. So -- but nothing necessarily that
22 pertains to Cedarville.

23 Q. Okay. So the customer says, you know, I need this amount of
24 product. You guys take that information and do what with it?

25 A. Well, we'll calculate as closely as we can based on the

1 amount of tons our cargo holds can hold.

2 Q. Okay.

3 A. And based on the amount of tonnage that we're going to take,
4 you know, roughly how much we can put into each cargo hold.

5 Q. So -- and that would give you your draft for after a load?

6 A. It'll give us close to our draft, and then what we do is we
7 load a specific tonnage early on, and then we have what we call
8 trim whereas we then load -- we have a person standing on the
9 dock, not necessarily giving -- you can do it where you give an
10 exact time based on our trim tables, and then you just watch your
11 draft get to a certain level that you're looking for and you shut
12 the loader off.

13 Q. Gotcha. You said that there was a limiting factor for
14 Cedarville. Can you explain what that means?

15 A. So, on our -- we have a draft guide that has a rule of thumb
16 for every dock that we go to. And what that does is it gives us
17 the rule of thumb at datum, and then you take that data and then
18 add the water gauge to it. And that gives you the exact draft
19 that you can go to.

20 Q. Okay. So the datum information, where are you getting that
21 data from?

22 A. That -- I don't know. It's just in our company draft guide,
23 and I don't know where it has originated from.

24 Q. Okay. So if you wanted to verify the depths at a dock, how
25 would you do that?

1 A. We could -- printouts of the Army Corps of Engineers
2 soundings and we can get their latest sounding records if we felt
3 that the draft guide was incorrect.

4 Q. And the draft guide, that is an internal use document or is
5 that a system? What is that?

6 A. It's a document.

7 Q. It's a document. Okay. Who's inputting the data into that
8 document?

9 A. The captains on the vessels over the years are able to send
10 reports in to our office and update them as necessary on the
11 features that change.

12 Q. Gotcha. So prior to coming to Cedarville, did you look at
13 the draft guide?

14 A. Yes.

15 Q. What notes were on there?

16 A. The notes on there gave us the rule of thumb draft to go with
17 plus the water gauge. It also had notes in there to keep the bow
18 at least 12 feet off the dock when preparing to trip the boat.

19 Q. Okay. And what was the rule of thumb draft that was listed?

20 A. I don't remember right off the top of my head.

21 Q. Okay. Outside of those notes to -- well, actually before I
22 get too far, did the draft guide explain why you needed to keep
23 your bow off when you guys are going through trim?

24 A. Yes, it did. It says there's a shoal there.

25 Q. Okay. Does the draft guide say, you know, how shallow that

1 shoal is or anything like that?

2 A. It gave a rough idea of where it approximately was.

3 Q. All right. And where was that?

4 A. I want to say it was 20 -- I would have to look it up.

5 Q. Okay. But you used the draft guide when coming up with the
6 load plan?

7 A. Yes.

8 Q. Okay. Is there any other information in the draft guide that
9 would be -- that you use outside of just shoal here? Is there any
10 other information in there that --

11 A. Not for that dock.

12 Q. Okay. And does every single dock have a unique entry in the
13 (indiscernible)?

14 A. Yes, it does.

15 LT. ██████████ Adam, did you want to ask any questions about
16 the draft?

17 MR. TUCKER: Yeah, I do actually. I have it noted here.

18 BY MR. TUCKER:

19 Q. So you said -- I'm just -- forgive me. I'm just trying to
20 visualize. When it says 12 feet off the dock, what does that
21 mean? The bow needs to be 12 feet off the dock? You need to be
22 12 feet back or --

23 A. The bow or whatever portion of the boat is at the south end
24 of the dock. Some boats load starboard, too.

25 Q. Okay.

1 A. So stern would have to be off.

2 Q. Okay.

3 A. So it specifically says the south of the dock be 12 feet when
4 trimming.

5 Q. So how do you make the bow 12 feet off the dock? Like do you
6 thrust off or something or --

7 A. No, basically what you would do is the winch operator that's
8 at the end where you need to be off, would slacken his cables.

9 Q. Okay.

10 A. The operator at the other end of the vessel can then heave on
11 his wires to bring the bow -- it'll just kind of drift off on its
12 own.

13 Q. Okay.

14 A. And then it's -- when you get to where you're roughly 12 feet
15 off, then he can bring, without heaving himself in, he can bring
16 the cables up tight, and that way you know they're -- you're at
17 the distance off that you need and then it should keep you off
18 that shoal.

19 Q. Okay. That makes sense. All right. So during this, was
20 there -- was the vessel always 12 feet off the dock or was there a
21 plan at a certain part to bring it out or --

22 A. You don't need to do it until you get to the trim --

23 Q. Okay.

24 A. -- portion of the load.

25 Q. Got it. All right. We spoke of the draft guide. So I

1 understand that. Does the port or anybody else communicate to you
2 or have they communicated to you any conditions at Cedarville, for
3 example, you know, any --

4 A. This dock has not. We've had other ones though.

5 Q. Okay.

6 MR. TUCKER: All right. That's all I have for now.

7 BY LT. [REDACTED]

8 Q. Was the note to keep the boat 12 feet off that south portion
9 of the dock, was that noted in the load plan?

10 A. It was not in the load plan. Or it was not written down in
11 the load plan.

12 Q. So were specific instructions passed to the mates who were in
13 charge of loading to keep the bow off the -- to meet the draft
14 guide note of the 12 feet?

15 A. I don't know if it was passed on from mate to mate, but I
16 passed it on when I came up onto the bridge, and we were getting
17 close to being finished. I mentioned that to the mate and
18 everyone on the dock or deck.

19 Q. All right. Yeah, well, we'll start kind of getting into the
20 timeline of everything, but were there any like standing orders or
21 words of warning say to the mates saying, you know, beware of the
22 shoaling that's at the south end of the dock?

23 A. Not that I'm aware of.

24 Q. So that was in -- that's in preparation of finding out the
25 load. Were there any other inputs or anything else that went into

1 the load plan itself or is that about it?

2 A. Yeah, I think that's about it.

3 Q. What about for entering in the port? Do you have a
4 checklist? What were you doing to get prepped for going into
5 Cedarville?

6 A. Nothing out of the ordinary. Just the same as we would do
7 for any dock. We'd have like the crewmembers out there and ready,
8 their cables ready to go out to the dock. Cedarville usually has
9 people on the dock to catch our first lines for us. So once we do
10 that, we pull ourselves in, put our ladder down, get our guys then
11 on the dock, and then they can put our wires at the bits where we
12 need them to be placed for the duration of the load.

13 Q. Okay. Do you guys have an entering port checklist where
14 you're checking future weather conditions and anything like that
15 that was done prior to going into Cedarville?

16 A. Not necessarily a checklist, but it is constantly monitored,
17 the wind conditions, the water levels and then there's just the
18 local knowledge aspect of it and knowing that there's shallow
19 spots here and there throughout certain ports, things of that
20 nature. Generally speaking, I'll talk to another captain, you
21 know, if I'm going to a port I'm not familiar with, just to be
22 sure there's nothing that I'm, you know, missing that they think
23 is pertinent there and important to making that dock.

24 Q. Now correct me if I'm wrong, you guys entered or you guys
25 moored up in -- at the dock in Cedarville. Was that -- that was

1 the -- what date?

2 A. That was on the 20th.

3 Q. Okay. Do you know about what time you guys moored up?

4 A. I have it in the logbook.

5 Q. Okay. Do you know what time you came up on watch? Because
6 you told me that you're responsible for maneuvering the vessel for
7 mooring up, correct?

8 A. Correct.

9 Q. What time did you go up on the bridge?

10 A. I came up 30 minutes before Pomeroy Reef which is my standing
11 order any time we're getting to a port and -- which I have that in
12 the logbook as well, the time that we were there.

13 Q. You said 30 minutes prior to entering any port, you're -- you
14 have a standing order to be notified or --

15 A. Well, 30 minutes before a designated time that I get up
16 there. It's more than 30 minutes before actually the port. We
17 have a process where we have to check down and make sure we're
18 making the progress speed. So it'll be before we get to that
19 point.

20 Q. Okay. Gotcha. Do you know about what time again that that
21 started happening?

22 A. I would have to look it up. I have it logged.

23 Q. Okay. So I guess walk me through what your preps are for,
24 you know, entering into a port or entering into Cedarville in this
25 instance and kind of what you remember leading up to the mooring

1 itself.

2 A. We give the engine room an hour notification that we're going
3 to be checking our engines back, and that we'll be using
4 thrusters. We also give them the courtesy, a heads up, letting
5 them know that we were going to be anchoring. We weren't going to
6 actually be going into port. And, this dock is a little bit
7 unique to where it doesn't necessarily have a breakwall. So we
8 have to travel in between some of the islands there. And so I'm
9 up there with my wheelsman, and we will navigate through the
10 charted channel to get to the dock. And then we check that at the
11 designated time to pull engines back so you have enough time to
12 slow down before we get to the designated anchorage.

13 And then we just -- we pulled up in there, and got into a
14 place where I was comfortable anchoring, where I knew I'd be out
15 of the way of the vessel that was currently in there, so that they
16 could come out without me being in their way. And, then we
17 anchored, and we were only there for a short while, a few hours.
18 I don't remember exactly how many hours, but again, that's also
19 logged.

20 Q. Is that in this log?

21 A. It is.

22 Q. Do you mind pulling up when you, when you guys anchored?

23 A. Sure. Okay. So we anchored at 1128.

24 Q. In the morning.

25 A. In the morning of the 20th. And, we pulled anchor at 1401.

- 1 Q. I'm sorry. What was the time?
- 2 A. 1401.
- 3 Q. Do you recall which vessel was at that dock before you guys?
- 4 A. The *Sam Laud*.
- 5 Q. *Sam Laud*.
- 6 MR. TUCKER: What was it called?
- 7 CAPT. PORINCHOCK: *Sam Laud*, L-a-u-d.
- 8 MR. TUCKER: Okay. S-a-m, L-a-u-d.
- 9 BY LT. [REDACTED]
- 10 Q. And is the *Sam Laud* a laker, an ATV?
- 11 A. It's a laker.
- 12 Q. Are they longer or shorter than you guys, do you know?
- 13 A. They are shorter than us.
- 14 Q. And what's the length of this vessel?
- 15 A. Overall 680 feet.
- 16 Q. 680 feet. I asked the question, and I have COI sitting right
- 17 here. Double check the sea length.
- 18 A. Well, the overall length is 680.
- 19 Q. Ah, gotcha. The registered length.
- 20 A. The registered is 666.
- 21 Q. 666. Okay. What accounts for the difference?
- 22 A. I think the registered is the length of longitudinals.
- 23 Q. Okay. Gotcha. So the overall length is 680.
- 24 A. Yes.
- 25 Q. And if you had to put a number to it, do you know about how

1 many feet difference there is between you guys and the *Sam Laud*?

2 A. I do not know.

3 Q. But the *Boland* is longer?

4 A. I believe so.

5 Q. Is the *Sam Laud* a (indiscernible) navigational vessel? Would
6 they have been using the same draft guide as you guy?

7 A. Yes. Yes, they are, and yes, they would.

8 Q. Did the *Sam Laud* let you guys know of any issues or concerns
9 upon their departure? Did you have any conversations with the *Sam*
10 *Laud* captain?

11 A. Not related to that.

12 Q. Okay. Did you have any conversations with them
13 operationally?

14 A. Yes.

15 Q. Do you mind elaborating?

16 A. Yeah, it was just, it was just about the weather.

17 Q. Okay.

18 A. We were discussing coming in and coming out.

19 Q. Gotcha. Okay. All right. So you guys heaved the anchor at
20 1401. So you guys pulled anchor at 1401. The *Sam Laud* goes by.
21 You guys go in or you guys are transiting in. Bow first, stern
22 first, what?

23 A. Stern first.

24 Q. Okay. And then you guys did what?

25 A. We backed up and tied up to the dock. We arrived at 1431.

1 So it was like 30 minutes later.

2 Q. And you were moored portside 2 or starboard side.

3 A. Portside 2.

4 Q. Portside 2. One more time, the time?

5 A. 1431.

6 Q. Anything of note? Anything occur during that mooring
7 evolution, during the transit?

8 A. No, nothing at all. It was normal, standard.

9 Q. So then just for our own understanding, what's kind of the
10 process? So you guys moor up. How do we get to the point where
11 we're starting to onload cargo?

