

United States Coast Guard

MISLE Incident Investigation Report For SINKING OF J.R. NICHOLLS IN THE HSC

On 09Feb2010 19:00:00 EST



MISLE Activity Number: 3679031 MISLE Case Number: 490397

I. INCIDENT INVESTIGATION - GENERAL INFORMATION

HOU2010/0063: On February 10, 2010, at approximately 10:00 p.m., local time, UTV JR Nicholls was transiting outbound on the Houston Ship Channel en route to Rhodia Baytown, Texas, unfaced with its engine room doors secured in the open position. JR Nicholls crossed into the wheel wash of the harbor tug ATLAS and was pushed toward the bank, resulting in JR Nicholls immediately heeling to port and losing stability. While JR Nicholls was heeling to port, water entered the engine room through the port engine room door. The sudden ingress of water into the engine room; led to progressive, unstoppable flooding further loss of stability, and the onset of sinking. The Master and one deckhand abandoned ship and swam to shore, where they were met by Lyondell (Houston Refinery) personnel who transferred them to awaiting Emergency Medical Service vehicle. Within minutes, JR Nicholls rode up and sank, stern first, in the vicinity of Houston Refinery's docks Houston Ship Channel. Upon sinking, JR Nicholls discharge approximately 10,000 gallons of diesel, which entered the Houston Ship Channel and created a visible sheen.

At 10:30p.m., local time, Sector Houston/Galveston's Vessel Traffic Service received a radio report via VHF Channel 16 from the UTV Andrew K that the JR Nicholls was sinking in the vicinity of the Lyondell Deer Park facility, Houston Ship Channel, with possible five persons onboard. Sector Houston/Galveston issued an urgent marine information broadcast and launched Station Houston and Air station Houston assets. It was confirmed that J R Nicholls sank with five people onboard the vessel; two crewmembers (the Master and one deckhand) were able to escape prior to the vessel sinking, while three others remained on the submerged vessel.

Approximately 20 minutes after the vessel sank; two more survivors (the Pilot and a deckhand) surfaced and were rescued by crewmembers from the UTV MIA Kelley. The MIA Kelley crewmembers transferred the survivors to the UTV SNIPE where they were treated for exposure and shock. All survivors were subsequently transported to the hospital for treatment of injuries sustained while abandoning vessel. Kinder Morgan Ship Channel Services the operator of JR Nicholls was reminded by Investigating Officer that drug and alcohol testing was required due to incident classification as a serious marine incident. The remaining crewmember was believed to be still aboard the sunken vessel after all others had made it to safety.

The following day, February 11, 2010, at approximately 12:00 p.m., local time, salvage divers recovered the body of the missing crewmember in the engine room of the sunken vessel. The vessel was eventually raised and salvaged. A thorough inspection of the vessel was completed; no obvious mechanical or material cause was noted.

On February12, 2010, Sector Houston-Galveston requested assistance in support of its Marine Casualty Investigation from CG MSC SERT Team. Sector Houston-Galveston requested Marine Safety Center help to determined JR Nicholls stability conditions prior to sinking. It was determined by the Marine Safety Center that at the time of the casualty, the JR Nicholls' stability was likely significantly less than required to satisfy 46 CFR part 170.173 criteria for a protected route. Had the vessel met the protected waters criteria in 46 CFR part 170.173, it would likely have had approximately twice as much area under the right arm curve before downflooding. Based on the estimate of the pre-casualty load condition, if the doors on the main deck were open, downflooding into the engine room would have occurred at an angle of heel of approximately 160. Downflooding would have occurred at a significantly greater angle of heel had JR Nicholls been operating with the main deck doors closed. While the Marine Safety Center can't say whether or not a larger downflooding angle and/or compliance with 46 CFR part 170.173 criteria would have allowed JR Nicholls to survive the waves and propeller wash it encountered, both would have given JR Nicholls a much larger margin of safety.

On April 10, 2010, Sector Houston-Galveston received the autopsy report. The report concluded that individual's death was due to drowning.

Findings of Fact:

1. UTV JR Nicholls was transiting inbound Houston Ship Channel from Greens Bayou Fleeting en route to RHODIA Brady's Island with Captain/ Master, piloting. The JR Nicholls had previously received orders

to pick a barge at Rhodia Baytown; however, the Master had misread his orders as stating "Rhodia Brady's Landing." The Master was already transiting to Rhodia Brady's Island, and had nearly arrived there before realizing the error. Once the mistake was detected, the Master changed course for Rhodia Baytown.

2. At the time of the transit, the Captain held the proper endorsements and training to operate JR Nicholls; he is an experienced master on his 6th license renewal.

3. During this transit, JR Nicholls was unfaced with water, fuel, and oil tanks topped off.

4. There were five persons onboard JR Nicholls at this time: Mate/Pilot, three Deckhands and the Master.

5. M/V MISS LUCY was making preparations to moor at Woodhouse Dock No.1 with the assistance of Harbor Tugs ANDREW K and ATLAS. MISS LUCY is a Chemical Tanker that's approximately 600 ft long/ 105.6 ft wide and draft 42.7 ft. ATLAS is 91.9ft in length and ANDREW K is 87 ft in length. ANDREW K is a 3900 hp twin screw vessel.

6. ATLAS made fast, forward, to MISSY LUCY with engines at all stop.

7. ANDREW K made fast, portside stern quarter, to MISS LUCY pushing.

8. As JR Nicholls approached MISS LUCY and her assist tugs the Master was at the helm, three crewmembers were asleep, and one crewmember was in engine room painting; JR Nicholls was transiting with engine room doors secured in the open position.

9. Houston Pilot onboard MISS LUCY made a safety broadcast announcing the intention to moor M/V MISS LUCY at Woodhouse Dock No.1.

10. Master of JR Nicholls did not acknowledge the Houston Pilot's ship to ship communication from onboard MISS LUCY, nor did he make his intentions known prior to entering the wheel wash of ANDREW K.

11. JR Nicholls entered into the wheel wash of the ANDREW K.

12. The wheel wash caused JR Nicholls to heel over to port causing main deck to dip below waterline allowing the ingress of water into the engine room.

13. JR Nicholls experienced progressive flooding as it heeled over to port in the Houston Ship Channel.

14. Master sounded general alarm.

15. JR Nicholls began sinking in Houston Ship Channel.

16. Master and Deckhand abandoned ship; they swam to shore area at Houston Refinery, where they were met by employees of the refinery, who placed them in a vehicle until emergency crews arrived.

17. JR Nicholls sank and discharged more than 10,000 gallons of fuel and lubricating oil into Houston Ship Channel, with Pilot/Mate and two Deckhands still aboard.

18. The Houston Ship Channel was closed to traffic due to the JR Nicholls sinking and pollution.

19. JR Nicholls rested on the bottom of Houston Ship Channel with two crew members trapped in the stateroom. They were sustained by a pocket of air inside the compartment where they were. They were

trapped for more than twenty minutes before escaping through a window that they broke out in the stateroom to free themselves.

20. Mia Kelley rescued two JR Nicholls crewmembers, **Sector** and **Sector** from the Houston Ship Channel as they surfaced, and transferred them to the UTV Snipe, the crewmembers of which provided emergency care until emergency vehicles arrived.

21. Four crewmembers of the JR Nichols were transported via ambulance to a nearby Hospital for treatment and drug and alcohol testing.

22. On February 11, 2010, the body of missing Deckhand Steven Seymore was recovered by salvage divers. The body was discovered in the engine room of JR Nicholls. Divers found the body floating above the starboard generator.

23. On February 13, 2010, JR Nicholls was recovered from the Houston Ship Channel.

Summary

The Captain is an experienced mariner who has passed astern of Harbor Tugs assisting with deep draft vessel mooring operations on many occasions and is experienced with the affects of wheel wash against his vessel: wheel wash pushes on the submerges part of the passing vessel, and causes it to move away. Leading up to the incident, the Captain was proceeding as though the wheel wash would affect his vessel as it had on prior occasions, to pushed the vessel away. However, as JR Nicholls was topped off with fuel, potable water, and lube oil, the affects of the wheel wash were more extreme due to the vessel riding lower in the water than normal. As a result, the wheel wash caused JR Nicholls to suddenly and violently heel over to port, allowing water to enter through the open port engine room door.

The entrance of water into the engine room caused JR Nicholls to flood and eventually sink with Pilot/Mate and two Deckhands on onboard. Two crewmembers, after being trapped for more than twenty minutes onboard JR Nicholls as she rested on the bottom of the Houston Ship Channel; escaped through a window to safety and were rescued by the crew of the UTV Mia Kelly. Seymore's body was discovered during salvage operations in the engine room of JR Nicholls.. JR Nicholls was raised out Houston Ship Channel on February 13, 2010.

Recommendations

Recommend this case be forwarded to CG District Eight for referral of case to the U.S. attorney for criminal prosecution under U.S. Code Tile 18, Part I, Chapter 51 § 1115 Misconduct or neglect of ship officers.

Violation of Inland Navigation Rule 2

On February 10, 2010, the Captain was piloting JR Nicholls outbound Houston Ship Channel en route to Rhodia Baytown failed to keep away from propeller wash produced by nearby harbor tugs, failed to operate his vessel with engine room doors closed and secured, and failed to reach an agreement for proceeding safely through area where two harbor tugs were assisting in the mooring of a deep draft vessel.

As a result of the Captain's actions, the JR Nicholls went down in the Houston Ship Channel with three crewmembers onboard. Two of the three crewmembers onboard were able to free themselves and were rescued as they surface. The one remaining crewmember drowned.

Personnel Casualty Summary

Total Missing = 0 Total Dead = 1 Total Injured = 0 Total At Risk, Not Injured = 4

Total People At Risk = 5

Vessel(s) Status Summary

Actual Total Loss = 0 Total Constructive Loss Salvaged = 1 Total Constructive Loss Unsalvaged = 0 Damaged = 0 Undamaged = 6

Property Damage Summary

Vessel(s) = \$ 900000 Cargo = \$ 0 Facility(s) = \$ 0 Other = \$ 48000000

* Includes estimates

II. LOCATIONS

Description	Latitude	Longitude
Incident Location	29°43.5 N	095°14.0 W
HOUSTON SHIP CHANNEL	29°43.1 N	095°14.5 W
Incident Location	29°43.5 N	095°14.0 W

III. INVOLVED PERSONNEL

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 007311 Type/Rank: Enlisted - Military Enlisted (E9) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 002817 Type/Rank: Enlisted - Military Enlisted (E5) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments: Name:

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 007320 Type/Rank: Enlisted - Military Enlisted (E6) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 037717 Type/Rank: Enlisted - Military Enlisted (E6) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 000543 Type/Rank: Enlisted - Military Enlisted (E6) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

Name:

Team Lead: No

Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 007865 Type/Rank: Enlisted - Military Enlisted (E6) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: CGRETDEPT Type/Rank: Officer - Military Officer (O3) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 038134 Type/Rank: Enlisted - Military Enlisted (E4) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

Name:

Team Lead: No Point Of Contact: No Role: Investigation General - Legacy Status: Department Id: 004465 Type/Rank: Enlisted - Military Enlisted (E6) Agency Type/Agency: Unknown/Unknown Source Id/Source: //Direct Access Personnel Comments:

IV. INVOLVED TEAM

V. INVOLVED SUBJECTS

Involved Vessels

Name: Flag: Primary VIN: Call Sign: Damage Status: Role: Classification, Type, Subtype: Gross Tonnage: Net Tonnage: Dead Wt. Tonnage: Lenath: Home/Hailing Port: Keel Laid Date: **Delivery Date:** Place of Construction: Builder Name: Propulsion Type: Ahead HP: Master: **Classification Society:** Owner: Operator: Inspection Subchapter: Most Recent Vessel Inspection Activity: ANDREW K UNITED STATES 964050 WAO2822 Undamaged Involved in a Marine Casualty Towing Vessel, General, General

87.0

HOUMA, Louisiana, UNITED STATES

Name: Flag: Primary VIN: Call Sign: Damage Status: Role: Classification, Type, Subtype: Gross Tonnage: Net Tonnage: Dead Wt. Tonnage: Lenath: Home/Hailing Port: Keel Laid Date: **Delivery Date:** Place of Construction: Builder Name: Propulsion Type: Ahead HP: Master: **Classification Society:** Owner: Operator: Inspection Subchapter: Most Recent Vessel Inspection Activity: ATLAS UNITED STATES 1075323 WCY8471 Undamaged Involved in a Marine Casualty Towing Vessel, Harbor/Ship Assist (Tug), General

91.9

HOUMA, Louisiana, UNITED STATES



Name: Flag: Primary VIN: Call Sign: Damage Status: Role: Classification, Type, Subtype:

MIA KELLEY UNITED STATES 1188649 WDD3950 Undamaged Moored/Anchored in Vicinity of Primary Subject Towing Vessel, General, General

Gross Tonnage: Net Tonnage: Dead Wt. Tonnage: Length: Home/Hailing Port: Keel Laid Date: **Delivery Date:** Place of Construction: **Builder Name:** Propulsion Type: Ahead HP: Master: **Classification Society:** Owner: Operator: Inspection Subchapter: Most Recent Vessel Inspection Activity:

Name: Flag: Primary VIN: Call Sign: Damage Status: Role: Classification, Type, Subtype:

Gross Tonnage: Net Tonnage: Dead Wt. Tonnage: Length: Home/Hailing Port: Keel Laid Date: Delivery Date: Place of Construction:

Builder Name: Propulsion Type: Ahead HP: Master: Classification Society: Owner: Operator: Inspection Subchapter: Most Recent Vessel Inspection Activity:

Name: Flag: Primary VIN: Call Sign: Damage Status: Role: Classification, Type, Subtype: Gross Tonnage: Oead Wt. Tonnage: Dead Wt. Tonnage: Length: Home/Hailing Port: Keel Laid Date: 85.8

PANAMA CITY, Florida, UNITED STATES EASTERN SHIPBUILDING GROUP INC

MISS LUCY MARSHALL ISLANDS 9396799 V7OM5 Undamaged Involved in a Marine Casualty Tank Ship, Chemical Tank Ship, Oil & Chemical Tank Ship

50661 600.4

31Oct2007 28May2008 Tong Young City, KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF SPP Shipbuilding Co., LTD Diesel Direct

DNV GL

RICHARD J DEVALL UNITED STATES 590031 WDC3710 Total Constructive Loss: Salvaged Involved in a Marine Casualty Towing Vessel, General, General 72 57 56.3

Delivery Date: Place of Construction: Builder Name: Propulsion Type: Ahead HP: Master: Classification Society: Owner: Operator: Inspection Subchapter: Most Recent Vessel Inspection Activity:

Name: Flag: Primary VIN: Call Sign: Damage Status: Role: Classification, Type, Subtype: Gross Tonnage: Net Tonnage: Dead Wt. Tonnage: Length: Home/Hailing Port: Keel Laid Date: Delivery Date: Place of Construction: Builder Name: Propulsion Type: Ahead HP: Master: **Classification Society:** Owner: Operator: Inspection Subchapter: Most Recent Vessel Inspection Activity:

Name: Flag: Primary VIN: Call Sign: Damage Status: Role: Classification, Type, Subtype: Gross Tonnage: Net Tonnage: Dead Wt. Tonnage: Length: Home/Hailing Port: Keel Laid Date: **Delivery Date:** Place of Construction: **Builder Name:** Propulsion Type: Ahead HP: Master: **Classification Society:** Owner:

01Jan1978 BOURG, Louisiana, UNITED STATES

Diesel Reduction 690

Kinder Morgan Ship Channel Services C 2652661, 18May2006 09:17:00 EDT

SABINE PASS UNITED STATES 1194886 WDD9379 Undamaged Moored/Anchored in Vicinity of Primary Subject Towing Vessel, General, General

68.9

BOURG, Louisiana, UNITED STATES INTRACOASTAL IRON WORKS INC

SNIPE UNITED STATES 645914 WDD8742 Undamaged Moored/Anchored in Vicinity of Primary Subject Towing Vessel, General, General

56.0

VINTON, Louisiana, UNITED STATES VINTON SHIPBUILDING & REPAIR INC

Operator:
Inspection Subchapter:
Most Recent Vessel Inspection Activity:

C 3118686, 20Dec2007 04:46:00 EST

Involved Persons

Status:

Status: Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number (Daytime Phone): Address (Primary):

Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Not at Risk Witness



Not at Risk Witness



Not at Risk Medical Review Officer Male

713-665-4687 Houston Medical Testing Services 2646 S. Loop West, Suite 550 Houston, TX 77054 US

Not at Risk Witness



Not at Risk Other Male

Email Address: Phone Number: Address (Primary): US Comments: Status: Not at Risk Role: Witness Gender: Male Age: SŠN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments: Status: Not at Risk Role: Witness Gender: Male Age: SŠN: Birth Date: Email Address: Phone Number (Daytime Phone): Address (Home/Primary Residence): US Comments: Status: Not at Risk Role: Witness Gender: Male Age: SŠN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): US Comments: Status: Not at Risk Role: Witness Gender: Male Age: SŠN: Birth Date: Email Address: Phone Number (Daytime Phone): Address (Primary): US Comments: Status: At Risk, Not Injured Role: Witness Gender: Male Age: SSN: Birth Date: Email Address: Phone Number: 12 of 91

Address (Home/Primary Residence): Comments: Status: Not at Risk Role: Medical Review Officer Gender: Male Age: SŠN: Birth Date: Email Address: Phone Number (Primary): 713 448-6965 Address (Primary): US Comments:

Status: Role: Gender: Age: SŠN: Birth Date: Email Address: Phone Number (Mobile): Address (Home/Primary Residence): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number (Mobile): Address (Primary): Comments:

Status:

Role: Gender: Age: SŠN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

9301 Southwest Freeway #5053Houston, TX 77074

Not at Risk Witness



At Risk, Not Injured Subject of Investigation Male



Not at Risk Witness



Not at Risk Witness Male

13 of 91

Status: Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status: Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence):

Comments:

Status: Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number (Mobile): Address (Primary): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status: Role: Gender: At Risk, Not Injured Witness Male



Not at Risk Witness Male

US

Not at Risk Other





Not at Risk Witness



Not at Risk Witness Male

Not at Risk Witness Male

14 of 91

Age: SSN: Birth Date: Email Address: Phone Number (Mobile): Address (Home/Primary Residence):

Comments:

Status: Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number (Daytime Phone): Address (Primary Place of Business):

US

Not at Risk Certifying Scientist Male

281 929-6100 Memorial Hermann 11800 Astoria BLVD Houston, TX 77089 US

Comments: SEYMORE, STEVEN EDWARD Status: Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Primary): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number (Mobile): Address (Home/Primary Residence):

Comments:

Status: Role: Gender: Dead Subject of Investigation Male



Not at Risk Witness



Not at Risk Witness Male



Not at Risk Witness

Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:



Accu Tran Tankerman

At Risk, Not Injured Witness Male



Status:

Comments:

Status:

Gender: Age: SSN: Birth Date: Email Address: Phone Number:

Role:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:

Address (Home/Primary Residence):

Status:

Role: Gender: Age: SSN: Birth Date: Email Address: Phone Number: Address (Home/Primary Residence): Comments:





Drug and Alcohol Testing. The following people have been determined by the Coast Guard, Law Enforcement Personnel, and/or the Marine Employer to have been directly involved in a Serious Marine Incident as defined in 46 CFR 4.03-2:

Witne	Subject of Investigation
	Witness tness
Involved Organizations BIG JOHN MARINE LTD	
Role: Email Address: Phone Number:	Other
Address (Primary Place of Business): Comments:	13935 INDUSTRIAL RDHouston, TX 77015 US
Kinder Morgan Ship Channel Services Role: Email Address:	Subject of Investigation

Phone Number: Address (Primary): Comments:

Involved Facilities: None

3100 Penn City Rd.Houston, TX 77015 US

Involved Waterways

Role: Description: Location Incident Location

Involved Other Subjects

Houston Medical Testing Services, Inc.; MRO

Memorial Hermann SE Hospital; Certifying Scientist

Harris County Institute of Forensic Sciences; Coroner

T&T Marine Salvage Inc.; Salvage Team

VI. EVIDENCE

Control Number: 3679031-MISLE-001

Description: MISLE Notification #402644 for report of incident received by VHF/FM (Channel 16)

voice.

Evidence Type: Standard <u>Collection Information</u> Date/Time: 10Feb2010 17:30:00 EST Location: Sector Houston/Galveston Collected By: Unknown

Attachments

Control Number: ECN 3679031 001 Description: ANDREW K CG2692.001 Evidence Type: Standard

Collection Information

Date/Time:11Feb2010 08:49:00 ESTLocation:ONBOARD VESSELCollected By:Unknown

Attachments

ECN 3679031 001 ANDREW K CG 2692; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

Control Number: ECN 367903 Description: ANDREW Evidence Type: Standa	K MMLD.002
Collection Information Date/Time: Location: Collected By:	11Feb2010 08:54:00 EST ONBOARD VESSEL Unknown
Attachments ECN 3679031 00 10Sep201	D2 ANDREW K
Control Number: ECN 367903 Description: ANDREW Evidence Type: Standa	MMLD.003
Collection Information Date/Time: Location: Collected By:	11Feb2010 08:55:00 EST ONBOARD VESSEL Unknown
Attachments ECN 3679031 00 10Sep201	03 ANDREW K anan and State (See See See See See See See See See S
Control Number: ECN 367903 Description: ANDREW Evidence Type: Standa	K DAILY LOGS.004
Collection Information Date/Time: Location: Collected By:	11Feb2010 08:57:00 EST ONBOARD VESSEL Unknown
	04 ANDREW K DAILY LOGS; Legacy - Unknown; 15 17:17:57 EDT; No
Control Number: ECN 367903 Description: ANDREW Evidence Type: Standa	K INCIDENT REPORT.005
Collection Information Date/Time: Location: Collected By:	11Feb2010 08:59:00 EST ONBOARD VESSEL Unknown
Attachments	
ECN 3679031 00	05 ANDREW K INCIDENT REPORT; Legacy - Unknown; I5 17:17:57 EDT; No

Control Number: ECN 3679031 006 Description: ANDREW K STATEMENT. 006 Evidence Type: Standard
Collection InformationDate/Time:11Feb2010 08:55:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
Attachments ECN 3679031 # 007 ANDREW K Construction STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 007 Description: ANDREW K State
Collection InformationDate/Time:11Feb2010 08:50:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
Attachments
ECN 3679031 007 ANDREW K STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
ECN 3679031 007 ANDREW K STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 008 Description: ANDREW K STATEMENT.008 Evidence Type: Standard
Collection InformationDate/Time:11Feb2010 08:50:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
Attachments
ECN 3679031 008 ANDREW K STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

Control Number: ECN 3679031 009 Description: ANDREW K ALCOHOL TEST RESULTS.009 Evidence Type: Standard
Collection InformationDate/Time:11Feb2010 08:50:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
<u>Attachments</u> ECN 3679031 009 ANDREW K ALCOHOL TEST RESULTS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 010
Collection InformationDate/Time:11Feb2010 09:09:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
<u>Attachments</u> ECN 3679031 010 ATLAS CREW STATEMENTS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 011
Collection InformationDate/Time:11Feb2010 09:10:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
Attachments ECN 3679031 011 ATLAS MASTERS DRAWING INCIDENT LOCATION; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 012
Collection InformationDate/Time:11Feb2010 05:12:00 ESTLocation:SECTOR HOUSTON/GALVESTONCollected By:Unknown
Attachments ECN 3679031 012 CHART LOCATION INCIDENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

MOLE modelit mootgation report
Control Number: ECN 3679031 013 Description: ATLAS DAILY LOGS.013 Evidence Type: Standard
Collection InformationDate/Time:11Feb2010 09:14:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
Attachments
ECN 3679031 013 ATLAS DAILY LOGS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 014
Collection InformationDate/Time:11Feb2010 09:16:00 ESTLocation:ONBOARD VESSELCollected By:Unknown
Attachments
ECN 3679031 014 ALTLAS MASTERS WORK REST HISTORY; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 015 Description: J R NICHOLLS STATEMENT.015 Evidence Type: Standard
Collection InformationDate/Time:11Feb2010 22:30:00 ESTLocation:SOUTHEAST MEMORIAL HOSPITALCollected By:Unknown
Attachments
ECN 3679031 015 J R NICHOLLS STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 016 Description: J R NICHOLLS AIS VIDEO.016 Evidence Type: Standard
Collection InformationDate/Time:11Feb2010 09:10:00 ESTLocation:SECTOR HOUSTON/GALVESTONCollected By:Unknown
Attachments
ECN 3679031 016 J R NICHOLLS AIS VIDEO; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

Control Number: EC Description: \ Evidence Typ	/TS VIDE	O OF INCIDENT.017	
Collection Info Date/T Locatio Collect	ime:	11Feb2010 09:14:00 EST SECTOR HOUSTON/GALVESTON Unknown	
Attachments ECN 3		17 VTS VIDEO OF INCIDENT; Legacy - 15 17:17:57 EDT; No	Unknown;
Control Number: EC Description: J Evidence Typ	I R NICHC	OLLS Statement.018	
Collection Info Date/T Locatio Collect	ime:	16Feb2010 01:19:00 EST Sector Houston/Galveston Unknown	
<u>Attachments</u> ECN 3 Unknown;		18 J R NICHOLLS	STATEMENT; Legacy -
Control Number: EC Description: J Evidence Typ	I R NICHC	DLLS statement.019	
Collection Info Date/T Locatio Collect	ime:	16Feb2010 01:22:00 EST Sector Houston/Galveston Unknown	
Unknown;	670931 0 [.] 10Sep20 [.]	19 J R NICHOLLS	STATEMENT; Legacy -

Control Number: ECN 3679031 020 Description: J R NICHOLLS Statement.020 Evidence Type: Standard	
Collection InformationDate/Time:16Feb2010 01:25:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown	
Attachments ECN 3679031 020 J R NICHOLLS STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No	
Control Number: ECN 3679031 021 Description: MT MISS LUCY Statement.021 Evidence Type: Standard	
Collection InformationDate/Time:16Feb2010 01:28:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown	
Attachments ECN 3679031 021 MT MISS LUCY STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No	
Control Number: ECN 3679031 022 Description: UTV MIA KELLEY Evidence Type: Standard	
Collection InformationDate/Time:12Feb2010 01:32:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown	
Attachments ECN 3679031 022 UTV MIA KELLEY 10Sep2015 17:17:57 EDT; No	vn;

Control Number: ECN 3679031 023 Description: UTV MIA KELLEY Evidence Type: Standard
Collection InformationDate/Time:01Feb2010 01:35:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown
Attachments ECN 3679031 023 UTV MIA KELLEY Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 024 Description: UTV SNIPE 024 Evidence Type: Standard
Collection InformationDate/Time:12Feb2010 01:39:00 ESTLocation:Onboard VesselCollected By:Unknown
Attachments ECN 3679031 024 UTV SNIPE 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 025 Description: LYONDELL Statement.0025 Evidence Type: Standard
Collection InformationDate/Time:16Feb2010 03:42:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown
Attachments ECN 3679031 025 LYONDELL STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 026 Description: LYONDELL Statement.026 Evidence Type: Standard
Collection InformationDate/Time:16Feb2010 03:44:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown
Attachments ECN 3679031 026 LYONDELL STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

Control Number: ECN 3679031 027 Description: LYONDELL Evidence Type: Standard	
Collection InformationDate/Time:16Feb2010 03:47:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown	
Attachments ECN 3679031 027 LYONDELL STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No	
Control Number: ECN 3679031 028 Description: J R NICHOLLS CG2692.028 Evidence Type: Standard	
Collection InformationDate/Time:15Feb2010 02:22:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown	
Attachments ECN 3679031 028 J R NICHOLLS CG2692; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No	
Control Number: ECN 3679031 029 Description: J R Nicholls CG2692B.029 Evidence Type: Standard	
Collection InformationDate/Time:15Feb2010 02:25:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown	
Attachments ECN 3679031 029 J R NICHOLLS CG2692B; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No	
Control Number: ECN 3679031 030 Description: UTV Sabine Pass statement.030 Evidence Type: Standard	
Collection InformationDate/Time:18Feb2010 02:27:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown	
Attachments	
ECN 3679031 030 UTV SABINE PASS STATEMENT; Legacy - Unknown;	
10Sep2015 17:17:57 EDT; No	

Control Number: ECN 3679031 031 Description: UTV Sabine Pass statement.031 Evidence Type: Standard
Collection InformationDate/Time:18Feb2010 02:30:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown
Attachments ECN 3679031 031 UTV SABINE PASS STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 032 Description: UTV Sabine Pass statement.032 Evidence Type: Standard
Collection InformationDate/Time:18Feb2010 02:32:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown
Attachments ECN 3679031 032 UTV SABINE PASS STATEMENT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 033 Description: Request assistance from MSC.033 Evidence Type: Standard
Collection InformationDate/Time:12Feb2010 03:01:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown
Attachments

ECN 3679031 033 REQUEST FOR ASSISTANCE FROM MSC; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

MIGLE Incluent investigation report				
Control Number: ECN 3679031 034				
Collection InformationDate/Time:22Feb2010 03:24:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 034 ANDREW K CG2692B; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 035 Description: Andrew K drug and alcohol test results 035 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 03:28:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 035 ANDREW K DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 036 Description: Andrew K drug and alcohol test results Control of 10 036 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 03:30:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 036 ANDREW K DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				

MISEL Indent Investigation Report				
Control Number: ECN 3679031 037 Description: Andrew K drug and alcohol test results Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 03:32:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 037 ANDREW K DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 038 Description: Andrew K drug and alcohol test results 038 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 03:35:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 038 ANDREW K DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 039 Description: Atlas CG2692B.038 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 07:47:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 039 ATLAS CG2692B; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				

MOLL Indent investigation report				
Control Number: ECN 3679031 040 Description: Atlas drug and alcohol test results 040 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 07:51:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 040 ATLAS DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 041 Description: Atlas drug and alcohol test results 041 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 07:54:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 041 ATLAS DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 042 Description: Atlas drug and alcohol test results Control of the second 042 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 07:56:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 042 ATLAS DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				

MISLE Incident Investigation Report				
Control Number: ECN 3679031 043 Description: Atlas drug and alcohol test results 043 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 07:58:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 3679031 043 ATLAS DRUG AND ALCOHOL TEST RESULTS				
Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 044 Description: Atlas drug and alcohol test results description 044 Evidence Type: Standard				
Collection InformationDate/Time:22Feb2010 08:01:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
ECN 3679031 044 ATLAS DRUG AND ALCOHOL TEST RESULTS Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 045				
Collection InformationDate/Time:22Feb2010 08:04:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments				
ECN 3679031 045 LYONDELL STATEMENTS EXTRAS; Legacy - Unknown;				

ECN 3679031 045 LYONDELL STATEMENTS EXTRAS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

Control Number: ECN 3679031 046 Description: J R Nicholls drug test results Evidence Type: Standard				
Collection InformationDate/Time:23Feb2010 10:02:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments ECN 367931 046 J R NICHOLLS DRUG TEST RESULTS ; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 047				
Collection InformationDate/Time:24Feb2010 02:05:00 ESTLocation:Sector Houston/GalvestonCollected By:Unknown				
Attachments				
ECN 3679031 047 J R NICHOLLS SHIPYARD REPAIRS PRIOR TO SINKING; Legacy Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 048 Description: Witness Statement from .048 Evidence Type: Standard				
Collection InformationDate/Time:10Feb2010 22:30:00 ESTLocation:Lyondell CitgoCollected By:Unknown				
<u>Attachments</u> Witness Statement J R Nicholls; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				

Control Number: ECN 367903 Description: Pollution In Evidence Type: Standa	nvestigator Statement
Collection Information Date/Time: Location: Collected By:	25Feb2010 05:37:00 EST Sector Houston-Galveston Unknown
	egacy - Unknown; 15 17:17:57 EDT; No
Control Number: ECN 367903 Description: Incident Vi Evidence Type: Standa	deo
<u>Collection Information</u> Date/Time: Location: Collected By:	08Mar2010 05:27:00 EST Lyondell-Citgo Unknown
Attachments	
jrnichols; Legacy	/ - Unknown; t of incident; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 367903 Description: Kinder Mo Evidence Type: Standa	rgan Statement.051
<u>Collection Information</u> Date/Time: Location: Collected By:	09Mar2010 12:12:00 EST Sector Houston/Galveston Unknown
<u>Attachments</u> ECN 3679031 # 10Sep20	051 STATEMENT; Legacy - Unknown; 15 17:17:57 EDT; No
Control Number: ECN 367903 Description: RESPONS Evidence Type: Standa	SE TO SUBPOENA DATED 19 FEBRUARY 2010
<u>Collection Information</u> Date/Time: Location: Collected By:	05Mar2010 03:47:00 EST SECTOR HOUSTON GALVESTON Unknown
Attachments	
ECN 3679031 # Unknown;	052 RESPONSES TO SUBPOENA DATED 19 FEBRUARY 2010; Legacy -

10Sep2015 17:17:57 EDT; No

MISLE Incident Investigation Report
Control Number: ECN 3679031 053
Collection InformationDate/Time:03Mar2010 04:35:00 ESTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown
Attachments
ECN 3679031 # 053 DRAWING OF J R NICHOLLS VOIDS FUEL AND BALLAST TANKS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 054 Description: J R NICHOLLS FUEL PIPING DIAGRAM Evidence Type: Standard
Collection InformationDate/Time:03Mar2010 05:43:00 ESTLocation:SRCTOR HOUSTON GALVESTONCollected By:Unknown
Attachments ECN 3679031 # 054 J R NICHOLLS FUEL PIPING DIAGRAM; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 055
Collection InformationDate/Time:03Mar2010 05:48:00 ESTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown
Attachments
ECN 3679031 # 055 J R NICHOLLS BILL OF SALE; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

10Sep2015 17:17:57 EDT; No

Control Number: ECN 3679031 056 Description: J R NICHOLLS CERTIFICATE OF DOCUMENTATION Evidence Type: Standard
Collection InformationDate/Time:03Mar2010 05:52:00 ESTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown
Attachments ECN 3679031 # 056 J R NICHOLLS CERTIFICATE OF DOCUMENTATION; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 057 Description: J R NICHOLLS DRUG TEST RESULTS Evidence Type: Standard
Collection InformationDate/Time:30Mar2010 06:55:00 EDTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown
Attachments ECN 3679031 # 057 J R NICHOLLS DRUG TEST RESULTS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
Control Number: ECN 3679031 058 Description: J R NICHOOLLS Evidence Type: Standard
Collection InformationDate/Time:30Mar2010 06:57:00 EDTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown
Attachments ECN 3679031 # 058 J R NICHOLLS DRUG TEST RESULTS; Legacy - Unknown;

10Sep2015 17:17:57 EDT; No

MISLE Incident Investigation Report				
Control Number: ECN 3679031 059 Description: J R NICHOLLS DRUG TEST RESULTS Evidence Type: Standard				
Collection InformationDate/Time:30Mar2010 07:01:00 EDTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown				
Attachments ECN 3679031 # 059 J R NICHOLLS DRUG TEST RESULTS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 060 Description: RESPONSE TO QUESTIONS IN REGARD TO THE SINKING OF THE J R NICHOLLS Evidence Type: Standard <u>Collection Information</u> Date/Time: 26Mar2010 10:15:00 EDT Location: SECTOR HOUSTON GALVESTON Collected By: Unknown				
Attachments ECN 3679031 # 060 RESPONSE TO QUESTIONS IN REGARD TO THE SINKING OF J R NICHOLLS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 061				
Collection InformationDate/Time:30Mar2010 09:22:00 EDTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown				
<u>Attachments</u> ECN 3679031 # 061 KM ALCOHOL MISUSE PREVENTION PLAN; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				

