

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FIRE ON SCRAP BARGE NEAR  
BOWERS BEACH, DELAWARE IN THE  
DELAWARE BAY ON MAY 23, 2022

Accident No.: DCA22FM019

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Interview of: ROBERT CLARK, Captain of the Daisy Mae  
Coeymans Marine Towing, LLC

Via Telephone

Friday,  
May 27, 2022

APPEARANCES:

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

BART BARNUM, Investigator  
National Transportation Safety Board

MIKE TUCKER, Attorney  
(On behalf of Coeymans Marine Towing LLC)

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I N T E R V I E W

1  
2 LT [REDACTED] We're recording the conversation. Do you have  
3 any issues with that?

4 CAPT. CLARK: No, sir.

5 LT [REDACTED] Okay, thank you. So have you been involved in a  
6 Coast Guard marine casualty investigation before?

7 CAPT. CLARK: About 25 years ago, one time with a little  
8 bridge thing up the Passaic River and it was just questions.

9 LT [REDACTED] Okay. Yeah, no worries, then. I just kind of  
10 want to give you a little explanation of what my role is here. So  
11 my name is --

12 (Crosstalk)

13 LT [REDACTED] Go ahead.

14 CAPT. CLARK: Okay. No, okay, go ahead.

15 LT [REDACTED] My name is Lieutenant [REDACTED] [REDACTED] and I am the  
16 lead marine casualty investigator for the Coast Guard for this  
17 incident. This investigation is a fact-finding investigation to  
18 determine the contributing factors that led to this incident. I  
19 will analyze these facts to determine if there are measures that  
20 can be put in place or anything that could be done to prevent this  
21 type of incident from happening in the future.

22 Some of my questions will be pretty general and then others  
23 will be kind of specific. I appreciate any information that you  
24 can provide, Captain, and I'll try to keep it as brief as  
25 possible. If you need a break at any time, just please let me

1 know.

2 CAPT. CLARK: Okay.

3 LT [REDACTED] Do you have any questions before we get started?

4 CAPT. CLARK: No, not at all.

5 LT [REDACTED] Okay, thank you.

6 INTERVIEW OF ROBERT CLARK

7 BY LT [REDACTED]

8 Q. So Captain, can you please spell your first and last name for  
9 me?

10 A. Robert Clark, C-l-a-r-k. Charlie-Lima-Alpha-Romeo-Kilo,  
11 Clark.

12 Q. And Robert, common spelling, R-o-b-e-r-t?

13 A. R-o-b-e-r-t, yes, that's correct.

14 Q. Okay, thank you. And what's your date of birth, Captain?

15 A. [REDACTED]

16 Q. Okay, thank you. And do you have a merchant mariners  
17 credential and --

18 A. Yes, I do.

19 Q. -- do you have it readily available?

20 A. I can go downstairs and get it for you.

21 Q. Don't worry about that. Do you know your reference number,  
22 (indiscernible) number, anything like that?

23 A. No, I don't.

24 Q. Okay. We'll get that information from -- from Mr. Tucker.  
25 So Captain, how long have you been a mariner?

1 A. I got my regional license when I was 19. I've been running  
2 tugboats since September of '88. Prior to that, I ran supply  
3 boats in the Gulf of Mexico and supply boats in the North Atlantic  
4 doing oil exploration.

5 Q. Okay. So you've been at sea for a while, Captain.

6 A. Yes, sir.

7 Q. Okay. How long have you operated in this area, the New York,  
8 New Jersey, Delaware, I guess?

9 A. September of '88.

10 Q. Okay. And what company do you currently work for?

11 A. I currently work for Coeymans Marine Towing.

12 Q. Okay. And how long have you worked for them?

13 A. Approximately six years now.

14 Q. Six years?

15 A. Yes.

16 Q. Okay. And we received your 96-hour work/rest history, so I  
17 appreciate that, Captain.

18 A. Yes.

19 Q. So can you kind of talk me through when, when and where did  
20 you get on board the Daisy Mae, like the date, time, location?

21 A. When I boarded from this two-week hitch?

22 Q. Yes, yes, Captain.

23 A. That would've been on -- one second, I just want to make sure  
24 I give you a correct date.

25 Q. Yes, sir.

1 A. That would've been on Wednesday, May 18th at approximately 10  
2 o'clock in the morning and the location is called Scaramouche,  
3 it's on the Staten Island side just below the Bayonne Bridge.

4 Q. Okay.

5 A. That's our general crew change location where we park cars.

6 Q. Okay, understood. Okay. And then can you kind of talk me  
7 through picking up the CMT Y NOT 6? Can you tell me your story  
8 about that interaction, picking up that barge and everything?

9 A. Okay. One second, let me get the right page. On Saturday,  
10 May 21st, some of the crew were out shopping and we rode over to  
11 have a look at the barge. I was contacted by our dispatcher, who  
12 told us the barge was going to be ready around noon.

13 I made a phone call at that time to a gentleman by the name  
14 of Darius (ph.) -- I don't know his last name, but he's a foreman  
15 over at EMR, at Berth 34, to see if the barge was finished and he  
16 said yes, they'll be done around noon. I asked him if it was any  
17 rush for the barge to leave and he said not that he was aware of.

18 So we went over just to have a look-see because we had made  
19 sure our dispatcher was aware that we wanted them to contact Berth  
20 34 at EMR to be sure that the sides of that barge were very clean  
21 because it's very narrow between the bin walls and the deck, so we  
22 wanted to emphasize that that had to be clean and that nothing was  
23 hanging over, cables or anything like that, during the course of  
24 loading. So we took a quick -- and he told me that they did speak  
25 to Darius and made that clear. We went over there in the

1 afternoon at approximately -- let me look here. We got over there  
2 at approximately 1330 and at that time I was still up but Mate  
3 Justin was running the boat, so we pulled up to the port side. I  
4 examined the port side from the pilothouse because you could  
5 easily see it. Then we rode around the stern, on the starboard  
6 stern next to the dock. I went up in the bow of the boat so that  
7 I can visually look up the side of the barge, the starboard side  
8 of the barge, which was against the dock and I saw that there was  
9 nothing sticking out on the sides, so there was no need to climb  
10 up on the barge.

