

1 UNITED STATES OF AMERICA
2 UNITED STATES COAST GUARD
3 In the Matter of:
4 THE MARINE BOARD OF INVESTIGATION
5 INTO THE CAPSIZING OF THE M/V GOLDEN RAY
6 ON 8 SEPTEMBER 2019 WHILE TRANSITING THE ST. SIMONS SOUND IN BRUNSWICK,
7 GEORGIA

8 APPEARANCE SHEET:

9 The following Board Members and Witnesses appeared on 16 September 2020.

10 CAPTAIN BLAKE WELBORN, USCG, Chair;

11 Mr. LEE WILLETT, USCG;

12 Members,

13 and

14 LIEUTENANT COMMANDER [REDACTED], USCG, Member and Recorder.

15 Witness – Mr. Mike Mavrinc

16 Mr. Samy Maatki

17 Mr. Hyun Jip Choi

18 GOLDEN RAY Hearing

19 16 September 2020

20 **CAPT Welborn:** The time now is 11 O'clock. We are back on the record in the matter of: the
21 capsizing of the GOLDEN RAY on September 8, 2019 while transiting the St. Simons Sound in
22 Brunswick, GA. A little bit information last night Hurricane Sally, a Category 3 storm made
23 impact in the Central Gulf of Mexico near Gulf Shores. Our thoughts and prayers are with

1 those that are impacted and those who yet may be impacted by the storm as it continues
2 inland. Being stationed in the Eighth District and also working those areas it hits close to
3 heart. I think most of my shipmates in the New Orleans area were spared, but those folks that
4 are East of us were severely impacted. So again we're thinking about those folks today.
5 Some local news our local area was impacted overnight. We received around 5 inches of rain
6 in about a 4 hour period which caused the library that we were previously meeting in to be
7 flooded, at least of the meeting spaces that we were in. Subsequently we located to another
8 location this morning and I want to say thank you to our team for doing such a fabulous job
9 getting us moved and set up so quickly and back online. I do apologize for the 30 minute
10 delay.

11 So moving on. Good morning, ladies and gentlemen. Today is Wednesday, September 16,
12 2020. This is the third day of the public hearing into the capsizing of the GOLDEN RAY. My
13 name is CAPT Blake Welborn and I am the Lead Investigating Officer for this 7th District
14 Formal Investigation. The Commander, 7th District, has convened this investigation under the
15 authority of Title 46, United States Code, Section 6301 and Title 46, Code of Federal
16 Regulations, Part 4, to investigate the facts and circumstances surrounding the capsizing of
17 the GOLDEN RAY. This investigation was mutually agreed upon to be a joint effort between
18 the ship's flag state, the Republic of the Marshall Islands, the United States National
19 Transportation Safety Board, and the Korean Maritime Safety Tribunal, and the U.S. Coast
20 Guard.

21 Present today, other than myself, are the following members of this Formal Investigation: Mr.
22 Lee Willett and LCDR [REDACTED], also serving as our Recorder. And legal counsel to
23 this investigation is LT [REDACTED].

1 The National Transportation and Safety Board is participating in this hearing. Captain
2 Flaherty, investigator-in-charge, is appearing virtually.

3 The Republic of the Marshall Islands' representative is Mr. Thomas Bremer, who is physically
4 here at the hearing.

5 In addition, the Korean Maritime Safety Tribunal personnel have given me questions to ask on
6 their behalf and will be monitoring our LiveStream feed. I will note when the time arises for me
7 to ask the questions posed by the KMST.

8 I would like to request the cooperation of all persons present to minimize any disruptive
9 influence on the proceedings in general and on the witnesses in particular. Witnesses are
10 appearing before the members of this Formal Investigation to provide valuable information that
11 will assist this investigation. We request members of the public be courteous and respectful of
12 the hearing location during these proceedings and attend via livestream to comply with the
13 Federal, State, and Local COVID-19 guidelines.

14 For those of you participating via phone or video, I ask that you mute yourself until I've
15 recognized you for your questions unless you wish to make an objection. All media inquiries
16 and comments regarding the hearing should be sent
17 to GoldenRayPublicHearing@gmail.com.

18 The Coast Guard has designated Parties In Interest to this investigation. I have designated the
19 following organizations and individuals as Parties in Interest: the Brunswick Bar Pilots
20 Association; including Captain Bruce Fendig and Captain Jonathan Tennant; and the Owners
21 of the GOLDEN RAY, including Hyundai Glovis and G-Marine. The space charterer, Liberty
22 Global Logistics, was previously designated as a Party In Interest but I have withdrawn their
23 designation given – at their request. The lead counsel for the Brunswick Bar Pilots Association,

1 Captain Fendig, and Captain Tennant will be monitoring the live feed of these presentations or
2 these proceedings but will not otherwise be appearing at this session. The lead counsel for the
3 Owners of the GOLDEN RAY, including Hyundai Glovis and G-Marine, are appearing by
4 phone with a representative physically here.

5 Moving forward, the SISs, PIIs, and I have stipulated to the foundation and authentication of
6 the majority of the exhibits that will be entered into the record. Therefore, I will not be asking
7 for objections, unless otherwise stated.

8 The Coast Guard now calls the following witness, Mr. Mike Mavrinac of Hyundai Glovis.

9 **Mr. Mavrinac:** Good morning Captain.

10 **CAPT WELBORN:** Good morning, sir.

11 **Recorder:** Mr. Mavrinac could you please stand and raise your right hand?

12 A false statement given to an agency of the United States is punishable by fine and or
13 imprisonment under 18 United States Code 1001. Knowing this do you solemnly swear that
14 the testimony you're about to give will be the truth, the whole truth and nothing but the truth so
15 help you God?

16 **Mr. Mavrinac:** I do.

17 **Recorder:** Thank you Mr. Mavrinac, please be seated. Mr. Willett will now do your lead
18 questioning.

19 **Mr. Willett:** Mr. Mavrinac would you please state your name and spell your last name for the
20 record?

21 **Mr. Mavrinac:** Michael Mavrinac, M-A-V-R-I-N-A-C.

22 **Mr. Willett:** Are you represented by counsel?

23 **Mr. Mavrinac:** The company is counsel represented. Not myself personally.

1 **Mr. Willett:** Have you been designated a party in interest?

2 **Mr. Mavrinac:** Yes.

3 **Mr. Willett:** Do you hold any professional certificates or certifications?

4 **Mr. Mavrinac:** No.

5 **Mr. Willett:** Can you give us a brief summary of your background and your experience?

6 **Mr. Mavrinac:** I graduated from Maritime College and have been working with [in audible] for
7 about 10 years now as a port deputy planner and operations manager.

8 **Mr. Willett:** What is your current employer?

9 **Mr. Mavrinac:** Hyundai Glovis.

10 **Mr. Willett:** What position do you hold there?

11 **Mr. Mavrinac:** Operations Manager.

12 **Mr. Willett:** How long have you held that job?

13 **Mr. Mavrinac:** Currently about a year and half.

14 **Mr. Willett:** Have you received any specific training for that position?

15 **Mr. Mavrinac:** Yes. The first month was on the job training with my current supervisor.

16 **Mr. Willett:** Who is your current supervisor?

17 **Mr. Mavrinac:** James Jay King.

18 **Mr. Willett:** What was your interaction with the GOLDEN RAY?

19 **Mr. Mavrinac:** I am the Operations Manager so my interaction with the GOLDEN RAY was
20 putting the schedule – the working program and schedule out for the vessel on what ports they
21 could call and when they would be working. And also moving the vessel in and out of each
22 port while managing the stevedores and superintendents.

1 **Mr. Willett:** Do you recall the GOLDEN RAY's planned voyage of the months of August and
2 September of 2019?

3 **Mr. Mavrinac:** Some of it, yes.

4 **Mr. Willett:** Could you list the ones that you remember?

5 **Mr. Mavrinac:** The vessel went to Vera Cruz, Altamira, Freeport and was going to East up to
6 Florida to Jacksonville, Brunswick, Baltimore and Wilmington.

7 **Mr. Willett:** Can you describe the cargo operations that were conduct at Jacksonville?

8 **Mr. Mavrinac:** Jacksonville was a load and discharge.

9 **Mr. Willett:** Do you recall how many vehicles were loaded and unloaded?

10 **Mr. Mavrinac:** I don't recall the number of unload. And I don't know the exact number, but it
11 was around 109 if I remember correctly loaded.

12 **Mr. Willett:** Were you made aware of any problems on the inbound or outbound transit from
13 Jacksonville?

14 **Mr. Mavrinac:** Of the transit, no, sir.

15 **Mr. Willett:** Were there any issues loading or unloading the vehicles in Jacksonville?

16 **Mr. Mavrinac:** No, sir.

17 **Mr. Willett:** Do you recall any impact of the ship's schedule from Hurricane Dorian?

18 **Mr. Mavrinac:** Yes. We delayed the vessel when we left Freeport to come into Jacksonville.

19 **Mr. Willett:** Do you recall how long you delayed the vessel?

20 **Mr. Mavrinac:** Approximately 4 days.

21 **Mr. Willett:** Can you explain the Hyundai Glovis structure in relation to the GOLDEN Ray?

22 **Mr. Mavrinac:** Sorry, you broke up.

1 **Mr. Willett:** Could you, no problem. Can you explain the Hyundai Glovis structure in relation
2 to the GOLDEN RAY?

3 **Mr. Mavrinac:** Well when it comes to the structure from Hyundai Glovis there is a international
4 vessel operator who is from Korea who will manage the vessel as worldwide. And then myself
5 is the local vessel operator who will be working the vessel throughout the U.S. We have a
6 trade team that will review the cargo and talk to the customers about what we have available
7 for states and what they can bring in the load. And then we also have a group in Mexico that
8 will handle local Mexican operations.

9 **Mr. Willett:** So when the vessel leaves Mexico then your team, the North American team
10 takes over in control of the cargo?

11 **Mr. Mavrinac:** We're working hand in hand with the Mexico team. I put out the schedule for
12 Mexico. Additionally the trade team is working with Mexico to see what cargo is available and
13 what will be loaded.

14 **Mr. Willett:** Who's responsible for the day to day operation of the ship?

15 **Mr. Mavrinac:** I would be responsible for the operations of getting the vessel in and out and to
16 a port as per the schedule.

17 **Mr. Willett:** And you work for Hyundai Glovis?

18 **Mr. Mavrinac:** Yes.

19 **Mr. Willett:** Is there another company involved that would be in charge of like what the crew
20 does on a day to day basis, how they load the vessel, particularly on the vessel itself?

21 **Mr. Mavrinac:** Well G-Marine is the technical superintendents that manages the crew inside
22 of it. For the loading and discharge we use [in audible] planning and stowage.

1 **Mr. Willett:** So would Hyundai Glovis or G-Marine be responsible for the safety management
2 system for the GOLDEN RAY?

3 **Mr. Mavrinac:** G-Marine.

4 **Mr. Willett:** And do you know if they hold the document compliance for the GOLDEN RAY?

5 **Mr. Mavrinac:** I do not know.

6 **Mr. Willett:** Okay. Can you describe the loading operation for the GOLDEN RAY in
7 Brunswick?

8 **Mr. Mavrinac:** In Brunswick? It was a load and discharge.

9 **Mr. Willett:** Does that make it more complicated?

10 **Mr. Mavrinac:** No, sir. It's something we do regularly.

11 **Mr. Willett:** Was the ship on schedule when it reach Brunswick?

12 **Mr. Mavrinac:** It was slightly delayed due to in and out traffic, so it was very close to schedule
13 and schedule was updated.

14 **Mr. Willett:** Do you hire the ship's agent?

15 **Mr. Mavrinac:** I am the one who hired the ship's agent.

16 **Mr. Willett:** Can you describe what the ship agent does for the vessel.

17 **Mr. Mavrinac:** The ship agent is the person that would be working and setting up tugs, Pilots.
18 He will be entering and clearing the vessel and anything he has to do to get done. Change,
19 help with crew changes and things of that nature.

20 **Mr. Willett:** Did you physically or did you communicate with the ship's agent in the Port of
21 Brunswick?

22 **Mr. Mavrinac:** Yes I communicate with all the ships agents for every port we're going to be in.

23 **Mr. Willett:** And do you recall who it actually was?

1 **Mr. Mavrinac:** Peter Harrison.

2 **Mr. Willett:** Do you know who he works for?

3 **Mr. Mavrinac:** He works for Norton Lilly.

4 **Mr. Willett:** Does Norton Lilly do anything else other than what you described already what
5 the ship agent does?

6 **Mr. Mavrinac:** Yes there's a facet of Norton Lilly that does our stowage and planning.

7 **Mr. Willett:** So for the preliminary development of the stowage plan for the GOLDEN RAY in
8 regards to Brunswick what was your role in that?

9 **Mr. Mavrinac:** Well I, Danny Matthew from Norton Lilly is the one that does the preliminary
10 stowage. Me and him are speaking on a daily basis to confirm what we have to load and
11 discharge and making sure that we can do it under the operational times I've given and the
12 nature of that.

13 **Mr. Willett:** So that interaction you had with Danny Matthew who is Norton Lilly, you include
14 vehicle weights, models, where they're going to be loaded?

15 **Mr. Mavrinac:** So we're talking about, we have a relief that comes out and we're looking at
16 that relief versus what we're loading. You know, vehicle, model and identification to know what
17 volume and what type of cargo.

18 **Mr. Willett:** So you would have the relief and then you know what vehicles are at which port, it
19 could be potentially ready to loaded?

20 **Mr. Mavrinac:** Correct.

21 **Mr. Willett:** And then you provide that information to Mr. Maatki with Norton Lilly?

1 **Mr. Mavrinac:** Either I provide it or our trade team will provide it because it comes from the
2 terminal operator of core processor to us. Usually will send Samy a copy, but if Samy is not on
3 copied then we will forward it to him so that he has that information.

4 **Mr. Willett:** So you know all the vehicles and which ones are going to be going to, for
5 example Brunswick, which ones are going to be offloaded, which ones you would like to be
6 loaded and Mr. Maatki he actually develops the arrangement of where they're going to be
7 loaded on the vessel?

8 **Mr. Mavrinac:** Yes.

9 **Mr. Willett:** What considerations do you take when you develop that load plan? That
10 preliminary stow plan that you give to the ship.

11 **Mr. Mavrinac:** Well again Samy is the one preparing that, but we're looking at it, I'm looking at
12 it from an operational standpoint to make sure we can execute it effectively what we're loading,
13 and what we're discharging. You know that the stow is operationally acceptable and we're not
14 blocking in any cargo and that we can get done in the timeline given.

15 **Mr. Willett:** Do you communicate at all with the local stevedores?

16 **Mr. Mavrinac:** Yes I speak with the stevedores.

17 **Mr. Willett:** So in the case of the GOLDEN RAY did you talk with Mr. Farley?

18 **Mr. Mavrinac:** Yes I spoke with Keith Farley multiple times.

19 **Mr. Willett:** What would your communications be like? What would be included?

20 **Mr. Mavrinac:** We would be talking – he's obviously my boots on ground when it comes to
21 loading the vessel and everything else. So I would have him, you know we would be talking
22 about what cargo is available, where it is in the terminal, where we're discharging to so we
23 know what's going out to the vessel.

1 **Mr. Willett:** If there was an issue with vehicles, maybe they wouldn't all fit, maybe they're
2 going to go on different decks than the original plan would he talk to you about that? Or does
3 he get involved with that at all or not?

4 **Mr. Mavrinac:** Well on that case if there's, you know if he thinks something not going to fit or
5 there's going to be a change that he sees, once he sees that pre-stow plan, he will
6 communicate with myself or Samy and say you know there maybe – I have concerns about
7 this or that and then we'll adjust as we see fit. You know on this date we did have some tighter
8 space and we added additional cargo downstairs on the main deck, deck 5.

9 **Mr. Willett:** So in this particular case did Mr. Farley look at the pre-stow that he received and
10 he called you and said I don't think they're all going to fit on 12 and 13 we might have to use
11 another deck?

12 **Mr. Mavrinac:** Are you asking if that was the precise nature of the conversation?

13 **Mr. Willett:** Correct.

14 **Counsel:** That's consistent with prior testimony. You might ask him a broader question he
15 might be able to help you.

16 **Mr. Willett:** Okay. In this particular case for the GOLDEN RAY Mr. Farley got a pre-stow
17 plan, correct?

18 **Mr. Mavrinac:** Yes.

19 **Mr. Willett:** And on that pre-stow plan he was told where the vehicles were going to go on the
20 vessel?

21 **Mr. Mavrinac:** Yes.

1 **Mr. Willett:** And he's looking at it and he knows how many they're going to offload, and he's
2 loading all vehicles that are a little bit larger and more in the amount, would he call you and say
3 I don't think they're all going to fit on these two decks?

4 **Mr. Mavrinac:** Well in this certain situation Samy or Ray let him know that we were probably
5 going to add – we may be adding additional cargo for deck 5. He did not call me until he got
6 on board.

7 **Mr. Willett:** Okay. And were your communications with the stevedores and the people that
8 are going to be loading the vehicles on the vessel and off-loading, do you give Mr. Farley the
9 pre-stow plan or does Mr. Maatki give Mr. Farley the pre-stow plan?

10 **Mr. Mavrinac:** Samy Maatki done got the pre-stow plan.

11 **Mr. Willett:** So just to sum up you know what cars need to come off and what cars are going
12 to be going on in each port. You kind of have the global picture and then you give that Norton
13 Lilly, Mr. Maatki and he does the floor plan so to speak of each port and he will give that to the
14 ship? And he also gives it to the stevedores. Is that correct?

15 **Mr. Mavrinac:** Correct.

16 **Mr. Willett:** Okay. So with that pre-stow plan do you know how far in advance the vessel
17 would get that pre-stow plan?

18 **Mr. Mavrinac:** Each certain one is about 30 hours ahead of time. Give or take.

19 **Mr. Willett:** So one question the stability issue of the vessel. Does anybody at Hyundai
20 Glovis on the shore side do any calculations, or rough calculations for the vessel's stability
21 when it comes in and out of port prior to it departs, or prior to it gets there when they have a
22 pre-stow plan, they know they're going to have so many vehicles here and there. Does
23 anybody do any rough calculations shore based for the GOLDEN RAY, or did they?

