

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

COLLISION BETWEEN TOWBOAT *ROYAL* *

ENGINEER AND CRANE BARGE STEVENS *

1471 AT THE NORTH CHARLESTON * Accident No.: DCA24FM014

TERMINAL IN NORTH CHARLESTON, *

SOUTH CAROLINA ON JANUARY 4, 2024 *

* * * * *

Interview of: MALIK DEAS, Deckhand, *Royal Engineer*
Stevens Towing Company, Inc.

Yonges Island, South Carolina

Tuesday,
January 16, 2024

APPEARANCES:

LT [REDACTED]
United States Coast Guard

MARCEL MUISE, Marine Accident Investigator
National Transportation Safety Board

DAN McCLAY, Marine Accident Investigator
National Transportation Safety Board

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I N T E R V I E W

(11:02 a.m.)

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3 LT [REDACTED] All right. It is January 16, 2024 at 11:02
4 a.m. I'm Lieutenant [REDACTED] with the Coast Guard and we are
5 interviewing the deckhand of the *Royal Engineer* in regards to the
6 allision of the Stevens 1471 and the North Charleston crane,
7 container crane. To my right --

8 MR. McCLAY: I'm Daniel McClay, I'm a marine accident
9 investigator with the NTSB, assisting Mr. Marcel.

10 MR. MUISE: And this is Marcel Muise with the -- also with
11 the NTSB.

12 MR. MULLER: I'm Doug Muller, I'm an attorney for Southern
13 Dredging Company.

14 MS. PARRISH: Sara Parrish, I'm an attorney for Ports
15 Authority.

16 MR. GILSENAN: Ryan Gilsenan, counsel for Stevens Towing.

17 LT [REDACTED] And can you spell your name so they have it for
18 the --

19 MR. DEAS: M-a-l-i-k is my first name. My last name is
20 D-e-a-s.

INTERVIEW OF MALIK DEAS

21
22 BY LT [REDACTED]

23 Q. How much experience do you have working on towing vessels?

24 A. I'd say roughly about almost two years.

25 Q. Two years. And during that two years what has your role been

1 on the vessels?

2 A. Pretty much the same thing I do now, just deckhand work,
3 working on a barge, giving out distances, working inside, cleaning
4 the galleys, checking the engine room.

5 Q. Okay. Do you work on -- you're primarily in the engine room
6 or are you on deck or does it kind of mix?

7 A. Pretty much varies, like everything, all of the above, but
8 mostly deckhand work.

9 Q. Okay.

10 A. I more so just like check the engine room, make sure there's
11 no leaks or anything.

12 Q. I got you, okay.

13 A. Safety.

14 Q. And how long were you on the *Royal Engineer* for? Not just
15 including this one trip, but in your two years' experience, how
16 many times have you been on the *Royal Engineer*?

17 A. We work on the *Island Fox*, so the *Royal Engineer*, I'd
18 probably say I've been on there probably about -- I think this is
19 my first time I'm on the *Royal Engineer*.

20 Q. Okay, so when did you board the vessel for this trip?

21 A. January 2nd.

22 Q. And that was the first time ever on that vessel?

23 A. Yeah.

24 Q. Okay. What about that crew, how many times have you worked
25 with that crew in the past?

1 A. Well, I've been with this crew probably about three times.

2 Q. Okay. And how long during those three -- is it two-week
3 trips, two-month trips?

4 A. Two-week trips.

5 Q. Okay.

6 A. Unfortunately, (indiscernible).

7 Q. So you have about like a month and a half experience, would
8 that be fair to say, with this crew?

9 A. Yeah.

10 Q. Okay. Any other issues, communication issues or any issues
11 with the vessel during your --

12 A. No, sir.

13 Q. Okay. Explain to me, the day of the incident, on January 4th
14 -- actually, let's back it up. Let's do the transit up to Nexans,
15 were you involved in anything with that transit-up crew?

16 A. We went up river, we passed the Don Holt bridge. When we got
17 over there at Nexans, pretty much we were just doing like deck
18 work, got the pumps started, everything and pretty much, I was
19 just standing watch, the people on the barge really, like, worked
20 and I just was outside in case they needed extra assistance.

21 Q. So you said -- what were you using the pumps for?

22 A. Just pumping out water.

23 Q. From the barge?

24 A. Yeah.

25 Q. And what was the water used for?

1 A. Not really sure --

2 MR. GILSENAN: It was going into another barge, right?

3 MR. DEAS: Oh, yeah, yeah, they was pumping water out from
4 one barge to put in another barge that would've split it down next
5 to.

6 BY LT [REDACTED]

7 Q. So essentially, you were lightening the load on the -- your
8 barge, right, you were taking weight off?

9 A. Yeah, I would assume so.

10 Q. Okay. All right. And what else were you doing during that
11 time? So you spent the night there, right, up at Nexans?

