

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

January 20, 2016

A hearing of the Pilot Board Investigation and Recommendation Committee (the “PBIRC”) was convened on January 20, 2016, 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”) National Transportation Safety Board (the “NTSB”) advisory members, and staff were present:

Captain Marcus Woodring, Chairman
Captain Robert Shearon
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
Bruce Davies, USCG Chief Investigations Sector Houston-Galveston
L. Ray Gentry, USCG Chief Investigations Marine Safety Unit Texas City
Larry Bowling, NTSB Senior Marine Accident Investigator
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 matter:

M/T CHEMBULK HOUSTON collision with M/V MONTE ALEGRE on March 5, 2015, in the Houston Ship Channel.

1. **Summary of Hearing re M/V CHEMBULK HOUSTON collision with M/V MONTE ALEGRE March 5, 2015, in the Houston Ship Channel**
 - a. Statements by PBIRC members, staff, USCG, and NTSB 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 Travis Parker and Captain David Rodrigues gathered by Captain Usher regarding the above-referenced incident. Additional Exhibits “C”, “D”, “E”, & “F” were submitted by Pilot Counsel Jim Brown.
 - d. Testimony by, and questions put to Captain Parker.
 - e. Concluding statement by Pilot Counsel, Jim Brown.
 - f. Testimony by, and questions put to Captain Rodrigues.
 - g. Testimony by expert witness Captain Paul Bartholmey on behalf of Captain Rodrigues.
 - h. Concluding statement by Pilot Counsel, Keith Letourneau.

2. **Captain Parker** Following its deliberations, by a vote of 6-3, the PBIRC propose the following to the Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”):
 - a. **Proposed Findings** There was no actionable misconduct by Captain Parker in contributing to the collision between the CHEMBULK HOUSTON and MONTE ALEGRE.
 - b. **Proposed Recommendations**
 - i. Take no action, (with exception as follows) and close to file;
 - ii. Captain Parker is directed to validate all his planning assumptions, i.e. the intended actions of other vessels;
 - iii. Captain Parker attends both Manned Model Ship Handling and Emergency Ship Handling courses as soon as scheduling permits.

3. **Captain Rodrigues** Following its deliberations, by a vote of 9-0, the PBIRC propose the following to the Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”):
 - a. **Proposed Findings** Captain Rodrigues made an error in judgment by keeping the speed of the MONTE ALEGRE at half ahead for more than necessary to “check her up” thereby adversely affecting the overtaking CHEMBULK HOUSTON.
 - b. **Proposed Recommendations**
 - i. Issue a Letter of Caution to Captain Rodrigues cautioning him with regard to his actions;
 - ii. To the Houston Pilots – Review the duties and responsibilities of the “#1 Pilot on the Bar”;
 - iii. Captain Rodrigues attends both Manned Model Ship Handling and Emergency Ship Handling courses as soon as scheduling permits.

4. **Hearing Adjourned 15:22**