12 A. So once we get tied up and our lines are secured, and we're
13 no longer in need of engines, we'll shut everything down. Shut
14 the thrusters down. Shut the engines down, and then everything
15 then as far as moving the ship would be done with cables. The
16 deck crew then is responsible to open all the hatches and pick the
17 boom up and out of the way -- or not out of the way but just pick
18 it up so that we can begin loading. And we've, at this point,
19 already given the loader the load plan. So he's aware of it
20 because in this particular dock, the load rig travels up and down
21 on rails. So, he will then line himself up for the hatches that
22 we've designated to load in that particular order.

23 Q. How does that transaction work between getting your guys'
24 load plan to the facility? Who did that go to?

25 A. Most facilities that we go through it's through an email.

1 Q. Okay.

2 A. We'll email the load plan off ahead of time so that they are
3 prepared, and they can see the order which we're going to go, and
4 they can also see in the case like this one here because it's a
5 split load, they can prepare to change their screens when
6 necessary.

7 Q. Okay. And changing screens refers to what?

8 A. They're -- we were hauling different size stones.

9 Q. Okay.

10 A. So they have different size screens to make sure that we're
11 getting the right size stone.

12 Q. Gotcha.

13 A. And not contaminated with anything.

14 Q. Gotcha. Contaminated meaning?

15 A. Bigger stone into smaller stone. Sorry.

16 Q. Okay. Thank you. I just want to make sure that we're clear
17 on it. Do you know who's working on the dock for the facility?

18 A. I do not.

19 Q. Okay. As a captain, do you ever have any interaction with --
20 you said there's a load --

21 A. The loader.

22 Q. -- loader.

23 A. Not really. The man on watch is generally the one who's
24 going to communicate with the loader throughout the process.

25 Q. Now, the load plan that you guys -- that you as the *John J.*

1 *Boland* provided to the facility -- which facility were you at?

2 A. Cedarville.

3 Q. Cedarville. With which company?

4 A. Carmeuse.

5 Q. Carmeuse. The load plan that you guys provided to Carmeuse,
6 is it standard across the fleet? Is there variation? Did they
7 have any -- is a load plan that's provided by the *John J. Boland*
8 different from a load plan that would be provided by *Sam Laud*
9 usually?

10 A. Yes. Yes, it is different.

11 Q. So --

12 A. They may have less cargo holds than us, more cargo holds than
13 us. So, the load plan that we give them is specific to our boat.

14 Q. Okay. Did Carmeuse have any issues interpreting or
15 understanding? Did they have any concerns with the load plan
16 provided?

17 A. No.

18 Q. And the load plan that you signed off on is the load plan
19 that was used?

20 A. Yes.

21 Q. How much cargo were you guys taking on?

22 A. Approximately 29,000.

23 Q. Okay. And then what draft would load you guys to?

24 A. We were looking for a target draft of 26 feet 8 inches at
25 both ends.

1 Q. Okay. And then just to confirm, when you guys moored up, did
2 you have any issues pulling into the dock, anything out of the
3 norm there?

4 A. No, not whatsoever.

5 Q. Okay. So you moored at 1431. So 1431 hits, you guys secure
6 everything that you didn't need at that point.

7 A. Correct.

8 Q. What time did you guys start loading?

9 A. We started loading at 1517.

10 Q. And what were you doing at that time?

11 A. I was done. I probably went down to eat dinner -- or it was
12 before dinner. So, no, probably just went down to my office.

13 Once we're tied up, there's nothing else for me to do.

14 Q. Gotcha. So in total, how long were you on the bridge -- or
15 what were your work hours up to this point for the day? So going
16 back to midnight.

17 A. So, I would have to look at my rest sheet, but I can't
18 remember off the top of my head.

19 Q. At any point between we'll say April 15th to today, have you
20 gone over your work rest hours at any point?

21 A. Just yesterday being here. Being here, being up for
22 everything we were doing yesterday.

23 Q. Interviews and everything.

24 A. Yeah. That's the only day.

25 Q. Okay. So 1517, you guys start to load. You went down to

1 your stateroom. Then what were you doing after that?

2 A. I mean I had dinner at some point, and I went to bed.

3 Q. Anything else out of the norm or anything else operationally
4 that occurred on the 20th that we should know about?

5 A. Nothing out of the norm. I, generally before I go to bed,
6 will contact man on watch and just ask how it's going, how fast
7 it's going, if they have an idea of what load rate we're getting,
8 so I can have kind of a rough guesstimate as to what time we're
9 getting out of there. But other than that, during the loading
10 process, there's really not much else I have to do.

11 Q. Okay. Anything else of note outside of operation? Any
12 personnel things going on?

13 A. Not at that time, no.

14 Q. When did you guys have your crew changeover?

15 A. It was at the dock where I took over as captain in Detroit.

16 Q. So you guys had a crew changeover in Detroit. Do you
17 remember what date that was?

18 A. The 19th.

19 Q. The 19th. All right. Did you have any other crew
20 changeovers while you were in Cedarville?

21 A. Not -- oh, I'm sorry, yes, in Cedarville. We had Jenny
22 (ph.), our third mate come aboard, and Brian Harvey, the first
23 mate come aboard.

24 Q. Who departed on the 19th?

25 A. The captain did, and I'd have to look it up. We had a couple

1 other guys that changed out. The boatswain did. I think there
2 was an engineer that changed out.

3 Q. All right. That's all right. That was a (indiscernible)
4 question. It's hard to keep track of everybody coming and going
5 sometimes.

6 A. Yeah.

7 Q. But I'm sure you guys have that logged somewhere?

8 A. Yes. Yes, we do.

9 Q. Talk to me about the crew change on the 20th while you guys
10 were there in Cedarville.

11 A. The third mate showed up. She showed up first, and I don't
12 recall what time that was. It was shortly after we arrived. And,
13 the current third mate did he changeover with her and gave her all
14 of his notes. And, then Brian Harvey, the first mate, showed up
15 right at 2000, just as Jacob, the first mate was to be off watch.
16 He didn't do any work or -- to my knowledge that night, and Jacob
17 stuck around a little bit longer just to make sure that Jenny was
18 okay. He knew she was new. So he didn't just want to leave her
19 by herself.

20 Q. Okay.

21 A. So he stayed with her for a little while. And then our
22 second mate came out to relieve Jacob so he could go home. And
23 then he stayed with her as well.

24 Q. So you said that third mate, Jenny, came on board and did you
25 said a changeover?

1 A. Yeah, with the current third mate. He had a list of turnover
2 notes for her, and he wanted to make sure that she was familiar
3 with the paperwork that she had to do. And he wanted to just do a
4 thorough walk around with her to make sure that she was as
5 familiar as she could be a brand new boat. So.

6 Q. Now, that changeover process for the mates, is there a
7 standard for what that looks like? Are there written documents
8 associated with it? You said there were some notes.

9 A. We generally give we call them turnover notes, and it's just
10 a list of things that are going on on the boat, you know, who the
11 crew is, if we're having any difficulties with anything, you know.
12 Anything that's pertinent and important to them so that they're
13 not blindsided with anything. They let them know what monthly
14 inspections that have been done already for the month. So they
15 know which ones are left to do, things of that nature.

16 Q. Is that a company requirement?

17 A. Yes.

18 Q. Is it required to have it written?

19 A. I don't know if it's required to be written but we just
20 always do.

21 Q. We being you as a best practice or --

22 A. Yeah, all the mates have always. As long as I've been a
23 mate, we've always written down our turnover notes.

24 Q. Gotcha. Okay. So Jenny was coming on. The third mate that
25 was departing, I'm sorry, their name was?

1 A. Rob Cardinal.

2 Q. Rob Cardinal. Okay. Did Jenny come to you with any
3 questions, concerns, about her passover, her handover or anything
4 like that?

5 A. No.

6 Q. Did you meet with Jenny that evening?

7 A. I did.

8 Q. What's the -- so if I'm coming on board as a brand new third
9 mate, I just got my credentials from the Coast Guard, what would I
10 expect to be the process between being hired by Grand River
11 Navigation to standing my first watch as the third mate?

12 A. Well, I talked with her and got a little bit of her sailing
13 background, and I just got to know her a little bit so I would
14 have an idea of what her knowledge base was. And told her a
15 little bit about us, a little bit about myself. Just tried to
16 make her transition here as pleasant as possible.

17 Q. To kind of go back on the question itself. So again, if I'm
18 a brand new third mate, I just got hired, is there a policy that
19 -- or is there like a standard procedure for new hires? So would
20 I expect to be given like a folder of information and a safety
21 orientation?

22 A. They go to the office first in Traverse City for orientation,
23 and they're -- I'm not sure how long they're there, but they get
24 all their paperwork and they get -- they go through that whole
25 process that takes place there. And then once everything's

1 cleared, their drug test has cleared, then they come out here.
2 Within 24 hours, it is our company policy that we have to give
3 them a complete tour and orientation of the vessel, go over
4 anything that's ship specific with them so that they are familiar
5 where they muster station is and their muster duties and then just
6 where all the safety equipment would be especially anything that
7 would pertain to their position.

8 Q. Gotcha. And what -- is there a process for confirming that
9 that has been done, that safety orientation and all that's been
10 done on board?

11 A. Yes. So, we have a checklist --

12 Q. Okay.

13 A. -- and we go through all of those items on the checklist
14 individually with them. And then once that checklist is
15 completed, we then keep a record of that on board, and then we
16 also send it off to the office.

17 Q. Who's sending that off to the office, that checklist?

18 A. Usually it's the third mate's responsibility, but when it is
19 the third mate that is new, I'll have the second mate or the first
20 mate do that.

21 Q. Okay. And was that completed this time in accordance with
22 company policy?

23 A. I think it wasn't actually within the 24 hours is when the
24 incident happened, and I don't think it's taken place.

25 Q. Okay. So that was the handover for the third mate. In your

1 conversations with Jenny, did it seem like she had a good grasp
2 and was competent in her roles and duties were going to be on
3 board?

4 A. Yeah. She was excited and she does have some Lake
5 experience, and she was looking forward to it.

6 Q. Okay. And then you as the captain overseeing all, you know,
7 all of the crew, did you have any concerns for her coming on
8 board?

9 A. No.

10 Q. Okay. You also said that the first mates had a changeover.
11 Is that correct?

12 A. Yes.

13 Q. How was that process? Was there anything of note there?

14 A. I was not present for that changeover. So I don't know what
15 was said or anything like that.

16 Q. Gotcha. So you as a former first mate, what would your
17 expectation be for that changeover? Because it seemed like it
18 would be a little bit different between what third mates are
19 passing --

20 A. Sure.

21 Q. -- to each other versus what a first mate or chief mate
22 depending on -- do you guys refer to them as first mates on board?

23 A. First mate, yeah.

24 Q. Okay.

25 A. I would expect that he would explain to them, especially

1 since we're in the middle of a load, the details of the load,
2 anything pertinent to the dock that we're going to as well as the
3 proceeding unload. And then, you know, if there's anything that's
4 ship specific, you know, if there's a winch that wasn't operating
5 properly or something along those lines, you would want to make
6 sure that he knew anything that he would have to be careful of or,
7 you know, watch out for. And then just let him know, you know,
8 who we had on as a group.

9 Q. All right.

10 A. Everything else, the first mate would just kind of know.

11 Q. And the off going first mate was who again?

12 A. Jacob Henley.

13 Q. Jacob Henley. Have you had a lot of experience with Mr.
14 Henley in the past?

15 A. A little bit. He was our second mate last year, and I worked
16 him for a little bit. We were mostly opposite rotations.

17 Q. Gotcha. Do you know about how long he's been working as a
18 first mate on board? I guess my question would be is he a newer
19 first mate or is he a seasoned first mate?

