

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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SHIPBOARD FIRE ABOARD THE *HOËGH*  
*XIAMEN* IN JACKSONVILLE, FLORIDA,  
ON JUNE 4, 2020

Accident No.: DCA20FM020

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Interview of: MIKE LOEUIS, Port Captain  
Grimaldi Deep Sea

Jacksonville, Florida

Friday,  
June 12, 2020

## APPEARANCES:

LTJG [REDACTED] [REDACTED] Investigator  
U.S. Coast Guard, Sector Jacksonville

[REDACTED] [REDACTED] Investigator  
U.S. Coast Guard, Sector Jacksonville

MARCEL L. MUISE, Marine Accident Investigator  
National Transportation Safety Board

JOSEPH PANAGIOTOU, Fire and Explosion Investigator  
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JIM MOSELY JR., Attorney  
(On behalf of the *Hoëgh Xiamen*)

TODD BAIAD, Attorney  
(On behalf of SSA Atlantic)

ERIC THIEL, Attorney  
(On behalf of Grimaldi Deep Sea)

MARK THOMPSON, Attorney  
(On behalf of the *Hoëgh Xiamen*)

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I N T E R V I E W

(10:00 a.m.)

1  
2  
3 LTJG [REDACTED] Good morning, everyone. It's about 10:00 in  
4 the morning on June 12, 2020. Here we are -- we have the Coast  
5 Guard and the witness, which is the Port Captain for Grimaldi Deep  
6 Sea. We'll start this out by how we've been doing it. We'll go  
7 around the table here and introduce ourselves by name, and then  
8 we'll go to the phone and introduce the NTSB, and then the other  
9 solicitors and lawyers on the line.

10 So again, my name is LTJG [REDACTED] [REDACTED] for the Coast Guard.  
11 I'm the lead investigator for this incident.

12 MR. [REDACTED] Good morning. This is [REDACTED] [REDACTED] civilian  
13 investigator from the Coast Guard.

14 MR. LOEUIS: Mike Loeuis. Grimaldi Deep Sea.

15 LTJG [REDACTED] And --

16 MR. LOEUIS: Port Captain.

17 LTJG [REDACTED] And Mr. Loeuis, could you just spell your name  
18 for everyone?

19 MR. LOEUIS: L-o-e-u-i-s.

20 MR. THIEL: All right. Eric Thiel. I'm an attorney for  
21 Grimaldi Deep Sea.

22 MR. MOSELY: Jim Mosely Jr. for Hoëgh and vessel line (ph.).

23 LTJG [REDACTED] If the NTSB could please introduce themselves.

24 MR. MUISE: This is Marcel Muise with the Office of Marine  
25 Safety, NTSB.

1 MR. STANCIL: Paul Stancil. Hazardous Materials Accident  
2 Investigator, NTSB.

3 MR. PANAGIOTOU: Joseph Panagiotou.

4 LTJG [REDACTED] And then who else --

5 MR. BAIAD: And then -- this is Todd Baiad, counsel for SSA  
6 Atlantic, and I have one of our summer law clerks, Julia Weaver,  
7 just sitting in on this.

8 LTJG [REDACTED] Great. And then is the gentleman from London  
9 on?

10 MR. THOMPSON: Yeah, good morning. Mark Thompson, HFW. We  
11 are the London solicitors for vessel interests.

12 LTJG [REDACTED] Great. And is there anyone that I missed?  
13 All right. And with that, we will get started.

14 INTERVIEW OF MIKE LOEUIS

15 BY LTJG [REDACTED]

16 Q. So, Mr. Loeuis, first, thanks for coming in today. And to be  
17 clear, the Coast Guard's primary goal with this is just to  
18 identify the root causes so we can prevent accidents like this  
19 from happening again. Obviously, nine firefighters got hurt, and  
20 you know, a lot of people --

21 A. Understood.

22 Q. Yep. And we just want to make sure that doesn't happen  
23 again. So just briefly -- could you just state your title and  
24 roles and responsibilities with Grimaldi?

25 A. Okay. So, like I said, my name is Mike Loeuis. I work with

1 Grimaldi Deep Sea as the Operations Manager. Pretty much, my  
2 primary function is to oversee vessel operations and to work with  
3 terminals for receiving cargo that we eventually load on our  
4 vessels.

5 Q. Okay. And you worked with the *Hoëgh Xiamen* both days it was  
6 in port? June 3 and 4?

7 A. Yes, sir.

8 Q. Okay. Great. Can you tell me a little bit about how things  
9 went, specifically on June 4?

10 A. We started out -- June 4. That was a Thursday? Sorry.

11 Q. That was the Thursday.

12 A. We started cargo at 0800 to finish off loading the remaining  
13 balance. Overall, the operation was going smooth. We had gangs  
14 working on multiple decks. We were topping off -- our gangs were  
15 split into three groups. High-heavy teams, which were loading  
16 RORO forklift units in Holds 3 and 5. We had our tow teams  
17 loading non-running Lagos cars into Forward Part Deck 8. And then  
18 the non-running team finished off loading non-running, port of  
19 discharge, Cotonou cargo into Deck 7. Our running operation was  
20 top -- loading into Deck 10 and -- the Lagos cargo and finishing  
21 up in Deck 7 with port of discharge, Cotonou.

22 Q. Okay. Great. And during that time, where were you? Were  
23 you on the ship watching this? Were you on shore? Or where were  
24 you during --

25 A. I normally bounce around between the different decks while

1 they're loading. I am out in the terminal looking, making sure  
2 stevedores are doing their job. So I bounce around throughout the  
3 entire operation between the terminal and the different decks on  
4 the vessel.

5 Q. And how did you feel the operation went that day?

6 A. Honestly, I thought it went well for -- we finished on  
7 schedule. All cargo -- well, we loaded 1,575 units.

8 Q. And when you say on time, what time was that approximately  
9 that we were done?

10 A. We finished at 15 -- I'm sorry, 1445.

11 Q. Great. And then -- so, you're going around and -- what --  
12 who are you primarily watching? You're overseeing the stevedores,  
13 but are you also interacting with the crew during these  
14 evolutions?

15 A. I had a very minimal interaction with the crew at all.

16 Q. Okay.

17 A. I normally interact with the stevedores. During the  
18 operation, if the crew requests something, I accommodate their  
19 request, but nothing was asked, or they didn't raise any issues.

20 Q. Okay. Great. So, as far as the instructions for how far to  
21 space cargo apart on a vessel, where does that come from?

22 A. That comes from Grimaldi corporate. The stowage distance  
23 requirements. That's from our corporate office.

24 Q. And does that change vessel to vessel? Or is that pretty  
25 standard?

1 A. No. It's pretty standard.

2 Q. Okay. And is that in the form of like a document? Or is  
3 that a verbal policy? Or how is that transmitted?

4 A. I don't know, but --

5 Q. Okay.

6 A. I'm sure we have it as a document.

7 Q. Okay. Great. And then could you describe to me the spacing  
8 between the cars for this particular vessel on this particular  
9 day?

10 A. Normally, we require about 15 inches between bumpers, and we  
11 go about fists-wide between side to side.

12 Q. Okay. And so Grimaldi is obviously the one who's at that  
13 point responsible for the cargo. Correct?

14 A. Yes.

15 Q. Okay. So do you do any kind of inspections while they're  
16 loading the cargo to ensure lashing and condition of cargo?

17 A. Our terminal operator receives cargo.

18 Q. Okay.

19 A. And we expect that they follow our guidelines on policy  
20 receiving. During the operation, I'm mainly looking at stowage,  
21 lashing, and if something jumps out.

22 Q. Okay. What kinds of things would jump out to you?

23 A. Leaking fluid. Issues if something looks like it doesn't  
24 look safe --

25 Q. Okay.



1 A. -- to load. Those.

2 Q. Did you see any cars leaking fluid on either day?

3 A. No.

4 Q. Okay. Were there any cars taken off that you know of due to  
5 quality issues?

6 A. No.

7 Q. Okay. So you talked about the policy that Grimaldi transmits  
8 to Horizon. Could you describe that -- what does that policy  
9 entail?

10 A. Essentially, as we don't have a presence of -- at any of the  
11 terminals, our contracted terminal operator should be receiving  
12 the cargo based on our specifications. So normally there's three  
13 criteria. We receive cars as runner, non-runner, and forklift.

14 Q. Okay. And does that policy describe the conditions of the  
15 cars within that? Like how a runner is supposed to be? How a not  
16 -- how a tow is supposed to be?

17 A. In principle, yes.

18 Q. So it would describe like -- would it describe like the  
19 amount of gas in the tank? Things like that?

20 A. We do have -- on runner, it would say one-eighth tank.

21 Q. Okay. Does it also specify conditions for like, we want the  
22 batteries disconnected once onboard? Or is that the stevedores?

23 A. That's stevedores.

24 Q. Okay. So, but ultimately -- so you have the two pieces here.  
25 Right? You have the specifications you send to Horizon and then

1 you have what the stevedores do, but Grimaldi oversees to ensure  
2 that the cargo's in a satisfactory condition. Correct?

3 A. Yes.

4 Q. Okay. You said you were in the cargo holds during both days?

5 A. Yes.

6 Q. Could you describe to me the amount of ventilation that was  
7 occurring? Like was there a lot of air movement?

8 A. I don't honestly know.

9 Q. Okay. And prior to being a port captain, did you work on  
10 vessels?

11 A. I worked on vessels from 2004 to 2006.

12 Q. Okay. What types of vessels were those?

13 A. I worked on a product tanker for OSG.

14 Q. Okay.

15 A. And then I worked on the semi-submersible drill rigs with  
16 Global Santa Fe.

17 Q. Awesome. And were you a third mate?

18 A. Third mate. Yep.

19 Q. Great. So you didn't notice anything about the ventilation?  
20 Like you didn't -- like it was too hot or not enough? Or it was  
21 too much or anything like that?

22 A. No.

23 Q. And all the lashings to your knowledge were done  
24 satisfactorily?

25 A. Yes.

1 Q. Perfect. As far as doing like a check of each deck before  
2 you get off, did you do that, that day?

3 A. Yes. I was on the upper decks after the operation.

4 Q. Okay.

5 A. So I went as high as Deck 9. Couldn't go any higher because  
6 the crew had already closed the door --

7 Q. Right.

8 A. -- to the upper decks. I was in Deck 8 at around 1447, 1448,  
9 in that ballpark, just to do a space estimation where I estimated  
10 for next port how much space we could load on that deck.

11 Q. Right.

12 A. And I walked down into 7 and then out through the stern ramp  
13 off the vessel.

14 Q. Great. And on Deck 8, what was the estimation? Do you  
15 recall what --

16 A. Yeah --

17 Q. -- the estimation was?

18 A. Including the gate flat and the ramp that leads onto Deck 7,  
19 I estimated space for about 60 more units.

20 Q. Okay. Great. And when you do that walkaround, do you walk  
21 between the cars? Do you do an outside loop? Can you just kind  
22 of describe to me that procedure?