MISLE Incide	nt Investigation	Report
Descrip	er: ECN 367903 otion: KM ANTI-I ce Type: Standa	DRUG PLAN
	ion Information Date/Time: Location: Collected By:	30Mar2010 09:27:00 EDT SECTOR HOUSTON GALVEESTON Unknown
Attachr	ECN 3679031 #	062 KM ANTI DRUG PLAN; Legacy - Unknown; 15 17:17:57 EDT; No
Descri	er: ECN 367903 otion: KM DRUG ce Type: Standa	AND ALCOHOL IN THE WORK PLACE
	ion Information Date/Time: Location: Collected By:	30Mar2010 09:31:00 EDT SECTOR HOUSTON GALVESTON Unknown
Attachr	nents	
	ECN 3679031 # wn;	063 KM DRUG AND ALCOHOL IN THE WORKPLACE; Legacy - 15 17:17:57 EDT; No
Descrip	er: ECN 367903 otion: AUTOPSY ce Type: Standa	REPORT STEVEN EDWARD SEYMORE.064
	ion Information Date/Time: Location:	15Apr2010 08:17:00 EDT SECTOR HOUSTON GALVESTON

Attachments

Collected By:

ECN 3679031 AUTOPSY REPORT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

Unknown
MISLE Incident Investigation Report				
Control Number: ECN 3679031 065				
Collection InformationDate/Time:30Mar2010 09:35:00 EDTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown				
Attachments				
ECN 3679031 # 065 HARRIS COUNTY MEDICAL EXAMINER INVESTIGATOR REPORT; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 066 Description: SECTOR HOUSTON GALVESTON COMMAND CENTER LOG DATED 13 FEB 2010 Evidence Type: Standard				
Collection InformationDate/Time:30Mar2010 09:44:00 EDTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown				
Attachments ECN 3679031 # 066 COMMAND CENTER DAILY LOG; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				
Control Number: ECN 3679031 067				
Collection InformationDate/Time:24Sep2010 05:28:00 EDTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown				
Attachments POST SINKING STABILITY ANALYSIS OF THE J R NICHOLLS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No				

	MISLE Incident investigation Report
	Control Number: ECN 3679031 068 Description: KINDER MORGAN'S PRELIMINARY INVESTIGATION INTO THE SINKING OF J R NICHOLLS
	Evidence Type: Standard <u>Collection Information</u> Date/Time: 24Apr2010 02:23:00 EDT Location: SECTOR HOUSTON GALVESTON Collected By: Unknown
	Attachments ECN 3679031 # 068 KINDER MORGANS PRELIMINARY INVESTIGATION INTO THE SINKING OF J R NICHOLLS; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
	Control Number: ECN 3679031 069 Description: SECTOR HOUSTON GALVESTON COMMAND CENTER DAILY LOG DATED 11 FEB 2010 Evidence Type: Standard
	Collection Information Date/Time: 02Dec2010 02:32:00 EST Location: SECTOR HOUSTON GALVESTON Collected By: Unknown
	Attachments ECN 3679031 # 069 SECTOR HOUSTON GALVESTON COMMAND CENTER DAILY LOG DATED 11 FEB 2010; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No
(Control Number: ECN 3679031 070 Description: J R NICHOLLS PICTURES Evidence Type: Standard
	Collection InformationDate/Time:07Dec2010 03:34:00 ESTLocation:SECTOR HOUSTON GALVESTONCollected By:Unknown
	Attachments ECN 3679031 # 070 J R NICHOLLS PICTURES; Documentary Evidence; 10Sep2015 17:17:57 EDT; No
(Control Number: ECN 3679031 071 Description: Video Clip of the JR NICHOLLS sinking Evidence Type: Standard
	Collection InformationDate/Time:11Feb2010 04:36:00 ESTLocation:Sector Houston GalvestonCollected By:Unknown
	Attachments

MISLE Incident Investigation Report Control Number: ECN 3679031 072 Description: Video Clip of JR NICHOLLS in wheel wash of UTV ANDREW K Evidence Type: Standard **Collection Information** Date/Time: 11Feb2010 04:46:00 EST Location: Sector Houston Galveston Collected By: Unknown Attachments 2010-02-10 22 26 45; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No Control Number: ECN 3679031 073 Description: Video Clip of crewman recovery Evidence Type: Standard **Collection Information** Date/Time: 11Feb2010 04:59:00 EST Location: Sector Houston Galveston Collected By: Unknown **Attachments** 2010-02-10 22 45 45; Legacy - Unknown; 10Sep2015 17:17:57 EDT; No

VII. TIMELINE

10Feb2010 16:30:00 EST to 10Feb2010 16:40:00 EST (Estimated): JR Nicholls underway from Greens Bayou Fleet to Rhodia Baytown. Timeline Type: Condition

Timeline Subtype: Vessel - Material/Equipment Condition Location: Known

> Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

<u>Name</u>	<u>Type</u>	<u>Status</u>	Role	
RICHARD J Vessel DEVALL		Total Constructive Loss: Salvaged	Involved in a Marine Casualty	
System: Opera	ations/Manag	ement		
Subsystem: Vessel Activity				
Component: Underway				
Cite:				
Involves CG Approved Equipment: No				
Security Violation: No				
Deficiency: No				

	esugation Report			
10Feb2010 17:05:00 EST to 10Feb2010 17:15:00 EST (Estimated): Vessel outbound Houston ShipChannel en route to RHODIA BAYTOWN, TX with CaptainPiloting.Timeline Type:ConditionTimeline Subtype:Vessel - Material/Equipment ConditionLocation:Known				
	Primary Locatio Description: HC	n: No PUSTON SHIP CHANNEL		
	Latitude: 29°43	.1 N Longitude: 095	5°14.5 W	
Subject(s) and Deta	ails			
Name	<u>Type</u>	<u>Status</u>	Role	
RICHARD J DEVALL	Vessel	Total Constructive Loss: Salvaged	Involved in a Marine Casualty	
System: 0	Operations/Manag	jement		
Subsyste	m: Vessel Activity			
Compone Cite:	ent: Underway			
Involves (CG Approved Equ	<u>iipment</u> : No		
Security \	/iolation: No			
Deficienc	y: No			
10Feb2010 17:06:00 EST to 10Feb2010 17:15:00 EST (Estimated): Master holds proper endorsements and training to perform job. Timeline Type: Condition Timeline Subtype: Person - Person Condition Location: Known				
Primary Location: No Description: HOUSTON SHIP CHANNEL				
	Latitude: 29°43	.1 N Longitude: 095	5°14.5 W	
Subject(s) and Deta	ails			
Name	<u>Type</u>	<u>Status</u>	Role	
	Person	At Risk, Not Injured	Subject of Investigation	
System: Personnel				
Subsystem: Work Experience				
Component: Experience in Current Type of Position				
Cite:				
Involves CG Approved Equipment: No				
Security Violation: No				
Deficienc	y: No			
10Feb2010 17:07:0 experienced master		010 17:15:00 EST (Estimat e renewal.	ed): Captain	

MISLE Incident Investigation Report

MISLE Incident Inve	estigation Report				
Timeline Type: Timeline Subtype: Location:	Condition Person - Persor Known	n Conditior	1		
	Primary Locatio Description: HC		HIP CHANNEL		
	Latitude: 29°43	8.1 N	Longitude: 095	5°14.5 W	
Subject(s) and Deta	<u>uils</u>				
<u>Name</u>	Type	<u>Status</u>		Role	
	Person	At Risk,	Not Injured	Subject of Investigation	
System: F	Personnel				
Subsyster	m: Certificates/Do	ocuments/L	icenses		
Compone	nt: License, Mast	er			
Cite:					
Involves C	CG Approved Equ	<u>iipment</u> : No)		
Security V	iolation: No				
Deficiency	y: No				
to Rhodia Baytown Timeline Type: Timeline Subtype: Location:	with 5 people onb Condition	ooard. al/Equipme n: No	ent Condition	ed): Vessel underway unfaced en-route	
	Latitude: 29°43	8.1 N	Longitude: 095	5°14.5 W	
Subject(s) and Deta	<u>uils</u>				
Name	<u>Type</u>	<u>Status</u>		Role	
RICHARD J DEVALL	Vessel	Total Co Salvageo	nstructive Loss: d	Involved in a Marine Casualty	
System: C	Operations/Manag	gement			
Subsyster	m: Vessel Activity	,			
Compone	Component: Underway				
Cite:					
	CG Approved Equ	<u>iipment</u> : No	D		
•	iolation: No				
Deficiency	y: No				
				ed): M/V MISS LUCY making nce of the Harbors Tugs ANDREW K and	
Timeline Type: Timeline Subtype:	Condition Vessel - Materia				

Timeline Subtype:Vessel - Material/Equipment ConditionLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	Туре	<u>Status</u>	Role		
MISS LUCY	Vessel	Undamaged	Involved in a Marine Casualty		
System: Opera	System: Operations/Management				
Subsystem: Vessel Activity					
Component: Underway					
Cite:					
Involves CG Approved Equipment: No					
Security Violation: No					
Deficiency: No					

10Feb2010 17:15:00 EST to 10Feb2010 17:25:00 EST (Estimated): The UTV J R NICHOLLS outboundHouston Ship Channel with water, fuel, oil tanks topped off enroute to Rhodia Baytown.Timeline Type:ConditionTimeline Subtype:Vessel - Material/Equipment ConditionLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>		Role
RICHARD J DEVALL	Vessel	Total Construct Salvaged	ive Loss:	Involved in a Marine Casualty
System: C	Dperations/Manag	ement		
Subsyster	m: Vessel Activity			
Compone	nt: Underway			
Cite:				
Involves C	CG Approved Equ	<u>ipment</u> : No		
Security Violation: No				
Deficiency: No				
10Feb2010 17:15:05 EST to 10Feb2010 17:20:00 EST (Estimated): Harbor tug ATLAS made fast forward to the M/V MISS LUCY with engines at all stop. Timeline Type: Condition Timeline Subtype: Vessel - Material/Equipment Condition Location: Known				
Primary Location: No Description: HOUSTON SHIP CHANNEL				
	Latitude: 29°43	.1 N Long	gitude: 095	°14.5 W

<u>Name</u>	<u>Type</u>	<u>Status</u>	Role	
ATLAS Vessel Undam		Undamaged	Involved in a Marine Casualty	
System: 0	Operations/Manag	gement		
Subsyste	m: Vessel Activity	1		
Compone	ent: Other			
Cite:				
Involves	CG Approved Equ	<u>uipment</u> : No		
Security V	violation: No			
Deficienc	y: No			
	embers asleep, ar Condition Vessel - Materi Known Primary Locatio	nd one crewmember in engi al/Equipment Condition	ed): Vessel underway with master at the ne room painting.	
	Latitude: 29°43		\$°14 5 W	
		5.1 N Longitude. 090	14.3 W	
Subject(s) and Deta				
<u>Name</u>	<u> </u>	<u>Status</u>	Role	
RICHARD J DEVALL	Vessel	Total Constructive Loss: Salvaged	Involved in a Marine Casualty	
System: Operations/Management				
Subsystem: Vessel Activity				
Component: Underway				
Cite:				
Involves CG Approved Equipment: No				
Security Violation: No				
Deficienc	y: No			
10Feb2010 17:16:0 portside stern quart Timeline Type: Timeline Subtype: Location:	er to the M/V MIS Condition		ed): Harbor tug ANDREW K made fast	
Primary Location: No Description: HOUSTON SHIP CHANNEL				
	Latitude: 29°43	3.1 N Longitude: 095	°14.5 W	
Subject(s) and Deta	ails			
Name	<u>Type</u>	<u>Status</u>	Role	
ANDREW K	Vessel			
	VESSEI	Undamaged	Involved in a Marine Casualty	

System: Operations/Management
Subsystem: Vessel Activity
Component: Other
Cite:
Involves CG Approved Equipment: No
Security Violation: No
Deficiency: No

10Feb2010 17:20:57 EST to 10Feb2010 17:23:00 EST (Estimated): Pilot 126 onboard MV MISS LUCYmakes safety broadcast of intention to moor up Woodhouse Dock #1.Timeline Type:ConditionTimeline Subtype:Person - Communications ConditionLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Name	<u>Type</u>	<u>Status</u>		Role	
	Person	Not at Risk		Witness	
Communi	cations Type: Ship	to Ship			
Communi	cation Direction: S	ent			
Means Of Communication: Radio Communications Equipment					
Frequ	uency/Channel: Ch	annel			
Frequ	uency Or Channel	Used: 13			
Powe	er Setting: 1				
Communi	cations Acknowled	lged: No			
Communication Effectiveness: Communication Effective					
Effectiveness Description: Transmission confirmed via Automatic Identification System (AIS).					
Interference Encountered: No Known Interference					
Interference Description:					
10Feb2010 17:21:00 EST to 10Feb2010 17:25:00 EST (Estimated): MISS LUCY mooring at Woodhouse Dock No.1.					
Timeline Type:ConditionTimeline Subtype:Vessel - Material/EquipmentLocation:Known		/Equipment Co	ndition		
Primary Location: No Description: HOUSTON SHIP CHANNEL					
	Latitude: 29°43.	1 N Lon	igitude: 095°	214.5 W	
Subject(s) and Deta	ills				
<u>Name</u>	<u>Type</u>	<u>Status</u>		Role	

Subsysten Componer Cite: Involves C	perations/Managem n: Vessel Activity nt: Moored <u>G Approved Equipm</u> iolation: No		Involved in a Marine Casualty	
	ns known prior to ent -to-ship communicat Condition Person - Communi Known	tering wheel wash, or a tion.	ated): Master of the J R NICHOLLS failed acknowledge the pilot onboard the MV	
	Primary Location: N Description: HOUS	NO STON SHIP CHANNEL	-	
	Latitude: 29°43.1 I	N Longitude: 0	95°14.5 W	
Subject(s) and Detai	ils			
Name	<u>Type</u>	<u>Status</u>	Role	
	Person	At Risk, Not Injured	Subject of Investigation	
Communio	cations Type: Ship to	o Ship		
	cation Direction: Red	•		
Means Of	Communication: Ra	adio Communications I	Equipment	
Frequ	ency/Channel: Chai	nnel		
Frequency Or Channel Used: 13				
Powe	r Setting: 1			
Communications Acknowledged: No Communication Effectiveness: Communication Effective				
Interferend	ce Encountered: No	Known Interference		
Interferend	ce Description:			
	e harbor tug ANDRE		n): The J R NICHOLLS entered into the ng to port allowing the ingress of water via	

Timeline Type:	Event
Timeline Subtype:	Loss of Stability
Location:	Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

		Sugation report						
Latitude: 29°43.1 N Lo			.1 N Longitude: 095	Longitude: 095°14.5 W				
	Subject(s) and Deta	<u>ils</u>						
	<u>Name</u>	<u>Type</u>	<u>Status</u>	Role				
	RICHARD J DEVALL	Vessel	Total Constructive Loss: Salvaged	Involved in a Marine Casualty				
		ured equipment in Condition	010 17:30:00 EST (Estimat n galley, engine room, and al/Equipment Condition	ed): JR NICHOLLS heels severly to port staterooms.				
		Primary Locatio Description: HC	n: No PUSTON SHIP CHANNEL					
		Latitude: 29°43	.1 N Longitude: 095	5°14.5 W				
	Subject(s) and Deta	<u>ils</u>						
	<u>Name</u>	<u>Type</u>	<u>Status</u>	Role				
	RICHARD J DEVALL	Vessel	Total Constructive Loss: Salvaged	Involved in a Marine Casualty				
	System: A	.ccommodation/C	occupational Safety					
	Subsyster	n: Refrigeration (stores)					
	Compone	nt: General						
	Cite:							
	Involves C	G Approved Equ	<u>ipment</u> : No					
	Security V	iolation: No						
	Deficiency	/: No						
	Failure/Ma	alfunction Type:						
	10Feb2010 17:29:09 EST to 10Feb2010 17:30:00 EST (Estimated): The J R NICHOLLS experienced progressive flooding as it heeled over to port in Houston Ship Channel. Timeline Type: Event Timeline Subtype: Flooding - Progressive Location: Known Primary Location: No							
		Description. The	USTON SHIP CHANNEL					
		Latitude: 29°43	S.1 N Longitude: 095	5°14.5 W				
	Subject(s) and Details							
	<u>Name</u>	Туре	<u>Status</u>	Role				
	RICHARD J DEVALL	Vessel	Total Constructive Loss: Salvaged	Involved in a Marine Casualty				
	Subdivisio	n Standard: One	Compartment					
	<u>Watertight</u>	Subdivision Inta	<u>ct:</u> Intact					
	Wa	tertight Subdivisi	on Compromised:					
		-	oromise: Legacy Unknown					
			10 (01					

Depth of Water in Breached Compartment (feet):

10Feb2010 17:29:12 EST to 10Feb2010 17:30:00 EST (Estimated): Master sounds general alarm.

Timeline Type: Timeline Subtype: Location:	Condition Person - Communications Condition Known				
	Primary Locatior Description: HO		CHANNEL		
	Latitude: 29°43.	1N Lo	ongitude: 095	°14.5 W	
Subject(s) and Deta	<u>ils</u>				
<u>Name</u>	<u>Type</u>	<u>Status</u>		Role	
	Person	At Risk, N	lot Injured	Subject of Investigation	
Communi	cations Type: Inte	rnal			
Communi	cation Direction: S	Sent			
Means Of	Communication:	Radio Comm	unications Eq	uipment	
Frequ	uency/Channel: Cl	hannel			
Frequ	lency Or Channel	Used: 13			
Powe	er Setting: 1				
Communi	cations Acknowled	dged: Yes			
Communi	cation Effectivene	ss: Problems	Acting on Co	mmunication	
	ess Description: 7 npartments.	ransmission	heard but son	ne of crew members were trapped	
Interferen	ce Encountered: N	No Known Inte	erference		
Interferen	ce Description:				
10Feb2010 17:30:00 sink in Houston Ship Timeline Type: Timeline Subtype: Location:	o Channel. Event	010 17:35:00 E	EST (Estimate	ed): The UTV J R NICHOLLS starts to	
	Primary Locatior Description: HO		CHANNEL		
	Latitude: 29°43.	1 N Lo	ongitude: 095	°14.5 W	
Subject(s) and Deta	<u>ils</u>				
<u>Name</u>	<u>Type</u>	<u>Status</u>		Role	
RICHARD J DEVALL	Vessel	Total Constr Salvaged	uctive Loss:	Involved in a Marine Casualty	
				ed): Master and deckhand abandon ship. Ir to it going down and swam to safety.	

MISLE Incident Investigation Report

Timeline Type:	Event
Timeline Subtype:	Abandonment
Location:	Known
	Primary Location: No

Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

 Name
 Type
 Status
 Role

 RICHARD J DEVALL
 Vessel
 Total
 Involved in a Marine Casualty

 Constructive
 Loss: Salvaged
 Salvaged

People On Board Prior To Abandonment: 5

Abandoning Into The Water

Without Lifesaving Equipment: 2

With Immersion Suits: 0

With Other Lifesaving Equipment: 0

Abandoning Without Entering The Water

Into Lifeboats/Liferafts And Other Out Of Water Lifesaving Equipment: 0

Directly To Another Vessel, Facility, Or Ashore: 0

By Other Means: 0

Abandoning Using Evacuation Systems: 0

Total Abandoning Vessel Or Factility: 2

10Feb2010 17:30:07 EST to 10Feb2010 17:31:00 EST (Known): Pilot and two deckhands go down with the UTV J R NICHOLLS. Timeline Type: Condition

Timeline Subtype: Person - Person Condition Location: Known

> Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	At Risk, Not Injured	Witness

System: Personnel Subsystem: Physical Condition Component: Other physical capability Cite: <u>Involves CG Approved Equipment</u>: No Security Violation: No Deficiency: No

Name	<u>Type</u>	<u>Status</u>	Role	<u>e</u>	
	Person	At Risk, Not Injured	Witr	ness	
System: Personnel Subsystem: Physical Condition Component: Other physical capability Cite: <u>Involves CG Approved Equipment</u> : No Security Violation: No Deficiency: No					
		010 17:32:00 EST (Estim f fuel and lubricating oil ir ase - Pollution			
	-	USTON SHIP CHANNEL			
	Latitude: 29°43	.1 N Longitude: 0	95°14.5	W	
Subject(s) and Deta					
<u>Name</u>	<u>Type</u>	<u>Status</u>	Role		
RICHARD J DEVALL	Vessel	Total Constructive Loss Salvaged	s: Invo	olved in a Marine Ca	asualty
Substance	3	Potential A	<u>mount</u>	Not Discharged	Discharged
Oil, fuel: N		10000.0		0.0	10000.0
•	-	nount (pounds): N/A			
	tial Discharge/Re				
	olume/Amount: 10	0000.0		Known/Estimated	l: Known
· ·	Inits: Gallon				
	otential Only: No				
	arged/Released D				
	overall Volume/Am	10000.0			
	Inits: Gallon	Water: 10000.0		Known /Eatimates	L. Cating at a d
	olume/Amount In Inits: Gallon	water: 10000.0		Known/Estimated	: Estimated
-	olume/Amount Or	a Land: 0.0		Known/Estimated	I. Estimated
	Inits: Gallon			Kilowii/Estimated	
Volume/Amount In Enclosed Space: 0.0 Known/Estimated: Estimate					I. Estimated
	Inits: Gallon				
	olume/Amount In	Air: 0.0		Known/Estimated	I: Estimated
U	Inits: Gallon				
Not D	ischarged/Releas	ed Details			
V	olume/Amount: 0.	.0			

Units: Gallon

10Feb2010 17:30:25 EST to 13Feb2010 17:30:48 EST (Estimated): Houston Ship Channel closed to traffic due to the JR NICHOLLS sinking, pollution incident, and search and rescue efforts. Timeline Type: Condition Timeline Subtype: **Environment - Waterway Conditions** Location: Known Primary Location: No Description: HOUSTON SHIP CHANNEL Latitude: 29°43.1 N Longitude: 095°14.5 W Subject(s) and Details Name Type Role Status Incident Location Waterway Location System: Waterways Subsystem: Waterway Features Component: Vessel Traffic Management Area Cite: Involves CG Approved Equipment: No Security Violation: No Deficiency: No 10Feb2010 17:45:06 EST to 10Feb2010 17:46:00 EST (Estimated): Four Crewmembers of the UTV JR NICHOLLS transported to nearby Hospital for treatment and drug/alcohol testing. Timeline Type: Condition Timeline Subtype: Person - Person Condition Location: Known Primary Location: No **Description: HOUSTON SHIP CHANNEL** Latitude: 29°43.1 N Longitude: 095°14.5 W Subject(s) and Details Name Type Status Role Person At Risk, Not Injured Subject of Investigation System: Personnel Subsystem: Physical Condition Component: Other physical capability Cite: Involves CG Approved Equipment: No Security Violation: No Deficiency: No

MISLE Incident Investigation Report

<u>Nai</u>		<u>Type</u>	<u>Status</u>		Role	
1101		<u>rype</u> Person	At Risk, No	t Injured	Witness	
		1 010011		a njurcu	Willioso	
	System: Pe	ersonnel				
Subsystem: Physical Condition						
Component: Other physical capability						
Cite: Involves CG Approved Equipment: No						
Deficiency: No						
<u>Nai</u>	ne	<u>Type</u>	<u>Status</u>		Role	
		Person	At Risk, No	t Injured	Witness	
	System: Pe					
	•	1: Physical Cond				
	Componen Cite:	it: Other physica	capability			
		<u>G Approved Equ</u>	inmont: No			
	Security Vi	•••	<u>ipmeni</u> . No			
	Deficiency:					
	Denelency.					
<u>Nai</u>	ne	<u>Type</u>	<u>Status</u>		Role	
		Person	At Risk, No	t Injured	Witness	
System: Personnel						
	•	n: Physical Cond	ition			
	-	it: Other physica				
	Cite:					
	Involves C	<u>G Approved Equ</u>	<u>ipment</u> : No			
	Security Vi	olation: No				
	Deficiency:	No				
UTV JR Evacuati Timeline	10Feb2010 17:45:48 EST to 10Feb2010 17:50:00 EST (Estimated): Pilot and deckhand still aboard the UTV JR NICHOLLS as it rest on the bottom of channel, abandon ship. Evacuation Details: Pilot and deckhand escaped submerged vessel through a window. Timeline Type: Event Timeline Subtype: Abandonment					
LUCATION		Known				
		Primary Locatio Description: HC		P CHANNEL		
		Latitude: 29°43	.1 N I	_ongitude: 095	°14.5 W	
• •	s) and Detail	<u>ls</u>				
<u>Na</u>	ne	<u>Type</u>	<u>Sta</u>	atus	Role	

RICHARD J DEVALL Vessel

Involved in a Marine Casualty

Constructive Loss: Salvaged

Total

People On Board Prior To Abandonment: 3

Abandoning Into The Water

Without Lifesaving Equipment: 2

With Immersion Suits: 0

With Other Lifesaving Equipment: 0

Abandoning Without Entering The Water

Into Lifeboats/Liferafts And Other Out Of Water Lifesaving Equipment: 0

Directly To Another Vessel, Facility, Or Ashore: 0

By Other Means: 0

Abandoning Using Evacuation Systems: 0

Total Abandoning Vessel Or Factility: 2

10Feb2010 18:47:00 EST to 10Feb2010 18:51:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:	Action
Timeline Subtype:	Drug/Alcohol Testing - Alcohol Testing
Location:	Known
	Primary Location: No

Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	Not at Risk	Witness

Reason Directed To Provide Sample(s): Post-casualty

Direction To Provide Sample(s)

Date/Time Directed: 10Feb2010 18:47 EST

Means Of Direction: Verbal

Organization Directing Chemical Test Sample: Marine Employer

Description: Drug and Alcohol Testing

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Saliva Test

Instrument Used For Analysis: Alco Screen 02

Date/Time Results Obtained: 10Feb2010 18:51 EST

Sample Test Results:

Blood Alcohol Content (BAC):

Laboratory/Individual Conducting Test: G & H Towing

Description Of Sample Analysis: Breath

Irregularities In The Analysis Of The Sample: No

10Feb2010 18:47:00 EST to 10Feb2010 18:51:00 EST (Known): Drug and Alcohol Testing.

Timeline Type: Action Timeline Subtype: Drug/Alcohol Testing - DOT Drug Testing Location: Known Primary Location: No **Description: HOUSTON SHIP CHANNEL** Latitude: 29°43.1 N Longitude: 095°14.5 W Subject(s) and Details <u>Name</u> Type Status Role Person Not at Risk Witness Reason Directed To Provide Sample(s): Post-casualty Direction To Provide Sample(s) Date/Time Directed: 10Feb2010 18:47 EST Means Of Direction: Verbal Organization Directing Chemical Test Sample: Marine Employer **Description: Drug and Alcohol Testing** Mariner Directed To Get A DOT Drug Test: Yes Chemical Test Sample Provided: Yes Reason Chemical Test Sample Not Provided: Sample Drug Test Sample Taken Using DOT Protocols: Yes Sample Type: Urine Date/Time Sample Was Taken: 11Feb2010 10:48 EST Sampling Location: G & H Towing-Vopak Collection Agent: Collection Agent's Organization: G & H Towing Donor Certify Sample: Yes Irregularities Noted: No Drug Analysis

Analyzing Laboratory: KROLL LABORATORY SPECIALISTS, INC., Gretna, LA 70053, , , Specimen Analyzed Using DOT Protocols: Yes

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result

Result:
Positive For:
Specimen Dilute: Yes
Reason(s) Rejected For Testing:
Remarks:
Review Conducted By
Medical Review Officer:
Coroner:
Determination/Verification:
Specimen Dilute (MRO): No
Split Specimen Analyzed: No

10Feb2010 18:50:00 EST to 10Feb2010 18:54:00 EST (Known): Drug and Alcohol Testing.

Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Testing - Alcohol Testing Known			
	Primary Location: No Description: HOUSTON SHIP CHANNEL			
	Latitude: 29°43	.1 N Longitude:	095°14.5 W	
Subject(s) and Details				
<u>Name</u>	<u>Type</u>	<u>Status</u>	Role	
	Person	Not at Risk	Witness	
D	ins stad To Dusy id.	- Commin(a): Deat and	and the	

Reason Directed To Provide Sample(s): Post-casualty

Direction To Provide Sample(s)

Date/Time Directed: 10Feb2010 18:50 EST

Means Of Direction: Verbal

Organization Directing Chemical Test Sample: Marine Employer

Description: Drug and Alcohol Testing

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Saliva Test Instrument Used For Analysis: Alco Screen 02 Date/Time Results Obtained: 10Feb2010 18:54 EST Sample Test Results: Blood Alcohol Content (BAC): Laboratory/Individual Conducting Test: G & H Towing Description Of Sample Analysis: Breath Irregularities In The Analysis Of The Sample: No

10Feb2010 18:50:00 EST to 10Feb2010 18:54:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:	Action
Timeline Subtype:	Drug/Alcohol Testing - DOT Drug Testing
Location:	Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>		
	Person	Not at Risk	Witness		
Reason Dire	ected To Provi	de Sample(s): Pos	t-casualty		
Direction To	Provide Sam	<u>ple(s)</u>			
Date/Ti	me Directed:	10Feb2010 18:50 E	ST		
Means	Of Direction: V	/erbal			
Organization Directing Chemical Test Sample: Marine Employer					
Description: Drug and Alcohol Testing					
Mariner Directed To Get A DOT Drug Test: Yes					
Chemical Te	Chemical Test Sample Provided: Yes				
Reasor	Reason Chemical Test Sample Not Provided:				
<u>Sample</u>	Sample				
Drug Te	est Sample Ta	ken Using DOT Pro	otocols: Yes		
		()			

Sample Type: Urine

Date/Time Sample Was Taken: 11Feb2010 10:53 EST

Sampling Location: G & H Towing-Vopak

Collection Agent:

Collection Agent's Organization: G & H Towing

Donor Certify Sample: Yes

Irregularities Noted: No

Drug Analysis

Analyzing Laboratory: KROLL LABORATORY SPECIALISTS, INC., Gretna, LA 70053, , ,

Specimen Analyzed Using DOT Protocols: Yes

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result

Result

Positive For:

Specimen Dilute: Yes

Reason(s) Rejected For Testing:

Remarks:

Review Conducted By

Medical Review Officer:

Coroner:

Determination/Verification:

Specimen Dilute (MRO): No

Split Specimen Analyzed: No

10Feb2010 18:52:00 EST to 10Feb2010 18:56:00 EST (Known): Drug and Alcohol Testing.

MISLE Incident Investigation Report

MISLE Incident Inve	estigation Report						
Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Testing - Alcohol Testing Known						
		Primary Location: No Description: HOUSTON SHIP CHANNEL					
	Latitude: 29°43	.1 N	Longitude: 095	°14.5 W			
Subject(s) and Deta	<u>ils</u>						
<u>Name</u>	<u>Type</u>	<u>Status</u>		<u>Role</u>			
	Person	Not at Ri	sk	Witness			
Reason D	irected To Provid	e Sample(s): Post-casualty	,			
Direction	To Provide Samp	<u>le(s)</u>					
Date/	Time Directed: 10)Feb2010	18:52 EST				
Mear	s Of Direction: Ve	erbal					
Orga	nization Directing	Chemical	Test Sample: Ma	rine Employer			
Desc	ription: Drug and	Alcohol Te	sting				
Chemical	Test Sample(s) P	<u>Provided:</u> Y	es				
Method O	f Analysis: Saliva	Test					
Instrumen	t Used For Analys	sis: Alco Se	creen 02				
Date/Time	e Results Obtaine	d: 10Feb20	010 18:56 EST				
Sample T	est Results:						
	ohol Content (BA						
	y/Individual Cond	0	U U				
Descriptio	n Of Sample Ana	lysis: Brea	th				
<u>Irregulariti</u>	es In The Analysi	is Of The S	<u>Sample: No</u>				
10Feb2010 18:52:0	0 EST to 10Feb20	010 18:56:	00 EST (Known):	Drug and Alcohol Testing.			
Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Te Known	esting - DO	T Drug Testing				
	Primary Locatio Description: HO		HIP CHANNEL				
	Latitude: 29°43	.1 N	Longitude: 095	°14.5 W			
Subject(s) and Deta	<u>ils</u>						
Name	Type	<u>Status</u>		Role			
	Person	Not at Ri	sk	Witness			
	-						

Reason Directed To Provide Sample(s): Post-casualty Direction To Provide Sample(s) Date/Time Directed: 10Feb2010 18:52 EST Means Of Direction: Verbal Organization Directing Chemical Test Sample: Marine Employer Description: Drug and Alcohol Testing Mariner Directed To Get A DOT Drug Test: Yes Chemical Test Sample Provided: Yes Reason Chemical Test Sample Not Provided: Sample Drug Test Sample Taken Using DOT Protocols: Yes Sample Type: Urine Date/Time Sample Was Taken: 11Feb2010 10:44 EST Sampling Location: G & H Towing-Vopak Collection Agent: Collection Agent's Organization: G & H Towing Donor Certify Sample: Yes

Irregularities Noted: No

Drug Analysis

Analyzing Laboratory: KROLL LABORATORY SPECIALISTS, INC., Gretna, LA 70053, , ,

Specimen Analyzed Using DOT Protocols: Yes

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result

Result: Positive For: Specimen Dilute: Yes Reason(s) Rejected For Testing: Remarks: <u>Review Conducted By</u> Medical Review Officer: Coroner: Determination/Verification: Specimen Dilute (MRO): No <u>Split Specimen Analyzed</u>: No 10Feb2010 18:59:00 EST to 10Feb2010 19:03:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/AlcohLocation:Known	ol Testing - Alcohol Testing
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Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	Not at Risk	Witness

Reason Directed To Provide Sample(s): Post-casualty

Direction To Provide Sample(s)

Date/Time Directed: 10Feb2010 18:59 EST

Means Of Direction: Verbal

Organization Directing Chemical Test Sample: Marine Employer

Description: Drug and Alcohol Testing

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Saliva Test Instrument Used For Analysis: Alco Screen 02 Date/Time Results Obtained: 10Feb2010 19:03 EST Sample Test Results: Blood Alcohol Content (BAC): Laboratory/Individual Conducting Test: G & H Towing Description Of Sample Analysis: Breath

Irregularities In The Analysis Of The Sample: No

10Feb2010 18:59:00 EST to 10Feb2010 19:03:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - DOT Drug TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

ubject(s) an	<u>a Detalis</u>			
<u>Name</u>	<u>Type</u>	<u>Status</u>	Role	
	Person	Not at Risk	Witness	
Bog	ason Directed To Provi	da Sampla(a): Dag		
		• • • • •	si-casually	
<u>Dire</u>	ection To Provide Sam	<u>ble(s)</u>		
	Date/Time Directed: 1	0Feb2010 18:59 E	ST	
	Means Of Direction: \	/erbal		
	Organization Directing	g Chemical Test Sa	ample: Marine Employer	
	Description: Drug and	Alcohol Testing		
Mai	riner Directed To Get A	DOT Drug Test: Y	<i>ï</i> es	
Che	emical Test Sample Pro	ovided: Yes		
	Reason Chemical Tes	st Sample Not Prov	vided:	
	<u>Sample</u>			
	Drug Test Sample Ta	ken Using DOT Pr	otocols: Yes	
	Sample Type: Urine			
	Date/Time Sample W	as Taken: 11Feb20	010 10:38 EST	
	Sampling Location: G	& H Towing-Vopa	k	
	Collection Agent:			
	Collection Agent's Org	ganization: G & H ⁻	Fowing	
	Donor Certify Sample	: Yes		
	Irregularities Noted: N	lo		
	Drug Analysis			
		KROLL LABORA	TORY SPECIALISTS, INC., G	retna, LA 70053,

Specimen Analyzed Using DOT Protocols: Yes

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result Result: Positive For: Specimen Dilute: Yes Reason(s) Rejected For Testing: Remarks: **Review Conducted By** Medical Review Officer: Coroner: Determination/Verification: Specimen Dilute (MRO): No Split Specimen Analyzed: No

10Feb2010 19:01:00 EST to 10Feb2010 19:06:00 EST (Known): Drug and Alcohol Testing.

Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Testing - Alcohol Testing Known				
	Primary Loca Description: H		HIP CHANNEL		
	Latitude: 29%	43.1 N	Longitude: 095	°14.5 W	
Subject(s) and Deta	<u>ils</u>				
Name	<u>Type</u>	<u>Status</u>		<u>Role</u>	
	Person	Not at R	isk	Witness	
Reason D	irected To Prov	vide Sample(s): Post-casualty	,	
Direction	<u> Fo Provide San</u>	nple(s)			
Date/	Time Directed:	11Feb2010	10:20 EST		
Mean	s Of Direction:	Verbal			
Orgai	Organization Directing Chemical Test Sample: Marine Employer				
Desc	ription: Drug ar	nd Alcohol Te	esting		

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Saliva Test Instrument Used For Analysis: Alco Screen 02 Date/Time Results Obtained: 10Feb2010 19:06 EST Sample Test Results: Blood Alcohol Content (BAC): Laboratory/Individual Conducting Test: G & H Towing Description Of Sample Analysis: Breath Irregularities In The Analysis Of The Sample: No

10Feb2010 19:01:00 EST to 10Feb2010 19:05:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:	Action
Timeline Subtype:	Drug/Alcohol Testing - Alcohol Testing
Location:	Known
	Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Name	<u>Type</u>	<u>Status</u>	Role
	Person	Not at Risk	Witness
Reason Direc	cted To Provi	de Sample(s): Post	-casualty
Direction To			
Date/Tin	ne Directed: 7	10Feb2010 19:01 E	ST
Means C	Of Direction: \	/erbal	
Organiza	ation Directing	g Chemical Test Sa	mple: Marine Employer
Descript	ion: Drug and	Alcohol Testing	
Chemical Tes	st Sample(s)	<u>Provided:</u> Yes	
Method Of A	nalysis: Breat	th Test	
Instrument U	sed For Anal	ysis: BAT	
Date/Time Re	esults Obtain	ed: 10Feb2010 19:0	01 EST
Sample Test	Results:		
Blood Alcoho	ol Content (BA	AC):	
Laboratory/In	idividual Con	ducting Test: Breath	1
Description C	Of Sample An	alysis: Breath	
Irregularities	In The Analy	sis Of The Sample:	No

10Feb2010 19:01:00 EST to 10Feb2010 19:05:00 EST (Known): Drug and Alcohol Testing.

Timeline Type: Timeline Subty Location:	/pe: Dru	ion Ig/Alcohol Te own	esting - Alco	hol Testing	
		mary Locatio scription: HO		IP CHANNEL	
		itude: 29°43	.1 N	Longitude: 095°	214.5 W
Subject(s) and	<u>Details</u>	-	0		5.1
Name		<u>Type</u> -	<u>Status</u>	_	Role
		Person	Not at Ris	k	Other
Reas	son Directe	ed To Provid	e Sample(s)): Post-casualty	
Direc	<u>ction To Pr</u>	rovide Samp	<u>le(s)</u>		
	Date/Time	Directed: 10) Feb2010 1	9:01 EST	
	Means Of	Direction: Ve	erbal		
	Organizati	ion Directing	Chemical T	est Sample: Ma	rine Employer
	Descriptio	n: Drug and	Alcohol Tes	ting	
Cher	mical Test	Sample(s) F	<u>Provided:</u> Ye	S	
Meth	nod Of Ana	alysis: Saliva	Test		
Instr	ument Use	ed For Analy	sis: Alco Sci	reen 02	
Date	/Time Res	ults Obtaine	d: 10Feb20 ⁻	10 19:05 EST	
Sam	ple Test R	esults:			
		Content (BA	,		
	•		U	G & H Towing	
	-	Sample Ana	-		
Irreg	ularities In	The Analysi	is Of The Sa	ample: No	
10Feb2010 19	:01:00 ES	T to 10Feb20	010 19:05:0	0 EST (Known):	Drug and Alcohol Testing.
Timeline Type:	: Act	-			

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - DOT Drug TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

MISLE Incident Investigation Report

<u>Name</u>	<u>Type</u>	<u>Status</u>		Role
	Person	Not at Risk		Witness
Reason	Directed To Provid	de Sample(s): F	Post-casualtv	
	To Provide Sam	• • • •	,	
	e/Time Directed: 1		1 EST	
Mea	ans Of Direction: \	/erbal		
Org	anization Directing	g Chemical Test	Sample: Ma	rine Employer
Des	cription: Drug and	- I Alcohol Testing	g	
Mariner	Directed To Get A	DOT Drug Test	t: Yes	
Chemica	al Test Sample Pro	ovided: Yes		
Rea	son Chemical Tes	st Sample Not P	rovided:	
<u>San</u>	<u>nple</u>			
Drug	g Test Sample Ta	ken Using DOT	Protocols: Ye	es
San	nple Type: Urine			
Date	e/Time Sample W	as Taken: 11Fe	b2010 10:25	EST
San	npling Location: G	& H Towing-Vo	pak	
Coll	ection Agent:			
Coll	ection Agent's Org	ganization: G &	H Towing	
	or Certify Sample			
Irreç	gularities Noted: N	lo		
Drug	g Analysis			
Ana	lyzing Laboratory:	: Laboratory Cor	rporation of A	merica Holdings, Raritan, NJ, 08869
Spe	cimen Analyzed L	Jsing DOT Proto	ocols: Yes	
Spe	cimen Transferred	d And Chain Of	Custody Corr	nplete: Yes
<u>Pr</u>	imary Specimen T	<u>Fest Result</u>		
Re	esult:			
	sitive For:			
Sp	ecimen Dilute: Ye	es		

Reason(s) Rejected For Testing:

Remarks:

Review Conducted By

Medical Review Officer:

Coroner:

Determination/Verification:

Specimen Dilute (MRO): No

Split Specimen Analyzed: No

10Feb2010 19:01:00 EST to 10Feb2010 19:05:00 EST (Known): Drug and Alcohol Testing.

Timeline Type: Action Timeline Subtype: Drug/Alcohol Testing - DOT Drug Testing Location: Known Primary Location: No **Description: HOUSTON SHIP CHANNEL** Latitude: 29°43.1 N Longitude: 095°14.5 W Subject(s) and Details Name Type Status Role Person Other Not at Risk

Reason Directed To Provide Sample(s): Post-casualty

Direction To Provide Sample(s)

Date/Time Directed: 10Feb2010 19:01 EST

Means Of Direction: Verbal

Organization Directing Chemical Test Sample: Marine Employer

Description: Drug and Alcohol Testing

Mariner Directed To Get A DOT Drug Test: Yes

Chemical Test Sample Provided: Yes

Reason Chemical Test Sample Not Provided:

<u>Sample</u>

Drug Test Sample Taken Using DOT Protocols: Yes

Sample Type: Urine

Date/Time Sample Was Taken: 11Feb2010 11:00 EST

Sampling Location: G & H Towing-Vopak

Collection Agent:

Collection Agent's Organization: G & H Towing Donor Certify Sample: Yes Irregularities Noted: No

Drug Analysis

Analyzing Laboratory: KROLL LABORATORY SPECIALISTS, INC., Gretna, LA 70053, , , Specimen Analyzed Using DOT Protocols: Yes Specimen Transferred And Chain Of Custody Complete: Yes <u>Primary Specimen Test Result</u> Result: Positive For: Specimen Dilute: Yes Reason(s) Rejected For Testing: Remarks: <u>Review Conducted By</u> Medical Review Officer: Coroner: Determination/Verification:

10Feb2010 19:01:00 EST to 10Feb2010 19:06:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - DOT Drug TestingLocation:Known

Specimen Dilute (MRO): No Split Specimen Analyzed: No Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and	d Details			
<u>Name</u>		<u>Type</u>	<u>Status</u>	Role
		Person	Not at Risk	Witness
Rea	son Directe	ed To Provid	e Sample(s): Post-casualt	1
		ovide Sampl		1
<u>D110</u>			IFeb2010 10:20 EST	
		Direction: Ve		
				arina Employor
	-	-	Chemical Test Sample: Ma	
	•	•	Alcohol Testing	
Mar	iner Directe	ed To Get A I	DOT Drug Test: Yes	
Che	mical Test	Sample Prov	vided: Yes	
	Reason C	hemical Test	Sample Not Provided:	
	<u>Sample</u>			
	Drug Test	Sample Tak	en Using DOT Protocols: Y	'es
	Sample Ty	/pe: Urine		
	Date/Time	Sample Wa	s Taken: 11Feb2010 10:20	EST
	Sampling	Location: G a	& H Towing-Vopak	
	Collection	Agent: Roge	er Avilla	
	Collection	Agent's Orga	anization: G & H Towing	
	Donor Cer	tify Sample:	Yes	
	Irregulariti	es Noted: No)	
	Drug Anal	<u>ysis</u>		

Analyzing Laboratory: KROLL LABORATORY SPECIALISTS, INC., Gretna, LA 70053, , , Specimen Analyzed Using DOT Protocols: Yes Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result Result: Positive For: Specimen Dilute: Yes Reason(s) Rejected For Testing: Remarks: <u>Review Conducted By</u> Medical Review Officer: Coroner: Determination/Verification: Specimen Dilute (MRO): No Split Specimen Analyzed: No

10Feb2010 19:03:00 EST to 10Feb2010 19:07:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:	Action
Timeline Subtype: Location:	Drug/Alcohol Testing - Alcohol Testing Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	Not at Risk	Other

Reason Directed To Provide Sample(s): Post-casualty

Direction To Provide Sample(s)

Date/Time Directed: 10Feb2010 19:03 EST

Means Of Direction: Verbal

Organization Directing Chemical Test Sample: Marine Employer

Description: Drug and Alcohol testing

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Breath Test Instrument Used For Analysis: BAT Date/Time Results Obtained: 10Feb2010 19:03 EST

Sample Test Results: Blood Alcohol Content (BAC): Laboratory/Individual Conducting Test: G & H Towing

Description Of Sample Analysis: Breath

Irregularities In The Analysis Of The Sample: No

10Feb2010 19:03:00 EST to 10Feb2010 19:07:00 EST (Known): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - DOT Drug TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	Not at Risk	Other

Reason Directed To Provide Sample(s): Post-casualty

Direction To Provide Sample(s)

Date/Time Directed: 10Feb2010 19:03 EST

Means Of Direction: Verbal

Organization Directing Chemical Test Sample: Marine Employer

Description: Drug and Alcohol testing

Mariner Directed To Get A DOT Drug Test: Yes

Chemical Test Sample Provided: Yes

Reason Chemical Test Sample Not Provided:

<u>Sample</u>

Drug Test Sample Taken Using DOT Protocols: Yes

Sample Type: Urine

Date/Time Sample Was Taken: 11Feb2010 10:32 EST

Sampling Location: G & H Towing-Vopak

Collection Agent:

Collection Agent's Organization: G & H Towing

Donor Certify Sample: Yes

Irregularities Noted: No

Drug Analysis

Analyzing Laboratory: KROLL LABORATORY SPECIALISTS, INC., Gretna, LA 70053, , ,

Specimen Analyzed Using DOT Protocols: Yes

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result

Positive For:

Result:

Specimen Dilute: Yes

Reason(s) Rejected For Testing:

Remarks:

Review Conducted By

Medical Review Officer:

Coroner:

Determination/Verification:

Specimen Dilute (MRO): No

Split Specimen Analyzed: No

10Feb2010 19:11:58 EST to 10Feb2010 19:12:02 EST (Known): Drug and Alcohol Testing.

Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Testing - Alcohol Testing Known				
	Primary Location: No Description: HOUSTON SHIP CHANNEL				
	Latitude: 29°43.1 N		Longitude: 095°14.5 W		
Subject(s) and Details					
<u>Name</u>	<u>Type</u>	<u>Status</u>	Role		

	Person	Not at Risk	Witness			
Reason Directed To Provide Sample(s): Post-casualty						
Direction To Provide Sample(s)						
Date/Time Directed: 10Feb2010 18:58 EST						
Means Of Direction: Verbal						
Organization Directing Chemical Test Sample: Marine Employer						
Description: Drug and Alcohol testing						
Chemical Test Sample(s) Provided: Yes						
Method Of Analysis: Saliva Test						
Instrument Used For Analysis: Alco Screen 02						
Date/Time Results Obtained: 10Feb2010 19:02 EST						
Sample Test Results:						
Blood Alcohol Content (BAC):						
Laboratory/Individual Conducting Test: G & H Towing						
Description Of Sample Analysis: Breath						
Irregularities In The Analysis Of The Sample: No						

10Feb2010 19:11:58 EST to 10Feb2010 19:12:02 EST (Known): Drug and Alcohol Testing.

Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Testing - DOT Drug Testing Known				
	Primary Location: No Description: HOUSTON SHIP CHANNEL				
	Latitude: 29°43.1 N Longitude:		Longitude: 095	095°14.5 W	
Subject(s) and Deta	<u>iils</u>				
Name	<u>Type</u>	<u>Status</u>		<u>Role</u>	
	Person	Not at R	isk	Witness	
Reason Directed To Provide Sample(s): Post-casualty					
Direction To Provide Sample(s)					
Date/Time Directed: 10Feb2010 18:58 EST					
Means Of Direction: Verbal					
Organization Directing Chemical Test Sample: Marine Employer					
Description: Drug and Alcohol testing					
Mariner Directed To Get A DOT Drug Test: Yes					
Chemical Test Sample Provided: Yes					
			71 of 91		

Reason Chemical Test Sample Not Provided: <u>Sample</u> Drug Test Sample Taken Using DOT Protocols: Yes Sample Type: Urine Date/Time Sample Was Taken: 11Feb2010 10:00 EST Sampling Location: G & H Towing-Vopak Collection Agent: Collection Agent's Organization: G & H Towing Donor Certify Sample: Yes Irregularities Noted: No

Drug Analysis

Analyzing Laboratory: KROLL LABORATORY SPECIALISTS, INC., Gretna, LA 70053, , ,

Specimen Analyzed Using DOT Protocols: Yes

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result

Result:

Positive For:

Specimen Dilute: Yes

Reason(s) Rejected For

Testing: Remarks:

Review Conducted By

Medical Review Officer:

Coroner:

Determination/Verification:

Specimen Dilute (MRO): No

Split Specimen Analyzed: No
10Feb2010 21:30:00 EST to 10Feb2010 21:35:00 EST (Known): Drug test resulting.

Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Testing - DOT Drug Testing Known				
	Primary Locatio Description: HC	n: No DUSTON SHIP CHANNE	L		
	Latitude: 29°43	B.1 N Longitude: C	95°14.5 W		
Subject(s) and Det	ails				
<u>Name</u>	<u>Type</u>	<u>Status</u>	Role		
	Person	At Risk, Not Injured	Subject of Investigation		
Reason I	Directed To Provid	le Sample(s): Post Accio	lent		
Mariner [Directed To Get A	DOT Drug Test: Yes			
Chemica	I Test Sample Pro	vided: Yes			
Rea	ason Chemical Test Sample Not Provided:				
Sam	ample				
Drug	Drug Test Sample Taken Using DOT Protocols: Yes				
Sam	Sample Type: Urine				
Date	/Time Sample Wa	as Taken: 10Feb2010 21	30 EST		
Sam	pling Location: SE	E Memorial Hermann Hos	spital		
Colle	ection Agent:				
Colle	ection Agent's Org	anization: SE Memorial I	Hermann Hospital		
Don	or Certify Sample:	Yes			
Irreg	Irregularities Noted: No				
Drug	<u>g Analysis</u>				
Ana	lyzing Laboratory:	CLINICAL REFERENCE	LABORATORY, Lenexa, KS 66215, , ,		
â					

Specimen Analyzed Using DOT Protocols: Yes

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test Result Result: Positive For: Specimen Dilute: Yes Reason(s) Rejected For Testing: Remarks: Review Conducted By Medical Review Officer: Coroner: Determination/Verification: Specimen Dilute (MRO): No

Split Specimen Analyzed: No

10Feb2010 21:30:00 EST to 10Feb2010 21:35:00 EST (Known): Drug test resulting.

Timeline Type: Timeline Subtype: Location:	Action Drug/Alcohol Testing - Alcohol Testing Known				
	Primary Location: No Description: HOUSTON SHIP CHANNEL				
	Latitude: 29°43.	1 N Longitude: 095	°14.5 W		
Subject(s) and Detai	Subject(s) and Details				
<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>		
	Person	At Risk, Not Injured	Subject of Investigation		

Reason Directed To Provide Sample(s): Post-casualty

Direction To Provide Sample(s)

Date/Time Directed: 10Feb2010 18:00 EST

Means Of Direction: Verbal

Organization Directing Chemical Test Sample: Marine Employer

Description: Drug Testing

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Breath Test

Instrument Used For Analysis: BAT Date/Time Results Obtained: 10Feb2010 18:00 EST Sample Test Results: Blood Alcohol Content (BAC): Laboratory/Individual Conducting Test: Breath Description Of Sample Analysis: Breath Irregularities In The Analysis Of The Sample: No

10Feb2010 21:44:00 EST to 10Feb2010 22:00:00 EST (Estimated): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - DOT Drug TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	Role
	Person	At Risk, Not Injured	Witness
Beesen D	ine etc. d. T.e. Drevi	de Cemple(e); Dest Ace	ident
		de Sample(s): Post Acc	Ident
Mariner Di	rected To Get A	A DOT Drug Test: Yes	
Chemical	Test Sample Pr	ovided: Yes	
Rease	on Chemical Te	st Sample Not Provided:	
<u>Samp</u>	<u>ole</u>		
Drug	Test Sample Ta	ken Using DOT Protoco	ls: Yes
Sample Type: Urine			
Date/Time Sample Was Taken: 10May2010 22:44 EDT			2:44 EDT
Sampling Location: Memorial Hermann SE			
Collection Agent:			
Collection Agent's Organization: Memorial Hermann SE			rmann SE
Dono	r Certify Sample	e: Yes	
Irregu	Ilarities Noted: N	٩o	
Drug	<u>Analysis</u>		
Analy	zing Laboratory	: LabOne, Inc. DBA Que	st Diagnostics, Lenexa, KS 66219, , ,
Speci	men Analyzed I	Jsing DOT Protocols: Ye	S
Speci	men Transferre	d And Chain Of Custody	Complete: Yes

Primary Specimen Test ResultResult:Positive For:Specimen Dilute: YesReason(s) Rejected ForTesting:Remarks:Review Conducted ByMedical Review Officer:Coroner:Determination/Verification:Specimen Dilute (MRO): NoSplit Specimen Analyzed: No

10Feb2010 21:44:00 EST to 10Feb2010 22:00:00 EST (Estimated): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - Alcohol TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	At Risk, Not Injured	Witness
Reason Director Chemical Test		e Sample(s): Post Acciden	t
<u>Chemical rest</u>	Sample(S) P	Iovided. Tes	

Method Of Analysis: Breath Test

Instrument Used For Analysis: BAT Date/Time Results Obtained: 10Feb2010 19:51 EST Sample Test Results: Blood Alcohol Content (BAC): Laboratory/Individual Conducting Test: Breath Description Of Sample Analysis: Breath Irregularities In The Analysis Of The Sample: No

10Feb2010 21:45:00 EST to 10Feb2010 22:00:00 EST (Estimated): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - DOT Drug TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

Name		<u>Type</u>	<u>Status</u>	<u>Role</u>	
		Person	At Risk, Not Injured	Witness	
Rea	ason Direct	ed To Provi	de Sample(s): Post Ac	cident	
			DOT Drug Test: Yes		
Che	emical Test	Sample Pro	ovided: Yes		
	Reason C	hemical Tes	st Sample Not Provided	l:	
	<u>Sample</u>				
	Drug Test	Sample Ta	ken Using DOT Protoco	ols: Yes	
	Sample T	ype: Urine			
Date/Time Sample Was Taken: 10May2010 22:45 EDT			22:45 EDT		
Sampling Location: Memorial Hermann SE					
Collection Agent:					
	Collection	Agent's Org	ganization: Memorial H	ermann SE	
	Donor Ce	rtify Sample	: Yes		
	Irregularit	ies Noted: N	lo		
	Drug Anal	•			_
				est Diagnostics, Lenexa, KS 66219), , ,
	Specimen	i Analyzed L	Jsing DOT Protocols: Y	es	

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test ResultResult:Positive For:Specimen Dilute: YesReason(s) Rejected ForTesting:Remarks:Review Conducted ByMedical Review Officer:Coroner:Determination/Verification:Specimen Dilute (MRO): NoSplit Specimen Analyzed: No

10Feb2010 21:45:00 EST to 10Feb2010 22:00:00 EST (Estimated): Drug and Alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - Alcohol TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	At Risk, Not Injured	Witness

Reason Directed To Provide Sample(s): Post Accident

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Breath Test

Instrument Used For Analysis: BAT Date/Time Results Obtained: 10Feb2010 19:52 EST Sample Test Results: Blood Alcohol Content (BAC): Laboratory/Individual Conducting Test: Breath Description Of Sample Analysis: Breath Irregularities In The Analysis Of The Sample: No

10Feb2010 22:35:00 EST to 10Feb2010 23:00:00 EST (Estimated): Drug and alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - DOT Drug TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

Name	Type	<u>Status</u>	Role
	Person	At Risk, Not Injured	Witness
Reaso	n Directed To Provi	de Sample(s): Post Acc	ident
Marine	er Directed To Get A	DOT Drug Test: Yes	
Chemi	cal Test Sample Pro	ovided: Yes	
R	eason Chemical Te	st Sample Not Provided:	
<u>Sa</u>	ample		
D	rug Test Sample Ta	ken Using DOT Protocol	s: Yes
S	ample Type: Urine		
Date/Time Sample Was Taken: 09May2010 23:35 EDT			3:35 EDT
Sampling Location: Memorial Hermann SE			
Collection Agent:			
C	ollection Agent's Org	ganization: Memorial He	rmann SE
D	onor Certify Sample	: Yes	
In	egularities Noted: N	lo	
<u>D</u>	<u>rug Analysis</u>		
A	nalyzing Laboratory	: LabOne, Inc. DBA Que	st Diagnostics, Lenexa, KS 66219, , ,
S	pecimen Analyzed l	Jsing DOT Protocols: Ye	S

Specimen Transferred And Chain Of Custody Complete: Yes

Primary Specimen Test ResultResult:Positive For:Specimen Dilute: YesReason(s) Rejected ForTesting:Remarks:Review Conducted ByMedical Review Officer:Coroner:Determination/Verification:Specimen Dilute (MRO): NoSplit Specimen Analyzed: No

10Feb2010 22:35:00 EST to 10Feb2010 23:00:00 EST (Estimated): Drug and alcohol Testing.

Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - Alcohol TestingLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
	Person	At Risk, Not Injured	Witness

Reason Directed To Provide Sample(s): Post Accident

Chemical Test Sample(s) Provided: Yes

Method Of Analysis: Breath Test

Instrument Used For Analysis: BAT

Date/Time Results Obtained: 10Feb2010 19:52 EST

Sample Test Results:

Blood Alcohol Content (BAC):

Laboratory/Individual Conducting Test: Breath

Description Of Sample Analysis: Breath

Irregularities In The Analysis Of The Sample: No

11Feb2010 07:44:00 EST to 11Feb2010 07:59:00 EST (Estimated): The body of missing crewmember recovered by salvage divers from the engine room of the J R NICHOLLS.

Injury/Death Narrative(s):

SEYMORE, STEVEN EDWARD: On 10 February 2010 at 2230, the J R NICHOLLS sank in the Houston Ship Channel after crossing into the wheel wash of the harbor tug ANDREW K. The vessel was transiting the HSC with 5 people onboard, when the vessel went down in the vicinity of Houston Refinery Galena Park, TX. Four members were rescued. Last crew member found dead in the engine room of the sunken vessel J R NICHOLLS above the starboard generator by divers a day after the sinking. Timeline Type: Event

Timeline Subtype: Personnel Casualty - Death Location: Known

> Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	<u>Role</u>
STEVEN EDWARD SEYMORE	Person	Dead	Subject of Investigation

Nature Of Event Causing Death: Noncontact Injury- Asphyxiation

Cause Of Death: Drowning

Casualty Involved Diving: No

12Feb2010 06:00:00 EST to 12Feb2010 06:20:00 EST (Known): Sector Houston-Galveston request assistance of MSC to help determine what the stability conditions were aboard the JR Nicholls prior to its sinking.

Timeline Type:ConditionTimeline Subtype:Vessel - Material/Equipment ConditionLocation:Known

Primary Location: No Description: HOUSTON SHIP CHANNEL

Latitude: 29°43.1 N Longitud

Longitude: 095°14.5 W

Subject(s) and Details

<u>Name</u>	<u>Type</u>	<u>Status</u>	Role
RICHARD J DEVALL	Vessel	Total Constructive Loss: Salvaged	Involved in a Marine Casualty

System: Stability Subsystem: Unintentional Flooding Component: General Cite: <u>Involves CG Approved Equipment</u>: No Security Violation: No Deficiency: No

 12Feb2010 07:00:00 EST to 12Feb2010 10:00:00 EST (Estimated): Post Casualty Drug and Alcohol

 Testing.

 Timeline Type:
 Action

 Timeline Subtype:
 Drug/Alcohol Testing - DOT Drug Testing

 Location:
 Unknown

Subject(s) and Details

Name	<u>Type</u>	<u>Status</u>	Role
STEVEN EDWARD SEYMORE) Person	Dead	Subject of Investigation
Reason Direct	ed To Provid	e Sample(s): Post-casualty	/
Direction To P	rovide Sampl	<u>e(s)</u>	
Date/Time	e Directed: 1	IFeb2010 19:00 EST	
Means Of	Direction: Au	utopsy	
Organization Directing Chemical Test Sample: Marine Employer			arine Employer
Description: Durg and Alcohol Testing			
Mariner Directed To Get A DOT Drug Test: No			
Chemical Test Sample Provided: Yes			
Reason C	hemical Test	Sample Not Provided:	
Sample			
Drug Test Sample Taken Using DOT Protocols: No			lo
Sample T	ype: Blood		
Date/Time	e Sample Wa	s Taken: 11Feb2011 18:54	EST

Sampling Location: Unknown

Collection Agent: Unknown

Collection Agent's Organization: Unknown

Donor Certify Sample: No

Irregularities Noted: No

Drug Analysis

Analyzing Laboratory: Quest Diagnostics (LabOne, Inc. d/b/a Quest Diagnostics), Lenexa, KS, 66219 Specimen Analyzed Using DOT Protocols: No Specimen Transferred And Chain Of Custody Complete: No Primary Specimen Test Result Result: Positive For: Specimen Dilute: No Reason(s) Rejected For Testing: Remarks: <u>Review Conducted By</u> Medical Review Officer: Coroner: Unknown Determination/Verification: Specimen Dilute (MRO): N/A <u>Split Specimen Analyzed</u>: No

12Feb2010 07:00:00 EST to 12Feb2010 10:00:00 EST (Estimated): Post Casualty Drug and AlcoholTesting.Timeline Type:ActionTimeline Subtype:Drug/Alcohol Testing - Alcohol TestingLocation:Unknown

Subject(s) and Details

	<u>Name</u>	Туре	<u>Status</u>	<u>Role</u>
	STEVEN EDWARD SEYMORE	Person	Dead	Subject of Investigation
	Reason Directe	ed To Provide	e Sample(s): Post-casualty	
	Direction To Pr	ovide Sampl	<u>e(s)</u>	
Date/Time Directed: 11Feb2010 19:00 EST				
Means Of Direction: Autopsy				
	Organizati	on Directing	Chemical Test Sample: Ma	rine Employer
	Description	n: Durg and <i>i</i>	Alcohol Testing	
	Chemical Test	Sample(s) P	<u>rovided:</u> Yes	

Method Of Analysis: Blood Test

Instrument Used For Analysis: Unknown

Date/Time Results Obtained: 11Feb2011 20:55 EST

Sample Test Results:

Blood Alcohol Content (BAC):

Laboratory/Individual Conducting Test: Unknown

Description Of Sample Analysis: Date and Time Sample was taken: 2010-02-12 12:00 Sampling Location: Harris County Institute of Forensic Sciences

Irregularities In The Analysis Of The Sample: No

VIII. CORRESPONDENCE

Subpoena.001 Source: USCG Date: 2/19/2010 10:06:00 AM Attachments: SUBPOENA 001; Legacy - Unknown; .; 21Feb2010 19:00:00 EST; No Request for Pier-side Video Surveilance Source: USCG Date: 2/22/2010 1:07:00 PM Attachments: Scan001 (2); Legacy - Unknown; .; 21Feb2010 19:00:00 EST; No PII request from Port of Houston Source: USCG Date: 2/23/2010 12:25:00 PM Attachments: Port of Houston PII; Legacy - Unknown; .; 22Feb2010 19:00:00 EST; No PII request from Kinder Morgan Source: USCG Date: 2/18/2010 12:28:00 PM Attachments: Kinder Morgan PII; Legacy - Unknown; .; 22Feb2010 19:00:00 EST; No FRVF PII; Legacy - Unknown; .; 23Feb2010 19:00:00 EST; No Request for Autopsy Report Source: USCG Date: 2/17/2010 12:30:00 PM Attachments:

I	Request for Autopsy report; Legacy - Unknown; .; 22Feb2010 19:00:00 EST; No
Source:	15/2010 12:32:00 PM
ļ	Royston Rayzor PII; Legacy - Unknown; .; 22Feb2010 19:00:00 EST; No
Notice of Feder Source: Date: 2/ <u>Attachm</u>	USCG 11/2010 3:20:00 AM
I	nofi; Legacy - Unknown; 24Feb2010 19:00:00 EST; No
Source:	1/2010 12:50:00 PM
	ECN 3679031 048 PILOT BOARDD INVESTIGATION RECOMMENDATION COMMITTEE; Legacy - Unknown;
Subpoena Source: Date: 2/ <u>Attachm</u>	23/2010 2:41:00 PM
:	Subpoena Legacy - Unknown; .; 15Mar2010 20:00:00 EDT; No
Source:	12/2010 12:52:00 PM
	Opcon J R Nicholls; Legacy - Unknown; .; 24Mar2010 20:00:00 EDT; No
Source:	11/2010 7:38:00 AM
	JR Nicholls Subpoena and reply; Legacy - Unknown; .; 10May2010 20:00:00 EDT; No
Source:	11/2010 7:44:00 AM
	KMSCS Response to 4-30-2010 USCG Subpoena - Ltr only as served 5-6-2010 (2); Legacy - Unknown; .; 10May2010 20:00:00 EDT; No

MISLE Incident Investigation Report

Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:05:00 PM Attachments: 4292043; Other; ; 10Sep2015 20:47:07 EDT; Yes Material/Equipment Component Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:29:06 PM Attachments: 4714529; Other; : 10Sep2015 20:47:07 EDT; Yes Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:16:00 PM Attachments: 4752586; Other; ; 10Sep2015 20:47:07 EDT; Yes Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:15:00 PM Attachments: 4986720; Other; : 10Sep2015 20:47:07 EDT; Yes Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 9:30:00 PM Attachments: 5501959; Other: : 10Sep2015 20:47:07 EDT; Yes Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:16:00 PM Attachments: 6165769; Other; ; 10Sep2015 20:47:07 EDT; Yes Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:21:00 PM Attachments: 6171251; Other; : 10Sep2015 20:47:07 EDT; Yes Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:10:00 PM Attachments:

MISLE Incident Investigation Report

6237265; Other;

; 10Sep2015 20:47:07 EDT; Yes

Lifesaving Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:30:06 PM Attachments:

6695724; Other;

; 10Sep2015 20:47:07 EDT; Yes

High Level Alarm Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:29:09 PM <u>Attachments:</u>

7100116; Other;

; 10Sep2015 20:47:07 EDT; Yes

Lifesaving Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:45:48 PM <u>Attachments:</u>

7343622; Other;

; 10Sep2015 20:47:07 EDT; Yes

Vessel Activity Details from MISLE Legacy Activity Source: USCG Date: 2/10/2010 10:15:05 PM <u>Attachments:</u>

9379476; Other;

; 10Sep2015 20:47:07 EDT; Yes

Report of Investigation Source: USCG Date: 3/22/2019 6:20:05 PM <u>Attachments:</u>

> Memo - ROI - UTV J R NICHOLLS; Other; ; 22Mar2019 14:22:52 EDT; No

Redacted_ROI

Source: USCG Date: 8/28/2019 4:08:25 PM Attachments:

> Memo - ROI - UTV J R NICHOLLS_Redacted; Investigative Officer Report; ; 28Aug2019 12:09:16 EDT; No

IX. CONCLUSIONS – PART 1. CAUSE

Initiating Event:

Loss of Stability (10Feb2010 17:29:05 EST)

Precondition

Vessel/Facility/Equipment (Hardware)– Condition - Operations Status The UTV J R NICHOLLS unfaced outbound the Houston Ship Channel for Rhodia Baytown with master at the helm, deckhand in engine room painting, two crew members in the rack, fuel, oil, and water tanks topped off, and engine room doors secured open, .

Condition/Vessel - Material/Equipment Condition (10Feb2010 17:10:00 EST); HOUSTON SHIP CHANNEL ; Vessel underway unfaced en-route to Rhodia Baytown with 5 people onboard.; RICHARD J DEVALL

Production

Planning Error - Violation (Routine Adaptation) - Loss of Stability

J R NICHOLLS transiting Houston Ship Channel crossed into the wheel wash of the ANDREW K sending vessel into a severe heel to port, which allowed the ingress of water into the engine room via open water tight door. The ingress of water and dislodged galley equipment affected the stability of the vessel by attributing to it heeling to a point where it was almost impossible to recover from.

Event/Loss of Stability (10Feb2010 17:29:05 EST); HOUSTON SHIP CHANNEL

; The J R NICHOLLS entered into the wheel wash from the harbor tug ANDREW K and began heeling to port allowing the ingress of water via the port engine room door. ; RICHARD J DEVALL

Defense

Disabled - Loss of Stability

J R NICHOLLS transiting unfaced with its engine room doors open sank in the Houston Ship Channel. The engine room doors are part of the water tight integrity and stability of the vessel especially when unfaced.

Event/Loss of Stability (10Feb2010 17:29:05 EST); HOUSTON SHIP CHANNEL

; The J R NICHOLLS entered into the wheel wash from the harbor tug ANDREW K and began heeling to port allowing the ingress of water via the port engine room door. ; RICHARD J DEVALL

Inadequate - Flooding

JR NICHOLLS engine room doors are secured in open position. When the vessel righted itself, after taking on water during the heel to port, was riding even lower in the water, allowing water to ingress, even though it had return to even keel. JR NICHOLLS liquid load also contributed to the vessel riding lower than usual in the water.

