

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CAPSIZING/SINKING OF THE *GOLDEN*
RAY IN THE BRUNSWICK RIVER,
GEORGIA, ON SEPTEMBER 8, 2019

Accident No.: DCA19FM048

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Interview of: NELSON DESABILLE
Third Officer

Tuesday,
September 10, 2019

APPEARANCES:

DAVID FLAHERTY, Marine Accident Investigator
National Transportation Safety Board

CARRIE BELL, Marine Accident Investigator
National Transportation Safety Board

LEE WILLETT, Investigator
United States Coast Guard

LES LEDET, Investigator
United States Coast Guard

LT [REDACTED]
District 7 Legal
United States Coast Guard

MARC DeJESUS, Investigator
United States Coast Guard

TOM BREMER, Maritime Administrator
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(On behalf of *Golden Ray* and P&I Club)

COLIN McRAE, Attorney
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(On behalf of the slot charterers)

JOHN OSSICK, Attorney
(On behalf of the ship's officers)

STEPHANIE AMIOTTE McDONALD, Attorney
(On behalf of Mr. Desabille)

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(On behalf of Mr. Tennant, the pilot)

JONATHAN TENNANT
Pilot

THRIA LIBERATOS
Interpreter

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I N T E R V I E W

1
2 MR. FLAHERTY: My name is David Flaherty. I'm with the
3 National Transportation Safety Board. This is the interview with
4 the third officer related to the Golden Ray marine casualty.
5 Today is 10 September 2019.

6 Sir, if you could please state your name and then spell your
7 last name?

8 MR. DESABILLE: My name, sir, is Nelson, and my last name is
9 Desabille, Delta-Echo-Sierra-Alpha-Bravo-India-Lima-Lima-Echo.

10 MR. FLAHERTY: Thank you very much, sir. Sir, do I have your
11 permission to record this interview?

12 MR. DESABILLE: Yeah. No problem.

13 MR. FLAHERTY: All right.

14 If you could please introduce yourself.

15 MS. LIBIERATOS: My name is Thria Libieratos, L-i-b-i-e-r-a-
16 t-o-s.

17 MR. FLAHERTY: And you are?

18 MS. LIBIERATOS: I'm the Filipino translator for Mr. Nelson.

19 MR. FLAHERTY: Thank you

20 MS. AMIOTTE McDONALD: And Stephanie Amiotte McDonald, A-m-i-
21 o-t-t-e, McDonald, M-c-D-o-n-a-l-d. Representing Nelson
22 Desabille.

23 MR. WILLETT: Lee Willett, investigator for the Coast Guard,
24 W-i-l-l-e-t-t.

25 MS. BELL: Carrie Bell, investigator for NTSB.

1 LT [REDACTED]: Lieutenant [REDACTED], [REDACTED], U.S. Coast Guard,
2 District 7 Legal.

3 MR. DeJESUS: Marc DeJesus, U.S. Coast Guard, D-e-J-e-s-u-s.

4 MR. McRAE: Colin McRae, representing the slot charter LGL.
5 M-c-R-a-e.

6 MR. BREMER: Tom Bremer, B-r-e-m as in Mary-e-r. Republic of
7 Marshall Islands, maritime administrator.

8 MR. OSSICK: John Ossick, attorney for the officers. Ossick,
9 O-s-s-i-c-k.

10 MR. MOSELEY: Jim Moseley, attorney for the vessel, M-o-s-e-
11 l-e-y.

12 MR. GILSENAN: Ryan Gilsenan, counsel for the Brunswick
13 pilots, G-i-l-s-e-n-a-n.

14 MR. TENNANT: Jonathan Tennant, Brunswick pilot,
15 T-e-n-n-a-n-t.

16 MR. JORDAN: Raymond Jordan, together with Mr. McRae, from
17 Hunter Mclean for the slot charterer. J-o-r-d-a-n.

18 LCDR [REDACTED]: Lieutenant Commander [REDACTED], United
19 States Coast Guard, [REDACTED].

20 MR. LEDET: Les Ledet, U.S. Coast Guard, L-e-d-e-t.

21 (Whereupon, THRIA LIBIERATOS, an interpreter, translated the
22 questions and answers for NELSON DESABILLE as needed.)