12 A. Yeah.

13 Q. What was happening during that time, were you just --

14 A. That was pretty much it.

15 Q. Okay.

16 A. At that point, I had got off watch.

17 Q. And on the 4th, what time did you assume watch, what time?

18 A. Eleven thirty.

19 Q. Okay. So you assumed watch with the mate, Mr. Hames?

20 A. Yeah.

21 Q. Okay. And it was just two on watch?

22 A. Yes, sir.

23 Q. And the captain and the other deckhand, did they go to bed,
24 where did they go?

25 A. Yeah.

1 Q. So they were sleeping?

2 A. I assume so, they were off watch.

3 Q. Okay. And what preparations did you make to get under way
4 that day, on the 4th?

5 A. Can you repeat the question?

6 Q. What preparations -- did you make any preparations for the
7 vessel to depart, did you take anything off the vessel, did --
8 what did the mate tell you to do, essentially, for the day?

9 A. I don't really understand what --

10 Q. What was your job that day, what were you responsible for?

11 A. Oh, just -- well, I guess they lifted the spuds up for us to
12 get back under way, so all I really had to do was take off the
13 gangway and untie the line from the other barge that we were
14 connected to.

15 Q. Okay. So once you untied the barge, where did you go from
16 there?

17 A. We turned like around and we were headed back towards pier
18 side.

19 Q. Okay. And where were you, did you go to the galley, did you
20 go to the wheelhouse?

21 A. I was in the galley.

22 Q. Okay.

23 A. Yeah.

24 Q. So at what point did the master tell you, you needed to come
25 out on the deck and stand watch?

1 A. I believe it was four -- I think it was around 4:56. I'm not
2 really sure of the exact time.

3 Q. Okay. When you came out onto the deck, what were you -- run
4 me through what the master told you. So you were in the galley,
5 you got a radio call, correct?

6 A. Yeah.

7 Q. What did the master tell you?

8 A. Essentially, I was supposed to go down to the end of the
9 barge and start giving out certain distances.

10 Q. Okay. So you went out to the bow -- at the time, the bow of
11 the barge?

12 A. Yeah.

13 Q. What were you seeing at that point, how -- you know, what
14 was --

15 A. We were pretty much -- we were pretty much clear, like --
16 even, like, in distance, so we could -- we had enough distance
17 between our barge and the barge that was next to us.

18 MR. GILSENAN: The dredge?

19 MR. DEAS: Yeah, the dredge.

20 BY LT [REDACTED]

21 Q. So when you went out there, you were already between the
22 dredge and the -- and the other ship?

23 A. No, not exactly. We were ahead, we were ahead, so I was
24 giving out certain distances between, before we had gotten there.

25 Q. I'm just wondering, I'm trying to get a sense as to when you

1 got to the bow, at what point of the transit was that, were you
2 already there at the ship, can you see the dredge, you know, a
3 certain distance away? Do you understand my question?

4 A. Not really.

5 Q. So when you went out to the barge, how far away was the
6 dredge *Brunswick*?

7 MR. GILSENAN: In front of you.

8 LT [REDACTED] Yeah.

9 MR. DEAS: Are you talking about the port crane or are you
10 talking about --

11 MR. GILSENAN: The dredge.

12 MR. DEAS: The dredge, oh. I'd probably say about, probably
13 like 10, 20 foot.

14 BY LT [REDACTED]

15 Q. So you're saying when you got out there, the master called
16 you and you got out there, you were already 20 feet away from the
17 dredge?

18 A. That's probably when I started calling out distances.

19 Q. When did he call you to get out there, though?

20 A. I'd just say I'm not really sure of the exact time.

21 Q. Yeah, I'm not looking for exact time, I just want to know if
22 he called you up and you were already there and --

23 A. Oh, no, no. We weren't already there when he called me up.

24 Q. Okay, so it was a little bit further up river --

25 A. Yeah.

1 Q. -- when you went out there. Were you at midstream when you
2 got out there or were you past midstream?

3 A. No, I don't think so, no.

4 Q. Okay. All right, so we don't know when you got out there, I
5 guess.

6 A. I don't know the exact time, no.

7 MR. GILSENAN: Not the time, he's looking for where was your
8 tug and barge related to everything else when you got out there.
9 Like, when you went up to the bow of that barge, we're trying to
10 figure out where in the river was your tug and barge when you went
11 up there, not what time it was.

12 MR. DEAS: Oh.

13 MR. GILSENAN: Were you off like the TC dock, were you near
14 the -- was the dredge in front of you, were you by the ships more
15 to the midstream at the mooring buoys, where were you?

16 MR. DEAS: No, we were past that. See, I don't really know,
17 like, everywhere -- where everything is, like the setting.

18 BY LT [REDACTED]

19 Q. Were you a football field away from the dredge, you know?

20 A. Probably closer than that, but I'd say I don't really know
21 the name of like all the different places, like, that you're
22 naming.

23 Q. Okay.

24 A. So I wouldn't really be able to tell you --

25 Q. Okay.

1 A. -- too much, any of that.

2 Q. But there was enough time for you to at least give out
3 distances to the captain?

4 A. Yeah.

5 Q. Okay. What was the first distance you gave out to the
6 captain?

7 A. I'm not really sure.

8 Q. Just try to, the best you can remember, and what was your --
9 you were on the radio with the captain --

10 A. Yeah.

11 Q. -- what was the -- what were you passing to him?

12 A. Probably getting like a 50-foot distance, but I said we were
13 -- we were pretty much like clear of the ship on our -- both our
14 starboard and our port side of the dredge.