11 I was very satisfied with the cleanliness of the barge. I  
12 looked at the draft, stern and bow, which was 12 feet to stern, 11  
13 feet to bow, and made sure it was not listing one way or another  
14 and it was a perfectly level tow. It was a very high tow, which  
15 is very normal for the scrap barges that come out of Berth 34,  
16 because it's just random scrap, I mean, it could be anything in  
17 there. I really don't know what it's comprised of. So it's very  
18 high up.

19 And then what they do is they have a surveyor come down when  
20 they're done loading it and they'll take survey marks of the draft  
21 of the barge and that's how they come up through their formula to  
22 come up with the tonnage of scrap that is on the barge.

23 Q. Okay.

24 A. And then after that was all okay, we went back to get the  
25 crew, and do you want me to continue with when we came back to get



1 it and all that?

2 MR. TUCKER: Hey, Captain, sorry to --

3 (Crosstalk)

4 MR. TUCKER: Sorry to interrupt, gentlemen. Captain, Mike  
5 Tucker here. When you said that they had a surveyor come out, who  
6 is they? Would that be (indiscernible)?

7 (Crosstalk)

8 CAPT. CLARK: That was EMR. Yeah. No, EMR does that when  
9 they load the barge. When they're loading the barge they have a  
10 surveyor come out just to take the draft marks, I guess, to then  
11 tell them the tonnage, but we're not privy to that information,  
12 that's something that's conveyed in billing and everything else  
13 and I'm not really sure how all that works. I'm more concerned  
14 with the draft, the levelness of the barge, the fact that the  
15 barge is not overloaded past Plimsoll marks and I was very  
16 satisfied with that entire end of it.

17 MR. TUCKER: Thanks, Captain. Sorry to interrupt.

18 LT [REDACTED] No, not a problem.

19 BY LT [REDACTED]

20 Q. Captain, did you meet with this surveyor at all?

21 A. No, we don't speak to him.

22 Q. Okay. Do you know who the surveyor was?

23 A. No, I do not.

24 Q. Okay.

25 A. I imagine they have a -- I imagine they have several that do

1 it, you know.

2 Q. Yeah.

3 A. Barges leave at all hours, so I really don't know who that  
4 would be.

5 Q. Okay. No, got you, just if that was information you had, it  
6 would be helpful, but no worries.

7 A. No, you can call up and find that out through our dispatcher  
8 and contact him to get a name for that guy, but no, we don't have  
9 that.

10 Q. Okay, fair enough. Yeah, we'll work on getting that. Okay,  
11 so you said that you didn't have any concerns as far as the -- you  
12 know, the sides were cleaned and everything. So it sounds like  
13 you have some experience with these barges and with the scrap  
14 metal loading, so is it common for there to be loading issues as  
15 far as cargo spilling out over the sides?

16 A. Not so much. I mean, you'll see some -- well, this was the  
17 first time this barge was loaded, it was basically new, you know,  
18 it was new to the company, not a new barge, but new to the company  
19 and the bin walls were all new, you know. But if you look at --  
20 you look at the load and only because of the height of it,  
21 sometimes there's a piece that you look at and say well, there's a  
22 chunk of metal that might tumble down or something and if there's  
23 anything like that that we're concerned with, then we would  
24 contact our office and tell them we have an issue with the load,  
25 they'd contact EMR and then it would be dealt with accordingly,

1 but in this case there was no issues at all.

2 Q. Okay. Sounds good. I do have a series of questions on this  
3 line. So what was your understanding of the cargo that you were  
4 picking up?

5 A. Random scrap, no different than any scrap we bring into 34 or  
6 take out of 34.

7 Q. Okay.

8 A. It was the same random scrap consisting of anything.

9 Q. Okay. Can you estimate about how many times you've done this  
10 operation at Berth 34?

11 A. Let's just say taking the scrap barges out or into 34 over  
12 the years.

13 Q. Yes, sir.

14 A. A hundred times.

15 Q. Okay, so plenty of experience with it.

16 A. Yes. Years ago it was still a scrap facility, I don't  
17 believe it was EMR at the time or who owned it but, you know, we  
18 were still always dealing with that area. That's where scrap is  
19 dealt with, both with ships coming in, ships come in and pick up  
20 scrap over there, it's -- it's a pretty busy area for scrap,  
21 that's the major scrap area of Newark, of Port Newark.

22 Q. Okay. Fair enough. So was there anything different about  
23 this load or anything that stood out to you about this load?

24 A. No, there wasn't.

25 Q. Did you meet with anyone at the loading facility?

1 A. No, there was no one there when we went and inspected it and  
2 -- nor was there anyone there when we went back to get it.

3 Q. Okay.

4 A. The only thing was when I called up I confirmed that it was  
5 loaded and finished.

6 Q. Okay. When you say you called up, who -- who did you call?

7 A. That would be Darius, Darius, the foreman at Berth 34.

8 Q. Okay. Did anybody provide you or leave you with a manifest  
9 as to what you were carrying?

10 A. No, we don't get any type of manifest for a scrap barge.  
11 It's not like with an oil company and an oil barge, you'll get a  
12 manifest of every product that's in it.

13 Q. Right.

14 A. But with scrap, no, we do not receive any type of manifest  
15 whatsoever. It's simply random scrap, it's a scrap barge.

16 Q. Okay. And then you got the go-ahead from -- you said the  
17 name, the gentleman's name is Darius, the foreman at EMR, he gave  
18 you the go-ahead to take the barge?

19 A. Yes, when we called at approximately 1 o'clock, he said it  
20 was ready for us to take whenever we wanted to leave with it.  
21 Then I touched based with our dispatcher and told him I was  
22 planning to leave at approximately 1900 because I wanted to have a  
23 fair tide leaving -- I mean, I'm sorry, Newark -- leaving New York  
24 and you have a fair tide leaving the channels and if you maintain  
25 roughly five and a half knots, then you'll catch a fair tide going

1 up the Delaware. So it's a fuel conservation thing and it's also  
2 for your time.

3 Q. Okay, yeah. No, that makes sense. So from what I  
4 understand, nobody from the Daisy Mae was involved with the  
5 loading operations for the barge.