1 **Mr. Mavrinac:** No that is all done on the vessel. The vessel is the one that knows what's
2 going on. They're the ones who are doing it, stability calculations.

3 **Mr. Willett:** Has there been a case where the GOLDEN RAY reached back out to you or to
4 Samy and said hey I don't think our stability is going to be correct here we need to adjust the
5 stow plan?

6 **Mr. Mavrinac:** For the GOLDEN RAY to my knowledge the Captain or the crew, no one ever
7 reached out and said there was an issue.

8 **Mr. Willett:** For any vessels you've worked with before has that ever happened?

9 **Mr. Mavrinac:** It has happened prior.

10 **Mr. Willett:** So who would contact you the Captain or the Chief Mate, or who?

11 **Mr. Mavrinac:** It would be an email from the vessel so you would assume either, most likely
12 it's the Chief Mate or the Captain if there's an email directly from the vessel. And they would
13 reach out and say from the pre-stow plan there may be an issue.

14 **Mr. Willett:** And when that happens you guys adjust?

15 **Mr. Mavrinac:** Yes. We have, you know I have a four step process that I use that's kind of
16 industry standard for adjusting. Once any ship reaches out and says that there may be an
17 issue and they're uncomfortable and stuff.

18 **Mr. Willett:** So what would be the other steps? You said you had a four step plan.

19 **Mr. Mavrinac:** Yes. So in the case of, this was about 4 or 5 years ago I remember, I was with
20 a different line, but we had a vessel reach and said you know they weren't comfortable with the
21 stow plan. So my four step plan the first thing I ask is can you adjust your ballast because I
22 don't what the ballast is to make the vessel stable. If he says no the second step that I use is
23 to see if he can add ballast. If he says that won't work either then we look at you know shifting

1 or moving cargo with adjusting ballast. And the fourth and last step is usually doing all three
2 prior plus adding fuel to the vessel.

3 **Mr. Willett:** So you mentioned that this was from a previous company, correct?

4 **Mr. Mavrinac:** Correct.

5 **Mr. Willett:** Does Hyundai Glovis or the company you work for, did they have something
6 written down to guide you on what you need to do if a vessel contacts you and says hey our
7 stability is not lining up right we need to adjust?

8 **Mr. Mavrinac:** In that case I will use the same four that we, it's kind of industry standard to
9 use. Additionally we'll speak to Korea and they will [in audible] as well to see if there are any
10 other issues that they can render.

11 **Mr. Willett:** So in the case of a Hyundai vessel if they got – if you got word back from the
12 Captain on the email and it said hey our GM, our stability is not right you would get that back,
13 the vessel would stay there at port or where they reported it?

14 **Mr. Mavrinac:** Yes. We're never going to let a vessel leave if there's stability issues.

15 **Mr. Willett:** And then you would have to contact back to Korea. I'm sorry.

16 **Mr. Mavrinac:** Yeah if the crew is not comfortable with leaving due to stability or any issues
17 we're not going to press them to leave. We will remedy the issue then we'll sail.

18 **Mr. Willett:** But to remedy the issue would you have to go back to Korea and let them know
19 what was happening and get guidance from Korea?

20 **Mr. Mavrinac:** So what I would do is I would send an email back to the Captain and say let
21 me know what your issues are, here are the ways you can fix them, I would put Korea in copy
22 so they could also see it and then it would most likely be a phone call to the global vessel
23 operator.

1 **Mr. Willett:** Okay. Do you know if Hyundai Glovis vessels are allowed to take or discharge
2 ballast in the United States while they are dock?

3 **Mr. Mavrinac:** To my knowledge they can adjust ballast.

4 **Mr. Willett:** That's it just adjust, not take on or discharge?

5 **Mr. Mavrinac:** Discharge no. If they need to take on we can usually do something or get to
6 the local to take care of their vessel.

7 **Mr. Willett:** Do you know if the GOLDEN RAY, was it tidal restricted?

8 **Counsel:** In Brunswick?

9 **Mr. Willett:** Correct.

10 **Mr. Mavrinac:** For what I remember no it was not.

11 **Mr. Willett:** Okay. So just to sum up if there was an issue with the stability of the GOLDEN
12 RAY you don't have, I think you said, you didn't have a written – do you have any written
13 guidance on what steps you were going to take. It's just kind of a rule that you use in this
14 industry.

15 **Mr. Mavrinac:** Correct.

16 **Mr. Willett:** And you said in a previous employment that had happened. But while you've
17 been working for Hyundai Glovis has a vessel ever contacted you and said our stability is not
18 correct we need to adjust?

19 **Mr. Mavrinac:** To me directly, no.

20 **Mr. Willett:** Captain Welborn I've completed my questions. I turn it back over to you, sir.

21 **CAPT WELBORN:** Thank you Mr. Willett I do appreciate that. So now we'll go around our
22 SIS's and see if there are any questions from them. So starting off with the Republic of the
23 Marshalls Island. Mr. Bremer do you have questions for this witness?

1 **Mr. Bremer:** Yes Captain. Mr. Mavrinac I just want to go back to a previous response you
2 had provided just for some clarification. So the entity that's responsible for the day to day
3 maintenance of the vessel and technical operations is G-Marine, correct?

4 **Mr. Mavrinac:** Correct. They are the technical superintendent.

5 **Mr. Bremer:** Okay thank you. And to your knowledge your time with Hyundai Glovis in the
6 position you're in and dealing with the GOLDEN RAY have you been notified in the past of any
7 mechanical issues whether it's machinery, manning issues, anything in the past?

8 **Mr. Mavrinac:** Prior to this certain instance no I have not been directly contacted by G-
9 Marine. Usually that goes through headquarters and then I will get something headquarters.

10 **Mr. Bremer:** Okay thank you. And in your experience, the GOLDEN RAY, was it similar
11 design layout as other car truck carriers that you've worked with in the past?

12 **Mr. Mavrinac:** Yes, close.

13 **Mr. Bremer:** Okay. No significant features that would make it significantly different than other
14 vessels that you deal with?

15 **Mr. Mavrinac:** From the stowage aspect, no. Very close.

16 **Mr. Bremer:** Okay and my last question for the specific haul to Brunswick, just as clarification
17 did you receive any indication whether written, phone call that there would be an issue with the
18 GOLDEN RAY's stability upon departure?

19 **Mr. Mavrinac:** Not at all. It went as per normal.

20 **Mr. Bremer:** Okay thank you Mr. Mavrinac. No further questions.

21 **CAPT WELBORN:** Thank you Mr. Bremer. Now we'll ask the NTSB, Captain Flaherty do you
22 have any questions for this witness? Captain Flaherty you'll need to unmute yourself.

1 **NTSB:** Sorry about that. Yes I do. Sir, you started to interact with the vessel and the stowage
2 plan after it departed Mexico, is that correct?

3 **Mr. Mavrinac:** As it pertains to the stowage plan you're asking?

4 **NTSB:** Yes.

5 **Mr. Mavrinac:** Yes after it leaves Mexico.

6 **NTSB:** So the next port after it departed Mexico was Freeport, Texas?

7 **Mr. Mavrinac:** Correct.

8 **NTSB:** Were there any issues with the loading or unloading that you're aware of at Freeport,
9 Texas?

10 **Mr. Mavrinac:** Not that I'm aware of. It was a large volume load, but nothing out of the
11 ordinary.

12 **NTSB:** Are you involved or at least informed if the vessel is taking on any fuel?

13 **Mr. Mavrinac:** I'm informed, but not involved at all, no. That goes directly to headquarters.

14 **NTSB:** Do you know if the vessel took on any fuel in Freeport, Texas?

15 **Mr. Mavrinac:** If my memory serves yes it took on fuel in Freeport.

16 **NTSB:** By chance do you know how much?

17 **Mr. Mavrinac:** No, sir, I do not remember.

18 **NTSB:** And then how was your interaction with the vessel due to the hurricane that was
19 proceeding up the coast?

20 **Mr. Mavrinac:** Once it left Freeport we saw there was, you know a tropical disturbance
21 coming through and it turned into hurricane. I was speaking with the vessel and headquarters
22 to see what the best course of action was. And between the three of us we all agreed that

1 slowing the vessel down and going behind the storm, even though it lost time would be the
2 safest way to go.

3 **NTSB:** And when you say your interaction with the vessel was that via email?

4 **Mr. Mavrinac:** Email and phone. You know the vessels very often pick up the phone and call
5 me.

6 **NTSB:** Was the decision on delaying the vessel due to the hurricane was that by phone or by
7 email or both?

8 **Mr. Mavrinac:** It was both and then I sent out an email with an updated local program, the
9 schedule that slows her down so she got that information as well.

10 **NTSB:** So when you were talking on the phone do you recall who you were interacting with on
11 the ship via phone?

12 **Mr. Mavrinac:** It was the Captain and the Chief Mate.

13 **NTSB:** Alright so both were on the phone.

14 **Mr. Mavrinac:** Yes.

15 **NTSB:** Did they express any concerns about the delays?

16 **Mr. Mavrinac:** No, not at all.

17 **NTSB:** Did you discuss the stability of the vessel or how the storm may cause them to maybe
18 take on additional fuel later on in the voyage?

19 **Mr. Mavrinac:** No the stability is up to the vessel itself. And long as they're safe and
20 comfortable I don't really bring anything up, that's for them to bring to me or to mostly to
21 headquarters. That is for the vessel to decide.

22 **NTSB:** Understood. Just to clarify after it departed Freeport was the next port going to be
23 Jacksonville or was it going to be another port?

1 **Mr. Mavrinac:** On the first schedule it was Brunswick. We then adjusted it because we went
2 rotationally geographically due to the storm running up the coast. It was safer for us to go to
3 Jacksonville then Brunswick.

4 **NTSB:** Did the ship that you're aware of take on any fuel in Jacksonville?

5 **Mr. Mavrinac:** Not that I'm aware of.

6 **NTSB:** Were there any issues with the loading or unloading that you are aware of in
7 Jacksonville?

8 **Mr. Mavrinac:** No, sir.

9 **NTSB:** Now when you get a preliminary load plan what kind of calculations are you
10 conducting for the vessel to ensure that the – that the new, the off load and the on load will be
11 able to be done?

12 **Mr. Mavrinac:** There's no real calculations that I'm doing. I am reviewing the stowage plan
13 for the large scale. Samy is the one that is doing the space calculations and the crew is doing
14 the, you know anything for stability. I just oversee it to make sure there's not any huge
15 discrepancies.

16 **NTSB:** So what information are you receiving?

17 **Mr. Mavrinac:** As it pertains to the stowage plan?

18 **NTSB:** Yes.

19 **Mr. Mavrinac:** I am receiving the, obviously I have the cars that are going to be discharged
20 and then we have review slips for what will be loaded and I'm just looking to make sure that
21 Samy's plan doesn't have anything that I'm concerned with.

22 **NTSB:** Do you recall the weight difference between the vessel – vehicles that were off loaded
23 and the vehicles that were on loaded?

1 **Mr. Mavrinac:** No, sir.

2 **NTSB:** Was the weight difference a concern to anyone at the time?

3 **Counsel:** Are you asking whether it was concern to him? I'm not sure he can answer.

4 **NTSB:** Alright, well concern, specifically a concern to you, sir and an add on if anyone else

5 expressed a concern of the weight to you specifically?

6 **Mr. Mavrinac:** No concerns from me and nothing to me specifically.

7 **NTSB:** So when the vessel was in port and the on load and off load was taking place were

8 you aware of any additional changes or anything that affected the on load or the off load?

9 **Mr. Mavrinac:** For which port are we talking?

10 **NTSB:** I'm sorry, Brunswick.

11 **Mr. Mavrinac:** No, sir. There were a few that were not put on board due to some issues with

12 the cargo, but it was, if I remember it was three. So it was very minimal.

13 **NTSB:** That's three vehicles?

14 **Mr. Mavrinac:** Yes.

15 **NTSB:** And the next port of call that the vessel was going to?

16 **Mr. Mavrinac:** Baltimore.

17 **NTSB:** And then after Baltimore what was the – was the original plan changed due to the

18 hurricane or was it still maintained?

19 **Mr. Mavrinac:** After, we delayed into Baltimore and the rotation stayed the same, Baltimore,

20 Wilmington.

21 **NTSB:** Wilmington, Delaware?

22 **Mr. Mavrinac:** Yes.

1 **NTSB:** Are you aware of any arrangements that were made at either Baltimore or Wilmington,
2 Delaware for the vessel to take on fuel?

3 **Mr. Mavrinac:** To my knowledge I don't remember anything.

4 **NTSB:** Alright. Well thank you very much for your time, sir. Captain Welborn that's all my
5 questions.

6 **CAPT WELBORN:** Thank you Captain Flaherty I do appreciate that. We are standing by for a
7 couple of questions from KMST and they are coming in. So again these questions are from
8 KMST. Mr. Mavrinac was the final stowage plan provided to the GOLDEN RAY before
9 departure from the Port of Brunswick.

10 **Mr. Mavrinac:** The final stowage plan was not. However, when it comes to the final plan the
11 vessel itself is doing the count and seeing what's on board. Additionally there's a handwritten
12 plan of what cargo was put on board that should be given to the vessel prior to departure from
13 the stevedores.

14 **CAPT WELBORN:** Understood. There's a bit of delay and the questions come in from KMST,
15 so Mr. Mavrinac I appreciate your indulgence as we wait for those questions to roll in.

16 **Mr. Mavrinac:** Yes, sir.

17 **CAPT WELBORN:** They just arrived. Mr. Mavrinac, again question from KMST. Have you
18 ever known a car carrier to leave port without having been provided the final stow plan?

19 **Mr. Mavrinac:** Again like we just said they, the crew does the count. So they have their own
20 count. They should be able to update that. And the stevedores should be giving them a
21 document with all the handwritten numbers on it. The final plan, there's multiple time where a
22 vessel will go out with a final plan from a planner. But they should again locally be referring to
23 what's on board.

1 **CAPT WELBORN:** Understood. Do you know how a ship's crew calculates the stability of the
2 vessel when they are not provided with a final stow plan?

3 **Mr. Mavrinac:** I do not specifically know. That's done on board.

4 **CAPT WELBORN:** Understood, sir. Any more follow-on questions from KMST?

5 **Recorder:** Yes, Captain.

6 **CAPT WELBORN:** Having another one come in. When the final load plan, excuse me, was
7 the final load plan provided to the GOLDEN RAY before departure from the Port of Brunswick?

8 **Mr. Mavrinac:** Again the final load plan from Samy was not provided upon sailing.

9 **Counsel:** Can I just give a point of clarification Captain. Are we asking about the final
10 stowage plan prepared by Mr. Matthew or the final plan prepared by the ship's crew and the
11 stevedore?

12 **CAPT WELBORN:** I would have to defer that question to KMST because these questions are
13 coming directly from them.

14 **Counsel:** Can the witness answer as those, maybe a broader answer thinking it was the later.

15 **CAPT WELBORN:** Sure, absolutely.

16 **Mr. Mavrinac:** So as stated before the final load plans of Samy Matthew was not given.
17 However, the stevedore gives a handwritten plan of what's on board. That should have been
18 handed to the crew prior to sailing. Additionally, the pre-stow plan is a working document. It
19 does not have exact specifications of where the cargo is going. It's more of a broad step. The
20 crew then takes that pre-stow plan and will count so they know what cargo is where. And then
21 they should have their own final plan as well that they can run their calculations off of.

22 **CAPT WELBORN:** Understood. Any follow-on questions from KMST?

23 **Recorder:** No follow-up questions Captain.

1 **CAPT WELBORN:** No follow-on questions from KMST. Mr. Mavrinac I do have a couple
2 questions here. Mr. Mavrinac the SILVER RAY is a sister ship of the GOLDEN RAY, is that
3 correct?

4 **Mr. Mavrinac:** From my knowledge, yes.

5 **CAPT WELBORN:** Okay. Have you handled the SILVER RAY being a Hyundai Glovis ship
6 also?

7 **Mr. Mavrinac:** Prior to incident or post?

8 **CAPT WELBORN:** Either at any time?

9 **Mr. Mavrinac:** Yes.

10 **CAPT WELBORN:** Okay. So you've developed, in the process you've aided in the
11 development of a load plan for the SILVER RAY?

12 **Mr. Mavrinac:** Yes.

13 **CAPT WELBORN:** Okay. Have you noted any issues or has there been any pushback from
14 the SILVER RAY or her crew regarding stability issues or load plan?

15 **Mr. Mavrinac:** No, sir there has not been.

16 **CAPT WELBORN:** Okay. Do you know, and again I'm asking this, this is a little bit out of your
17 swim lane and I understand that, do you know what's used, what type of system is used on
18 board the ship that calculates ship's stability?

19 **Mr. Mavrinac:** Are you talking about the physical computer onboard what they're using?

20 **CAPT WELBORN:** Yes.

21 **Mr. Mavrinac:** It's a load con computer.

22 **CAPT WELBORN:** Load con computer. Is that load con monitored externally to the ship?

23 **Mr. Mavrinac:** Externally to the U.S., no. I do not see that at all.

1 **CAPT WELBORN:** Okay. So you get no input, no data from the load con, that's solely
2 maintained on the ship?

3 **Mr. Mavrinac:** From my knowledge, yes.

4 **CAPT WELBORN:** Okay, alright. Is there an after departure report submitted from the ship
5 regarding what they took on, they discharged? Do you get some feedback from that process?

6 **Mr. Mavrinac:** I get a departure report from the vessel. And what I'm looking at is the speed
7 she's moving at, DT, or ATD her actual time of departure and her ETA to the next port. That's
8 what I'm – but no ----

9 **CAPT WELBORN:** Understood. Pardon me for interrupting. No vehicle counts or changes in
10 loading, there's no feedback regarding that?

11 **Mr. Mavrinac:** Normally, no, sir.

12 **CAPT WELBORN:** Understood. Because the vessel is in compliance with the load plan more
13 often than not?

14 **Mr. Mavrinac:** Correct. And if there is an issue on the very off chance then they would
15 probably send a separate email.

16 **CAPT WELBORN:** Understood. So you commented that before the ship departs they
17 typically receive something from the stevedores that says what was loaded. You said it was a
18 handwritten report, is that correct, sir?

19 **Mr. Mavrinac:** Yes, sir. Usually we have, Hyundai Glovis pays what we call a plan clerk that
20 will – their sole job when we're loading a vessel is to go onboard and count the cargo and put it
21 on a document.