Event/Flooding - Progressive (10Feb2010 17:29:09 EST); HOUSTON SHIP CHANNEL ; The J R NICHOLLS experienced progressive flooding as it heeled over to port in Houston Ship Channel.; RICHARD J DEVALL

Inadequate - Flooding

J R Nicholls had taken on a full liquid load prior to sailing unfaced resulting in vessel riding lower in the water. This would have been appropriate if JR NICHOLLS was faced to barge, but as it was not, made the vessel unstable to some environmental conditions. If JR NICHOLLS liquid load had been less, the vessel would have rode higher in the water lessing the effects of wheel wash from ANDREW K.

Event/Flooding - Progressive (10Feb2010 17:29:09 EST); HOUSTON SHIP CHANNEL ; The J R NICHOLLS experienced progressive flooding as it heeled over to port in Houston Ship Channel.; RICHARD J DEVALL

Inadequate - Abandonment

Vessel crossed into the wheel wash of harbor tug causing it to be pushed to the starboard side of the HSC during which time, the vessel heeled over to port. As the vessel heeled to port, water entered through the port engine room door, which had been looked open to allow air in to aid in the cooling of engine room. The engine room eventually flooded causing the vessel to sink. As the vessel sank, the crew members abandoned the vessel.

Event/Abandonment (10Feb2010 17:45:48 EST); HOUSTON SHIP CHANNEL

; Pilot and deckhand still aboard the UTV JR NICHOLLS as it rest on the bottom of channel, abandon ship.

Evacuation Details: Pilot and deckhand escaped submerged vessel through a window.; RICHARD J DEVALL

Disabled - Damage to the Environment

Engine room doors secured open attributed to JR NICHOLLS sinking in the Houston Ship Channel and releasing fuel/oil into water via tank vents.

Event/Discharge/Release - Pollution (10Feb2010 17:30:15 EST); HOUSTON SHIP CHANNEL ; UTV J R NICHOLLS sinks and dicharges more than 10000 gallons of fuel and lubricating oil into the Houston Ship Channel.; RICHARD J DEVALL

Inadequate - Bridge Operations - Bridge Communications

Master of JR NICHOLLS failed to make passing arrangement with the M/V MISS LUCY after the pilot send out a ship-to-ship broadcast to all vessel in the vicinity of Woodhouse Dock No.1 of its intentions to moor there.

Condition/Person - Communications Condition (10Feb2010 17:20:57 EST); HOUSTON SHIP CHANNEL ; Pilot 126 onboard MV MISS LUCY makes safety broadcast of intention to moor up Woodhouse Dock #1.;

Missing - Abandonment

Crewmembers were trapped aboard JR NICHOLLS as she sank in the Houston Ship Channel due to unsecure equipment shifting and blocking exits.

Event/Abandonment (10Feb2010 17:30:06 EST); HOUSTON SHIP CHANNEL

; Master and deckhand abandon ship.

Evacuation Details: Two crew members escaped the vessel prior to it going down and swam to safety.; RICHARD J DEVALL

Missing - Personnel Casualties

When JR NICHOLLS crossed into the wheel wash of the Andrew K, the vessel heeled over to the port side. As the vessel heeled over, water entered the engine room through the port side door. Mr. Steven Seymore was in the engine room working. The JR NICHOLLS returned to its normal up-right position and then sank with three of the five member of the crew still aboard. The engine room doors were secured open allowing water to enter the space unabated. As a result of the vessel flooding and eventually sinking, Mr. Steven Seymore lost his life.

Event/Personnel Casualty - Death (11Feb2010 07:44:00 EST); HOUSTON SHIP CHANNEL ; The body of missing crewmember recovered by salvage divers from the engine room of the J R NICHOLLS.

Injury/Death Narrative(s):

SEYMORE, STEVEN EDWARD: On 10 February 2010 at 2230, the J R NICHOLLS sank in the Houston Ship Channel after crossing into the wheel wash of the harbor tug ANDREW K. The vessel was transiting the HSC with 5 people onboard, when the vessel went down in the vicinity of Houston Refinery Galena Park, TX. Four members were rescued. Last crew member found dead in the engine room of the sunken vessel J R NICHOLLS above the starboard generator by divers a day after the sinking.; STEVEN EDWARD SEYMORE

Failures of Defense Against Subsequent Events in the Incident

Subsequent Event # 1:

Sinking (10Feb2010 17:30:00 EST)

Defense Factors

Inadequate - Open Engine Room Door

Engine room door latched open.

Condition/Person - Communications Condition(10Feb2010 22:22:00Z);

HOUSTON SHIP CHANNEL

; Master of

the J R NICHOLLS failed to make his intentions known prior to entering wheel wash, or acknowledge the pilot onboard the MV MISSY LUCY's ship-to-ship communication.;

Condition/Vessel - Material/Equipment Condition(10Feb2010 22:29:06Z); HOUSTON SHIP CHANNEL ; JR NICHOLLS heels severly to port dislodging all unsecured equipment in galley, engine room, and staterooms.; RICHARD J DEVALL

Condition/Person - Communications Condition(10Feb2010 22:29:12Z); HOUSTON SHIP CHANNEL ; Master sounds general alarm.;

Subsequent Event # 2:

Personnel Casualty - Death (11Feb2010 07:44:00 EST)

Defense Factors

Does Not Exist - Unable to Escape Engine Room

Sudden loss of stability did not provide time for mariner to escape engine room.

Condition/Vessel - Material/Equipment Condition(10Feb2010 22:29:06Z); HOUSTON SHIP CHANNEL ; JR NICHOLLS heels severly to port dislodging all unsecured equipment in galley, engine room, and staterooms.; RICHARD J DEVALL

Subsequent Event # 3:

Flooding - Progressive (10Feb2010 17:29:09 EST)

Defense Factors

Inadequate - Stability

Stability of vessel not adequite.

Condition/Vessel - Material/Equipment Condition(12Feb2010 11:00:00Z); HOUSTON SHIP CHANNEL ; Sector Houston-Galveston request assistance of MSC to help determine what the stability conditions were aboard the JR Nicholls prior to its sinking.; RICHARD J DEVALL

Subsequent Event # 4:

Discharge/Release - Pollution (10Feb2010 17:30:15 EST)

Defense Factors

Does Not Exist - Vessel Sunk

Measures to prevent oil release from sunken vessel do not exist.

Condition/Vessel - Material/Equipment Condition(10Feb2010 22:29:06Z); HOUSTON SHIP CHANNEL ; JR NICHOLLS heels severly to port dislodging all unsecured equipment in galley, engine room, and staterooms.; RICHARD J DEVALL

X. CONCLUSIONS - PART 2. ENFORCEMENT REFERRALS

MISLE Incident Investigation Report

The following referrals for enforcement action have been made as a result of this investigation and represent those instances where the Coast Guard has gathered evidence that indicates one or more alleged violations or offenses may have occurred. Any determinations as to whether or not one or more actual violations or offenses have occurred are documented in the appropriate Coast Guard enforcement activities.

Referral #1:

NRC 931000/M/V J R Nicholls/Diesel/10000 gallons Party: Enforcement Type: Administrative Civil Penalty (Class I) Status: Closed - Payment Received

Alleged Violations

Cite: 33USC§ 1321(b)(3) Date/Time: 10Feb2010 17:30 EST Event/Action/Condition: Discharge/Release - Pollution Location: HOUSTON SHIP CHANNEL Subject(s): RICHARD J DEVALL

<u>Evidence</u>

ECN 3679031 050 ; Incident Video; 08Mar2010 05:27:00 EST

ECN 3679031 049 ; Pollution Investigator Statement; 25Feb2010 05:37:00 EST

ECN 3679031 048 ; Witness Statement from 048; 10Feb2010 22:30:00 EST

XI. SAFETY RECOMMENDATIONS

Safety Alerts:

S. DEP ARTMENT OF OMELAND SECURITY S. COAST GUARD G-2692 (Rev. 06-04)	1.1.1.1	REPOR	INJURY					No. G-MOA
G-2692 (Rev. 06-04)							MOLE NO TH N	ATION NUMBER
Name of Vessel or Facility		S	2. Official No.			-		
ANDREWK			964050		Nationality	4. Call Sign	5. L Insi	USCG Certificate of pection issued at
Type (Towing, Freight, Fish, Drill,	etc.)	7. Length	8. Gross Tons	9	JSA Year Built	ULAO	2822 4	DUSTON
TOWENE	1.7					To. Propulsi	on (Steam, de	esel, gas, turbine)
1. Hull Material (Steel, Wood)	12. Draft (Ft.	The second se	13. If Vessel Cla DNV, BV, etc.)	ssed, By Whom:	(ABS, LLOYDS,	14. Date (of	occurrence)	15. TIME (Loc
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	•					17. Estimate	d Loss of Dama	ge TO:
Name, Address & Telephone No. G1+H TOWING 200 PENZOIL R <u>C7.4/VESTOW</u> , T Name of Master or Person in Char	D v 775-	5 3 USCG Licer		Lassi		VESSEL CARGO OTHER		
	80	USUG Licer	ise	20. Name	of Pilot	US	CG License	State License
APT.		R YES	1 NO				YES	YES
a. Street,		19b. Telepho	one Number				20b Tel	ephone Number
Casualty Elements (Check as ma								apriorio riginida
(Identify Substance and amoun OIL SPILL - ESTIMATE AMOU PILA CARGO CONTAINER LOST/E COLLISION (Identify other vessel or object) GROUNDING W Conditions			XPLOSION OMMERCIAL DIVI DE DAMAGE AMAGE TO AIDS TEERING FAILUR IACHINERY OR EC LECTRICAL FAILU TRUCTURAL FAILU	TO NAVIGATION E QUIPMENT FAILU IRE		(Describe in L	VEMENT (De	ascribe in Block 44,
B. W. A. Sea cr River Conditions (wave hulight, river stage, etc.)	EATHER CLEAR RAIN SNOW FOG OTHER (Speci	C. TH C. TH	ME DAYLIGHT TWILIGHT NIGHT	D. Visibili Gooi Fair Poof	D 0 F./ R G. H.	DISTANCE (miles f visibility) AIR TEMPERATUR (F) WIND SPEED & DIRECTION CURRENT SPEED & DIRECTION	Cight	PERB
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lame	26a.	Official Number		26b. Type	26c. Length	26d. Gross Ton	s Inspectio	CG Certificate of In Issued at:
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27. Person Involved	SECTION III	. PERSONNEL A	CCIDENT INFORMAT	ION	
I MALE OF I FEMALE	27a. Name (Last, First, Middle	Name)			27c. Status
DEAD INJURED	27b. Address (City, State, Zip (n		Crew
		N	A		Passenger
	lephone No.	30. Job Position	1		31. (Check here if off dut)
32. Employer - (if different from Blo	NIIX		NIA		
or, Employer - The unershit nom bio	ck 16., mi in Name, Address, Telepr	ione No.)	NIA		
33. Person's Time		a such	1 11 -	34. Industry of Employe	r (Towing, Fishing, Shibpin
A. IN THIS INDUSTRY -	11	YEAR(S)	MONTH(S)	Crew Supply, Drilling, e	tc.)
B. WITH THIS COMPAN	Y- NIX			35. Was the Injured Per	son Incapacitated 72 Hours
C. IN PRESENT JOB OF	POSITION -			More?	our moapacitated 12 months
D. ON PRESENT VESSE	EL/FACILITY -			36. Date of Death	
E. HOURS ON DUTY WI	HEN ACCIDENT OCCURRED) -			
37. Activity of Person at Time of Acc	Ident				
38. Specific Location of Accident on V	/essel/Facility	Th			
	0	1117		and the second second	
39. Type of Accident (Fall, Caught b	etween, etc.)	101	40. Resulting Injury (Cut,	Bruise, Fracture, Burn, etc.)	
41. Part of Body Injured	1	1	42 Equipment laurit ant	All Minister	
		4	42. Equipment Involved in	111,	
43. Specific Object, Part of the Equip	ment in block 42., or Substance (Ch	hemical, Solvent etc.)	that directly produced the I	njury.	
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DEPT, OF HOMELAND SECURITY U.S. COAST GUARD, CO-2010 (REV. 8-04)



ASSOCIATION (COL)



ENDORSEMENT ATTESTING THE ISSUE OF A CERTIFICATE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, C FOR SEAFARERS, 1978, AS AME

The Government of the United States of America certifies t who has been found duly qualified in IV/2 of the above Convention, to serve in the capacity or c until 30 January 2014. This endorsement is not valid unle

or doc

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)	
The lawful holder of this er	ndorsement may ser	ve in the following capacity or	
CAPACITY		IONS APPLYING (IF ANY)	
Officer in charge of a nav igational watch (Third Mate)		e on vessels operating in the Globa	
Tankennan - Assistant	Valid for serv		
Endorsemer	nt No.: 1525238 8	2 144347 issued on January 30, 2009 at Martinsburg.	
Sentember 20, 1085	[NMC75909S	-
		D. G. STALFORT, CAP	
Signature of certificate ho	lder	Name of duly authorize	T
DEPT. OF HOMELAND SEC USCG, CG-5611 (01-05)	URITY,		1
	A STATE STATE AND A STATE A		

DEPT. OF HOMELAND SECURITY, U.S. COAST GUARD, CG-2849 (REV. 8-04)



U.S. MERCHANT MARINE OFFICER

This is to certify that

having been duly examined and found competent by the undersigned is licensed to serve for the term of five years from the below issue date as:

MASTER OF STEAM OR MOTOR VESSELS OF NOT MORE THAN 1600 GROSS REGISTERED TONS (DOMESTIC TONNAGE), 3000 GROSS TONS (ITC TONNAGE) UPON INLAND WATERS; ALSO, MASTER OF STEAM OR MOTOR VESSELS OF NOT MORE THAN 200 GROSS REGISTERED TONS (DOMESTIC TONNAGE), 500 GROSS TONS (ITC TONNAGE) UPON NEAR- "SEE REVERSE"

Given under my hand this 21st day of Detemper, 2006.

ISSUE PORT: HOUSTON, TX EXPIRATION DATE: DECEMBER 21, 2011

ECN 3679031 003

BMC, USCG, BY DIRECTION



United Stat zof A erica

ENDORSEMENT ATTESTING THE ISSUE OF A CERTIFICATE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, C FOR SEAFARERS, 1978, AS AME

The Government of the United States of America certifies that Certificates the has been found duly qualified in accordance with the above convention, to serve in the capacity or capacities listed belo 28 February 2011. This endorsement is not valid unless accompanied by

document.

	LEVEL	LIMITATIONS APPLYING (IF ANY)
e lawful holder of this	s endorsement may ser	ve in the following cap
APACITY	LIMITAT	IONS APPLYING (
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ling forming part of a vigational watch (Able aman - Unlimited)	(Domestic Tonna	ce on Uninspected Towing Vessels ge).
Endorsen	nent No.: 1169657 &	c 085248 issued on December 21, 2006 at Houston.
Endorsen January 20, 19 Date of birth of certificat	70	HOU21016S
January 20, 19	70 e holder holder	HOU21016S

DAILY LOG 2/10/2010 - ANDREW K

Date Printed: 2/11/2010 1:01:24 AM

0000	As before Shifting STOLT ZULU
	Job ID: 116714
	From: LBC 03 To: JACPRT 04
0022	Finished - STOLT ZULU
0004	Ship Heading : SST
0031	At Duty Station - STOLT ZULU
	Geographic Location : TEXAS TRM CHAN
0330	Received Order - MARE DI NAPOLI
	Job ID: 116719
	Docking From: SEA To: KMG 02 Pilots: 131
	Assisting Tugs: AK/CAPT, JN
0348	Departed - MARE DI NAPOLI
0354	Canceled - MARE DI NAPOLI
0.467	Details :
0355	At Duty Station - MARE DI NAPOLI
	Geographic Location : TEXAS TRM CHAN
0903	Other/Misc
	Details : Completed VGP Daily Inspection, No Discrepancies. Master 1248.
1026	Received Order - OSG LIBERTY/OSG 244
1.67.60	Job ID: 116736
	Barge Assist + Sailing From: OILTNK 04 To: SEA
	Pilots: 143
	Assisting Tugs: AK
1033	Departed - OSG LIBERTY/OSG 244
1046	
1046	MTE On
1000	Crewmembers :
1059	Alongside - OSG LIBERTY/OSG 244
	Position : Starboard Bow
	Line Configuration - Headline Crewmembers :
1106	Started - OSG LIBERTY/OSG 244
1122	Finished - OSG LIBERTY/OSG 244
1133	At Duty Station - OSG LIBERTY/OSG 244
	Geographic Location : TEXAS TRM CHAN
1134	MTE Off
1435	Received Order - PUDU
1.168	Job ID: 116741
	Docking From: SEA To: KMG 04
	Pilots: 174
	Assisting Tugs: AK, MTK
1435	MTE On
	Crewmembers :
1440	Departed - PUDU
1521	Arrival at Vessel/Assist Location - PUDU
	Geographic Location : Normal
1552	Alongside - PUDU
	Position : Port Bow
	Line Configuration : 2 Headlines
1705	Crewmembers :
1705	Finished - PUDU
	Ship Heading : SST
	1

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DAILY LOG 2/10/2010 - ANDREW K

Date Printed: 2/11/2010 1:01:24 AM

1708 MTE Off 1746 At Duty Station - PUDU Geographic Location : CITY DOCK 03

2100	Received Order - MISS LUCY Job ID: 116765
	Docking From: SEA To: WDH 01
	Pilots: 126
	Assisting Tugs: AK, ATL
2109	Departed - MISS LUCY
2142	Arrival at Vessel/Assist Location - MISS LUCY
	Geographic Location : Normal
2217	Alongside - MISS LUCY
	Position : Port Quarter
	Line Configuration : 2 Headlines
	Crewmembers :
2221	MTE On
	Crewmembers
2240	Incidents
	Type : Sinking/Flooding
2306	MTE Off
2309	Finished - MISS LUCY
	Ship Heading : SST
2359	Log Approved

Details : No Incidents or Personnel Injuries

Crew:



G & H TOWING COMPANY

Incident and/or Personal Injury Report

Reference: Marine Operations Manual (Section 7.1)

Instructions: This form is to be filled out by applicable G & H supervisor, reponsibile person, or by injured employee (if able). The supervisor is to fill this out if injured person is not able to do so.

Cold Misting 90001 - 41 Fides/currents: (ebb/flood/speed): Winds:: (direction/speed): Section 2. Type of Incident (Complete section 3 per sers. Collision/Allision Grounding Versonal in ury Serious or Potentially Serious or Potential Series of Series Ser	Image: Serious Illness Pilot: 126 Image: Privation of the series of the
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Vessel Being Assisted MIESS ATCAS Prevail weather conditions: Cold Mistwa Good - 4, Mistwa Goo	LUCY Pilot: LUCY 126 lent: Number of hours in Service 0 95°14.143 W Per 12 hour rule? Per 12 hour rule? 10 hrs. 04 mins miles NIGHT wind Speed of tug at time of incident: Wind Oil Spill Fire Mechanical Failure Other/Miss Amount of Oil Spilled: Mass CG - 2692 completed?
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this person worked? last rest period? person receive basic first aid Did person have to depa	
s this person worked? last rest period? last rest period? Did person have to depa	
person receive basic first aid Did person have to depa	Performed this
- performance to depa	task before? Yes No
to seek further madical	
Vac Ma	treatment? their regularly prescribed duties?
Tes	No Yes No
nmary of any medical assistance or treatment administered:	Is the injured person regularly
this scenario ever been a monthly Did this person attend th	scheduled to this vessel?
ty meeting topic aboard this tug?	ne meeting? Yes No
Yes No Don't know Yes	TES NO
tug able to continue duties? Was Dispatch notified?	CG-2692?:
Yes No	CG-2692?:
ves Yes	CG-2692?:

Incident and /or Personal Injury Report

(Rev.1) 06/2008

G & H TOWING COMPANY







life thout into the water towards the sinking push bout and it's survivors, I RETURNed to the wheel house and the master had confacted the coast gourd. Incident and/or Personal Injury Report

(Rev.1) 06/2008

G & H TOWING COMPANY Incident and/or Personal Injury Witness Statement

Instructions: This form is to be filled out by all personnel aboard the vest	sel whether they witnessed the event
or not.	and the event
1. General	
Name of tug: ANDREW K Date of incident: 2-10-10	Time: 2240
Name of person giving statement (include rating):	Did you see it happen?
Name of injured employee: RUSHBOAT JR NIC	New order out of the second
Location of hig at time of incident:	MOL S
Other tugs in the area that may	A STREAM AND A
have witnessed this event: A+LAS	
Your location at the time	and a second
of accident and/or injury: WheelHouse	
Identity of other witnesses:	of an a start the start th
terry of the second state of the	
. Describe in detail what you observed:	
M9 MATE.	INS AL TH
MY MATE	WAS AT THE
	LUAS AT THE IS IN THE WHEELHOUSE
Wheel Docking "MISSLUCY" I WA	IS IN THE WhEELHOUSE
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING	AHEAD FULL. WAS
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOID TO SLOW, WHEN THEN I NOTICED	AHEAD FUIL. WAS WAS
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOID TO SLOW, WHEN THEN I NOTICED	AHEAD FUIL. WAS WAS
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOLD to SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUT STEIN WAS LISTING to	AHEAD FULL. WHEELHOUSE AHEAD FULL. WAS DIFFE JR NICOLS JR NICHOL BITH. THE JR NICHOLS
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOID to SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUR STEIN WAS LISTING to COULD NOT Right HERSELF AND BEGAN to S	AHEAD FULL. AHEAD FULL. D THE <u>SR Nicols</u> JB Nichol BITH. THE JR Nichols SINK. I RELIEVED
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOLD to SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUR STEIN WAS LISTING TO COULD NOT Right HERSELF AND BEGAN TO OF HIS DUTIES. SOUNDED THE BENRAL ALAR	ALEAD FULL. ALEAD FULL. D. THE JR NICOLS JB NICHOL BIT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOLD TO SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUR STERN WAS LISTING TO COULD NOT Right HERSELF AND BEGAN TO S OF HIS DUTIES. SOUNDED THE BENRAL ALAR TO ASSIST ANYONE IN THE WATER. THE	ALEAD FULL. ALEAD FULL. D. THE SRIVICOLS JR NICHOL DIFT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW COAST GUARD WAS NO TIPLE
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOLD TO SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUT STEIN WAS LISTING TO COULD NOT Right HERSELF AND BEGAN TO OF HIS DUTIES. SOUNDED THE BENKAL ALAR TO ASSIST ANYONE IN THE WATER. THE AS WAS DISPATCH. THE PILOT WAS	AHEAD FUIL. D. THE JR NICHOLS DIFT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW COAST GUARD WAS NO TIFIE I
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN HOLD TO SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUR STEIN WAS LISTING TO COULD NOT Right HERSELF AND BEGAN TO OF HIS DUTIES. SOUNDED THE RENKAL ALAR TO ASSIST ANYONE IN THE WATER. THE AS WAS DISPATCH. THE PILOT WAS DO NOT KNOW IF, HE WAS EVER CONTACTED	ALEAD FULL. ALEAD FULL. D. THE JRNICOLS JB NICHOL BIT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW COAST GUARD WAS NO TIFIE IN CONTACT WITH THE
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOLD TO SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUR STEIN WAS LISTING TO COULD NOT Right HERSELF AND BEGAN TO COULD NOT RIGHT HERSELF AND BEGAN TO DF HIS DUTIES. SOUNDED THE GENRAL ALAR TO ASSIST ANYONE IN THE WATER. THE AS WAS DISPATCH. THE PILOT WAS DO NOT KNOW IF, HE WAS EVER CONTACTOR DR NICHOLS AS WE WE'RE WORKING ON	ALEAD FULL. ALEAD FULL. D. THE JRNICOLS JB NICHOL BIT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW COAST GUARD WAS NO TIFIE IN CONTACT WITH THE
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN TOID TO SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUT STEIN WAS LISTING TO COULD NOT Right HERSELF AND BEGAN TO COULD NOT Right HERSELF AND BEGAN TO DF HIS DUTIES. SOUNDED THE RENRAL ALAR TO ASSIST ANYONE IN THE WATER. THE AS WAS DISPATCH. THE PILOT WAS DO NOT KNOW IF, HE WAS EVER EANTACTED JR NICHOLS AS WE WE'FE WOFKING ON YOU	ALEAD FULL. ALEAD FULL. D. THE JRINICOLS JR NICHOL DIFT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW COAST GUARD WAS NO TIFIE IN CONTACT WITH THE 14(CHANNEL.)
Wheel Docking "MISSLUCY" I WA OBSERVING, WAS WORKING THEN HOLD to SLOW, WHEN THEN I NOTICED ABOUT 80 FT OFF OUR STEIN WAS LISTING to COULD NOT Right HERSELF AND BEGAN to S OF HIS DUTIES. SOUNDED THE BENRAL ALAR TO ASSIST ANYONE IN THE WATER. THE AS WAS DISPATCH. THE PILOT WAS - DO NOT KNOW IF, HE WAS EVER CONTACTED JR NICHOLS AS WE WE'RE WORKING ON You gnan	ALEAD FULL. ALEAD FULL. D. THE JRNICOLS JB NICHOL BIT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW COAST GUARD WAS NO TIFIE IN CONTACT WITH THE
Wheel Docking "MISSLUCY". I WA OBSERVING, WAS WORKING THEN TOLD TO SLOW, WHEN THEN I NOTICED ABOUT 80 Ft OFF OUR STEIN WAS LISTING TO COULD NOT Right HERSELF AND BEGAN TO COULD NOT Right HERSELF AND BEGAN TO OF HIS DUTIES. SOUNDED THE RENALL ALAR TO ASSIST ANYONE IN THE WATER. THE AS WAS DISPATCH. THE PILOT WAS: DO NOT KNOW IF, HE WAS EVER CONTACTED TR NICHOLS AS WE WE'RE WORKING ON YOU	ALEAD FULL. ALEAD FULL. D. THE JR NICOLS JB NICHOL DIFT. THE JR NICHOLS SINK. I RELIEVED M. DIRECTED MY CREW COAST GUARD WAS NO TIFIE IN CONTACT WITH THE 14(CHANNEL.) Rating:

Incident and/or Personal Injury Witness Statement

Page 1 of 1

(Rev. 0) 01/2006

G & H TOWING COMPANY Incident and/or Personal Injury Witness Statement

Reference: Marine Operations Man	ual (Section 7.1)	
Instructions: This form is to be	filled out by all personnel aboard the	e vessel whether they witnessed the event.
or not.		in the second the second
I. General		
Name of tug: ANDREW K	Date of incident: 2 - 10 - 10	Time: 22:40
Name of person giving		Did you see it happen?
statement (include rating):		Yes No
Name of injured employee:		
<u>NA</u>		
Location of tug at time of incident:		
Other tugs in the area that may	and a second	
	AC	
Your location at the time	AS	
of accident and/or injury: 1h.	Room	
the second secon	Buen	
dentity of other witnesses:		
	and other as the second s	
. Describe in detail what you obse	erved:	
NEBE BEAdy TO	be then into m	14TER
anana ana amin'ny faritr'o dia 19-an-19-an-19-an-19-an-19-an-19-an-19-an-19-an-19-an-19-an-19-an-19-an-19-an-1		
	n/w//svotava.	
Your contact information		
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Incident and/or Personal Injury Witness Statement

Page 1 of 1

(Rev. 0) 01/2006

Step 1: TO BE COMPLETED BY VESSEL	OFFICER ADMINISTERING TEST	
A: Employee Name (Print) (First, M.I.,		DRGUJ K
B: SSN or Employee ID No.		
C: G & H Towing Company P.O. Drawer 2270 Galveston, TX 77553-2270		
Director of Safety and Training DER Name	(409) 744-6311 DER Phone Number	
D: Reason for Test: Post-Accident		
STEP 2: TO BE COMPLETED BY EMPLO	YEE	
A REAL PROPERTY AND A REAL	testing and that the identifying information provided o	n the form is true and
correc	02.110	12010
Signature of Employee	Month / Day	/Year
STEP 3: TO BE COMPLETED BY VESSEL	OFFICER ADMINISTERING TEST	
	on the above named individual, that I am trained to op	perate the testing device(s)
identified, and that the results are as recorded		perate the testing device(s)
identified, and that the results are as recorded DEVICE: SALIVA	d.	
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: ALCO SCREEN 02 <u>907071</u> OR/2	d. Re	esul
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>907071</u> 08/2	d. Re	esul
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date	d. Re 1010 1201 1205 Activation Time Reading Time	esul
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is <u>ALCO SCREEN 02</u>	d. Re Re Re Reading Time Reading Time Re	esul Negative Greater than .02
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is <u>ALCO SCREEN 02</u>	d. Re 1010 1201 1205 Activation Time Reading Time	esult Negative Greater than .02
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date	d. Re 1010 1201 205 Activation Time Reading Time Re Activation Time Reading Time 200 Pennzoil Road	esult Negative Greater than .02
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company	d. Re Re Reading Time Reading Time Reading Time Reading Time Reading Time Reading Time 200 Pennzoil Road Company Street Address Galveston, TX 77554	esult Negative Greater than .02 esult: Negative Greater than .02 (409) 744-6311
identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date	d. Re 1010 1201 1205 Activation Time Reading Time Re Activation Time Reading Time 200 Pennzoil Road Company Street Address Galveston, TX 77554	esult: Negative Greater than .02 esult: Greater than .02
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identified, and that the results are as recorded DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company (PRINT) Vessel Officer Name (First, NI.I., Las Signature of Vessel Officer	d. Re Activation Time Reading Time Re Activation Time Reading Time Re Activation Time Reading Time 200 Pennzoil Road Company Street Address Galveston, TX 77554 Company City, State, Zip Month Day Year	esult Negative Greater than .02 esult: Negative Greater than .02 (409) 744-6311
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Step 1: TO BE COMPI	LETED BY VESSEL OFFICE	R ADMINISTERING	TEST	
A: Employee Name	(Print) (First, MI.I., Last)	¥1,* == -	(Audrew K Vessel Name)
B: SSN or Employee ID	No.	1	S. S	and the second second
C: G & H Towing Con P.O. Drawer 2270 Galveston, TX 7755				
Director of Safety a DER Name		(409) 744-6311 DER Phone Number		
D: Reason for Test: Po	ost-Accident			
STEP 2; TO BE COMP	PLETED BY EMPLOYEE			
I certify that I am about	t to submit to alcohol testing a	nd that the identifying	information provi	ded on the form is true and
COFTE		1.5		0/2010
Signature of Employee				Day / Year
			C.L.	
STEP 3: TO BE COMP	PLETED BY VESSEL OFFIC	ER ADMINISTERING	TEST	
I certify that I have condidentified, and that the r		bove named individual	, that I am trained	to operate the testing device(s)
DEVICE: SALIVA				
SCREENING TEST:				Resul
ALCO SCREEN 02	90707108201 Lot # & Exp Date	0 1203 Activation Time	1207 Reading Time	Freater than .02
CONFIRMATION TES	T: (If screening test is positive	e)		Result: 🔲 Negative
ALCO SCREEN 02		the second second		Greater than .02
Testing Device Name	Lot # & Exp Date	Activation Time	Reading Time	
G & H Towing Compan	у	200 Penn		
Common			Street Address 1, TX 77554	(409) 744-6311
(PRINT) Vessel Officer	Name (First, M.I., Last)	-	City, State, Zip	Phone Number
		0211	1 2010	
Signature of Vessel Offic	cer O	Month I	Contractory and	A
STEP 4: TO BE COMP	LETED BY EMPLOYEE IF	TEST RESULT IS .02	OR HIGHER	
	nitted to the alcohol test, the r m safety-sensitive duties, or op			n this form. I understand that ts are .02 or greater.
Signature of Employee			Month / D	Day / Year
	The second second			

Return to Safety Department (Rev 6/06)

Step 1: TO BE COMPLETED BY VESSEL OFFICER ADMINIS	TERING TEST
A: Employee Name	(Vessel Name)
B: SSN or Employee ID No	
C: G & H Towing Company P.O. Drawer 2270 Galveston, TX 77553-2270	
Director of Safety and Training(409) 744-631DER NameDER Phone N	
D: Reason for Test: Post-Accident	
STEP 2: TO BE COMPLETED BY EMPLOYEE	
I cer testing and that the ide	entifying information provided on the form is true and
corre	02/10/2010
Sign	Month / Day / Year
DEVICE: SALIVA SCREENING TEST: ALCO SCREEN 02 Testing Device Name Lot # & Exp Date Activation CONFIRMATION TEST: (If screening test is positive)	Result Negative Freater than .02 Result: Result: Negative
ALCO SCREEN 02 Festing Device Name Lot # & Exp Date Activation	ion Time Reading Time Greater than .02
Com	200 Pennzoil RoadCompany Street AddressGalveston, TX 77554Company City, State, ZipPhone Number
Signature of restriction	<u>77</u> <u>117</u> <u>2010</u> Month Day Year
STEP 4: TO BE COMPLETED BY EMPLOYEE IF TEST RESUL	T IS .02 OR HIGHER
I certify that I have submitted to the alcohol test, the results of which	
must not drive, perform safety-sensitive duties, or operate heavy e	h are accurately recorded on this form. I understand that quipment because the results are .02 or greater.
i must not drive, perform safety-sensitive duties, or operate heavy e	h are accurately recorded on this form. I understand that quipment because the results are .02 or greater. Month / Day / Year

A: Employee Name	(Print) (First, M.L, Las	st)	(Vessel Name)
3: SSN or Employee I	D No.		and the second
C: G & H Towing Co P.O. Drawer 2270 Galveston, TX 775			
Director of Safety DER Name	and Training	(409) 744-6311 DER Phone Number	
): Reason for Test: P	Post-Accident		
certify that I am abou orrect. ignature of Employee.		ng and that the identifying inform	nation provided on the form is true and <u> </u>
TEP 3: TO BE COM	PLETED BY VESSEL OF	FICER ADMINISTERING TES	T
certify that I have con lentified, and that the EVICE: SALIVA CREENING TEST: LCO SCREEN 02		the above named individual, that	I am trained to operate the testing device(s Result Negative
certify that I have con lentified, and that the EVICE: SALIVA CREENING TEST: LCO SCREEN 02 esting Device Name	Aducted alcohol testing on the results are as recorded.	the above named individual, that <u>1201</u> 120 Activation Time Rea	I am trained to operate the testing device(state of testing device(state o
certify that I have con dentified, and that the DEVICE: SALIVA CREENING TEST: <u>LCO SCREEN 02</u> Sesting Device Name CONFIRMATION TES LCO SCREEN 02	Aducted alcohol testing on the results are as recorded.	the above named individual, that <u>1201</u> 120 Activation Time Rea	I am trained to operate the testing device(s Result Negative Greater than .0 Result: Negative Greater than .0
certify that I have con dentified, and that the DEVICE: SALIVA CREENING TEST: LCO SCREEN 02 Cesting Device Name CONFIRMATION TES LCO SCREEN 02 Cesting Device Name Confirment of the second sec	Aducted alcohol testing on the results are as recorded.	the above named individual, that <u>1201</u> 120 Activation Time Rea sitive)	I am trained to operate the testing device(s Result Negative Greater than .0 Result: Negative Greater than .0 Address 77554 (409) 744-6311
certify that I have con- lentified, and that the EVICE: SALIVA CREENING TEST: LCO SCREEN 02 esting Device Name ONFIRMATION TES LCO SCREEN 02 esting Device Name & H Towing Company RINT) Vessel Officer	nducted alcohol testing on t results are as recorded. <u>POTOTI 08/2010</u> Lot # & Exp Date ST: (If screening test is por Lot # & Exp Date ny Name (First, M.I., Last)	the above named individual, that	I am trained to operate the testing device(s Result Negative Greater than .0 Result: Negative Greater than .0 Negative Greater than .0 Address 77554 State, Zip Address
certify that I have con lentified, and that the EVICE: SALIVA CREENING TEST: LCO SCREEN 02 esting Device Name ONFIRMATION TES LCO SCREEN 02 esting Device Name & H Towing Company RINT) Vessel Officer gnature of Vessel Officer	Aducted alcohol testing on the results are as recorded. 907071 08/2010 Lot # & Exp Date ST: (If screening test is possible to the formation of the second	the above named individual, that <u>1201</u> Activation Time Real sitive) Activation Time Real 200 Pennzoil R Company Street Galveston, TX Company City, J	I am trained to operate the testing device(Result Negative Greater than .0 Result: Negative Result: Negative Greater than .0 ding Time oad <i>Address</i> 77554 (409) 744-6311 State, Zip Phone Number OQQ Year

	and the second
Signature of Employee	Month / Day / Year
Return to Safety Department (Rev 6/06)	

11FEB 2010: Interviews on board UTV ATLAS following sinking of UTV J.R. NICHOLS



at the wheel) SN: 1111393

over 20 years as a licensed master 34 years in maritime industry Four days on, four days off Began hitch on 09FEB10 at 1000 Stands watch 0500 - 1200; 1900-0000

10FEB10: Vessel suffered a steering malfunction at 0636. Was taken out of service and sent to City Dock 3 for repairs. Found loose pin on solenoid on #2 steering pump; tightened, tested sat and placed back in service at 1940.