6 A. No, not at all.

7 Q. Okay. And then you said that you guys did kind of a basic  
8 inspection of the load, so mainly to see if there was any spillage  
9 or if the aisle ways were clear.

10 A. Yes, that's all, we don't really, we don't really look at it.  
11 So the scrap is so random that there'd be no reason to look any  
12 further, it's just random scrap.

13 Q. Okay. So speaking of the randomness of the scrap on board,  
14 what kind of materials did you see on the barge?

15 A. Like I said, it's so random, it's as random as scrap could  
16 be, you know, everywhere from a metal washer to a crunched-up car  
17 in a block and everything in between. So exactly what's on it,  
18 it's all rusty, shredded, charred, it's all tore up so you can't  
19 even say what you're looking at, other than random scrap.

20 Q. Okay. There was nothing that really stood out to you, that  
21 you could be like hey, that was this or that was this?

22 A. Only when you see the one square block, you could say well,  
23 there's a car because it's now square.

24 Q. Okay, but no other --

25 A. You can see --

1 Q. -- identifiable objects?

2 A. No, not really. You see frames of cars and you might see  
3 random things, but nothing that ever really stands out, it's that  
4 random.

5 Q. Okay. And nothing stood out at you on the --

6 A. No, not a bit.

7 Q. Okay.

8 A. No, not at all.

9 Q. Did you have any concerns with how the vessel was loaded?

10 A. No.

11 Q. Did you have any concerns with this cargo?

12 A. No.

13 Q. Okay. Did you see any of the equipment that they used to  
14 load the barge?

15 A. Yeah, they use -- I'm not even sure of this. I guess it's an  
16 excavator, it's multiple-armed with a claw, like a side claw thing  
17 that they pick it up with a claw and just throw it up there.  
18 Sometimes they load it with one, sometimes two. On random  
19 occasions what they'll do is they'll load it using a crane, also,  
20 and they have a big, for lack of a better term, dustpan, but it's  
21 something that's about 15 feet long and 20 feet wide that's held  
22 by a crane and they'll lower that on the dock and then dump trucks  
23 will come in and dump scrap into that and then the crane will lift  
24 it, swing out over the barge and they lift one end and dump it.  
25 Basically, if you could think of it as a dustpan, that would be

1 the best explanation. But whether they used that in the loading  
2 of this barge or not, I don't know. That's just another way that  
3 they load them.

4 Q. Okay. Yeah, no, thank you for that. That makes sense.  
5 Okay.

6 (Crosstalk)

7 CAPT. CLARK: I'm sorry, go ahead.

8 LT [REDACTED] You can go ahead.

9 CAPT. CLARK: Once in a while what we'll have to do, and we  
10 didn't do it in this case and I don't even know if it was done by  
11 one of the other boats, depending on their loading, we may have to  
12 go to 34 and flip the barge around just so they could even load it  
13 side to side. Whether that was done or not, I don't know. That  
14 would actually be a question for dispatch, they would -- they  
15 would know whether that was done, I don't know.

16 BY LT [REDACTED]

17 Q. Okay, fair enough. Was there anything else about the load  
18 or, you know, inspecting the load or anything that stood out to  
19 you that you think would be helpful?

20 A. No, not at all.

21 Q. Okay. I'm going to kind of shift focus towards your actual  
22 voyage now. Did you guys hold any type of safety meeting or  
23 voyage plan meeting or anything like that before getting under  
24 way?

25 A. Well, not so much -- not so much a voyage plan meeting.

1 Prior to getting under way, I had everyone come up in the  
2 pilothouse and I explained to them how I will go about -- how  
3 we'll make up to the barge and what we'll do and what I wanted  
4 them to do as far as lines, which ends first and just going over  
5 the basic procedures of what my plans were in order to get under  
6 way with the barge.

7 Q. Okay, so just a basic planning meeting?

8 A. Yeah, yeah. Yeah, that's all, nothing, you know, which end  
9 to start at with lines, what to hold first. Just that type of  
10 stuff. And that's an ever-changing thing based on conditions, so  
11 there's not a -- there's no consistency to that on a given trip to  
12 trip to trip, it's always different based on conditions.

13 Q. Okay. Are these meetings logged anywhere or anything  
14 documented anywhere?

15 A. No.

16 Q. Okay.

17 A. It's a common thing. What I'll do is I'll have everybody up  
18 prior to going and then when we bring something somewhere and  
19 let's say we land a barge, after that's all done with, I'll have  
20 everybody come up again and we'll go over how the landing went and  
21 if anybody saw anything that needed to be addressed or any  
22 questions any crew member may have, then we'll address all that  
23 and just so it's added to the common knowledge and the  
24 conversation of the crew.

25 Q. Okay. Yeah, that's a good practice, Captain. Okay, Captain,



1 what time did you take the CMT Y NOT 6 under code?

2 A. We got over there, we made tow between -- let me just make  
3 sure I'm giving you the right time. From approximately 1800 to  
4 1900 we were making tow and getting the bridles and chained it to  
5 our winch and all that and we got under way at 1900 from Berth 34  
6 with the barge.

7 Q. Okay. And who was all on board?

8 A. Excuse me?

9 Q. Who was all on board?

10 A. That would be myself, Mate Bressette, engineer Frank  
11 Paoluccio (ph.), AB Ben Stocks, and AB Martin Johnson. And also,  
12 I don't know if this had been mentioned, leaving 34, we did have  
13 an assist tug hale us out through -- through the Kills.

14 Q. Okay, so when you got under way, you said?

15 A. Yeah, just a drag behind the barge, because it was actually  
16 the first time we towed that barge --

17 Q. Yeah.

18 A. -- and I had them throw a line up and I drug them along and  
19 just instructed them to push one way or another, if necessary, and  
20 it was very uneventful, they never did a thing other than -- it  
21 pulled along, which was perfect because the barge did handle  
22 excellent.