20 A. He's a newer first mater.

21 Q. If you had to put a time range on it, do you know about how
22 long he's been a first mate?

23 A. A few months.

24 Q. A few months. Okay. Have you had any issues with his
25 performance leading up to his departure? I know it's kind of a

1 short timeframe that you were working with him but --

2 A. no, he's actually -- he's performed very well, and I'm
3 actually very happy with his performance thus far.

4 Q. Okay. So we'll shift over to the oncoming first mate, Brian,
5 correct?

6 A. Um-hum.

7 Q. Have you worked with Brian in the past?

8 A. Here and there in small amounts over the years. Never a full
9 season or anything like that.

10 Q. Brian coming on board, is he familiar with his -- with the
11 *John J. Boland* and operating on board this vessel?

12 A. I don't believe he was familiar with the *Boland*, you know,
13 ship specific, *Boland*, but.

14 Q. Is Brian a seasoned first mate? Has he been a first mate for
15 a while?

16 A. Yes, he has.

17 Q. Okay. And your interactions with him I assume as a first
18 mate, you guys are kind of working hand-in-hand quite often.
19 How's that relationship been going?

20 A. It's fine. I have a professional relationship with him. I
21 never had any issue with him before or now.

22 Q. Gotcha. Did Brian ever come to you or have any issues with
23 his changeover process or have any concerns at all that he had
24 voiced to you?

25 A. No, he didn't come to me for anything.

1 Q. Gotcha. And you said that you're not aware of or what that
2 changeover process was?

3 A. Correct.

4 Q. Is there anything in company policy that dictates what should
5 be in a changeover between mates or between captains?

6 A. Just what I stated before, just anything that's pertinent to
7 the specific dock that you're at, and what is going on currently
8 on the vessel, what he's going to have coming up.

9 Q. And that's written in company policy or is that just an
10 unwritten rule?

11 A. I honestly don't know.

12 Q. Okay.

13 A. It's just what I've always done.

14 Q. And that's fine. Yeah. Just wondering again if it's written
15 anywhere.

16 A. Sure.

17 Q. Were there any other changeovers while you were you in
18 Cedarville?

19 A. No, I don't believe so.

20 Q. And then what about the -- since we were talking about the
21 mates at this point, who's the second mate?

22 A. Trevor Schick.

23 Q. And he's been on board for how long?

24 A. Two weeks I think.

25 Q. What's his experience?

1 A. To my knowledge, he's been sailing with us since 2021. This
2 is his first time on this vessel. So I don't know exactly what
3 other vessels he's been on.

4 Q. Okay. So you have a brand new third mate and on board for a
5 few hours. You have a first mate that came on board same time as
6 the third mate, but had never been on the *Boland* specifically.
7 And then you had a second mate who's only been on the *Boland* for a
8 couple of weeks. Am I understanding that correctly?

9 A. Um-hum.

10 Q. And then you as the captain took over as sole captain on the
11 19th?

12 A. Correct.

13 Q. Is that typical for on the Great Lakes to have such a -- from
14 this seat, it seems like it's, you know, a relatively -- everybody
15 seems to be like just got on board first time, just got on board
16 first time.

17 A. Well, we had -- I mean for the past couple years have been
18 dealing with a lot of new people, you know, throughout our
19 industry. So it's I would say not the norm but it's not uncommon.

20 Q. Was that ever a cause of concern for you as the captain?

21 A. Not really. I thought that I would maybe have to spend a
22 little bit more time kind of keeping an eye on maybe our third
23 mate because she was, she was new. Trevor came very highly
24 recommended from another captain, and he had been doing very well
25 to that point. I felt very comfortable with him. And then just

1 knowing that Brian has been doing this for a long time, I felt
2 confident that he would be fine.

3 LT. [REDACTED] All right. I know that was kind of a big
4 question. Did you want to ask any amplifying questions before
5 moving too far?

6 MR. TUCKER: No, not about the crew changeovers.

7 LT. [REDACTED] Okay.

8 MR. TUCKER: You covered that well. So.

9 LT. [REDACTED] Just checking time, making sure everybody fit
10 to continue?

11 MS. BEAUBIEN: Yeah, if you're good.

12 CAPT. PORINCHOCK: Yeah, I am.

13 BY LT. [REDACTED]

14 Q. Okay. So, on the night of April 19th, you guys had the crew
15 changeover.

16 A. Um-hum.

17 MS. BEAUBIEN: Sorry, the 20th.

18 CAPT. PORINCHOCK: The 20th.

19 BY LT. [REDACTED]

20 Q. The 20th, sorry. You took over on the 19th.

21 A. Yeah.

22 Q. Thank you for the correction. So, you guys had the crew
23 changeover. It sounds like you met with the crew, the new crew
24 that came on. Anything else happen that night before you went to
25 the rack?

1 A. Nothing out of the ordinary.

2 Q. Okay. What time did you wake up the following day? So the
3 21st.

4 A. It was right around 0900. I -- before I went to bed, I spoke
5 with Jacob, and he kind of gave me a guesstimation as to what time
6 we might be finishing. So I had a feeling we would be getting
7 close to getting out of there around that time. So I got myself
8 up around that time.

9 Q. And Jacob was the off going --

10 A. Off going first mate.

11 Q. -- first mate. Okay. So you got up around 9 o'clock.

12 What's your routine for -- because at that point, my understanding
13 is that you guys would be finishing up the load that day. That
14 was the plan?

15 A. Correct.

16 Q. And get underway.

17 A. Correct. So I got up. I checked my email. On our morning
18 report, they usually give estimate time of departure. The first
19 mate does that in the morning. And so I saw the time there and I
20 believe it was for 10 o'clock. And, so I just kind of cleaned up,
21 got myself dressed, and they had not called me yet. So I knew we
22 weren't at that point. They have to give the engine room an hour
23 call and the captain a 30 minute call before departure, before
24 they finish the load. And they had not called me yet. So I knew
25 I still had a little bit of time. And, the captain of the

1 *Mariner*, which was sitting out there at that point, asked me if I
2 knew what time we were going to be finishing up. And so I went up
3 to, I went up to the pilothouse to use the radio to call down and
4 ask Brian if he had a good idea, and that's when I got there,
5 right at 9:45, and they were, they were stuck at that point. And
6 I asked Brian if he knew how long. He says it's going to a few
7 more -- a couple more hours. So I passed that information along
8 to the captain of the *Mariner*.

9 Q. So by the time you got up on the bridge and assessed or had
10 communication with Brian, you said it was 9:45, that it was the
11 first time that you came to understand that you guys were stuck.
12 What does stuck mean?

13 A. They were trying to shift the boat with waters, and it
14 wouldn't move. So, he told the AB to swing the boom out a little
15 bit to list the boat over and see if it would just come off by
16 itself.

17 Q. I'm sorry. He being who?

18 A. Brian.

19 Q. Okay.

20 A. Sorry.

21 Q. Because he was the mate on watch at that point.

22 A. He was not on watch, but the first mate is responsible to
23 what we call trim the boat. So even though he wasn't on watch, hw
24 was out for the trimming process.

25 Q. Gotcha.

1 A. And so he ordered the AB on watch to swing the boom out and
2 try to see if it would pivot us enough to come off the shoal
3 there. It did not come off. So I came on the radio and told them
4 to take their number 4 which was an aft lead and shift it around
5 to make it a forward lead. And when they did that, they heaved on
6 their forward leads and it came right off. And at that point, the
7 bow came out. And I told them to -- I said, you know, we had that
8 shoal. So we had to stay at least 12 feet off, like it says in
9 the draft guide notes. I told the winch operator to not heave on
10 anything up there until we came to a stop, and then I told him to
11 not bring the bow in at all. Just let it stay off the dock for
12 the remainder of the load.

13 Q. Gotcha. And do you know who was up on the bow?

14 A. At that particular time, I think it was the boatswain and --
15 yeah, it was the boatswain.

16 Q. By name, sorry.

17 A. I'm sorry. Reed Hopper (ph.).

18 Q. Reed Hopper. So while you guys are tied to a pier, you guys
19 are loading, my understanding to this point is that the mate
20 that's on watch is in charge of the load.

21 A. Correct.

22 Q. Is there -- do they have guidance on how to proceed if
23 they're going to shift the vessel? Do they have to ask permission
24 to shift the vessel from you?

25 A. No.

1 Q. Okay. So, they're following the load plan. I noted or
2 noticed that there's a section where it talks about shifting. So
3 they have the autonomy or the ability to shift the vessel as
4 needed.

5 A. Correct.

6 Q. Is there anything that guides them or directs them how to
7 proceed when the vessel doesn't move?

8 A. So, it's -- if it -- you're supposed to be watching the
9 drafts, and if, as you're loading, if the drafts aren't going
10 deeper, that means something is amiss. And a lot of times we'll
11 give her a little tug with the wires to make sure we're still
12 floating. And, in either direction. It doesn't matter. And then
13 as long as you're still floating, you're okay. You can proceed
14 taking the load.

15 Q. So on board the vessel, this vessel, the *John J. Boland*, is
16 there a safety management system?

17 A. Yes.

18 Q. Does any portion of that safety management system dictate the
19 operation or how to proceed in any instance while you're loading?

20 A. It does give guidelines to loading. I'm not sure exactly how
21 detailed it is in that particular issue.

22 Q. Is there any portion of the safety management system that
23 talks about how to unfree the vessel or what to do if the vessel
24 is stuck when trying to shift at a dock?

25 A. I don't know.

1 Q. So from my understanding, if it's 1 o'clock in the morning,
2 I'm the second mate on watch. It's me and one other person on
3 watch with me.

4 A. Yeah, the AB on watch would be with the mate.

5 Q. Okay.

6 A. Usually we'll have a -- one of the -- either the deckhand or
7 boatswain as well.

8 Q. Gotcha. So if I had a section of cargo that I'm loading, and
9 there's a shift involved, and I have the AB or the deckhand heave
10 around on lines to shift the vessel at the dock, I'm allowed to do
11 that?

12 A. Yes.

13 Q. Okay. And if it doesn't move or I have any issues, what do I
14 do?

15 A. The first, the first order is to contact the first mate.
16 And, if the first mate is not able to resolve the situation, then
17 he's to contact the captain.

18 Q. Where is that written down?

19 A. It should be in the logbook -- or I'm sorry, the load book.

20 Q. In the load book. It should be or it is? I just want to
21 make sure we're specific.

22 A. It should be. When I was the first mate, it always was. I
23 don't know. I can't remember if it was.

24 Q. Okay. And who has ownership of that book?

25 A. The first mate is the one who does pretty much the entire

1 load book and load plan. The captain is basically just approve
2 and double check the drafts that the first mate wants to load to,
3 that it's within the limits that we are comfortable with.

4 Q. Gotcha. Now, as far as the -- you said there's standing
5 requirements. Are these standing orders that are in the load
6 book?

7 A. That's what the load book is for. The first mate is able to
8 put whatever type of standing orders that he may want based on
9 different docks and different loading conditions.

10 Q. Now, how are the other mates beholden to that? Is that
11 company policy that holds them to those orders?

12 A. Yes, they are to follow the mate's orders in the book. If
13 something happens where they have to deviate, then they're
14 supposed to contact the first mate.

15 Q. So going back to the actual timeline, so 9:45, you guys are
16 heaving around on lines. At this time would you say that you guys
17 are on bottom?

18 A. We were definitely touching, but once we moved the wire up,
19 it came right off. It was floating free relatively easily.

20 Q. Okay. So you guys get free. Then what are you doing?

21 A. I told them, you know, that they had to keep the bow 12 feet
22 off, and reminded them of the shoal and again told the winch
23 operator not to let the bow come in or not to heave the bow in.
24 And, I just double checked with Brian, made sure that he was good,
25 and I told him that I had a weekly call to be on, Friday call and,

1 you know, that I was going to step away. And I told him to call
2 me if he needed me.

3 LT. [REDACTED] Brian, were you on that call?

4 MR. PETERSON: Yes.

5 LT. [REDACTED] Was Captain Jeff on that call?

6 MR. PETERSON: I believe so.

7 LT. [REDACTED] I'm just confirming. I don't want to get too
8 far out of the balance. Sorry, Sarah.

9 MS. BEAUBIEN: That's okay.

10 BY LT. [REDACTED]

11 Q. Okay. What time was that call?

12 A. At 10 o'clock.

13 Q. Was that via phone, via Microsoft Teams.

14 A. Phone.

15 Q. Phone, okay. What phone did you use for that?

16 A. I used my cell phone.

17 Q. Your personal cell phone. Okay. And if I needed to see a
18 record of that, would I be able to see that?

19 A. Absolutely.

20 Q. So, where did you take call at?

21 A. Down in my office.

22 Q. Down in your office. Okay. Between the time that you went
23 down and took that call, were you contacted by anybody out on deck
24 regarding the load?