22 **CAPT WELBORN:** So that person is in the port, not working with the stevedores, works
23 directly for Hyundai Glovis?

1 **Mr. Mavrinac:** No he's hired by the stevedores, he's called a plan clerk. He's a checker that
2 they will hire for us to do that particular job.

3 **CAPT WELBORN:** Oh okay. Kind of like a quality control person just to make sure.

4 **Mr. Mavrinac:** Just to make sure the numbers are correct.

5 **CAPT WELBORN:** Understood. I get that now. So do you know how long before the ship
6 sails the ship will receive that report from the quality clerk?

7 **Mr. Mavrinac:** That's a number that's really hard to quantify. It just depends on time and how
8 much cargo and everything else. But we try to get it to them as soon as possible once
9 complete.

10 **CAPT WELBORN:** Okay.

11 **Mr. Mavrinac:** I'm not in the physical port to see that. That's their routine that we go with.

12 **CAPT WELBORN:** Understood, sir. And I know a lot of this is something that happens
13 outside of your wheelhouse. It's a process that maybe you're not directly involved in but you
14 see it from afar if you will, is that correct?

15 **Mr. Mavrinac:** Correct.

16 **CAPT WELBORN:** So given the delay that the vessel had because of this tropical weather,
17 you said it was a four day delay is that correct?

18 **Mr. Mavrinac:** If memories serves it was, yes.

19 **CAPT WELBORN:** Okay. So was there any reason, obviously you lost four days, if you said,
20 in the reports you pay very close attention to their actual departure time and their estimated
21 arrival time at the next port. Was the vessel pressure to make up some time to leave port as
22 quickly as possible to turn things around? Was she restricted on tide side hold, any reason
23 this vessel was in a hurry to get out of port?

1 **Mr. Mavrinac:** Not at all. She was not in a hurry at all. In fact in Jacksonville we were not the
2 first ones in we allowed other vessels in just to make sure that the channel was clear. And in
3 Brunswick we laid alongside for longer than normal because we did not rush to get the bulk on.

4 **CAPT WELBORN:** Understood. So if I could add if a vessel had not had the incident and the
5 vessel had continued on the delay then would have just been a domino effect down the road
6 and those four days would have just been lost ultimately?

7 **Mr. Mavrinac:** Yes. The schedule I put out after the hurricane showed a four day delay. We
8 kept that four day delay and there was actually plenty of slack or time within the schedule for
9 additional delays if necessary.

10 **CAPT WELBORN:** Understood. Okay. Well Mr. Mavrinac I'm going to make one more circle
11 around. Actually I'm going to ask our PII's now if our PII's have any questions. Mr. Reisman
12 do you have any questions for this witness.

13 **Mr. Reisman:** Thank you Captain. I just have a couple of questions. Mr. Mavrinac you
14 explained earlier that the ship's crew received information both on it's own and also from the
15 plan clerk with respect to the actual cargo that's loaded on the ship, is that correct?

16 **Mr. Mavrinac:** Correct.

17 **Mr. Reisman:** To your knowledge does the ship rely at all on the pre-stow plan or the final
18 stow plan that they receive from Mr. Massey to calculate the stability of the ship before
19 departure from a particular port?

20 **Mr. Mavrinac:** No that should be done onboard with what they're counting and what they're
21 doing. The crew is the one that is physically onboard they know where the cargo is, they
22 should be using their counts and their documents to make sure that it's correct.

1 **Mr. Reisman:** You mentioned this issue of whether there was any kind of delay as a result of
2 Hurricane Dorian and that you didn't rush out of Brunswick. What is your normal procedure in
3 terms of departing a port after completed – operations are completed?

4 **Mr. Mavrinac:** Normal procedure if it's a discharge only ship we try to sail within an hour of
5 completion. If it's a load ship it's one to one and a half hours so that we can get the ramp and
6 everything secured.

7 **Mr. Reisman:** And is in this instance where you try and shave time off of the departure sailing
8 point in order to save time on your schedule?

9 **Mr. Mavrinac:** Not at all. We actually added time.

10 **Mr. Reisman:** If the ship had contacted you and suggested they wanted to make some
11 changes or corrections or they had issues or concerns of any kind would they have been
12 allowed additional time in Brunswick?

13 **Mr. Mavrinac:** Yes. If they had any questions or concerns they could reach out to me and we
14 will adjust as to what they need.

15 **Mr. Reisman:** Would you ever tell a ship that expressed concerns to you that they needed to
16 depart anyway?

17 **Mr. Mavrinac:** No. If it's unsafe we wait.

18 **Mr. Reisman:** Did you receive any indication, I think you may have been asked this, but just
19 for clarity, any indications from the ship or from the stevedores in Brunswick that there were
20 any concerns about the cargo loading and discharge operation?

21 **Mr. Mavrinac:** None whatsoever.

22 **Mr. Reisman:** Did you receive any indications from the ship or the stevedores at Brunswick
23 that there were any concerns about the stability of the ship?

1 **Mr. Mavrinac:** No. Not at all.

2 **Mr. Reisman:** If you had received any indications or concern about stability of the ship would
3 you have authorized the ship to depart?

4 **Mr. Mavrinac:** Absolutely not.

5 **Mr. Reisman:** Who arranges for the Pilot to arrive at the ship for departure?

6 **Mr. Mavrinac:** The way that works is I'm talking to the stevedores about what we're going to
7 complete and then I will reach out to the agent. We'll talk about a sailing time, we agree to the
8 sailing time, I'm usually the one that makes that decision on when. And then he will reach out
9 to tugs and Pilots to make sure that they're available and set the tugs for time.

10 **Mr. Reisman:** So you're in the middle of that and if you were aware of a concern about the
11 ship or the cargo operation you would be able to delay it's departure?

12 **Mr. Mavrinac:** It would be all stop until we know what's going on.

13 **Mr. Reisman:** Again we talked about this delay was resulting from Hurricane Dorian, did you
14 apply any pressure to the ship's crew to make up time?

15 **Mr. Mavrinac:** Absolutely not.

16 **Mr. Reisman:** Are you familiar with the sail time from, under ordinary conditions, from
17 Jacksonville to Brunswick?

18 **Mr. Mavrinac:** Give or take it's about 8 hours.

19 **Mr. Reisman:** Do you know how many hours they actually took on the GOLDEN RAY to sail
20 from Jacksonville to Brunswick?

21 **Mr. Mavrinac:** Almost double.

22 **Mr. Reisman:** Did you complain to them and tell them they needed to go at a faster speed in
23 order to make up time?

1 **Mr. Mavrinac:** No, not at all.

2 **Mr. Reisman:** Was there any pressure from anybody at Hyundai Glovis on you to accelerate
3 the pace of the ship to make up the time?

4 **Mr. Mavrinac:** No.

5 **Mr. Reisman:** I thank you Mr. Mavrinac. That's all I've got Captain.

6 **CAPT WELBORN:** Thank you, sir. I do appreciate it. So Mr. Gilsenan do you have any
7 questions for this witness?

8 **Mr. Gilsenan:** Sorry about the delay I was unmuting. I have no questions for the witness,
9 thank you.

10 **CAPT WELBORN:** Understood, sir. Thank you very much. So I believe we've covered all of
11 our SIS's and PII's. Mr. Mavrinac I do have one follow-on, well excuse me I don't want to say
12 one because it may evolve into more than one. Since the GOLDEN RAY incident has Hyundai
13 Glovis changed their stability checking plans? Have you changed the SMS? Has there been
14 any changes to loading and stability calculations of vessels since this incident?

15 **Mr. Mavrinac:** To my knowledge locally within the U.S. that still stays within the vessel. And
16 we have not changed anything locally in the U.S.

17 **CAPT WELBORN:** Understood. And has there been any changes made to the loading plan
18 development process?

19 **Mr. Mavrinac:** Are you talking about the pre-stow plan that we send out to the vessels?

20 **CAPT WELBORN:** Yes.

21 **Mr. Mavrinac:** There's been one slight addition that if there's any concerns we will add weight
22 to pre-stow if necessary.

1 **CAPT WELBORN:** Can you clarify that? On weight to pre-stow, I'm not sure what that
2 means.

3 **Mr. Mavrinac:** Weight to the, I don't know if you heard me, weights to the cargo on the pre-
4 stow plan.

5 **CAPT WELBORN:** Okay, so like per unit? Like a car weight or a vehicle weight or a
6 cumulative weight?

7 **Mr. Mavrinac:** It's a cumulative weight per amount of cars that are on the plan.

8 **CAPT WELBORN:** So if we back up a little bit and we look at the call on the Port of
9 Brunswick. The vessel loaded 250ish cars in the Port of Brunswick. They would – there would
10 be a weight amount associated with that number?

11 **Mr. Mavrinac:** There would be – currently there would be a weight amount to anywhere that
12 that cargo is stowed. So we break it down by port of discharge. So there would be a weight at
13 that port of discharge. The only reason we're doing that now is because it helps our
14 stevedores to know where they're putting the cargo. It is not anything that the crew is
15 supposed to use for weights onboard. They have those weights and they do their own
16 calculations.

17 **CAPT WELBORN:** Understood. Okay. Any follow-on questions from SIS's or PII's for this
18 witness?

19 **NTSB:** I have just one follow-on question.

20 **CAPT WELBORN:** Go ahead Captain.

21 **NTSB:** Thank you. Sir, you stated that the ship, they're responsible for the stability
22 calculations and were you aware of any other company or vessel operations where the stability
23 is checked shore side prior to the vessel departing?

1 **Mr. Mavrinac:** No. From my understanding and wherever it's required industry standard is
2 that the vessel does all the stability calculations.

3 **NTSB:** And just to put this into a timeline what time were you in discussion with the agent on
4 arranging for the vessel to depart?

5 **Mr. Mavrinac:** We're talking about arrival and departure times prior to it even being in
6 Jacksonville. So I will speak to the agent of any port like two to three days prior and then we're
7 consistently talking until usually two to four hours prior to sailing. But you have to set it so that
8 the Pilot knows when to board.

9 **NTSB:** So the vessel departed just before 1 O'clock?

10 **Mr. Mavrinac:** Yes to my knowledge.

11 **NTSB:** 1 a.m. And so were you in contact like around 11 O'clock or about that time?

12 **Mr. Mavrinac:** I was earlier, I don't remember exactly, but usually if it was 1 O'clock we put in
13 for that around 10:30. So it would have probably been around 9:30 or 10 p.m.

14 **NTSB:** Okay. Thank you very much, sir.

15 **Mr. Gilsenan:** This is Ryan Gilsenan Captain Welborn. I do have one question I think I must
16 have misunderstood something.

17 **CAPT WELBORN:** Yes, sir please go ahead.

18 **Mr. Gilsenan:** Okay just to clarify for the record Mr. Mavrinac and Reisman. The – I
19 understood that the crew, the Chief Officer would run the stability numbers based on the pre-
20 stow plan and then that would be updated as cargo might change or be adjusted because it's a
21 working document during the loading process. And they would update it with the final numbers
22 as counted, correct?

23 **Mr. Mavrinac:** Correct.

1 **Mr. Gilsenan:** And the question I had was with regards to the weights because that was a little
2 unclear to me from the last questions. Presumably the pre-stow plan, it's not new that they
3 would have the weights, they would have always had the weights of the cargo because how
4 else could you run the stability if you don't have weights.

5 **Mr. Mavrinac:** You broke up a little bit, can you repeat the question, sorry.

6 **Mr. Gilsenan:** Sure. It seems to me that the pre-stow plans would have always had the
7 weights of the cargo because without having the weight of the cargo on the stow plan it would
8 not be possible for the crew to run stability calculations. They have to have the weights,
9 correct?

10 **Mr. Mavrinac:** Well again the pre-stow plan is more of a guide to show where we're putting
11 cargo. The crew had the weights of the cargo. They know the weights before, this is
12 something they usually have it. If they don't then they will ask us if we can get the weights.
13 Additionally when they're doing, usually the pre-stow plan it's a guidance until we get into port.
14 So they can also ask myself and the stevedores when they get there if there's any questions or
15 concerns. But they know the weights of the cargo, most of the cargo we're loading. Especially
16 if it's [in audible].

17 **Mr. Gilsenan:** Okay so the crew had some kind of document that they can check if there's like
18 a turnover of Chief Officers, for example that he knows what a Hyundai Accent weighs
19 compared to you know a KIA Sorrento. Is there like a document of the numbers they can
20 have, the data?

21 **Mr. Mavrinac:** What they have on the ship I'm not really sure. The technical superintendent
22 would be the one to know that more because they're dealing with vessels more directly.
23 However, I have weights for, you know very close averages for each model that we're loading

1 for new manufactured cargo. So if they have a question I will – they can reach out to me, they
2 can reach out to G-Marine or HQ and we will give them any information that is necessary. But
3 from my understanding they do have something onboard, I can't tell you exactly what it is.

4 **Mr. Gilsenan:** Okay. Just so the record's clear the pre-stow displays more of like a floor plan
5 so that we know where things fit, but not actually the cargo weights?

6 **Mr. Mavrinac:** Correct. It's a basic how we're going to load the cargo and where we're going
7 to load the cargo.

8 **Mr. Gilsenan:** Okay, thanks for clearing up my confusion. Thank you.

9 **CAPT WELBORN:** Thank you, sir. And again Mr. Mavrinac I apologize for the round robin
10 format that we've got going on here, but I do appreciate your indulgence again. So just to
11 poke a little bit more on the questions Mr. Gilsenan had brought up. So the pre-stow plan is
12 the footprint of the ship with locations that vehicles will be stowed in, is that correct?

13 **Mr. Mavrinac:** Correct. It's basically a vessel side view so you can see all the decks on view.
14 So then we are putting in the cargo where it should fit.

15 **CAPT WELBORN:** Understood. And there are no cargo weights on that document?

16 **Mr. Reisman:** Are you saying at the time of the casualty and prior?

17 **CAPT WELBORN:** Yes. So when the vessel received, when the GOLDEN RAY received the
18 pre-stow plan before the Port of Brunswick it did not have any vehicle weight on it whatsoever,
19 it was just where the vehicles would be stowed in that cross-section format.

20 **Mr. Mavrinac:** For Brunswick specifically?

21 **CAPT WELBORN:** Yes.

22 **Mr. Mavrinac:** Yes. For Brunswick it did not have weights for the pre-stow what was going on
23 board.

1 **CAPT WELBORN:** Is that common like when the vessel called in Freeport, the vessel called
2 in Jacksonville, Altamira, none of those pre-stow plans had weights on them either?

3 **Mr. Mavrinac:** It is common that the pre-stow plans do not have weights for what is going to
4 be loaded.

5 **CAPT WELBORN:** Okay. It's in the final stow, which was not provided to the ship before the
6 Port of Brunswick, did it contain weight?

7 **Mr. Mavrinac:** Yes. It does contain weight. And additionally the piece of – the document that
8 was handed over by the stevedore will have weights as well.

9 **CAPT WELBORN:** Do you know how the stevedores verify those weights?

10 **Mr. Mavrinac:** Normally they will, they obviously can look at the car because you can open
11 the door and look at the weight that's on the side of a car, or they have – they can ask me or
12 they can go right to the terminal who has the weights as well. So there's multiple way that they
13 can get the weights.

14 **CAPT WELBORN:** So for the Port of Brunswick you said they can ask you. Did you receive
15 any calls regarding vehicle weights for this particular port call?

16 **Mr. Mavrinac:** Not for this particular call because we had loading prior.

17 **CAPT WELBORN:** Okay. There were some non-standard vehicles that were loaded on the
18 ship. I believe there was an RV on the ship, where are those vehicle weights obtained from?

19 **Mr. Mavrinac:** Those are on the booking. So when the cargo is booked for any high heavy
20 cargo they have to provide a weight from the customer.

21 **CAPT WELBORN:** So when a spot is booked on the ship in a manifest or a bill of lading is
22 written there's a vehicle weight that then is provided to ship?

23 **Mr. Mavrinac:** For the high heavy, yes.

1 **CAPT WELBORN:** Okay.

2 **Mr. Mavrinac:** And we're talking high heavy cargo, bigger larger vehicles.

3 **CAPT WELBORN:** Understood, understood. Okay. Mr. Mavrinac we do appreciate your time
4 today. Thank you very much for providing your testimony. Mr. Reisman we do appreciate you
5 sitting in this morning. So Mavrinac please note that you are subject to recall until the
6 termination of this formal hearing. We do appreciate your time.

7 **Mr. Reisman:** Captain Welborn clarification on the subject to recall. Mr. Mavrinac is
8 scheduled to travel back to Jersey in the next day or so. If he travels back if you still need him
9 we can certainly make him available. He may not be physically located here in New Orleans at
10 that time.

11 **CAPT WELBORN:** As we are doing – conducting most of our hearing virtually now that's no
12 problem. Mr. Reisman as long as you and your client are okay to be separated. I have no
13 problem with it.

14 **Mr. Reisman:** Thank you.

15 **CAPT WELBORN:** Yes, sir, absolutely. So currently the time is 12:01 local. So at this time
16 we will recess our hearing until 2 O'clock local at which time we will call our next witness.
17 Thank you.

18 *The hearing recessed at 12:01, 16 September 2020*

19 *The hearing was called to order at 2:14, 16 September 2020.*

20 **CAPT WELBORN:** Good afternoon ladies and gentlemen I apologize for the delay. Afternoon
21 we said we were going to reconvene back at 2 O'clock but some technical difficulties
22 prevented us from doing that. So now the local time is 2:14 and we are back on the record
23 regarding capsizing of the Motor Vessel GOLDEN RAY. Our next witness will be Mr. Samy

1 Maatki in New Orleans. So I will defer to Lieutenant Commander [REDACTED] who will swear the
2 witness in.

3 **Recorder:** Afternoon. If I could have NCOE could you please turn on camera and
4 microphone. Good afternoon if I could have the NCOE please turn on your camera and
5 microphone. Can you hear me? NCOE are you there?

6 [No response].

7 **Recorder:** NCOE are you there? I see you. Can you hear us? Okay, great. Mr. Maatki if you
8 could stand and raise your right hand please? A false statement given to an agency of the
9 United States is punishable by fine and or imprisonment under 18 United States Code 1001.
10 Knowing this do you solemnly swear that the testimony you're about to give will be the truth,
11 the whole truth and nothing but the truth so help you God?