23 Q. Okay, awesome. So do you remember the name of the tug?

24 A. Meagan Ann, M-e-g-h-a-n (verbatim), Meagan Ann and that was  
25 owned by DonJon.

1 Q. Okay. Were they made up to the barge at all or were they  
2 just kind of --

3 A. No, not made up, they just put out a bow line and --

4 Q. Okay.

5 A. -- they just held along.

6 Q. Okay. And then, so you said you guys got under way at 1900.

7 A. Yes, sir.

8 Q. Who was on watch when you got under way?

9 A. Technically on watch at that time was myself; the engineer,  
10 Frank Paoluccio; and AB Ben Stocks, but Mate Bressette and AB  
11 Martin all stayed up while we were transiting through the Kills.  
12 So they didn't --

13 Q. Okay.

14 A. They didn't lay down until we got out and we got on tow and  
15 then they laid down, so they were up for about an hour or so just  
16 as we were going out through the Kills.

17 Q. Okay, understood. What was your watch schedule, Captain?

18 A. Six on and six off, I work from 0600 to 1200 and 1800 to 2400  
19 or essentially 5:30 to 11:30, but 0600 to 1200.

20 Q. Yeah. No, I understand. So prior to getting under way, did  
21 you have a voyage plan?

22 A. Yes, the voyage plan was entered in Helm CONNECT.

23 Q. Okay.

24 A. And I think we sent that thing up. You should have a copy of  
25 that, actually.

1 Q. Of the voyage plan?

2 A. Yeah, because that was all sent in to our office, we sent all  
3 that stuff in with the 2692 and everything else, the voyage plan  
4 was sent in.

5 LT [REDACTED] Okay, perfect. Yeah, if I didn't get that, I'll  
6 let you know, Mr. Tucker, and then if we can get a copy of that.

7 MR. TUCKER: Yeah, absolutely.

8 LT [REDACTED] Okay, thank you.

9 BY LT [REDACTED]

10 Q. Did you and the mate discuss the voyage plan at all?

11 A. Not so much, other than the fact of the route we would take,  
12 which is very, very common, the route we -- it's the same route we  
13 take all the time and we have it in Rose Point, you know, we go  
14 out the harbor, we essentially go out Ambrose Channel and we leave  
15 Ambrose Channel anywhere between the nine and five buoy. We can  
16 leave between the nine and seven and angle out or go a little  
17 further and go out around the five and that's kind of determined  
18 by the traffic in Ambrose Channel.

19 You know, if there's traffic coming inbound, ships or  
20 anything like that, we'll duck out of the channel a little  
21 quicker, you know, but that's based on conditions, what we -- what  
22 I decide to do there. Then we exit the channel and then we go on  
23 an angle that'll put us east of Sandy Hook Channel and the  
24 Scotland (ph.), but we will clear that to the east of that and  
25 that is where I will let out more wire and I increase the tow from

1 approximately -- when I left the dock I was approximately a  
2 hundred feet. When I got out into New York Harbor, I extended it  
3 to about 200 feet, 250, and when I exited Ambrose Channel, I  
4 lengthened it further to approximately 600 feet. So it's like a  
5 three-step process because you can't transit Ambrose if you're  
6 more than 800 feet, so we would never have it lengthened because  
7 it would be too long.

8       So that second, that third time you let out wire, you do that  
9 after you exit Ambrose, that's when we let out that additional  
10 wire and that could be anywhere from 600 to 1800 -- to 800, I'm  
11 sorry, based on the sea condition and at that time I only deemed  
12 that it was necessary to let out -- I actually let out what would  
13 be three and a half layers, so it would be closer to 700 feet.  
14 And then we attach a chafe gear to the wire so it can ride on the  
15 gunnel.

16 Q. Okay. So for the voyage, once you got clear of all the  
17 channels and you're traveling south bound in open water, you were  
18 at about 700 feet?

19 A. Yes, 700 feet approximately.

20 Q. Okay. Did you work the tow after that point at all, to  
21 extend it or reduce it?

22 A. Not at that time, no, we didn't --

23 Q. Okay.

24 A. -- make any changes until when the incident started, before  
25 we actually made any changes.

1 Q. Okay. Sounds good. So as far as your voyage plan goes, was  
2 a weather forecast part of your voyage planning?

3 A. Yes, we put that in a notation in the weather -- in the  
4 voyage plan, but it was pretty non-eventful as far as weather, it  
5 was -- at that time it was southeast about 15, a little gusty,  
6 three foot, maybe a couple little four-footers hitting us up on  
7 the port quarter a little bit, but it was nothing that was of any  
8 concern. We put some ballast in the bow just to ride a little  
9 better, but the barge towed beautifully right behind us and we  
10 averaged approximately five and a half knots.

11 Every once in a while, because of currents or whatever, we'd  
12 slow a little bit, but what I do then is I figure out when I'm  
13 going to be at certain points to -- because I shoot to be at the  
14 eights, that's the three-eight system buoy as you're coming out of  
15 the eights. I like to be there an hour before the floodtide  
16 starts, so that was how we adjusted our speed a little bit to  
17 maintain that five and a half knots.

18 Q. Okay. Okay, so you had no concerns about the weather. You  
19 didn't have any like go/no go discussions regarding the weather?

20 A. No, we wouldn't have that. That would be more a case if  
21 there was any issues with weather.

22 Q. Okay.

23 A. You know, if we had that, if that was the case, then I would  
24 simply say that's my -- that's my decision and it's final on that,  
25 but I always put both crew and equipment, that's tantamount to

1 anything with conditions, we will -- I won't go down the coast  
2 with something that's questionable.

3 Q. Okay, understood. So I know that the weather in this area  
4 tends to be unpredictable. Did you get any weather alerts during  
5 your voyage, like either on your phone or like the radio capture,  
6 anything?

7 A. As I was going down the coast, there was a couple of those  
8 alerts that you get on your phone and I kind of glanced at it and  
9 I didn't pay a whole lot of attention to it because it was nothing  
10 in our area.

11 But coincidentally, at approximately, let's say, 22 -- I'll  
12 say 2230, when I was rounding -- getting like going around Cape  
13 May at like 2400, in that time frame my wife actually called and  
14 said are you going to get hit by any of them storms that are  
15 coming across because, you know, we see there's going to be  
16 weather and I looked on a Radar Pro app and I told her no,  
17 actually all the stuff is mainly passing north of us.