23 A. Normally I just do a fore-aft walk. I'm not walking through  
24 every individual lane. And I'll just go through -- as I go by  
25 each row, looking down the lanes.

1 Q. Okay. Great. On Deck 8 or 7 that day, did you smell any  
2 gasoline or any fumes or anything like that?

3 A. No.

4 LTJG [REDACTED] Okay. [REDACTED]

5 BY MR. [REDACTED]

6 Q. So just a little bit of history on you. You said that you  
7 worked as a third mate 2004, 2006. And then, from there, did you  
8 go right into your current position?

9 A. No. From there I had -- my first shoreside job was with a  
10 company called Sims Metal, where I worked in the operations  
11 department as a superintendent, loading bulk ships with steel and  
12 barge dispatch coordinating and --

13 Q. Okay. And then how long have you been in your current  
14 position?

15 A. Since 2007 -- July 2007, been with the company.

16 Q. Okay. And have you always been a port captain?

17 A. I've always worked in the operations side since I've been  
18 with the company, 2007.

19 Q. Okay. And just a guesstimate, how many vessels, the  
20 RORO-type vessels, have you overseen the loading with? Just  
21 trying to get experience.

22 A. Conrail? Or car-carrier-specific?

23 Q. Just car-carrier-specific.

24 A. I guess an average year, probably say at least one a month.

25 Q. Okay. Since 2007?

1 A. Our vessels fluctuate between Conrail and PCTC, but --

2 Q. Okay. So, I mean, quite a few over --

3 A. Yes.

4 Q. Definitely over 10 years' experience of doing this then.

5 Okay. Now, when you started into this position of overseeing the  
6 loading operations and stuff, were you given any kind of formal  
7 training or was it more on-the-job-type training?

8 A. It was on-the-job training following my manager at that time.

9 Q. And saying that, were you ever provided policy letters or  
10 things like that from the company of how they want to do the --  
11 like load -- like was there -- is there a company policy for  
12 loading that you have access to in case you have questions that  
13 you can go back and fall into? Or do you just call somebody?

14 A. I can have both options.

15 Q. Okay. And if you were to call somebody, who would that be?

16 A. I would call our quality control department in Naples or have  
17 them send me an email.

18 MR. BAIAD: Hello? I think we lost -- are you guys there?

19 MR. MUISE: Yeah, we're hearing --

20 MR. BAIAD: Okay. Yeah, I can't --

21 MR. [REDACTED] Can you guys hear us?

22 MR. MUISE: Yeah. [REDACTED] are you there? We lost you --

23 LTJG [REDACTED] Yeah, can you hear us?

24 MR. MUISE: Yeah, we hear now.

25 MR. BAIAD: We can hear you now.

1 LTJG [REDACTED] Okay.

2 MR. [REDACTED] Are they ready?

3 LTJG [REDACTED] Hey, Mr. Muise, if you're ready, the Coast  
4 Guard's done with their questions --

5 MR. [REDACTED] Well, no, no. I meant, are they ready -- can  
6 they hear -- ready to continue?

7 LTJG [REDACTED] Or can you hear us now for continuing  
8 purposes?

9 MR. MUISE: We can. Thank you.

10 MR. BAIAD: Yeah.

11 LTJG [REDACTED] Okay. Great.

12 MR. [REDACTED] Okay. All right. So just kind of clarify -- I  
13 don't know if we did lose you guys. We were just talking about  
14 the experience. So did you guys get everything thus far for NTSB?

15 MR. MUISE: We're good. Thank you.

16 MR. [REDACTED] Okay. All right. Sorry about that. I'm going  
17 to get back on my train of thought here.

18 BY MR. [REDACTED]

19 Q. So, in this particular loading of the *Hoëgh Xiamen*, your  
20 interaction with the crew you said was minimal. Is that normal to  
21 have minimal interaction with the crew, or --

22 A. Typically on charter vessels, yes.

23 Q. Okay. All right. Is there any exchange of information  
24 between you and the crews?

25 A. Normally I will send them a pre-arrival message that entails

1 the tenets of load list pre-stow plan. After the operation, I'll  
2 send them a traveler plan indicating what decks we loaded and a  
3 VIN list of the cargo that physically loaded.

4 Q. Okay. So we understand that you were bouncing between the  
5 decks, talking with the folks. Now who exactly -- when you went  
6 between there, who did you speak with? Do you recall?

7 A. Normally I talk to the SSA superintendents on each deck.

8 Q. Okay. And what are the gist of those conversations -- what  
9 do they consist of? Like --

10 A. Make sure they follow stowage. If there's something that I  
11 don't like, to adjust. If they're doing a good job, keep going.

12 Q. Okay.

13 A. If I need to make an adjustment to the plan, this is --  
14 giving them new instructions, so for stowage.

15 Q. And in your opinion, how was the stowage going on those two  
16 days for the *Hoëgh Xiamen*?

17 A. In the beginning, I did have to correct them once to tighten  
18 up on the stow. It was their first ship, so learning curve. But  
19 once we spoke, they followed the stowage requirements after that.

20 Q. Okay. Have you worked with these longshoremen before?

21 A. I've worked --

22 Q. I'm sorry. These stevedores before.

23 A. We had two ships that they worked for us last year. 2019.  
24 Beginning of the year.

25 Q. Okay. And overall, once you kind of gave them the direction,

1 that was -- they seemed to be doing it per --

2 A. Yes, sir.

3 Q. Okay. All right. And do you have an idea -- you said that  
4 the final load was around 1445. Then after -- so, when you say  
5 1445, meaning that's when the last car came on and was lashed?

6 A. That's when everyone was off the ship.

7 Q. Okay. But then, after that, you walk through --

8 A. So --

9 Q. -- and do the final walkthrough?

10 A. After that, yes. I went upstairs, as high as Deck 9. Came  
11 down to Deck 8 to estimate space.

12 Q. Right. Got that. You said around --

13 A. Went to 7 --

14 Q. 1447 --

15 A. Yep --

16 Q. -- 48.

17 A. Then --

18 Q. So what time did you depart the vessel?

19 A. I came off the ship around 10 to 3:00. I met with the  
20 stevedore -- lead stevedore. We drove the terminal yard to verify  
21 that all cargo was onboard. We drove back to the vessel, and at  
22 1500, I spoke to the female crew member to tell her cargo  
23 completion, 1500. Pilot sailing, 1700.

24 Q. Okay. All right. In your experience, have you ever dealt  
25 with a vehicle that has had a leak or --



1 A. Yes.

2 Q. Okay. And what's the normal procedure for that?

3 A. Normally, we remove the vessel from the -- the unit from the  
4 vessel, and the crew will clean up the oil mess.

5 Q. Okay. And how does the crew clean up the --

6 A. Usually, they use Speedy-Dry --

7 Q. Okay.

8 A. -- of some sort.

9 Q. All right. Meaning like some type of sorbent to --

10 A. Yes.

11 Q. -- absorb up the -- like a sawdust --

12 A. Yes.

13 Q. -- or a kitty litter or something like that. Okay. And  
14 again, just to confirm, on these two days of loading, there was no  
15 leaks --

16 A. I did not notice any.

17 Q. Do you remember the weather conditions on those two days?

18 A. Rainy.

19 Q. Okay. Rain both days?

20 A. Definitely second day, rain. First day, I think there  
21 might've been some passing showers, but I don't know.

22 Q. Okay. And do the weather conditions ever bring any extra  
23 hazards for this job? Or does it bring more difficulty?

24 A. Wet weather, I mean, it might make the decks a little bit  
25 more slippery.

1 Q. Okay. So does that slow down the operation at all?

2 A. It can.

3 Q. This day though, did it slow down the operation? On the 4th?

4 A. I don't recall.

5 Q. And how do you do -- how do you communicate with the folks  
6 onboard the vessel?

7 A. I --

8 Q. I'm sorry. Not like -- the stevedores. So is it just  
9 verbal?

10 A. Yeah, verbal.

11 Q. Okay. Do you have a radio that you --

12 A. Usually, I use phone. Or I talk to them in person, face to  
13 face.

14 Q. Okay. You don't have a walkie-talkie or anything?

15 A. They did not provide one.

16 MR. [REDACTED] So -- okay. Did you have something?

17 LTJG [REDACTED] Yeah.

18 BY LTJG [REDACTED]

19 Q. So getting back to the condition of the cargo. When you see  
20 a leaking -- like let's say -- I mean, you've been doing this  
21 obviously a while. When you see a car vehicle that is leaking,  
22 that -- do you consider that to be substandard? Or that's -- or  
23 is that okay?

24 A. No, we don't --

25 Q. You don't --

1 A. -- want a leak in units.

2 Q. Right. Absolutely. So who's responsible for ensuring that  
3 the cars aren't leaking prior to loading?

4 A. The terminal who receives the cargo.

5 Q. Okay. The terminal that receives the cargo. And Grimaldi  
6 and the terminal have an agreement.

7 A. They have our receiving policy, which they're supposed to  
8 follow.

9 Q. Okay. And that's the actual title of it? The Receiving  
10 Policy?

11 A. I don't recall the actual name.

12 Q. Okay. But that's generally what it is. So you said, hey, we  
13 want to load a thousand cars here. This is how we want them. You  
14 transmit that to Horizon, and they do the rest.

15 A. Yes. Cargo's received. We know what's on terminal. We  
16 provide them with the list of specific units we want to load.

17 LTJG [REDACTED] Okay.

18 BY MR. [REDACTED]

19 Q. Once the units are loaded on -- the vehicles are loaded on --  
20 like when you're doing your final walk, are you looking at -- just  
21 kind of glancing at lashings, conditions, things like that? Is  
22 that what you're doing?

23 A. Mainly lashing at that point.

24 Q. Okay. And is there a procedure or policy for lashing of the  
25 vehicles?

1 A. Grimaldi has a policy.

2 Q. And is -- that's what's used for the -- is that what's used  
3 on the vessel, is Grimaldi's policy of how to lash?

4 A. Yes.

5 Q. Okay. Does the vessel provide any information on the -- like  
6 any input or anything for lashing?

7 A. I have not received anything.

8 LTJG ██████████ So, knowing that you're a third mate,  
9 obviously a big part of that training and education is cargo  
10 stowage, right? So I'm just trying to figure out -- my question  
11 to you is, all right, so the ship obviously has a cargo securing  
12 manual. Grimaldi has their own lashing policy, right? So I'm  
13 trying to -- can you explain to me how those two things interact?  
14 Or how -- is there a mechanism to ensure hey, what the ship is  
15 saying for lashing and what Grimaldi is saying for lashing --

16 MR. LOEUIS: That I don't know.

17 LTJG ██████████ Okay.

18 BY MR. ██████████

19 Q. So you look at the lashing. Are you responsible or do you  
20 oversee anything else for the condition of the vessel as far as  
21 like the battery disconnects? Things like that?