12 **Mr. Maatki:** Yes, Ma'am.

13 **Recorder:** Thank you very much. You may be seated. I will now pass over to Captain
14 Welborn who will be your lead questioner.

15 **CAPT WELBORN:** Good afternoon, sir. Would you do me a favor and pronounce your name,
16 first and last and spell it for the record?

17 **Mr. Maatki:** My first name is Samy, S-A-M-Y, last name is M-A-A-T-K-I.

18 **CAPT WELBORN:** Thank you, sir. Mr. Maatki we do appreciate you testifying with us today.
19 So I just have a few short questions for you. I would like to commence those. So Mr. Maatki
20 are you involved in the loading plan development for ships owned by Hyundai Glovis?

21 **Mr. Maatki:** We prepare a proposed space plan for the loading of Glovis vessels in the U.S.
22 Gulf and East Coast.

1 **CAPT WELBORN:** Understood. Do you develop load plan for any other company other than
2 Hyundai Glovis?

3 **Mr. Maatki:** We do for Salon lines.

4 **CAPT WELBORN:** What was the name of that again?

5 **Mr. Maatki:** Salon Lines.

6 **CAPT WELBORN:** Thank you, sir. Can you describe how Hyundai Glovis loading plans are
7 developed?

8 **Mr. Maatki:** Basically we prepare – we receive a load list reflecting cargo to be loaded. And
9 we basically send out a proposed space plan reflecting the cargo to be loaded by the POL and
10 POD rotation.

11 **CAPT WELBORN:** Understood. Mr. Maatki I realize that there was some formative questions
12 at the beginning of the interview that I missed. I'm going to step back and ask those questions
13 if I could. Mr. Maatki are you currently represented by counsel?

14 **Mr. Maatki:** We do have Mr. Tom Rayer (sic) which Norton Lilly has asked to sit in during this
15 time.

16 **CAPT WELBORN:** Understood. Is he present there in the space?

17 **Counsel:** I am.

18 **CAPT WELBORN:** Have you been designated as a party in interest in this investigation?

19 **Mr. Maatki:** No.

20 **CAPT WELBORN:** Understood. Do you hold any professional certificates or certifications that
21 apply to your current position?

22 **Mr. Maatki:** No, sir.

1 **CAPT WELBORN:** Sir, can you give us a brief summary of your background and experience
2 in the current position that you have?

3 **Mr. Maatki:** I've been doing space planning for about 10 years. Port Captain work for about
4 15.

5 **CAPT WELBORN:** Understood. And you told us that your current employer is Norton Lilly
6 International, is that correct?

7 **Mr. Maatki:** That is correct.

8 **CAPT WELBORN:** And what's the title on the position that you hold?

9 **Mr. Maatki:** Port Captain.

10 **CAPT WELBORN:** Understood, sir. So as Port Captain can you describe your duties and
11 responsibilities?

12 **Mr. Maatki:** We provide services to clients depending on their needs. Sometimes we're
13 attending cargo operations. Reporting to the clients. Basically their eyes and ears on the
14 ground. Then for Hyundai Glovis we do space planning as well.

15 **CAPT WELBORN:** Understood. Do you also employee, do you select the agents in the local
16 ports?

17 **Mr. Maatki:** Norton Lilly does do agency work and other ports have a different department
18 than the department I work with in Norton Lilly.

19 **CAPT WELBORN:** Understood. So Mr. Maatki for your specific Port Captain position have
20 you received any specific training?

21 **Mr. Maatki:** Mentorship, working with senior management and senior Port Captains with the
22 company, yes.

1 **CAPT WELBORN:** And that mentorship does that also include plan development, loading
2 plan development?

3 **Mr. Maatki:** Yes, sir.

4 **CAPT WELBORN:** Okay. Alright. So Mr. Maatki were you involved in the development of the
5 loading plan for the cargo operations planned on the 7th – September 7th of 2019 for the
6 GOLDEN RAY in Brunswick, Georgia?

7 **Mr. Maatki:** Yes, sir.

8 **CAPT WELBORN:** Did you receive the information regarding the cargo movement necessary
9 to generate the loading plan?

10 **Mr. Maatki:** Say that again, I'm sorry.

11 **CAPT WELBORN:** How did you receive the information regarding the cargo movement
12 necessary to generate that loading plan?

13 **Mr. Maatki:** So we receive a, you know on initial voyage first port of load, Mexico we receive a
14 plan from Glovis. And also we receive a pre-load list from Glovis reflecting the cargo to be
15 loaded.

16 **CAPT WELBORN:** Understood. So did you develop loading plan for the vessel in the multiple
17 ports proceeding Brunswick?

18 **Mr. Maatki:** For each port Jacksonville and Brunswick I prepare.

19 **CAPT WELBORN:** But not the Mexican ports?

20 **Mr. Maatki:** No, sir.

21 **CAPT WELBORN:** Understood. In the information that you received to develop that loading
22 plan who did you receive that from?

23 **Mr. Maatki:** Glovis.

1 **CAPT WELBORN:** Glovis. Anybody in particular?

2 **Mr. Maatki:** Mike Mavrinac also I believe Rosa and Deanna with Hyundai Glovis.

3 **CAPT WELBORN:** Okay. So representatives of Hyundai Glovis would send you that

4 information via what platform? How do you receive that?

5 **Mr. Maatki:** By email via email, excel spreadsheet.

6 **CAPT WELBORN:** So they email you the excel spreadsheet and what information does that

7 spreadsheet contain?

8 **Mr. Maatki:** I mean it varies depending on the ports and the cargo, but normally the port of

9 load, make model, vin numbers, booking numbers, dimensions, weights, POD of the unit.

10 **CAPT WELBORN:** So you said there are weights, the cargo weights or vehicle weights. Is

11 that per unit?

12 **Mr. Maatki:** Yes. On some of the lists there's weights on it.

13 **CAPT WELBORN:** Do you know -----

14 **Mr. Maatki:** Go ahead.

15 **CAPT WELBORN:** No please, sir, go ahead.

16 **Mr. Maatki:** I'm saying that on some of the lists there's weights reflected per unit.

17 **CAPT WELBORN:** Do you know how those weights are developed?

18 **Mr. Maatki:** No I don't.

19 **CAPT WELBORN:** Okay. So you receive an email from Hyundai Glovis, you mentioned Mr.

20 Mavrinac and a couple other folks potentially from Hyundai Glovis that sends you that

21 information. Get a list of amounts of vehicles to be loaded and or offloaded in each port, is that

22 correct?

1 **Mr. Maatki:** For the cargo to be loaded. Offloaded is reflected on the plan received from
2 Glovis out of Mexico.

3 **CAPT WELBORN:** So there's two different reports that you receive prior to developing the
4 load plan?

5 **Mr. Maatki:** Well we receive the plan from Mexico reflecting the cargo that was loaded in
6 Mexico to be discharged in the States, U.S. Gulf and East Coast and also a loaded cargo
7 destined for the Middle East. We receive that and then we receive a pre-load list per port for
8 the U.S. Gulf and East Coast.

9 **CAPT WELBORN:** So once you receive this information then, Mr. Maatki what do you do with
10 that – what do you do with that information next?

11 **Mr. Maatki:** Basically I see the available space that is available for the port with the list of
12 cargo that is intended to be loaded at the ports that we're preparing the proposed space plan
13 for. We look at the cargo to be loaded by POD and we basically reflect it on a plan, taking into
14 consideration the port of load, port of discharge rotation just to make sure that there is an
15 efficient loading and discharge operation.

16 **CAPT WELBORN:** And Mr. Maatki you reference POD, can you tell me what that stands for?

17 **Mr. Maatki:** Port of discharge.

18 **CAPT WELBORN:** Understood. So the information comes in and you put it into what format
19 does that go out? How do you send that information back out? What electronic format?

20 **Mr. Maatki:** It's in excel. It's an excel format I send out to Glovis, the vessel and the
21 stevedores.

1 **CAPT WELBORN:** Understood. So that information is, it's an excel spreadsheet and that is a
2 representation of what the vessel looks like and where the specific vehicles will be loaded in
3 what slot, what location, is that correct?

4 **Mr. Maatki:** That's correct.

5 **CAPT WELBORN:** Okay. I would like to introduce Coast Guard Exhibit 7, which is the load
6 plan, I think we'll pull that up here. Mr. Maatki do you see that document there in front of you?

7 **Mr. Maatki:** No, sir.

8 **CAPT WELBORN:** Okay. I think we're working trying to get it up so you can see it also. Mr.
9 Maatki can you see that, sir?

10 **Mr. Maatki:** From the distancnot.

11 **CAPT WELBORN:** Not specifically?

12 **Mr. Maatki:** Right, not in detail. I just see from the distance some similarities from the plan,
13 colors.

14 **CAPT WELBORN:** Okay. Let's see if we can – are there identifying marks on this document
15 Mr. Maatki that we could zoom in on and show you that would allow for you to identify this
16 document?

17 **Mr. Maatki:** If you're able to zoom in on I would definitely be able to.

18 **CAPT WELBORN:** So is there a particular location like maybe the bottom left hand corner or
19 the top right hand corner? Some location?

20 **Mr. Maatki:** Maybe the top, the top portion.

21 **CAPT WELBORN:** Above the diagram Mr. Maatki or is that good?

22 **Mr. Maatki:** And it's hard to read it in detail, but it's definitely ----

1 **CAPT WELBORN:** Understood. Okay we'll continue to work and see if we can't get this –
2 make it where you can identify it. So is this an accurate representation of what your work
3 product would look like?

4 **Mr. Maatki:** Yes it appears.

5 **CAPT WELBORN:** Okay. I understand you can't – we're continuing to work to make sure that
6 we can specifically identify this document as your work product. But in the interim this looks
7 like a representative of what you would produce, is that correct?

8 **Mr. Maatki:** That is correct.

9 **CAPT WELBORN:** Okay, alright. So I think what we're going to try to do is email this to
10 Lieutenant Commander Clifford so that you can specifically be able to identify that as a
11 document as a, you know as an exhibit and you can prove that that is your work product. So
12 we're going to take just a quick recess. It's now 2:31, we're going to take a 10 minute recess
13 and then we'll reconvene. So this hearing stands adjourned.

14 *The hearing recessed at 2:31, 16 September 2020*

15 *The hearing was called to order at 2:43, 16 September 2020.*

16 **CAPT WELBORN:** Okay we're back on the record the local time is 2:43. Resuming our
17 interview of Mr. Samy Maatki regarding the loading and pre-stowage of the GOLDEN Ray. Mr.
18 Maatki are you with us still?

19 **Mr. Maatki:** Yeah.

20 **CAPT WELBORN:** I'm sorry, sir, I didn't hear you.

21 **Mr. Maatki:** I'm good.

22 **CAPT WELBORN:** Okay. Again I apologize for that brief recess. So can you see the
23 document now, the load plan that we were talking about?

1 **Mr. Maatki:** Yes I did see it. One thing to note when you scroll down it's missing some of
2 letter notations. So if you scroll down to the bottom of it you will see A, B, C, but D, E, F,
3 there's several letters missing there. Basically I believe up to, possibly P. It cut off ----

4 **CAPT WELBORN:** Missing at the bottom of the first page?

5 **Mr. Maatki:** Say again.

6 **CAPT WELBORN:** Missing at the bottom of the first page, sir?

7 **Mr. Maatki:** That's correct. It should D, E, F, all the way up to P. It's missing a bunch of
8 notations there. I think it's because when you print it up as a PDF file it'll cut off the bottom.
9 So there should be more to that.

10 **CAPT WELBORN:** Understood. And despite repeated request this the latest and most up to
11 date pre-load plan that we were provided. So it sounds like we may have a little bit more
12 homework to do. So, Mr. Maatki I would like to go ahead and let's take a look at this document
13 if we could and obviously we can't use it as official evidence, but I would like to ask you a
14 couple of questions if that's okay.

15 **Mr. Maatki:** Absolutely.

16 **CAPT WELBORN:** Okay so at the top of page 1 the voyage number, just to make sure that
17 we're reading out of the same document, do you have the voyage number there, sir?

18 **Mr. Maatki:** Yes it's voyage 13.

19 **CAPT WELBORN:** Understood. And then just understood so it's a ports of lading or Vera
20 Cruz, Altamira, Freeport, Texas, Brunswick and Wilmington which means the port of lading
21 which means what?

22 **Mr. Maatki:** Well port of load, ports of load.

23 **CAPT WELBORN:** Load.

1 **Mr. Maatki:** Yeah so that's the port of load rotation. So the first port that they loaded at was
2 Vera Cruz, Mexico. Second port they loaded was Altamira, Mexico, third port was Freeport,
3 Texas, fourth port Jacksonville, fifth port Brunswick. And then she was going to /Wilmington
4 also.

5 **CAPT WELBORN:** Understood, sir. And we earlier interviewed Mr. Mavrinac and he said
6 there was actual change in the rotations of ports due to some tropical weather that the vessel
7 encountered. Is that correct?

8 **Mr. Maatki:** I vaguely remember that, yes.

9 **CAPT WELBORN:** So did that change the sequence of ports for this particular vessel?

10 **Mr. Maatki:** If I recall correctly I believe she was to call Brunswick prior to Jacksonville initially.
11 But then they changed from basically calling Jacksonville to Brunswick.

12 **CAPT WELBORN:** Understood. Mr. Maatki if you could stand by just one moment I would
13 like to ask one of our PII's, Mr. Reisman are you on the phone?

14 **Mr. Reisman:** Yes Captain we're here.

15 **CAPT WELBORN:** Okay. Well Mr. Reisman this is the latest copy and version that you
16 provided us and there' apparently information missing from that. So can you account for that?

17 **Mr. Reisman:** Well we heard that. We provided a PDF and apparently it does cut off some of
18 the information. I'm looking at an excel spreadsheet here. I'm happy to send that to you right
19 now if you would like.

20 **CAPT WELBORN:** I would appreciate that, yes, sir.

21 **Mr. Reisman:** Where would you like us to send that Captain?

22 **CAPT WELBORN:** You can sent that to Lieutenant Commander [REDACTED] if you would.

23 **Mr. Reisman:** Okay.

1 **CAPT WELBORN:** So Mr. Maatki while Lieutenant Commander [REDACTED] is obtaining that
2 documentation from Mr. Reisman if it's okay with you and your counsel I would like to continue
3 our line of questioning and using this document as a loose representation because we're unable
4 to validate this is the actual load plan that was submitted. If that's okay with you, sir.

5 **Mr. Maatki:** Yeah that's fine.

6 **CAPT WELBORN:** Okay. Alright, sir. So in generation of the spreadsheet so you – the
7 information that you receive from Hyundai Glovis you said that you take that information and
8 enter it into a facsimile or something that looks very similar to this like this load plan, is that
9 correct, sir?

10 **Mr. Maatki:** That's correct.

11 **CAPT WELBORN:** So can you explain how you would use this tool to decide where vehicles
12 will be located and loaded onto the ship?

13 **Mr. Maatki:** Well basically we receive a pre-load list reflecting the cargo to be loaded and
14 based off the available space that we have we'll basically position it where it, you know taking
15 the port of load and port of discharge rotation and consideration for an efficient load and
16 discharge operation.

17 **CAPT WELBORN:** Understood, sir. So when you're loading vehicles into this spreadsheet
18 can you tell me how, what criteria is utilized to decide which vehicles go in which locations?

19 **Mr. Maatki:** Basically the dimensions of the unit, length, width, height. And then the port of
20 discharge.

21 **CAPT WELBORN:** So that way you wouldn't have to unload cargo that maybe has some
22 other cargo hemmed in?

23 **Mr. Maatki:** Say that again Captain, I'm sorry.

1 **CAPT WELBORN:** You're loading in the sequence of discharge that way you don't have
2 cargo to be offloaded that might be in front of cargo that needs to come off, is that correct?

3 **Mr. Maatki:** To make an efficient discharge operation and for the loading operations for the
4 ports.

5 **CAPT WELBORN:** Understood. So is there a general rule of thumb that you employ when
6 deciding where cargo goes on vessel?

7 **Mr. Maatki:** I mean if it's an empty vessel, of course the general of thumb don't, you know we
8 wouldn't load anything up top and keep lower decks empty. But that's about it.

9 **CAPT WELBORN:** Understood. So the ship has been described to us that once the decks
10 are laden there's differing deck heights within those spaces. Is that in your experience? Is
11 that true?

12 **Mr. Maatki:** I didn't understand that question Captain, I'm sorry. Say that again.

13 **CAPT WELBORN:** So as certain decks are loaded with vehicles is the spacing between the
14 decks equal from top to bottom on the ship?

15 **Mr. Maatki:** No.

16 **CAPT WELBORN:** So is there more space higher or more space lower?

17 **Mr. Maatki:** There are some decks that are higher than other, that's correct.

18 **CAPT WELBORN:** Okay. So let's say there's – one deck has a lot of space in between it is
19 that usually low or high on the vessel?

20 **Mr. Maatki:** Well if you look at the plan, so if you see deck 13, we'll say the top deck, if you
21 look right below it, it will say the deck height of that particular deck.

22 **CAPT WELBORN:** Understood. And on this graphic can you read that number to us?

23 **Mr. Maatki:** That's 1.9 meters.

1 **CAPT WELBORN:** Understood. And then down say on deck 7 there are multiple
2 measurements there. Can you tell me what those are?

3 **Mr. Maatki:** Yes that's an adjustable deck. So at normal position that deck would be at, deck
4 7 would be at 2.2 meters in height. And then deck 8 would be at 2.1 meters in height.

5 **CAPT WELBORN:** And the 2.4 meter and a 4.3 meter notation on deck 7 what does that
6 mean?

7 **Mr. Maatki:** So if, so like I said the deck is an adjustable deck. So deck 8, you put it at 1 step
8 that would be, deck would be 2.4 meters in height, deck 8 would be at 1.9 meters at height. If
9 the deck is at full up position, the panels are at full up position deck 7 would 4.3 meters in
10 height and deck 8 would not be a loadable deck at that point.

11 **CAPT WELBORN:** Understood. So it's not just a for and aft, port and starboard dimension
12 that is taken into account where to put vehicles? It's also a vertical height issue?

13 **Mr. Maatki:** That's correct.

