

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*

*

TOWING VESSEL BARGE STRUCK LOCK

*

GATE NEAR MILE 88 ON THE LOWER

*

Accident No.: DCA23FM038

MISSISSIPPI RIVER ON JULY 4, 2023

*

*

* * * * *

Interview of: DAVID SMITH, Lockmaster
Army Corps of Engineers

New Orleans, Louisiana

Friday,
July 7, 2023

APPEARANCES:

LT [REDACTED] [REDACTED] Investigating Officer
U.S. Coast Guard

[REDACTED] [REDACTED] Investigator, NCOE
U.S. Coast Guard

LT [REDACTED] [REDACTED] Investigator
U.S. Coast Guard

ADAM TUCKER
National Transportation Safety Board

JEFF JOHNSON, Manager, Compliance and Investigations
Enterprise Marine Services, LLC

CHRIS ULFERS, Esq.
Jones Walker, LLP
Representing Enterprise Marine Services, LLC

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of David Smith:	
By LT [REDACTED]	5
By Mr. Tucker	13
By LT [REDACTED]	22
By Mr. Tucker	25

I N T E R V I E W

(4:21 p.m.)

LT [REDACTED] All right, it is 7 July 2023, time on deck is 16:21. The Coast Guard and NTSB are conducting a joint investigation into the allision between the *ITV Kitty* and the Algiers Lock portside gate which took place at approximately 19:30 on 04 July and resulted in an estimated \$500,000 or more in damages.

Before we get started, just want to confirm again everybody's okay if we record this interview.

MR. SMITH: Yes.

LT [REDACTED] Okay. Let's do introductions now. This is Lieutenant [REDACTED] [REDACTED] U.S. Coast Guard investigating officer.

MR. [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard investigator, I-NCOE.

MR. TUCKER: My name is Adam Tucker and I'm with the National Transportation Safety Board. Thanks for talking with us.

MR. SMITH: Yes, sir.

LT [REDACTED] Lieutenant Mike [REDACTED] U.S. Coast Guard.

MR. SMITH: All right. David Smith, Algiers lockmaster.

MR. JOHNSON: Jeff Johnson, Enterprise Marine.

MR. ULFERS: Chris Ulfers, Jones Walker, as counsel for Enterprise.

LT [REDACTED] All right, thank you all very much for being here, and Mr. Smith, we sincerely appreciate it. I just want to confirm your contact information is cell phone [REDACTED].

1 MR. SMITH: Yes, sir.

2 LT [REDACTED] Perfect. And address is [REDACTED] --

3 MR. SMITH: Sounds good.

4 LT [REDACTED] -- [REDACTED] -- I'm sorry,
5 70460.

6 MR. SMITH: Yes, sir.

7 LT [REDACTED] Okay, thank you very much.

8 INTERVIEW OF DAVID SMITH

9 BY LT [REDACTED]

10 Q. And you're the lockmaster, correct?

11 A. Correct.

12 Q. Awesome. We appreciate it and I'm just going to ask that you
13 go ahead and walk us through what took place the day of the
14 incident, please be as detailed as possible, we will not interrupt
15 and we'll probably have some questions afterwards.

16 A. Okay. I was at the house, I got a call, I guess it was about
17 18:15 and they told me they had an allision with a barge, they
18 sent me a picture and it looked like just a little crack. I said
19 all right, well, just shut everything down and then I got
20 everything together, left the house, came here and when I got
21 here, the picture didn't do it justice, so that's when I realized
22 we had some serious issues. I started troubleshooting the gate.
23 The gate was actually off the limit switch, which means the gate
24 was showing that it was open when it was actually closed position.
25 Apparently, the force knocked the limit switch a little bit, so I

1 had to actually rework the limit switch to make it look like it
2 was closed so we could actually move it to make sure everything
3 was all right. After getting that done, we ran it, everything
4 seemed like it was running fine and we ran it like four times,
5 checked everything, and I think we were down for like maybe three,
6 three and a half hours troubleshooting and making sure everything
7 was okay. And then after that, we opened back up with traffic and
8 started running traffic again.