23 INTERVIEW OF NELSON DESABILLE

24 BY MR. WILLETT:

25 Q. All right, sir. So we're going to start off with a little

1 bit of your experience. If you could tell us how long have you
2 been sailing?

3 A. I've been sailing, sir, since 2003.

4 Q. 2003?

5 A. Yes, sir.

6 Q. And what types of vessels have you sailed on?

7 A. I sailed car carrier and barge carrier.

8 Q. How many years have you sailed on car carriers?

9 A. I don't sure, sir.

10 INTERPRETER: Can you estimate?

11 MR. DESABILLE: Five ships, sir.

12 BY MR. WILLETT:

13 Q. Five ships?

14 A. Five ships.

15 Q. Okay. Are any of the ships been like the Golden Ray? Did
16 you ever sail on her sister ship?

17 A. No.

18 Q. Do you remember the names of the ships that you've sailed on?

19 A. Run by (indiscernible) from other company, sir.

20 Q. Okay.

21 A. Run by Green Peace, Green Beauty; Global (indiscernible) in
22 this company, and this one.

23 Q. Was your position the third officer on all the ships?

24 A. Yeah, I am third officer there.

25 Q. Okay. So what would your daily job be in port as third

1 officer on a car carrier?

2 A. Assist chief officer, sir.

3 Q. And what kind of things, what you would be doing if you're
4 loading the vehicles?

5 A. Serve as load help in cargo operation and reported in to
6 chief officer.

7 Q. What kind of things would you be looking out for?

8 A. Like if there is a (indiscernible) driving -- with drivers
9 for the cargo, I report it in to chief officer. And what it
10 was -- the lashing, sir.

11 Q. Okay. So sometimes you would lash the vehicles?

12 A. No, sir.

13 Q. You've never lashed the vehicles?

14 A. No, sir.

15 Q. Okay. But you go and look to make sure that they're lashed?

16 A. Yes, sir.

17 Q. So if it's a small car and there's also a bigger truck, do
18 they use different types of lashings?

19 A. Different, sir.

20 Q. How do you know which ones are required for each type of
21 vehicle? Do you have a manual or a --

22 A. We have, sir, we have this manual in cargo area posted
23 required from our company.

24 Q. Okay. Do you do the whole ship or just one or two decks?

25 A. Different area in cargo.

1 Q. So what were the decks that you did in Brunswick?

2 A. Deck 12.

3 Q. Deck 12? So you walk through and make sure all the cars have
4 lashing?

5 A. Yes, sir.

6 Q. How do you keep track of that? Do you have a counter or do
7 you take notes?

8 A. No, just looking for the -- one by one, and then
9 (indiscernible)

10 Q. So do you mark or you just walk down, back and forth?

11 A. Just walking there.

12 Q. Some of the cars are really tight. How do you get between
13 and make sure that they're lashed?

14 A. No, actually, sir, it is not tight in the -- from forward and
15 (indiscernible), sir, we can pass, still can pass.

16 Q. Okay. So they're all lined up, you can still walk in between
17 them, that way?

18 A. Yes, sir. If there is -- if this is the car, sir?

19 Q. Um-hum.

20 A. And this is the car.

21 Q. Right.

22 A. There is a distance this one.

23 Q. Okay. What about --

24 A. On -- for this one, this other side, cannot pass by it.

25 Q. Yeah. You cannot?

1 A. You cannot.

2 Q. So how do you verified they're lashed in between side by
3 side? You can see from front and back?

4 A. For example, this is the car, sir. This is a car. We pass
5 on this way and --

6 MR. FLAHERTY: Where are the lashings connected to?

7 BY MR. WILLET:

8 Q. Is it in the back and the front?

9 A. Back and front.

10 Q. Okay.

11 MR. FLAHERTY: Yeah. For cars, that's standard.

12 MR. WILLETT: Gotcha.

13 BY MR. WILLETT:

14 Q. So you did that on deck 12. Did you notice anything weird or
15 -- not weird. Did you notice that every car was lashed?