14 **CAPT WELBORN:** Okay. Thank you, sir. So, sir for the cargo operation in Brunswick can
15 you explain what vehicles were loaded and off loaded according to this representation of
16 spreadsheet? Can you utilize this to do that?

17 **Mr. Maatki:** Yeah the cargo that was loaded, which is reflected in this plan here were the tele-
18 rides. Off loaded that would not reflected on that pre-load plan. But if you scroll down I believe
19 there's a cargo summary, but that plan doesn't show the cargo to be offloaded in Brunswick.

20 **CAPT WELBORN:** So then according to this plan there was no cargo offloaded in Brunswick.

21 **Mr. Maatki:** No that's just a load plan. That's not the discharge plan.

22 **CAPT WELBORN:** Understood.

23 **Mr. Maatki:** ----- cargo to be discharge.

1 **CAPT WELBORN:** So Mr. Maatki given the dimensions of the ship which you have is that
2 preloaded in your computer based on a particular vessel because they're all a little bit
3 different?

4 **Mr. Maatki:** No. The plan is – I didn't understand that Captain, that question.

5 **CAPT WELBORN:** Let me rephrase the question. So page 1 shows an outlining cross-
6 section of the ship. Is that a – that's preloaded into your computer for the GOLDEN RAY, is
7 that correct?

8 **Mr. Maatki:** No that's sent to us by Glovis.

9 **CAPT WELBORN:** Understood. And then you will just populate it based on the loading plan?
10 You'll populate that based on the information that you get from Hyundai Glovis?

11 **Mr. Maatki:** That's correct.

12 **CAPT WELBORN:** Okay. So Mr. Maatki do you take into account, do you do any calculations
13 in your office regarding the stability of the vessel?

14 **Mr. Maatki:** No, sir.

15 **CAPT WELBORN:** Okay. So there's no criteria from you regarding no calculations done
16 regarding stability whatsoever?

17 **Mr. Maatki:** No, sir.

18 **CAPT WELBORN:** Understood. So as we continue to – do we have the, Lieutenant
19 Commander [REDACTED] do we have the document yet? Still waiting for the document. So we're
20 going to step away from the document for just a moment or two Mr. Maatki until we are able to
21 get that and then put that in front of you to hopefully validate.

1 **Mr. Reisman:** Captain this David Reisman if I could interject. We sent the email right when
2 you asked for it. So I'm not sure why. Is there another email address that we could use
3 perhaps?

4 **CAPT WELBORN:** Can you, you sent that to Lieutenant Commander [REDACTED] Mr. Reisman?

5 **Mr. Reisman:** Yes that's correct.

6 **CAPT WELBORN:** Okay. We may have a delay on our side. It may be going through Coast
7 Guard servers. You sent that to her official Coast Guard email?

8 **Mr. Reisman:** Yes that's correct.

9 **CAPT WELBORN:** Okay. We'll stand by just a moment or two more on that, hold off and we'll
10 continue to see if that document will show up. Mr. Maatki so after you develop the load plan
11 what do you next? What happens to that?

12 **Mr. Maatki:** I send it out to Glovis, the vessel and the stevedores.

13 **CAPT WELBORN:** Okay so it goes to three different entities, it goes back to Glovis, it does go
14 to the ship. Do you know who on the ship it is sent to?

15 **Mr. Maatki:** Vessel email address.

16 **CAPT WELBORN:** Just a general inbox?

17 **Mr. Maatki:** Yes.

18 **CAPT WELBORN:** Okay. If I could deviate for just one moment I just got a text in. Mr.
19 Reisman if you could also send that document to another email address if that would be okay.
20 If you could send that to USCGGOLDENRAY@gmail.com that's another inbox that we're
21 monitoring. It may come through a little bit quicker as that's not a Coast Guard email. Will you
22 copy that, sir?

23 **Mr. Reisman:** USCGGOLDENRAY@gmail.com?

1 **CAPT WELBORN:** Yes, sir.

2 **Mr. Reisman:** Yep, got it.

3 **CAPT WELBORN:** Okay let's try that and see what happens. Mr. Maatki I do apologize for
4 the repeated interruptions. So it's kind of hard to get a flow going here. So you send your
5 email back to the, to Hyundai Glovis and to, you said to the stevedores, sir, is that correct?

6 **Mr. Maatki:** That's correct.

7 **CAPT WELBORN:** And then is there any more communication from you from that point
8 forward regarding the loading plan?

9 **Mr. Maatki:** No. Basically I send out the loading plan basically reflecting the cargo to be
10 loaded on the deck. And that's about it.

11 **CAPT WELBORN:** Understood. So after the vessel leaves the port, so there's no feedback
12 for you that says we've successfully loaded the vessel or we were unable to load 10 units,
13 there's no feedback for you once you send them that email, that's it?

14 **Mr. Maatki:** The stevedores will send us a final plan and load list of what's been loaded at that
15 particular port.

16 **CAPT WELBORN:** Understood. And then that plan builds on itself for the next port of call?

17 **Mr. Maatki:** And then we'll reflect that on the next pre-stow plan for the next port of call, port
18 of load.

19 **CAPT WELBORN:** Understood. So Mr. Maatki were there any changes made to the loading
20 plan from the pre-stow plan to the final plan? Did you make any changes on the document
21 between those steps?

22 **Mr. Maatki:** I recall in Freeport we did receive some updated pre-load lists where we did
23 update the stow plan for Freeport.

1 **CAPT WELBORN:** Understood. Do you recall were those more vehicles on or more vehicles
2 off or?

3 **Mr. Maatki:** It was more vehicles on.

4 **CAPT WELBORN:** Okay. So the pre-load plan was changed a bit prior to Freeport where you
5 actually took a few more vehicles on, is that correct?

6 **Mr. Maatki:** That's correct.

7 **CAPT WELBORN:** And did that have a domino on the ship where you had to move other
8 cargo around?

9 **Mr. Maatki:** We did end up moving some cargo that was loaded in Mexico to make some
10 adjustments that would accommodate some cargo on the main deck.

11 **CAPT WELBORN:** Understood. And once you sent that pre-load plan to the ship did you get
12 any feedback back from the ship?

13 **Mr. Maatki:** No not that I recall, no.

14 **CAPT WELBORN:** So can you characterize that flow information? It came from who initially
15 that there was going to be a change in the cargo?

16 **Mr. Maatki:** We received the updated pre-load lists reflecting more cargo. So once we
17 received that from Glovis we basically updated the plan which we resent out to Glovis, the
18 stevedores and the vessel.

19 **CAPT WELBORN:** Understood. And then the information that you get back from the
20 stevedores saying this is the amount of cargo that they loaded does that happen before the
21 vessel leaves port, after the vessel leaves port, do you know?

22 **Mr. Maatki:** Before, it should be before the vessel leaves port and they should -----

23 **CAPT WELBORN:** Understood.

1 **Mr. Maatki:** Be given the final plan to the vessel, so.

2 **CAPT WELBORN:** Okay. And the stevedores send that back to Hyundai Glovis and you, the
3 ship gets a copy I'm sure.

4 **Mr. Maatki:** That's correct.

5 **CAPT WELBORN:** Okay. So this is a little bit out of your swimming lane Mr. Maatki, I
6 understand that, but to the best of your knowledge does anybody shore side, so not on the
7 vessel, but does anybody shore side complete any ship stability calculations based on the load
8 plan?

9 **Mr. Maatki:** No.

10 **CAPT WELBORN:** Okay. So Mr. Maatki you also said that you do load plans for Salon Lines,
11 is that correct?

12 **Mr. Maatki:** Salon Lines, yes.

13 **CAPT WELBORN:** Okay, alright. Can you compare and contrast the work that you do for
14 Hyundai Glovis and the work you do for Salon Line? Is it very similar? Are there some
15 differences? Can you tell me a little bit about the process that you do for Salon Lines versus
16 Hyundai Glovis?

17 **Mr. Maatki:** I think it's very similar. Same structure. We do, you know proposed space plan
18 and send it out to the stevedore, the line, the vessel. Sometimes we'll attend the cargo
19 operations when needed.

20 **CAPT WELBORN:** So somebody from your office actually attends loading or discharging of
21 the vessel?

22 **Mr. Maatki:** From time to time when the client request, yes.

1 **CAPT WELBORN:** Understand. And that's only for Salon Lines, you don't do that for Hyundai
2 Glovis.

3 **Mr. Maatki:** We do do that for Hyundai Glovis. We did attend in Freeport, but not in
4 Jacksonville or Brunswick.

5 **CAPT WELBORN:** Why did you attend in Freeport?

6 **Mr. Maatki:** We were requested to attend. So basically be their eyes and ears on the ground,
7 give them updates of the cargo operations, the progression.

8 **CAPT WELBORN:** So that's not a common operation, sir?

9 **Mr. Maatki:** No it is a common operation. We attend a lot of Glovis vessels, cargo operations.

10 **CAPT WELBORN:** So you're just more eyes and ears for Hyundai Glovis on scene to advise
11 how the loading and offloading of the ship are -----

12 **Mr. Maatki:** Yeah basically updating.

13 **CAPT WELBORN:** Alright. Okay, sir. Well what I would like to do Mr. Maatki is I would like to
14 go ahead and check with our SIS's and our PII's as we're continuing to validate the document,
15 the load plan document so we can again enter that as an official piece of evidence. So I'm
16 going to check with our SIS's to see if anybody has any questions for your, sir. Mr. Bremer
17 from the Republic of Marshal Islands, do you have questions, sir?

18 **Mr. Bremer:** Yes, thank you Captain. So first question is there anything unique in your
19 experience to planning for the GOLDEN RAY compared to other car, truck carriers that you've
20 planned in the past?

21 **Mr. Maatki:** No. It was pretty much normal business.

22 **Mr. Bremer:** And prior to the Brunswick call have you, or to this port rotation, excuse me,
23 have you planned for the GOLDEN RAY previously?

1 **Mr. Maatki:** I believe yes. I will plan for that vessel maybe two other voyages.

2 **Mr. Bremer:** Okay and during those two previous voyages and voyage 13 the subject voyage,
3 did you ever receive feedback from the ship, the crew, stevedores that there was an issue
4 during loading that you had to address?

5 **Mr. Maatki:** No, sir.

6 **Mr. Bremer:** Okay and just to clarify when you are planning space for the GOLDEN RAY
7 specifically I know you mentioned height of the vehicle, how else are you determining how
8 many units can fit on a deck?

9 **Mr. Maatki:** Basically the length, the width, so the dimensions.

10 **Mr. Bremer:** Okay and is there a maximum weights per deck or capacity for deck, per deck
11 that you have to take into consideration?

12 **Mr. Maatki:** Normally we just take into consideration the weight, I mean, my apologies, the
13 height and length, the width and the POD rotation.

14 **Mr. Bremer:** Okay. The other general question about the pre-stowage plan on the pre-
15 stowage plan for each block of cargo listed that there's another number below there. So it has
16 the number of units, the type of units and there's a number below that. Can you explain what
17 that is? And we'll pull the stowage plan back up so you can see what we're asking. Okay, sir
18 and to confirm you can see the stowage – the pre-stowage plan that we were discussing at the
19 beginning?

20 **Mr. Maatki:** Yes.

21 **Mr. Bremer:** Okay. So looking for instance at the 13th deck we have cargo units listed with
22 the port of loading, port of discharge, the type of unit and the number. And there's a number
23 below that, the third line. Can you explain what that means?

1 **Mr. Maatki:** Yeah that's the weight of the cargo.

2 **Mr. Bremer:** Okay. And you had mentioned previously that the list that's provided to you at
3 the beginning of this planning process sometimes have weights on it, is that correct?

4 **Mr. Maatki:** That's correct.

5 **Mr. Bremer:** And there are times where there's not weights on there. Can you explain how
6 you determine the weights that you use to come up with that number?

7 **Mr. Maatki:** I can't explain for Mexico, but for the U.S. calls that's based off the stevedores
8 final load plan that they provide to us and to the vessel.

9 **Mr. Bremer:** Okay. So in the document that we're looking at now those numbers are
10 provided to you by the stevedores, is that correct?

11 **Mr. Maatki:** That's correct.

12 **Mr. Bremer:** And is that done at the beginning of the planning process or is that after your
13 initial pre-stowage plan is drafted?

14 **Mr. Maatki:** No that's after they are complete with cargo operations and loading operations.

15 **Mr. Bremer:** Okay. So that number gets entered after the fact. Sir, thank you very much I
16 have no further questions at this time.

17 **Mr. Maatki:** Thank you.

18 **CAPT WELBORN:** Thank you Mr. Bremer. Captain Flaherty from NTSB do you have
19 questions for this witness?

20 **NTSB:** Yes, sir. Good afternoon, sir, how are you doing?

21 **Mr. Maatki:** Good afternoon, doing well.

1 **NTSB:** As I recall the vessel was delayed due to the hurricane. When were you notified that
2 the ports for loading and unloading were going to be changing following the vessel's departure
3 from Freeport?

4 **Mr. Maatki:** I would have to look back at emails and notes. I'm not 100 percent sure.

5 **NTSB:** Do you recall how much of the plan had to be changed due to this change in port
6 calls?

7 **Mr. Maatki:** The load plans?

8 **NTSB:** Yes, sir.

9 **Mr. Maatki:** I don't believe there was – they changed, if I recall correctly, really no big change
10 in the loading plans.

11 **NTSB:** Because originally the vessel was going to be going to Jacksonville and was that
12 originally going to just be an on load port or an off load port, do you recall?

13 **Mr. Maatki:** Both. Discharging cargo and loading cargo.

14 **NTSB:** Okay. And then in Brunswick the cargo that was off loaded do you recall where that
15 was on loaded from?

16 **Mr. Maatki:** The cargo that was for Brunswick?

17 **NTSB:** Yes.

18 **Mr. Maatki:** Where it was loaded at.

19 **NTSB:** Where it was loaded onboard, which port?

20 **Mr. Maatki:** It was loaded in Mexico.

21 **NTSB:** Okay. So looking at, if you could put the representation that we have of the load plan
22 up, I just want to confirm a couple of things.

23 **Mr. Maatki:** Yes, sir.

1 **NTSB:** If someone could please put the diagram that we have up I would appreciate it. So
2 when you're doing your work you're looking at an excel program. What numbers – do you
3 have a list of the columns of what information you're putting there to come up with this
4 graphic?

5 **Mr. Maatki:** I don't understand your question.

6 **NTSB:** What, okay. You have color codes, correct?

7 **Mr. Maatki:** That's correct. ---- the POD of the cargo.

8 **NTSB:** Could you explain what the color code means?

9 **Mr. Maatki:** So basically the color code is just an easy indication to visually see it based off of
10 the POD of the cargo. So for instance Baltimore that you have the pointer on, cursor on is all
11 you know pinkish color.

12 **NTSB:** Now when you submitted a plan and it goes to the vessel and then, you know you
13 have the people, the shore side people the stevedores doing the loading, do people check to
14 see how accurate the actual load is towards your load plan?

15 **Mr. Maatki:** Do the stevedores check?

16 **NTSB:** Or is there any quality oversight meaning that your plan as submitted, it's not fixed, it
17 has some flexibility to it based on the actual situation when the vessel is being loaded? Is that
18 correct?

19 **Mr. Maatki:** Right it's a proposed pre-load plan. So there's going to be some slight variances
20 and changes in the numbers. It's not going to be 100 percent.

21 **NTSB:** Are you aware of any changes that occurred between the plan you submitted and how
22 the vessel was actually loaded?

23 **Mr. Maatki:** I believe there was some difference in the cargo that was loaded on deck 12.

1 **NTSB:** Okay.

2 **Mr. Maatki:** Less that was loaded on deck 12 and more that was loaded on deck 5 out of
3 Brunswick.

4 **NTSB:** By chance do you know why? Was any reason passed to you?

5 **Mr. Maatki:** I'm guessing lack of space. Amount of space so they put the remain in balance
6 on 5.

7 **NTSB:** So one thing just to confirm, the numbers that's directly above the deck number, like
8 deck 13 has 608.

9 **Mr. Maatki:** Yeah it says the AU's.

10 **NTSB:** What's the – can you explain what the A – what that means.

11 **Mr. Maatki:** It's a standardized size of the unit. It might be in comparison to a small Toyota
12 Corolla or some sort. Standardized size.

13 **NTSB:** And is that standard throughout the industry?

14 **Mr. Maatki:** Yes they reflect the AU's on the stowage plans, yes.

15 **NTSB:** So when you're developing this plan the – you're looking at obviously the space size,
16 but I guess the cubic footprint of the vehicle?

17 **Mr. Maatki:** Right.

18 **NTSB:** Does the weight of the vehicle – is that something that you also address or is that just
19 something, when you're doing the plan thing, you know I've got these heavier SUV's coming
20 on board and I'm taking off these lighter just regular cars, is the weight difference anything that
21 you add or consider during your planning?

1 **Mr. Maatki:** No. Like I said I mean we receive a plan from Mexico reflecting the cargo to be
2 discharged within the Gulf and the East Coast and based off the space that's available at the
3 port of load we just place it in a way where it's an efficient load and discharge operation.

4 **NTSB:** So the metric tons that are shown on the diagram, that's representing all the vehicles
5 in storage at that specific, like you got frame on deck 13, frame 139. Aft you have 273.075
6 metric tons? Am I reading that correct?

7 **Mr. Maatki:** You're reading that correct. But I didn't do the plan for Mexico, so.

8 **NTSB:** Okay. For the 96 on deck 12 in the light blue section.

9 **Mr. Maatki:** Yes.

10 **NTSB:** Was that something you calculated?

11 **Mr. Maatki:** Yes I reflected the cargo to be loaded in Brunswick the 96 that arrived in that
12 allocated.

13 **NTSB:** Just so I understand it, for the ones that were updated, so for the ones that are
14 updated or the ones that you placed in they don't seem to have the metric ton list.

15 **Mr. Maatki:** Yeah that's just a space plan reflecting the cargo. You know planned out
16 basically considering the – with a load and port of discharge rotation. It doesn't reflect the
17 weight.

18 **NTSB:** Okay. Just so I can get an understanding, what is the most challenging aspect of
19 preparing one of these plans?

20 **Mr. Maatki:** It just, like I said when we send out a prepared proposed space plan you know
21 taking into consideration the port of discharge rotations that's the potential of that, you know.
22 Did they have an efficient load and then discharge operation.