18 So you could see some weather way, way, way in the distance  
19 and all the bad stuff was well north of us. We just saw lightning  
20 way in the distance, you know, and a little rain we had. We never  
21 got no gusts or no squalls or anything out of the ordinary, a  
22 little rain is all we had.

23 Q. Okay. As far as the rain, was it any kind of -- well, was it  
24 like misting, was it drizzling, was it like raining or pouring?

25 A. No, if you're going to have something, I guess you could call

1 it drizzling rain and increasing a little bit, but really nothing.  
2 We didn't even put the windshield wiper on, the Rain-X handled it.

3 Q. Okay.

4 A. You know, so it wasn't driving rain or anything like that,  
5 nothing that impeded us in any way.

6 Q. Okay. And then you said the sea state was probably about  
7 threes, with an occasional fours?

8 A. Yeah, as we were going down the coast and then as we made our  
9 turn at MaCrie Shoal, now you're coming to starboard, now that sea  
10 is hitting you more on the port stern, but like I said, it was no  
11 big swell or nothing, so that wasn't an issue. If you had a  
12 swell, then you would've slowed way down so that the wire would  
13 snatch.

14 Q. Got you.

15 A. But we didn't have any of that, either, so we didn't adjust  
16 the wire, we didn't adjust our speed, we just continued around  
17 making that turn, you make a gradual turn. It's adjacent to one  
18 of the main shipping channels and it's referred to as tugboat  
19 alley, it's what the tugboats use just inside the main channel.  
20 And then we got to the eights about an hour before the change of  
21 tide and continued up.

22 Q. Okay. Did the sea state change at all once you got into  
23 Delaware Bay?

24 A. Yes, it got calmer because as we moved up, now it was more on  
25 our starboard corner and as we got up even a little further, now

1 you're being protected by New Jersey, so now you're out of the  
2 waves and you had a little tiny -- a little tiny wind chop of --  
3 it was totally insignificant, it was nothing.

4 Q. Okay. Okay, let's kind of switch focus a little bit towards  
5 the discovery of the fire. So what were you doing when the fire  
6 was discovered?

7 A. Sleeping peacefully.

8 Q. That's unfortunate. Well, I mean it's good that you were  
9 sleeping. Got you. Okay, so you were sleeping. So talk me  
10 through about -- just tell me your story about you hearing like  
11 how you were notified of the fire.

12 A. Okay, at approximately 12:30 there was a knock on the door  
13 and it was AB Martin -- I'm sorry, AB Martin Johnson and he just  
14 said -- I said what and I woke up, what? He says Captain, we  
15 think there might be a fire on the barge. I said oh, okay. So as  
16 I was starting just getting up, the general alarm went off, I  
17 wasn't even sitting up yet when the general alarm went off and I  
18 ran up the steps and we looked back and when I got up here, you  
19 could see down towards what I would perceive to be the stern.

20 Look, I mean, you're looking from our direction back and  
21 that's over 700, 800 feet away where that fire was and you're  
22 looking behind you. So from our viewpoint, it looked kind of like  
23 it was on the port stern area, but we could be off a hundred feet  
24 on where it actually was because it's -- you know, you're looking  
25 in a straight line back and right away we saw flames pretty quick



1 and it built pretty quick, the flames really started going up  
2 very, very fast. Up higher above the pile. What was taking place  
3 where we could see it, I have no idea, I can only testify to what  
4 -- what we saw above the pile.

5 Q. Got you, understood.

6 A. Right. And that would be the port side of the barge towards  
7 the stern, because it was blocked by the front of the pile.

8 Q. Okay, yeah. No, that makes sense. Who was on watch when  
9 this was discovered?

10 A. That would've been Mate Bressette and AB Johnson were on  
11 watch. Everyone else was off watch at that time. Because the  
12 engineer works the same as the master, he works the same watch as  
13 me and the other AB.

14 Q. Okay.

15 A. Everyone else was in a rack at the time.

16 Q. Okay. And then you said that AB Johnson was someone that  
17 notified you?

18 A. Yes, he knocked on the door and said I think we may have a  
19 fire, then he came up and must've told Mate Bressette and then  
20 Mate Bressette looked back and saw it and he sounded the general  
21 alarm. All that happened, you know, boom, boom, boom, very  
22 rapidly.

23 Q. Right, okay. And you said that was about -- so 12:30, so  
24 0030?

25 A. Zero-zero -- I guess it would have been 0030 when he

1 notified-ed (ph.) me -- notified me, and then at 0035 the alarm  
2 went off and I got up in the pilothouse and our first call with  
3 anything, our company policy would be to call dispatch  
4 immediately, that would be your first call on the phone. If I  
5 didn't get an immediate response to my call, then I would've got  
6 on 16 and started making calls.

7 I called dispatch and that phone call was answered  
8 immediately and then he said I'll start, I'll start making calls  
9 and within five, not even five minutes from that, I got a call  
10 from our general manager, John McNulty, he said everyone has been  
11 notified, assets are -- Coast Guard and fireboats are heading  
12 towards you now. And that was within not even 10 minutes, that  
13 was very, very quick.

14 Q. Okay. How long was it before the Coast Guard and other  
15 assets started showing up?

16 A. I just got to look at the log exactly, because we wrote  
17 things down as it progressed. That was approximately 0110 when --  
18 the first one to us, I believe, was Coast Guard. Then there were  
19 a couple of local fireboats that I'm not sure where they actually  
20 came from. One might've come from Jersey, I don't know. I know  
21 several came from Delaware and that would be Chief Aaron was the  
22 gentleman who was in charge of all the fireboats and he'd be the  
23 one that would be able to shed more light on exactly, you know,  
24 what boats came from where.

25 Q. Okay. Yeah, yeah. I mean --

1 A. There was -- I'm sorry?

2 Q. No, go ahead.

3 A. There was a lot of lights going on, but who was coming and  
4 going, I'm only guessing.

5 Q. Yeah.

6 A. It would be really hard to give you exact answers on that.  
7 And what we also did right then is we were out of the channel  
8 because we try to stay out of the channel as much as we can, based  
9 on our draft, simply not to impede ships and I mean, if it's 40,  
10 30 feet out of the channel, we have no reason to be in the  
11 channel.