25 A. No.

1 Q. Were there any issues during that time?

2 A. No, none.

3 Q. Conference call go okay?

4 A. Um-hum.

5 Q. It's always one person that's on it. Answer your phone.

6 Then what happened?

7 A. I was just sitting there on the call. I had already had my
8 turn to go over the events of the week for our boat. And then I
9 was just, you know, muted, listening to everyone else go through
10 their stuff. And, the captain of the *Mariner*, I can't remember if
11 he called me or if he texted me, but just trying to -- he was
12 trying to get a better idea because he had an appointment with the
13 Coast Guard. They were coming down at a certain time, and they
14 had a small window. So he was, you know, really trying to get a
15 good idea of where we were at.

16 So at, I remember it was 10:43, I walked back up there and
17 took my phone with me. I walked back up on the bridge, and we
18 were loading, and I heard Brian say, you know, like -- or he -- I
19 can't remember how he said it, but something to the effect of, you
20 know, he was trying to get to a certain draft. And so I came over
21 the radio, and I asked what our drafts were. And he told me he --
22 he repeated to me what the drafts were, and I reminded him what
23 drafts we were going to. And shortly after that is when he said
24 that he thought there was something wrong, that we were stuck.

25 Q. A little bit there, going back.

1 A. Sorry.

2 Q. No, you're good. So you were on the phone call from 9:45 and
3 you said what time did you go back up to the --

4 A. I went up there -- it was 10:43. I don't know why I happened
5 to look at the clock, but I saw it was 10:43. It's pretty exact.

6 Q. And in between that time, you had a conversation with the
7 captain on the *American Mariner*.

8 A. Yes.

9 Q. Now, was that -- again was that via text message or was that
10 a voice call?

11 A. Both. Because I ended up hanging up from the conference
12 call, and we started to -- he was kind of like texting, you know,
13 saying kind of some of the stuff that he had heard over the radio.
14 And so, I wanted to then find out where we were on our drafts.
15 And, when Brian said that we were loading and after -- he was
16 trying to pop up the bow by loading aft, but the after draft
17 wasn't changing any more. I said, okay, we need to just stop. I
18 told the loader to run it off. He said we're in our last hatch.
19 I said then do your final clean off. We're done. And so I asked
20 him what our drafts were, and he repeated what the drafts he
21 thought they were. I said, well, can you move? And he said I
22 don't think so. So I had to guy shift the wires, and we couldn't
23 move. So, he then again told the AB to spoom out like we did
24 previously, and it still --

25 Q. Before we get too, too far --

1 A. Yeah.

2 Q. -- when you went back up on the bridge, how far off the dock
3 was the bow?

4 A. It was up -- pretty much up against it. I don't know if it
5 was actually touching those Yokohamas but it was well under 12
6 feet.

7 Q. Yokohamas being?

8 A. These big giant floats that are up against their dock.

9 Q. Like fenders?

10 A. Yeah. Their dock is odd shaped and so the after part of the
11 dock extends out past the rest of the dock. So they have these
12 giant Yokohama floats that kind of make this part of the dock
13 flush with the part that sticks out. So.

14 Q. So the bow of the vessel was flush with the south portion of
15 the dock?

16 A. Correct.

17 Q. Which would be near the shoaling that you were aware of?

18 A. Yes.

19 Q. Do you have any idea why the bow was flush with the dock
20 after you had given the orders to the mate to keep the bow 12 feet
21 off?

22 A. No, I do not know why it was up against.

23 Q. Would there be any reason for that?

24 A. I don't know why. I wasn't happy.

25 Q. Do you care to elaborate a little bit?

1 A. Well, I just wasn't happy because I just told him that we
2 needed to stay off. So I wasn't happy.

3 Q. What was your reaction then at that point?

4 A. Other than I just, you know, we tried to move it just like we
5 did the previous time. We shifted our wires around to try to give
6 us better purchase on the cables to move us off of that, and it
7 just -- it wasn't going to move it.

8 So at that point, I called for -- I called down to the engine
9 room and had them turn on the valve thruster and give me engine
10 control. And once he was able to get that for me, I tried to use
11 the thruster to push the bow off, and it wouldn't come off at that
12 point. So then I contacted another captain, and asked him, you
13 know, for a little advice. And --

14 Q. Who was that?

15 A. Captain Layton. And, he told me that I would be better off
16 going in reverse and not going forward to where, you know, with a
17 known shallow spot is at, you know, and then also to use my wires
18 to also assist in, you know, pulling myself off the shoal there.

19 Q. How would the wires be used in that case?

20 A. You just use the after wires. So use engines in reverse and
21 then only use the wires that are leading aft to help me pull in
22 the same direction I'm trying to go.

23 Q. Okay. Is that what you did?

24 A. Yes.

25 Q. Were you using any bow thruster during this point?

1 A. Yeah, I was using --

2 Q. Or were you using stern propulsion?

3 A. I tried using the bow thruster, and that -- when that didn't
4 work, I wanted to try to kick the stern out. So I didn't have a
5 stern thruster at the time. So then I had to call back down to
6 the engine room, take the engines offline, and have them set up to
7 give me stern thruster. Well, when we do that, we can only -- you
8 only have use of the starboard engine. So I had them switch it
9 around to the dual thruster configuration, and I then started
10 using the stern thruster to try to maneuver around. As soon as I
11 used the stern thruster, we came away a little bit, and we
12 immediately listed over 13 inches.

13 And so, I officially told Brian that the load was done.
14 We're not taking any more stone, get the drafts which he did. And
15 he calculated what the drafts were based on the list that we had.
16 We got him back aboard and the dock workers threw our final lines
17 off for us so we don't have to be on the dock when we throw off.
18 He came aboard. I had them throw the wires off. I had to wiggle
19 the boat a little bit to get it off the rest of the way, and once
20 we came free, it listed over to 26 inches.

21 Q. So I'm going to pack this a little bit. So you called over
22 to Captain Layton. What's Captain Layton's first name?

23 A. Jeff.

24 Q. Jeff. So you called over to Captain Layton for advice. He
25 suggested using stern propulsion and using your wires. Initially

1 you tried using the bow thruster on its own to thrust to
2 starboard. When that didn't get you off bottom, you had to call
3 back down to the engine room to take back control. What's the
4 power configuration on board in total? So I know you have bow
5 thruster. I know you have a stern thruster. What about the
6 propulsion?

7 A. We have a port and starboard engine, but if we want both
8 thrusters, you can only have engine, and we used the starboard
9 engine to go into that configuration.

10 Q. Now, the port and starboard engine, are those direct drive?
11 Is that CPP? What type of props are you guys using?

12 A. The controlled pitch.

13 Q. Okay. Controllable pitch.

14 A. Thank you.

15 Q. Okay. So you guys have twin screws.

16 A. Um-hum.

17 Q. And when you guys go into bow thruster and stern thruster
18 configuration, you only used the starboard engine?

19 A. Correct.

20 Q. Because you can only use one of them.

21 A. Correct.

22 MR. TUCKER: Can I quick question just to clarify?

23 CAPT. PORINCHOCK: Yes.

24 MR. TUCKER: How many propellers are on the *Boland*?

25 CAPT. PORINCHOCK: Two.

- 1 MR. TUCKER: Two.
- 2 CAPT. PORINCHOCK: Yeah.
- 3 MR. TUCKER: Two propellers on the *Boland*?
- 4 CAPT. PORINCHOCK: Yeah.
- 5 BY LT. [REDACTED]
- 6 Q. And each propeller has its own rudder?
- 7 A. No, it's a single rudder.
- 8 Q. Single rudder. Okay. Single rudder between the two?
- 9 A. Um-hum.
- 10 Q. Okay. Mentally calibrating the --
- 11 A. Wait a minute. I think -- I'm sorry. I have it wrong. It's
- 12 the one propeller but we have the two engines. I'm sorry. Sorry.
- 13 Q. It's okay. One shaft.
- 14 A. Yeah.
- 15 Q. One propeller.
- 16 A. Yeah. Sorry. My mistake.
- 17 Q. Understood. It's a long interview. Again, if at any point
- 18 you need to pause, please feel free.
- 19 A. No, I'm okay.
- 20 Q. Okay. All right. So you call down to the engine room. They
- 21 take control of the engines down there.
- 22 A. Um-hum.
- 23 Q. They bring up the stern thruster, and they send control back
- 24 up to you?
- 25 A. Yes.

1 Q. So then at this point, do you know about what time this is
2 give or take?

3 A. Right around 11 o'clock.

4 Q. So right around 11 o'clock, you start backing down. Was that
5 working for you?

6 A. We were, we were moving. We were slowly coming away. And
7 so, you know, I just continued to do what was working.

8 Q. Okay. Do you know what type of bottom's there, the
9 composition of the bottom at that dock?

10 A. It's a mixture of rock and mud.

11 Q. And then you said at some point, you guys used the boom?

12 A. Yeah. So, we had boomed out to kind of get us to come off
13 and then as we were starting to move -- once we came free, we
14 brought the boom back in.

15 Q. And where was the list when you had the boom going out at
16 that point?

17 A. It wasn't as, it wasn't as extreme because the boom was out
18 on the side, and I don't know exactly what it was --

19 Q. Okay.

20 A. -- at that time, but then when you bring the boom back in,
21 that's when you have the -- we had the 26 inch list.

22 Q. How far out did you guys swing the boom?

23 A. Probably 75 degrees.

24 Q. Okay. So you got the boom, and you swing out about 70
25 degrees. Is there any tilt to that or is it --

1 A. It was already, it was already up and -- or all the up.

2 Q. Okay.

3 A. Because on your loading deck, you have to have it up as high
4 as possible so that the load rig can get underneath there.

5 Q. Gotcha. So just the weight I assume of the boom swinging out
6 in the up position helps to free. Is that kind of the dock
7 process then?

8 A. It helps weight the boat to that side to help try to rock it
9 off if you're, you know, hung upon something.

10 Q. Gotcha. Okay. So you're able to swing the boom out as
11 you're backing down.

12 A. Um-hum.

13 Q. At this point, you guys ended up coming off.

14 A. Um-hum.

15 Q. And then the list went to what?

16 A. That's when it -- well, I think that's when we were at 13
17 inches, and then --

18 Q. To which side?

19 A. To the port.

20 Q. Okay.

21 A. 13 inches to the port.

22 Q. So just to clarify, so 13 inch list --

23 A. Um-hum.

24 Q. -- to port would mean which side of the boat is higher than
25 the other?

1 A. The starboard side is higher.

2 Q. The starboard side is higher. Okay. For you as a captain,
3 what's that telling you?

4 A. That we were loaded much heavier on the port side than the
5 starboard side. We were loaded unevenly.

6 Q. Okay. At this point, was there any concerns of potential
7 damage?

8 A. I did not think we were in a damaged situation at that point.

9 Q. Okay. So you guys get off. You have the 13 inch list to
10 port. How did -- how was that verified, the 13 inch list?

11 A. On the trim gauge, in the boom shack.

12 Q. Okay. So you weren't in the boom shack. So who passed that
13 up?

14 A. It was either Art or Trun (ph.). I don't recall which one it
15 was.

16 Q. And you don't know the time?

17 A. Yeah, I honestly don't know.

18 Q. So it was passed up to you that there was a 13 inch list to
19 port.

20 A. Um-hum.

21 Q. You guys still have lines over at this point. Then what
22 happened?

23 A. We -- I had them throw the lines off the dock, let go of the
24 lines for us. We brought everything in. We worked the boat off
25 the rest of the way, and we were still listing over, but we were

1 floating free. Brought the boom back. Once we centered up the
2 boom, then that's when we got the full -- we understood the full
3 amount of the list that we had which was -- I want to say it was
4 26 inches. I think that's what the -- the engine room called up
5 to me at that point and said, hey, we have a 26 inch list, and
6 they asked if I wanted to correct that. And, I said, no, not at
7 this time because I knew we were in shallow water. I knew it was
8 going to take a considerable amount of water to straighten us out
9 and I didn't want to run the risk of putting us on the bottom
10 again. So I wanted to get moving out into deeper water before I
11 put any water in the boat.