2100: received order to dock M/V MISS LUCY at Woodhouse #1 2212: Met vessel at Kinder Morgan #4 and made fast to port bow. UTV ANDREW K was on port quarter.

At approximately 2222 they were at Woodhouse and beginning to dock the vessel. 2230: noticed the UTV J.R. NICHOLS was behind them and beginning to sink. Immediately went to assist.

Last command from pilot on MISS LUCY was dead slow ahead. Fastest/most powerful command executed was half ahead for about 30 seconds; Master estimates he performed this five minutes before seeing the J.R. NICHOLS sinking. Never heard any comms transmissions from the J.R. NICHOLS and never spoke directly to J.R. NICHOLS.

Master stated wheel wash would have reached across to the other side of the channel. Protocol is for push boats to contact pilot on deep draft to let them know they want to pass; but about 50% of the time they just pass without any contact.

	serving as deckhand) USA000043646	
Cell @msn.com		

serving as deckhand for two industry boarded on 09FEB10, came on watch on 1900.
Made fast lines to MISS LUCY and then went into the wheelhouse. Mooring evolution seemed normal. Notice the J.R. NICHOLS astern of them at about 2225. Did not notice the vessel listing or appear to be in any trouble.

	training)	
@gmail.com		

started in maritime industry 25SEP09

Was in the wheelhouse after helping the deckhand make fast to the MISS LUCY. Nothing seemed unusual; did not hear any radio traffic from J.R. NICHOLS. Only noticed J.R. NICHOLS listing to port after pointed out by Master.

All crew members were tested for alcohol with first two hours. Specimen collector board ATLAS at approximately 1500 to collect urine for drug testing.

Hous 56.2 VOIAC wood House 1. Les carde luce GALLNA Houstar Sir Andrew In Miss Luci Duc Attas which we when ! TURNIN Reichelds 12 > 7 7 JRN. cut Boand Hrio e PAWING APPROxiMAt-2-11-10

ECN 3679031 011



DAILY LOG 2/10/2010 - ATLAS

Date Printed: 2/11/2010 1:02:17 AM

Chick

0000	As before Sailing HIGH SPIRIT Job ID: 116717	
	From: KMG 02 To: SEA	
0015	Delayed - HIGH SPIRIT	
	Reason : Pilot	
0016	Alongside - HIGH SPIRIT	
	Position : Starboard Bow	
	Line Configuration : 2 Headlines	
	Crewmembers .	
0018	Received Order - MISS LUCY	
	Job ID: 116765	
	Docking From: SEA To: WDH 01	
	Pilots: 126	
	Assisting Tugs: AK, ATL	
0031	Finished Delay - HIGH SPIRIT	
0034	Started - HIGH SPIRIT	
0043	Finished - HIGH SPIRIT	
	Geographic Location : Normal	
0100	At Duty Station - HIGH SPIRIT	
	Geographic Location : DYNEGY 05	

0100	MTE Off
0101	Logout
	User :
0218	Login
	User:
0220	Received Order - HOUSTON
	Job ID: 116728
	Sailing From: SHELL W To: SEA
	Pilots: 194
	Assisting Tugs: CLX, ATL
0220	MTE On
	Crewmembers :
0229	Departed - HOUSTON
0300	Arrival at Vessel/Assist Location - HOUSTON
0305	Alongside - HOUSTON
	Position : Port Bow
	Line Configuration : 2 Headlines
	Crewmembers :
0315	Delayed - HOUSTON
	Reason : Unkown
0352	Finished Delay - HOUSTON
0352	Started - HOUSTON
0415	Finished - HOUSTON
	Geographic Location : Normal
0438	At Duty Station - HOUSTON
	Geographic Location : TGS DEEPWTR TRM



DAILY LOG 2/10/2010 - ATLAS

Date Printed: 2/11/2010 1:02:17 AM

Pilots: 197 Assisting Tugs: | ATL Login

	- inducting rager little
0513	Login
	User
0515	Departed - TRANS CATALONIA
0602	Arrival at Vessel/Assist Location - TRANS CATALONIA
	Geographic Location : Normal
0606	Alongside - TRANS CATALONIA
	Position : Starboard Quarter
	Line Configuration : Headline
	Crewmembers
0635	Incidents
	Type : Loss of Steering
0647	Out of Service
	Reason : Repairs
0648	Finished - TRANS CATALONIA
	Ship Heading : PST
0739	At Duty Station - TRANS CATALONIA

At Duty Station - TRANS CATALONIA 0739 Geographic Location : CITY DOCK 03



Crew:

CEA 0000-2359 MAA 0000-2359 MTE 0000-2359 EDB 0000-2359 DA 0000-2359

ECN 3679031 013

DAILY LOG 2/9/2010 - ATLAS

Date Printed: 2/10/2010 12:59:20 AM

	Line Configuration : Headline
	Crewmembers :
2040	Finished - ADVANTAGE
	Ship Heading : PST
2053	Logout
	User :
2055	At Duty Station - ADVANTAGE
	Geographic Location : LYONDELL B
2333	Login
1000	User :
2333	Received Order - HIGH SPIRIT
	Job ID: 116717
	Sailing From: KMG 02 To: SEA
	Pilots: 111
Sec.	Assisting Tugs: CLX, ATL
2336	Departed - HIGH SPIRIT
2344	Arrival at Vessel/Assist Location - HIGH SPIRIT
2357	Logout
	User :
2357	Login
	User
2357	MTE On
	Crewmembers
2359	Log Approved
	Details : No Incidents or Personnel Injuries
Crew:	
Carteria.	DEA 0000-1013
	EA 0000-1013
	4AA 0000-1013
3	MTE 0000-1013
	EA 1013-2359
	44A 1013-2359
	A 1013-2339

MTE 1013-2359 EDB 1050-2359 EDA 1050-2359

DAILY LOG 2/9/2010 - ATLAS

Date Printed: 2/10/2010 12:59:20 AM

- 1. w

0000	As before at CITY 03
0546	Received Order - LIBERTY STAR
	Job ID: 116653
	Sailing From: LDE To: SEA
	Pilots: 143
0550	Assisting Tugs: JN, ATL
0552	Departed - LIBERTY STAR
0621	Arrival at Vessel/Assist Location - LIBERTY STAR
0633	Alongside - LIBERTY STAR Position : Port Bow
	Line Configuration : 2 Headlines
	Crewmembers :
0650	Started - LIBERTY STAR
0710	Delayed - LIBERTY STAR
	Reason : Unkown
0756	Finished Delay - LIBERTY STAR
0816	Alongside - LIBERTY STAR
	Position : Starboard Bow
	Line Configuration : No Line
0833	Alongside - LIBERTY STAR
	Position : Port Bow
-	Line Configuration : 2 Headlines
0842	Start Escort - LIBERTY STAR
0913	Completed Escort - LIBERTY STAR
0913	Finished - LIBERTY STAR
0000	Geographic Location : BY GREENS BAYOU
0930	Logout
0930	User:
0930	User
0930	MTE ON
0300	Crewmembers :
1007	MTE Off
1007	Logout
1001	User :
1007	Login
	User
1011	At Duty Station - LIBERTY STAR
	Geographic Location : CITY DOCK 03
1013	Logout
1010	User
1050	Login
	User:
1053	Logout
	User :
1053	Login
	User:
1053	33 CFR 164.80 Tests and Inspections
	Result : Satisfactory
1056	Logout
	User
1120	Login
	User :
1121	Other/Misc
4440	Details : vgp daily innspection complted/satisfactory b.cram emp.475
1146	Received Order - PUDU
	Job ID: 116660
	Sailing From: PETRO TX A To: SEA

DAILY LOG 2/9/2010 - ATLAS

Date Printed: 2/10/2010 12:59:20 AM

	Pilots: 124
67. Š	Assisting Tugs: JN, ATL
1154	Departed - PUDU
1205	MTE On
-	Crewmembers :
1205	Logout
1205	
1205	Login User:
1219	Arrival at Vessel/Assist Location - PUDU
1227	Logout
The faith of the second	User :
1227	Login
	User :
1239	Alongside - PUDU
	Position : Port Quarter
	Line Configuration : 2 Headlines
-	Crewmembers :
1245	Delayed - PUDU
4000	Reason : Pilot
1300 1300	Finished Delay - PUDU Started - PUDU
1316	Alongside - PUDU
1310	Position : Starboard Bow
	Line Configuration : No Line
1326	Finished - PUDU
	Geographic Location : Normal
1400	At Duty Station - PUDU
	Geographic Location : CITY DOCK 03
1400	MTE Off
1400	Logout
	User
1622	Login
	User
1622	Logout
1821	User
1021	Login User :
1821	Received Order - ADVANTAGE
1021	Job ID: 116687
	Shifting Shift To: LDE
	Pilots: 183
	Assisting Tugs: AK, JN CLX, ATL
1822	MTE On
	Crewmembers :
1828	Departed - ADVANTAGE
1913	Arrival at Vessel/Assist Location - ADVANTAGE
	Geographic Location : Normal
1913	MTE Off
1913	Logout
1010	User
1913	Login
1947	
134/	Alongside - ADVANTAGE Position : Port Quarter
	Line Configuration : No Line
1954	Alongside - ADVANTAGE
1004	Position : Starboard Quarter

5

Iour Work/Rest History Worksheet

Rank/Position:

Master

z

Instructions:

Legend - Activity Types:

Name:

- 1. For the date of the accident and the previous four days, enter the date in boxes a through e.
- 2. Mark the time the casualty occurred with an "X" on the column below the Casualty Date
- 2. From the time of the accident, back through the previous four days (96 hours), identify the type of activity done and when it was done by filling in the appropriate segment of the column representing that activity for the times during which it was done. See the legend below for the definitions of the activity types.

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OIB HSC ON MIN J.R. Nicholls Lite BOAT NO BARGE 5 MEN ON BOARD. At This Time steven setmone is unaccounted FOR. The Rest of The CREW is AS Follows.) CAPT ON which At the whee Pilot Deckhand vessel cleared Wondell BASING, ship Poching At Next Olis Dock HAU Two HARbon Tugs Alongside 90° TO Ship wheel wash FROM Second Tug CAPSized Vessel,

Miss Lucy Andre K



To whom if Concerns, I was sleep when I was wokeing up By Being thrown out of Bed then water started Filling my room, Next thing i know Im in A Air Bubble with I Found A window And kicked it out then fold John that he had to Follow mE out. When I got to the Surface I was pulled out And Covered with A BLANKET. FREN WAS LOADED into AN AMBUZANCE And browsn't to Hosiptal ECN 3679031

The Boat was Listed over kadly Throwing me from The bunk I was sleeping in I started stumbling Towards The Door while GU was on my heals I Beat my way Towards The wheel house and The Boat was almost completley under I got stuck in the wheel house helped me our of Cause I had no dood the That clothing on except underware A work vest was Shatting nearby That loute handed To me I put it an and we made it to the spud Badge at Lyondell. ECN 367093







U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name: Street Address: City/State/Zip: Phone No: Position:	 (Please Print Clearly) Employer Name; Employer Address; City/State/Zip: Phone No;	
Position:	License/Doc. #	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

I was wohen up when I felt our beat the J. P. Nicholls" lest to the port. it listed even mung realized something was wrong + before could get out bed water Game. weather tight ROUNING threuch the duur my bed deckhand Tumped out our beds ATY iN deer hallmay were in trouble hen DOLITINS IN from Screamin I scramed Rike this 10 daar 10 m forearm they hard hanic 1 Grame oulled myself ch My hear around sou 4 the wh in an instant house but 901 Was Rung Luas trapped in my room it filled as brith under Water surth when the filled came up screemin + was ho air black awother was T thought 365 De Were Soreamin + panicking , Not to die like uconting. consoled each other 4 then hak Charac + said & realize where we were

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

MGNATURE

DATE

ECN 3679031 020

We softlad down. I told "man the coast Guard busht to be here by Now because we've been under water a long time." Dult was Againg out where we were at t I had already made my peace with God & began to go to shap so it could be were. As I was falling asteep water splashed my face + I heard I say he know where we were. He told me to give him my hand t feel where the window was at Then he said give me your other hand t feel this wire which goes to the light by the other side of the window frame. He said he busted the window out t we need to go through it. "He said, "We gown be a busted the window I'm gown see my Sirls."

So after a few minutes He took off inderwater + left. I was alone. I stayed behind for about five minutes. My air pocket was shrinking so I I had to decide to tiny or die.

I said, "I gown it is so I took a breath + went underwater + I open my mouth + lost the air I took in. But I was able to pull myself throught the window and I felt myself loosing consciousness + with my eyes close + arms open wider I flowhed to the top fast, like someone was pushing Me up, Me I felt myself going but then my hand broke the sorface + I my fam surfaced, I Brught a breath of air + began screamin. Holp I cant

I was rescued + I looked at the clock on the ky + it was 11: to when I got aboard.

STATEMENT OF

My name is the same value of the Houston Ship Channel. I am licensed by the Coast Guard as First Class Pilot (unlimited tonnage) for the Houston Ship Channel. I am also licensed by the State of Texas as a Branch Pilot for the same waters. I have been licensed by the Coast Guard since the 1970's. and the State since 1989. I have never had any action taken against either document. On February 10, 2010 I was the Houston Pilot dispatched to take the tanker MISS LUCY (L 183 meters, beam 32.2 meters, deep draft 7.8 meters) from sea to Woodhouse Berth No. 1 where we were to dock head-in, starboard side to.

I boarded the vessel and engaged in a Master-Pilot conference with the ship's captain who indicated his vessel and crew were ready to proceed with the intended transit. The inbound transit was uneventful. In anticipation of docking, I brought the vessel to dead slow ahead and prepared to meet and make fast my two assist tugs in the vicinity of Kinder Morgan Galena Park. My assist tugs would be the tug ATLAS (made fast port bow) and the tug ANDREW K (made fast port quarter). The tugs were properly made fast approximately 2220 hours. In anticipation of the intended docking, I made a security call on Channel 13 alerting all vessels to our intended maneuver and berth, and informing them that if they needed to contact us I would be working with my tugs on vhf Channel 14. My personal practice is to carry two hand-held radios with me at all times. At the time of this incident. I also had a second hand-held radio which was on Channel 13.

I spoke with a push tug who was working in the Lyondell Basin prior to approaching the dock. He indicated that he would be in the basin and out of the channel at the time I arrived and he was. I also observed, visually, and by AIS, an outbound push boat, the J.R. NICHOLLS. further up the channel ahead of us.

I stopped engines and allowed the vessel to continue drifting towards Woodhouse Berth No. 1. Once I had it abeam, properly aligned and stopped, my intent was to use my assist tugs to push the vessel laterally to starboard alongside the dock. I began using dead slow astern to assist in slowing my vessel to a stop. As the vessel has a right handed propeller, I anticipated she would back to port, and she did. I instructed the tug ANDREW K to push on the port quarter half ahead to counteract the port backing of the vessel. The vessel's port quarter continued tending to port and in order to keep the vessel properly aligned in the channel, I ordered the ANDREW K to go full ahead. I specifically instructed the ANDREW K to be aware of the outbound light boat, J.R. NICHOLLS and to make sure his wheel wash did not work on the outbound light boat.

I then proceeded to the starboard bridge wing as I had to monitor my vessel's aspect and approach to the dock. When I moved out onto the starboard bridge wing, the J.R. NICHOLLS was still not abeam of our bow. I continued using the vessel's engine and my tugs to bring the vessel to a stop, and lining up properly in the channel in preparation for pushing the ship laterally to starboard alongside the dock.

As I was monitoring this evolution, I heard a noise on the portside of the vessel. I looked over and just forward of the house I could see the J.R. NICHOLLS rolling over. I immediately tot the ANDREW K to bring his engines to stop or clutch. I could hear the forward tug calling the ANDREW K saving something to the effect of "look behind you, the tug is rolling over."

I immediately called the several push boats that I saw working just across the channel ϵ . Lyondell basin on Channel 13 and asked them to come assist and they did. I continued working using my tugs to maintain my position using minimum wheel wash to insure that we did not drift down upon the stricken tug and the rescue vessels. I could not stop the tugs engines as I did not want to drift upon the sinking tug and the rescue flotilla. One of the harbor tugs indicated he was calling VTS and the Coast Guard to notify them of the situation.

As we came alongside the dock I could notice red flashing lights and emergency personnel on the dock at Lyondell assisting. I called my office and asked them to contact the Coast Guard to see if they needed anything from me. My office responded that they did and that the Coast Guard informed they needed nothing at that time. I observed Coast Guard vessels and helicopters arrive. We were all fast and safe alongside at approximately 2330 hours, after which I departed the vessel for chemical testing.

2-12-2010 Date







U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name: Street Address: City/State/Zip: Phone No:	Employer Name: Employer Address: City/State/Zip:	Florida	Marine
Position:	Phone No: License/Doc. #		

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

walked To wheelhouse around T 2130 4105 10 22:30 01 we ANKer man Our who Was on Come over The radio and of as coles Sinkin ste 10 Second Dec P wate-WA 10 Flat Brat SALA Whee house WA S lookin Du 0 wate wate n.l Sa 0 tan R the water We inueo lookin \$0member on JR 0 ew Nicoles him neveseen

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

SIGNATURE

2-10

ECN 3679031 022

Page 1 of

Forida Marine Transporters

2-10-10

I was on My way To Top around a burge when witnessed a Vessel going In The water. I ran to my Boit a) Told My Captain on The radio That a Bout was sinking. Fon The Outhand motor over To assist. I pulled Two men out of aited To see if we could find The Third men until we were liered By The Coust Gaurd.



2-11-2010 On 2-10-2010 The MIN JR. Nichols Dank and J. stopped the loading of the MMI 304 Then went to the stern of our bast to see if we could offer any help The MIV Mia Kelley crew were in a skipp looking for survivos the first came up the Mia Kelley picked him up in the skiff and brought him to us. We got him abound and rendered first aid, getting him dry and warm the 2nd guy come up the Mia Kelly prought him to US and again we Rendered first aid again getting him dry & Warn by this time HPN & HFD were aboard and continued the treatment of the two surp, They then were transported to the clock to an ambulance. 1 ECN 3679031 024







U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Nam Street Addres City/State/Zip Phone No: Position:

Employer Name: LYON DE LI BASSEL - HOUSTON REI Employer Address: 12000 LAWNODLE City/State/Zip: HOUSTON, TX 770177 Phone No: 713-321-4211	Employe City/Stat Phone No	r Address: e/Zip:	HOUSTO	N, TX	LE	Ref	~
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I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

APPROXIMATLY 230 NEDNESDAY THE FEBRUARY, 2010 Ŧ WAS IN THE (GATE 3 GATE in HEN THE DOCK PERSONNE CAME OVER THE RADIO ADVISED THAT SINKING IN THE HOUSTON SHIP CHANNEL HRO'S BY AMFRA WAS PLACED ON TH CHANNEL "C" NEAR WHICH TOP PORTION PROXIMATLY 2 FEET OF VISIBLE ABOVE WATE TUR EMERGENCY TRAFFIC DOCK NO-POZTO TH SPOKW WATER WITH OMMANDER WHO ADVISED 14 MALES HAD BEEN REMOVED FROM THE WATER AND WERS DUT NTO VEHILL REQUESTEN THAT Mars CONTACT WITH TI ADVISE HIM OF THEIR 1/PON KING CONTROT THEN IN THE IHE MAN SITTING SEAT ADVISED CAPTAIN THE OF AND STATED CREW OF FIVE THE ON RELATED THIS FORMATION TO ENT MANDER PON SPEAKING WITH THE PASSENGER AND SVALUTING HIM ISEN REGENT PATIEN POTHERM FURTHUR PON QUESTIONING OF THE TWO

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

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Page 1 of 1

ECN 3679031 025



SIGNATURE





U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Nam	(Please Print Clearly)
Street Addres	Employer Name:
City/State/Zip: Phone No: Position:	Employer Address:
	City/State/Zip;
	Phone No:
	License/Doc. #

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

INDIVIDUALS ON THE TRUCK AS TO THE INCIDENT, THEY BOTH DID NOT ANSWER MY QUESTIONS QULY WANTED KNOW IF WE HAD FOUND OTHER CREWMAN. THE PON THE APRIVAL OF HRO MERV-1 TURNED MER T PATIENT CARE OF BOTH INDIVIDUALS EMT. TO THEN ADVISED WAS BY I.C. MORE INDIVIDUALS REMOVED FROM THE WATER AND WERE ON THE AT DOCK AND REQUESTEN I THERE PON MY ARRIVAL GN WERE MEN SITTING IN CL WITHOUT THERE CLOTHES Or BLANKSTS WRAPPSA ARGUM THEM. EVALUA: ROTH INDIVIDUALS AND FOUND THEM TOO BS SGUERELY HYPOTHERMIL ... ADVISED TFE PERATIONS HIEF THEY WOULD RS UNARLE TO AMBULATS DF THE AND MOULD NESD A RESCUE BOX FIRS PARTMENT 50 GET THEM SXTRK DON TWO VICTIA WERS BOTH SEDING BUNK WHEN THEY WERE AWORSN 151 NG ANIN WATER THE CREW RUDAR HAD SWIM OUT 700 5HZ

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief it is in and correct.

Page of 3



SIGNATURE





U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name		(Please Print Clearly)	
Street Address		Employer Name:	
City/State/Zip:		Employer Address:	-
Phone No:		City/State/Zip:	
Position:		Phone No:	
	·	License/Doc. #	-

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

WHILE WAITING FOR THE HOUSTON FIRE VESSEL. DEPARTMENT TO ARRIVE I MONITORED THE MEDICAL STATUS OF BOTH VICTIMS WITH NO CHANGE IN THEIR STATUS. UPON THE ARRIVAL OF TIRE DEPARTMENT OUSTON TRANSFERRED CARE OF BOTH VICTIMS TO THEIR MEDICAL UNIT. HOUSTON TIRE EPARTMENT UPON THEIR EVALUATION MADE THE PECISION TO AMBULATE BOTH VICTIMS OFF THE TUG TOO DOCK WHICH WAS DONE SUCCESPULY. THAT WAS COMPLETED AFTER WENT BACK T TO THE MAIN ST WITH THE INCLOENT. K

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief it is true and correct.

Page/ of 3

3







U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name: Street Address: City/State/Zip: Phone No: Position:

amproyer mudicas.	LYONDELL HOUSTON REFINING
City/State/Zip: Phone No: License/Doc. #	HOUSTON, TX 77017 713-321-4111

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

I WAS AT THE SRC CONTROL BOOM WHEN I HEARD THE DOCKMAN CALL ON THE RADIO THAT THERE IS A VESSEL SINKING IN THE SHIP CHANNEL @ C DOCK. I WENT TO "C" DOCK AND SAW & TUGBOAT THAT WAS NEARLY COMPLETEY UNDER WATER ENTERED THE SHORELINE OUTSIDE OUR GATE AND HELPED (1) THE WORKER FROM THE WATER ONTO OUR SHORELINE, WORKER WAS HYPOTHERIMIC AND IN SHOCK TRANSFERRED CARE TO THE NEXT RESCUELER WENT ONTO THE BARGE NEXT "C" DOOK AND SAW A PERSON LOOKING @ THE SUNKEN VESSEL. HE STATED THAT HE WAS THE CAPTAIN DE THE J.R. MICHOLS AND HE STIL (3) THREE CREWARDAY WARCOUNTED HAO I HAD ANOTHER DUE OF OUR RESPONDERS TAKE THE CAPTAIN TO DUE AMBURANCE TO FOR WARM-UP AND RECEIVE TREATMENT. I ORDERED LYDINDELL'S SPILL BOAT INTO THE CHOWNEL FOR A SEARCH & RESCUE. BOAT SEARCHER THE PREA, WHILE OTHER VESSELS OOR HAO SPOTLIGHTS OH THE WATER AFTER MINUTES SURFACED FREM THE VESSEL WORKER BUT LOAS HAVING TROUBLE SWIMMINE, A FLOAT RING WAS TOSSED TO HIM AND TANEDTHEE WOOK BOAT PICKED HIM OUT OF THE WATER AND TRANSPORTED HIM TO TUGBOAT, A COUPLE OF MINUTES BETER THAT A FOURTH WORKER SURFACE AND WE HIM A FLOTATION DEVICE AND PULLED HIM TO THE BARGE UNTIL ANOTHER BOAT COULD GET HIM OUT OF THE WATER. INE CONTINUED TO SEARCH FOR LAST WORKER, BUT ASSIGNED ONE BOAT TO BOOM OFF THE BATH SIDES OF BARSE TO CONTAIN THE DIESEL COMING FROM THE BUT AFTER CHANNEL WAS SECURED AND COAST GUARD, HPD, AND HFD, THE TUGBOAT. SCENE WAS TRAISFERRED OVER TO KINDER MORGEN WITH ASSISTALICE FROM LYONDELL HOUSTON REANING

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

SIGNATURE







U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name: Street Address: City/State/Zip: Phone No: Position:	(Please Print Clearly) Employer Name: Lyoude base Employer Address: 12000 Lawroale City/State/Zip: Houstor, Tx 77017 Phone No: 713 - 321 - 4292 License/Doc. #
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I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

02-10-10 APPROX 2230 SOMEONE on the BARGES Show A 60 SINKING cha VILION DARGE SUBMER GATE DA + MERGENC DOA Oh SUDM DEA ARRIVED AUIVOR DOVED D

4

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

02-12-10 DATE

ECN 3679031 027

U.S. DEPARTMENTOF HOMELAND SECURITY U.S. COAST GUARD CG-2692((Rev. 06-04)		REPOR	RT OF MA			ENT,		MISLE	RCS	No. G-MOA Attoninumber
	-	S	ECTION I. GEN	ERAL INFOR	MATION			1		
1. Name of Vessel or Facility			2. Official No.	1	Nationality		4. Call Si	gin	5. US	SCG Certificate of action issued at:
Tug J.R. NICHOLLS	1		VIN5900	31	U.S.A.		WDCS	3710	N/	
6. Type (Towing, Freight, Fish, Drill, Towing	8. Gross Tons 72	6	Year Built 1978		10. Propulsion (Steam, diesel, ga Diesel			el, gas, turbine)		
11. Hull Material (Steel, Wood)	12. Draft (Ft. FWD	-in.) AFT.	13. If Vessel Clau DIVV, BV, etc.)	ssed, By Whom:	(ABS, LLOY	DS,	14. Date	(of occu	rrence)	15. TIME (Loca
Steel	8'8"	818"	N/A				2/1	0/10		2230
16. Location (See Instruction No. 10. Vicinity of Woodh		ndell, F	louston Shi	ip Channe	1		17. Estim	ated Los	s of Damag	je TO:
18. Name, Address & Telephone No. Kinder Morgan Shi Houston, TX 77015	lp Channe		ces, LLC, 3	3100 Penr	City R	đ.,	VESS CARC OTHE	GO	UNK. N/A UNK.	
19. Name of Master or Person in Cha	egn	USCG Lice	inse	20. Nam	e of Pilot			USCGI	License	State License
		X YES	I NO					X	YES	YES NO
19a. Street Address (City, State, Zip	Code)	Contraction of the local division of the loc	ione Number	20a. Stre	et Address (0	City, State,	Zip Codé)		INC.	phone Number
C/O #18		713-	-941-1020	and the second se	0 #18				0.000	941-1020
22. Conditions B. V	nt in Block 44.) DUNT: .) DAMAGED		FOUNDERING OR HEAVY WEATHER FIRE EXPLOSION COMMERCIAL DIV ICE DAMAGE DAMAGE TO AIDS STEERING FAILUR MACHINERY OR E ELECTRICAL FAIL STRUCTURAL FAIL STRUCTURAL FAIL MME DAYLIGHT TWILIGHT	R DAMAGE	DN LURE LITY OD R	of vis F. AIR (F) G. WIN DIR H. CU	INADEQU BLOW OU ALCOHO (Describe	UT (Pel UT (Pel ULINVOL in Block VOLVEN (Specify) nilias 1 	VEMENT (De VEMENT (44) VENT (De V)	FAILED OR Block 44.) poration/production) sortibe in Block 44.)
		A	ND ND OURSE 45	<u>8.</u>	Port Bra	dy's				244. Interatio Date of Departure 2200 2/10/10
25. 25 a.	÷.	1000	25b.	250.		3	25d. (Dec	scribe in	Block 44.)	the second second
FOR NUMBER TOWING OF ONLY VESSELS		A N/A	TOTAL H.P. OF TOWING	MAXIMUN SIZE OF TO WITH TOW	w	Width N/A		10.8.7	TERN ONGSIDE	
TOWED		ECTION IL	UNITS BARGE INFORM	BOAT(S)				RE THAT	1.4	N-BOAT ON TOW
6. Name		a, Official Num	and the state of t	26b. Type	26c, Ler	ngth	26d. Gross	s Tons	Inspecti	CG Certificate of on Issued at:
N/A		N/A		N/A	N/7	-	N/A		N/A	
261. Year Built 26g. 🗌 S	INGLE SKIN	Sh. Draft FWD N/A	AFT N/A	26i Operating					1	
N/A I LID 26j. Damage Amount BARGE <u>N/A</u> CARGO <u>N/A</u> OTHER <u>N/A</u>		N/ B	N/A 26k, Describe Da N/A	and the second se						

PREVIOUS EDITION IS OBSOLETE

27. Person Involved	27a. Name (Last, First, Midd	III. PERSONNEL A			27c. Status
MALEOr FEMALE	Seymore, Stever		X Crew		
	27b. Address (City, State, Zi	ip Code)			Passenger
MISSING	C/O #18	1			Other
20.15	lephone No.	30. Job Position			31. (Check here if off duty)
2. Employer - (If different from Blo	C/O #18 ck 18 fill in Name Address Tak	Deckha	ind		
a service of the serv					
3. Person's Time		YEAR(S)	MONTH(S)	34. Industry of Employ Crew Supply, Drilling,	er (Towing, Fishing, Shipping
A. IN THIS INDUSTRY -		UNK.	monarth(0)	and the second second	ac./
B. WITH THIS COMPAN	Y -	1	6	Towing	erson Incapacitated 72 Hours of
C. IN PRESENT JOB OF		1	0	More?	cisoit medianiated in house
		1	0	N/A	
D. ON PRESENT VESS	CONTRACT TRACT			36. Date of Death	
E. HOURS ON DUTY W Activity of Person at Time of Acc	HEN ACCIDENT OCCURR	ED -	4.5	2/10/10	
Engine Room Main	tenance				
. Specific Location of Accident on	a second s				
Engine Room					
9. Type of Accident (Fall, Caught L	etween, etc.)		40, Resulting Injury (Cu.	t, Bruise, Fracture, Burn, etc	c.)
Possible Drownin	g		Death		
I. Part of Body Injured			42. Equipment involved in		
UNK.			Tug J.R. N		
3. Specific Object, Part of the Equip	ment in block 42., or Substance	(Chemical, Solvent, etc.)	that directly produced the	injury.	
UNK.					
	SECT	TION IV. DESCRIPTI	ION OF CASUALTY		
Houston Ship Cha Tugs ATLAS and A list, possibly f	2010 at approxima nnel lightship to NDREW K at Woodho rom prop wash of	ately 2230, t Baytown. In Suse Terminal the tanker a	he Tug J.R. NI the vicinity , Tug J.R. NIC nd/or assist t	ICHOLLS was tr of M/T MISS L CHOLLS experies tugs. Tug J.R.	ansiting outbour UCY and assist nced hard port NICHOLLS floode
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				OF REQUIRED APPROVED OMB NO Expiration Date:								
HOMELAND SECURITY U.S. COAST GUARD CG-2692B (04-06) CG-2692B (04-06) CG-2602B (04-06) CG-2602B (04-06) CG-26						USLE ACTIV	SLE ACTIVITY NUMBER					
	5	ECTION	the second s	the second s	and the second se	TION						
1. Name of vessel Tug J.R. NICHOLLS					2. Official VIN590		3. Call 8 WDC37		4. Na U. S	tionality A		
5. Vessel Type (Freight, Towing, F Towing	Ishing, MODU, etc.)				6. Length		7. Gross			ar Built		
9. Operating Company		_		10. Mast	er or Person	in Charge	14	_	17311			
Name: Kinder Morga	n Ship Chan	nel Svcs	, LLC	Nan	ne:							
Address: 3100 Penn C	ity Rd., Ho	u., TX 7'	7015	Add	iress: 3100	Penn (City Ro	1., Ho	u., TX	77015		
Telephone Number: 713-9	41-1020			Tal	phone Numb	- 717						
Telephone Runder. /15-3		CTION I	INCI				941-10.	50				
1. Type of Serious Marine Incider	nt (Check Approprie	te Box(es). (Se										
a. Death (Append	to Form CG-26	92)			ss of uning 0 gross to					8r		
b. Injury requiring		ent			1.000	1.00			1. T			
(Append to Form	n CG-2692)			L f. Dis	charge of	oil of 10,0	00 gallo	s or m	ore into U.	S. water		
C. Property damag (Append to Form		100,000	114	 g. Discharge of a reportable quantity of hazardous substance into U.S. waters h. Release of a reportable quantity of hazardous substance into U.S. environment 								
d. Loss of inspect Form CG-2692)	ed vessel (Appe	and to										
	(local) of Incident	14. Locatio	on of Incider	nt (Latitude a	nd Longitude	or River and	Milepost)	4.15	27	_		
/10/10 2230	SECTION			Woodhou				Snip	Channe.	L		
5. Personnel Directly Involved	In Serious Marine I		001111		nd Alcohol 1		-	ns on rev	(erse)			
5a. Name (Last, First, Middle Ir		Icensing/Certi k Appropriate		16a. Drug Test Urine 16b. Alcohol Test Alcohol Test Specimen provided Specimen provided Specimen Source					- 100			
	USCO	USCG		YES	NO	YES	NO	Seliva	Blood Breath	Resul		
	Licens	e MMD	Neither	1LS		X						
		ă	Ē		ä	x		H				
	X		ū	1X		1X	ū					
			X	K		×						
7. SAMHSA Accredited Labora	tory Conducting Ch	nemical Drug	Tests	18. Labora	tory conduct	ing blood a	Icohol test	(s) or Ind	vidual cond	ucting saliv		
				or breath a	Icohol test/s		Name: Memorial Hermann Hospital					
	nn Hospital			or breath a	licohol test(s		п Новр	ital				
Name: Memorial Herma				Name: M	licohol test(s	Herman			77030			
Name: Memorial Herma Address: 6411 Fannin, Telephone Number: 713-704	Houston, TX			or breath a Name: M Address:	emorial	Herman nnin, H	ouston			Data		
Name: Memorial Herma Address: 6411 Fannin, Gelephone Number: 713-704 9. Person Making This Report (Houston, TX			or breath a Name: M Address:	nconoltest(s emorial 6411 Fa	Herman nnin, H	ouston			Date		
Name: Memorial Herma Address: 6411 Fannin, <u>Telephone Number: 713-704</u> 9. Person Making This Report (Name:	Houston, TX 1-4000 (Please Print)	77030	15	or breath a Name: M Address:	nconoltest(s emorial 6411 Fa	Herman nnin, H	ouston		21.	890		
Name: Memorial Herma Address: 6411 Fannin, Telephone Number: 713-704 9. Person Making This Report (Name: Address: 3100 Penn Cit Telephone Number: 713-941	Houston, TX -4000 (Please Print) :y Rd., Hou.	77030	15	or breath a Name: M Address: Telephone	nconoltest(s emorial 6411 Fa	Herman nnin, H	ouston		21.	Date 5 / ZOLC		

SN 7530-01-GF3-2380

I ARRIVED AT LYONDER THENING BASIN AT 2200 AND WAS

JIMIEMALT.