1 **NTSB:** Are there a lot of last minute changes as the vessel's going from port to port? Is that
2 normal?

3 **Mr. Maatki:** In changes in regards to?

4 **NTSB:** Cargo loads, on loads, off loads.

5 **Mr. Maatki:** There's changes from time to time, but nothing out of the ordinary.

6 **NTSB:** Alright. That's all the questions I have. Thank you very much, sir.

7 **Mr. Maatki:** Thank you.

8 **CAPT WELBORN:** Thank you Captain Flaherty. Sir, I have two questions from KMST for you
9 Mr. Maatki. Again these questions are from the Korean Maritime Safety Tribunal. The first
10 question is, was there any space for more vehicles on the lower deck when creating the
11 GOLDEN RAY's loading plan?

12 **Mr. Maatki:** Not that I recall. I wasn't onboard the vessel so I couldn't tell you exactly. But
13 based off of plans that we received, no.

14 **CAPT WELBORN:** Okay, so just to confirm the lower decks were full?

15 **Mr. Maatki:** From our knowledge, I mean like I said we weren't on board the vessel to confirm
16 that, but based off of the plans, yes.

17 **CAPT WELBORN:** Understood, sir. The second question I have from KMST is did you
18 consider moving vehicles from a higher deck to a lower to increase the stability of the
19 GOLDEN RAY?

20 **Mr. Maatki:** Say again, sir. I'm sorry.

21 **CAPT WELBORN:** Did you consider moving vehicles from a higher deck to a lower deck to
22 increase the stability of the GOLDEN RAY?

23 **Mr. Maatki:** No, sir.

1 **CAPT WELBORN:** Okay. Now we'll move on to our PII's, Mr. Reisman do you have
2 questions for this witness?

3 **Mr. Reisman:** Captain no questions for the ship owner interest.

4 **CAPT WELBORN:** Understand. Thank you, sir. Mr. Gilsenan do you have questions for this
5 witness, sir?

6 **Mr. Gilsenan:** No thank you Captain, no questions.

7 **CAPT WELBORN:** Lieutenant Commander [REDACTED] is there anybody I've missed?

8 Understood. Okay. Mr. Maatki I do appreciate your testimony today. Please note that you're
9 still under oath and subject to recall until these formal proceedings are suspended sometime
10 next week. Thank you again for your time today.

11 **Mr. Maatki:** Okay, thank you.

12 **CAPT WELBORN:** The current time is 3:20 – oh hang on. We still have the exhibit to verify.
13 So if we could share the screen with Mr. Maatki. If you could bear with us just a few moments,
14 sir.

15 **Mr. Maatki:** Not a problem.

16 **CAPT WELBORN:** Mr. Maatki I did realize one of the questions I didn't ask you, you said the
17 Salon vessels, those are RO-RO vessels also?

18 **Mr. Maatki:** Car carriers, yes.

19 **CAPT WELBORN:** Car carriers, understood. I just want to make sure we got that on the
20 record. Same type of construction with a stern and a side ramp also?

21 **Mr. Maatki:** Yes, sir.

22 **CAPT WELBORN:** Again I apologize for the delay this hearing seems to be problems, all
23 week we've been fighting several things that have been trying to get in the middle of us. Okay

1 so the time, local time is 3:26. I think we'll take a quick 5 minutes. Mr. Maatki I do appreciate
2 your indulgence. I'm sorry to put you off for a moment or two more while we continue to work
3 on this schedule. So again the time is 3:26. This hearing stands adjourned.

4 *The hearing recessed at 3:26, 16 September 2020*

5 *The hearing was called to order at 3:33, 16 September 2020*

6 **CAPT WELBORN:** Okay the local time is now 3:33 we're back on the record. Mr. Maatki are
7 you still with us, sir? Mr. Maatki are you with us?

8 **Mr. Maatki:** Yes, sir.

9 **CAPT WELBORN:** Okay good. So I believe we have the document pulled up now. Can you
10 see the document on your end, sir?

11 **Mr. Maatki:** Yeah.

12 **CAPT WELBORN:** Okay and the voyage number, can you read that for us?

13 **Mr. Maatki:** Voyage number 13.

14 **CAPT WELBORN:** Okay so if we'll scroll to the bottom of the first page is that missing
15 information that you were speaking about earlier, sir?

16 **Mr. Maatki:** That's correct.

17 **CAPT WELBORN:** Okay. So Mr. Maatki can you tell me is this document the same as the
18 previous document that we were referring to with the exception of the additional information
19 there at the bottom?

20 **Mr. Maatki:** Yes.

21 **CAPT WELBORN:** You would be willing to say, okay, so would you be willing to say then that
22 this document is the same as the other document with the exception of that information that we
23 just noted at the bottom of the graphic?

1 **Mr. Maatki:** It appears to be. Yes, I didn't go through every number on the plan, but it
2 definitely appears to be, yes.

3 **CAPT WELBORN:** So, I want to build your confidence in this document. What information
4 would you like to see on this document to bring your confidence level up?

5 **Mr. Maatki:** I mean I'm pretty confident that it's the same plan. But I'm just saying without
6 checking every number on, and every etch, every deck, but no it appears to be definitely the
7 same plan.

8 **CAPT WELBORN:** Okay. So what I would like to do then Mr. Maatki is we're going to enter
9 these two documents, not only the earlier document that was missing information at the bottom
10 of page 1, the PDF, but then this excel spreadsheet into evident. We'll call the PDF Coast
11 Guard Exhibit 7. And we'll call this excel spreadsheet Coast Guard Exhibit 8. Any objections
12 from the PII's or SIS's before we enter both of these documents into evidence?

13 [No objections].

14 **CAPT WELBORN:** Hearing no objections both pieces are entered into evidence as Coast
15 Guard Exhibits 7 and 8. Mr. Maatki again I want to thank you for your testimony today. You've
16 been very helpful in advancing us in this process. So thank you, sir, I do appreciate it and
17 again you are subject to recall. So we will stand in adjournment for 10 minutes while we
18 prepare our next witness. I heard from someone.

19 **Mr. Gilsenan:** Yeah Ryan Gilsenan and very minor thing, but if you want to make the
20 spreadsheet 7A you don't have to renumber all the other exhibits that have already been
21 circulated.

22 **CAPT WELBORN:** I'm looking at our Recorder and she said that we're going to go ahead and
23 leave it as 7A. But thank you Mr. Gilsenan I do appreciate that. Thank you, sir. So we stand

1 in adjournment for 10 minutes. The local time is 3:36. We'll re-adjourn here in about 10
2 minutes. So we stand in recess.

3 *The hearing recessed at 3:36, 16 September 2020*

4 *The hearing was called to order at 3:58, 16 September 2020.*

5 **CAPT WELBORN:** So we are back in session. The local time now is 3:58. We are here
6 continuing to conduct the formal investigation of the capsizing of the Motor Vessel GOLDEN
7 RAY. Our next witness will be Mr. Hyun Jip Choi who will speak to the safety management
8 system of the vessel. Lieutenant Commander [REDACTED] would you please swear in the witness
9 and the interpreter.

10 **Recorder:** Yes, sir, Captain. The following witness requires the use of a translator. ENS [REDACTED]
11 please stand and raise your right hand. Do you swear that you will faithfully perform the duties
12 of interpreter in this investigation, so help you God?

13 **ENS [REDACTED]:** I do.

14 **Recorder:** Thank you. Mr. Choi please stand and raise your right hand. A false statement
15 given to an agency of the United States is punishable by fine and or imprisonment under 18
16 United States Code 1001. Knowing this do you solemnly swear that the testimony you're
17 about to give will be the truth, the whole truth and nothing but the truth so help you God?

18 **Mr. Hyun Jip Choi:** Yes I do.

19 **Mr. Reisman:** Were you able to hear him clearly, sounds like he was breaking up. You could
20 hear him clearly?

21 **Mr. Hyun Jip Choi:** Yeah.

22 **Mr. Reisman:** Okay you can sit down now.

23 **Recorder:** Thank you Mr. Choi please be seated.

1 **Mr. Reisman:** Lieutenant Commander [REDACTED] his name is Choi.

2 **Recorder:** Thank you Mr. Reisman. For the record the last name is Choi. I will now pass to

3 Captain Welborn for further questions.

4 **CAPT WELBORN:** Thank you Commander [REDACTED]. So before we proceed I want to make

5 sure we floated this before, but I want to make sure that nobody has any issues with our

6 current interpreter, ENS [REDACTED] being a Coast Guard member. Are there any objections from our

7 SIS members?

8 **Mr. Bremer:** No objection Captain.

9 **CAPT WELBORN:** NTSB?

10 **NTSB:** No objection.

11 **CAPT WELBORN:** KMST?

12 **WIT:** No objections were received.

13 **CAPT WELBORN:** No objections from KMST. Any objections from our PII's, Mr. Gilsenan?

14 **Mr. Gilsenan:** No objection, sir.

15 **CAPT WELBORN:** And Mr. Reisman?

16 **Mr. Reisman:** No objection, sir.

17 **CAPT WELBORN:** Thank you very much. So entered into the record. Mr. Choi please state

18 your name and spell it for the record.

19 **Mr. Hyun Jip Choi:** Hyun Jip Chol.

20 **CAPT WELBORN:** Sir, would you please spell your last name?

21 **Mr. Hyun Jip Choi:** Choi, C-H-O-I.

22 **CAPT WELBORN:** Very good thank you, sir. Are you represented by counsel today?

23 **Mr. Hyun Jip Choi:** Yes.

1 **CAPT WELBORN:** Mr. Reisman that's your position here today?

2 **Mr. Reisman:** I represent his employer, I'm not sure he fully understood the question. I
3 represent his employer on behalf of his employer today.

4 **CAPT WELBORN:** Understood, understood. So Mr. [REDACTED] would you state the question to the
5 witness. Is he represented by legal counsel today?

6 **Mr. Hyun Jip Choi:** Yes.

7 **CAPT WELBORN:** And what is the name of his counsel?

8 **Mr. Reisman:** They are asking you if I represent you or if you have some other lawyer here
9 today. Do you understand that I represent the company, not you individually? Is that correct?

10 **Mr. Hyun Jip Choi:** Correct.

11 **Mr. Reisman:** Do you have another lawyer here representing you today?

12 **Mr. Hyun Jip Choi:** No.

13 **CAPT WELBORN:** Understood, thank you, sir. Mr. Choi do you hold any professional
14 certificates or certifications?

15 **Mr. Hyun Jip Choi:** Yes I completed several courses for internal audit such as ISM,
16 ISPS, MSP by [in audible].

17 **CAPT WELBORN:** Mr. Choi who was your employer in September 2019?

18 **Mr. Hyun Jip Choi:** G-Marine, sir.

19 **CAPT WELBORN:** And what position did you hold then?

20 **Mr. Hyun Jip Choi:** I'm still a manager in safety management team.

21 **CAPT WELBORN:** Mr. Choi did you receive any specific training for this position?

22 **Mr. Hyun Jip Choi:** Yes I mentioned before due to my job I – ISM and ISPS course by
23 registry.

1 **CAPT WELBORN:** Prior to holding this position can you give us a brief summary of your
2 background and experience?

3 **Mr. Hyun Jip Choi:** Sorry I can't hear. So can you say again please? Okay. I graduated
4 from Maritime University in 2005. I started working on the ship as a officer, the navigator. And
5 from 2005 to 2012 I worked on the ship and I ended up as a Ship's Officer I was transferred to
6 shore side as a [in audible]. And then I was transferred to team in 2019. I'm sorry 2019, yeah.
7 So I working for safety management team for one year, yeah.

8 **CAPT WELBORN:** Mr. Choi the following questions are all relating to the GOLDEN RAY, her
9 crew and the safety management system in place at the time of the incident.

10 **Mr. Hyun Jip Choi:** Yes, sir, I understand.

11 **CAPT WELBORN:** Did the GOLDEN RAY have an approved safety management system at
12 the time of the incident?

13 **Mr. Reisman:** Captain we're getting some pretty severe feedback from the translator and it's
14 making it very difficult I think for the witness to understand the questions in Korean.

15 **CAPT WELBORN:** Understood. Let's see if maybe get a different input for him. Just a
16 moment. Understand, I think we microphone issue for ENS [REDACTED]. So just stand by one
17 moment we'll see if we can't trade that out.

18 **Mr. Reisman:** Roger.

19 **CAPT WELBORN:** Okay I think we've made some technologic shifts here. ENS [REDACTED] if you
20 would speak to Mr. Choi and see if the audio is any clearer.

21 **ENS [REDACTED]:** [Testing microphone in Korean].

22 **Mr. Reisman:** That was better Captain. That was better.

1 **CAPT WELBORN:** Good. Okay well thank you Mr. Reisman for bringing that to our attention.
2 If we drop into a situation where that audio is degraded please tell me and we'll stop and
3 regroup and start again. So back to the question. Did the GOLDEN RAY have an approved
4 safety management system?

5 **Mr. Hyun Jip Choi:** Yes it did.

6 **CAPT WELBORN:** And who approved that system?

7 **Mr. Hyun Jip Choi:** Our [in audible] as approved by industry on behalf of [in audible].

8 **CAPT WELBORN:** Did the safety management system address cargo operations?

9 **Mr. Hyun Jip Choi:** Yes our cargo operation is different to operations.

10 **CAPT WELBORN:** According to the safety management system who was in charge of the
11 cargo operations?

12 **Mr. Hyun Jip Choi:** According to our procedure, CRM01 that's pretty much – we assign that
13 responsibility to Chief Officer.

14 **CAPT WELBORN:** What were the specific duties assigned to the Chief Officer?

15 **Mr. Hyun Jip Choi:** Chief Officer reviews unloading, loading cargo plan and providing him
16 cargo operation. Also he [in audible] stability by using load com with a plan. And also he is in
17 charge of the ballasting and special [in audible]. And he prepares some cargo issues, Chief
18 Officer care about that.

19 **CAPT WELBORN:** Does the safety management system address required training for
20 personnel conducting stability calculations?

21 **Mr. Hyun Jip Choi:** Could you explain to me what does he mean please?

22 **CAPT WELBORN:** Is there specific training required for the Chief Mate with respect to say
23 conducting stability calculations?

1 **Mr. Hyun Jip Choi:** I'm sorry I'm not aware of that training. Because I am working for safety
2 management team. So I can't answer about that.

3 **CAPT WELBORN:** What system to calculate stability did the GOLDEN RAY use?

4 **Mr. Hyun Jip Choi:** Usually load com is used. But I cannot remember the maker's make.

5 **CAPT WELBORN:** Do you know who approved this system?

6 **Mr. Hyun Jip Choi:** That system had been approved by Coryon (sic) registry.

7 **CAPT WELBORN:** Did the Chief Mate receive training on that system?

8 **Mr. Hyun Jip Choi:** Sorry I don't know the answer about that.

9 **CAPT WELBORN:** Does the safety management system speak to training requirements?

10 **ENS [REDACTED]:** What's that question again?

11 **CAPT WELBORN:** Does the safety management system address training requirements?

12 **Mr. Hyun Jip Choi:** For crew was, the team member, can you explain to me please?

13 **CAPT WELBORN:** I will break the question up in pieces. Does the safety management
14 system address training requirements for the Chief Mate concerning stability calculations?

15 **Mr. Hyun Jip Choi:** Our safety management team don't do that, sir.

16 **CAPT WELBORN:** Does the plan ----

17 **Mr. Hyun Jip Choi:** Sorry. Go ahead please. Safety management team train a crew for our
18 SMS manual, sir.

19 **CAPT WELBORN:** Is the training required addressed in the safety management manual?

20 **Mr. Hyun Jip Choi:** Yes we do.

21 **CAPT WELBORN:** Who is in charge of this training?

22 **Mr. Hyun Jip Choi:** Our team leader assigned one person for training.

1 **CAPT WELBORN:** Does the team leader train the Chief Mate to conduct stability
2 calculations?

3 **Mr. Hyun Jip Choi:** Our training would include stability at station. We only for SMS.

4 **CAPT WELBORN:** How many hours or days in advance of the ship's departure is the Chief
5 Mate given the loading plan to calculate stability?

6 **Mr. Hyun Jip Choi:** I'm sorry I don't even [in audible] to that. There are many Chief Mates it
7 depends on the ship's condition, so I cannot answer objectively.

8 **CAPT WELBORN:** I would like to remind the witness these questions are regarding the plan
9 itself. Not the condition of the vessel.

10 **Mr. Hyun Jip Choi:** Is not within to its planning. So I'm so sorry we cannot answer about that.

11 **CAPT WELBORN:** According to the plan if the stability is not safe does the Chief Mate have
12 the authority to conduct ballast operations?

13 **Mr. Hyun Jip Choi:** Yes. According to our procedure CRM we assign Chief Officer can do
14 that.

15 **CAPT WELBORN:** If the stability of the vessel is in question what options does the Chief
16 Mate have?

17 **Mr. Hyun Jip Choi:** First of all Chief Officer must report to Captain. And Chief Officer can
18 offer some options. First [in audible], adding more ballast and adjusting cargo, or shifting
19 cargo. Then if possible they'll supplement bunker.

20 **CAPT WELBORN:** Can the departure of the ship be delayed by the Chief Officer?

21 **Mr. Hyun Jip Choi:** If the vessel cannot have proper stability, can't be to ride, yes.

22 **CAPT WELBORN:** Does the safety management system specify a responsible individual for
23 calculating stability?

1 **Mr. Hyun Jip Choi:** Yes. [in audible] can assign that responsibility to Chief Officer.

2 **CAPT WELBORN:** Are these stability calculations completed after the completion of the load
3 plan?

4 **Mr. Hyun Jip Choi:** Yes.

5 **CAPT WELBORN:** Are the stability calculations also completed after the vessel has been
6 loaded?

7 **Mr. Hyun Jip Choi:** Yes because stability is calculated by ship's condition.

8 **CAPT WELBORN:** Is the Master required to check the Chief Mate's stability calculations?

9 **Mr. Hyun Jip Choi:** Yes. Captain responsible for whole things on the ship so Captain check
10 their Chief Officer's calculations, sir.

11 **CAPT WELBORN:** To the best of your knowledge did anyone off of the GOLDEN RAY
12 calculate the vessel's stability prior to departure from Brunswick?