12 Q. Okay. What time were you guys technically underway at that
13 point?

14 A. 1123.

15 Q. 1123. Now, I don't have a personal way to gauge, you know,
16 for this vessel, for the *John J. Boland*, how much list is a lot of
17 list. Twenty-six inches, you know, from sitting right her tells
18 me that's a little over two feet of list, correct?

19 A. Um-hum.

20 Q. From a ship's knowledge standpoint, any idea of what list
21 this vessel would potentially heel over and end up on its side?

22 A. It would be a very considerable amount. There's different
23 factors, like if you're light or loaded, and I don't know the
24 exact amount.

25 Q. Okay. And that's perfectly fine. That's a very technical

1 question currently. I'm a naval engineer. I've worked for a
2 naval architect. So that's perfectly fine. So in your own
3 opinion then, is 26 -- is a 26 degree list extreme?

4 A. Twenty-six inch list.

5 Q. I'm sorry. A 26 inch list.

6 A. Yeah, that's way more than what is allowable.

7 Q. Because the goal is very clearly to be level, correct?

8 A. Correct.

9 Q. Is there an acceptable list? Is there any reason why? Just
10 out of understanding.

11 A. One or two inch list is sometimes unavoidable, and I would
12 say that would fall within the realm of acceptable.

13 Q. Okay. And then for just an operational standpoint, when you
14 guys load cargo, you guys are discharging ballasts at that point.
15 When you guys -- then the *John J. Boland* is fully loaded -- you
16 guys were fully loaded departing. Do any of those ballast tanks
17 have reserve ballast in them? Do you guys have any tanks that
18 have any water at that point?

19 A. Not reserve ballast. Residual ballast, there might be some,
20 a few inches here and there.

21 Q. So for all of the ballast tanks, portside, starboard side,
22 how many ballast tanks are there again?

23 A. There are seven ballast tanks, six of which -- that we use
24 during the loading and unloading.

25 Q. Okay. So you have a total of 12 ballast tanks that are used

1 for ballasting loads. When you guys departed from Cedarville, are
2 -- were all of those tanks pumped dry?

3 A. Yes.

4 Q. How do you verify that?

5 A. The man on watch is supposed to keep record of that, and it's
6 in the load book, and then as we pump them out, the AB who is
7 watching the screen let's the mate know when that particular tank
8 is dry. We then do a manual sounding with a sounding rod, drop it
9 down in there and get the actual measurement of how much water's
10 in there.

11 Q. Okay. So you guys have a computer system that monitors your
12 -- how much water you have in each of those ballast tanks?

13 A. Um-hum.

14 Q. Is that monitored by the engineers?

15 A. Not during the loads.

16 Q. Okay. So during the loads, the mates are keeping an eye on
17 the ballasts? They're managing the ballasts as they're loading
18 and offloading?

19 A. Correct.

20 Q. At what point does the shift from the mates in the shacks, in
21 the boom shacks, transfer responsibility of monitoring ballasts
22 down to the engine room?

23 A. When we're done. When the boat has been deemed dry, we then
24 turn over the ballasts to the engineer.

25 Q. Okay. So when you are underway at 1123, who was monitoring

1 the ballasts?

2 A. That would have been the first engineer, Ben Reed (ph.)?

3 Q. Ben Reed. And was there any residual ballasts in the
4 portside number 1 through 4 tanks at all?

5 A. There always is residual ballast.

6 Q. Okay. But the intent for those tanks that they be dry?

7 A. Yeah. Anything less than a foot is considered dry.

8 Q. Okay. Thank you.

9 LT. [REDACTED] Do you have any questions up to this point?
10 I'm trying to find good pausing points. That way -- because if I
11 wait to the end, it might be kind of jumping around a good bit.

12 MR. TUCKER: Up to this point, I do have two questions.

13 BY MR. TUCKER:

14 Q. Number one, when you went to the wheelhouse, did you happen
15 to notice the fathometer at all and see what your depth below keel
16 was?

17 A. No. I did not. No, I did not.

18 Q. Okay. Is that normally kept on during -- while you're at the
19 port or do you guys turn it off?

20 A. It's normally kept on.

21 Q. All right. And, any idea if that information feeds into the
22 Rose Point?

23 A. It does not.

24 Q. Okay. And back to this whole 12 foot off the dock. So I
25 understood, you communicated to keep 12 foot off the dock and I

1 understand that that's done by lines. So the question is, how can
2 the crew keep the vessel 12 feet off the dock? Is it possible
3 or --

4 A. So they can leave slack in the forward wires, and if need be,
5 if -- it can be difficult if say like the wind was on the dock
6 which was not the case. But, normally if you just leave the lines
7 slack and then keep your after wires tight --

8 Q. Yeah.

9 A. -- and it should stay off on its own.

10 Q. Okay. The wind was not blowing on the dock, right?

11 A. Correct.

12 Q. Was there any wind that morning or that day or --

13 A. At the beginning of the load, there was.

14 Q. Okay.

15 A. It had -- it died down though substantially.

16 Q. Okay. Thank you.

17 MR. TUCKER: Is this a good spot to maybe take a pause or
18 should we consider a pause?

19 LT. [REDACTED] Yeah, we can take a pause. We've been going
20 about an hour and half here. It is currently 1450. We're going
21 to take a pause and reconvene.

22 (Off the record at 4:50 p.m.)

23 (On the record at 5:01 p.m.)

24 LT. [REDACTED] It's 1701 on 25 April 2023. This is the
25 restart of the interview with Jeffery Michael --

1 CAPT. PORINCHOCK: Porinchock.

2 LT. ██████████ Thank you. Correction to the last stoppage.
3 Our last recording stop as at 16:50.

4 BY LT. ██████████

5 Q. All right, Cap. So up to this point, we've had our
6 conversation running up to the point where you guys -- where the
7 *John J. Boland* was getting underway. So you guys cleared the
8 dock. The engineers -- the first engineer called up and informed
9 you that you had a 26 inch list to the portside. They asked if
10 you wanted to make any corrections to that list. Your answer was?

11 A. I told them no. We needed to get into deeper water.

12 Q. Okay. What's the thought process behind that?

13 A. I knew it was going to take a considerable amount of water to
14 straighten the boat out being that we had 26 inches. And, we were
15 in shallow water. So I didn't want to run the risk of putting us
16 on the bottom again.

17 Q. Okay. Now, to navigate the *John J. Boland* with a 26 inch
18 list toward -- is there any considerations or concerns?

19 A. I just went slow. I still was able to control the navigating
20 with the rudder, and I was able to steer the vessel. So I knew I
21 just needed to get myself out of the way of the *Mariner* and out --
22 stay within the channel but get to where I had deeper water.

23 Q. Okay. So there -- at this point, you didn't have any
24 concerns of any possible collisions or potential running aground
25 at this stage?

1 A. No, no. I knew I had, I knew I had enough water in the
2 channel based on the drafts that I was given, that we would be
3 okay there. I just didn't want to put any additional weight in
4 the boat until I was sure I had more room.

5 Q. And do you know what the charted depth departing out of there
6 is?

7 A. It varies between 26 to 27 feet before adding the water
8 gauge.

9 Q. Okay. And remind me again, what was the water gauge?

10 A. I believe it was +20.

11 Q. Okay. Not negative.

12 A. Not negative, no. +20.

13 Q. So outbound transit, you have the navigation. Who else was
14 upon the bridge with you at that time?

15 A. At that time, it was just myself. The AB was finishing
16 bringing the boom in, landing the boom, and as soon as he does
17 that, he comes up and takes over the wheel, and then it's just him
18 and myself up there.

19 Q. Okay. So initially after taking in lines, it's just you up
20 on the bridge?

21 A. This particular time, yes. I try to have the AB come up
22 beforehand so that I have him on the wheel and then I am free to
23 roam around and see the things that I need to see, but because he
24 was bringing the boom in, he had stay there to do that instead.

25 Q. Is there any policies that dictate when you're supposed to

1 have a wheelsman? Like is the wheelsman required for you to
2 safely navigate?

3 A. No. I have a wheel stick right there in the front window
4 that I can drive the boat with if I need to.

5 Q. Okay. So you're outbound. Inbound is the *American Mariner*.
6 So you guys pass port-to-port, starboard-to-starboard?

7 A. They were already turned around and prepared to back in. So
8 we passed them on their portside, our starboard side.

9 Q. So you're departing the dock, you were portside to. So you
10 went outbound with port propulsion --

11 A. Correct.

12 Q. -- going out. The *American Mariner* passes operating the
13 stern propulsion?

14 A. Correct.

15 Q. So you pass them your starboard side to their portside as
16 they're stern propulsion going into Cedarville?

17 A. Correct.

18 Q. Okay. And then what?

19 A. As we were coming out, I kept it slower than I normally would
20 just because of the condition that we were in. We did get some
21 capitations there in the pilothouse which is common when you're in
22 shallow. At that time, I looked at my fathometer and we had 2.9
23 feet under the bow.

24 Q. Do you guys only have the one fathometer?

25 A. Correct.

1 Q. And it's just the single hand?

2 A. Yeah, I know what you're asking but I don't know.

3 Q. Okay. Do you know whereabouts that depth below the keel is
4 being read from?

5 A. It's right up by the bow.

6 Q. By the bow. And then about how -- what was your speed?

7 A. It was right around 5 miles per hour.

8 Q. Miles per hour.

9 A. Miles per hour.

10 Q. And what was your -- do you guys follow a track line? What
11 course were you guys on?

12 A. We were on the channel, the approach channel for the dock.
13 There's a series of buoys out there that mark the channel itself,
14 and we were on the approach channel.

15 Q. Any range boards (ph.)?

16 A. Just behind us, the dock itself.

17 Q. Okay. Did you need to use the range boards at all or the
18 buoys? Did they appear to be on station, marked properly?

19 A. Yes.

20 Q. From a Coast Guard standpoint, any time that there's issues,
21 generally a survey is requested. So if there is one being
22 requested, Mr. Bartholomew would know or not. So if there are any
23 issues, we'll let you know.

24 A. Okay.

25 Q. Okay. So, pass the *American Mariner*, heading outbound.

1 Anything else of note? You noted that there was a little bit of
2 cavitations because you guys were seeing 2.9 under the bow.

3 Anything else going on outside the norm?

4 A. Not really. I waited until I had at least 20 feet
5 consistently under the bow there on the fathometer, and then once
6 I felt comfortable, we weren't experiencing any more shallow
7 water, I called down to the engine room and told them to use
8 starboard tank 6 to straighten us out or bring us back to even
9 keel.

10 Q. Whereabouts were you when you started taking on water into --

11 A. Oh.

12 Q. -- when you started to ballast the starboard number 6 tank?

13 A. I had just made the turn at Crow Island which is the first
14 turn in the channel.

15 Q. And if I were to look on the chart, I would see Crow Island
16 marked?

17 A. Yeah.

18 Q. Sometimes there's little nicks. Okay. So, do you guys use
19 anchor to hold position then?

20 A. No. At that point, then I called -- I began making my phone
21 calls. I called Brian and then Paul Joaquin and I was asking him
22 what I needed to do in this particular situation. And --

23 Q. What was the concern at this point for you?

24 A. My concern was I -- first of all, I didn't know because of us
25 being on the bottom, I didn't know what my drafts actually were

1 once we came off the bottom. And then I knew putting the water in
2 the boat was also going to change my drafts. So I wanted to get
3 some advice on what to do.

4 Q. And who was that call to?

5 A. Paul Joaquin.

6 Q. And who is he?

7 A. He is the president of the company.

8 Q. And what did Paul advise?

9 A. He told me that if I felt the water was calm enough, that if
10 I felt comfortable with it, we could launch the workboat and get
11 an accurate draft reading at that point. So, that what we did.
12 We got out to where I could turn the boat into and keep the wind
13 broadside so it would create our own lee and make it safe for the
14 workboat. And, so we did that, launched the workboat, and got our
15 drafts depth point and came back aboard. I had a sounding take
16 place at that point, a manual sounding, not off the electronic
17 charts or the electronic display. Nothing at that point indicated
18 that we were taking water. Everything seemed like it was within
19 the normal realm of residual water.