9 Q. Okay. Thank you very much. Who initially called you?

10 A. Mike Appelt.

11 Q. Okay, Mike called you. Okay. What was your initial
12 direction to Mike when he called?

13 A. I was under the impression that the boat was still in the
14 chamber, so I thought they had the gates closed, but that's why I
15 said well, just hold everything there and I'm on my way, and then
16 when I started driving, I called and I talked to him and he said
17 the boat actually backed out because, for whatever reason, he
18 couldn't get control of it or whatever, so he backed all the way
19 out and he actually refused to sign the papers and left.

20 Q. Okay.

21 A. So I was like all right, we'll deal with that later, so just
22 -- I said just leave everything down, don't move anything until I
23 get there and we'll go through it.

24 Q. Got you. And I know we talked about this a little bit before
25 we started, but you've been working here for 5 years, is that

1 right?

2 A. A little over 4 years right now, I'm just a lockmaster.

3 Q. Four years as lockmaster. Do you have any previous
4 experience in the maritime industry?

5 A. Yes, sir, I'm a licensed captain/towboat operator for like
6 over 28 years now, I guess.

7 Q. If I'm stopping, I'm sorry, I'm just taking notes.

8 A. That's all right, no worries. And I actually -- I was a
9 survey boat -- I ran small boats, towboats, and I actually took a
10 brief stint and went to the Coast Guard and worked at a traffic
11 light for like 2 years.

12 Q. Okay. ETS department?

13 A. Right.

14 Q. Okay. And prior Navy, as well?

15 A. Yes, sir.

16 Q. Thank you for your service. Okay, so --

17 (Telephone ringing.)

18 MR. SMITH: Sorry.

19 LT [REDACTED] No problem.

20 MR. [REDACTED] You got to get that thing?

21 MR. SMITH: No. No, we're good. I'm shutting down.

22 BY LT [REDACTED]

23 Q. So you got a lot of time on the water.

24 A. Correct. Yes, sir.

25 Q. How many times would you say you've transited these locks?

- 1 A. This lock, particular, maybe like 22 times, 23 times, maybe.
- 2 Q. Okay. And then how many times, I guess, how many boats come
- 3 through there on an average day?
- 4 A. On a 12-hour shift, a slow day might be 10 --
- 5 Q. Okay.
- 6 A. -- maybe 6 or 10. And a good day, we get close to 20 --
- 7 Q. Got you.
- 8 A. -- in a 12-hour shift.
- 9 Q. Okay. So that's a lot of experience with this lock.
- 10 A. Correct. Yes, sir.
- 11 Q. So have you ever seen something like this happen before?
- 12 A. No, sir.
- 13 Q. Okay. Is it common for these surges to happen?
- 14 A. No, sir.
- 15 Q. Okay. Have you ever seen surging?
- 16 A. Even after this thing happened, every time I watch my LPMS
- 17 and watched the AIS and I see a ship, I'd go out there and just
- 18 try to look --
- 19 Q. Yeah.
- 20 A. -- and I don't know if the stars lined up or what, but if
- 21 there's any kind of movement, it's very little that I can see.
- 22 Q. Okay.
- 23 A. I mean, just actually see, looking at the wall or looking at
- 24 the gate, I don't -- I've never seen anything --
- 25 Q. Okay.

1 A. -- to that extent.

2 Q. Okay. With all of this experience, what do you believe took
3 place in this incident?

4 A. I have a hard time believing that it was a surge, but I mean,
5 if everybody's saying it is, that's great, I'm not going to argue,
6 but if it was Harvey, I would say yeah, we got a problem because
7 Harvey has no forebay, their forebay is like right on the river.

8 We got this deep forebay and I mean, like I said, maybe the
9 stars lined up perfectly and you had two ships, one southbound --
10 I don't know, and it did all that, but if -- I'll put it to you
11 this way, if I was a betting man, I'd lose everything I have if
12 that was a surge from a ship, because I'd have bet I'd never see
13 that in a million years.

14 Q. Okay. Did you ever hear other masters talking about that?

15 A. No, sir.

16 Q. Okay. Were all your standard operating procedures, policies,
17 everything followed to a T by your crew, would you say?