12 Q. Got you.

13 A. So as a rule, we'll shorten up a little going up the  
14 Delaware. So when this fire started, we shortened up to  
15 approximately, let's say -- let's say 300 feet, so that we could  
16 slow right down so that they -- we went as slow as we could to  
17 still maintain steerage way.

18 Q. Right.

19 A. And we continued up outside the red side of the channel.

20 Q. Okay. Do you know what your speed was at that time?

21 A. I would say roughly two and a half knots, three knots at that  
22 time, because we did have fair tide. So we had to give a little  
23 throttle because we couldn't go at idle because then the barge  
24 would be pushed out of shape on us, so we had to go just fast  
25 enough to keep the barge behind us so that we could control it

1 properly.

2 Q. Okay. Was this a flooding or ebbing tide?

3 A. At that time, flooding.

4 Q. Okay.

5 A. I'll give you an exact time on that, when it started. Just  
6 based on where I wanted to be at 2230, the flood might've started  
7 roughly 2300. I'd have to look back exactly, but since I wanted  
8 to be at the eights at 2230, that would indicate roughly 2300 it  
9 would start to flood. But to give you that exact time, I'd have  
10 to look back.

11 Q. No worries. Right, I get it. So --

12 A. And as you move further up the river, the flood stage  
13 increases as you go. So you could carry that flood tide a  
14 considerable distance. You know, you would think well, the tide  
15 changes in six hours, but as you move north up the river, the  
16 flood starting time continually increases, you know, so you would  
17 carry it a long distance.

18 Q. Okay. And yeah, you said you used that for fuel  
19 conservation.

20 A. Yeah, fuel and to -- that's our best time.

21 Q. Okay.

22 A. Down the coast and up the river, because it's a long way, I  
23 mean it's, you know, 200 and -- I think it's 260 miles to -- to  
24 Camden.

25 Q. Okay. Yeah, that sounds like a more efficient way of doing

1 things.

2 A. Yes.

3 Q. Okay, Captain, so can you kind of explain to me like when AB  
4 Johnson notified you that there may be a fire, what did you see  
5 when you walked out?

6 A. Like I said, I looked back and saw the flames coming up what  
7 I perceived to be the back end of the barge on the port side, in  
8 the back of the pile. But I like I said, in looking back, you  
9 know, perception is not easy --

10 Q. Right.

11 A. -- at this distance, that's just where I perceived it to be.

12 Q. Okay. So other than the flames, did you see any smoke?

13 A. Yeah, you could see smoke, you know, you could see it was  
14 dark. You know, whether it was dark gray or black, you know, at  
15 night it was hard to tell, but it wasn't white, it was a dark  
16 smoke.

17 Q. Okay. Did you hear any explosions?

18 A. No.

19 Q. Did you hear or see any thunder or lightning?

20 A. Only lightning way in the distance. From our perception,  
21 going up the river, it would be way into the northwest. A  
22 significant distance, more over land than anything, you know, so  
23 it was miles away.

24 Q. Okay.

25 A. Nothing around us.

1 Q. Okay.

2 A. I've seen lightning around the boat and it would light the  
3 pilothouse up and there was nothing either remotely like that, you  
4 know, it was far in the distance.

5 Q. Okay. Does your company have any policies on what actions  
6 you're supposed to take during fires?

7 (Crosstalk)

8 CAPT. CLARK: Okay, the best way I could explain that, what a  
9 policy would be, it would be governed by what the situation is and  
10 where you were. You know, so there's so many variables in  
11 something like that, to turn around and say this is what you do,  
12 that's impossible. All we do at that time would be to immediately  
13 contact the dispatcher, tell him what's happening, tell him our  
14 location. If I had a barge fire, for example, if all of a sudden  
15 I had a barge fire and I was in the Kills where there's oil  
16 terminals, the first thing I would do is get the barge out of the  
17 Kills as quickly as possible and get out into the bay. You know,  
18 so that would depend, that's all situational.

19 LT [REDACTED] Okay, yeah. No, fair enough.

20 CAPT. CLARK: What do you do "if"? Well, you got to see what  
21 the "if" is first.

22 BY LT [REDACTED]

23 Q. Right. But you said you guys do have some policies as far  
24 as, you know, notification chain and all of that?

25 A. Yes, that's right.

1 Q. Okay.

2 A. That's correct. Our first point of contact is the dispatcher  
3 because they're 24 hours and that's a phone call and 99 out of a  
4 hundred times you get an immediate answer. If you don't get that,  
5 if I was in the shower, then they'd called back in five minutes.

6 Q. Okay. And --

7 A. They're very good with that.

8 Q. Got you. So in this situation, your dispatch -- I guess, who  
9 contacted the Coast Guard?

10 A. That would be -- I would say the dispatcher did, because I  
11 know he immediately contacted the general manager. So between the  
12 two of them, I'm not exactly sure, but I would have to say it was  
13 dispatch, he probably called Coast Guard first, then general  
14 manager, but that would be a question for him.

15 Q. Okay, yeah. No, fair enough, but it wasn't you?

16 A. No, it was not.

17 Q. Okay. But --

18 A. Because the minute I was called back by the general manager,  
19 I was told that Coast Guard had been notified. And then we were  
20 pretty -- we were pretty easy to find at that point.

21 Q. Yes, sir. Yes, you were. Yeah, I had the pleasure of being  
22 out there with Chief Aaron Warren and his firefighters for a  
23 while.

24 A. Oh, I didn't realize that, okay.

25 Q. Yeah.

1 A. Why didn't you bring me a cheese steak?

2 Q. I wanted to. Unfortunately, Port Mahon does not have a  
3 cheese steak place.

4 A. I will let you off the hook on that.

5 Q. I struggled to find coffee, so cheese steaks were kind of out  
6 of the question, Captain.

7 A. Okay.

8 Q. Okay, Captain, that's really it for my line of questions  
9 right now. Do you have any other information that you think would  
10 be beneficial for me in aiding my investigation?

11 A. No, because I got -- it was very uneventful.

12 Q. Got you.

13 A. It was a nice tow going down the beach, the barge handled  
14 great. The loading, as far as a scrap barge goes, was essentially  
15 perfect, there was no issues on our end whatsoever.

