

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

March 23, 2023

A hearing of the Pilot Board Investigation and Recommendation Committee (the “PBIRC”) was convened on March 23, 2023 at 09:00, at the Office of the Houston Pilot Board, Boardroom, at 203 Ivy Avenue, Deer Park, Texas 77536. The following members, and staff were present:

Tom Marian, Chairman Pro Tem
Captain Clint Winegar
Captain Michael Curtiss
Captain Steve Nelson
Captain Richard Russell
Captain Mike Usher
Captain Paul Brown
Captain Amy Arrowood
David McNeal, Board of Pilot Commissioners for Harris County Ports (the “Pilot Board”)
General Counsel – Present Virtually
Captain M. Tyler Gavis, PBIRC Compliance Coordinator

Chairman Pro Tem Marian called the hearing to order to hear the following matters:

M/V OCEAN GLORY collision with the barge of the T/V SEADRIFT on June 2, 2021, in the Houston Ship Channel

1. **SUMMARY OF HEARING re *M/V OCEAN GLORY* collision with the barge of the T/V SEADRIFT on June 2, 2021, in the Houston Ship Channel**
 - a. Statements by PBIRC members and staff identifying themselves and describing their maritime expertise.
 - b. Statement by Chairman Pro Tem Marian as to the conduct of the hearing.
 - c. Introduction as Exhibit “A” of Incident Materials gathered by Captain Gavis regarding the above-referenced incident *M/V OCEAN GLORY* collision with the barge of the T/V SEADRIFT on June 2, 2021, in the Houston Ship Channel.
 - d. Introduction as Exhibit “B” of submission of Captain Michael Newingham.
 - e. Testimony by and questions put to Captain Newingham.
 - f. Concluding statement by Pilot counsel, Mr. Jim Brown.
 - g. Executive Session.
 - h. Announcement by Chairman Pro Tem Marian of Proposed Findings and Recommendations and description of appeal rights.
2. **Proposed Findings re Captain Newingham** Following its deliberations, by a vote of 8-0, the PBIRC proposed the following findings:

The failure of the *M/V OCEAN GLORY* to respond to reasonable and appropriate commands issued by Captain Newingham as evidenced by the misalignment between the bridge rudder angle indicator and the actual position of the rudder.

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Captain Newingham's subsequent actions, calm demeanor, and emergency ship handling skills are to be commended since he prevented further damage to adjacent vessels located at BOSTCO.

3. **Proposed Recommendations re Captain Newingham** 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"):
- 1) The PBIRC requests this incident be presented at the next Bluewater- Brownwater Symposium.
 - 2) Take no further action.

Adopted by the Pilot Board Investigation and Recommendation Committee as of 18 May, 2023



Captain David Foret, Chairman