22 A. Stevedore is responsible for battery disconnect.

23 Q. Okay. Do you oversee any of that?

24 A. I spot-check throughout the operation to see that they're  
25 doing it.

1 Q. Okay. And did you spot-check on these two days?

2 A. Yes, sir.

3 Q. Okay. And what did you find?

4 A. I found that the majority of the vehicles I checked were  
5 disconnected. I did find one row on Deck 11 that they had missed.  
6 I advised the stevedore on that deck, and then they disconnected  
7 the battery.

8 Q. Okay. And then how to -- how do they disconnect those  
9 batteries? Or how do you find those? Can you kind of explain to  
10 us those general conditions of what that -- what it looks like?

11 A. The battery disconnect is they remove the negative cable.  
12 They're supposed to tuck it away and place a battery cap over the  
13 terminal post.

14 Q. Okay. And is that what you found on those when you  
15 spot-checked? You found the caps in --

16 A. Caps were on.

17 BY LTJG [REDACTED]

18 Q. As far as disconnecting the batteries go, where does that  
19 requirement come from, to disconnect the batteries onboard?

20 A. Grimaldi.

21 Q. Grimaldi says it?

22 A. Yes.

23 Q. And are you -- is that in line with any other codes,  
24 international standards, anything like that?

25 A. Industry standard, our competitors do the same thing with

1 their POVs.

2 Q. Okay. And that's for all POVs? New and used cars? Or is  
3 that just the used --

4 A. Only for used.

5 Q. Only for a used car that you're going in and disconnecting  
6 the battery?

7 A. Yes, sir.

8 LTJG [REDACTED] Okay.

9 BY MR. [REDACTED]

10 Q. All right. You mentioned that the majority of the vehicles  
11 were disconnected. Some of them are not?

12 A. All used should be disconnected.

13 Q. Okay. Is there an instance that you know of where they would  
14 not be disconnected?

15 A. There could be, but I wasn't made aware of any specific unit.

16 Q. Okay. Are you aware of -- or did you happen to see any of  
17 the vehicles onboard this particular vessel that had a -- like a  
18 tape hanging from it? Like some kind of police tape with a -- off  
19 the windshield wipers?

20 A. No. I don't recall.

21 BY LTJG [REDACTED]

22 Q. Or any of the vehicles with their windshield wipers straight  
23 up in the air?

24 A. I do not recall.

25 Q. Okay. And then, is it Grimaldi's policy that you want 100

1 percent of the batteries disconnected?

2 A. Yes.

3 Q. If there was an instance where the stevedore said, hey, sir,  
4 can't get this battery disconnected for one reason or -- hood  
5 won't pop open. We can't find the key. Something like that.  
6 What would be your action?

7 A. We would move on to the next.

8 Q. But you would leave it on the ship?

9 A. Yes.

10 Q. Okay. So would that be in violation of the company policy to  
11 disconnect the batteries? Or is that more of a recommendation  
12 than a policy?

13 A. That I don't know.

14 Q. Okay. See, what I'm getting at is that, if you leave a  
15 battery connected on the boat, is that a -- you know, does  
16 Grimaldi -- obviously, they want it disconnected, but --

17 A. Our policy is that we want it disconnected.

18 Q. Okay. But it's not a showstopper?

19 A. I don't know how to answer that.

20 LTJG ██████████ Okay. Yep.

21 You have anything else?

22 BY MR. ██████████

23 Q. I guess the way that we could ask this is, you know there are  
24 some times where batteries are left connected. The vehicles do  
25 not come off the vessel just for that?

1 A. Yes.

2 Q. Okay. All right. Now do you know -- is it the job of the  
3 stevedore that's -- like do you know who actually disconnects? Is  
4 it just any stevedore that'll disconnect these batteries, or do  
5 they have --

6 A. The stevedore will employ personnel to do that job.

7 Q. Okay. So they have folks come onboard specifically to do  
8 nothing else but disconnect batteries?

9 A. Yes.

10 Q. Okay. And are there folks like on each level that do that?  
11 Or is there one person that just kind of goes through? Or do you  
12 know?

13 A. They broke up their manpower based on decks we were loading.

14 Q. Okay. And then, going back to the loading, particularly on  
15 Deck 8 because it appears the information -- that may have been  
16 where the fire started. Do you have a timeline of what time you  
17 guys started to load Deck 8 and then what time you guys completed  
18 loading of Deck 8? And kind of an idea of how Deck 8 was loaded,  
19 like front to back?

20 A. We started Deck 8 day one. We started from midship working  
21 aft, loading with Lagos non-running cars. When we came to the aft  
22 part of the vessel, we would load a few -- a couple rows of  
23 running cargo to make a key, so that we can continue loading  
24 non-running cars straight in. So we did -- the aft part of the  
25 vessel, we filled up first day. On Thursday, day two, we



1 continued loading Lagos non-runners into that deck, but on the  
2 forward end. And then, once we came to the bow, we did the same  
3 thing where we load some running cars to make a key so that we can  
4 continue loading non-running straight in.

5 Q. Okay. And when you say running -- making a key, can you  
6 explain that to me?

7 A. Yes. Essentially, the curvature of the vessel, we want to  
8 push cars straight in, and when you come around the bow, it  
9 curves. It becomes more difficult to maneuver in non-running  
10 cars. So we want a running car so you can have the ability to go  
11 forward and reverse.

12 LTJG [REDACTED] And of the cars loaded on either day, none of  
13 those were loaded in containers, right?

14 MR. LOEUIS: No.

15 LTJG [REDACTED] Okay.

16 MR. [REDACTED] And do you know of any -- or was the entire load  
17 in Jacksonville all vehicles?

18 MR. LOEUIS: Yes. All vehicles and RORO.

19 MR. [REDACTED] Okay.

20 LTJG [REDACTED] Were any of them like commercial-type  
21 vehicles? Or were they all like personally-owned vehicles?

22 MR. LOEUIS: That I don't know.

23 LTJG [REDACTED] Okay.

24 BY MR. [REDACTED]

25 Q. Well, I guess what we're asking -- we mean not necessarily

1 commercial vehicles with like advertisements on the side --

2 A. Okay.

3 Q. But were they, were they like passenger vehicles? Or were  
4 there like large box trucks --

5 A. Oh, understood.

6 Q. -- or anything like that?

7 A. We loaded cars, SUVs, and then we do -- we did load RORO  
8 equipment like Mack trucks, some boats.

9 Q. Okay. And were there any of those Mack trucks, boats on  
10 Decks 7 and 8?

11 A. No. All the RORO loaded on Deck 3 and Deck 5.

12 Q. All right. So Decks 7 and 8, primarily SUVs, cars,  
13 truck-type, just regular passenger --

14 A. Only cars and SUVs.

15 Q. Okay. All right. When you were doing the roaming of the  
16 decks, do you recall the general condition of the vessel? Was  
17 there -- did you see any other stuff stowed in those areas?

18 A. Vessel came from Freeport, so we did have cargo in Deck 9.  
19 We had cargo in Deck 6. We had cargo in Deck 5, 3, 2, 1 from  
20 Freeport.

21 Q. Okay. And do you know what any of that cargo -- was it just  
22 general cargo, or could you tell --

23 A. Same --

24 Q. -- what that was?

25 A. Same cargo type as Jacksonville. Automobiles and RORO units.

1 Q. Okay. Was there -- let's go back to Deck 8 in particular. 7  
2 and 8.

3 A. Yes, sir.

4 Q. Did you -- do you recall seeing any other like, you know,  
5 mooring lines or boat -- or like pieces of or parts of the vessel,  
6 things like that, stowed in the cargo area?

7 A. I don't recall.

8 Q. Okay. And then on Deck 7 in particular, that's where the  
9 mooring area is --

10 A. Yes.

11 Q. -- on the back of that. Do you recall the conditions of  
12 those doors?

13 A. No, I do not.

14 Q. Okay. What about in the forward section with the doors? Do  
15 you recall any of the conditions of those doors? Whether they  
16 were propped open? Or were they closed?

17 A. I do not recall.

18 Q. And then when you did your -- okay. When you did -- yeah.  
19 When you did your passage from deck to deck, how did you -- did  
20 you use stairwells? Ramps? What --

21 A. I use the ramps.

22 Q. Ramps. Is that where you stayed mainly? Just, you -- that's  
23 all you used was the ramps?

24 A. Yes.

25 Q. Okay.

1 MR. THIEL: Are you talking about on the last day before he  
2 left?

3 BY MR. [REDACTED]

4 Q. I'm talking -- just in general, your whole time aboard  
5 there --

6 A. On the ramps.

7 Q. Okay. All right. And do you recall anything with lighting?  
8 Did the lighting seem adequate onboard all those deck ramps?

9 A. There was lighting, but I don't recall.

10 Q. Nothing that jumped out to you to say, hey, man, this is like  
11 -- you know, the lighting here seems to be inadequate?

12 A. No.

13 MR. [REDACTED] Okay. All right. I think I'm done.

14 LTJG [REDACTED] I think I'm good. Hey, Marcel, this is [REDACTED]  
15 The Coast Guard's done with its questioning if you all want to  
16 take over.

17 MR. MUISE: Okay. Thank you.

18 BY MR. MUISE:

19 Q. Mr. Loeuis, my name's Marcel Muise. I'm with the NTSB, and  
20 just so you know, why we're all here is we investigate marine  
21 casualties, in this case alongside the Coast Guard. In this -- at  
22 this point in the investigation, we collaborate, and we get our  
23 facts straight so we're not doing double work. Eventually, we'll  
24 go our separate ways and produce our own analysis and any probable  
25 cause that we'll try to determine. If there's any recommendations

1 from us, that will go to other regulatory agencies or municipal  
2 agencies or the vessel owner or another law enforcement agency or  
3 regulatory agency above the Coast Guard.

4 You have any questions for me about the NTSB before we start?

5 A. No, sir.

6 Q. Okay. Can you just in simple terms clarify for us the  
7 relationship between Grimaldi, SSA, Horizon, and Hoëgh?

8 A. Grimaldi chartered the vessel from Hoëgh. SSA is the  
9 appointed stevedore by Grimaldi. Horizon Auto Logistics is the  
10 designated terminal operator for Grimaldi.

11 Q. Okay. So SSA works for Grimaldi and not Horizon. Is that  
12 correct?

13 A. Yes, sir.

14 Q. Okay. How long is the time charter for the ship between  
15 Grimaldi and Hoëgh?

16 A. I do not know.

17 Q. So I understand Grimaldi operates their own vessels. For  
18 (indiscernible) charter, do you have a separate marine crew that  
19 does vetting? And are there any vetting inspections done up  
20 there?

