

**Board of Pilot Commissioners for Harris County Ports  
Pilot Board Investigation and Recommendation Committee  
Hearing Minutes**

**December 8, 2015**

A hearing of the Pilot Board Investigation and Recommendation Committee (the "PBIRC") was convened on December 8, 2015, 09:00, at the Port of Houston Authority Executive Offices, Fourth Floor Boardroom, at 111 East Loop North Houston, Texas 77029. The following members, U.S. Coast Guard (the "USCG") advisory members, and staff were present:

Captain Marcus Woodring, Chairman  
Captain Michael Morris  
Captain Sean Arbogast  
Captain Michael Curtiss  
Captain David Foret  
Captain Richard Ford  
Tom Marian  
Paul Caruselle  
Mark Bottiglieri, USCG Branch Chief Port State Control Sector Houston - Galveston  
Paul Lonardo, USCG Investigation Officer Sector Houston - Galveston  
Erik Eriksson, Board of Pilot Commissioners for Harris County Ports (the "Pilot Board")  
General Counsel  
Captain Mike Usher, PBIRC Compliance Coordinator

Chairman Woodring called the hearing to order to hear the following matters:

M/V BBC VESUVIUS allision with Manchester Dock C on April 28, 2015, in the Houston Ship Channel; and

M/V CONTI PERIDOT collision with M/T CARLA MAERSK on March 9, 2015, in the Houston Ship Channel.

1. **Summary of Hearing re M/V BBC VESUVIUS allision with Manchester Dock C on April 28, 2015, in the Houston Ship Channel**
  - a. Statements by PBIRC members, staff, and USCG advisory members identifying themselves and describing their maritime expertise.
  - b. Statement by Chairman Woodring as to the conduct of the hearing.
  - c. Introduction as Exhibit "A" of Incident Materials including Submission of Captain William Ewing III gathered by Captain Usher regarding the above-referenced incident.
  - d. Testimony by, and questions put to Captain Ewing.
  - e. Concluding statement by Pilot counsel, Mr. Jim Brown.
  - f. Executive Session.
  - g. Announcement by Chairman Woodring of Proposed Findings and Recommendations and description of appeal rights.
2. **Proposed Findings re Captain Ewing** Following its deliberations, by a vote of 8-0, the PBIRC proposes the following findings:

While piloting the BBC VESUVIUS, something happened to cause the stern to suddenly “dive” to Port, and Captain Ewing’s not knowing what happened is considered a loss of situational awareness by Captain Ewing.

3. **Proposed Recommendations re Captain Ewing** Following its deliberations, by a vote of 8-0, the PBIRC proposes the following recommendations to the Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”).
  - a. Take no action, close to file.
  - b. Captain Ewing verbally counseled to “take control of the bridge team” and not be timid if his commands are not being followed.
  - c. Captain Ewing verbally counseled to proactively verify his orders are being carried out by all means available, i.e. prop wash, rudder angle indicator, etc.
  - d. Captain Ewing was directed to work with Houston Pilots, Captain Reeser, and the Maritime Pilot’s Institute (MPI) to develop (or refine) a Bridge Resource Management – Pilot (BRM – P) module that emphasizes the Pilot leadership role on the bridge team.
4. **Hearing break**
5. **Hearing reconvened**
6. **Summary of Hearing re M/V CONTI PERIDOT collision with M/T CARLA MAERSK on March 9, 2015, in the Houston Ship Channel**
  - a. Statements by PBIRC members, staff, and USCG advisory members identifying themselves and describing their maritime expertise.
  - b. Statement by Chairman Woodring as to the conduct of the hearing.
  - c. Introduction as Exhibit “A” and Exhibit “B” of Incident Materials including Submissions of Captain Chris Reeser and Captain Larry Evans gathered by Captain Usher regarding the above-referenced incident.
  - d. Testimony by, and questions put to Captain Reeser.
  - e. Testimony by expert witness Captain Jay Rivera on behalf of Captain Reeser.
  - f. Concluding statement by Pilot counsel, Mr. Jim Brown.
  - g. Testimony by, and questions put to Captain Evans.
  - h. Concluding statement by Pilot counsel, Mr. Keith Letourneau.
  - i. Executive Session.

- j. Announcement by Chairman Woodring of Proposed Findings and Recommendations and description of appeal rights.
7. **Proposed Findings re Captain Reeser** Following its deliberations, by a vote of 8-0, the PBIRC proposes the following findings:

Captain Reeser acted with prudent seamanship in the handling of the CONTI PERIDOT, by slowing to ensure adequate separation in an anticipated meeting/overtaking situation, and did not receive the posted RPMs, when ordered, to recover.
  8. **Proposed Recommendations re Captain Reeser** Following its deliberations, by a vote of 8-0, the PBIRC proposes the following recommendations to the Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”).
    - a. Take no action, close to file.
    - b. To the Houston Pilots – Ensure all Houston Pilots are periodically made aware of the recently issued USCG Sector Houston-Galveston Marine Safety Information Bulletin (MSIB) 20-15, Bridge to Bridge Communications, specifically the sentence that states “Mariners may use Pilot identifiers (unit number or the like) in addition to the vessel’s official name when communication within the VTSA.” Failure to comply may be considered in future PBIRC hearings.
    - c. To the Houston Pilots – Ensure all Houston Pilots are periodically made aware of USCG Marine Safety Alert (MSA) 13-15, Ultra Low Sulfur Fuel Oil and Compliance with MARPOL Requirements, specifically the bullet that states “As part of the master-pilot information exchange (as required by 33 CFR 164.11(k)), discuss the vessel’s maneuvering characteristics, including any change in RPMs associated with ULS fuel oil.” Failure to comply may be considered in future PBIRC hearings.
    - d. To the Houston Pilots – Encourage all Houston Pilots to enter “ship notes,” as needed, *in* a timely fashion to improve safety.
    - e. Captain Reeser was directed to immediately enter his “ship notes” for the handling characteristics of the CONTI PERIDOT.
    - f. Captain Reeser was directed to work with Houston Pilots, Captain Ewing, and the Maritime Pilot’s Institute (MPI) to develop (or refine) a Bridge Resource Management – Pilot (BRM – P) module that emphasizes the Pilot leadership role on the bridge team.
  9. **Proposed Findings re Captain Evans** Following its deliberations, by a vote of 8-0, the PBIRC proposes the following findings:

Captain Evans displayed prudent seamanship in the handling of the CARLA MAERSK.
  10. **Proposed Recommendations re Captain Evans** Following its deliberations, by a vote of 8-0, the PBIRC proposes the following recommendations to the Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”).
    - a. Take no action, close to file.

b. To the Houston Pilots – See 8 (b) above

**11. Hearing Adjourned 14:26**