20 I then spoke with the chief and said I wanted to go and
21 inspect the cargo or the ballast tanks. So we -- my guys, the
22 boatswain and the deckhand were at their limit for their hours.
23 So I couldn't use them. We had -- the chief his guys, his tunnel
24 (ph.) guys then go down and begin opening up the ballast covers so
25 we could go and inspect.

1 Q. What time did the workboat launch? You said you were in the
2 workboat?

3 A. Yes.

4 Q. Who else was in the workboat with you?

5 A. Trevor, the second mate.

6 Q. And what time was this done?

7 A. So we checked back at 1218 so we could do our draft
8 inspection. It took a few minutes to go the bow to stop.

9 Q. And what were those drafts?

10 A. We determined it was 27 feet 9 inches aft, 26 -- about --
11 yeah, sorry, 26 feet 6 inches forward.

12 Q. I'm sorry. 26 feet --

13 A. 6 inches forward. It was a little choppy, so it was hard for
14 us to get an exact reading, but that was what we thought they
15 were. We then, once we anchored, we got our drafts. They were a
16 little bit off from what we saw in the workboat.

17 Q. Okay. So you get the draft readings. You guys reported them
18 somewhere, these draft readings?

19 A. Yeah, we called them up and I had Brian, the first mate,
20 write them down. And, I didn't have them put in the logbook
21 because it was -- I didn't think -- it wasn't official because it
22 was difficult to get a real accurate draft reading. So I had them
23 write them down on a piece of paper in the pilothouse. And then I
24 told the chief to have his guys open the tanks so we could go and
25 inspect them.

1 Q. At this stage, to direct folks to go into the tanks, what was
2 driving that concern to inspect the tanks?

3 A. I wanted to make sure. I felt it would be very irresponsible
4 if I didn't.

5 Q. Okay. And you said who went down into the tanks?

6 A. Myself and the chief.

7 Q. Okay. So you came back on board. Did you go directly from
8 being on the workboat to going into the tanks, or what was the
9 kind of timeframe?

10 A. No, there was, there was a little bit of a timeframe there
11 because again I had the sounding take place first.

12 Q. Okay.

13 A. And I had the -- I believe it was the AB on watch at the time
14 to do the sounding. And, after that then, I spoke with the chief.
15 And I -- there wasn't a sense of urgency at that point because it
16 didn't seem like we were taking any water at that point. So he
17 had his guys remove the ballast covers, and it took a little while
18 for them to get the covers open. But we got in there, it was
19 close to 1500 at that point, maybe a little bit before. And, we
20 went to ballast tank 1 first, and we noticed the water bubbling up
21 at the aft end of number 1. We weren't sure if there was an air
22 bubbler there, and it was hard to tell because the water was
23 muddy. So we weren't sure at that point if what we were looking
24 at. So we came out of ballast tank 1, went into ballast tank 2,
25 went all the way forward, and then we saw the same thing, a

1 bubbler but on the -- at the turn of the bilge.

2 Q. Do each of the tanks have a bubbler system?

3 A. They do, and I think it's right by the pump or right by where
4 the kingpin is for the gauges. So it seemed odd that it would
5 have been at that location, but when we went in to ballast tank 2,
6 it was obvious that that's not what it was. So we came out of
7 ballast tank 2, went back into 1, kind of really got in there
8 closer and got a better look at it, and we came to conclusion that
9 we had a breach in the hull.

10 Q. At this point, do you know how much water was in number 1 and
11 number 2 port ballast tanks?

12 A. Probably a foot and a half to 2 feet. I mean we didn't stick
13 anything down to measure it, but it was probably right around
14 there.

15 Q. So you started sounding tanks at around 1500 or started
16 inspecting the ballast tanks at 1500.

17 A. Correct.

18 Q. Did you go into all of the ballast tanks?

19 A. From there, we went to ballast tank number 3, and didn't see
20 any leaking or any damage, but we realized that we definitely had
21 an issue 1 and 2. So at that point, the chief told me to start
22 making phone calls. So I came up, and I called Brian Peterson.
23 The chief continued inspecting the rest of the ballast tanks.

24 Q. What time did you notify the company?

25 A. It was right at 1500 when I called Brian and Paul.

1 Q. All right. Okay. So you guys went down at approximately
2 1500?

3 A. Well, yeah.

4 Q. And 5 minutes later, 10 minutes later.

5 A. I probably -- well, we probably went into them maybe a little
6 earlier than that. I think by the time I got out of there which
7 was maybe a period of 15 to 20 minutes that I was in the tanks.
8 But I believe I called them right around 1500.

9 Q. Okay. Then what?

10 A. Then we began going through our corrections as far as what we
11 needed to do next. You know, we had -- we were having the
12 engineers make sure they were pumping on the ballast tanks, the
13 ballast pumps to keep the water coming in. And then we started
14 making preparations to get the boat somewhere where we could
15 safely assess the situation. Initially, we were looking to anchor
16 off of Stoneport and try to get our ABS on board there and our
17 maintenance superintendent, Nick Ferrise (ph.), on board there.
18 We had a boat -- one of our own boats in Stoneport at the time.
19 So I called the captain, asked him what the conditions were. He
20 said it was not going to be very conducive trying to get someone
21 out to us by way of workboat.

22 So I spoke with him, and he had suggested to me North Bay.
23 There was a little protective cove there that would protect us
24 from the elements and allow for a much easier workboat transit
25 back and forth to and from the boat. So I pulled up the Rose

1 Point there, looked at the chart, looked at the depths, call
2 Brian, called Nick, and let them know that that was the plan that
3 I wanted to go and anchor over there.

4 Q. Nick is who?

5 A. He's our maintenance superintendent for this vessel. So we
6 made our way over to there, and anchored. In the meanwhile, I
7 believe it was Ray contacted the Coast Guard and let them know
8 that that's what we were doing. They gave us permission then to
9 proceed to the anchorage. And, we made our way there.

10 Q. How far was the anchorage from where you guys were at at that
11 point?

12 A. At that point, we were actually right next to it. We were
13 almost getting ready to go by Stoneport at that particular time.
14 Yeah. So at 1647 is when we checked the engines back, and then
15 rerouted to head to North Bay.

16 Q. You said Ray Tanner with the company made the notification to
17 the Coast Guard?

18 A. Correct.

19 Q. Did anybody from the Coast Guard call the vessel directly?

20 A. They didn't.

21 Q. All right. And you guys went to you said North Bay?

22 A. Correct.

23 Q. Anchored out there, and from there, you guys started going
24 through the process of assessing the damage, and ABS came out.

25 A. Correct.

1 Q. Did ABS attend while you were at anchor?

2 A. Yes. We called them out to the boat, and ABS went into all
3 the ballast tanks.

4 Q. Okay.

5 A. Excuse me, all the ballast tanks on the portside.

6 Q. Gotcha. Okay. So what time did you guys anchor at North
7 Bay?

8 A. 1751.

9 Q. Okay. So up to this point, you kind of talked through a lot
10 of different things. I just want to give you the opportunity at
11 this point. Is there anything that we haven't discussed yet that
12 you think is important for us to know or be aware of?

13 A. I don't think so. I think we pretty well hit all the major
14 points there.

15 LT. [REDACTED] I will pass the floor to Adam.

16 BY MR. TUCKER:

17 Q. Okay. Cap, talks again for talking to us. I'm going to kind
18 of work backwards here --

19 A. Sure.

20 Q. -- with my notes. Mostly just reinforcement comments. When
21 you anchored at North Bay, how many shots do you have? What
22 anchor did you use?

23 A. We used our port anchor, and we put out a shot and a half.

24 Q. Is that on deck or in the water?

25 A. Shot and half in the water?

1 A. It's in the water, yeah. I'm sorry.

2 Q. Okay. And, let's see. Just verifying. So in that short
3 transit to North Bay, were the pumps able to keep up with the
4 water ingress in the ballast tanks?

5 A. Yes. So we were in ballast tank number 1. We only had to
6 use our stripping pump, and then we were intermittently using the
7 number 2 ballast pump every -- once every four hours --

8 Q. Okay. And because I'm not familiar, and I have not even
9 looked at a tank diagram yet, when you say number 1 and number 2,
10 are these tanks open or are they segregated in the middle? In
11 other words, is it one port and two port or is it just all one
12 tank?

13 A. Yeah, one port is it's own separate tank.

14 Q. Okay.

15 A. And then two port is alone.

16 Q. Got it. So they're segregated.

17 A. Yeah.

18 Q. All right. Is there any communication between the portside
19 and starboard side ballast tanks?

20 A. No.

21 Q. Okay.

22 A. They're all separate.

23 Q. Okay. And you mentioned bubbles. So this is something new
24 to me. You said the bubbler system or something like that?

25 A. Yeah. So, there's like an airline that is right there

1 usually by the pump, and that's where our kingpin gauges are at.

2 Q. Okay.

3 A. So that's what reads the -- when you're looking at the
4 ballast screen, that tells you your limits.

5 Q. Understood. Okay. I didn't know if it had anything to do
6 with like -- again this is all fresh water. So ice getting down
7 there or something.

8 A. No, it keeps any sediment from building up around there so
9 you can get an accurate reading.

10 Q. Understood. Okay. I ask this of everyone. But, were there
11 any pictures taken, any videos taken by yourself during this time?

12 A. By me, no.

13 Q. Okay. And a point of clarification. So when you went down
14 into the boat and did the draft survey, that was after water was
15 put into number 6 starboard. Is that correct?

16 A. Correct.

17 Q. So that's why you had that 27 and 9 aft?

18 A. Right.

19 Q. Okay. Still on that with the drafts, I understood it's 27
20 foot 9 inches aft, and 26 and 6 forward. Was that taken just from
21 one side or can you do all sides of the vessel?

22 A. Just the portside because the wind was strong on the
23 starboard side, and I didn't think it would be safe to have the
24 workboat go over there.

25 Q. Understood. When you did that draft survey, was the vessel

1 upright or was it level at the time?

2 A. It was at even keel.

3 Q. Okay. And you mentioned soundings as well, that the ABs do
4 soundings, and just wanted to clarify. There was nothing found on
5 the soundings?

6 A. Nothing that would have been outside the realm of the normal
7 amount of water.

8 Q. Okay. And that included like one port and two port?

9 A. Correct.

10 Q. Okay. So this made me a little nervous, but again I'm not
11 from the Lakes. So I understood that after departure, when you're
12 sailing out of the channel, you passed by the *Mariner*. You
13 mentioned looking at the fathometer. I think you said 2.9 feet.

14 A. Um-hum.

15 Q. Thinking of your load, thinking of the draft and the speed,
16 is -- like what speed does the vessel start squatting? And was
17 squat a concern for you coming out of there?

18 A. Not at, not at that speed. It would have to be pretty close
19 to full ahead before you're going to get much squat at all from
20 the vessel.

21 Q. Okay. And I know the focus to date has been the shoal on the
22 portside. That would have been on the port bow of the vessel at
23 the dock. Is there any -- and I'm not asking you to speculate,
24 but I'm more asking you to eliminate. Is there any reason to
25 believe that the damage could have been done on the departure

1 sailing out or is there confidence that this took place at the
2 dock?

3 A. I believe it took place at the dock.

4 Q. Okay. And still in the ballpark of leaving, departure, was
5 -- I know you mentioned there was some cavitation. Was there
6 anything else out of the ordinary, any type of vibration, any type
7 of shutter, anything that you felt during departure?

8 A. No, no, just that cavitation.

9 Q. Okay. I know you were in communication with the *Mariner* as
10 well. I think I know the answer, but I'm going task anyway. Did
11 you communicate to them at that point anything that had
12 transpired? I'm recognizing that you left with that port list.

13 A. Not at that exact moment. I did communicate with the captain
14 after we were a little bit more stable.

15 Q. Okay. And that was after.

16 A. Yeah.

17 Q. Okay. Forgive me because I'm not familiar with inches of
18 list, I'm going to ask you to ballpark, and if you don't, that's
19 fine. But I'm trying -- I'm having difficulty. I always equate
20 list with angle. That's, of course, we've always had a bubble on
21 the ship to kind of tell us. Do you have any idea what that 28
22 inch list is in --

23 A. As far as an angle degree?

24 Q. Yes.

25 A. I really truly don't have any idea.

1 Q. Okay. Looking out of the wheelhouse, was it kind of
2 noticeable?

3 A. It was noticeable.

4 Q. Okay. Did anybody contact you or anything? Like did the
5 *American Mariner* contact you and say, hey, you're listing or did
6 any other vessels contact you?