16 A. Yes, sir. Everything is lashed.

17 Q. Were they -- the cars bigger than normal? Like trucks or --

18 A. No, sir. It is only SUV.

19 Q. SUVs?

20 A. Yes, sir.

21 Q. Were they big SUVs or small SUVs?

22 A. Just the normal SUV, sir.

23 Q. Small or big?

24 A. Not (indiscernible) but --

25 MR. FLAHERTY: What make and model were they? Hondas?

1 MR. DESABILLE: Kia, sir.

2 MR. FLAHERTY: Kia? All right. Do you know what kind of Kia
3 or is there a different --

4 MR. DESABILLE: I'm not sure.

5 BY MR. WILLETT:

6 Q. Now deck 12 -- how many decks above were -- is deck 12 the
7 highest or were there multiple --

8 A. No, there is a another one. Deck 13, sir.

9 Q. Deck 13?

10 A. Yes, sir.

11 Q. So did you normally put -- do you all normally put smaller
12 cars up top or do you sometimes put SUVs on 13, SUVs on 12?

13 A. Depends upon -- I am only following chief officer's plan. I
14 do not --

15 Q. Okay. So you don't get -- you just go look and see that
16 they're all lashed?

17 A. What I trying to do, only checking the lashing.

18 Q. Okay.

19 A. But the plan, it is not my responsibility for the plan.

20 Q. Okay. I gotcha. Okay. I understand.

21 So what do you normally -- when you're underway at sea, what
22 is your normal job?

23 A. Officer in charge of navigational watch, sir.

24 Q. Okay. So you will stand a watch, a 4-hour or 6-hour watch, 4
25 hours or 6 hours at sea?

1 A. No, normally 4 hours, sir.

2 Q. Okay, 4 hours. Now on the transit outbound were you asleep
3 or --

4 A. I am awake, sir. In my cabin.

5 Q. Awake? So where were you on they way out? Where were you on
6 the boat?

7 A. I am in my cabin, sir.

8 Q. Okay. But you're awake?

9 A. I am awake, sir.

10 Q. Okay. So when did you notice something was wrong?

11 A. When the ship is going like that, suddenly like tilting to
12 port side.

13 Q. So that's the first time you noticed it --

14 A. Yes.

15 Q. -- it was the list?

16 A. Yes, sir.

17 Q. You heard no alarms?

18 A. No alarm, sir.

19 Q. No smoke?

20 A. No smoke.

21 Q. No bangs? Did you hear any bang sound or booms or vibration
22 or --

23 A. No vibration, sir.

24 Q. Nothing. Okay.

25 MR. LEDET: Les Ledet, U.S. Coast Guard.

1 BY MR. LEDET:

2 Q. When you walked through the vehicles, when you passed by and
3 you're looking at the lashings -- right?

4 A. Yes.

5 Q. If you see something that doesn't look proper, do you report
6 that?

7 A. Yes, sir. Normally that is the normal procedure on ship.
8 Normally report to chief officer, and then the chief officer will
9 confirm that to the foreman, and the foreman will confirm this to
10 his men.