21 A. I do not know.

22 Q. Okay. Who's the shipper then, in this case?

23 A. Ship -- can you please clarify?

24 Q. So the shipper would be the ones that, you know, I have this  
25 cargo that I need to move to -- from point A to point B, and then

1 I would hire somebody that -- a carrier to carry that cargo.

2 A. We have a number of forwarders.

3 Q. Is it -- do they have anybody on scene during the loading?

4 A. I'm sorry. I couldn't hear the question.

5 Q. The shippers, are they on scene at all during the loading?

6 A. No.

7 Q. Okay. Are you responsible for the whole range (ph.) of

8 Freeport, Baltimore, Jacksonville? Or just Jacksonville?

9 A. I was overseeing the whole rotation.

10 Q. Okay. And am I correct the ship was going to Baltimore next?

11 Because the (indiscernible) I have, I only see cargo for Freeport

12 and Jacksonville. So it would be correct to say all those Y

13 spaces are left for Baltimore?

14 A. Correct. Yes.

15 Q. So that would be like, for example, Deck 7 and Deck 9, I

16 think.

17 A. Yes. Any unfilled space was going to be loaded in Baltimore.

18 Q. Okay. Is Grimaldi also the agent -- the ship's agent?

19 A. Norton Lilly is the ship agent.

20 Q. Okay. Do you know if the manifest was done and turned into

21 the captain before this happened?

22 A. The load list was not turned into the captain until the

23 following day.

24 Q. Okay. Is the -- does the Coast Guard have a copy of that

25 yet?

1 A. I do not know.

2 Q. Okay. The -- I heard you mention the cargo securing manual  
3 briefly. Is there a bridging document out there that would  
4 highlight any differences between Grimaldi's instructions for  
5 cargo and Hoëgh's class-approved cargo securing manual?

6 A. I do not know.

7 MR. MUISE: Okay. That's all I have.

8 Joe, do you have anything?

9 MR. PANAGIOTOU: Nope. I don't have any questions. Thank  
10 you.

11 MR. MUISE: Okay. Paul?

12 MR. STANCIL: Yeah, just a couple.

13 BY MR. STANCIL:

14 Q. Mr. Loeuis, were there any other materials associated with  
15 these vehicles such as paint cans, gas holders, things of that  
16 nature?

17 A. Vehicles are supposed to be emptied when received and loaded.

18 Q. Okay. And you were discussing that the terminal operator  
19 does inspections of the cars before they're brought onto the  
20 vessel, is that correct?

21 A. Yes. They receive based on our guidelines.

22 Q. Do you know how that -- whether that's documented in some  
23 way? The amount of gasoline, whether the batteries are  
24 disconnected, et cetera. Is there some form of documenting this?

25 A. I do not know.

1 MR. STANCIL: Okay. That's really all I have, Marcel.

2 MR. MUISE: Okay. Thank you.

3 [REDACTED] we're good from NTSB.

4 LTJG [REDACTED] Awesome. With that, we'll move to the parties  
5 in interest. If no one has any objections, I think we'll start  
6 here with Mr. Mosely in person, and then we will move to SSA, and  
7 then, I mean, you probably won't have any questions --

8 MR. THIEL: Right.

9 LTJG [REDACTED] -- obviously. And then we'll be finished with  
10 this.

11 MR. MOSELY: Okay. Thank you.

12 BY MR. MOSELY:

13 Q. Hi, Mr. Loeuis. We met on Thursday night on the pier. I  
14 don't think we had a chance to talk except just to introduce  
15 ourselves. Is that right?

16 A. Correct.

17 Q. Where do you live?

18 A. I live in New Jersey.

19 Q. And do you still live in New Jersey? Is that your home?

20 A. Yes, sir.

21 Q. Do you visit other ports for Grimaldi?

22 A. Yes, sir.

23 Q. Were you present in Texas when the vessel was being loaded  
24 there?

25 A. No, sir.



- 1 Q. What ports do you cover?
- 2 A. We do cover --
- 3 Q. What ports do you cover?
- 4 A. Yep. We cover Freeport, Jacksonville, Savannah, Wilmington,  
5 Delaware, New York, Providence.
- 6 Q. And those are ports that you actually cover yourself?
- 7 A. Yes. We oversee --
- 8 Q. You're saying "we," but is that ports that you go to back and  
9 forth as part of your job?
- 10 A. Yes.
- 11 Q. And do you use SSA in those other ports?
- 12 A. No.
- 13 Q. How many ports do you use SSA?
- 14 A. I do not know.
- 15 Q. And this is one of the first times you used SSA on this type  
16 of load, right?
- 17 A. Yes. Other than the two operations they did for us in 2019.
- 18 Q. And who did you use before?
- 19 A. We were using APS prior to SSA.
- 20 Q. And are you responsible yourself for meeting with SSA to make  
21 sure that they're doing everything in accordance with Grimaldi's  
22 instructions?
- 23 A. Yes.
- 24 Q. And who do you meet at SSA?
- 25 A. The superintendent running the operation.

- 1 Q. And who is that in Jacksonville?
- 2 A. For this ship it was Jeff Dixon.
- 3 Q. Okay. And did you meet with Mr. Dixon before this vessel was  
4 being loaded?
- 5 A. In the morning time.
- 6 Q. And so that would've been morning of Wednesday?
- 7 A. Yes.
- 8 Q. Was it before the 0800 loading?
- 9 A. Yes.
- 10 Q. And how long was that meeting?
- 11 A. Very brief.
- 12 Q. What do you go over when you do that?
- 13 A. We normally just review stow plans. We talk the day before.  
14 We go over stow plans, go over the operation, manning.
- 15 Q. Okay. What about Horizon? Do you coordinate with Horizon,  
16 or is that done by someone else at the company?
- 17 A. I talk to Horizon.
- 18 Q. And what do you talk to Horizon about?
- 19 A. I mean, if there's a receiving issue, they should contact us.  
20 Other than that, they follow the policy.
- 21 Q. And who's your contact at Horizon?
- 22 A. Patrick --
- 23 Q. Just Patrick?
- 24 A. Yes.
- 25 Q. Okay. And do you deal with Horizon in other ports as well?

- 1 A. Freeport.
- 2 Q. In Freeport, Texas. That's another Horizon?
- 3 A. Yes, sir.
- 4 Q. Is there a fellow there that you deal with?
- 5 A. Ross is their operations manager.
- 6 Q. Okay. Is Ross over Patrick here in Jacksonville? Or are
- 7 they --
- 8 A. No --
- 9 Q. -- the same level? Okay. As far as the -- your job with
- 10 Grimaldi, do you ever read the time charter?
- 11 A. No.
- 12 Q. Do you -- have you ever read the time charter for this
- 13 vessel?
- 14 A. No.
- 15 Q. Do you know any of the terms of the time charter?
- 16 A. No.
- 17 Q. There's others at Grimaldi that do that?
- 18 A. Yes.
- 19 Q. Were you planning on going to Baltimore when the vessel
- 20 loaded there?
- 21 A. No.
- 22 Q. Do you -- why did you visit Jacksonville but not Texas and
- 23 Baltimore?
- 24 A. We use a Norton Lilly port captain --
- 25 Q. Um-hum.

1 A. -- in Texas.

2 Q. Okay. What about Baltimore?

3 A. We have our own port captains in Baltimore.

4 Q. That live there?

5 A. Yes.

6 Q. How many vessels come to Port of Jacksonville for Grimaldi  
7 that you all are involved with?

8 A. Approximately 30.

9 Q. 30 vessels in --

10 A. My service a year.

11 Q. Oh, 30 per year? Okay. These 30 per year, are these  
12 different vessels? Or the same vessels on a liner service?

13 A. Conrail car carriers.

14 Q. Okay. Let's talk about this particular vessel. Were any of  
15 these vehicles new vehicles?

16 A. No.

17 Q. They're all used vehicles?

18 A. Yes, sir.

19 Q. And can you describe them? Were -- you have different  
20 levels. I think you said runners, non-runners, and also  
21 forklifts.

22 A. Yes, sir.

23 Q. What is a runner?

24 A. A vehicle that has brakes, steering, and moves under its own  
25 power.

1 Q. What is a non-runner?

2 A. Essentially, a unit that you have to -- has brakes, steering,  
3 but you have to pull or push onboard.

4 Q. And what about a forklift?

5 A. It's a unit that you use a forklift to load onboard.

6 Q. Okay. Let's start in the back with the forklifts. Why would  
7 you have to use a forklift to get a vehicle on the vessel?

8 A. I don't make the bookings. I don't know.

9 Q. Okay. Well, you were out there observing --

10 A. Yes.

11 Q. -- some of these. You've observed those in the last 13  
12 years.

13 A. Correct.

14 Q. So why would you need to have a forklift on a vessel for  
15 these vehicles?

16 A. They have -- they don't run, drive. They might not be safe  
17 for a driver to get into.

18 Q. And why would that be?

19 A. Any number of reasons.

20 Q. Like what?

21 A. Broken window.

22 Q. Okay.

23 A. No steering.

24 Q. No steering. Are some of these vehicles that you're loading  
25 on these vessels -- been in accidents?

1 A. I say yes.

2 Q. And you say yes because you can visually observe like the  
3 hood may be caved in or the door may be bashed in or something  
4 like that?

5 A. Correct.

6 Q. And some of these vehicles, the wheels may be bashed in or  
7 not fully operational. Is that right?

8 A. Correct.

9 Q. And those would probably be referred to as forklift vehicles?

10 A. Yes.

11 Q. Let's talk about the towed vehicles. It's what you called  
12 "non-runners." Are some of these non-runners visually -- it's  
13 obvious that they were in wrecks as well?

14 A. Yes.

15 Q. Would you term some of these vehicles to be wrecks?

16 A. Not for a non-runner.

17 Q. Well, what about the ones that are put on there that are  
18 forklift? Are those wrecks?

19 A. They can appear to be.

20 Q. The answer is yes?

21 A. Yes.

22 Q. What about some of these vehicles that are either towed or  
23 brought on, on forklift? Are they repairable in your observation  
24 in looking at them?

25 A. I can't answer that.

1 Q. Who does -- who forwards these vehicles that are wrecks? Who  
2 are those types of people that are doing that?

3 A. I mean, customers?

4 Q. Yeah.

5 A. I don't have -- know the customers.

6 Q. Do you know what it's being towed over -- or do you know why  
7 it's being shipped over to West Africa?

8 A. I do not know.

9 Q. Do you know the process whereby Horizon inspects these  
10 vehicles?

11 A. They're supposed to follow our guidelines.

12 Q. Is there any document that is produced as -- per each vehicle  
13 as to those guidelines are followed?

14 A. I'm not aware of any.

15 Q. Is anything provided to you that these certain vehicles with  
16 these VIN numbers -- whether they're wrecks, whether they're  
17 towed, whether they're forklifted, or whether they're runners --  
18 have been inspected and the following things have been checked off  
19 like gasoline, nothing in the trunk, et cetera?