18 A. Yes, sir. Well, I'll say this, the SOP, I'll watch stuff and
19 sometimes it changes, you got to add to it or whatever. One thing
20 I did notice that I'm definitely changing is this tow was coming
21 in at the time of crew change.

22 Q. Okay.

23 A. So SOP states that all hands are supposed to be outside
24 watching the tow as it comes in and all this other stuff. We had
25 -- Brek was out there, he was on his spot, these two were up here

1 changing out when theoretically, one of them should've been
2 outside.

3 Q. Got you.

4 A. But yeah, that's the only thing I'm going to change, we're
5 not going to do any crew changes until it's either secured or
6 departed. We're not doing it in between.

7 Q. So let's say if that was implemented, would it have changed
8 the outcome?

9 A. No, sir.

10 Q. Okay. Do you often -- I mean, you're not typically working
11 in that gate, right?

12 A. Correct.

13 Q. But it's common that ships are coming by the river, down the
14 river, southbound, northbound, all the time --

15 A. Yes, sir.

16 Q. -- very rapidly.

17 A. Yes, sir.

18 Q. I mean, what do you say -- is there a speed that's excessive
19 that you think would cause a surge like this? They could be going
20 pretty much full wide open, you wouldn't expect that to happen?

21 A. Maybe one of them container ships, maybe.

22 Q. Yeah, really large.

23 A. I mean -- or one of the cargo ships, maybe, I don't know.

24 Q. All right, okay.

25 A. But like I said, if I was a betting man, I lost everything

1 because I would've swore this never would've happened here --

2 Q. Okay.

3 A. -- because I've never seen and never heard of it.

4 Q. Right, okay. Weather that day, anything abnormal?

5 A. No, it was clear, it was good, hot.

6 Q. Yeah.

7 A. Just a Louisiana day.

8 Q. And it's obviously low river conditions.

9 A. Correct, yes, sir.

10 Q. Is it excessively low, in your opinion?

11 A. Excessively low.

12 Q. Okay.

13 A. Because I'll put it this way, the last low river we had, we

14 actually went to open locking, which is we open both gates, both

15 sides were open and we were just free running traffic.

16 Q. Okay.

17 A. I don't know if we could do that right now. Still, it might

18 be low, the canal's lower, but --

19 Q. Yeah.

20 A. -- you know, but it's definitely uncommonly low.

21 Q. And do you make the call for that open locking?

22 A. Yes, sir.

23 Q. How many times have you done that since you've been here?

24 A. Just once since I've been here. And I did it that one time

25 and every captain I talked to said they ain't seen this since like

1 1988 or something like that.

2 Q. Wow.

3 A. It was years.

4 Q. Okay.

5 A. It rarely happens here. Like out west, it happens all the

6 time; here, it's rare.

7 Q. What's the -- I guess, limit or what's the --

8 A. I base it off like half a foot. If it's within half a foot,

9 we'll do it. Anything more --

10 Q. Was it that way that day, do you know?

11 A. I don't think so.

12 Q. Okay.

13 A. I'd be lying, I think it was 2.0 and like 1, maybe, or less

14 than 1 down there.

15 Q. Got you. If you're going to make that call, do you come here

16 to verify that or do you just kind of --

17 A. I wouldn't let them do it unless I was here.

18 Q. Okay.

19 A. They won't do it at night, for sure.

20 Q. Yeah, okay.

21 A. But I mean, I'll do it when I'm here.

22 Q. Okay. Make sure I got everything here. Did you have any

23 interaction with the captain or the crew?

24 A. No, sir.

25 Q. Okay.

1 A. Well, he did call me, I think, the day after and asked for my
2 e-mail address so he could e-mail me his report.

3 Q. Okay.

4 A. That's the only time I talked to him.

5 Q. Okay. Have you ever -- I guess have you or your crews ever
6 had an issues with the *Kitty*?

7 A. No, sir.

8 Q. Okay. Do you know that captain, have you worked with him in
9 the past?

10 A. No, sir. No, sir.

11 LT [REDACTED] Okay. I don't think I have any further questions.

12 BY MR. TUCKER:

13 Q. Dave, thanks for talking with us.

14 A. Yes, sir.

15 Q. Again, my name is Adam Tucker, I'm with the National
16 Transportation Safety Board, a couple follow-on questions, as I
17 always have. And just because of your role and your position
18 here, the first question is you mentioned the forebay was deep,
19 the forebay was deep, do you know how deep it is?