11 Q. Okay.

12 A. That is the normal procedure, sir.

13 MR. LEDET: Right now that's all I have. Thank you.

14 MR. DESABILLE: Yes, sir.

15 BY MS. BELL:

16 Q. What is your watch schedule?

17 A. I am -- my (indiscernible) navigational watch, man, is from 8
18 to 12.

19 Q. And what about when you're in port -- when you were in port
20 that night, what was your schedule?

21 A. The same, ma'am, 8 to 12.

22 Q. And -- but you said you were doing some checking -- you were
23 checking the lashings or -- right, that night?

24 A. Yes, ma'am.

25 Q. So --

1 MR. FLAHERTY: So from 8 to 12, instead of being on the
2 bride, you're in the cargo deck?

3 BY MS. BELL:

4 Q. You were in the cargo deck between 8 and 12?

5 A. Yeah, normally if we are in port, ma'am, my duty is in cargo
6 deck.

7 Q. Okay. So --

8 A. During operation.

9 Q. So you were in your cabin when you departed. And can you
10 tell us where your cabin is located?

11 A. My cabin, ma'am, is in the middle of the ship, starboard
12 side.

13 Q. And what -- is it low? Is it -- where is it located? What
14 deck?

15 UNIDENTIFIED SPEAKER: At the very top.

16 MR. DESABILLE: (Indiscernible)

17 MR. FLAHERTY: That's above deck.

18 MR. DESABILLE: Above the 13 deck.

19 MS. BELL: Okay. Right now I don't have anything else.

20 Thank you.

21 BY MR. FLAHERTY:

22 Q. Hi. During your last underway watch, was that prior to the
23 vessel -- and prior to the vessel entering the Port of Brunswick,
24 did you notice any problems or issues with the steering gear
25 system?

1 A. No, sir.

2 Q. Did you have any -- did you notice any issues with the
3 vessel's stability?

4 A. No, sir.

5 Q. The communication systems, any problems with the
6 communication systems on the ship?

7 A. No, sir.

8 Q. When you're loading the cargo, were there any discrepancies
9 with the lashing of the cargo discovered in your area?

10 A. No, sir.

11 Q. All right. Were the loading of the cargo, was there a --
12 what time did you have to finish the cargo by? Was there a -- for
13 it to get underway? When did the cargo have to be done by; do you
14 know?

15 What time were they looking to have the cargo done, completed
16 by so they could get underway?

17 MS. AMIOTTE McDONALD: If there was a set time.

18 MR. DESABILLE: (Through interpreter) They're only asking the
19 foreman when are they going to finish or how long is it going to
20 take.

21 BY MR. FLAHERTY:

22 Q. Was there a specific time that cargo ops had to be completed
23 by that evening?

24 A. (Through interpreter) The foreman will answer a specific
25 time. And then the foreman will tell them, then they will tell

1 the --

2 Q. All right. Was the ship, to your knowledge, restricted on
3 entering or departing the Port of Brunswick due to the tide? So
4 did the tide have to be at a certain level for the ship to depart
5 safely?

6 A. (In English) I am not sure. I am not sure, sir.

7 Q. So your next watch -- you had the 8 to 12?

8 A. Eight to 12, sir.

9 Q. All right. So you were doing cargo ops during that time
10 period prior to the vessel departing?

11 A. Yes, sir.

12 Q. Was there -- was the cargo, to your knowledge, in your area
13 proceeding as it should have been? Was it delayed? Were people
14 -- you know, what was the environment in the sense were people
15 rushing to get it done or everything was proceeding as normal?

16 A. Sorry, sir. No, it was -- actually we --

17 INTERPRETER: No, they're not hurrying.

18 MR. DESABILLE: We finish as early as what time they say.

19 BY MR. FLAHERTY:

20 Q. What time did they finish cargo ops?

21 A. Was the state time when complete (indiscernible) at 2330.

22 Q. Okay. So -- yeah, 2330, all -- everything was secured,
23 lashed down?

24 A. Yeah.

25 Q. Okay. So the cargo ops was officially completed?

1 A. That's the foreman state to me, at 2330, that is the
2 (indiscernible) time they were completed. But the (indiscernible)
3 early for the (indiscernible)

4 Q. And you're doing checks of the vehicles as they are being
5 parked and secured.

6 A. Yes, sir.

7 Q. Do you -- after the foreman said all cargo ops is completed,
8 do you do another round?

9 A. Yes, sir.

10 Q. Was no discrepancies --

11 A. No discrepancies, sir.

12 Q. Let's see. When -- and prior to the vessel -- when you were
13 in your cabin, were you in your bed, were you sitting at a desk?
14 Where were you at the time?