20 A. I do not know.

21 Q. You do -- nothing's given to you by Horizon?

22 A. Correct.

23 Q. Is that just based on trust? Grimaldi's position is based on  
24 trust with Horizon's doing their thing?

25 A. Correct.

1 Q. Have you ever had an instance where Horizon has advised you  
2 that a vehicle that is to be put onboard a vessel has more than  
3 one-eighth of a tank of gas?

4 A. I do not know.

5 Q. Has -- have you ever been told that Horizon has checked the  
6 trunk and found things in the trunk?

7 A. At times, we do receive phone calls saying yes, they --

8 Q. What things are found in the trunk when you've received phone  
9 calls like that?

10 A. Sometimes personal effects, and they reject those.

11 Q. Anything else?

12 A. I do not know.

13 Q. All right. Have you ever found firearms?

14 A. No.

15 Q. You've never heard firearms being in these vehicles?

16 A. Correct. Never.

17 Q. Have you ever heard of gas canisters in these vehicles?

18 A. No.

19 Q. Have you ever rejected a vehicle because it was too wrecked?

20 A. Yes.

21 Q. Okay. And what is the standard for Grimaldi in rejecting  
22 vehicles that are placed onboard a vessel?

23 A. A lot of times it's based on customer having to book them --  
24 their cargo based on their tier requirement. So a customer will  
25 book either runner, non-runner, forklift. If it arrives and it's



1 not -- the terminal deems it's not that tier condition, which it's  
2 booked for, it's supposed to get rejected.

3 Q. Okay. Let me back up and make sure I understand you. If a  
4 vehicle comes to the terminal, which in this case is Horizon -- or  
5 in Texas it's Horizon. Right?

6 A. Yes.

7 Q. If they don't book it correctly under forklift, runner, or  
8 non-runner, it's rejected?

9 A. Yes.

10 Q. What about condition of the vehicle? Are there any rejection  
11 guidelines?

12 A. Just on the receiving policy given to the terminal.

13 Q. And what is that policy?

14 A. I don't have it memorized.

15 Q. Okay. Can you give us some examples of what would be the  
16 grounds for rejecting a vehicle?

17 A. A runner needs to have brakes, steering.

18 Q. Okay. For driving on the vessel?

19 A. For driving on the vessel.

20 Q. Okay. What about a non-runner?

21 A. It would still need brakes, steering, but in that case, it  
22 could have a little bit more damage to unit.

23 Q. Okay. What about damages to the engine? And does that  
24 qualify for rejecting a vehicle?

25 A. I do not know.

1 Q. Isn't it true that a lot of these vehicles that are brought  
2 onboard -- that there are vehicles brought onboard these vessels  
3 that don't even have an engine?

4 A. I cannot confirm that.

5 Q. Have you ever seen that before in 13 years?

6 A. No engine?

7 Q. Yeah.

8 A. No.

9 Q. What about doors missing? Or trunks missing? Or trunk  
10 covers?

11 A. I've seen that, yes.

12 Q. What about roofs that are damaged?

13 A. I've seen that, yes.

14 Q. What about interior damage?

15 A. I don't know about --

16 Q. You rarely look in the interior?

17 A. No. I don't personally.

18 Q. Okay. What type of check does Horizon do, that you know of  
19 as Grimaldi, as to the interior of the vehicle as what's enclosed  
20 in there?

21 A. It's supposed to be empty. And then they follow the policy  
22 guidelines.

23 Q. In 13 years, has there ever been a vehicle that Grimaldi is  
24 aware of where Horizon or the terminal has not inspected the  
25 vehicle properly?

- 1 A. I cannot confirm.
- 2 Q. You don't know one way or the other?
- 3 A. Correct.
- 4 Q. Is there any way for Grimaldi to check to see if the vehicle  
5 has been properly inspected and make sure there's no gas or  
6 nothing in the trunk or anything?
- 7 A. No. We leave that on to the terminal, as partner.
- 8 Q. Does Grimaldi also ship vehicles other than personally-owned  
9 vehicles?
- 10 A. Yes. We've shipped new cars.
- 11 Q. And do you all disconnect batteries with new cars?
- 12 A. No.
- 13 Q. Why is that?
- 14 A. I do not know.
- 15 Q. Is there any reason given to Grimaldi or Horizon why those  
16 batteries are not necessary to connect [sic]?
- 17 A. That would be for a different department to answer.
- 18 Q. Okay. Well, if new vehicles don't have the battery connected  
19 [sic], why do POVs have their battery connected [sic]?
- 20 A. I'm sorry. I don't understand the question. Can you repeat?
- 21 Q. Yeah, sure. New vehicles --
- 22 A. Yes.
- 23 Q. -- do not have batteries disconnected. Right?
- 24 A. Correct.
- 25 Q. But the vehicles that Grimaldi's loading on the *Hoëgh Xiamen*,

- 1 you want the batteries disconnected?
- 2 A. Correct.
- 3 Q. Why?
- 4 A. Company policy.
- 5 Q. And why is that company policy that way?
- 6 A. I do not know. I follow instructions.
- 7 Q. Are there other additional instructions and directions given  
8 to Horizon or SSA by Grimaldi concerning POVs that are not given  
9 to new vehicles?
- 10 A. Can you repeat that? I'm sorry.
- 11 Q. Yeah. We've already listed that --
- 12 A. Yeah.
- 13 Q. -- you don't disconnect batteries on new vehicles. Right?
- 14 A. Correct.
- 15 Q. Are there other directions given to SSA or to Horizon  
16 concerning POVs that are different from new vehicles?
- 17 A. Just the policy guidelines that they have.
- 18 Q. Okay. And those policy guidelines are issued by Grimaldi?
- 19 A. They come from Grimaldi, yes.
- 20 Q. And what are those policy guidelines called officially?
- 21 A. The official name I already said I couldn't answer, but it's  
22 got Grimaldi receiving guidelines.
- 23 Q. And that would be issued to Horizon?
- 24 A. Yes.
- 25 Q. Does Horizon also check gas lines and the engine and the

1 interior pursuant to those guidelines? Do you know?

2 A. I do not.

3 Q. Do you know the extent of the check that Horizon does to  
4 these vehicles?

5 A. I expect them to follow their receiving instructions.

6 Q. And that would be all in those receiving instructions you  
7 just mentioned?

8 A. Yes.

9 Q. Now when loading runners -- excuse me, non-runners and  
10 forklifts, are there special instructions given to the stevedore,  
11 which in this case was SSA?

12 A. No. No special -- they follow our receiving -- our loading  
13 guidelines.

14 Q. Okay. So now we have receiving guidelines and we have  
15 loading guidelines?

16 A. Yes.

17 Q. And those are all issued by Grimaldi?

18 A. Yes.

19 Q. And those loading guidelines are given to SSA?

20 A. Yes.

21 Q. Are they given anew for every ship, or is that given when --

22 A. Standard.

23 Q. Okay. Let me finish this question. When you first hired  
24 SSA, and I think they've only done two before this one, was there  
25 a special meeting or loading guidelines given for all your ships

1 coming in?

2 A. I just forward them our instructions as to how we wanted them  
3 to handle the cargo.

4 Q. Okay. And that would be for general purposes? And those  
5 loading guidelines, does it distinguish between new and  
6 personally-owned vehicles?

7 A. There are some differences on lashing for new and used.

8 Q. And that would also be true with Horizon? There's different  
9 guidelines? Or does Horizon ever deal with new vehicles?

10 A. They don't deal in new vehicles.

11 Q. Just old ones?

12 A. Yes.

13 Q. Where do these vehicles come from?

14 A. I -- customers that -- customers.

15 Q. Well, I'm just trying to understand, because some of these  
16 are wrecks. Right?

17 A. Some damaged. Yes

18 Q. Okay. So some of these wrecks, who gives -- who sends those  
19 to -- do they send them to Grimaldi? Or do they send them to  
20 Horizon? Who makes the arrangement to send them to Africa?

21 A. Customer makes booking with Grimaldi. Grimaldi then  
22 preannounces that booking to the terminal.

23 Q. Okay. So someone -- if I have a wreck that I want to send to  
24 Africa, I call Grimaldi. Do you -- does Grimaldi get a picture or  
25 an evaluation or the VIN number or anything from that booking?

1 A. When customer makes booking, they need VIN, make/model.

2 That's about all I know. There's probably more, but I don't know.

3 Q. Does Grimaldi run a CARFAX? You know what a CARFAX is,

4 right? You know, it's a report on --

5 A. Correct.

6 Q. -- used -- but does Grimaldi run a CARFAX to see what kind of

7 accidents have caused the wreck?

8 A. I'm not aware.

9 Q. What information does Grimaldi get by just getting the VIN  
10 number? Just the VIN number?

11 A. No. There's a different department that could better answer.

12 I don't know the booking process.

13 Q. Okay. So Grimaldi gets the booking, and then you all arrange  
14 with Horizon for the vehicle to go to Horizon?

15 A. Customer makes booking with us. We EDI the booking  
16 information to Horizon.

17 Q. Okay. Do you know who those customers are in your job?

18 A. No.

19 Q. It's not relevant to you?

20 A. Not relevant.

21 Q. And then Horizon, they don't have any dealings with that  
22 customer, do they?

23 A. They -- that I don't know.

24 Q. As far as loading this vessel, is there any way you and  
25 Grimaldi can tell the Coast Guard or NTSB or anybody where each

1 vehicle was loaded?

2 A. No.

3 Q. Is there any way to determine which VIN numbers were loaded  
4 in approximate areas of the vessel?

5 A. Not really.

6 Q. They're just all put on the vessel?

7 A. Correct.

8 Q. And as long as they're a fist apart and I think you said 12  
9 inches or so bumper to bumper, then that's fine?

10 A. Yes.

11 Q. Is there any way for any of us sitting here today to go back  
12 and determine which vehicles were located on Deck 8?

13 A. Not 100 percent accurately. No.

14 Q. How about the best way to attempt to figure that out? Is  
15 there any way?

16 A. Deck 8 was predominately non-running Lagos, so those units  
17 would be identified by the stevedore. They should identify what  
18 units were loaded as non-runner.

19 Q. Okay.

20 A. And then the runners that they loaded to key up, I do not  
21 know.

22 Q. How do you determine where non-runners and forklift vehicles  
23 go on the vessel? Is there any science to that? Or do you just  
24 try to get them on there?

25 A. Forklift units, we'll only load on the main deck, 5, or in



1 Deck 3.

2 Q. Okay. But in this case, you note -- you located forklift  
3 units on Deck 11, I think you said?

4 A. No. We only loaded forklift units on Deck 3 and the main  
5 deck, 5.

6 Q. Okay. So there were none that were higher than 7 on  
7 forklifts?

8 A. Nothing higher than 5 on forklifts.

9 Q. Okay. Excuse me. Okay. And how about the non-runners? Is  
10 there any method in how to load the non-runners?

11 A. We try to load non-runners on different decks from running  
12 operation to maintain production. For this operation, we were  
13 loading non-running Lagos POD into Deck 8. We loaded non-running  
14 Cotonou POD into Deck 7.