20 A. No, I'm not talking about depth, as far as like the way --
21 the Harvey Lock sits like right -- I mean, he has no forebay
22 whatsoever from the river to the actual lock itself.

23 Q. Okay.

24 A. So when you turn in to Harvey, you're turning in to the lock.

25 Q. Yeah.

1 A. So here we got -- you turn in to the forebay and you've got
2 like a thousand foot, maybe, I guess. So that's what I meant by
3 deep, that way. But as far as like depth-wise, I think it's --
4 the last survey we did, it's deeper out towards the river and the
5 closer it gets to the lock, it's maybe like 20 foot, maybe, or a
6 little less --

7 Q. Okay.

8 A. -- than that coming in.

9 Q. Yeah. And you said last survey, that's the Army Corps --

10 A. Yes, sir.

11 Q. -- that does all the surveys, right?

12 A. Yes, sir.

13 Q. Okay, yeah. All right. Okay, so we talked with the
14 operators there and just looking back on kind of material that's
15 retained, that could be electronically or paper, what kind of logs
16 and records do the guys keep on a daily basis?

17 A. So like when a boat reports in, they'll have to take down the
18 information of the tow, the name and the number of the barges, the
19 commodity, the tonnage, how many they got, the deepest draft, and
20 the name of the vessel. So that's for every tow coming in and
21 out. Then they got two different logs they got to fill it out on,
22 one for the times when they're locking for like the -- well, I
23 guess it's just our main log to keep and then they got the other
24 tracker that really, it's over-redundant, but we also put
25 everything that's still in the second log into the computer, which

1 is LPMS. So that has all the information, it's the same thing we
2 write, but they want to keep a log just for backup, just in case,
3 so --

4 Q. Okay. So that was a question I actually had, LPMS, that's
5 like an internal --

6 A. Yes, sir.

7 Q. -- logging system?

8 A. It's for the Corps of Engineers so they can track all the
9 vessels and what's going through, the tonnage, bottoms and
10 everything.

11 Q. Okay.

12 A. So I guess it's a bean counter thing --

13 Q. Yeah.

14 A. -- so they can see what's going on.

15 Q. All right.

16 A. I guess for the funding, too, where the money would go, who
17 needs the money or whatever.

18 Q. Understood. And staying in that, so you -- I understand
19 you've never, never seen this happen before, you've been here for
20 4 years.

21 A. Correct.

22 Q. Do you know if there's -- well, we understand that there is,
23 there's accident and incident reports that got to be filed --

24 A. Correct.

25 Q. -- to the Corps of Engineers and all that stuff. Is there a

1 database maintained, like can you go back and look to see if
2 something ever happened like this before?

3 A. We have this thing called LARK, lock assessment report and
4 keeper, record -- record keeper or something and that's how I
5 filed everything for this accident. But I went into it and it's
6 got like all these other accidents. Most accidents we ever had
7 here, that I know of, and even the ones I looked back at, were
8 crashing into the walls, putting holes into something, but it was
9 never anything with surge, it was either wind related, operator
10 error, but I don't ever recall. But I can -- I know there's the
11 old system, I'd have to check with Jeff Olivera (ph.) and see,
12 but --

13 Q. Um-hum.

14 A. -- I think there is an old system that might have some old
15 stuff when we check.

16 Q. Okay, yeah. All right. And still staying with kind of
17 logging, recordkeeping and all that stuff, so I understand, the --
18 I understood the CCTV system doesn't work here, so there's no
19 video captured or --

20 A. Correct.

21 Q. -- nothing like that for -- okay. Do you have any idea how
22 long that's been down and if there's any plans --

23 A. About 2 years, I know for sure.

24 Q. Two years, okay.

25 A. Yeah.

1 Q. And any plans to replace it or is there even a need? I don't
2 know.

3 A. No. Well, there's a need, I would say, for incidents like
4 this, for sure. But we had like a rodent problem that chewed all
5 of our fiber inside the walls and so we had like four different
6 companies come repair the fiber or we tried to get them to fix it,
7 couldn't do it, so we had the fiber repaired and the last I heard,
8 I think everything's out for contract and to get all new cameras
9 installed. And the government, in its pace --

10 Q. Their process.

11 A. Right, so --

12 Q. Um-hum.

13 A. -- we're 2 years into it, I think.

14 Q. Say no more.

15 A. Right.

16 Q. All right. I notice, as well, that there is a machine right
17 behind you. Actually, it looks like it says digital voice
18 recorder.