15 A. I am just completing my --

16 Q. Brushing your teeth?

17 INTERPRETER: He's preparing for sleep.

18 BY MR. FLAHERTY:

19 Q. Okay. So when it heeled over, was it fast or you could --
20 suddenly felt unbalanced and then it slowly went over? How would
21 you describe it?

22 A. Just only (indiscernible), sir. And then it was like that,
23 very fast.

24 Q. After the vessel heeled over, could you take us through what
25 you did up until the point you were rescued?

1 A. (Through interpreter) So when the things inside is cabin
2 started moving, he immediately went to the door. It was a little
3 hard to open the door because everything is on top of the door.

4 Q. So the door opened to the port? Or it opened into your
5 cabin?

6 A. (In English) Yes.

7 Q. Okay.

8 A. (Through interpreter) So when he exited his cabin, there's no
9 electricity, he's just like holding where to go. And then he
10 heard the other crewmen, and then he went with them.

11 Q. Okay. And how are you rescued? By helicopter or by the
12 boat?

13 A. (In English) By the rescue boat, sir.

14 MR. FLAHERTY: Okay. All right.

15 MR. WILLETT: Did you get your life jacket out of your sick
16 room or --

17 MR. DESABILLE: There is not time to take my life jacket,
18 sir.

19 MR. WILLETT: Okay.

20 BY MR. FLAHERTY:

21 Q. Did the emergency lighting come on? Like the battery
22 operated emergency lights you would have?

23 A. You mean the emergency light, sir?

24 Q. Yeah. Did they come on?

25 A. It is coming, sir, but just a little bit time. Then after,

1 it will black out again. After the ship turns, the light is out,
2 you know, a little bit the emergency light (indiscernible)
3 activated. And then it is black out again.

4 MR. WILLETT: So the lights went -- it was completely dark?

5 MR. DESABILLE: Yes, sir.

6 UNIDENTIFIED SPEAKER: Are they supposed to do that?

7 MR. FLAHERTY: Yeah. All right. That's all the questions I
8 have. Thank you.

9 MR. DESABILLE: Yes, sir.

10 BY MR. McRAE:

11 Q. Hello. My name is Colin McCrae. I represent the slot
12 charterer of the vessel. How many decks of the vessel were loaded
13 with cars in Brunswick?

14 A. Brunswick is -- in my watch only, sir, it is deck 12, 11 and
15 deck 5.

16 Q. So 5, 11 and 12. And you were only responsible for
17 inspecting the lashings on 12?

18 A. Yes, sir.

19 Q. Do you know who was responsible for checking the lashings on
20 decks 11 and 5?

21 A. After, sir, I am the duty officer together with my other
22 (indiscernible) together, the two ordinary seaman and one bosun.
23 Then every time we check that one, we will report to the chief
24 officer, because chief officer is the overall in charge for the
25 cargo operation.

1 Q. Okay. Does the chief officer separate out the decks between
2 yourself, the ordinary seaman and the bosun? Like assign you a
3 deck each?

4 A. Yeah, I assign, sir.

5 Q. You assign?

6 A. But on that time, sir, the operation is only one time, on
7 this -- example, the gang is operated in deck 12, and it will
8 completed and they will start on deck 11, and then deck on
9 (indiscernible) and then deck 5, like that.

10 Q. All right. So do you recall the sequence? Was 12 the last
11 deck to be loaded?

12 A. No, on that time we loaded also in deck 5 because we are
13 divided in two gangs, a little bit also in deck 5. So that's why
14 other (indiscernible) so we go ahead on deck 5 for other ones.

15 Q. So did you check any of the cargo in the other decks other
16 than 12?

17 A. Yes, sir, after. Because two OS and one bosun, I assigned.
18 And I going up, going down, going up, going down.

19 Q. Okay. Is that you personally or your entire crew was doing
20 that?

21 A. Also (indiscernible), sir.

22 Q. Okay. All right. Tell me about how you inspect the
23 lashings. Is it visual only or do you check it by hand to make
24 sure it's tight?

25 A. Visually. Visually and -- not hand, but sometimes my feet

1 (indiscernible).