16 Q. Okay.

17 A. Yeah, so there's nothing I could add to it regarding that.

18 Q. Okay. I know that would be completely speculative, but do  
19 you have any thoughts or suspicions on like what could have caused  
20 the fire?

21 A. I wouldn't have a clue what actually caused it.

22 Q. Okay. So you have quite a bit of experience with towing  
23 these scrap barges. Have you ever had a fire before?

24 A. No.

25 Q. Okay. Have you ever been aware of a scrap fire at like one



1 of the facilities that you've loaded at or anything like that?

2 A. Yes, I have seen that.

3 Q. Okay. Do you remember what facilities?

4 A. There was a scrap fire actually at EMR's dock in Camden. Oh  
5 gosh, I was on another tug. It might've been between a year and  
6 two years ago, I couldn't say exactly, and it was one of their  
7 piles of what's called -- I think they call it shred, it's after  
8 the scrap goes into a giant machine and I guess they burn a lot of  
9 the flammable things out of it and they chop it up in a machine  
10 and they have a huge pile and that caught on fire over at EMR  
11 Camden and they actually had a couple fire engines there.

12 They squirted water on it for a pretty long time. I guess  
13 that those fires start deep within the pile, you know, as it would  
14 seem, because they had to keep using a crane and a claw trying to  
15 dig the pile down to lower it and two fire engines squirted water  
16 on it for several hours to finally get it out.

17 Q. Okay.

18 A. Nothing over in Port Newark, I never saw anything there. But  
19 then our only dealings with Port Newark is going and coming.

20 Q. Okay.

21 A. When we go to EMR in Camden, we're there for a day or two  
22 while they unload the barge, you know, so we spend more time in  
23 Camden dock than Port Newark dock.

24 Q. Okay. So you guys, the intentions were for you guys to go to  
25 Camden and then they were going to discharge the barge and then

1 you guys would take that, that barge --

2 A. Yeah, they would unload it, then -- yeah, they would unload  
3 it, then they put people in the hopper and they put a sweeper and  
4 a little loader and everything and they lower that dustpan, like I  
5 explained to you, and they thoroughly clean the inside of the  
6 barge totally.

7 Q. Okay.

8 A. So there's nothing whatsoever because you never know what  
9 you're going to do next with that barge prior to scrap next.

10 Q. Okay.

11 A. But like I said, that barge was brand new to us and that was  
12 actually the first tow with that barge.

13 Q. Got you. That's unfortunate.

14 A. As far as I know, it was the first tow. Before I came in,  
15 they may or may not have done something with it and that also  
16 would be a question for dispatch, I'm not aware of anything they  
17 did, but that's a possibility, yes.

18 Q. Okay. And you just mentioned -- a second ago you said put  
19 people in the hopper. Can you explain kind of the design or  
20 structure of the barge?

21 A. Okay. The barge is 300 by 100 and then the length of the bin  
22 walls, it would just be an estimate, I guess it's probably -- I  
23 should say 270 length and about 90 across and the bin wells -- I'm  
24 sorry, bin walls are 10 feet high and roughly eight feet, they  
25 have a steel support running up each side to support the bin

1 walls.

2 Q. Okay. And is it a flat-deck barge, is there like a cargo  
3 hold, anything like that?

4 A. No, it's a flat-deck barge.

5 Q. Okay, just with the raised bin walls?

6 A. Yes, that's right. Whether they increased the deck thickness  
7 to strengthen it or not, that would be a question also for, I  
8 guess, the general manager or dispatcher. I'm not aware of  
9 anything they did, but they certainly could have.

10 LT [REDACTED] Okay, understood. Okay, that's all that I have  
11 for right now.

12 Bart, do you have anything?

13 BY MR. BARNUM:

14 Q. Yeah, just a couple questions, Captain Clark. This is  
15 Bart Barnum, NTSB. Thank you, sir, for taking the time here.

16 A. Yes, sir. Not a problem.

17 Q. Just staying on that same topic of that barge, it was a new  
18 barge to the company, do you know any history behind it, you know,  
19 where did that barge come from, what was it -- what was it hauling  
20 before?

21 A. No idea. I know they bought three barges at the same time.  
22 Two of them were, I think, 260 long. I'd have to look at the  
23 list, two, two -- hang on one second, let me look and I can give  
24 you a more correct answer. They bought -- hang on. They bought  
25 three barges, I believe, within the same time frame and they were

1 -- I believe they were all owned probably by the same company they  
2 bought them from and that would be the Weinoff (ph.) 4 and 5,  
3 they're both 250 by 72 and this one, the Weinoff 6, was 300 by a  
4 hundred and they constructed them all basically the same way with  
5 the 10-foot high bin walls, so they were all the same, the only  
6 difference was length. And where they came from and what they  
7 were used for prior to this, that would also be a question for  
8 John McNulty, the GM, he could shed light on that.

9 Q. Did Coeymans install the bin walls? Who did that?

10 A. I don't know, but I don't believe so. But I'm not really  
11 sure on who did that.

12 Q. But it was done after the purchase of the barge?

13 A. That also, I don't know whether it was done to -- whether  
14 they said to them listen, this is what we need done before we buy  
15 it or they bought it and then did it, I don't know the time frame  
16 of that.

17 Q. Okay, I'm just curious, did they -- did they buy the barge  
18 and the next day it was loaded at EMR and you guys took it or did  
19 they buy them and there was, you know, some sort of shipyard  
20 period, some reconditioning, do you know if there was?

21 A. I'm not a hundred percent sure of time frames of any of that.  
22 Just to assume something, which is wrong --

23 Q. Right.

24 A. -- but I would have to think they bought three deck barges,  
25 then put it to a shipyard and then told them how they wanted bin

1 walls installed.

2 Q. Okay. All right, thank you.

3 A. You know, and they would do that with a marine architect and  
4 whoever, to design that. But where it was done and who did it and  
5 all that, that's a John McNulty question.

6 Q. Sure, thanks. These deck barges, you just explained the  
7 construction a little bit before, flat deck. Are there any tanks,  
8 internal tanks, on these barges? Ballast tanks or anything?