13 **Mr. Hyun Jip Choi:** I'm sorry I don't know about that.

14 **CAPT WELBORN:** Does the SMS plan require stability calculations to be completed off of the
15 vessel?

16 **Mr. Hyun Jip Choi:** We don't have specific route about this, sir.

17 **Wit:** Could you repeat that?

18 **CAPT WELBORN:** The answer or the question, sir?

19 **Wit:** Sorry the answer.

20 **CAPT WELBORN:** Mr. [REDACTED] can you restate the question. To the best of the witness'
21 knowledge did any person off of the ship calculate the vessel's stability?

22 **Mr. Hyun Jip Choi:** Sorry I don't know about that, sir.

23 **CAPT WELBORN:** Does the SMS plan require stability calculations off of the vessel?

1 **Mr. Reisman:** Captain Welborn could I just ask for clarification, obviously I can't understand
2 the Korean, but are you asking if the calculations performed by somebody on shore? I think
3 when you say away from the vessel or off of the vessel may be a little bit unclear.

4 **CAPT WELBORN:** Yes, sir. I'm asking if stability calculations are completed off of the vessel,
5 ashore.

6 **Mr. Hyun Jip Choi:** To get the calculations, typical before departure, sir.

7 **CAPT WELBORN:** By persons on the ship or off the ship?

8 **Mr. Hyun Jip Choi:** Stability is check, sorry, Chief Officer calculates the stability, sir.

9 **CAPT WELBORN:** Does anyone else calculate stability for the vessel?

10 **Mr. Hyun Jip Choi:** No, sir.

11 **CAPT WELBORN:** Is the Chief Officer required to communicate the stability calculations to
12 any shore side personnel before departure?

13 **Mr. Hyun Jip Choi:** Chief Officer does the calculations report to Captain as I know, sir.

14 **CAPT WELBORN:** But no one ashore, correct?

15 **Mr. Hyun Jip Choi:** Generally it is received departure report. We have – departure also has
16 stability, so after departure we can see that information.

17 **CAPT WELBORN:** Just a moment I have a point of clarification. I apologize for that I had to
18 ask ENS [REDACTED] a question regarding the answer to the last question. So the ship's stability is
19 communicated to the company after the ship departs, is that correct?

20 **Mr. Hyun Jip Choi:** Yes departure report.

21 **CAPT WELBORN:** How long after departure is this information reported?

22 **Mr. Hyun Jip Choi:** It depends on ship's schedule. So I cannot answer objectively.

1 **CAPT WELBORN:** Did the GOLDEN RAY report their departure stability before departing
2 Brunswick?

3 **Mr. Hyun Jip Choi:** I don't know objectively, sir.

4 **CAPT WELBORN:** Do you know who would know this information?

5 **Mr. Hyun Jip Choi:** That is our system I told, sir.

6 **CAPT WELBORN:** If the stability of the vessel is not safe what are the procedures for
7 correcting it according to the SMS?

8 **Mr. Hyun Jip Choi:** Chief Officer reports that to Captain and they have to find out to make for
9 stability. So shifting cargo was, ballast, adding ballast, yes. So if they are not working after
10 ask to operator.

11 **CAPT WELBORN:** When the stability is reported after departing port how is that reported to
12 the company?

13 **Mr. Hyun Jip Choi:** Departure some texture about stability.

14 **CAPT WELBORN:** Is the stability information reported to the company in an email?

15 **Mr. Hyun Jip Choi:** No by our system.

16 **CAPT WELBORN:** Who manages that system?

17 **Mr. Hyun Jip Choi:** Our – sorry I don't remember specifically now, yeah.

18 **CAPT WELBORN:** Who receives the report from the ship in the company regarding stability?

19 **Mr. Hyun Jip Choi:** Fleet management team, sir.

20 **CAPT WELBORN:** Does the Chief Officer send that information to the safety management
21 team?

22 **Mr. Hyun Jip Choi:** No, sir.

23 **CAPT WELBORN:** Who does?

1 **Mr. Reisman:** Captain can I just interject? I think you may have misunderstood, but maybe
2 we got it wrong here. But I think he said that it's sent to the fleet management team, not safety
3 management team,

4 **CAPT WELBORN:** Understood, sir. My mistake. Misstated on my part. So the stability
5 information is sent from the ship to the fleet management team. Who sends that email?

6 **Mr. Hyun Jip Choi:** Usually the Second Mate make the report and stability calculation by
7 Chief Officer.

8 **CAPT WELBORN:** Who on the fleet management team receives the email?

9 **Mr. Hyun Jip Choi:** Each respondent does, sir.

10 **CAPT WELBORN:** Does the Chief Mate have the authority to adjust the stowage plan as
11 necessary?

12 **Mr. Hyun Jip Choi:** Yes.

13 **CAPT WELBORN:** If he adjusts the plan who does he report that to?

14 **Mr. Hyun Jip Choi:** Chief Mate should report to Captain and supposed to cargo operator.

15 **CAPT WELBORN:** Does that report also go to the fleet management team?

16 **Mr. Hyun Jip Choi:** No because the cargo operation is between vessel and operator. So they
17 don't report to us.

18 **CAPT WELBORN:** Has the Chief Mate on the GOLDEN RAY ever adjusted the stowage
19 plan?

20 **Mr. Hyun Jip Choi:** I don't know about that.

21 **CAPT WELBORN:** Does the safety management system require the Chief Mate to notify the
22 company to take on or discharge ballast?

23 **ENS [REDACTED]:** Could you repeat the question Captain?

1 **CAPT WELBORN:** I'll break the question up in pieces. Does the safety management system
2 require the Chief Mate to notify the company when taking on or discharging ballast?

3 **Mr. Hyun Jip Choi:** No G-Marine doesn't require Chief Officer to report about every cargo
4 operation to us at the time.

5 **CAPT WELBORN:** I have another question that I need to break up. In your experience has
6 any vessel working for Hyundai Glovis been delayed due to an adjustment in the stowage
7 plan?

8 **Mr. Hyun Jip Choi:** I don't know objectively about that, sir.

9 **CAPT WELBORN:** Do you know who would know that?

10 **Mr. Hyun Jip Choi:** I don't know, sir.

11 **CAPT WELBORN:** Mr. Reisman I have an excerpt from the safety management system that I
12 would like to walk through with your client. Do you have a copy of that available for him?

13 **Mr. Reisman:** Yes we do.

14 **CAPT WELBORN:** The excerpt version that I have has 8 pages. Is that the same as your
15 version, sir?

16 **Mr. Reisman:** Yes, we have 8 pages.

17 **CAPT WELBORN:** Okay starting on page, in the upper right hand corner marked 20-3.

18 **Mr. Reisman:** Sir, he's looking at that page.

19 **CAPT WELBORN:** Specifically 2.1.1.

20 **Mr. Hyun Jip Choi:** Yes.

21 **CAPT WELBORN:** The Master should make decisions with respect to the safety of the
22 vessel, crew, passenger and cargo and pollution prevention and has the overriding authority

1 and responsibility, excuse me, I – the screen just changed. Just a moment. Mr. Reisman is
2 your client going to read that section?

3 **Mr. Reisman:** I think he's reading it right now. So let's back up. I just want to make sure we
4 have these things on the record and that your client will confirm that these pieces of
5 information were in effect in the safety management system at the time of the incident.

6 **Mr. Reisman:** I believe he can do that.

7 **CAPT WELBORN:** Okay. I'll start reading again. The Master should make decisions with
8 respect to safety of the vessel, crew, passenger and cargo and pollution prevention and has
9 the overriding authority and responsibility to request the company's assistance as may be
10 necessary. And has the responsibility and authority as the highest commander of the vessel
11 for any and every situation. Mr. Choi was this excerpt in effect at the time of the incident?

12 **Mr. Reisman:** We're not hearing the translator.

13 **ENS [REDACTED]:** Can you hear me?

14 **Mr. Reisman:** You're very – I don't think your microphone is working.

15 **ENS [REDACTED]:** Can you hear me?

16 **Mr. Reisman:** Yes thank you.

17 **Mr. Hyun Jip Choi:** Can you explain to me what does that mean, sir?

18 **CAPT WELBORN:** Mr. Choi I want to make sure that – Mr. Choi I want to make sure that you
19 can confirm this is the safety management system that was in place on the vessel at the time
20 of the incident.

21 **Mr. Hyun Jip Choi:** Yes.

22 **CAPT WELBORN:** Mr. Reisman is your witness confirming that this is in fact an excerpt from
23 the approved safety management system on the vessel at the time of the incident?

1 **Mr. Reisman:** Yes he is.

2 **CAPT WELBORN:** Then I just want to make sure that we have a couple of pieces of it on the
3 record as we proceed here. So again on page 20-3 under 2.2, the Master's duty, proceeding
4 to page 20-4F, safe navigation of the vessel and to secure ship's seaworthiness, Gulf reads to
5 confirm cargo load, discharge plan drawn by the Chief Officer and it's monitoring. Continuing
6 down that same page, Romeo, instructions required by the company and other matters.
7 Sierra, a requirement to the interested party being the shipper, charterer. Tango to keep slash
8 maintain the records required to be kept by the company and relevant parties.

9 **Mr. Reisman:** Captain can slow down one minute. He's trying to keep up. I think he's [in
10 audible].

11 **CAPT WELBORN:** Understood, sir.

12 **Mr. Reisman:** Are you good?

13 **Mr. Hyun Jip Choi:** Yeah, good, okay.

14 **Mr. Reisman:** He's caught up, I'm sorry.

15 **CAPT WELBORN:** Understood. I will definitely slow down, sir. On page 20-7 specifically
16 section Hotel, task and loading slash discharging and cargo related work to make slash adjust
17 loads slash discharge work plans and conform it's results. Excuse me, confirm its results. To
18 confirm -----

19 **Mr. Reisman:** Captain.

20 **CAPT WELBORN:** Yes, sir.

21 **Mr. Reisman:** I apologize have we now jumped to the Chief Officer's duties?

22 **CAPT WELBORN:** Yes, sir. We have I apologize. That is on page 20-6, it is the Chief
23 Officer's duties, yes, sir. So the Chief Officer specifically in section Hotel task of loading slash

1 discharging and cargo related work. And to confirm the ship's stability and visibility. India to
2 manage the ballast water bilges and freshwater. Are there any other issues with this particular
3 document from your client Mr. Reisman?

4 **Mr. Reisman:** I'm not sure what the question is. But we agree that this is the, you know these
5 are excerpts of the SMS that was enforce and effect at the time of the incident.

6 **CAPT WELBORN:** Understood. So we will enter this as Coast Guard Exhibit 9. Any
7 objections from National Transportation Safety Board? Captain Flaherty any objections on this
8 particular piece of evidence?

9 **NTSB:** No, no objections.

10 **CAPT WELBORN:** From the Republic of the Marshal Islands, any objections on this piece of
11 evidence?

12 **Mr. Bremer:** No objection.

13 **CAPT WELBORN:** KMST objections?

14 **WIT:** No objections received.

15 **CAPT WELBORN:** Understood. As previously stipulated this piece of evidence is entered
16 into the record as Coast Guard Exhibit 9. Mr. Choi thank you for your testimony and for
17 answering my questions. I'm going to go around and ask others if they have questions of you.
18 Starting with the Republic of the Marshal Islands. Mr. Bremer do you have questions for this
19 witness?

20 **Mr. Bremer:** Yes thank you. For the record can you confirm during your time underway if you
21 sailed on car carriers?

22 **Mr. Hyun Jip Choi:** No I don't.

1 **Mr. Bremer:** Okay thank you. And since the GOLDEN RAY incident has any new procedures
2 been implemented by G-Marine with regards to stability?

3 **Mr. Reisman:** Is this question specific reference to SMS procedures?

4 **Mr. Bremer:** Yes, correct, SMS procedures relating to stability.

5 **Mr. Hyun Jip Choi:** As you know our team is SMS system so we are constantly updating the
6 procedure and authority, but we don't do that of the incident.

7 **Mr. Bremer:** So for clarification the answer was no changes have been made to the SMS
8 following the incident, is that correct?

9 **Mr. Hyun Jip Choi:** We didn't change because of the incident.

10 **Mr. Bremer:** Okay, thank you. No further questions.

11 **CAPT WELBORN:** Thank you Mr. Bremer. Captain Flaherty do you have questions for this
12 witness?

13 **NTSB:** Yes I do. Thank you Captain. Sir, I just want to confirm at the time of the casualty
14 how many vessels did this safety management system cover or apply to?

15 **Mr. Hyun Jip Choi:** Can you say, okay, the question please?

16 **NTSB:** Sure. At the time of the accident involving the GOLDEN RAY how many vessels did
17 this safety management system apply to?

18 **Mr. Hyun Jip Choi:** I don't remember the number exactly. All vessels we manage apply to
19 our SM system.

20 **NTSB:** So how many vessels are under the safety management system?

21 **Mr. Hyun Jip Choi:** Present 45 vessels.

22 **NTSB:** Okay 45 vessels. So at the time of the casualty was it 46 vessels or more?

23 **Mr. Hyun Jip Choi:** I think so, yeah.

1 **NTSB:** Are you in charge of the audit schedule for the company?

2 **Mr. Hyun Jip Choi:** I am not personally in charge of the planning of internal audit. But I audit
3 [in audible].

4 **NTSB:** Do you have a lead auditor's qualification?

5 **Mr. Hyun Jip Choi:** Yes I have.

6 **NTSB:** Who in the company schedules the audits of the vessels?

7 **Mr. Hyun Jip Choi:** My co-worker, my team leader assigns teams about the planning of an
8 audit, sir.

9 **NTSB:** Prior to the accident involving the GOLDEN RAY do you know the last time that that
10 vessel was audited?

11 **Mr. Hyun Jip Choi:** I only remember August 2019. But I don't remember exactly the dates.

12 **NTSB:** So approximately a month before the accident there was an internal audit done by the
13 company of the GOLDEN RAY?

14 **Mr. Hyun Jip Choi:** Yes we did.

15 **NTSB:** When was the last time there was an external audit of the company?

16 **Mr. Reisman:** Of the company or the vessel?

17 **NTSB:** The company.

18 **Mr. Hyun Jip Choi:** I'm sorry I don't remember exactly.

19 **NTSB:** For the internal audit that was done for the GOLDEN RAY back in August of 2019,
20 what was the findings of the audit?

21 **Mr. Hyun Jip Choi:** I don't know exactly, sir.

22 **NTSB:** I'm sorry I didn't understand.

23 **Mr. Hyun Jip Choi:** I don't know. I cannot remember exactly, sir.

1 **NTSB:** Do you or the company maintain the results of the vessel audits?

2 **Mr. Hyun Jip Choi:** Yes we have.

3 **NTSB:** Would those be available for this investigation for the GOLDEN RAY specifically?

4 **Mr. Hyun Jip Choi:** We're talking about internal audits, right?

5 **NTSB:** Correct, the internal audit related to the GOLDEN RAY dated in August of 2019.

6 **Mr. Hyun Jip Choi:** Yes we do. But easier to reach them in Coryon (sic), sir.

7 **NTSB:** I'm sure we'd be able to overcome that if it's possible for the company to provide that
8 to us, it might be helpful in understanding how the vessel is operating in accordance with
9 safety management system at the time.

10 **Mr. Hyun Jip Choi:** Yes I will.

11 **NTSB:** Captain Welborn if you could I would recommend that we request the audit results of
12 August '19 for the GOLDEN RAY.

13 **CAPT WELBORN:** Yes we will obtain those for the record.

14 **NTSB:** Thank you, sir. I have a few more questions. The Master who reported on board in
15 Freeport, Texas, let me make sure I get his name correct, Captain Lee, was that his first time
16 as an employee of your company?

17 **Mr. Hyun Jip Choi:** No, sir. He used to work for Hyundai shipping and Hyundai SM, so he
18 had experience working with us, sir.

19 **NTSB:** Do you know what safety management system classes, courses, seminars that he was
20 required to complete in order to be a Master of one of your vessels?

21 **Mr. Hyun Jip Choi:** I don't remember exactly what they are. But the Captain is the highly
22 experienced and the highest [in audible], sir.

1 **CAPT WELBORN:** Captain Flaherty if I could just a moment. If you could give us just a
2 couple more pauses in your questions to allow our interpreter to keep up.

3 **NTSB:** Sorry about that.

4 **CAPT WELBORN:** He's doing his best, but just give us a little bit more chunks and phrases.

5 **NTSB:** I will. Sorry about that. The relief process for the Master when he reported on board
6 in Freeport, was any documentation of that relief provided to you and to the company?

7 **Mr. Reisman:** Mr. Flaherty can I maybe help you there. I think he didn't understand. Are you
8 asking about a handover form for example?

9 **NTSB:** Yes a handover form for relief process. Was there documentation in accordance with
10 the safety management system for the handover from the one Master to the other Master in
11 Freeport, Texas?

12 **Mr. Hyun Jip Choi:** I don't know. I will figure it out.

13 **NTSB:** Okay that would be helpful. Was there any documentation of the relief process for the
14 Chief Officer who was on board the GOLDEN RAY at the time of the accident?

15 **Mr. Hyun Jip Choi:** I don't know exactly, sir.

16 **NTSB:** Okay. Were there any, let's see what is the terminology, were there any notifications
17 of deficiencies issued for the GOLDEN RAY to you during the six months prior to the casualty.

18 **Mr. Hyun Jip Choi:** No I don't.

19 **NTSB:** Did the Master, either the previous Master who was on board at the time of the
20 casualty provide any documentation on non-conformities that were discovered and corrective
21 actions that were taken?

22 **Mr. Hyun Jip Choi:** I don't know what happened to them, sir, yeah.

1 **NTSB:** Does the company have any documentation of any correspondence from the Master
2 concerning the safety management system on board the ship?

3 **Mr. Hyun Jip Choi:** Can you, he said, to other vessels or just on the GOLDEN RAY. Can you
4 repeat?

5 **NTSB:** Sir, I apologize I'm only, that question was only focused on the GOLDEN RAY.

6 **Mr. Hyun Jip Choi:** No I don't, sir.

7 **NTSB:** Has your company conducted an investigation as per the safety management system
8 into the events surrounding the casualty involving the GOLDEN RAY in September of 2019?

9 **Mr. Hyun Jip Choi:** No we didn't, sir.