15 Q. Okay. Now how often do you come to Jacksonville?

16 A. Anywhere from a couple times a month to every couple months.

17 Q. Okay.

18 A. It varies.

19 Q. And I hope I haven't asked this before -- if I do, I  
20 apologize -- but how many Grimaldi vessels are calling (ph.)  
21 Jacksonville right now each month?

22 A. About 10-day frequency.

23 Q. Okay. And you were -- we were talking about Horizon. Does  
24 Horizon have a location here in Jacksonville where they store  
25 those vehicles?

1 A. They keep their -- they have a property on Blount Island.  
2 That's where the cargoes are delivered.

3 Q. Okay. And is that an open field? Or is it an enclosed  
4 garage? Is it both? Can you describe that?

5 A. It's open-lot.

6 Q. And what length of time are the cars out in this open lot on  
7 Blount Island before they're loaded?

8 A. That can vary on a number of factors.

9 Q. And what are those factors?

10 A. Customs. Allocation of cargo.

11 Q. Okay. In other words, if a ship comes here and you don't  
12 have a lot of room on it, only a certain percentage may go. Is  
13 that what you're talking about?

14 A. Yes.

15 Q. Why would Customs care about the cars?

16 A. Every POV has to clear Customs, so there's a 72-hour window.  
17 You can't load any used vehicles within 72 hours of vessel  
18 arrival.

19 Q. Does Customs do an evaluation and inspection of the vehicle?

20 A. I do not know.

21 Q. Have you ever heard of that?

22 A. They inspect certain vehicles that might interest them.

23 Q. But overall, they don't inspect every single vehicle?

24 A. No.

25 Q. If something's flagged for them, they may inspect that

1 particular vehicle.

2 A. Correct.

3 Q. That has to sit out on this open lot at Blount Island for 72  
4 hours?

5 A. Yes.

6 Q. Is that every single car?

7 A. By Customs, the law is 72 hours, so --

8 Q. Okay. Are some vehicles out there longer than 72 hours?

9 A. Yes.

10 Q. What's the length of time that these vehicles can sit out  
11 there?

12 A. I can't say.

13 Q. It differs, I guess.

14 A. Yes, sir.

15 Q. Could they stay out there a year? Or is there an inventory  
16 requirement that it must be moved at a certain time?

17 A. That I cannot answer. Don't know.

18 Q. And as far as Horizon's operation, we'll have to talk to  
19 Horizon as far as that goes, but do they have a method or facility  
20 where they measure gas in the tanks and things such as that?

21 A. That I'm not sure.

22 Q. When these, when these vehicles are wrecks, is there any way  
23 to measure the amount of gas in the tanks?

24 A. That I'm not sure.

25 Q. Now you as -- you're a port captain?

1 A. Yes.

2 Q. As a port captain, do you have the ability to look at a  
3 vehicle and just say, I don't know about that; I don't want to  
4 load that?

5 A. Yes.

6 Q. You have that authority?

7 A. Yes.

8 Q. In the last two months, how many times have you utilized that  
9 authority?

10 A. Last two months?

11 Q. Yeah.

12 A. Zero.

13 Q. And do -- I assume you -- I think you already said that you  
14 have not -- you didn't reject any vehicles for this load?

15 A. Yes. Correct.

16 Q. Sometimes you may reject a vehicle because there's no room.  
17 Is that correct?

18 A. Yes.

19 Q. Did you go anything -- did you do a checklist with the chief  
20 officer of the *Hoëgh Xiamen* in this case as to any concerns of any  
21 vehicles?

22 A. Chief officer never approached me.

23 Q. You never spoke to the chief officer?

24 A. No.

25 Q. Let's talk about the lashing and your look. What are the --

1 are the requirements that Grimaldi has for lashing of vehicles on  
2 the deck, are they the same for runners, non-runners, and  
3 forklifts?

4 A. Yes.

5 Q. Sometimes, if these vehicles have been in an accident and are  
6 in like -- as we've described, wrecks, are there certain  
7 accommodations that have to be made for lashing?

8 A. Yes.

9 Q. And that's because you can't lash in the normal instance  
10 because the vessel might be dented or banged up in some fashion.  
11 Right?

12 A. Correct.

13 Q. Can you describe how the lashing may differ?

14 A. Instead of lashing to tire, we may have to lash to a  
15 structure of the vehicle.

16 Q. And are there -- once the vehicle is on the vessel, do you  
17 ever make any changes to lashing when you're just kind of walking  
18 around?

19 A. Only if requested by the crew.

20 Q. Were you requested by the crew on this occasion?

21 A. No.

22 Q. And I assume, in this matter, there was no conflict or  
23 problems between you working for Grimaldi, the stevedore, and the  
24 vessel crew?

25 A. No.

1 Q. You were asked a question about ventilation and then also  
2 some questions about lighting. While you were on the vessel  
3 Wednesday and Thursday, was ventilation an issue?

4 A. Not that I was aware.

5 Q. And ventilation meaning the temperature inside the vessel.  
6 Was that an issue with you?

7 A. Me personally? No.

8 Q. Do some of those vessels get hot when you're working them?

9 A. They can.

10 Q. And was this vessel hotter than any other car carrier in June  
11 in Florida that you've ever been on?

12 A. No.

13 Q. Do you know the experience of SSA on going in these car  
14 carriers in Florida in June?

15 A. No.

16 Q. To your knowledge, has SSA stevedores -- have they ever been  
17 inside a car carrier in Florida in June?

18 A. I do not know.

19 Q. You -- they certainly haven't been on any Grimaldi vessels.  
20 Is that true?

21 A. Correct. This was the first one.

22 Q. And the others were in late fall and wintertime?

23 A. Yeah. Winter 2019.

24 Q. You also had a chance to walk up and down the ramps, and  
25 there was no issue concerning the lighting in the vessel. Is that

1 right?

2 A. I was not aware of any.

3 Q. If there was an issue with lighting, would you have brought  
4 that to the vessel's attention?

5 A. Probably, yes.

6 Q. Did you have an opportunity to bring that to the vessel's  
7 attention?

8 A. I was not aware of an issue with lighting.

9 Q. Okay. What was the last deck loaded?

10 A. 7.

11 Q. 7. Okay. And you also said -- and I just didn't write it  
12 down quickly enough -- that on Deck 8 you left room for X number  
13 of vehicles, or there was room for so many vehicles. I didn't --  
14 was it 30, did you say?

15 A. Estimated space was 60, including the ramp down to 7.

16 Q. Okay. That means loading vehicles on the ramp.

17 A. So, yes. The flat, Deck 8, and then that ramp that goes from  
18 8 down to 7.

19 Q. Okay. Let me talk about after you loaded the vehicle. You  
20 said loading was complete at 1500 hours on Thursday. Right?

21 A. Yes.

22 Q. What do you do after that?

23 A. I went back to the office to do some emails post-ops.

24 Q. And where is that office?

25 A. I was in the Horizon terminal office conference room.

- 1 Q. And that's here on Blount Island?
- 2 A. Yes, sir.
- 3 Q. Or across the street on Blount Island.
- 4 A. Yes.
- 5 Q. And do you have a view of the vessel from that office?
- 6 A. Not from where I was sitting, but there's a view from the  
7 terminal, yes.
- 8 Q. Okay. And what were you doing in your office at Horizon?
- 9 A. Emails.
- 10 Q. Okay. Just confirming that the vessel was loaded and things  
11 such as that? Or just general --
- 12 A. Generic emails.
- 13 Q. Okay. So not all of the work that you were doing was on the  
14 *Hoëgh Xiamen*. When you went up to that office, you were doing  
15 more than just reporting on the *Hoëgh Xiamen*. You were doing --
- 16 A. Yeah, other -- yes. Work.
- 17 Q. Okay. You were testifying earlier that you don't recall  
18 seeing any vehicles with hazard red tape that the stevedore may  
19 have put on the vehicle to indicate battery problems.
- 20 A. I do not recall seeing.
- 21 Q. It could've been there. You just don't remember one way or  
22 the other?
- 23 A. Correct.
- 24 Q. Do you see that occasionally?
- 25 A. No.



1 Q. Do other stevedores put red tape or yellow tape around  
2 vehicles that don't disconnect batteries?

3 A. No.

4 Q. Is that the custom in the industry?

5 A. We want our batteries disconnected.

6 Q. Have you ever approved for stevedores to go around and put  
7 like caution tape around vehicles that didn't have the battery  
8 disconnected?

9 A. No.

10 Q. If you saw that, what would be your reaction?

11 A. I would probably question.

12 Q. And who that -- who would that question be directed to?

13 A. Stevedores.

14 Q. As far as on Decks 7 and 8, you told us about some were  
15 runners, tow, and forklift. What percentage on Deck 7 and 8 were  
16 runners? And what percentage were non-runners?

17 A. We only loaded runners and non-runners on 7 and 8. No  
18 forklifts up there.

19 Q. Yeah.

20 A. I don't have the exact breakdown.

21 Q. Okay. And there's no way to recreate that accurately.  
22 Right?

23 A. I would say no.

24 Q. You say no? We have two --

25 A. No.

- 1 Q. Double negatives.
- 2 A. No.
- 3 Q. Can you fix that?
- 4 A. No.
- 5 Q. Am I right that we can't recreate that accurately?
- 6 A. Correct.
- 7 Q. Now let me talk about the fire. You were in the office when  
8 you heard about the fire?
- 9 A. I had actually left the terminal.
- 10 Q. Okay. And where were you proceeding?
- 11 A. Driving back to the hotel.
- 12 Q. Okay. And how were you told about the fire?
- 13 A. I received two phone calls right around 1558, 1559. One from  
14 SSA and one from Horizon. Both saying they saw smoke coming from  
15 vessel.
- 16 Q. Okay. And what did you do?
- 17 A. Turned around and came back to terminal.
- 18 Q. Did you make any contact to the vessel?
- 19 A. No.
- 20 Q. Did you have the opportunity to contact the vessel?
- 21 A. I was being -- wasn't allowed to go down. Being blocked by  
22 the police, firefighters, or security.
- 23 Q. You made it to the pier?
- 24 A. I made it to that -- to the train tracks.
- 25 Q. Okay. And eventually you made it to the pier?

- 1 A. Yeah.
- 2 Q. What time did you get actually to the pier?
- 3 A. I do not know.
- 4 Q. And were you involved with the Coast Guard initially on that  
5 Thursday?
- 6 A. No.
- 7 Q. In any way? Do you have photographs or does Grimaldi have  
8 any photographs of the vehicles before -- and their condition  
9 before they were loaded?
- 10 A. No.
- 11 Q. Is there a video or film that Horizon makes or that Grimaldi  
12 makes of the condition of these vehicles before they're loaded?
- 13 A. I'm not aware.
- 14 Q. Is there a file for each vehicle that's loaded in  
15 Jacksonville on this vessel?
- 16 A. That I do not know.
- 17 Q. Does Grimaldi have one as far as a booking -- like, I'm just  
18 asking like, if you put on a Honda Accord from 2010 with VIN  
19 number blank, blank, blank, does Grimaldi have a file number with  
20 that vehicle and the information that they have about it?
- 21 A. Booking number associated to each VIN?
- 22 Q. Yeah.
- 23 A. Yes.
- 24 Q. Okay. What information is in that, that you know of?
- 25 A. That's not my department.