9 A. No, nothing like that. What you do have is you have separate  
10 compartments, which wouldn't be a tank, but it would be  
11 compartmentalized. So if you, you know, got a hole on one side,  
12 you would fill up a compartment.

13 Q. Um-hum.

14 A. You know, it's not an open hull inside, you know, a big open  
15 shell, there's different compartments. Exactly on that barge, I'm  
16 not sure how many. I believe I would only be guessing, but I  
17 believe there's eight, four on a side.

18 Q. Okay.

19 A. But that would be something also that you'd have to check  
20 with that.

21 Q. These compartments, are they ever inspected by the crew or  
22 how do you get to them?

23 A. What we would do with something like that is based on  
24 ballasting and everything, everything was sealed and that barge  
25 was checked before it got there. After the barge would be

1 unloaded, prior to getting under way we would make sure to inspect  
2 inside the -- I would send crew up, they would go up inside the  
3 bin walls just to inspect for any type of damage that may have  
4 been done by the loading or the unloading. And then we would pop  
5 the hatches up the deck just to quickly -- they wouldn't climb  
6 down inside of anything because there's no option, they look with  
7 a flashlight, you know, and the wall, if it's dry, they'd shut the  
8 lid and that would be it.

9 And if there was any water that may have settled in there,  
10 then we would do a little further investigation based on how much  
11 it might be. But if it was just a little tiny bit, that wouldn't  
12 even be paid attention to and if it was anything a little more,  
13 then we would lower a pump and pump it and watch it and see if it  
14 came up and just try and ascertain where it came from.

15 Q. Okay. You were talking a little bit earlier about a fire you  
16 had seen at the EMR in Camden and it was in a pile that had  
17 already been shredded. So I'm just curious if you know anything  
18 about like the processing of this scrap. So the stuff you were  
19 hauling out of Newark, that was un-shredded. Now is that, to your  
20 understanding --

21 A. Yes, yes.

22 Q. -- is that transferred to the Camden yard to be shredded  
23 there or what was -- what was to become of it, do you know?

24 A. That also is -- that's -- I couldn't, I couldn't be sure of  
25 the answer to that question because they also have -- as part of

1 that EMR, they have a ship dock and they load ships with scrap,  
2 also.

3 Q. Right.

4 A. They load ships, they unload, they do all different kinds of  
5 things with ship and scrap. So that random scrap that we brought,  
6 I'm not a hundred percent sure of it, it could certainly be loaded  
7 and dumped into big dump trucks and brought over there and dumped  
8 and loaded onto ships --

9 Q. Okay.

10 A. -- that type of scrap. And then the ship would take it  
11 wherever they take it to make cars. I don't know what they do  
12 with it. And then the shred is another thing that also can be  
13 delivered to various locations. You know, we've moved shred on  
14 occasion from one place to another, also.

15 Q. And that was my follow-on question, have you -- are there  
16 different classes of scrap that you haul, shred, the scrap that  
17 you hauled here, is there a better --

18 A. Yeah, basically -- yeah, basically for us, the only thing  
19 that we've hauled is that miscellaneous scrap there or shred.  
20 There's a facility up the Delaware further, I personally haven't  
21 went up there, other boats have and have taken shred from there.  
22 I don't know whether that's EMR or not, I have no answer for that.  
23 And that has been delivered, I believe it's already gone to  
24 different places in Baltimore and it's also gone down to  
25 Charleston, that shred. But I personally have not moved any

1 shred, but other boats from our company have.

2 Q. Okay, thanks a lot.

3 A. All I've dealt with -- all I've dealt with EMR is that random  
4 scrap is what I've done.

5 Q. Yeah. Just this last question here, I'm curious, you said  
6 you had a -- with respect to weather, a radar app that you were  
7 using the morning or the night of -- the night before the fire,  
8 what radar app is that? Is it something on your phone or do you  
9 have a desktop on the bridge?

10 A. Yeah, it's just -- no, just a downloaded --

11 Q. Yeah.

12 A. You know, we have Windy apps and radar apps and -- but I'll  
13 give you an actual name of it, hang on one second.

14 Q. You mentioned the --

15 A. There's so much you can use, it's crazy.

16 Q. You mentioned the Windy app, is that -- is that something --

17 A. Oh, MyRadar Pro is the app for the storms and stuff.

18 Q. Oh, okay. But this is all on your personal phone, it's not  
19 something, no equipment you have on the bridge?

20 A. No, just my personal phone, they work remarkably well.

21 Q. Okay, good to know. How do you like the Windy app?

22 A. Yes, fantastic.

23 Q. Yeah, okay. All right.

24 A. Yeah, that's -- it's excellent, it's a very, very, very  
25 valuable tool.



1 Q. Designed for wind surfers and it's used extensively in the  
2 maritime industry, as I understand.

3 A. Yeah, yeah, it's really, really something and another  
4 valuable tool is Google Earth --

5 Q. Okay.

6 A. -- because we'll be going to another port somewhere where  
7 we've never been --

8 Q. Uh-huh.

9 A. -- type it into Google Earth, we can look at the picture of  
10 the port and the dock and the bits and tremendous, tremendous  
11 tools that you can access on the phone for the maritime industry.

12 MR. BARNUM: Excellent. Well, thank you, Captain Clark, I  
13 appreciate your time today and answering our questions. Have a  
14 nice weekend.

15 CAPT. CLARK: You're very welcome. Thank you.

16 LT [REDACTED] Yeah, I don't have any follow-on questions or  
17 anything else right now. Again, Captain Clark, I really  
18 appreciate all the actions that you and your crew took to get that  
19 vessel out of the channel and, you know, to keep this from  
20 becoming something much bigger than it ended up being. I really  
21 appreciate that.

22 CAPT. CLARK: Thank you very much.

23 (Whereupon, the interview concluded.)

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FIRE ON SCRAP BARGE NEAR BOWERS BEACH,  
DELAWARE IN THE DELAWARE BAY ON MAY 23,  
2022  
Interview of Captain Robert Clark

PLACE: Via Telephone

DATE: May 27, 2022

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been compared to  
the recording accomplished at the hearing.

A black rectangular redaction box covers the signature of David A. Martini.

---

David A. Martini  
Transcriber