19 A. Correct.

20 Q. I'm assuming that that retains and records the VHF
21 communications?

22 A. Yes, Channel 14. Everything here is live.

23 Q. Okay. Would we be able to -- well, we can talk off line, but
24 that's backed up, is what I'm saying, is that correct?

25 A. Correct, yes, sir. Yes, sir.

1 Q. Okay, all right. Do you have any idea of how that is synced
2 in -- is it synced to a computer, like for time, internet date,
3 you know, kind of like your phone, is it --

4 A. Right, yeah. Everything's through the computer, we got the
5 radio down here and the time might be off, I mean, I don't know
6 how it keeps the time, I don't know if it's --

7 Q. Yeah.

8 A. It's not hooked up to a blue line or nothing, so it's just
9 all internal.

10 Q. Understood, okay. Yeah.

11 A. So it's whatever set, I guess.

12 Q. All right. So probably right after, when we're done here,
13 I'll cross-check that time to make sure -- see if it's synced up
14 with --

15 A. Okay.

16 Q. Okay. Were you able to listen to that yet, to see --

17 A. Yes, sir.

18 Q. Okay. So the recordings are there?

19 A. Yes, sir.

20 Q. Okay, perfect. That'll be helpful, as well, especially
21 establishing --

22 A. Okay.

23 Q. -- timelines.

24 A. But I will say this, I know the time -- when I pulled it up,
25 it reported 18:05. I think on my recording it says 17:58, maybe,

1 or 57, so the time's not going to be accurate, I can tell you that
2 now.

3 Q. Yeah, okay. All right. Again, I'm going to explain to you
4 my unfamiliarity with just the locking process in general, I'm
5 drinking from a fire hose here, even with the new verbiage. Even
6 before coming here, I had to kind of educate myself, pull up the
7 U.S. Army Corps of Engineers chart and kind of just review what's
8 available publicly. Is there anywhere, anything that's available
9 to mariners, tow-boaters, I guess, regarding the Algiers Lock,
10 that they should be looking at or reviewing before entering, or is
11 this just --

12 A. As far as like safety-wise or -- I mean, we got a --

13 Q. Knowledge, you know, notice to mariners type stuff.

14 A. Well, they get all of that from either Coast Guard and we
15 send out notices, also, through the Corps, so like Corps specific,
16 we'll send out -- what are they called? Let's see. Right here.
17 This one, it's when I shut down awhile back. That's actually what
18 the Corps sends out to all mariners and all companies. Like, if
19 we have any kind of special thing going on, any work being done or
20 if there's any kind of restrictions, it's sent out through that to
21 all the companies and I don't know if the Coast Guard gets it,
22 but --

23 Q. Okay, got it. Okay. So that gets communicated to all the
24 companies which you --

25 A. Yes, sir. Yes, sir.

1 Q. You've got to ensure you know all their contact info.
2 A. Correct. Yes, sir.
3 Q. Yeah, okay, thank you. Just related to this, still, when I
4 had to pull up the Army Corps of Engineers chart, it said low sill
5 elevation, 12.2, what does that mean?
6 A. Low sill elevation --
7 Q. Yeah.
8 A. -- for Algiers Lock?
9 Q. Yeah.
10 A. Well, at zero gauge we have a negative 13, that's the depth
11 at the -- of the -- of the lock itself.
12 Q. Okay.
13 A. From the zero gauge --
14 Q. Yeah.
15 A. -- in the river, so it's negative 13. So I don't know what
16 that 12 is, it's actually negative 13.
17 Q. Okay. So it's negative 13.
18 A. Correct, at zero.
19 Q. All right. And then there was this NGVD, have you ever heard
20 of that one before?
21 A. NGVD?
22 Q. Yeah, November Golf Victor Delta.
23 A. No, sir.
24 Q. This is on the Army Corps chart.
25 A. That's surveyor stuff, I guess.