STANDING by FOR THE MIN MIA KELLY TO DEPART FROM HOUSTON REFINING "B" dock. AFTER A FEW MINULTES I decided TO LET THE TOW LAND AT TEXAS PETROCHEMICA "A" dock because of The NORTHWEST WIND MY ATTENTION WAS FOCUSED ON THE PORT SIDE OF THE TOW while LANding on The dock when STEERSMAN SAID HE THOUGHT THAT HE SAW A bOAT SINKING . I PICKED UP THE DINOCULARS AND LOOKED BUT ONLY SAW A SMALL OBJECT THAT I Thought AT THE TIME WAS A LINE HANDLEING BOAT, THEN HE LOOKED Through The DINOCULARS AND SAW NOTHing, WE Assumed it was Probably A MISTAKE BECAUSE OF THE GLARE FROM THE BACKGROUND Lights, THEN AT About 2225 The Pilot ON The M/V Miss Lucy which was docking AT Woodhouse SLip Ship dock # 3 CONTACTED ME ON CHANNEL 13 And SAID THAT ONE OF THE TUGS ALONGSIDE MAY HAVE SUNK A SMALL LITE BOAT WITH HIS WHEEL-WASHAND IF WE COuld hELP. WE SECURED OUR TOW AT T.P.C. A' doce AND LEFT OUT TOW AT 2235 AND WENT TO THE SITE OF THE SUNKEN Tug " /v J.R. Nichous which was About 900 TO 1000 FEET AWAY. UPON ARRIVING ON THE SITE ONLY ONE ANTENNA ON TOP OF THE WHEELFOUSE WAS VISIDACE, AT THAT TIME WE WERE TOLD ONE MAN WAS ON THE BANK And others were missing. So I decided The DEST Thing TO do was TRY TO STAY IN POSITION Above THE bOAT AND SHINE MY YENON LIGHT INTO THE WATER IN CASE SOMEONE WAS STILL DOWN THEAR. AFTER About 5 MINUTES THE MIN PAIGE GERTRUDE ARRIVED AND STALTED doing THE SAME Thing, WE could STILL SEE A LOT OF BUBBLES COMING UP And Thought THERE MAY BE AIR POCKETS STILL DOWN THERE AND IT MIGHT LECP. AFTER WATCHING DEBRIS FLOAT TO THE TOP OF THE WATER

FOR ABOUT 10 MINUTES THERE WAS NO SIGN OF ANY INE CON STABOBILIER.

+ 1. PAGE 3 OF 5

A PATCH OF debris with LIFE JACKETS FLOATED UP SOI WENT TO LOOK THROUGH it, WHEN CREWMAN POPPEd TO THE SURFACE OF THE WATER JUST Above THE SUNKEN BOAT. WE CALLED THE CREW OF THE "IN MIN KELLYS SKIFF ON CHANNEL 73, AND THEY WENT AND PICKED HIM UP AND BEOUGHT HIM TO THE "IN SNIPE TO PUT HIM ON THE BOAT, WHEN A SECOND MAN POPPED TO THE SURFACE. Which WAS AboUT 15-20 MINUTES AFTER THE BOAT SANK. WE REMAINED Above THE JIR. NICHOUS WITL IT STOPPED BUBBLING AFTER IS-20 MINUTES LONGER WE GAVE UP HOPE FOR ANY OTHER SURVICES. WE STOPPED SEARCHING AT 2340 AND RETURNED TO THE TOW.

MÍU SADINE PASS HIGMAN BANGE LINES

02/12/2010 01:57 FAX 02/12/2010 2:44:20 AM -0500 FAXCOM ANYWHERE → 1 PAGE 4 OF 5

I was sitting in the wheelhouse abarving, shortly after looking I saw what appeared to be a boat sinking. Then I addressed Captain , within a few seconds we received a call from a thip pilot, latting us know that accumption was true. We proceeded to stage our barges. (Dock our barges). Afterwards we responded to search, reacue, and render aid - In responding, two survivors appeared, and wore rescued. We continued the search for some time, until land, air and water, emergency teams came, to assist the emergency.



MU SADWE PASS HIGMAN BANGE LINES

1

02/12/2010 01:57 FAX D2/12/2010 2:44:20 AM -0500 FAXCOM ANYWHERE I was in the Galley when make down stairs Saying we got togo help aboat was going down So we went out to tie up the tow so we could Get to the place they was and we seen the boats Antenna Sticking out the water so we knew we was there so we began looking for Survivors Somebody From the shore side started sceaming there go somebody a small boat rescue him and about Smin later another nore person to be found, Everybody is Looking for in !

Tankerman

MU SADINE PASS HIGMAN BANGE LINCS PAGE 5 OF 5 02-10-2010

+ 1

ECN 3679031 032

1

	epartment of And Security	Commander United States Coast Gua Sector Houston-Galvesto		9640 Clinton Drive Houston, TX 77029 Staff Symbol: (sp)
	Guard	Sector Houston-Galvesit	, ,	Staff Symbol: (sp) Phone: (713) 671-5194 FAX: (713) 671-5172
				10-001/16782
ME	MORANDUM			
From:	R. I. Smith Jr., CDR CG Sector Houston-Galves	ton (sp)	Reply to Attn of:	Mr
To:	CG MSC			
Subj:	REQUEST FOR ASSISTA INVESTIGATION – UTV			
Ref:	(a) PHONCON between M CPREV) of 12 Feb 2010.	Ir. M	SC) and CD	R Smith (Sec Hou-Gal,
	· · · · · · ·		and the second	

1. Per reference (a), Sector Houston-Galveston requests the assistance of MSC SERT in support of investigating the recent capsizing of UTV JR NICHOLLS (VIN: 590031) on 10 Feb 2010 in the Houston Ship Channel. We are requesting the assistance of MSC to help determine what the stability conditions were aboard the tug prior to its sinking.

#

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U.S. DEPARTMENT OF HOMELAND SECURITY		FREQU				APPRO	VED O	MB NO.	1625-0001		
U.S. COAST GUARD CG-2692B (11-04)		OHOL T RINE IN			USCG	MISLE	ACTIVIT	Y NUMBER			
	SE		the second s	NAME OF TAXABLE PARTY.	FORMA	TION					
1. Name of vessel Andrew K	1.0				2. Official 964050		3. Call S WA028	ign 22		4. Nati	
5. Vessel Type (Freight, Towing, Fishin	g, MODU, etc.)				6. Length		7. Gross			8. Year	Built
Towing 9. Operating Company				10. Mas	96 ' ter or Person	in Charge	159		-	1990	
Name: G & H Towing Co	mpany			Na	me:						
Address: P.O Drawer 227	0				dress: 234	Dineh	rook Dr	ive			
Galveston, TX	77553				- 100 3 4 4 (see	Park,					
Telephone Number: 409-744-					ephone Numl		725-338	5			
		and A set in a set of a set of a	A second s	A REAL PROPERTY AND A REAL PROPERTY A REAL PRO	NFORM	ATION					
11. Type of Serious Marine Incident (Cl a. Death (Append to I	1		es Instructio	THE PULL OF STR	e) Iss of unin	enected a	self-prope	llad ve	real	of over	
	1.191.5.27			10	0 gross to	ns (Appe	nd to For	n CG-2	(692)	or over	
b. Injury requiring me (Append to Form CO)		nt		C f. Dis	charge of	oil of 10,0	000 gallon	s or m	ore in	to U.S	. waters
C. Property damage In	excess of \$10	000 000									
(Append to Form CG					scharge of Ibstance in			ity of t	azard	lous	
d. Loss of inspected v Form CG-2692)	essel (Append	d to		substance into U.S. waters h. Release of a reportable quantity of hazardous substance into U.S. environment 							
12. Date of incident 13. Time (loca		14. Locat	ion of Incide	nt (Latitude a	nd Longitude						
/10/10 10:30 P	ECTION II			95-14.14	TING IN	CODM	TION	ter i mitter a	-	-	
5. Personnel Directly Involved In Se	the second s		SOMM	and the second se	ind Alcohol		and the second	15 00 000	Inereal		
5a. Name (Last, First, Middle Initial)		nsing/Cert	lification	16a. Drug	Test Urine	16b. Alco	phol Test	Al	cohol 1		Alcoho
	(Check A	ppropriate	Box(es))	Specimen within 32 /		within 2 h	n provided nours?		simen S	1	Test Result
	USCG License	USCG	Neither	YES	NO	YES	NO	Selive	Blood	Breath	
	K	EC.		Did I		Ed		EC.			
	K	50		50	ū	5	ō				
				1X		8		100			
		K		180		M		X			
											-
7. SAMHSA Accredited Laboratory C	Conducting Chem	nical Drug	Tests		tory conduct loohol test(s		icohol test(s	i) or indi	vidual	conduc	ting saliva
ame: Kroll Laboratory	Specialist	8		Name:			1	2			
ddress: 1111 Newton Stre Gretna, LA 70053					2346 P Deer Par						
elephone Number: 800-433-38					Number: 83		1.000				
9. Person Making This Report (Pleas	e Print)			A					1	21. Da	ate
ame:											
ddress											
elephone Number:				Title: Ass	t. Direc	tor of	Safety			2/19	/10
2. Remarks (See Instructions							4				
Positions of crew:											
									-		

SN 7530-01-GF3-2380



Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

If you have any questions about this report please call Rosa Vesquer at (713) 865-4687



This test was performed, recorded, and reported in accordance with CFR 49 Part 40.



1



Printed on 2/15/2010 at 5:14:20PN

KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM 1111 Newton Street, Gretna, LA 70053 504-361-8989 1-800-433-3823

STEP 1: TO BE COMPLETED BY COLLECT	OR OR EMPLOYER REP	RESENTATIVE SPI	ECIMEN ID NUMBER
A. Employer Name, Address, ID No.		B. MRC	D Name, Address, Phone and Fax No.
HATTIG & H TOWING CO-DOT 200 PENNZOIL RD	Pacility 1	Number Chiff b	S. LOVE WEST STE. 550
SALVESTON, TX 77554 281-474-9501 409-740-2575	21,412	4 40051	CN - TX 77054 665-4687 (713) 665-6964
C. Donor SSN or Employee I.D. No.:			
D. Reason for Test: Pre-Employment Random	1 🔲 Reasonable Suspicion / Ca	use 🕅 Post Accident	Return to Duty Follow-up Other (specif
E. Drug Tests to be Performed 🕱 THC, COC, PCP, C	PI, AMP THC, COC Only	Other (specify):	
R Collection Site Address: HATS - 6 AT TOWING HATS - 6 AT TOWING HOLSTON, TX 77054	SED Vojat Gi	ели роскизъзга NE NG :: 323-6	Collector Number
STEP 2: TO BE COMPLETED BY COLLECT			NO STOP
Read specimen temperature within 4 minutes. Is to between 90° and 100°F? Yes INO, Enter	emperature Specimen Colle	ction:	vided (Enter Remark)
REMARKS:	1 and t		
STEP 3: Collector affixes bottle seal(s) to bottle(
STEP 4: CHAIN OR CUSTODY - INITIATED certify that the specimes fiven forme by the donor identified in t with applicable Federate ents.		this form was collected, labeled, AM SPECIM	
<u>x</u>		115 Te	-d- TX-b
(Last)	-Date (Mo./Day	/YE) Nan	ne of Delivery Service Transferring Specimen to Lab
ECEIVED AT LAB:		Primary Specimen Bottle Seal Infact	SPECIMEN BOTTLE(S) RELEASED TO
Signature of Accessioner		Yes	
(PRINT) Accessioner's Name (First, MI, Last) TEP 5: COMPLETED BY DONOR	Data (Mo/Day/Yr.)	No, Enter Remark Belo	w
I certify that I provided my urine specimen to the collo seal in my presented and that the information pravide			
Signafure of Donor		anotana il a ci	i) Date (Mo./Dav/Yr.)
Daytime Phone No.	Evening Phone No		Date of Birth
Should the results of the laboratory tests for the spe- about prescriptions and over-the-counter medication THIS LIST IS NOT NECESSARY. If you choose to PROVIDE THIS INFORMATION ON THE BACK TEP 6: COMPLETED BY MEDICAL REVIEW	ns you may have taken. There o make a list, do so either on a COF ANY OTHER COPY OF	fore, you may want to mak a separate piece of paper of THE FORM. TAKE CO	Medical Review Officer will contact you to ask ke a list of those medications for your own records. or on the back of your copy (Copy 5), DO NOT
in accordance with applicable Federal requirements	, my determination/verification	on is:	
NEGATIVE POSITIVE DILUTE	TEST CANCELLED] REFUSAL TO TEST BECAU	SE: ADULTERATED SUBSTITUTED
<u> </u>			
Signature of Medical Review Officer TEP 7: COMPLETED BY MEDICAL REVIEW		eview Officer's Name (First, MI, Last)) Date (Mo./Day/Yr.)
n accordance with applicable Federal requirements	and the second state of th		if tested) is:
(
Signature of Medical Review Officer	(PRINT) Medical R	eview Officer's Name (First, MI, Last)	Date (Mo./Day/Yr.)

OMB NO. 0930-0158

G & H Towing Company Alcohol Testing Form (Non-DOT)

Step I: TO BE COMPLETED	BY VESSEL OFFICER	ADMINISTERING TEST	
A: Employee Name (Print) (First, M.I., Last)		(Vessel Name)
B: SSN or Employee ID No. ;			
C: G & H Towing Company P.O. Drawer 2270 Galveston, TX 77553-2270			
Director of Safety and Train DER Name		109) 744-6311 ER Phone Number	
D: Reason for Test: Post-Accid	ent		
STEP 2: TO BE COMPLETED	BY EMPLOYEE		
Certify that I am about to subm	it to alcohol testing and	that the identifying information p	provided on the form is true and
correc			1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1
Signature or Employee		Мол	h / Day / Year
		and the state of t	
STEP 3: TO BE COMPLETED	BY VESSEL OFFICEI	CADMINISTERING TEST	
dentified, and that the results ar DEVICE: SALIVA	e as recorded.		
CREENING TEST:			Result: Negative
LCO SCREEN 02 Testing Device Name Lot # & 1	Exp Date	Activation Time Reading Tin	Freater than .02
CONFIRMATION TEST: (IT set	cening test is positive)		Result: Regative
LCO SCREEN 02			Greater than .02
esting Device Name Lot # & F	xp Date	Activation Time Reading Tin	16
& H Towing Company Company		200 Pennzoil Road Company Street Address	
Manager States and States	NAR DE LA CAL	Galveston, TX 77554	(409) 744-6311
RINT) Vessel Officer Name (Fil	rst, M.I., Last)	Campany City, State, Zip	Phone Number
guature of Vessel Officer		Month Day Year	
	IY EMPLOYEE IF TES	TRESULT IS .02 OR HIGHER	
ertify that I have submitted to t	he alcohol test, the resu	its of which are accurately recorde te heavy equipment because the re	
and the second second	2 - 18 a - 18 - 1	Sector And And	A. A. M. M. M. M. M.
quature of Employee		Month	/ Day / Year
turn to Safety Department (Rev 6/06)		


Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

If you have any questions about this report please call Resa Varquez at (713) 685-4687



This test was performed, recorded, and reported in accordance with CFR 49 Part 40.



1

Results for

Participant ID

Printed on 2/15/2010 at 5:14:20PM

KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM 1111 Newton Street, Greina, LA 70053 504-361-8989 1-800-433-3823

STEP 1: TO BE COMPLETED BY COLLECTOR OR EMPLOYER REPRESENTATIVE SPECIMEN ID NUMBER A. Employer Name, Address, ID No. Phone and Fax No. HMTS/G & H TOWING CO-DOT ELL. D TE. SSD S Facility Number GALVESTON, TX 77554 281-474-9501 409-740-2575 214174 HOUSTON -TX 7054 (713) 665-4687 (733) 665-6969 C. Donor SSN or Employee I.D. No.: Post Accident | Return to Duty D. Reason for Test: Pre-Employment Random :: Reasonable Suspicion / Cause Follow-up Other (specify) E. Drug Tests to be Performed: ATHC, COC, PCP, OPI, AMP 🔲 THC, COC Only 📋 Other (specify): F. Collection Site Address: HMTS - 64 H DOCTS Towing - onside HMTS Collector Number 21169 200 PHONE NO 3-665-4687 71 FAR NO. : HOUSTON, TX 77054 STEP 2: TO BE COMPLETED BY COLLECTOR Read specimen temperature within 4 minutes. Is temperature Specimen Collection: between 90° and 100°F? Yes 🔲 No, Enter Remark Single None Provided (Enter Remark) Observed (Enter Remark) Split REMARKS: STEP 3: Collector affixes bothe seal(s) to bothe(s). Collector dates seal(s). Donor initials seal(s). Donor completes STEP 5 on Copy 2 (MRO Copy). STEP 4: CHAIN OF BUSTODY - INITIATED BY COLLECTOR AND COMPLETED BY LABORATORY me by the donor identified in the certification section on Copy 2 of this form was collected, labeled, sealed and released to the Delivery Service noted in accordance l certify that the specia with applicable Federa 127 SPECIMEN BOTTLE(S) RELEASED TO: Time of Collectio х Name of Delivery Service Transferring Specimen to Lab (PRINT) Collector's Name (First, MI, Last) Date (Mo./Day/Yr.) **RECEIVED AT LAB: Primary Specimen** SPECIMEN BOTTLE(S) RELEASED TO: **Bottle Seal Intact** х Signature of Accessioner T Yes No, Enter Remark Below (PRINT) Accessioner's Name (First, MI, Last) Date (Mo./Day/Yr.) STEP 5: COMPLETED BY DONOR I certify that I provided my urine specimen to the collector; that I have not adulterated it in any manner; each specimen bottle used was sealed with a tamper-evident seal i nd that the information provided on this form and on the label affixed to each specimen bottle is correct. 02/11/2010 х (PRINT) Donor's Name (First, MI, Last) Date (Mo/Day/Yr.) Daytime Phone No Evening Phone No. Date of Birth Should the results of the laboratory tests for the specimen identified by this form be confirmed positive, the Medical Review Officer will contact you to ask about prescriptions and over-the-counter medications you may have taken. Therefore, you may want to make a list of those medications for your own records. THIS LIST IS NOT NECESSARY. If you choose to make a list, do so either on a separate piece of paper or on the back of your copy (Copy 5). DO NOT PROVIDE THIS INFORMATION ON THE BACK OF ANY OTHER COPY OF THE FORM. TAKE COPY 5 WITH YOU. STEP 6: COMPLETED BY MEDICAL REVIEW OFFICER - PRIMARY SPECIMEN In accordance with applicable Federal requirements, my determination/verification is: ☐ NEGATIVE POSITIVE DILUTE TEST CANCELLED REFUSAL TO TEST BECAUSE: ADULTERATED SUBSTITUTED REMARKS: X Signature of Medical Review Officer (PRINT) Medical Review Officer's Name (First, MJ, Last) Dete (Mo./Day/Yr.) STEP 7: COMPLETED BY MEDICAL REVIEW OFFICER - SPLIT SPECIMEN In accordance with applicable Federal requirements, my determination/verification for the split specimen (if tested) is: FAILED TO RECONFIRM - REASON RECONFIRMED Signature of Medical Review Officer (PRINT) Medical Review Officer's Name (First, MI, Last) Date (Mo /Day/Yr.) FCN 3679031-036 COPY & ENDLOYER COPY



OMB NO. 0930-0158

Step 1: TO BE COMP	LETED BY VESSEL OFFICE	R ADMINISTERING TEST	
A: Employee Name	(FTIIII) (FII31, 198.2., 2.434)		(Vessel Name)
B: SSN or Employee II	0 No.		CALE ALL CALES
C: G & H Towing Cor P.O. Drawer 2270 Galveston, TX 775			
Director of Safety 1 DER Name		(409) 744-6311 DER Phone Number	
D: Reason for Test: Po	ost-Accident		
TEP 2: TO BE COM	PLETED BY EMPLOYEE		
certify that I am abou	t to submit to alcohol testing ar	nd that the identifying information	provided on the form is true and
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ign		Construction of the second	th / Day / Year
TEP 3: TO BE COM	PLETED BY VESSEL OFFICI	ER ADMINISTERING TEST	
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LCO SCREEN 02			Greater than .0.
	Lot # & Exp Date	Activation Time Reading Th	
& H Towing Compan	N.	200 Pennzoil Road	
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DIST: U	Name (First, M.L. Last)	Galveston, TX 77554 Company City, State, Z	(409) 744-6311 in Phone Number
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Added a street			
		Jack Martha Marth	
gnature of Vessel Offic		Month Day Year	
gnature of Vessel Offic		Month Day Year EST RESULT IS .02 OR HIGHER	
ignature of Vessel Offic TEP 4: TO BE COMP certify that I have subt	LETED BY EMPLOYEE IF T nitted to the skubol test, the re		ied on this form. I understand that

Return to Safety Department (Rev 6/06)



Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

H you have any guessions about this report please call Hose Vasquez at (713) 405-4607

ATTENTION:

G & H Towing P.O. Drawer 2270 Galveston, TX 77553

Participant: Participant ID: SSN:

Results of DOT Controlled Substance Test



This test was performed, recorded, and reported in accordance with CFR 49 Part 40.



1

Results for Participant ID

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KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM 1111 Newton Street, Gretna, LA 70053 504-361-8989 1-800-433-3823

	alle also i Siethere	Via - 24 - 25 - 1	RESENTATIVE	Phon	e and Fax No.
LEMPLOYER Name, Address, ID No. 1975/G. S. H. TOWING 199 PENNZOIL RD		0:0:	Number 214	6 3 LOOP VE	i ște. 550
ALVESTON . 1× 775	54	21417	14 HOU (71)	STON, TX 7705 3: 665-4667	7337 665-6469
Donor SSN or Employee LD. No.:					
. Reason for Tests 📮 ProtEmploym	199.20.		ause Post Acciden] Follow-up 🗌 Other (specify
Collection Site Andress: MTS 6-11-1000 M	n. DAGite	Josef Gale	nu Doct 432	12 Collector Number	r
OUSTON, TX 77054		1.	# 140 . : (P3	-992-4308	
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EMARKS:				- 1. COURT	
TEP 3: Collector affixes bottle . TEP 4: CHAIN OF QUSTODY	V . INITIATED BY COL	LECTOR AND C	COMPLETED BY LA	BORATORY	
certify that the speciment in the book	donor identified in the certifica	tion section on Copy 2 c	of this form was collected, lal	veled, sealed and released to the	
ith applicable Federal 1		Time of 3.25	AM SPE	CIMEN BOTTLE(S) RE	LEASED TO:
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		11/11	110 -	ICALIA	
(PRINT) Collector's Name (First, MI, Last)	Date (Mo./D		Name of Delivery Service Tr	St. Bu
ECEIVED AT LAB:			Primary Specim Bottle Seal Inta		TTLE(S) RELEASED TO
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- Sign	into to receive the		E. E. Starter		
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(PRINT) Accessioner's Name (TEP 5: COMPLETED BY DO	NOR			the second second second second	
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OMB NO. 0930-0158

	LETED BY VESSEL OFFICER	the number of the second state of the second s	and the second	1
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B: SSN or Employee I	D No.	m ^a s ^a s	and a second a	
C: G & H Towing Con P.O. Drawer 2270 Galveston, TX 775				
Director of Safety : DER Name	Territoria Contractioner Contraction Contr	9) 744-6311 R Phone Number		
D: Reason for Test: P	ost-Accident			
STEP 2: TO BE COM	PLETED BY EMPLOYEE			
T contify that I am about	t to,submit to alcohol testing and t	bat the identifying infor	mation provided on th	e form is true and
correct.			S	
Signature of Employee,		antor	Month / Day / Ye	25
erena. To br core	PLETED BY VESSEL OFFICER	ADMINISTEDING TEA	T	
VEVICE: SALIVA				
SCREENING TEST:		Activation Time Rea	Result ding Time	
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SCREENING TEST: ALCO SCREEN 12 Testing Device Name CONFIRMATION TES ALCO SCREEN 02 Testing Device Name G & H Towing Compan	T: (If screening test is positive) Lot # & Exp Date	Activation Time Rea	ding Time Result ding Time and t Address 77554	Greater than .
CONFIRMATION TES ALCO SCREEN 02 Testing Device Name G & H Towing Compan	T: (If screening test is positive) Lot # & Exp Date y Name (First, M.I., Last)	Activation Time Rea 200 Pennzoil R <i>Company Stree</i> Galveston, TX	ding Time Result ding Time and t Address 77554 State, Zip	Greater than .
SCREENING TEST: ALCO SCREEN 02 Testing Device Name CONFIRMATION TES ALCO SCREEN 02 Testing Device Name G & H Towing Compan Company PRINT) Vessel Officer Signature of Vessel Officer Signature of Vessel Officer Signature of Vessel Officer Signature of Vessel Officer	T: (If screening test is positive) Lot # & Exp Date y Name (First, M.I., Last)	Activation Time Rea 200 Pennzoil R <i>Company Stree</i> Galveston, TX <i>Company City</i> , <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>200</u> <u>20</u>	Ading Time Result ding Time and t Address 77554 State, Zip Year IGHER y recorded on this form	Creater than . Negative Greater than . (409) 744-6311 Phone Number



Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

N you have any quastions about this raport please call Rosa Vanquez at (713) 865-4687



This test was performed, recorded, and reported in accordance with CFR 49 Part 40.



Results for

Participant ID: SSN:

Printed on 2/15/2010 at 5:14:20PN

KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM 1111 Newton Street, Gretna, LA 70053 504-361-8989 1-800-433-3823

1

STEP 1: TO BE COMPLETED BY COLLECTOR OF	R EMPLOYER REPR		MEN ID NUMBER	
A. Employer Name, Address, ID No.		B. MRO Na	me. Address, Phone and	Fex No.
HNTS/G & H TOWING CO-DOT	Facility N	ZPH92	LOOP VEST	Fex No. TE: 550 3) 565-5959
GALVESTON, TX 77554 201-474-9501 409-740-2575	51412	HOUSTON	65-4687 (71)	3) 665-6969
C. Donor SSN or Employee LD, No.:				
D. Reason for Test: Pre-Employment Random	Reasonable Suspicion / Cat	ise 🖸 Post Accident 🔲 I	Return to Duty D Foll	ow-up 🗍 Other (specify)
E. Drug Tests to be Performed: X THC, COC, PCP, OPI, AM	P THC, COC Only	Other (specify):		
F. Collection Site Address: HATS - 6011 TOWING 24-44-504711 LOOP 42:10-550	Voput Gale	Mu Docknasse	Collector Number	
HOUSTON, TX 77054	PI	NO.: 713-665	-2386	
STEP 2: TO BE COMPLETED BY COLLECTOR				
Read specimen temperature within 4 minutes. Is tempera between 90° and 100°F? Yes No, Enter Rems	ture Specimen Collect rk Split		d (Enter Remark)	Observed (Enter Remark)
REMARKS:				0 1000 C
STEP 3: Collector affinition of the seal(s) to bottle(s). Col STEP 4: CHAIN OF () ODY - INITIATED BY CO	OLLECTOR AND CO	MPLETED BY LABORA	ORY	
l certify that the specimen give we by the donor identified in the certif with applicable Federal requires	7.77	his form was collected, labeled, seal	BOTTLE(S) RELEA	
X	Time of 5.54 Collection	- Gos SPECIMEN	Tyl (32010.
	2/11	110 teo	- tx-L	-
	Date (Mo/Day	Name of	Delivery Service Transfer	ring Specimen to Lab
(PRINT) Collector's Name (First, MI, Last) ECEIVED AT LAB:	Date (Mozba)	Primary Specimen	SPECIMEN BOTTL	E(S) RELEASED TO:
ECEIVED AT LAB:		Bottle Seal Intact	SI ECHNER DOI IL	C(0) RELEASED TO.
Signature of Accessioner		Yes		
		No, Enter Remark Below		
(PRINT) Accessioner's Name (First, MI, Last)	Date (Mo./Day/Yr.)	-		
I certify that I provided my urine specimen to the collector; 1	hat I have not adulterate	d it in any manner; each speci	men bottle used was seal	ed with a tamper-evident
seal in my presence and that the information provided on th	is form and on the label	affixed to each specimen bottle	is correct.	A
g land				2/11/2010
Stenstone of Donor	1	(PRINT) Donor's Name (First, MI, L	ist)	Date (Mo./Day/Yr.)
Daytime Phone No.	Evening Phone No.	same	Date of E	lirth
Should the results of the laboratory tests for the specimen about prescriptions and over-the-counter medications you THIS LIST IS NOT NECESSARY. If you choose to make PROVIDE THIS INFORMATION ON THE BACK OF A TEP 6: COMPLETED BY MEDICAL REVIEW OFF	may have taken. There e a list, do so either on a NY OTHER COPY O	fore, you may want to make a separate piece of paper or of FTHE FORM. TAKE COPY	the back of your copy	vill contact you to ask as for your own records.
In accordance with applicable Federal requirements, my c		And a stand of the second s		
] REFUSAL TO TEST BECAUSE:	ADULTERATED	SUBSTITUTED
K				
Signature of Medical Review Officer	the second se	eview Officer's Name (First, MI, Last)		Date (Mo./Day/Yz.)
TEP 7: COMPLETED BY MEDICAL REVIEW OFF n accordance with applicable Federal requirements, my d RECONFIRMED FAILED TO RECON	letermination/verification	on for the split specimen (if to	ested) is:	
Consistence of Pf and and Polificer	(DRINT) Made I	eview Officer's Name (First, MI, Last)		Date (Mo/Day/Yr.)
Signature of Medical Review Officer	(FRUNT) Medical R	erien critici a contre (First, ma, Gabi)		
5154286203				
	COPY 4- EMPL	OVER COPY	ECN 367903	1.038
	TAPENED DINCE PARAMETERS IN A 199 MILLION	THE REAL PROPERTY OF THE PROPERTY OF THE REAL PROPE	THE APPENDING THE PARTY OF THE	



	and a star is a construct of the second	R ADMINISTERING TEST	
A: Employee Name	(Print) (First, M.I., Last)		(Vessel Name)
3: SSN or Employee L	D No.		<u>Fritzen en 172 a</u>
C: G & H Towing Con P.O. Drawer 2270 Galveston, TX 775			
Director of Safety : DER Name		409) 744-6311 EE Phone Number	
): Reason for Test: P	ost-Accident		
TEP 2: TO BE COM	PLETED BY EMPLOYEE		
certify that I am abou	t to submit to alcohol testing and	d that the identifying information	provided on the form is true and
Signature of Employee			th / Day / Year
DEVICE: SALIVA			
LCO SCREEN 02	ANT OT A DALAR	1203 12 120 m	Result: Negative Greater than .0
LCO SCREEN 02 esting Device Name ONFIRMATION TES LCO SCREEN 02	Lot # & Exp Date T: (if screening test is positive) Lot # & Exp Date	Activation Time Reading Ti Activation Time Reading Ti	Greater than .0 ime Result: D Negative D Greater than .0
LCO SCREEN 02 esting Device Name CONFIRMATION TES LCO SCREEN 02 esting Device Name	T: (if screening test is positive) Lot # & Exp Date		Treater than .0 ime Result: I Negative Greater than .0 ime \$\$ (409) 744-6311
LCO SCREEN 02 esting Device Name ONFIRMATION TES LCO SCREEN 02 esting Device Name & H Towing Company PRINT) Vessel Officer	T: (If screening test is positive) Lot # & Exp Date Y Name (First, M.I., Last)	Activation Time Reading Ti 200 Penuzoil Road <i>Company Street Addre</i> Galveston, TX 77554	Treater than .0 ime Result: I Negative Greater than .0 ime \$\$ (409) 744-6311
LCO SCREEN 02 esting Device Name ONFIRMATION TES LCO SCREEN 02 esting Device Name & H Towing Company PRINT) Vessel Officer gnature of Vessel Officer	ST: (If screening test is positive) Lot # & Exp Date y Name (First, M.I., Last) cer	Activation Time Reading Ti 200 Pennzoil Road Company Street Addre Galveston, TX 77554 Company City, State, 2	The Greater than .0 Ince Result: Result: Greater than .0 Ince SS (409) 744-6311 Phone Number
LCO SCREEN 02 esting Device Name ONFIRMATION TES LCO SCREEN 02 esting Device Name & H Towing Company PRINT) Vessel Officer gnature of Vessel Officer Enature of Vessel Officer	T: (If screening test is positive) Lot # & Exp Date y Name (First, M.L. Last) cer O LETED BY EMPLOYEE IF TE nitted to the alcohol test, the res	Activation Time Reading Ti 200 Penuzoil Road Company Street Addres Galveston, TX 77554 Company City, State, 2 22 / 2024 Month Day Year EST RESULT IS .02 OR HIGHER	Greater than .0 ime Result: Result:
CONFIRMATION TES LCO SCREEN 02 esting Device Name & H Towing Company PRINT) Vessel Officer gnature of Vessel Officer TEP 4: TO BE COMI	T: (If screening test is positive) Lot # & Exp Date y Name (First, M.L. Last) cer O LETED BY EMPLOYEE IF TE nitted to the alcohol test, the res	Activation Time Reading Ti 200 Pennzoil Road Company Street Addres Galveston, TX 77554 Company City, State, 2 2022 Month Day Year EST RESULT IS .02 OR HIGHER uits of which are accurately record rate heavy equipment because the	Greater than .0 ime Result: Solution Result: Solution Greater than .0 ime (409) 744-6311 Phone Number ded on this furm. I understand that

U.S. DEPARTMENT OF HOMELAND SECURITY	CHEMIC	and the second		F REQU							1625-0001 Y NUMBER
U.S. COAST GUARD CG-2692B (11-04)	FOLLO			DUS MA					TINCTURE I	AOTION	THOMSEN
	SE	the second se	CONTRACTOR IN CONTRACTOR INCOME.	SSEL IN	and the owner of the owner of the owner.	TION	12.2.2.2				
1. Name of vessel Atlas					2. Official 107532		3. Call S WCY84	ign 71		4. Natio	
5. Vessel Type (Freight, Towing, Fishil	ıg, MODU, etc.)				6. Length	1	7. Gross		-	8. Year	
9. Operating Company				10. Mas	91.9 ter or Person	in Charge	198	The share of		1999	
Name: G & H Towing Co	mpany			Na	me:						
Address: P.O Drawer 227	0			Ad	dress:						
Galveston, TX	77553										
Telephone Number: 409-744-				-	ephone Num	_					
	a construction of the second			IDENT I	and the second sec	ATION					-
11. Type of Serious Marine Incident (C a. Death (Append to)			ee Instructio	C e. Lo	») Iss of unin 10 gross to					of over	è i
b. Injury requiring me (Append to Form Cl		nt		20.50	charge of					nto U.S	, waters
c. Property damage in (Append to Form CG	excess of \$10 -2692)	000,000			scharge of			tity of i	nazaro	dous	
d. Loss of inspected v Form CG-2692)	essel (Append	d to		D h. Re	lease of a to U.S. env	reportabl	e quantity	of haz	tardo	us sub	stance
	al) of Incident			nt (Latitude a		or River and	d Milepost)				
2/10/10 10:30 1	ECTION II	the second se	And in case of the local division of the loc	95-14.14 EL/TES	the second se	EODM	ATION				
15. Personnel Directly Involved In Se	Concerning of the local division of the loca	and the second se	1001111	and the second se	and Alcohol		in tall the local day of the	IS ON THE	versel		
15a. Name (Last, First, Middle Initiel)		ensing/Cer	tification		Test Urine	16b. Alco	n provided	A	cohol	Test Source	Alcohol Test
			Box(es))	within 32 h		within 2 l			T	T	Results
	USCG License	USCG	Neither	YES	NO	YES	NO	Saliva	Blood	Breath	
				10		×		100			
		20		Did I							
				X		K					_
		K		×		50		X			-
17 CANDICA Assessment of Laborations		K		X				X			_
17. SAMHSA Accredited Laboratory	Conducting Chen	nical Drug	rests	or breath a	tory conduct	ing blood a)	Icohol test(s) or ind	vidual	conduc	ting saliva
Name: Kroll Laboratory	Specialist	3		Name:						Ċ.,	
Address: 1111 Newton Stre Gretna, LA 70053				Address:							
Telephone Number: 800-433-38 19. Person Making This Report (Please	23 e Print)			Telephone 20. Signati						21.00	te
Vame											
Address:											
elephone Numbe				Tille: Ass	t. Dire	ctor of	Safety	,		2/19	/10
22. Remarks (See Instructions on	Reverse)			and the second sec							
Positions of crew-											

SN 7530-01-GF3-2380

ECN 3679031 039



Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

If you have any questions about this report please call Rosa Vasquez at (713) 865-4887



This lest was performed, recorded, and reported in accordance with CFR 49 Part 40.