2 Q. Do you check with your foot each lashing on each car?

3 A. Yes, sir. Because we passing on the -- every car on the
4 ship.

5 Q. And is there a -- is it like a nylon netting or is it chains
6 or what kind of lashing?

7 A. I don't sure of that, what that --

8 MR. FLAHERTY: Was it cloth or metal?

9 MR. DESABILLE: Like a cloth, sir.

10 UNIDENTIFIED SPEAKER: Nylon?

11 MR. FLAHERTY: Nylon.

12 McRAE: Nylon? Yeah.

13 BY MR. McRAE:

14 Q. In addition to checking the lashings, were you responsible
15 for checking anything about the distribution of the cars within
16 the deck?

17 A. No, sir. Because they follow us what is the plan. And that
18 is my responsibility. It is chief officer.

19 Q. Chief officer's responsibility?

20 A. Yes, sir.

21 Q. All right. How long does an inspection of the lashings
22 typically take for one deck? How many minutes would it take to
23 check an entire deck of cars?

24 A. No, actually, sir, if the stevedores riding, they loading
25 like that, and then there is also -- once they completed loading,

1 there is also the stevedores lashing line. We call that lashing
2 line. And then once they finish, we check, then after lashing.
3 So we will check. So they finish lashing --

4 (Interpreter clarifies question)

5 I'm not sure the exactly, what -- how many times.

6 Q. You're doing it as they're going along? Like as they're
7 loading cars and lashing, you're checking as you go along?

8 A. No, sir. We are doing --

9 (Through interpreter) After he completes the one -- the
10 foreman, after he completes one row, then he will double check
11 behind him, behind the foreman.

12 MR. McRAE: Okay. That's all I have. Thank you.

13 MR. DESABILLE: Thank you, sir.

14 MR. BREMER: Tom Bremer with the Marshall Islands.

15 BY MR. BREMER:

16 Q. On board the ship you're the safety officer; is that correct,
17 so you handle all the lifesaving equipment, like the life boats?
18 Is that part of your normal duties?

19 A. Actually, sir, in our company I am not in charge of the
20 safety on ship. It is (indiscernible) I am --

21 Q. Okay. So who --

22 A. Chief officer, sir.

23 Q. Okay. So the chief officer does the --

24 A. I am only assisting chief officer.

25 Q. Okay. But so, for instance, the EPIRB.

1 A. Yes, sir.

2 Q. Do you do the tests of the -- or the inspection of the EPIRB
3 periodically or is that --

4 A. The EPIRB, sir, that's other officer.

5 Q. Second officer?

6 A. Yes, sir.

7 Q. Okay.

8 A. That's (indiscernible).

9 UNIDENTIFIED SPEAKER: No questions.

10 MR. WILLETT: I have one additional thing. And now -- oh --

11 BY MR. WILLETT:

12 Q. If you guys are in a hurry and you have to get off the dock
13 quickly, have you ever been on board when you lashed on the way
14 out? Like if the vessel loaded up and you had to get off the dock
15 at a certain time, the vessel moves out while you're still putting
16 straps on or lashing onto the cars?

17 A. Actually, it will not happen, sir.

18 Q. You've never seen that happen?

19 A. No, sir.

20 MR. WILLETT: Okay. All right. If nobody has --

21 UNIDENTIFIED SPEAKER: Approximately 25 minutes.

22 MR. WILLETT: Twenty-five minutes?

23 UNIDENTIFIED SPEAKER: 4 o'clock.

24 MR. WILLETT: 4 o'clock, yeah. All right. It is 4 o'clock.

25 We've concluded this interview. Thank you.

1 MR. FLAHERTY: Thank you.

2 MR. DESABILLE: Thank you.

3 (Whereupon, at 4:00 p.m., the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: CAPSIZING/SINKING OF THE *GOLDEN*
 RAY IN THE BRUNSWICK RIVER,
 GEORGIA, ON SEPTEMBER 8, 2019
 Interview of Nelson Desabille

ACCIDENT NO.: DCA19FM048

PLACE:

DATE: September 10, 2019

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



Kay Maurer
Transcriber