1 Q. That's what I think it is, yeah, yeah. Okay. Let me see
2 what else I have here.

3 A. Well, see, that might -- now that I think about it, that
4 might be another, another survey gauge, because ours is negative
5 13 MLG.

6 Q. Okay.

7 A. Mean low gauge or mean low guide or something like that. MLG
8 negative 13. So that might be another survey reference. I'm just
9 guessing.

10 Q. Okay. And I asked this of the operators, but the -- is there
11 anything that would -- and we saw that memo. Is there anything
12 that would -- what would shut this down or shut operations down
13 here?

14 A. A hole in the gate to be repaired.

15 (Laughter.)

16 MR. TUCKER: You stole my words, yeah, yeah.

17 MR. SMITH: We don't shut down for nothing, really.

18 MR. TUCKER: Okay.

19 MR. SMITH: Unless we have a mechanical issue.

20 MR. TUCKER: Um-hum.

21 MR. SMITH: But most of the time, since I've been here, I
22 think we've been shut down -- the longest was like 4 hours and
23 that's because the mechanic would live like an hour and a half
24 away, an hour away, so by the time we get in here and fix it to
25 get it operational, it's like 4 hours, but I can't think of

1 anything that really shut us down other than mechanical error, a
2 mechanical problem or an accident.

3 BY MR. TUCKER:

4 Q. Any weather restrictions, I guess, a hurricane --

5 A. Lightning. Well, lightning.

6 Q. Lightning, okay.

7 A. I mean, it doesn't really shut us down, but it's like we'll
8 shut -- we won't let nobody go out on the deck if there's
9 lightning or whatever, but if the captains want -- I mean, if
10 there's lightning, we'll shut down, but anything else, wind, the
11 captain wants to shut it down, it's on him, but we're always open.

12 MR. TUCKER: Okay. Understood. Let's see. A lot of these
13 I've asked from the operators already. Well, [REDACTED] I'll catch up.
14 Do you want to jump in?

15 LT [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard, I have no questions.

16 BY LT [REDACTED]

17 Q. This is Lieutenant [REDACTED] with the Coast Guard. I just want to
18 make sure I got all of this right. So LARK, you said lock
19 assessment recordkeeping tool?

20 A. Lock assessment record keeper, yeah, something like that,
21 yes, sir.

22 Q. Okay, all right, thank you. Is that something we could take
23 a look at when we're up there?

24 A. No, sir. I got it on here.

25 Q. Okay.

1 A. But what it is, is when an accident happens, that's where I
2 upload all the information to and that's how office of counsel,
3 operations managers, maintenance --

4 Q. Okay.

5 A. -- managers, everybody gets in, I think, to see the
6 pictures --

7 Q. Got you.

8 A. -- hear everything and --

9 Q. So in terms of this incident, is there anything you all are
10 implementing to maybe make sure it doesn't happen again in this
11 low --

12 A. Not as of yet, because it's like -- I mean, I don't know what
13 we can do --

14 Q. Yeah.

15 A. -- honestly.

16 Q. I know you kind of mentioned that you're not sure if the
17 surge had anything to do with this, but I mean, let's say it did,
18 right?

19 A. Okay.

20 Q. Is there anything you would think could help this from
21 happening again or stop this from happening again?

22 A. I don't see anything we can do.

23 Q. Right.

24 A. I mean, to me, that would be a Coast Guard thing.

25 Q. Sure. What would you recommend?

1 A. Maybe a speed zone.

2 Q. A speed zone.

3 A. In low river, I guess, because -- I mean, I swear, like I've
4 never seen or heard this happen.

5 Q. Right.

6 A. So I'm assuming we're going to count this as low water and
7 all the stars lined up perfect, that's the only thing I can think
8 of.

9 Q. Okay. So just so I'm clear, your team here, when the
10 incident happened and you asked them to hey, go ahead and throw a
11 line or catch a line, you know, we want to talk to you guys,
12 correct?