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Results for Participant ID: (SSN

Printed on 2/15/2010 at 5:14:20PM

KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM 1111 Newton Street, Gretna, LA 70053 504-361-8989 1-800-433-3823

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		Talline Auguress & nome an	d Fax No.
DE PENNZOIL RA		1 M .	and a second s
	ty Number	an Love NEST	STE, 550
ALVESTON, TX 77554 2343 81-474-9501 409-740-2575	74 47157	ON . TX 77054 665-4687 (7	131 665-6969
Donor SSN or Employee I.D. No.:			
Reason for Test: Pre-Employment Random Reasonable Suspicion /	Cause Post Accident	Return to Duty F	ollow-up 🗌 Other (specif
Drug Tests to be Performed: THC, COC, PCP, OPI, AMP	only Other (specify):		
Collection Size Address Towing - DASite Voort Gal	(MA 43112 IONE NO .: 713-6 FA NO .: 713-6		
TEP 2: TO BE COMPLETED BY COLLECTOR			
Read specimen temperature within 4 minutes. Is temperature Specimen Co between 90° and 100°F? Yes No, Enter Remark Split	ollection: ☐Single ☐ None Pro	vided (Enter Remark)	Observed (Enter Remain
EMARKS:		Color P	C
TEP 3: Collecter offixes bottle seal(s) to bottle(s). Collector dates seal(s), TEP 4: CHAI CUSTODY - INITIATED BY COLLECTOR AND	. Donor initials seal(s). Do	RATORY	on Copy & (MRO Copy)
TEP 4: CHAI CUSTODY - INITIATED BY COLLECTOR AND ertify that the spectrum on the method of the contribution of Copy 2	2 of this form was collected, labeled	, sealed and released to the Del	ivery Service noted in accordan
th applicable Feder rements.	SPECIN	IEN BOTTLE(S) RELI	SASED TO:
X Collection		FITVI	1
2/1	1/10	ICA DA- 1	
(DDINT) Collector's Name (First MI Last) Date (Mo/	Dav/Yr.) Na	me of Delivery Service Trans	ferring Specimen to Lab
(PRINT) Conscious Manie (Print, Mit, Casty	Primary Specimen	SPECIMEN BOTT	LE(S) RELEASED TO
ECEIVED AT LAB:	Bottle Seal Intact		
Signature of Accessioner	Yes		
	No, Enter Remark Bel	ow	
(PRINT) Accessioner's Name (First, MI, Last) Date (Mo/Day/Yr.)			
TEP 5: COMPLETED BY DONOR Certify that I provided my urine specimen to the collector; that I have not adulted set in my presence; and that the information provided on this form and on the la	rated it in any manner; each : ibel affixed to each specimen	specimen bottle used was so bottle is correct.	ealed with a tamper-evider
			2-11-10
	- 0		Date (Ma MaufVe)
Davtime Phone No Evening Phone No		Date o	fBirt
Daytine Phone Ho			It as that show to note
Should the results of the laboratory tests for the specimen identified by this for about prescriptions and over-the-counter medications you may have taken. The THIS LIST IS NOT NECESSARY. If you choose to make a list, do so either PROVIDE THIS INFORMATION ON THE BACK OF ANY OTHER COPY TEP 6: COMPLETED BY MEDICAL REVIEW OFFICER - PRIMARI	on a separate piece of paper Y OF THE FORM. TAKE C	or on the back of your co	LUIIS IUL JUGE OF LI IDE OLO
n accordance with applicable Federal requirements, my determination/verific			1 (d)
	REFUSAL TO TEST BECA	USE: ADULTERATED	SUBSTITUTED
NEGATIVE POSITIVE DILUTE TEST CANCELLED			
	dical Review Officer's Name (First, MI, La	et)	Date (Mo./Day/Yr.)
Signature of Michield Review Officer	ECIMEN	MP B	
TEP 7: COMPLETED BY MEDICAL REVIEW OFFICER - SPLIT SP	cation for the split specimen	(II tested) is:	
Signature of Michield Review Officer			
TEP 7: COMPLETED BY MEDICAL REVIEW OFFICER - SPLIT SP in accordance with applicable Federal requirements, my determination/verific RECONFIRMED FAILED TO RECONFIRM - REASON			Date (Ma (Deu/Vr.)
TEP 7: COMPLETED BY MEDICAL REVIEW OFFICER - SPLIT SP in accordance with applicable Federal requirements, my determination/verific RECONFIRMED FAILED TO RECONFIRM - REASON	dical Review Offices's Name (First, MJ, La	st)	Date (Mo./Day/Yr.)
TEP 7: COMPLETED BY MEDICAL REVIEW OFFICER - SPLIT SP n accordance with applicable Federal requirements, my determination/verific RECONFIRMED FAILED TO RECONFIRM - REASON		st)	Date (Mo./Day/Yr.)
TEP 7: COMPLETED BY MEDICAL REVIEW OFFICER - SPLIT SP n accordance with applicable Federal requirements, my determination/verific RECONFIRMED FAILED TO RECONFIRM - REASON		st)	Date (Mo./Day/Yr.)

	ADMINISTERING TEST
A: Employee Name (Print) (First, M.I., Last)	(Vessel Name)
B: SSN or Employee ID No.	
C: G & H Towing Compsay P.O. Drawer 2270 Galveston, TX 77553-2270	
	409) 744-6311 DER Phone Number
D: Reason for Test: Post-Accident	
STEP 2: TO BE COMPLETED BY EMPLOYEE	d that the identifying information provided on the form is true an
correct.	2 10 10
Signature of Employee	Month / Day / Year
Identified, and that the results are as recorded. DEVICE: SALIVA SCREENING TEST: ALCO SCREEN 02 <u>907077</u> 2010-08 Testing Device Name Lot # & Exp Date	Activation Time Reading Time
CONFIRMATION TEST: (If screening test is positive)	Result: Negative
ALCO SCREEN 02	Activation Time Reading Time
ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company Compa (PRINT) Vesset Officer Name (First, M.L. Last)	Activation Time Reading Time 200 Pennzoil Road Company Street Address Galveston, TX 77554 (409) 744-6311 Company City, State, Zip Phone Number 2 1/01/0
ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company Company PRINT: Vessel Officer Name (First, M.L. Last) STEP 4: TO BE COMPLETED BY EMPLOYEE IF TE certify that I have submitted to the alcohol test, the resu	Activation Time Reading Time 200 Pennzoil Road Company Street Address Galveston, TX 77554 (409) 744-6311 Company City, State, Zip Phone Number 2 1/0 Month Day Year Year



Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

If you have any questions about this report please call Asna Varques at (713) 865-4687

ATTENTION: Participant: G&H Towing Participant ID: P.O. Drawer 2270 SSN: Galveston, TX 77553 **Results of DOT Controlled Substance Test** Laboratory: Kroll Laboratory Specialists **Record Status** 1111 Newton Street Test Type: Post-accident Test Collection Date/Time: 02/11/2010 Gretna, LA 70053 Collection Site: G & H Towing-Vopak Batch ID: 20100215 Vopak Galena Docks Specimen ID Date COC Received: 02/11/2010 Houston, TX. Specimen Collector Sample Type: Urine Test Panel 5-Substances Test Performed Result Test Performed Result Cocaine Amphetamines Phencyclidine Martjuana Oplates

This test was performed, recorded, and reported in accordance with CFR 49 Part 40.



1

Results for SN:

Printed on 2/15/2010 at 5:14:20PM

KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM 1111 Newton Street, Gretna, LA 70053 504-361-8989 1-800-433-3823

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Employer Name, Address, ID No.			E SPECIN	Phor	e and Fax No.	10000
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A: Employee Name (Print	ATLAS
	(Vessel Name)
B: SSN or Employee ID No.	
C: G & H Towing Company P.O. Drawer 2270 Galveston, TX 77553-2270	
	409) 744-6311 ER Phone Number
D: Resson for Test: Post-Accident	
STEP 2: TO BE COMPLETED BY EMPLOYEE	NATIONAL CONTRACTOR OF CONTRACT
ohol testing and	t that the identifying information provided on the form is true and
	2 11 10
Signature of Employee	Month / Day / Year
DEVICE: SALIVA CREENING TEST: ALCO SCREEN 02 <u>907077</u> 2010-03 Cesting Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive)	23.59 0003 Activation Time Reading Time Result: Result
LCO SCREEN 02	Greater than .0
esting Device Name Lot # & Exp Date	Activation Time Reading Time
RINTE Versel Officer Name (First M L. Leet)	200 Pennzoil Road Company Street Address Galveston, TX 77554 (409) 744-6311 Company City, State, Zip Phone Number
gnature of vesser Onicer	Month Day Year
TEP 4: TO BE COMPLETED BY EMPLOYEE IF TES certify that I have submitted to the alcohol test, the resul must not drive, perform safety-sensitive duties, or operat	ST RESULT IS .02 OR HIGHER its of which are accurately recorded on this form. I understand that ate heavy equipment because the results are .02 or greater.
gnature of Employee	Mosth / Day / Year



Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

If you have any questions about this report please call Rose Verquez et (713) 665-4687



This test was performed, recorded, and reported in accordance with CFR 49 Part 40.



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Results for

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Printed on 2/15/2010 at 5:14:20PN

KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM [11] Newton Street, Gretna, LA 70053 504-361-8989 1-800-433-3823

Employer Name, Address, ID No.			B. MRO Nai	se, Address, Phot	4.7	105	
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LVESTON, TX 77554 1-474-9501 409-740	21445	C _i	40115TON	45-4687	54 (733)	665-69	64
Donor SSN or Employee I.D. No.:							
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3: SSN or Employee ID No.		
C: G & H Towing Company P.O. Drawer 2270 Galveston, TX 77553-2270		
Inverter of calciv and i country	9) 744-6311 ? Phone Number	
D: Reason for Test: Post-Accident		
STEP 2: TO BE COMPLETED BY EMPLOYEE	And the second second	Condition of the State of the
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DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>907071</u> <u>2010 - c8</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company Company	Activation Time Readin Activation Time Readin 200 Pennzoil Road <i>Company Street Ac</i> Galveston, TX 775	S reater than .0. ag Time Result: Negative Greater than .0. ag Time d d ddress 554 (409) 744-6311
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>907071 2010 ~c8</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company	Activation Time Readin Activation Time Readin 200 Pennzoil Road Company Street Ac Galveston, TX 775 Company City, Sta	S Time Result: Negative Greater than .02 Ing Time A ddress 554 (409) 744-6311 Phone Number
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>907071</u> <u>2010 - 08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company Company	Activation Time Readin Activation Time Readin 200 Pennzoil Road <i>Company Street Ac</i> Galveston, TX 775	S Time Result: Result: Result
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>907071</u> <u>2010 - c8</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company Company PRINT: Bannut of Vessel Officer	Activation Time Readin Activation Time Readin 200 Pennzoil Ross Company Street Ac Galveston, TX 775 Company City, Sta <u>2 1 11 1 100</u> Month Day Yes	Greater than .02 Result: Negative Greater than .02
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>907071</u> <u>2010 - c8</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company Company Company	Activation Time Readin Activation Time Readin 200 Pennzoil Road Company Street Ac Galveston, TX 775 Company City, Sta <u>2 / // / / / C</u> Month Day Yes T RESULT IS .02 OR HIGH ts of which are accurately re	Greater than .02 Result: Negative Greater than .02
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>907071</u> <u>2010 - c8</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company Company PRINT: Signature of Vessel Officer STEP 4: TO BE COMPLETED BY EMPLOYEE IF TES (certify that I have submitted to the alcohol test, the result	Activation Time Readin Activation Time Readin 200 Pennzoil Road Company Street Ac Galveston, TX 775 Company City, Sta <u>2 / // / / / C</u> Month Day Yes T RESULT IS .02 OR HIGH ts of which are accurately re te beavy equipment because	Greater than .02 Result: Negative Greater than .02



Houston Medical Testing Services, Inc. 2646 South Loop West. Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

If you have any questions about this report please call Rosa Vasquez at (713) 883-4687



This test was performed, recorded, and reported in accordance with CFR 49 Part 40.



1



KROLL FEDERAL DRUG TESTING CUSTO 1111 Newton Street, Greina, LA 70053

ODY	AND	CONTI	ROL	FORM
	50	4-361-8989	1-800	-433-3823

A. Employer Name, Address, ID N	No.					d Fax No.
MTS/6 & H TOUIN	G (Q-DOT	Pa	cility Number	C246 2	LOOP BEST	STE 550
SALVESTON, TX 77.	554 - 740 - 2625	234	13.74 -	HOUSTON (713)	1, TX 77054 65-4667 (7)	13) 665-6969
C. Donor SSN or Employee LD. N	0.2					
). Reason for Test: 🗌 Pre-Employ	ment 🗌 Random	Reasonable Suspicio	n/Cause Post	Accident	Return to Duty 🔲 Fo	ollow-up 🗍 Other (specify
Drug Tests to be Performed:	(THC, COC, PCP, OP	I, AMP 🔲 THC, COC	Only 🗍 Other (specify):		
Collection Site Address: MTS - 6.14 Lowit	St. 21 7 20		HONE NO.	43112 713-66	Collector Number	
OUSTON - TX 7705			FAX NO.	113-283	1*C.30H	
TEP 2: TO BE COMPLETE. Read specimen temperature wi between 90° and 100°F?	thin 4 minutes. Is ten	nperature Specimen] None Provid	ed (Enter Remark)	Observed (Enter Remark
EMARKS:	1	1.6-1				
TEP 3: Collector affixes bott	e seal(s) to bottle(s)). Collector dates seal	(s). Donor initials	seal(s). Dono	completes STEP 5	on Copy 2 (MRO Copy).
TEP 4: CHAIN OF CUSTOL certify that the specimen air and the by	DY - INITIATED B	SY COLLECTOR AN	D COMPLETED	BY LABORA	TORY	
the applicable Federal to the by the by	the actor taencipea in the	Time of Z	C2 AM	1	BOTTLE(S) RELE	the second se
X		Collection _2-	52 00			
		2/1	1/10	ted-	tx-L	2°
					f Delivery Service Transf	erring Specimen to Lab
ECEIVED AT LAB:	(r nat, wir, Last)	Date (M)	Day/Yr.)	Specimen	SPECIMEN BOTT	LE(S) RELEASED TO
ECEIVED AT LAD:				Seal Intact	SPECIMEN BUTT	LE(3) RELEASED TO
	gnuture of Accessioner		Yes			
			No Ente	Remark Below		
(PRINT) Accessioner's Nam TEP 5: COMPLETED BY D	and the second se	Date (Mo /Day/Yr		10-10-00-79-7-2		
I certify that I provided my urine	specimen to the collec	ctor; that I have not adu	terated it in any ma	nner; each spec	imen bottle used was se	aled with a tamper-evident
sea	1	on this form and on the	label offered to anal	amaniman hat	in comect.	
		12 1 1 1 1				2/11/10
				1 7 . 10.3		Date (Mo /Day/Yr.)
the second se		Evening Phone N	lo.		Date of	
Daytime Phone No		sychnie i none i			and a second	(Mo./Day/11.)
	we tasta for the anar	 Dense Participation 		nositive the M	edical Review Officer	will confact you to ask
hould the results of the laborate bout prescriptions and over-the HIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATIC	-counter medications RY. If you choose to ON ON THE BACK	imen identified by this s you may have taken. I make a list, do so eithe OF ANY OTHER COI	form be confirmed Therefore, you may on a separate pice PY OF THE FORM	want to make be of paper or c	a list of those medicati n the back of your cop	ons for your own records.
hould the results of the laborate bout prescriptions and over-the HIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATIC TEP 6: COMPLETED BY MI	-counter medications RY. If you choose to ON ON THE BACK EDICAL REVIEW	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMA	form be confirmed Therefore, you may on a separate pice PY OF THE FORM RY SPECIMEN	want to make be of paper or c	a list of those medicati n the back of your cop	ons for your own records.
Should the results of the laboratu bout prescriptions and over-the THIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATIO TEP 6: COMPLETED BY MI a accordance with applicable F	-counter medications RY. If you choose to DN ON THE BACK EDICAL REVIEW ederal requirements,	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAL my determination/veri	form be confirmed Therefore, you may er on a separate pice PY OF THE FORM RY SPECIMEN fication is:	want to make the of paper or of I. TAKE COPY	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records.
bould the results of the laborate bout prescriptions and over-the THIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATION TEP 6: COMPLETED BY MI accordance with applicable For NEGATIVE POSITIVE	-counter medications RY. If you choose to ON ON THE BACK EDICAL REVIEW	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMA	form be confirmed Therefore, you may er on a separate pice PY OF THE FORM RY SPECIMEN fication is:	want to make be of paper or c	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5), DO NOT
Should the results of the laborate bout prescriptions and over-the CHIS LIST IS NOT NECESSAI PROVIDE THIS INFORMATIC TEP 6: COMPLETED BY MI n accordance with applicable Fe NEGATIVE POSITIVE	-counter medications RY. If you choose to DN ON THE BACK EDICAL REVIEW ederal requirements,	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAL my determination/veri	form be confirmed Therefore, you may er on a separate pice PY OF THE FORM RY SPECIMEN fication is:	want to make the of paper or of I. TAKE COPY	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5), DO NOT
Should the results of the laboratu bout prescriptions and over-the THIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATIO TEP 6: COMPLETED BY MI an accordance with applicable F NEGATIVE POSITIVE REMARKS: Signature of Madical Review	-counter medications RY. If you choose to ON ON THE BACK EDICAL REVIEW ederal requirements, DILUTE	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAN my determination/veri TEST CANCELLED	form be confirmed Therefore, you may r on a separate pice PY OF THE FORM RY SPECIMEN fication is: REFUSAL TO refuse to the second secon	want to make ce of paper or of I. TAKE COPY	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5), DO NOT
Should the results of the laboratu bout prescriptions and over-the CHIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATION TEP 6: COMPLETED BY MI an accordance with applicable F NEGATIVE POSITIVE REMARKS: Signature of Medical Review EP 7: COMPLETED BY MI	-counter medications RY. If you choose to DN ON THE BACK EDICAL REVIEW ederal requirements, DILUTE	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAL my determination/veri TEST CANCELLED (PRINT) M OFFICER - SPLIT S	form be confirmed Therefore, you may er on a separate piec PY OF THE FORM RY SPECIMEN fication is: REFUSAL TO redical Review Officer's National PECIMEN	want to make ce of paper or of I. TAKE COPY D TEST BECAUSE ne (First, MI, Last)	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5). DO NOT
hould the results of the laboratu bout prescriptions and over-the HIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATIO EP 6: COMPLETED BY MI a accordance with applicable F NEGATIVE POSITIVE REMARKS: Signature of Medical Review EP 7: COMPLETED BY MI	-counter medications RY. If you choose to DN ON THE BACK EDICAL REVIEW ederal requirements, DILUTE	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAL my determination/veri TEST CANCELLED (PRINT) M OFFICER - SPLIT S	form be confirmed Therefore, you may er on a separate piec PY OF THE FORM RY SPECIMEN fication is: REFUSAL TO redical Review Officer's National PECIMEN	want to make ce of paper or of I. TAKE COPY D TEST BECAUSE ne (First, MI, Last)	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5). DO NOT
REMARKS:	-counter medications RY. If you choose to DN ON THE BACK EDICAL REVIEW ederal requirements, DILUTE [VOfficer EDICAL REVIEW ederal requirements, FAILED TO F	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAN my determination/veri (PRINT) M OFFICER - SPLIT S my determination/veri RECONFIRM - REASON	form be confirmed Therefore, you may er on a separate piec PY OF THE FORM RY SPECIMEN fication is: REFUSAL TO redical Review Officer's National PECIMEN	want to make ze of paper or of <u>I. TAKE COPY</u> D TEST BECAUSE ne (First, MI, Last) t specimen (if the specimen of the spec	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5), DO NOT
Should the results of the laborate bout prescriptions and over-the CHIS LIST IS NOT NECESSAI PROVIDE THIS INFORMATIC TEP 6: COMPLETED BY MI a accordance with applicable F NEGATIVE POSITIVE REMARKS: Signature of Madical Review TEP 7: COMPLETED BY MI a accordance with applicable F	-counter medications RY. If you choose to DN ON THE BACK EDICAL REVIEW ederal requirements, DILUTE [VOfficer EDICAL REVIEW ederal requirements, FAILED TO F	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAN my determination/veri (PRINT) M OFFICER - SPLIT S my determination/veri RECONFIRM - REASON	form be confirmed Therefore, you may er on a separate pice PY OF THE FORM RY SPECIMEN fication is: REFUSAL TO redical Review Officer's National PECIMEN fication for the spli	want to make ze of paper or of <u>I. TAKE COPY</u> D TEST BECAUSE ne (First, MI, Last) t specimen (if the specimen of the spec	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5), DO NOT UBSTITUTED Date (Mo./Day/Yr.)
Should the results of the laboration bout prescriptions and over-the THIS LIST IS NOT NECESSAI ROVIDE THIS INFORMATIO TEP 6: COMPLETED BY MI a accordance with applicable File NEGATIVE POSITIVE REMARKS: Signature of Madical Review TEP 7: COMPLETED BY MI accordance with applicable File RECONFIRMED	-counter medications RY. If you choose to DN ON THE BACK EDICAL REVIEW ederal requirements, DILUTE [VOfficer EDICAL REVIEW ederal requirements, FAILED TO F	imen identified by this s you may have taken. T make a list, do so eithe OF ANY OTHER COI OFFICER - PRIMAN my determination/veri (PRINT) M OFFICER - SPLIT S my determination/veri RECONFIRM - REASON	form be confirmed Therefore, you may er on a separate pice PY OF THE FORM RY SPECIMEN fication is: REFUSAL TO redical Review Officer's National PECIMEN fication for the spli	want to make ze of paper or of <u>I. TAKE COPY</u> D TEST BECAUSE ne (First, MI, Last) t specimen (if the specimen of the spec	a list of those medicati n the back of your cop 5 WITH YOU.	ons for your own records. y (Copy 5), DO NOT UBSTITUTED Date (Mo./Day/Yr.)

tep 1: TO BE COMPLETED BY VESSEL OFFICER A	DMINISTERING TE	st	Aller
and have blome			/essel Name)
(Print) (FUSL, M.R., Lasy)			
3: SSN or Employee ID No.			
C: G & H Towing Company			
P.O. Drawer 2270 Galveston, TX 77553-2270			
Director of Safety and Training (4) DER Name DE	<u>09) 744-6311</u> ER Phone Number		
D: Reason for Test: Post-Accident			
TO BE COMPLETED BY EMPLOYEE			
I certify that I am about to submit to alcohol testing and	that the identifying in	nformation provi	ded on the form is true and
I certify that I am about to submit to alcost the s		2	10 10
		Month /	Day / Year
Signature of Employee			
DEVICE: SALIVA			1
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>901071 2010-08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive)	Activation Time	2354 Reading Time	Result:
SCREENING TEST: <u>ALCO SCREEN 02</u> <u>902021</u> <u>2010-08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02	Activation Time	Reading Time	Result: Negative
SCREENING TEST: <u>ALCO SCREEN 92</u> <u>902021</u> <u>2010 - 08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive)	Activation Time	Reading Time Reading Time	Result:
SCREENING TEST: ALCO SCREEN 02 <u>901071</u> 2010-08 Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company	Activation Time Activation Time 200 Penns	Reading Time Reading Time zoil Road	Result: Result
SCREENING TEST: <u>ALCO SCREEN 02</u> <u>902021</u> <u>2010-08</u> Testing Device Name Lot # & Exp Date <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date	Activation Time Activation Time 200 Pena <i>Company</i> Galvestor	Reading Time Reading Time zoil Road Street Address a, TX 77554	Result: Result: Greater than .
SCREENING TEST: ALCO SCREEN 02 <u>901071</u> 2010-08 Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company	Activation Time Activation Time 200 Pena <i>Company</i> Galvestor	Reading Time Reading Time zoil Road Street Address	Result: Result
SCREENING TEST: ALCO SCREEN 02 <u>902071</u> 2010-08 Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company Company	Activation Time Activation Time 200 Pena Company Galvestol Company 2, 11	Reading Time Reading Time zoil Road Street Address a, TX 77554 City, State, Zip	Result: Result: Greater than .
SCREENING TEST: ALCO SCREEN 02 <u>901071</u> 2010-08 Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company Company Company Company	Activation Time Activation Time 200 Pena Company Galvestor Company <u>2 / 1</u> Month I	Reading Time Reading Time zoil Road Street Address a, TX 77554 City, State, Zip Col 10 Day Year	Result: Result: Greater than .
SCREENING TEST: ALCO SCREEN 02 <u>902071</u> 2010-08 Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company Company	Activation Time Activation Time 200 Pean Company Galvestol Company <u>2 / /</u> Month I EST RESULT IS .020	Reading Time Reading Time zoil Road Street Address a, TX 77554 City, State, Zip Col 10 Day Year OR HIGHER	Result: Negative Greater than . (409) 744-6311 Phone Number
SCREENING TEST: ALCO SCREEN 02 <u>902071</u> 2010-08 Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02 Testing Device Name Lot # & Exp Date G & H Towing Company Company (PRINT) Reserve of Vessel Officer Signature of Vessel Officer STEP 4: TO BE COMPLETED BY EMPLOYEE IF T	Activation Time Activation Time 200 Pean Company Galvestol Company <u>2 / /</u> Month I EST RESULT IS .020	Reading Time Reading Time zoil Road Street Address a, TX 77554 City, State, Zip City, State, Zip Col / C Day Vear OR HIGHER arately recorded to because the resu	Result: Negative Greater than . (409) 744-6311 Phone Number



Houston Medical Testing Services, Inc. 2646 South Loop West, Suite 550 Houston, Texas 77054 Phone: (713) 665-4687 Fax: (713) 665-6969

N you have any questions about this report planes cull Anon Vasquez at (113) 6654687







Printed on 2/15/2010 at 5:14:20PM

KROLL FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM 1111 Newton Street, Gretna, LA 70053 504-361-8989 1-800-433-3823

Employer Name, Address, ID No. 175/G. S. H. TOULNG			RESENTATIVI	- LODGAL	Phone and	
IO PENNZOIL RD		Facility N	Vamber		LOOP BEST	ŚΤΕ. 550
LVESTON, TX 7755	54 740-2575	21417	4	HOUSTON	4 TH 77054 65-4687 171	31 665-6969
Denor SSN or Employee I.D. No.:						
Reason for Test: D Pre-Employme					leturn to Duty 🔲 Fol	low-up 🗌 Other (speci
Drug Tests to be Performed: 2 T	HC, COC, PCP, OPI, AMP	_тнс, сос онну	y Other (spe	cuy).		
Collection Site Address: 175 -65 H TWM. 145 SOUTH SO	- Oneite vo	part Gale	the Anci .	49112 713-665	Collector Number	
	ST COLL DOTOR					
EP 2: TO BE COMPLETED Read specimen temperature within between 90° and 100°F?	in 4 minutes. Is temperature	Specimen Colle	ection:	None Provide	d (Enter Remark)] Observed (Enter Rema
EMARKS:			n totala to a	alla Danar	completes STEP 5 0	n Conv 2 (MRO Cons
EMARKS: TEP 3: Collector affires bottles TEP 4: CHAIN OF CUSTODY entify that the specime h applicable Federal ents.	e donor identified in the certification			cted, labeled, seal		ery Service noted in accorda
<u> </u>				Feu	1. J.K.L	
the second s		Date (Mo/Da		Name of	Delivery Service Transfe	rring Specimen to Lab
(PRINT) Collector's Name () CEIVED AT LAB:	FIISt, IVII, LASI)	Date (Hou Da	Primary S	Specimen	SPECIMEN BOTT	LE(S) RELEASED T
ALEIVED AI LAD.			Bottle Se			
Signa	ature of Accessioner		Yes	a second Palance		
(PRINT) Accessioner's Name (ate (Mo./Day/Yr.)	No, Enter I	Remark Delow		
TEP 5: COMPLETED BY DOI certify that I provided my urine sp ed Saytime Phone No hould the results of the laborator	becimen to the collector; that I nation provided on this for Eve	ning Phone No.	(PRINT) Donor's N	Name (First, MI, L	ast) Date of	Z / 11/10 Bit (Mo/Day/Yr.) will confact you to ask
hould the results of the laborator bout prescriptions and over-the-c 'HIS LIST IS NOT NECESSAR' ROVIDE THIS INFORMATION TEP 6: COMPLETED BY MEL	Y. If you choose to make a line of the second secon	st, do so either on OTHER COPY C	a separate piece	of paper or o	n the back of your cop	
accordance with applicable Fed	deral requirements, my deten	mination/verificat	tion is:		1.5	7.3
NEGATIVE POSITIVE	DILUTE TEST C.		REFUSAL TO	TEST BECAUSE	ADULTERATED	SUBSTITUTED
Signature of Medical Review O	Officiar	(PRINT) Medica	i Review Officer's Nanu	e (First, Ml, Last)		Date (Mo./Day/Yr.)
	DICAL REVIEW OFFICE	R - SPLIT SPE	CIMEN			
тер 7. сомрі етко ку мю	deral requirements, my detern	mination/verificat	tion for the split	specimen (if t	ested) is:	
TEP 7: COMPLETED BY MEL accordance with applicable Fed The RECONFIRMED	FAILED TO RECONFIRM					
n accordance with applicable Fed	FAILED TO RECONFIRM		Review Officer's Name	(First, MI, Last)		Date (Mo./Day/Yr.)

OMB NO. 0930-0158

tep 1: TO BE COMPLETED BY VESSEL OFFICER AL	MINISTERING LES		AHAS
A: Employee Name		and the second se	essel Name)
B: SSN or Employee ID No.			
C: G & H Towing Company P.O. Drawer 2270			
Galveston, TX 77553-2270	0) 744-6311		
	R Phone Number		
D: Reason for Test: Post-Accident	_		
STEP 2: TO BE COMPLETED BY EMPLOYEE		and a star	and the second second
I contine that Lam about to submit to alcohol testing and t	hat the identifying in	formation provid	led on the form is true and
co		2 -1	10 · 25/6 Day / Year
Signature of Employee		MOGENT	Juy / rear
DEVICE: SALIVA			
		2351	Result: Negative
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>90707/2010-08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) ALCO SCREEN 02	2347 Activation Time	2351 Reading Time	Result: Negative
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 92</u> <u>90707/ 2010-08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive)	2347 Activation Time Activation Time 200 Peanza Company S Galveston, Company C 2_//0	2351 Reading Time Reading Time oil Road Street Address TX 77554 City, State, Zip	Result: Negative
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>90707/2010-08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company Comp	2347 Activation Time Activation Time 200 Pennza Company S Galveston, Company O	2351 Reading Time Reading Time oil Road Street Address TX 77554 City, State, Zip	Result: Result: Greater than .
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>90707/2010-08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & H Towing Company Comp	Activation Time Activation Time 200 Peanza Company S Galveston, Company O <u>2 / /4</u> Month Da ST RESULT IS .02 O atts of which are accurated	23.51 Reading Time Reading Time oil Road Street Address TX 77554 City, State, Zip City, State, Zip City Year R HIGHER rately recorded o	Result: Negative reater than . Result: Negative Greater than . (409) 744-6311 Phone Number
DEVICE: SALIVA SCREENING TEST: <u>ALCO SCREEN 02</u> <u>90707/2010-08</u> Testing Device Name Lot # & Exp Date CONFIRMATION TEST: (If screening test is positive) <u>ALCO SCREEN 02</u> Testing Device Name Lot # & Exp Date G & A Towing Company Completion Signature of Vessel Officer STEP 4: TO BE COMPLETED BY EMPLOYEE IF TE	Activation Time Activation Time 200 Peanza Company S Galveston, Company O <u>2 / /4</u> Month Da ST RESULT IS .02 O atts of which are accurated	23.51 Reading Time Reading Time oil Road Street Address TX 77554 City, State, Zip S/ 10 ay Year PR HIGHER rately recorded obecause the resul	Result: Negative reater than . Result: Negative Greater than . (409) 744-6311 Phone Number







Witness Name Street Address City/State/Zip Phone No: Position:

2

NUNATURE

Lyndell basell irly) nployer Name: nployer Address: 12 000 ty/State/Zip: Housto. one No: cense/Doc. #

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

Cene oat aware 10 5 in Contar a rimar 0 1 ontain men

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief it is true and correct.

1







Witness Name: Street Address: City/State/Zip: Phone No: Position:

^{Clearly)} Employer Name:	Lyondel	Base 1)	Refiner	.,
Employer Address:	12000	Lawn	Dale	
City/State/Zip: hone No:	Howston	Texas	27252	-2451
icense/Doc. #	-			

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

When the call came in over the Emergency Radio System, I out in the Plant Was escorting Employees, two Valero hecking The Drey Fus LOUIS ripe ine. I immediately Escorted these Bac Gate nch 10 5. Then rocerded Dock On OL 10 Jocks lam out in Water nds that 149 SPP d Kont it DECAUSE had already ockman Feat tha Doct man had a stated that She oad +0 Sook e and Sun ana notic ena ing Water Wa 70 TWO gentle was the water Was and In the Ambulance being For Hup Thermia.