1 Q. Okay. That's someone at the corporate headquarters?

2 A. I assume.

3 MR. MOSELY: I think I'm just about done if -- can I have  
4 just one second, please?

5 (Pause.)

6 BY MR. MOSELY:

7 Q. Besides Patrick at Horizon, do you deal with anybody else?

8 A. At Jacksonville location?

9 Q. Yes, sir.

10 A. John White.

11 Q. And what is John White's position?

12 A. I don't know his exact title, but he's in operations.

13 terminal side.

14 MR. MOSELY: Okay. All right. I think I don't -- I'm done.  
15 Thank you.

16 LTJG ██████████ All right. Mr. Baiad, are you on the line?

17 MR. BAIAD: I am indeed.

18 LTJG ██████████ All righty, sir. If you have any --

19 MR. BAIAD: (Indiscernible).

20 LTJG ██████████ I was just going to say, if you have any  
21 questions, please go ahead.

22 MR. BAIAD: I do. Thank you.

23 BY MR. BAIAD:

24 Q. Mr. Loeuis, my name is Todd Baiad. I'm an attorney in  
25 Savannah, and I represent SSA. How are you today?

- 1 A. I'm good.
- 2 Q. Can you hear me okay?
- 3 A. Yes.
- 4 Q. Okay. Do me a favor. If you don't understand one of my  
5 questions, please let me know, and I'll be happy to rephrase it.  
6 Okay?
- 7 A. Will do.
- 8 Q. Okay. Great. I want to kind of walk you through what  
9 Horizon does versus what SSA does. It's my understanding that  
10 Horizon, as the receiver, has the obligation to check out these  
11 cars prior to being loaded on the vessel. Isn't that correct?
- 12 A. They're supposed to receive as per our receiving  
13 instructions. So yes, they do initial inspection.
- 14 Q. Okay. And those receiving instructions deal with making sure  
15 fluid is not leaking from the cars. Correct?
- 16 A. I believe that is one of the line items, yes.
- 17 Q. And one of those receiving instructions is making sure that  
18 there's less than an eighth of a tank of gasoline. Correct?
- 19 A. Yes.
- 20 Q. Okay. And that's not something SSA does, correct?
- 21 A. No.
- 22 Q. Okay. SSA, if it takes the car from the terminal and drives  
23 it onto the ship and -- they're responsible for making sure the  
24 ship -- the cars get lashed onboard the ship correctly. Correct?
- 25 A. Yes.

1 Q. Okay. And I want to walk you through some of this battery  
2 disconnection issue. Is it your position or testimony that you  
3 were not aware that there were certain vehicles onboard the vessel  
4 that did not have their batteries disconnected?

5 A. I was not aware of any specific unit.

6 Q. Okay. Were you generally aware that there were cars loaded  
7 onboard the ship that did not have their batteries disconnected?

8 A. I was not aware.

9 Q. Did -- well, let me put it this way. Is that atypical for a  
10 used car where you can't open the hood to not be able to  
11 disconnect their battery prior to departure?

12 A. We should be able to open all hoods. That's part of terminal  
13 receiving instructions.

14 Q. Okay. So would that be on Horizon's responsibility? To be  
15 able to make sure the cars' hoods could get open before they were  
16 given to SSA for holding?

17 A. Yes.

18 Q. Okay. And in that instance, if there were -- there was a  
19 hood that could not be opened, what would your expectation be?

20 A. That I can't answer. Don't know.

21 Q. Okay. Does Grimaldi have a specific instruction it has given  
22 to SSA for -- not to load a car in which a hood can't be opened  
23 and the battery be disconnected? A used vehicle, that is.

24 A. Instructions given to SSA were for battery disconnect on all  
25 units.

1 Q. Okay. And it is your testimony that you did not see any  
2 vehicles marked with any tape or other indicators?

3 A. Correct. I did not see.

4 Q. Okay. If I had photographs in my possession that depict  
5 multiple vehicles with red caution tape, would that surprise you?

6 A. Probably, yes.

7 Q. Okay. And if you saw a vehicle with caution tape on it, what  
8 would that have alerted you to?

9 A. I would have probably asked a stevedore. I was unaware as to  
10 why caution tape --

11 Q. Okay.

12 A. -- would be on the unit.

13 Q. Okay. So your testimony is that at no point in time when you  
14 were onboard the vessel did you see any tape or other indicators  
15 on any of the vehicles. Is that correct?

16 A. I did not notice.

17 Q. Okay. Well, did you see any? Not notice. But did you  
18 actually see any?

19 A. I'm not aware of seeing any. No.

20 Q. Okay. And so, is it your testimony that at no point in time  
21 has Grimaldi allowed a used vehicle whose battery could not be  
22 disconnected to be loaded onboard a ship?

23 A. Can you repeat that? I'm sorry.

24 Q. Yeah. I'm trying to figure out what Grimaldi's procedures  
25 are for -- is it -- are you telling me that Grimaldi's position is

1 that, if a hood can't be opened and the battery be disconnected,  
2 the car is not supposed to be onboard the ship?

3 A. Yes. Those are our instructions.

4 Q. Okay. Did you ever communicate that, you personally, to  
5 anybody at SSA?

6 A. I just sent them the receiving instructions.

7 Q. Okay. And is there anything on the receiving instructions  
8 that you're aware of that says cars without batteries disconnected  
9 are to be taken off the ship?

10 A. No.

11 Q. Okay. And you had the opportunity to walk Decks 7 and 8.  
12 Correct?

13 A. Correct.

14 Q. And you had the opportunity to look and see if there were  
15 anything, at least to your mind, that caused you any concern.

16 Correct?

17 A. Correct.

18 Q. And did you see anything from your visual observation on  
19 Decks 7 or 8 that gave you any concern as to what SSA did onboard  
20 the ship?

21 A. No.

22 Q. Okay. You mentioned in your testimony that you looked  
23 through some cars on Deck 11 and noticed some batteries were not  
24 disconnected. Did I hear you correctly?

25 A. Yes.



1 Q. Okay. Did you have any of those similar-type issues on  
2 either Deck 7 or Deck 8?

3 A. Not in my inspection.

4 Q. Okay. Did you inspect cars on either Deck 7 or Deck 8 to  
5 make sure the batteries were disconnected?

6 A. I spot-check, yes.

7 Q. Okay. And every instance in which you spot-checked a vehicle  
8 on Decks 7 or 8, the batteries were disconnected. Correct?

9 A. Yes.

10 Q. Okay. Did you at any point in time see the second officer or  
11 any other crew member on the ship in Deck 7 or Deck 8?

12 A. I don't recall.

13 Q. Okay. Did you know -- strike that. The -- your testimony --  
14 I'm going through the timeline here -- was that the -- Deck 7 was  
15 the last deck loaded. Correct?

16 A. Correct.

17 Q. Okay. And do you know when Deck 8 was completed?

18 A. I don't have the time on-hand. No.

19 Q. Okay. But that would've been before Deck 7. Correct?

20 A. Yes.

21 Q. Okay. And are they working Deck 7 and Deck 8 at the same  
22 time? Or are they done separately?

23 A. Different ports. So --

24 Q. I'm asking for this particular ship on this day.

25 A. They -- yes, they did have an overlap.

- 1 Q. Okay. And how much of an overlap would it have been?
- 2 A. I don't know.
- 3 Q. Ballpark. 10 minutes, 5 minutes, or 2 hours?
- 4 A. I can't say. Don't know.
- 5 Q. Okay. You can't say within that range?
- 6 A. Yeah. Can't say.
- 7 Q. Okay. But it's fair to say that Deck 8 had been completed  
8 for some period of time before Deck 7 was completed. Correct?
- 9 A. It was completed before Deck 7.
- 10 Q. Okay. Do you have any idea how long had elapsed between the  
11 completion of Deck 8 and when Deck 7 got completed?
- 12 A. No.
- 13 Q. Okay. Is there any document you have which would indicate  
14 that?
- 15 A. No.
- 16 Q. Okay. Did you have any email communications with anybody  
17 from SSA with this battery -- that included battery disconnect  
18 procedures?
- 19 A. Yes. I did send an email to SSA with battery disconnect  
20 procedures.
- 21 Q. Okay. And who from SSA did you send that to?
- 22 A. I sent it to their operations distribution address, I -- yes.
- 23 Q. Okay. Do you ever -- are you privy -- do you have access  
24 to -- it's a document called the Vessel Lashing Inspection  
25 Procedure, which is done by Hoëgh Autoliners?

- 1 A. I've never seen that.
- 2 Q. Okay. And you're not aware then that there's a form actually  
3 on here where there's a space for the vessel to sign off on the  
4 number of cars that batteries are not disconnected?
- 5 A. No. Never seen that form.
- 6 Q. Okay. So you weren't aware in this case that the -- either  
7 the vessel's master or chief officer actually signed a form  
8 indicating a number of cars whose batteries were not disconnected?
- 9 A. Correct. Was unaware.
- 10 Q. Okay. And would that surprise you?
- 11 A. Yes.
- 12 Q. Okay. And why is that?
- 13 A. I'm unaware of that form.
- 14 Q. Okay. In any of your attempts to spot-check the cars onboard  
15 the ship, did you have any trouble opening any of the hoods?
- 16 A. I was able to open the hoods.
- 17 Q. So your testimony is you were able to open every single hood  
18 you tried?
- 19 A. Yes, sir.
- 20 Q. How many different cars do you think that was on?
- 21 A. Different make/model cars that you're referring to? Please  
22 clarify.
- 23 Q. No. Different -- total number.
- 24 A. I don't have a total number.
- 25 Q. Okay. Ballpark. Is it -- you know, there were roughly 1500

1 or 1600 cars on there. Is it half of them? Or a tenth? Or what?

2 A. Probably -- less than half, for sure.

3 Q. Okay. So, if we say less than half, roughly 500 or 600 cars?

4 A. I say less.

5 Q. Okay. A couple hundred?

6 A. I say yes.

7 Q. Okay. And -- okay -- and in every one of those instances you  
8 were able to open the hood. Correct?

9 A. Correct.

10 Q. Okay. Going through your timeline, you said you left, it  
11 looks like -- well, let me do it a better way. Where were you at  
12 1445 on the day of the incident?