13 A. Right.

14 Q. They popped a couple lines, is that correct?

15 A. The way I understand it, three lines got popped while he was
16 trying to get settled. I'm not sure, I'm being unclear
17 (indiscernible) to you, if it was after he hit or before he hit,
18 but I know it was like -- they say he was having a hard time tying
19 up because he was just all over the place.

20 Q. Okay.

21 A. And then that's -- at that point, I think that's when he
22 backed out and he just went out, but I know there was three lines,
23 they told me.

24 Q. Okay. Did your team try to keep them there or just said go
25 ahead and go?

1 A. Just let it go, yeah.

2 Q. Okay.

3 A. We're not -- we can't -- there's nothing we can do, you
4 know --

5 Q. Right.

6 A. -- if the man wants to go, he's going to go, so --

7 LT [REDACTED] Sure, got you. I don't think I have any further
8 questions.

9 BY MR. TUCKER:

10 Q. I did find one. So we -- two, actually. So you mentioned
11 the damage, you know, you got the picture and it didn't look that
12 bad in the picture, you got here, it was that bad.

13 A. Right.

14 Q. So I guess my curiosity, knowing nothing here, is what is the
15 effect of this damage?

16 A. Well, right now it's no effect at all --

17 Q. Okay.

18 A. -- because the river's so low. So we're going to continue
19 running, right now the plan is to continue running right now as we
20 get all the materials, everything in line to get it fixed, hoping
21 and praying the river don't come up so we can continue running.
22 But if the river comes up, then that's where we might have issues,
23 because it's like right now we're like a foot difference, a foot
24 and a half difference.

25 Q. Okay.

1 A. So once -- you know, we're still playing underwater, so we're
2 good.

3 Q. Yeah. So if it comes up even by a foot, it could be --

4 A. We'll be tight.

5 Q. -- a game changer.

6 A. Right. But we'll probably still keep going because the
7 problem we're having is Harvey's shut down due to low water
8 because they're having the problems with the suction sucking the
9 gates open. And then I think another lock out west is having work
10 done, so if we shut down, we're the only game in town.

11 Q. Oh. No pressure.

12 A. No pressure, so we're good.

13 Q. Oh. You may have been asked and I missed it, but have you
14 ever heard, in your tenure, pilots calling operators here, asking
15 -- either passing information, asking for information?

16 A. I heard like a couple times a pilot called and I don't know
17 if it's the same one, but he called and he's either southbound and
18 he's checking if we have anything coming out, but it's rare.

19 Q. Okay.

20 A. It's rare.

21 Q. So it's what's coming out is not maybe what's in here.

22 A. Right, if we had -- do you all have anything coming out,
23 right, you all have anything coming out, no, we're good, come on.

24 Q. Okay, yeah. All right. And if there's no more questions
25 from our side, there's always the last question I always ask and

1 that's -- that is, is there anything that we haven't asked you
2 that you might feel is important or relevant for us to kind of put
3 all of this together?

4 A. The only thing I could say, I don't see what could've been
5 done different for our side, honestly, I mean -- I mean, our job
6 is to get them in and get them out and then -- and I know I make
7 sure the guys make sure everything is secure and they close the
8 gates so that way we don't have no issues. I don't know, I've
9 been thinking this over and losing sleep over it, but it's like I
10 don't have an answer because this is baffling to me how this
11 happened, so --

12 LT [REDACTED] Anybody have any further comments, questions,
13 anything?

14 (No response.)

15 LT [REDACTED] All right. I think we're going to go ahead and
16 conclude the interview. At this time it is 16:46, the interview
17 is concluded, thank you.

18 (Whereupon, at 4:46 p.m., the interview concluded.)
19
20
21
22
23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: TOWING VESSEL BARGE STRUCK LOCK
 GATE IN NEW ORLEANS, LOUISIANA
 NEAR MILE 88 ON THE LOWER
 MISSISSIPPI RIVER ON JULY 4, 2023
 Interview of David Smith

ACCIDENT NO.: DCA23FM038

PLACE: New Orleans, Louisiana

DATE: July 7, 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.

A solid black rectangular box used to redact the signature of the transcriber.

David A. Martini
Transcriber