7 A. Actually, yes. There was a Coast Guard vessel tending buoys
8 or -- yeah, tending buoys right there, and they called me on
9 channel 13 and said that we were listing over. I explained to him
10 that we just -- that we were uneven with our cargo, and I was just
11 waiting until I got out to deeper water to straighten us out.

12 Q. Okay. Understood. So port list 28 inches, roughly 2 feet
13 increase in the draft on the portside of the vessel. Your
14 fathometer is I guess centerline?

15 A. Yes.

16 Q. Okay. And bilge keel on that ship?

17 A. I'm sorry.

18 Q. Is there like a bilge keel or anything, any appendages from
19 the hull?

20 A. I don't know actually on this boat. I truly don't know.

21 Q. Okay. Drawings will have it for us, but I was just wondering
22 if there was any -- would be any extra increase in draft if there
23 was a bilge keel or anything like that. Okay. On the departure,
24 was it a straight out departure. Did you do any turns, port,
25 starboard, anything hard?

1 A. No. Not until after I was already past the *Mariner*, and they
2 said Crow Island --

3 Q. Okay.

4 A. -- is where I made my turn.

5 Q. And Crow Island is where it got deeper anyway?

6 A. Yeah.

7 Q. Got it. Okay. Related to -- again, I'm apologize. I'm all
8 over the place.

9 A. That's all right.

10 Q. It's been a long time here. So, are there any company
11 requirements or master standing orders or anything like that
12 related to under keel clearances to be kept during loading
13 operations? A foot, 2 feet or just --

14 A. No, there's no specific requirements. We load at certain
15 ports fairly close to the bottom just because that's the nature of
16 Great Lakes shipping.

17 Q. Okay. And just in your experience, and your experience only,
18 we've -- I have learned that you do get close to the bottom or
19 vessels get close to the bottom. And, I'm wondering in your
20 experience, have -- well, I've learned that sometimes vessels
21 touch the bottom and do certain things to get off the bottom. In
22 your experience, have you ever touched bottom in this port before?

23 A. Yes.

24 Q. Okay. And can you tell me what you remember of that?

25 A. I wasn't as a captain. This is the first time I have as a

1 captain.

2 Q. Okay.

3 A. But, on numerous occasions in the past, as both a boatswain
4 or as -- yeah, and as a mate, it's happened.

5 Q. Okay.

6 A. And we went through the exact same steps that we've gone
7 through in the past, trying to move it with the cables first. If
8 that doesn't work, then try swinging the boat out to try to pull
9 it off. If those doesn't work, then use the thrusters and engines
10 as a last resort.

11 Q. Okay. And in those circumstances, were you always portside,
12 alongside or was it sometimes your starboard side?

13 A. It just depends on the particular port that we're at.

14 Q. Okay.

15 A. There's other ones out there that have similar issues.

16 Q. Okay. So for this particular port, Cedarville, was there --
17 do you always dock portside alongside on that port?

18 A. For this vessel, yes.

19 Q. Okay.

20 A. I can't speak for the other ones. I honestly don't know.

21 Q. No, that's fine.

22 A. Yeah.

23 Q. It's only what you know.

24 A. Yeah. But, yeah, for this vessel, it's only portside.

25 Q. And just to clarify that, so have you in your experience

1 touched bottom in Cedarville before?

2 A. Yeah, I've seen it touch bottom there before.

3 Q. Okay. And like you said, it just been going through that
4 process to kind of get her off, and no problems, no headaches
5 after the fact?

6 A. Correct.

7 Q. Okay. Do you know if the port is aware of that shoal area
8 there?

9 A. I would say now they are. But they have never mentioned
10 anything to us that I know of. But then again --

11 Q. Yeah.

12 A. -- I don't know if that means they know or they don't. So.

13 Q. Okay. Carrying on with the same question again, going back
14 to that weekly call, I understand the ship schedule continues. Is
15 that a mandatory requirement that you need to be on this call or
16 is, you know, if I've got something going on, I don't need to be
17 on the call today?

18 A. It's not mandatory per se. If I don't have anything going
19 on, then, yeah, I will be on that call.

20 Q. Okay.

21 A. If we're, you know, docking or, you know, doing something
22 where I can't be there for it, then it's completely understood.

23 Q. Okay. So for this circumstances, you were okay to be on the
24 call. You didn't have anything pressing or --

25 A. Correct.

1 Q. -- urgent to attend to as master of the ship?

2 A. Correct.

3 Q. Understood. My unfamiliarity again is being a salty. So, if
4 understand, I'm going to use a hypothetical number though. So the
5 water gauge is 20 inches, and the chart datum is 25. So if I'm
6 understanding correctly, I will take that water datum -- sorry,
7 the chart datum and add whatever that gauge is to the chart, and
8 that's going to be my depth at the dock. Do I understand that
9 right?

10 A. Correct. Yep.

11 Q. Okay. So like if it was 25, it would 25 plus 20 inches.
12 It's going to be 26 and change. All right. So I understand that.
13 And for that reference, you use De Tour and Mackinaw. Was there
14 anything differential between those two ports do you remember from
15 looking at that gauge?

16 A. There's generally like an inch or two difference. So that's
17 why we take kind of the average of the two.

18 Q. Okay. Again, my unfamiliarity, as I understand that these
19 gauges are looked at in the planning process. Are they looked at
20 in the day of process to make sure, you know what I mean? Like
21 the day of arrival --

22 A. Yes.

23 Q. -- to make sure that they're still on?

24 A. It's kind of an ongoing thing that the first mate really
25 should monitor throughout the load, and then especially when he's

1 getting ready to go trim. So, he -- that way he has an idea if
2 the water levels are dropping, well, our new matched draft is now
3 going to be less than what we initially had planned on.

4 Q. Okay. For this circumstance, do you know if the first mate
5 was doing that or --

6 A. He told me that he did.

7 Q. Okay.

8 A. Yeah.

9 Q. Again, unfamiliarity. Is this something you can access like
10 from a phone or do you need to be on the ship and be on the
11 computer or --

12 A. No, you can access it through your phone. Most first mates
13 do.

14 Q. Okay. And, do they just monitor it or do they actually have
15 to take screenshots of it or document what they gauge is at a
16 certain time or --

17 A. Just kind of take a look at it, because it updates -- I
18 forget the frequency in which it updates, but you just kind of
19 refresh it to be accurate.

20 Q. Okay. Just because of your familiarity with this vessel, I
21 understand you were first mate on this vessel before, are there
22 any -- is there anything that -- of concern with respect to hog or
23 sag of the ship?

24 A. As far as?

25 Q. Just wondering if the ship is, you know, I know she's a long

1 ship. Does she -- does the draft increase with more buoyancy in
2 the -- at the bits of the vessels or --

3 A. Only if you load it incorrectly.

4 Q. Okay.

5 A. We have load plans in place to prevent that from happening.

6 Q. Understood. Okay. And that's kind of rolling into my next
7 question as well. For sheer forces, bending moment or anything
8 like that, these load plans are not -- they're not new as I
9 understand. They're tried and tested.

10 A. Correct.

11 Q. And has historically been done time and time again.

12 A. Yeah.

13 Q. So obviously you're not going to see any sheer forces or
14 bending moments and all that stuff.

15 A. Correct.

16 Q. All right. I'm not familiar, *American Mariner*, is she a
17 sister or is she bigger, smaller or --

18 A. It's similar but it is larger.

19 Q. She's a bigger ship. Okay. Captain, I know you're
20 referencing deck log, the company deck log. Do you maintain any
21 like rough logs or anything like that or that's it?

22 A. For what purpose?

23 Q. Some ships have like bell books or rough logs to document
24 times before entering into the actual company logbook.

25 A. No, we don't have a rough log. It's all documented right

1 here.

2 Q. Okay. Do you keep any personal notes of the incidents as
3 they're occurring?

4 A. I guess I didn't. This is the only one I've been a part of
5 at this level. So.

6 Q. That's fine. Some captains will keep their own like little
7 pocket notebook. So just curious.

8 A. Yeah. No, I didn't, I didn't have anything, you know, saved.
9 I guess I wasn't really thinking to like document that at the
10 time. I was just wanting to make sure that we were safe.

11 Q. Yeah. I think we touch on this. Just to confirm. Captain,
12 any defect or deficiencies or anything with the vessel during the
13 loading operation? That could be boatswain, anything with the
14 ballast system or the conveyor or boom or anything like that, any
15 deficiencies, any problems?

16 A. Not -- nothing that would really pertain to this.

17 Q. Okay. Are you aware of any past incidents at that dock where
18 a vessel has hit bottom and had trouble or anything like that?

19 A. I mean other than the ones that I was a part of. I mean
20 we've -- I don't know how many times it's happened, but it's
21 happened a few times.

22 Q. Okay.

23 A. And same -- went through the same procedures there to get it
24 off there.

25 MR. TUCKER: LT, do you want to jump in while I catch up with

1 my notes.

2 LT. [REDACTED] Yeah, sure.

3 BY LT. [REDACTED]

4 Q. I'm going to ask some pretty standard questions just to make
5 sure that I've got everything that I need or that Mr. Bartholomew
6 may need. How many -- yeah, how many crewmembers are on board the
7 vessel?

8 A. Currently or at that time?

9 Q. At that time.

10 A. We had one additional. So 18.

11 Q. Eighteen crewmembers. Is that total persons on board?

12 A. Correct.

13 Q. And then just to reconfirm, how long have you been working on
14 board the *John J. Boland*?

15 A. This hitch or --

16 Q. Yes.

17 A. Since March 22nd.

18 Q. Some of these may be repeats.

19 A. That's fine.

20 Q. Total time in the industry was --

21 A. Seventeen years. It's starting to run together.

22 Q. And the list on departing the dock, I know I had already
23 asked this, but that list didn't impact your maneuverability?

24 A. No. No, it did not.

25 Q. Do you know what the true course is when you guys were

1 sitting at that dock?

2 A. Not without looking at the chart.

3 Q. That's fine. We can get that later. Are you aware of or did
4 you see any notice to mariners or global notes to mariners that
5 noted any outages of AIS navigation in the area?

6 A. No.

7 Q. How often do you guys often check the local notice to
8 mariners?

9 A. Pretty much each week, when it comes in.

10 Q. Okay. Are you checking that just across the Great Lakes or
11 are you checking them district by district -- or I'm sorry, sector
12 by sector?

13 A. I usually will kind of -- we have a idea of what our, what
14 our schedule is looking like. So I know kind of the routes that
15 we're going to be taking. So I kind of -- I want to make sure I'm
16 familiar with the -- any of the areas that I'm going to be in.

17 Q. Have you had to put a time to the total amount of time that
18 you guys were stuck on the bottom? How long you can say that was?

19 A. From when I got up there or --

20 Q. As you know it, like as far as how long the *John J. Boland*
21 was aground total? It's my understanding at this point, it seems
22 like there were two times that you guys were on bottom.

23 A. Yeah, I don't -- I honestly don't know because I can't speak
24 for like the time that I wasn't up there. I don't know how long,
25 you know, before I went up there.

1 Q. I can get this later, but I'll need the pre-grounding drafts
2 or your inbound drafts. You might not have that right now.

3 A. Actually, no, I -- our drafts coming in were -- we were in
4 regular balance. So we were at 13 feet forward. Oh, crap. I'm
5 sorry.

6 Q. We'll get it later.

7 A. Okay.

8 Q. And then the final soundings that your equipment standing
9 upon because my understanding is that you took the soundings
10 twice. What was your final draft that you guys got following
11 the --

12 A. When we were at anchor?

13 Q. Yeah.

14 A. Okay. They're right here -- 26 feet 1 inch forward, 26 feet
15 3 inches mid, and 27 feet 3 inches aft.

16 Q. Can you repeat the aft?

17 A. Yes, 27 feet 3 inches.

18 Q. So I have 26 feet 1 inch forward, 26 feet 3 inches mid, 27
19 feet 3 inches aft?

20 A. Correct.

21 Q. At any point, did you guys get any audible or visual alarms
22 indicating that you were taking on water and that you guys were
23 flooding at any point?