10 **NTSB:** So just to clarify no internal company investigation of the GOLDEN RAY casualty?

11 **Mr. Hyun Jip Choi:** No we didn't. We are waiting for the investigation from Coyron (sic) and
12 U.S., sir.

13 **NTSB:** Captain Welborn that's all the questions I have, thank you. And thank you, sir for your
14 time.

15 **CAPT WELBORN:** Thank you Captain Flaherty I do appreciate that. So now we have a few
16 questions from KMST that have come in to us in Korean. We will need a few minutes to
17 translate those, to have our translator prepare those. So the time is now 5:06. We're going to
18 take a little extended recess. We're going to recess for about 15 minutes and then we'll go
19 back on the record once we have the KMST questions translated and I will read those and
20 present those to the witness. So at this point we stand adjourned.

21 *The hearing recessed at 5:06, 16 September 2020*

22 *The hearing was called to order at 5:21, 16 September 2020.*

1 **CAPT WELBORN:** Okay ladies and gentlemen welcome back. We are back on the record,
2 local 5:21 in the afternoon in the investigation of the Motor Vessel GOLDEN RAY capsizing.

3 We now have some questions regarding – from KMST for the witness. Get to those.

4 **Mr. Reisman:** Can we have one more second in New Orleans to get settled?

5 **CAPT WELBORN:** Yes, sir, please go right ahead.

6 **Mr. Reisman:** Give us one more minutes, thank you very much.

7 **CAPT WELBORN:** Stand by.

8 **Mr. Reisman:** Are you waiting on us?

9 **CAPT WELBORN:** Are you ready Mr. Reisman.

10 **Mr. Reisman:** Oh yeah, I'm sorry, I apologize. Yes we're ready.

11 **CAPT WELBORN:** No that's quite alright. We're actually translating one last question from
12 KMST. So bear with us just a moment or two more.

13 **Mr. Reisman:** Certainly.

14 **CAPT WELBORN:** Okay thank you for your indulgence we have the questions from KMST
15 translated. I will read them based solely upon the translation. So Mr. Choi based on your
16 experience how much time does it take to calculate the stability for a car carrier?

17 **Mr. Hyun Jip Choi:** I'm so sorry I don't have any experience of car carriers so I can't answer
18 about that, sir.

19 **Mr. Reisman:** Captain if I could, I know you're reading the questions, I think one of the issues
20 that is presented itself is Mr. Choi was not expecting to testify regarding operational issues and
21 how long something might take. He's more of a policy person. So I think we're kind of running
22 afoul and that's maybe why he's unable to answer some of these questions.

1 **CAPT WELBORN:** Understood, sir. So if I could deviate and ask a question from me, in his
2 experience as a Chief Mate how long would it take to calculate stability for a car carrier?

3 **Mr. Hyun Jip Choi:** I was Chief Officer for container vessel, so I don't know objectively how
4 long it takes, sir.

5 **CAPT WELBORN:** Understood, thank you. Back to the KMST questions. Please explain the
6 procedure on how to calculate the vessel's stability.

7 **Mr. Hyun Jip Choi:** It is Chief Mate assign deck work, so you mean if Chief Officer – do I
8 have to explain about that?

9 **CAPT WELBORN:** Hold on just one moment, sir. Just stand by for just a moment. Okay, so
10 what I'm thinking is because we have representatives from KMST directly in our chat now,
11 what I would like to do is have one of the KMST representatives ask the question directly of
12 Mr. Choi. We will take a short pause while our translator translates that question into English
13 and then Mr. Choi can answer the question. And again we will have that translated into English.
14 So representative Hyun Gil (sic).

15 **KMST:** Do you hear me?

16 **CAPT WELBORN:** Yes, sir I can. Thank you very much for joining us. I know it's an
17 awkward hour for you. But if you would like to ask your questions directly of the witness we
18 certainly can allow this at this time.

19 **KMST:** So I can ask him by own language, is that okay right?

20 **CAPT WELBORN:** Yes please ask your question in Korean and we will have ENS [REDACTED]
21 translate it.

22 **KMST:** Okay my testimony is that please explain the procedure how to calculate the vessel's
23 stability. It is Korean.

1 **Mr. Hyun Jip Choi:** [Asked question in Korean].

2 **KMST:** So what he talking about is he is only experienced in container vessel so he only
3 knows about calculating stability of container vessel. And yes please explain the calculating of
4 the stability in container vessel, general stability calculating.

5 **CAPT WELBORN:** Yes, sir we understand your first question. Please feel free to move on to
6 your next question.

7 **KMST:** Is it my turn or?

8 **CAPT WELBORN:** Yes, please proceed with your next question.

9 **KMST:** Do you have ISM procedure that instructs the Chief Officer on board.

10 **Mr. Hyun Jip Choi:** I speak in Korean [answers in Korean].

11 **KMST:** So it mean your company doesn't have the procedure for, right.

12 **Mr. Reisman:** Can we have that, everything translated, the answer translated please. I was
13 wanting to know if the translator could do that.

14 **KMST:** Sorry about that. He said that the Chief Officer already has license for Chief Officer
15 so, yes. That was his answer.

16 **ENS [REDACTED]:** He also -----

17 **Mr. Reisman:** Hang on. Captain Welborn, unfortunately when we took a break we had a
18 conversation and Mr. Choi as you can tell he's able to speak some English, he's not all that
19 comfortable with it. He understands some English and he has pointed out, and I've told him
20 that he needs to do it immediately, I think he's reluctant to do it, but there have been a number
21 of questions throughout the session today where he has not felt like the either the question
22 was being translated properly and accurately. So we've told him he's got to stop when that

1 happens going forward. But for example he was not comfortable with that last translation of
2 his response.

3 **CAPT WELBORN:** Understood. So what I would like to do then is, Hyun Gil (sic) please ask
4 your question. You were stating it in English and then asking the question in Korean. Mr. Choi
5 you can answer your question back in English or Korean, you choice and we will have ENS
6 ■■■ translate your answer back. Is that acceptable?

7 **Mr. Reisman:** If you don't agree with the translation, if you understand it differently you need
8 to say something right away, okay.

9 **Mr. Hyun Jip Choi:** I want to say again [in audible].

10 **CAPT WELBORN:** So if, Mr. Choi if you are uncomfortable with the way the question is
11 phrased, with the way your answer is being translated please stop us at that time and we will
12 reassess the question to make sure that we are using the same wording and that the
13 translation is true and accurate.

14 **Mr. Reisman:** He's asked if he can now repeat the answer that he just provided and then we
15 can have a full place for that.

16 **CAPT WELBORN:** So I have forgotten the question. So Hyun Gil (sic) if you would restate
17 the question I would appreciate it.

18 **KMST:** In Korean or by English.

19 **CAPT WELBORN:** Please restate ----

20 **Mr. Reisman:** I think both so everybody is caught up.

21 **KMST:** Alright. The question was do you have ISM procedure that instructs the Chief Officer
22 on board. Which means do you have any manual or on board Chief Officer for about the
23 stability. Do you guys understand my English?

1 **CAPT WELBORN:** Yes I understand the question. So the question that we received from you
2 is what is the ISM procedure that instructs the Chief Officer regarding stability. Is that correct,
3 sir?

4 **KMST:** Yes.

5 **CAPT WELBORN:** Okay please ask your question in Korean now.

6 **Mr. Hyun Jip Choi:** [Answers in Korean].

7 **CAPT WELBORN:** ENS [REDACTED] can you translate that please.

8 **ENS [REDACTED]:** Yes, Captain. So for another port ship officer to have the private or personal
9 license they already have to know how to calculate the stability. So whenever the company,
10 G-Marine employs that ship officer it proves, when they employ those that has the license, it
11 proves that they know how to do the calculations for stability. Also it's for on experience they
12 provide on stability training as well.

13 **KMST:** Okay may I go to next question?

14 **CAPT WELBORN:** Yes please.

15 **KMST:** My question is has your company ever estimated the ship's stability of GOLDEN RAY
16 through the SILVER RAY's load com after the GOLDEN RAY's capsizing. Do you understand
17 my English?

18 **Mr. Reisman:** Can I just say something, he can certainly answer if he can, but these are not
19 SMS topics. This is not something that this witness is prepared for. In fact a lot of the
20 questions today, as I mentioned earlier are really outside the scope of what this witness would
21 have intended to respond to. So I'm happy to let him try and answer the question if he in fact
22 can answer it. I don't know what it will be, but he can answer it. But this is not something that
23 this witness was intended to be testifying about today.

1 **CAPT WELBORN:** Mr. Reisman we appreciate your flexibility, thank you. So if the witness
2 can answer the question. Mr. Hyun Gil (sic) please go ahead and translate your question.
3 **KMST:** In Korean?
4 **CAPT WELBORN:** Yes please.
5 **Mr. Hyun Jip Choi:** No I don't.
6 **CAPT WELBORN:** ENS [REDACTED] can you translate please.
7 **ENS [REDACTED]:** Yes Captain he said I do not know.
8 **CAPT WELBORN:** Understood. Hyun Gil (sic) please proceed with your question.
9 **KMST:** If the ship Officer miscalculate the ship's stability by load com does your company
10 have the procedure to correct or verify his calculation of ship's stability. In Korean.
11 **Mr. Hyun Jip Choi:** [Answers in Korean]. If Chief Officer finds out poor stability the original
12 calculation Ship Officer should report to Captain. And Chief Officer some option, first shifting
13 ballast and second adding more ballast, and third shifting cargo and actually if possible
14 supplement of bunker. And also if the Chief Mate – when Chief Mate calculates stability he
15 can know very easily there is wrong or not. Because the [in audible] of the ship display okay or
16 not okay. So if not okay so the Captain there, the first I mentioned.
17 **KMST:** Okay, thank you. And was the Chief Officer input the numbers, excuse me wrong
18 numbers into load com. Is there any procedure to correct miscalculation of ship's stability? In
19 Korean.
20 **Mr. Hyun Jip Choi:** [Answers in Korean].
21 **ENS [REDACTED]:** Load com is very high tech program, if you put in the wrong number it automatically
22 display error.
23 **CAPT WELBORN:** Hyun Gil (sic) do you have any follow on questions?

1 **KMST:** My last question. Is there ISM procedure in your company conducting casualty
2 investigation to prevent a large or an accident? In Korean.

3 **Mr. Hyun Jip Choi:** Yes we do. And -----

4 **KMST:** Okay. Please explain it more successfully about the investigation.

5 **Mr. Hyun Jip Choi:** I state that we have a procedure and now for the late case our company
6 is still ongoing for investigation. So I thought, I'm not involved in that.

7 **KMST:** Thank you. We're done, thank you.

8 **CAPT WELBORN:** Thank you, sir. Thank you very much. If you would mute your
9 microphone please. Thank you very much. Mr. Choi again thank you for testifying today. I do
10 have a – one quick question before we move on to our PII's. In your statement you testified
11 that there was an internal investigation regarding the GOLDEN RAY. Is that still ongoing?

12 **Mr. Hyun Jip Choi:** Yes still ongoing. We are waiting for fully ongoing with your case, sir.

13 **CAPT WELBORN:** Thank you. So now we will check with our PII's to see if there are any
14 questions from those members. Mr. Gilsenan do you have questions for this witness?

15 **Mr. Gilsenan:** No questions Captain, thank you.

16 **CAPT WELBORN:** Thank you, sir. Mr. Reisman do you have questions for this witness?

17 **Mr. Reisman:** I have just a few, thank you. Mr. Choi there was some discussion earlier about
18 the roles of certain officers within the company. Are you familiar, is there a policy in the G-
19 Marine SMS that deals with the Captain's responsibility as to the stability of the ship?

20 **CAPT WELBORN:** Mr. Choi do you need translation?

21 **Mr. Hyun Jip Choi:** Yes, sir. Can you say -----

1 **Mr. Reisman:** He's saying that he didn't understand the translation, he didn't think it matched
2 up. My question is referring to policy COM-01 section 1.3 which appears on the exhibit as
3 page 81-5.

4 **Mr. Hyun Jip Choi:** Okay, yeah.

5 **Mr. Reisman:** Are you familiar with that policy?

6 **Mr. Hyun Jip Choi:** Yes.

7 **Mr. Reisman:** Does that policy set out the Master's duties with respect to stability of the ship?

8 **Mr. Hyun Jip Choi:** Can I explain.

9 **Mr. Reisman:** Yes, please.

10 **Mr. Hyun Jip Choi:** G-Marine doesn't dictate – doesn't dictate a Master, one Master [in
11 audible] satisfied that ship has stability. Because it is according to – Captain is and the
12 condition of safe ship at the time.

13 **Mr. Reisman:** Is the Captain of the vessel required to review the entire load com stability
14 calculations?

15 **Mr. Hyun Jip Choi:** No. The stability is calculated by using load com and so G-Marine
16 procedure CRM-01, Chief Officer duty we assign that responsibility to Chief Officer.

17 **Mr. Reisman:** So the Chief Officer is required to calculate the stability of the ship, is that what
18 you're saying?

19 **Mr. Hyun Jip Choi:** Yes.

20 **Mr. Reisman:** If the Chief Officer calculates the stability and presents a summary of the
21 stability calculations to the Captain and the Captain relies on that summary, is the Captain in
22 compliance with G-Marine's SMS policy?

23 **Mr. Hyun Jip Choi:** Yes.

1 **Mr. Reisman:** You talked about training earlier, I just want to make sure I understood it. Chief
2 Officer's that work for G-Marine are required to hold a maritime license, correct?

3 **Mr. Hyun Jip Choi:** Correct.

4 **Mr. Reisman:** And what is G-Marine's understanding of what is required to obtain that license
5 with respect to stability?

6 **Mr. Hyun Jip Choi:** Can you say again?

7 **Mr. Reisman:** Sure. I will try to simplify it. You said that Chief Officers are required to hold a
8 license.

9 **Mr. Hyun Jip Choi:** Yes.

10 **Mr. Reisman:** In order to obtain the license is a Chief Officer required to have had training
11 and certification on stability calculations?

12 **Mr. Hyun Jip Choi:** Yes.

13 **Mr. Reisman:** Does G-Marine rely on that training and certification that comes with the
14 licensing for a Chief Officer?

15 **Mr. Hyun Jip Choi:** Yes.

16 **Mr. Reisman:** Are you aware of any complaints by the Chief Officer of the GOLDEN RAY
17 about his lack of knowledge or inability to use load com?

18 **Mr. Hyun Jip Choi:** No.

19 **Mr. Reisman:** Just give me one second if you would Captain.

20 **CAPT WELBORN:** Yes, sir.

21 **Mr. Reisman:** Thank you, that's all we've got. Thank you Captain.

22 **CAPT WELBORN:** Thank your Mr. Reisman. One last time any follow on questions from our
23 SIS's?

1 **NTSB:** None from the NTSB.

2 **CAPT WELBORN:** Hearing none. Any follow on questions from our PII's? Understood. Mr.
3 Choi thank you again for your testimony today. I do appreciate it. I thank you for your
4 patience as we worked through the language issues that we had today. And I do appreciate
5 your understanding as we move through this event. Please know that you will remain under
6 oath and subject to recall until the final – until we conclude these proceedings. So again thank
7 you today.

8 **Mr. Reisman:** Captain as I mentioned earlier with Mr. Mavrinac, Mr. Choi is scheduled to
9 return to Korea I believe tomorrow. Does he have permission to return to Korea? We would
10 make him available if necessary throughout the remainder once he's back if this group would
11 like to question him further, we would certainly make him available remotely from Korea.

12 **CAPT WELBORN:** Understood, sir. Yes that would be fine for him to return.

13 **Mr. Reisman:** Thank you.

14 **CAPT WELBORN:** This is the conclusion of our witnesses for today. And I will pass to my
15 closing statement. Today, we heard from Mr. Michael Mavrinac, Manager of Ocean Carrier
16 Services at Hyundai Glovis. He spoke about the organizational structure of Hyundai Glovis. He
17 also discussed the interaction between Hyundai Glovis, Norton Lilly, Mr. Samy Maatki, the
18 crew of the GOLDEN RAY, and Mr. Steve Farley with respect to planning for the loading and
19 stowage of vehicles on the GOLDEN RAY.

20 We also heard from Mr. Samy Maatki, Port Captain at Norton Lilly. He discussed the loading
21 and stowage process in general and specifically, on the GOLDEN RAY. Mr. Maatki also spoke
22 to the differences in the dimensions of the GOLDEN RAY's decks and how that impacted

1 loading. He referenced CG Exhibits 07 and 08, versions of the pre-stowage plan of the
2 GOLDEN RAY, which reflected the cargo loaded, including weights.

3 In addition, Mr. Hyun Jip Choi, Senior Manager of the Safety Management Team at G-Marine
4 testified. He spoke about the Safety Management System in place on the GOLDEN RAY at the
5 time of incident. Mr. Choi also discussed the role of the Chief Officer and the Captain in
6 calculating stability. We presented CG Exhibit 09, which Mr. Choi confirmed was the Safety
7 Management System on board the GOLDEN RAY at the time of the incident.

8 We initially scheduled the testimony of the GOLDEN RAY's Chief Officer, Mr. Park, for today at
9 6:00 P.M. Unfortunately, last week, Mr. Park's attorney informed us that Mr. Park would not be
10 testifying due to concerns that his testimony being preserved on the record. We will attempt to
11 fill any gaps of information due to the lack of Mr. Park's testimony with other evidence and
12 witnesses. Additionally, before the closing of the hearing next week, we will read excerpts from
13 Mr. Park's previous sworn testimony from our initial interview and a follow on interview from
14 our KMST partners.

15 Should any person have, or believe he or she has information not brought forward but which
16 might be of direct significance, that person is urged to bring that information to my attention by
17 emailing: USCGGoldenRay@gmail.com. The joint effort Formal Investigation between the
18 Republic of the Marshal Islands, the NTSB, KMST, and the U.S. Coast Guard is transitioning
19 to the analysis phase as we continue.

20 We will be convening tomorrow's session a little earlier than usual, at 9:00 A.M. Eastern Time.
21 During tomorrow's session, we will hear from the Captain of the GOLDEN RAY at the time of
22 the incident, Captain Lee; and Mr. Tae Kim, the Superintendent of the Fleet Team at G-Marine.

1 Thank you for listening in on today's session. The time is now 5:57. Hearing Session Day 3 is
2 now adjourned.

3