15 Q. And did he tell you to "hey, take a look at this crane" or
16 what -- did he take that upon himself?

17 A. Yeah, I was just giving out certain distances that I seen,
18 but I took in effect that when we come -- when we were past, when
19 we came past the Don Holt bridge, we had already cleared the
20 bridge on our way to Nexans. So when we were coming out, I guess
21 the port -- the port crane, I assumed that it was -- it looked
22 like it was higher than the Don Holt bridge, so I assumed that we
23 would be able to probably just go under it.

24 Q. Did the captain ask you if we were clear, if you were clear
25 of the terminal crane?

1 A. He just asked me did I feel like we would've -- like, would
2 we be able to pass, pass by it.

3 Q. Okay. And when you said pass by it, was he referring to the
4 vessels or the crane?

5 A. What do you mean?

6 Q. So he says -- he -- if I'm understanding correctly --

7 A. Talking about the ship?

8 Q. Yeah, so -- yeah, so you would be clear.

9 MR. GILSENAN: Did you mean the crane, were you clear of the
10 crane, is that what he's asking you, the mate?

11 MR. DEAS: Are we clear of everything, like, will we be able
12 to make it through.

13 BY LT [REDACTED]

14 Q. Okay, so it's just a general thing, "are we good"?

15 A. Yeah.

16 Q. Okay. And did you tell the captain that your -- that the
17 crane was going to hit or did -- was there any kind of
18 communication, like hey, stop, reverse or did it all --

19 A. I assumed -- I assumed since we already had made it through
20 the Don Holt bridge that we would be able to clear it, so that's
21 what I assumed.

22 Q. Okay.

23 A. That's what we assumed.

24 MR. GILSENAN: Under the crane?

25 MR. DEAS: Yes, under the crane.

1 BY LT [REDACTED]

2 Q. So prior to hitting the terminal crane, there was no -- you
3 didn't radio to the captain like hey, stop, reverse?

4 A. I felt like we would've already --

5 Q. Okay.

6 A. -- made it through, so by the time we already, like, got up
7 on it, we were already too close and he backed up.

8 Q. Okay. Have you done this type of, you know, spotting for
9 distances before?

10 A. Yes.

11 Q. How many times, do you think?

12 A. That's the basis of the job, so I'd say quite a few times.

13 Q. Have you ever done the overhead? I know you said like the
14 distance --

15 A. Yeah.

16 Q. -- between vessels, have you ever done like an overhead, like
17 "hey, can you take a look"?

18 A. Not really, not too many times. That's why I said it was
19 probably like hard to really tell specifically by the distance --

20 Q. Um-hum.

21 A. -- high up, looking down from the barge.

22 Q. Did you have any knowledge of how high the crane was?

23 A. Me, personally, no.

24 LT [REDACTED] Okay. All right. Questions?

25 MR. MUISE: I don't have any questions.

1 LT [REDACTED] Danny?

2 MR. McCLAY: No, I don't have any questions, either.

3 LT [REDACTED] Southern Dredging?

4 MR. MULLER: Nothing from us.

5 MS. PARRISH: I have one.

6 LT [REDACTED] Yeah.

7 BY MS. PARRISH:

8 Q. When you were going under the Don Holt up to Nexans, were the
9 container cranes boomed up? Like, was the arm that you collided
10 with, was it up?

11 A. You talking about on the port?

12 Q. Um-hum.

13 A. When we were on the -- when we were on the way to Nexans, I
14 don't even think those were down.

15 Q. Okay. So it looked taller than --

16 A. Yeah.

17 Q. -- the Don Holt because the arm was up, is that --

18 A. I don't -- I'm not really aware because when we were on the
19 way there, I don't even think there was a ship there.

20 MS. PARRISH: Okay. That's all.

21 BY MR. GILSENAN:

22 Q. My question to you is related. When you're coming down
23 river, the container cranes were boomed down, the arms were down?

24 A. When we were coming back --

25 (Cross talk.)

1 BY MR. GILSENAN:

2 Q. When you were coming back. Yeah, because you hit it, it was
3 down.

4 A. Yeah.

5 Q. And as I understood, you looked at it and it looked, you
6 know, to the human eye, like it was higher than the Don Holt
7 bridge --

8 A. Yeah.

9 Q. -- is that accurate?

10 A. Yes, sir.

11 Q. Okay. And so did you think that you would make it under
12 there because it looked higher than the Don Holt bridge?

13 A. Yeah.

14 MR. GILSENAN: Okay, all right. That's all I got.

15 LT [REDACTED] All right. This concludes the interview with
16 the deckhand of the *Royal Engineer*.

17 (Whereupon, at 11:16 a.m., the interview concluded.)

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CERTIFICATE

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

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Karen D. Martini
Transcriber