13 A. On the vessel.

14 Q. Where on the vessel?

15 A. Deck 8.

16 Q. Okay. And did you observe anything unusual on your  
17 observation on Deck 8 at that time?

18 A. No.

19 Q. Okay. Was there anybody from SSA onboard Deck 8 at 1445?

20 A. No. I was by myself.

21 Q. Okay. Are you aware of when the last employee of SSA left  
22 the vessel?

23 A. It was around 1445.

24 Q. Okay. And so where did you go from Deck 8?

25 A. I walked down to the main deck and off the vessel through the

1 stern ramp, and met with SSA superintendent.

2 Q. Okay. Did you not walk -- I thought -- I have in my notes  
3 here that you went from Deck 8 down to Deck 7. Did I  
4 misunderstand you?

5 A. Yes. I have to go from 8 down to 7.

6 Q. Okay. Did you actually -- did you just pass through Deck 7,  
7 or did you walk Deck 7 at all?

8 A. I did walk Deck 7, but not at that point in time.

9 Q. Okay. And my notes said that you got off the ship at 1500.  
10 Is that correct?

11 A. Final time on vessel, yeah. 1500.

12 Q. Okay. And is that reflected in some kind of notes? Or --

13 A. No.

14 Q. Okay. Do you take any notes of anything when you're working  
15 a ship?

16 A. If something stands out, I'll mark it. But other than that,  
17 no.

18 Q. When you say mark it, what do you mark it in?

19 A. I might write it down in an email.

20 Q. So you're on the ship, and you send yourself an email? Or  
21 how does that work?

22 A. Example for -- I sent myself a text message estimating 60 car  
23 space left in Deck 8 around 1447.

24 Q. Okay. So, relative to this incident, you sent yourself a  
25 text message about the 60 additional spaces?

1 A. Yes.

2 Q. Did you send yourself any other text messages related to this  
3 incident -- I'm sorry, this shipment?

4 A. I estimated space in Deck 3.

5 Q. Okay. Any other ones?

6 A. No.

7 Q. Okay. Did you have any text message communication with  
8 anybody from SSA about this shipment?

9 A. No.

10 Q. Any email exchange with anybody from SSA about this shipment?

11 A. Just pre-operation plans and then the ops messages -- plans  
12 that I got from SSA.

13 Q. Okay. Anything else?

14 A. No.

15 Q. Okay. Do you have any personal knowledge as to what may have  
16 started this fire?

17 A. No.

18 Q. Okay. Can you give me one second? I'm going to look through  
19 my notes real quick. Just hold on one second, please.

20 A. Yes, sir.

21 MR. BAIAD: That's all the questions I have right now. Thank  
22 you.

23 MR. [REDACTED] I have some follow-up questions real quick.

24 MR. LOEUIS: Yes, sir.

25 MR. [REDACTED] All right. I got a couple follow-up questions.

1 This is [REDACTED] [REDACTED] with the Coast Guard. A couple follow-up  
2 questions real quick from the information that we've received  
3 here.

4 BY MR. [REDACTED]

5 Q. So, when you were doing your final checks -- the final  
6 lashing checks and stuff from the top-down, did you see any of the  
7 vessel crew doing their final checks?

8 A. No.

9 Q. And then, once your final checks are completed and you're  
10 departing that vessel, is there any interaction between you and  
11 somebody aboard that ship to say, we're done? Walking away?

12 A. I spoke to the female crew member at 1500 to tell her that  
13 1500 operation complete and pilot onboard 1700.

14 Q. Okay. But there's no forms, correspondence, anything like  
15 that, that gets passed to --

16 A. No.

17 Q. -- to the ship? Okay. We covered another question that I  
18 had with the receiving instructions. And are you familiar with  
19 the term called a cut list?

20 A. Yes.

21 Q. What is a cut list?

22 A. It's a list of units that were on the initial load list but  
23 did not load the vessel.

24 Q. Okay. Did this vessel have any vehicles that made the cut  
25 list?

1 A. Yes.

2 Q. Okay. And how many did it have?

3 A. Total number load -- pre-load list was 1,629. Final loaded  
4 was 1,575.

5 Q. Okay. So about 40 --

6 A. About 40, 50 --

7 Q. -- 44 --

8 A. Sorry.

9 Q. -- somewhere around there, between 40 and 50? Okay. And why  
10 were these vehicles on that cut list?

11 A. Predominantly forklifts because we ran out of space. Two --  
12 we had two high-heavy mechanical cuts. And then we had some other  
13 vehicles that turned into forklifts that were not classified as  
14 forklifts, so we cut.

15 Q. Okay. So what was that middle thing that you said? The  
16 high-heavy?

17 A. Trucks that had mechanical issues is what I meant -- was  
18 referring to.

19 Q. Okay. All right. And so are -- some of those vehicles that  
20 make that cut list, is that called -- they're cut -- they're on  
21 the cut list because of their condition? Is that what that's --

22 A. No, because they didn't load onto the vessel.

23 Q. Okay. All right. So basically if, if I have this -- I'm  
24 just trying to get it clear. If I have this vehicle, and it's  
25 categorized as a runner, and for some reason the stevedore gets



1 in, that vehicle doesn't start, doesn't -- something doesn't feel  
2 right on it, it does not get loaded. It then goes onto the cut  
3 list?

4 A. To clarify, if I have a runner that turns into a non-runner  
5 where we can push it onboard, we load it. If I have a runner that  
6 turns into a forklift, then we cut it.

7 Q. Okay. So it really like goes to a different operation  
8 because now there's more logistical things you have to do to get  
9 it onboard?

10 A. Correct.

11 Q. Okay. And then, when loading, when we're bringing on a  
12 non-runner -- I've seen a few of them on Blount Island. Car  
13 driving has a towline behind it.

14 A. Correct.

15 Q. Once that gets on -- once this non-running vehicle gets on  
16 the vessel, how does it get in so tight to meet that fist distance  
17 and 12 inches?

18 A. They push them.

19 Q. Okay. So there's a team on there that physically pushed the  
20 vehicle like into place then?

21 A. There was a person that was pushing, yes.

22 Q. Okay. And is that the same person that brings it on? Or are  
23 there just people specifically for that?

24 A. It can differ.

25 Q. Okay. And then you mentioned to -- with those checks of I'm

1 not sure exactly how many vehicles, but you were checking under  
2 the hoods and stuff. Do you check inside the vehicles as well?

3 A. No.

4 Q. Okay. And do you know -- I heard you mentioned earlier, too,  
5 about the personal effects, things like that found. Is there kind  
6 of a limit to what is --

7 A. Only --

8 Q. -- accepted?

9 A. It's supposed to be only what belongs to the vehicle. Tow  
10 jack, spare tire.

11 Q. Okay. If there's, you know, cardboard boxes, papers, things  
12 like that in --

13 A. Should be rejected.

14 Q. Okay. All right. And then that would go back to?

15 A. Terminal's responsible for rejecting --

16 Q. Horizon should look at that and be rejecting it at that  
17 point?

18 A. Yes, sir.

19 Q. According to your receiving -- or was it loading guidelines  
20 or receiving guidelines on that?

21 A. Receiving.

22 Q. Okay. Receiving guidelines. Okay. All righty. And then  
23 you said there are these caps that go onto the battery terminals.

24 A. Yes, sir.

25 Q. Just like little plastic caps that go on the post?

1 A. Plastic caps that cover the post terminals.

2 Q. Okay. What about the battery types that do not have the post  
3 but have the screw-down portion? Do they have something that goes  
4 into those?

5 A. We just have the plastic caps.

6 Q. Okay. Does -- do you provide those to SSA to put those on?

7 A. SSA purchases the caps.

8 Q. Okay. Is there a point where they ran out of those caps?

9 A. No.

10 Q. Okay. Are you -- do you know -- do they ever use other means  
11 to secure those? Like they pull the battery cap off, do they use  
12 like black tape? Like electrical tape or something like that  
13 to --

14 A. I did not see.

15 MR. [REDACTED] Okay. All right. Okay.

16 LTJG [REDACTED] All right. This concludes --

17 MR. [REDACTED] Actually, does anybody else have --

18 LTJG [REDACTED] Does anyone else have any questions before we  
19 conclude?

20 MR. STANCIL: I do. Paul Stancil, NTSB. Just a quick one.

21 BY MR. STANCIL:

22 Q. With regard to the wrecked and damaged vehicles, did you see  
23 any that were electric or hybrid-electric vehicles that would've  
24 contained a lithium ion battery?

25 A. I don't recall the make/models.

1 Q. Are there any specific procedures or special considerations  
2 for hybrid-electric vehicle or electric vehicle cars?

3 A. I don't know.

4 Q. And have you ever had any issues with electric vehicle  
5 batteries?

6 A. I don't know.

7 Q. You wouldn't be able to disconnect that sort of a battery.  
8 Correct?

9 A. I do not know.

10 MR. STANCIL: Okay, Mike. That's all I have.

11 LTJG [REDACTED] Anyone else on the line have any further  
12 questions?

13 MR. BAIAD: No. None from SSA.

14 MR. THIEL: All right. I just wanted to clarify a couple  
15 things.

16 LTJG [REDACTED] Yep.

17 MR. THIEL: This is Eric Thiel for Grimaldi.

18 BY MR. THIEL:

19 Q. Number one, just -- you don't have any of the receiving  
20 guidelines or policies in front of you here today?

21 A. No.

22 Q. So what you testified to is your best recollection of those?

23 A. Correct.

24 Q. Number two, you were asked about final checks of like Deck 8  
25 and Deck 7. Could you just describe what you meant by final

1 check?

2 A. I just walk through, look at the lashing, and I estimate the  
3 space.

4 Q. Did you walk through the entire Deck 8?

5 A. No. Not at that point. The last lash check.

6 Q. All right. When did you walk through the aft part of Deck 8?

7 A. First day is when I looked -- walked through the aft part of  
8 Deck 8 since that part was already filled the first day.

9 Q. All right. And the aft part of Deck 8 loading had completed  
10 on day one?

11 A. Correct.

12 MR. THIEL: All right. Thank you.

13 LTJG [REDACTED] All right. With that, hearing nothing, we're  
14 going to conclude the interview of Mr. Mike Loeuis. Thank you so  
15 much for helping shed light on this and hopefully finding a way to  
16 prevent these sorts of things from happening.

17 It's 11:30 in the morning on Friday, June 12, 2020, and this  
18 concludes the interview.

19 (Whereupon, at 11:30 a.m., the interview was concluded.)  
20  
21  
22  
23  
24  
25

CERTIFICATE

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

IN THE MATTER OF:           SHIPBOARD FIRE ABOARD THE *HOËGH*  
*XIAMEN* IN JACKSONVILLE, FLORIDA,  
ON JUNE 4, 2020  
Interview of Mike Loeuis

ACCIDENT NO.:               DCA20FM020

PLACE:                       Jacksonville, Florida

DATE:                         June 12, 2020

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

A black rectangular redaction box covers the signature area of the transcriber.

Kyle Jenkins  
Transcriber