24 A. No.

25 Q. Does the *John J. Boland* have a VDR on board?

1 A. A VDR?

2 Q. A voyage data recorder?

3 A. I don't believe we do.

4 Q. It's not required. Some voyage data recorders will also have
5 it's like EDR plus or something like that, that will actually
6 record conversations. Is there any --

7 A. Oh, no, no.

8 Q. -- voice recordings on the bridge?

9 A. No, nothing like that.

10 Q. Was your guys AIS working during this whole time?

11 A. Yes, it was.

12 Q. And you guys use electronic navigation tools. So what
13 electronic navigation do you have on board?

14 A. Rose Point.

15 Q. And that was working correctly?

16 A. Correct.

17 Q. Is that system up to date to your knowledge?

18 A. Yes.

19 Q. Do you know when the last time the current system was
20 updated?

21 A. No, I don't.

22 Q. Who is in charge of updating the Rose Point? Or how does
23 that work?

24 A. It's connected, it's connected to the internet.

25 Q. Okay.

1 A. It's supposed to update automatically on its own.

2 Q. Do you guys have paper charts on board?

3 A. Yes, we do.

4 Q. Do you have paper charts for Cedarville, Michigan?

5 A. Not specifically for Cedarville, Michigan, but they're
6 general. There's no -- we don't have a harbor chart for
7 Cedarville.

8 Q. All right. When was the last time that that chart was
9 updated?

10 A. It was sometime in 2021.

11 Q. Who's in charge of maintaining the updates on those charts?

12 A. Second mate.

13 Q. Is that chart supposed to be updated?

14 A. If they send us a chart correction, yeah. Are you guys -- if
15 it's not updated right now?

16 Q. So you said that the last time it was updated was 2021. So 2
17 years ago. That was a pretty broad range chart. We can take a
18 look at that later. Sorry. Again, these are some very kind of
19 generic questions. I asked some of these questions. Do you know
20 about what the rate of water ingress was?

21 A. I do not know that.

22 Q. But you had mentioned that you guys were using dewatering
23 means. What were those again?

24 A. In ballast tank 1, we were using our stripping pump, and I
25 know we have the amount that they are able to pump out, gallons

1 per minute. I can get that for you. And then in 2, ballast tank
2 number 2, we were using our regular ballast pump intermittently
3 approximately once every 4 hours.

4 Q. Okay. I'm sorry. This is the painful part.

5 A. That's okay.

6 Q. I just want to make sure I cover everything.

7 LT. [REDACTED] Adam, I'm going to pass the microphone back to
8 you.

9 BY MR. TUCKER:

10 Q. A couple follow ups again. Very simple. Do you have a speed
11 log on the ship?

12 A. No.

13 Q. Okay. I didn't think so. I didn't see one up there. I was
14 just wondering. We're talking now about navigation charts and
15 just wondering, did you have access to any type of fathometric
16 survey or any Army Corps of Engineers surveys at the dock in
17 Cedarville?

18 A. We do have access to that.

19 Q. Okay. And do you recall if that was referenced for this
20 arrival or for this time at the dock?

21 A. I don't believe that it was.

22 Q. Okay. For the sake of timeline and tell me no if you want
23 to, but do you have your phone. I was wondering if you have like
24 the times you made calls and all that stuff, help us put a
25 timeline together.

1 A. Sure.

2 Q. But if you could just tell me no as well. I'm not asking for
3 access to the information. I'm just wanting to know the time.

4 A. I know I have it.

5 MR. TUCKER: Okay. Is that of interest?

6 LT. [REDACTED] Yeah, if we can see when he started making the
7 calls to the company and all that, yeah. Sure.

8 MR. TUCKER: Well, I was thinking *American Mariner*, too,
9 because that was referenced at a certain point.

10 LT. [REDACTED] Yeah.

11 BY MR. TUCKER:

12 Q. But again, I'm not asking for access to the information. I'm
13 just wondering the times of the calls.

14 A. Sure. I've made calls since then.

15 MS. BEAUBIEN: Your phone's been busy.

16 LT. [REDACTED] I'll tell you. Mine, too.

17 CAPT. PORINCHOCK: It's going to take me a second.

18 BY MR. TUCKER:

19 Q. No, no problem. And, for example, all I'm looking for is at
20 1205 I called X or X person called me, obviously nothing personal,
21 just business.

22 A. Okay. So at 9:59 I made the call to -- the conference call.

23 Q. Okay.

24 A. And at 10:21 is when the captain called me.

25 Q. And that's the *American Mariner*?

1 A. The *American Mariner* captain. I did not answer that call
2 when he called. I called him back at 1054. Hold on. I have to
3 go through this again. And I made a couple of different phone
4 calls back and forth to the captain of the *Mariner* while I was
5 going through that, just trying to get some advise. At 1130 is
6 when I called Paul Joaquin. And that was, that was asking him,
7 you know, what I needed to do, you know, because of the list and
8 everything like that, and when he told me to get the workboat in
9 the water, you know, if I knew what the drafts were.

10 Q. Okay.

11 A. Then at -- right at 1454 is when I called Brian Peterson, and
12 that was after we discovered the water coming in.

13 Q. I'm sorry. What was that time again?

14 A. 1454. About a million after that.

15 Q. I was just going to say, probably a lot more calls after
16 that. That's fine. And thank you so much for that.

17 A. Sure.

18 Q. Again, that was just to establish a timeline.

19 A. Sure.

20 Q. There's always a last question, and is there anything I or we
21 -- you know why we're here, the big piece, putting the puzzle
22 together on this one. And, many different elements, many
23 different sides. Is there anything that I or we have failed to
24 ask you that you might feel is relevant or important for us to
25 kind of put all this together?

1 A. I don't think so. It's pretty thorough.

2 Q. Well, again I want to say thank you for your time. I know
3 it's been a long one, and I really appreciate it. Again, you have
4 a great crew, really cooperative and it goes a long way. Thank
5 you so much.

6 A. Thank you.

7 LT. [REDACTED] And then for my last piece, Sarah or Brian, do
8 you have any questions that you would like answered?

9 MS. BEAUBIEN: Nothing from me.

10 MR. PETERSON: No, sir.

11 LT. [REDACTED] With that, Brian, do you mind stepping out one
12 last time.

13 MS. BEAUBIEN: One last time.

14 LT. [REDACTED] Thank you, sir.

15 MS. BEAUBIEN: You've got panel in the door.

16 LT. [REDACTED] Yeah, it's missing a panel, yeah.

17 MS. BEAUBIEN: If this ever happens again.

18 CAPT. PORINCHOCK: Right.

19 BY LT. [REDACTED]

20 Q. So, part of our being the Coast Guard's investigation, we
21 have, you know, a few different authorities that we operate under.
22 We have rules and regulations directing owner/operators what they
23 can and can't do. We have regulations for vessels, what a vessel
24 can and can't do. And the Coast Guard also has ownership over you
25 as the captain and your credential. Those three entities and how

1 they -- those three groups and how they interact have, you know, a
2 bit of overlap, but also a little bit of conflict of interest in
3 some circumstances. I always end my interviews with that ever
4 involve owner/operator reps at the table, I always ask them
5 politely to depart so that way you and I can have a candid
6 conversation about operation on the vessel, how your interactions
7 are with the company, just to make sure that your best interest as
8 master overseeing the, you know, the safety and well-being of I
9 believe you said -- how many people are on board?

10 MS. BEAUBIEN: He said 18.

11 CAPT. PORINCHOCK: Eighteen at that time.

12 BY LT. [REDACTED]

13 Q. So I mean you're ultimately responsible for 18 lives, yours
14 included, right. So I just want to make sure that we can have a
15 conversation to make sure that there's not any pressure or push
16 from the company to make sure that the bottom dollar, you know, is
17 more important than the safety and well-being of the crew.

18 A. Right.

19 Q. Have you had any issues or concerns being able to push back
20 on the company and say, hey, you know, we need some time to take
21 care of this -- a situation. I guess in this case, did the
22 company allow you the time to safely address what was going on?

23 A. Oh, absolutely. I was -- I feel very confident in the way
24 that they were handling it. I feel like they knew, you know, they
25 know I can do it being the captain. So they really were helping

1 me out, and the safety of the vessel and the safety of the crew
2 was first and foremost throughout this entire ordeal, and I never
3 once felt like they were pushing me to, you know, do anything that
4 I was uncomfortable with or that I would feel like was unsafe.

5 Q. All right. Have you ever had any issues on board or there
6 were any instances where you report something -- because who do
7 you report to directly?

8 A. Brian.

9 Q. Brian. So if you ever had any issues or disagreements with
10 Brian, is there somebody else shoreside that you're able to speak
11 with to help make sure the safety of the vessel is addressed?

12 A. Oh, absolutely.

13 Q. Is there anything else that both myself or the NTSB should
14 know that would help in this investigation? Anything else that
15 maybe not have been comfortable talking about in front of Brian?

16 A. No, I don't think so. I just told everything.

17 LT. [REDACTED] Any final questions or concerns?

18 MR. TUCKER: No, not at this time. Again, thank you.

19 CAPT. PORINCHOCK: Um-hum.

20 BY LT. [REDACTED]

21 Q. Do you have any questions for us?

22 A. No. It's -- I pretty much understand what it actually is,
23 anyways what the plan of action is to be. So, no, I think I'm all
24 set.

25 Q. All right. So you being the master on board the vessel, is

1 there anything in your mind that would have helped prevent or
2 avoid this? With any marine casualty, there's always kind of a
3 Swiss cheese effect, you know, a lot of different policies and
4 procedures in place to help kind of prevent a bad from happening.
5 Obviously we don't want outside water getting into the vessel
6 unless we want it there, right. So is there anything in your mind
7 or anything that you think would help prevent another Grand River
8 boat from having an issue there at the Cedarville dock?

9 A. I don't think so. I think we have the procedures in place to
10 prevent that from happening. Unfortunately, it just didn't go
11 that way this time. I feel as though the plan of action for the
12 dock is the plan. 99 times out of 100, it's never been an issue,
13 but unfortunately it wasn't the case this time.

14 Q. And feel free to decline the question if you wish, but if you
15 guys were able to maintain that 12 feet off the dock, do you think
16 you would have ended up with the water ingress in the port 1 and 2
17 ballast tanks and subsequent damage to the 3 and 4 ballast tanks?

18 A. No, I don't think we would have damaged the boat in any way.

19 Q. And then just to reconfirm because when I was initially
20 passed this information, it sounded like there may have been a
21 subsequent grounding. Was there ever any, at any guys that you
22 touched bottom outside when you were moored to the dock at
23 Cedarville?

24 A. No, that was no time.

25 Q. Again, it might have been a misunderstanding on my part of

1 like how the grounding --

2 A. Right.

3 Q. -- occurred, understanding that you guys were moored at the
4 time.

5 A. Right.

6 Q. You guys are touching bottom.

7 A. Each time I got a call from a different Coast Guard official,
8 they were asking about the grounding, and I was trying to explain
9 to them that it was at the dock. So I don't know if that's how it
10 got misconstrued or what it was.

11 Q. Yeah. So NAV 115 helps us define some of those terminologies
12 that are found in 46 C.F.R. for marine casualties, again for a
13 grounding, if you're touching bottom, underway or tied to a pier,
14 you're touching bottom. That's the terminology typically used but
15 during the course of this interview, was how I was going to try to
16 determine or help use that information to make that -- help guide
17 that determination down the road.

18 A. Sure.

19 Q. Coming into this, I just knew that there was a material
20 failure with flooding, trying to figure out, you know, what caused
21 it, right.

22 A. Yep.

23 Q. Any final comments?

24 A. No.

25 Q. All right. With that said, that concludes this interview.

1 Thank you.

2 A. Thank you, guys.

3 MR. TUCKER: What's the time?

4 LT. [REDACTED] The time is 1809.

5 MR. TUCKER: 1809.

6 (Whereupon, at 6:09 p.m., 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: INCIDENT ABOARD *JOHN J. BOLAND*
 IN CEDARVILLE, MICHIGAN
 ON APRIL 21, 2023
 Interview of Jeffery Michael Porinchock

ACCIDENT NO.: DCA23FM029

PLACE: Lorain, Ohio

DATE: April 25, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Kathryn A. Mirfin
Transcriber