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of combined belief, it is true and correct.

SIGNATURE

ECN 3679031 045







Witness Nam Street Addres City/State/Zig Phone No: Position: Ø

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SIGNATURE

Clearly)	
Employer Name:	Lyondell Basell
Employer Address:	12000 coundal.
City/State/Zip: Phone No:	HOUSTON TY
icense/Doc. #	713 321 5850

I, the undersigned, make the following statement : reward:

duress or promise of Was assight \neq 00517 700 the Emy besinning 0 5% 14 dock wer 00 read Fie Drev CCan the k. ohse 6 P the OPOPA e n hours h the Comman an ù ec 0 SP C.6 n Ca 15 Ver 0 and 20 41 G ew UDOV ナロ assi 07 C

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief. it is true and correct.

DA

ECN 3679031 045



SIGNATURE





U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Nam Clearly) Employer Name: Street Addres Employer Address: 12 City/State/Zij City/State/Zip: Phone No: HOOSTON 7017 hone No: Position: 713-32 4 30 icense/Doc. #

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

Brian 90000 anic ÷.

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief it is too to the







Witness Nam Street Address City/State/Zip Phone No: Position:

2

Employer Name:	LYONDER BASELL
Employer Address:	12000 LAWNDALE
City/State/Zip: Phone No: License/Doc. #	Houston Tx 77017 713 321-4111

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

WHEN I APRIVED ON SCENE AT THE DOCKS I IMMEDIATELY REPORTED TO OUR AMBULANCE AND PREPARED PATIENTS TWO PATIENTS WALKED (ESCOPTE 70 THE AMBULANCE AND WERE TREATED FOR HUPOTHERMIN NAI NG DP 10 ARRIVE. WH WATIENTS WERF THEN TRANSFERRE

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

DIGNATURE

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Page 1 of /



DIONATURE





U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name: Street Address: City/State/Zip: Phone No: Position:	Clearly) Employer Name: <u>Lyondell-Bassell</u> Employer Address: <u>10000 Lawndale</u> City/State/Zip: <u>Housdon, 79%as</u> Phone No: <u>713-321-4477</u> License/Doc. #
---	---

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

arrived at scene, assisted medical at docks From the duck. held Flash Light and assisted patients Burge to Dock while crossing 10m returned stagein and asigh Down -2

I have read my statement as documented above (and, if applicable, on continuation pages), and to

ECN 3679031 045







Witness Name: Street Address: City/State/Zip: Phone No: Position:	(Piease Print Clearly) Employer Name: Lyondell Bassell Employer Address: 12000 Labordell City/State/Zip: Hovs for 7× 71017 Phone No: 713321 Youo License/Doc. #
---	---

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

I responded to a Alert 2 Medical, and on the way to the dock we were notified that there were people in the unter then went to spill boat #1 were We make assistanted are served and rescue. After that we us there. were asked to put out boom to contain the spill. We then made relieve we the vext even.

. . .

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

SIGNATURE

41







Witness Name Street Address City/State/Zip: Phone No: Position:

rint Clearly)	
Employer Name:	LYONDELLBASELL
Employer Address:	12000 LAWNORLE
City/State/Zip:	HOUSTON TX 77017
Phone No:	713-321-4111
License/Doc. #	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

I HEARD THE LHR RADIO CALL ABOUT A BOAT SINKENG BY C DOLK. UPON ARRIVING AT THE DOLK ALL I COULD SEE WAS THE WATER BOILING. AFTER THE GATE WAS VIVLOCHED I ENTERED THE DOLKS. I WENT ON THE BARGE THAT WAS TIED UP AND WAS LOOKING FOR ANYONE IN THE WATER. A PERSON WHO HAD BEEN IN THE WATER SAID THAT THERE WERE THREE PEOPLE LEFT ON THE BOAT. AFTER APPROX 20-25 MINUTES A PERSONI POPPED UP AND WAS PICKED UP BY A SMALL BOAT. COUPLE OF MINUTES LATER ANOTHER PERSON POPPED UP IN ABOUT THE SAME LOCATION WHERE THE OTHER PERSON WAS PICKED UP. THE BOAT ALSO PICKED THIS PERSON UP. FROM THAT POINT ON WAS JUST LOOKING FOR ANY MORE PEOPLE.

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief. it is true and correct.

SIGNATURE

-12-10







Witness Name: Street Address: City/State/Zip: Phone No: Position:

int Clearly)	
Employer Name:	Lyondell Bassel
Employer Address:	
City/State/Zip:	Houston TY TTOLT
Phone No:	112 301 17 17017
License/Doc. #	113-321-4111
and the second se	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

Upon arriving seence notified two the crew alicada shore. seem member Uchiele barge ook 3 510 SAP mas do arnea

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief it is torus and correct.

SIGNATURE







Witness Name	Employer Name:
Street Address	Employer Address:
City/State/Zip:	City/State/Zip:
Phone No:	Phone No:
Position:	License/Doc. #

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

over heard transmission a HSE-1 that G boat MOSIN 1 mi headed to the 000 proceed +0 boa YO and scano On Victim clinging There. iS MISSING start 0 590 nass to try TO Diese wa Sunk ind barg boon askan 10 ba ral an We said ·Wa VOS wa 10 of our <

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

SIGNATURE

ECN 3679031 045







Witness Name Street Address City/State/Zip: Phone No: Position:

and the second se		
Print Clearly)		
Employer Name:	Lyondell- Ba	. 11
Employer Addres	s: 12000 Lawndo	ssell
City/State/Zip:	HOUSTON, TEXAS	77017
Phone No:	713-321-4111	11011
_ License/Doc. #		

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of

UDON arriving the Saw a gentlen the FTH nce ling We and P to en viommenta tna imed on ar DOK for either all O rain-KPD him Warm oher Seco roal P truck 11P hem 11) IR CP tean G to Prpn nco ficor 0 Some coveralls Went aDI for Overa What we elieved were P in tota nr them em and kirned Unis

I have read my statement as documented above (and, if applicable, on continuation pages), and to s true and correct.

DIGNATURE


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U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name: Street Address; City/State/Zip; Phone No: Position:	(Please Print Clearly) Employer Name: Lyondell Basell Employer Address: 12000 Lawn dale City/State/Zip: Houston TK 27017 Phone No: 713-321-4111 License/Doc. # 12000 Lawn dale
T dha san t	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

responded at had called Main operations SCENP KEVS open gate 70 radeo antennas icking UD Water, a aat ONP 91 underw to get mmand main G 01 551 9 gler Mea On 190 ask responders tosp barge with ersong in ame up Dir and 0091 dropped of lock Commano 95% on tua boat lley 18 with blankets were on friging a pothermig th told him ommado and are going to need Tre. Department team Sent to helpwith getting them off. Wh Showed up where the personal were gt them HF 955 King them hoat load them HFD ambulance into had Luonde 115 bring the other 2 personal mbulance to 2nd ambulgace + HF transported hospita

I have read my statement as documented above (and, if applicable, on continuation pages), and to

Page 1 of

12

2010 DATE

ECN 3679031 045



MAIUNE





U.S. COAST GUARD WITNESS / INVESTIGATOR STATEMENT FORM

Witness Name Street Address: City/State/Zip: Phone No: Position:	Clearly) Employer Name: LYONDFIL Employer Address: 12000 LAWNOALE City/State/Zip: HOUSTON TERES 77017 Phone No: 213 321 4111
and the second	cicense/Doc. # _//

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

WHEN I GOT THERE TWO PEOPLE WERE OUT OF THE WATER. ONE I ASSUME WAS THE CAPTAIN HE ASKED IF I HAD A PHONE, HE WANTED TO CALL IS COMPANY AND HIS WIFE, HE CALLED, I GAVE THEM TO RAIN SUIT I HAD IN THE TRUCK, AND WENT BACK TO THE UNIT.

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

Page 1 of 13

2-11-10

ECN 3679031 045







Witness Name: Street Address: City/State/Zip: Phone No: Position:

Clearly) Employer Name: Employer Address: City/State/Zip: Phone No:	Lyondell Basell 12,000 LAWADRIE Houston TX 77017
License/Doc. #	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

I heard an LHR radio CALL that a ship sunk near C dock, As I responded I SAW a gentelmon being esconted from the water by two hyondell employee's, at that time relized where the Jug boat had gone down. WAS told were 5 on the boat and that WERE Accounted for T Then tryed to help locate. other three people AT that time one of the men walked bus 10 WAS Wet he he walked past +6 TO WAS CADTOIN of lug boat Evenone At hart ne where trying to tind the other 3 70 30 minuter later SAW someor He. and LOOKed Dort down ANother mAn DODAD WAS SWIM TO WARDE we Told him Kein Swimming ooked. like WAS having troille 50 we MILled 0 John host They th en went Everyone IN the water. Area Trying lacate to the last one

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

SIGNATURE

-12-2010 DATE







Witness Name: Street Address: City/State/Zip: Phone No: Position:	1 HOHE 140,	Lyondell Howston Refining 12000 Councile Houston, Texas 77017 113-321-4172
Tthemat	License/Doc. #	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

Approx, 10:40AMT Alert IT Medical by going directl to SDI and witi nn nop then Spill 350 Derson in 1cht rroza 40 the MAD ON Cast and 0 acció - anothe chour @ Pic close to 50. at 2:00 AM an was GULEN

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and belief, it is true and correct.

SIGNATURE

τ.







Witness Name Street Address City/State/Zip: Phone No: Position:

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City/State/Zip: hone No:	Houston TE. 22017
icense/Doc. #	713 321 4260

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

arrived on the sce. of the 'ncidou ely 1180 Oral AN 00 198 ou

.

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and the infinite man and correct.

SIGNATURE

12-10







Witness Name: Street Address: City/State/Zip: Phone No: Position:	Tease Print Clearly) Lyon dell Basell Employer Name: Lyon dell Basell Employer Address: 12000 Lawndole City/State/Zip: Itous to n Ty, 17017 Phone No: 713 321 4212 License/Doc. # 113 321 4212
Position:	Phone No: 7/3 221 4/2/2

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

Responded to the spill barn and tone out assisted launching of spill boat I. Renapte. staging @ were given the task of deploying boom myself POM Share Seanched along Shore Took of Had into spill barn be and Stoorlyassisted Sceen after Datient was SecurApa SCREW Dullea FROM H2O. went home C 1330 4

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and helief it is true and correct.

SIGNATURE / / /

U.S. Department of Homeland Security	OPERAT	ONAL CONTR	OL	OPCON # 2010-0148
United States Coast Guard	(OPC	ON) REPORT		MISLE Activity #
ector Houston Prevention		U) Galveston Prevention	Comman	nd Center [24 HR Service]
hone: (713) 671-5184	Phone: (409) 978-2718			713) 671-5113
ax: (713) 671-5185	Fax: (409) 978-2671 / 20		Fax: (713	3) 671-5177
ector Houston Port State Control E-Mail	MSU Galveston Port Sta			nd Center E-Mail
capschouston@uscq.mil	inspectionsmsugalveston@	usca.mil CTION I.	the second se	chouston-commcen@esunola.uso
COTP Zone Area	520	STION I.	2. D	This is page 1 of
X Sector Houston	n Marine Safe	ty Unit Galveston	2. 0	12-Feb-10
Vessel Name		3a. C	Official Num	
U	TV JR NICHOLS			590013
Vessel Info	SEC	CTION II.		
Vessel Master:		Vegeel Timer	DID KODE OT	
	ER-MORGAN	Vessel Type: 1 Gross Tons:	UNINSPECT	TED TOW BOAT
Vessel Agent:		Year Built:		
POC Phone #:		Call Sign:		
	-672-6441	Flag:	USA	
AND THE ARE AND	KINDERMORGAN.COM	Classification Society:	UJA	USA
has imposed the following c a: Your vessel when salvage security at the vessel and de Inspections divisions will be NICHOLS. Once this docme released to Kinder Morgan f b. When moored in a safe m	ed and raised will be moord eny entry to any and all per allowed to inspect and cor entation and investigative e or salvage.	rsons. The USCG Sector Ho nplete thier investigative efforts have been completed investigating Officer Mr	ouston Inves orts into the the UTV JF	stigations and UTV sinking of the UTV JR NICHOLS will be
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a: Your vessel when salvage security at the vessel and de Inspections divisions will be NICHOLS. Once this docmer released to Kinder Morgan f b. When moored in a safe m and arrangements No cargo loading operations. Special shifting restrictions apply while your IS IS AN ORDER OF THE CAPTAIN OF TH ptain of the Port Houston-Galveston Zone. Wi rs or both. Procedures for appealing this order cifically stayed by the Commander, Eighth Co Signatures	ed and raised will be moord eny entry to any and all per allowed to inspect and cor- entation and investigative er or salvage. anner the USCG Senior In s will be made for the IO per argo discharge operations. vessel is <u>in Houston</u> . Prior to vesse E PORT in accordance with the pro llful violation of this order is punish- are contained in 33 CFR 160.7(b) host Guard District. Signed, M.E. wo	rsons. The USCG Sector Ho nplete thier investigative efforts have been completed evestigating Officer Mr ersonnel to attend the vesse to bunkering operations. el shifting <u>within Houston</u> contact at visions of 33 CFR Part 6. Corrective a able by civil penalty of not more than towever; the conditions of this order re bodring, Captain, U.S. Coast Guard, C JARD Use Below This Line	t (713) 671-5113 action is REQUI \$50,000 or impremain in effect p captain of the Por	stigations and UTV sinking of the UTV JR NICHOLS will be shall be contacted at manner.
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CUSTODY RECORD

INITIAL CUSTODY DESCRIPTION OF THE ITEM COLLECTED: DATE INITIALLY COLLECTED: PRINT NAME OF PERSON COLLECTING : WITNESS SATEMENTS AND SURVEILLANCE VIDEO INVOLVING A KINDER 2/11/10 MORGAN TUG BOAT INCIDENT ON FERBRUARY 10, 2010 LOCATION INITIALLY COLLECTED FROM : SECURITY OFFICE TYPE OF ITEM : X DOCUMENT D PRODUCT EQUIPMENT MATERIAL OTHER CUSTODY TRANSFERS DATE LOCATION REASON BY: **COLLECTED FROM** COLLECTED PRINTED NAME RETURNED SIGNATURE 2/12/10 RELEASED TO U.S. COAST GUARD FOR INVESTIGATION PURPOSES.

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ECN 3679031 045

Record all transfers of custody. Add additional sheets as needed

Page _____ of ① ② ③ ④ ⑤ ⑥ ⑦ ⑧ ⑨ ⑩ (Blacken out numbers as pages are added)







Witness Nan Street Addre City/State/Zi Phone No: Position:

Clearly)	
Employer Name:	Lyondellbasell Houston
Employer Address:	12000 Lawridale
City/State/Zip;	Houston, TY. 77017
- mease 210,	712-221 17. 77017
License/Doc. #	TK

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of

approximately 10:30 pm, Wednesday, February 2010, responded Alert-2 Medical Call. to an Ambu Medic-1 scene just West - DOCK Upon arriva another Medic assisted me with establishing the eperation, gathering blankets, towels and Setting +0 atients to trait for hypo therming Within ies accepted 2 tiens that walks escorted Emergency Responders. Starta patient Ca and discover transferring Drior to Harston Fire Depart ment Mady Patient ca filled out for Personwhich Ists, in findings related to the patients health deter. all +60 times about 30 minutes spend 04 + ubrming x-k according to protocols the were rred An eu lance hospita Southeest Memoria) Remain for enoth Scene All Clea tone was made the returned to service in it's Returned to console job quarters. my shift. and I have read my statement as documented above (and, if applicable, on continuation pages), and to

the best of my knowledge and helief, it is true and correct.

SIGNATURE

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Page 1 of







Witness Nan Street Addre City/State/Zi Phone No: Position:	Biss Frint Clearly) Employer Name: Lyon dell BASFUL Employer Address: 12000 LAUNDME City/State/Zip: Heuston JTF 77017 Phone No: 713-321-4212 License/Doc. #
T 41 T	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

AT APRIORIMATELY 10135 PM, Wed, FEBID, 2010, the guand gate ANNOUNED on the cadio that there was an Alent 2 Medical AT C DOCIL AND that there were MEN IN THE WATER. AND I WENT to FILE STATION 1, GRABBED OUR BUNKER GEAR, AND GOT QUECK ATTACK Z AND HEADED FOR THE DOCKS. THE GATE TONED OUT AT 1037PM FOR THE ALENTZ, BATTALION CHEEF CAME ON THE RADION SAID HE NEEDED the SPILL BOAT IN THE WATER AND to go to C Dock. AND I WENT to SEI BOAT BALN AND I grassed A LIFE JACKET AND got IN the BEAT WITH We Proceeded to CDock. Mainighte toned out AGMEN AT 1041 Pm that NO Addition M RESPONSE WAS NEEDED. The Shill BOAT ARRIVED ON the SCENEAND OBSERVED ONE OF THE TUG BOAT CREW MEN BEING HELPED OUT OF the WATER WE WELE INSTRUCTED to SEANCH FOR ANY OTHER CREW MEN. WE Searched FOR ABOUT 1/2 AN HOUR AND ONLY FOOND DOBRIS, LIFE JACKET, FLOMATA DON Devices with Blankaus Lights ATTACHED, AND THEN OBSERVED DIES & FLOATEN, IN THE WATER. THERE were A courle other BOATS AND tosboar with slotlights Also searching THEN THE COAST GUARD HELICOPERAND AT LESS + 2 COAST GUAND BEATS Showed UP AND STANTED SEANCHING WE Were then INSTANCED to cease searching AND CONTAIN the Slith With the help of atthe Verr MEMBERS WE got some Boom AT GATE 23 AND STREET ded it ACROSS the CHANNEL There which was on the EAST SDE OF the Lesk. Next we got BOOM AT 90K OT AND STRETCHED it FROM TEXAS PETROCHEMICAL'S DO OK to the Northsise of THE CHANNEL. This was ON The WEST SIDE OF THESPITH. This WAS completed AT IAM. We then changed bOAT CREWS AND STOODBY ON SHORE TILL THE All Clear WAS SOUNDED ABOUT ZAM.

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledge and helief, it is true and correct.

SIGNATURE

2-13-2010

Pa	ge 1	of_	
21			







Witness Name: Street Address: City/State/Zip: Phone No: Position:

Clearly)	
Employer Name:	(unddallan in a r
Employer Address:	Lyondell BASSell Refiniting
C:+ /01 + /m.	LAW PALE
Phone No:	HOWITON TK 713-321-5215
License/Doc. #	

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

AT A210K, 2230 TINYDA Feb. 2010 I over heaved a CALL to MAIN SAL fo ship shiking (0) C Beins 11 3 054 1yeelt AND same time T SAW G MAN WALKIN LEDNID barse the d ň The POAT UN C MU Visable cont nater barre 1 Dor G-S OFTA climbed had 3 12 MOLE DADESI the harre Sona Two CLOCKMEN C 40 t C Ati 0 Showad \circ This slow response should be indertigated. I have read my statement as documented above (and, if applicable, on continuation pages), and to ND elief, it is true and correct.

USIGNATURE

DA

Page 1 of /







Witness Name: Street Address: City/State/Zip: Phone No: Position:

2

int Clearly) Employer Name: Pohdel Uscell. Houst Retin Employer Address: City/State/Zip: Phone No:) 291 License/Doc. #

I, the undersigned, make the following statement voluntarily, without threat, duress or promise of reward:

1:40 Trouv arrive on the SCRM scanning Shore (22 WAS antenna stickin on an winter

-

I have read my statement as documented above (and, if applicable, on continuation pages), and to the best of my knowledges and the best of my knowledges and the basis is true and correct.

SIGNATURE

2-2010

FEB. 23. 2010 1:52PM NO. 6232 To:2819296456 7134486598 10 08:34 From: WORKLINK Final PATIENT INFORMATION REPORT STATUS ORDERING PHYSICIAN Employer Solutions CLIENT SERVICE 800.077.7484 CLIENT INFORMATION Primary Id: 60062113 SPRCIMEN INFORMAL MD MPE SPECIMEN: UP. REQUISITION: 3067341 9301 SOUTHWEST FWY # 5053 LAB REF NO: HOUSTON, TX 77075 COLLECTED: 02/11/2010 02:30 RECEIVED: 02/13/2010 10:07 Reason: POST ACCIDENT REPORTED: 02/18/2010 08:20 MENORIAL HERMANN SE - 60068534 REPORT FUR; 11800 ASTORIA BLVD HOUSTON, TX 77089 COLLECTOR'S NAME COLL'SITE PR# EMPLOYER NP Tosts Ordered: 35304N (NIDA 5 PANEL W/NIT.) Acceptable Range Integrity Checks OXIDIZING ADULTERANTS GC/MS, Confirm Initial DOT/SAMESA Fanel Test Level Teat Level CORRECTABLE FLAN AMENDED BY COLLECTION SITE. 1000 ng/mL 500 ng/mL AMPHETAMINES COCAINE METABOLITES 300 mg/mL 150 ng/mL 15 ng/wL 50 ng/mL MARIJUANA METABOLITES 2000 ng/mL 2000 ng/mL **OPTATES** 25 ng/mL PRENCYCLIDINE 25 ng/mL CERTIFYING SCIENTIST: SPECIMEN RECEIVED AND PROCESSED IN THE LENEXA DHHS CERTIFIED LABORATORY. LADI Quest Diagnostics-Lenexa 10101 Renner Blvd Lonexa KS 66219 >> END OF REPORT - 828800P Page 1 - End of Report ECN 36790 ECN 3679031 1.4

JR Nicholls

Southwest Shipyard - Brady Island

	3025	DATE:	
	Kinder Morgan Channel Services	JOB No. :	5-01870
	3511 Watters Road	VESSEL :	JR Nicholls
	Pasadena, TX 77504 67 53 - 43 - 10	ARRIVAL :	1/11/2010 06:00 Hrs
	Status: Update 01/31/10 Rev.12-B	TOTAL	\$ 26,397.00
55205	SHAFT SEALS (Owner furnished seals)		\$3,800.00
	A. Remove studs from port and stbd packing glands.		
	B. Fill weld and grind stud holes in way of shaft seal installation.		
	C. Align, fit, and weld seal adaptor flange to packing gland.		
56110	COOLERS		\$3,617.00
	A. Provide labor and material to cut off the port and stbd cooler guards.		
	B. Remove the port and stbd grid coolers.		
	C. Pressure wash the port and stbd cooler boxes.		
	D. Pressure wash the port and stbd grid coolers.		
	E Reinstall new grid coolers using new gaskets and hardware.		
	F. Fill day tanks and test coolers.		
56210	COOLER BOXES		\$18,980.00
	A. Provide labor and material to crop and renew the port and stbd cooler boxes		
	using;		

C. Air test repairs.

1 of 1

JR Nicholis

Southwest Shipyard - Brady Island

	³⁰²⁵ Kinder Morgan Channel Services 3511 Watters Road Pasadena, TX 77504	DATE: JOB No. : VESSEL : ARRIVAL :	5-01870 JR Nicholis 1/11/2010 06:00 Hrs
	6753-43-1	0	
	Status: Update 01/31/10 Rev.12-A	TOTAL	\$ 87,437.00
3105	DRY-DOCK		\$1,500.00
	 A. Setup dry-dock #5 in order to dry-dock vessel on 01/11/10 19:00 Hrs. B. Undock vessel on 01/21/10 		
2105	GAS FREE		\$13,557.00
	 A. Setup pumps, hoses, PIC, and spill boom in order to pump 7600 gallons of fue SWS fuel storage tanks. B. Upon completion of repairs, Assist owner furnished suppliers pump 7,600 gallons of fuel into vessel. C. Setup pumps and hoses to strip engine room bilges and gas free prior to commencement of repairs. D. Clean engine room bilges and floor plates upon completion of engine room repairs. E. Clean fwd fuel oll tank (1) F. Dispose of 2,400 gallons of contaminated liquids. Note: Fab and install 5 ea. new gaskets on port and stbd fuel oil tank hatch covers H. Obtain a SWS furnished Marine Chemist Certificate O-23875 Safe for hot work. Dated on 01/11/10 I. Obtain a SWS furnished Marine Chemist Certificate O-23893 Safe for hot work. Dated on 01/18/10 J. Competent Person. (Based on 17 days) 	i.	
4100	SERVICES A. Connect and disconnect shore power. On: 01/11/10 19:15 Hrs. Off: On: Off: E. Setup gangway or stairs in order to access vessel.		\$975.00

JR Nicholls		blis	Southwest Shipyard - Brady Islar
	55115	PROPELLERS (OB)	\$2,200.00
		A. Provide labor and material to remove port and stbd propellers.	
		B. Load onto Baumann truck.	
		C. Reinstall back as original.	
		D. Fit and weld new stainless steel straps.	
	55300	MAIN RUDDERS	\$3,390.00
		A. Provide labor and material to remove towing gear and grating from stern.	
		B. Disconnect and remove tillers, and drop stbd main steering rudder.	
		Note: existing tillers were welded complete to rudder stocks, new tillers are ready for new rudder nuts.	
		C. Set up pump and hoses to check grease fittings.	
		D. Fit and weld 1 ea. 1/2" x 3" x 58" flat bar atop each rudder (Total of two)	
		E. Fit and weld 1 ea. 1/2 "x 6" x 58" breakaway plate.	
		E. Fit and weld 2 ea. 4" x 3" x 5/16" x 20" trim angles on each rudder. (Total of four)	
		F. Clean up rudder tubes, and provide machinist to mic.	
		G. Reinstall main steering rudders back as original.	
	55305	FLANKING RUDDER.	\$1,589.00
		A. Provide labor and material to heat and fair a 18" x 18" area at Stbd IB flanking	
		rudder.	
		B. Fit and weld new 4 ea. 3" x 12" flat bars on port and stbd upper breakaway plates	
	55205	PUCKER SEALS.	\$350.00
		A. Remove and renew one (1) pucker seal using new seal and stainless bolts on stbd main rudder.	
	55025	TAILSHAFT	\$3,400.00
	00020		\$5,400.00
		A. Disconnect coupling on port and stbd sides.	
		B. Remove tail shafts and couplings.	
		C. Send tail shafts and couplings to machine shop for repairs.	
		D. Reinstall tail shafts back as original upon completion of repairs.	
	55245	CUTLASS BEARINGS	\$2,100.00
		A. Furnish all labor, materials and equipment to remove the port and starboard	
		cuttass bearings - total of two (2)	
		1. The owner's representative will inspect the bearings.	
		2. Rig and remove the cutlass bearings from the strut tube.	
		3. The strut tube will be buffed and cleaned to remove burrs and old chock-fast.	
		4. Mic the bores and record the readings.	
		5. Install the new owner furnished cutlass sleeve type bearings.	
		8. Secure with new set-screws.	

JR Nicholis

ECN 3679031 047

JR N	cholis	Southwest Shipyard - Brady Islan
665	20 COLLISION VOID	\$9,210.00
	A. Provide labor and material to cut off 2 ea. 1/2 "x 18" x 18" access plates in order to clean collision tank.	
	B. Pressure wash using a 3,000 psi collision void.	
	C. Removed mud and loose scale.	
	D. Apply one coat of an owner furnished coating.	
	E. Fit and weld access plates.	
	F. Test repairs.	
	G. Provide labor and material to remove flammables from collision void bhd.	
	H. Cut out and remove section of angle shelf in order to reach repairs.	
	I. Fit and weld 2 ea. 3/8" x 16" x 5'0" doubler plate.	
	J. Test repairs.	
	K. Sandblast and prime all materials prior installation.	
	 L. Fit and weld angle shelf back as original. M. Touch up new and disturbed areas. 	
8810	95 HULL PAINTING (To include main deck inside and outside butwarks.)	\$24,800.00
	A. Provide labor and material to set up tarps on forward and aft ends of the	
	dry-dock for environmental protection.	
	B. Cover deck house through wheel house to protect from abrasive debris.	
	C. Provide labor and material to sand sweep hull keel to cap rail.	
	Sandblast vessel main deck include inside bulwarks.	
	D. Blow down all spent blast abrasive.	
	E. Apply a (3) coat owner furnished coating system as described in coatings specs.	
	F. Clean sand from dry-dock and dispose.	
	G. Remove tarps from forward and aft end of dry-dock.	
	H. Cut in water line following existing line.	
	I. Apply owner furnished coatings to the names, hailing port, and draft numbers.	
	J. Rinse vessel from wheel house down to main deck to remove any spent blast	
	abrasive debris.	
6631	0 BULWARKS	\$829.00
	 A. Provide labor and material to pad weld 4 ea. Holes on bulwark plates. B. Gouge and weld 1 ea. 14" fracture. 	
	b. Gouge and word 1 da. 14 madule.	
6625	0 RUB RAIL	\$1,250.00
	A. Provide labor and material to fit and weld 1 ea. 5/16" x 4" x 40" doubler around the	
	stbd side shell plate.	
	B. Reweld a 24" fracture on stbd side.	
	C. Test repairs.	
		1000
7760	0 TIRES / M&M BUMPERS	\$923.00
	A. Provide labor and material to remove 5 ea. Bumper tires in order to sandblast and paint	
	3 of 5	

: 4

Southwest Shipyard - Brady Island

NIGHC	115	Southwest Shipyaid - Brady is
55635	LUBE OIL TANK	\$1,875.00
	A. Provide labor and material to set up testing rig and test lube oil tank. Note: Cut out opening on way of bulwarks and rub rail pipe and air test outside	
	plate.	
	B. Clan lube oil tank for hotwork.	
	C. Fit and weld a shipyard furnished multibolt hatch.	
	D. Close and seal tank.	
55425	PORT ENGINE DAY TANK	\$545.00
	A. Provide labor and material to gouge and weld pit hole on port main engine day	
	B, Test repairs.	
55125	ENGINE ALIGNMENT	\$3,500.00
	A. Loosen up foundation bolts from port and starboard main engines.	
	1. Align both engines using shim stock materials.	
	B. Align engines to gears and to couplings.	
66505	FUEL OIL TANK	\$444.00
	A. Cut out 8" limber holes inside port and stud fuel oil tank.	
66240	OFFICIAL NUMBER	\$650.00
	A. Provide labor and material to fabricate 1 ea. 3/8" x 8" x 40" offical number plaque and vae weld OFF NO. 590031 with 6" letters	
55715	FIRE PUMP PIPING	\$546.00
	A. Remove fire pump piping union and install tee bushing.	
	B. Test repairs.	
55340	STERING	\$435.00
	A. Provide labor and mateinal to remove and reinstall stbd main rudder hydraulic ram.	
	B. Installed an owner furnsihed hydraulic ram.	
99600	ALUMINUM COVERS	\$350.00
	A. Provide labor and mateirla to cut 6 ea. 1/4" x 7" OD aluminum covers with	
	four (4) 1/2" counter sink holes.	

JR Nicholis

JR Nicholls

Southwest Shipyard - Brady Island

	³⁰²⁵ Kinder Morgan Channel Services 3511 Watters Road Pasadena, TX 77504	DATE: JOB No. : VESSEL : ARRIVAL :	5-01898 JR Nicholis 02/01/10 13:00 Hrs.
	Status: PRELIMINARY INVOICE 02/15/10	3-6210 TOTAL	\$ 12,711.00
22100	CLEANING FOR HOT WORK		\$615.00
	A. Provide labor to remove ropes, boxes and flammables from storage roo to perform hot work repairs.	m in order	
33105	DRY-DOCK FOR REPAIRS.		\$1,500.00
	 A. Setup dry-dock #8 in order to drydock vessel on 02/01/10 18:30 Hrs. B. Undock vessel on 02/02/10 17:45 Hrs. 		
44005	MARINE CHEMIST CERTIFICATE.		\$575.00
	 A. Obtain a SWS furnished Marine Chemist Certificate 0.23943 Safe for h Dated on 02/01/10 B. Competent Person. 	otwork	
44100	VESSEL SERVICES		\$540.00
	 A. Connect and disconnect shore power. On: 02/01/10 19:00 Hrs. Off: 02/02/10 17:00 Hrs. B. Setup gangway or stairs in order to access vessel. 		
33115	IN YARD SHIFTING		No charge
	A. Shift vessel on and off drydock.B. Shift vessel in yard as necessary.		
66500	INTERNALS		\$8,243.00
	 A. Provide labor and materials to chip and needle scale lower 6" x 20'0" of and stbd wing ballast void in order to inspect hull plate. B. Set up testing rig and air test the port and stbd wing voids to check hull plate. 		
	b. Set up testing ing and all test the port and such wing voids to check han a	10.050	

ECN 3679031 047

JR Nicholls

bottom plate and side plates.

C. Set up testing rig and air test fwd collision void to check hull plate.

Note: Founded wasted metal on the port and stod lower pushknee sections.

D. Crop and renew 2 ea. 3/8" x 26" x 26" steel plates on lower pushknee section.

E. Fit and weld 2 ea. 3/8" x 8" x 8" doublers on hull plate inside pushknee plate.

F. Fit and weld 2 ea. 6" x 9'0" doubler plates on port and stbd wing volds.

- G. Fit and weld 1 ea. 3/8" x 6" x 20" doubler at storage room to collision void bulkhead
- H. Reweld 7'0" of stbd lower push knee section.
- I. Post a fire watch during hotwork.
- J. Air test repairs.
- K. Touch up new and disturbed areas using owner furnished coatings.

77600 PUSHKNEE PAD

A, Set up scaffold to access pushknee pad repairs.

B. Provide labor and material to crop and renew 1ea. 1/2" x 10" x 36" shipyard furnished pushknee pad.

C. Touch up new and disturbed areas using owner furnished coatings.

\$1,238.00

Marine Safety		
Witness Name: Witness' Employer:	Drivers License 1 Number	Date of Birth
Home Address:	(2) 732-8722	Work Phone: ?! 941-1020
	GLO Spill Number: USCG License Number: USCG Document Number:	
Mailing Address if different:	Relationship to the Case Crew Member Eye Witness Injured Party Responsible Party Other_OPS - IAC, R	Elements Involved Vessel Facility Pollution Personnel Injured Other
What date and time did you discover the Pollut	ion?	
What was the product, (diesel, oil, gasoline, etc. How much entered the water?)? DIESEL	
Gallons Barrels UM What caused the pollution to enter the water?	HOWN	
What was the path of the pollution to the water	VESSEL SMKING	
Who is the entropy of the second of the pollution	KWOERNINLANS	
Who is the owner of the source of the pollution	A ANDIGER (SILL MARKA)	
What actions were taken to stop, contain, or cle	an up the spill?	(1/
What actions were taken to stop, contain, or cle Instructions: Please explain the events surroundi know to be factual. Please address the following of spilled, Where-exact location, When-time and dat explain.	ng this incident, including only who uestions: Who-spilled the material te. Please use sketches, drawings, o	, What-was the material
What actions were taken to stop, contain, or cle Instructions: Please explain the events surroundi know to be factual. Please address the following of spilled, Where-exact location, When-time and dat	an up the spill? GAPLIFE Eu ng this incident, including only wh questions: Who-spilled the material te. Please use sketches, drawings, of UGHE SCHEET	, What-was the material or photographs to help

Statement Continued:		*
and the second		
Twrote this Voluntary Witness statement,		nd statements contained
erein are true and correct, to the best of my	y knowledge.	Date: 1/13
] I have read this Voluntary Witness statem	nent, and do affirm that all of the fac	ts and statements contained
erein are true and correct, to the best of my		Date:
] This Voluntary Witness statement was read	ad to me by	in the presence of
, and I do	affirm that all of the facts and stater	
rue and correct, to the best of my knowledg		Date:
Coast Guard Dellation I della Co	f Torres Desponse Officer.	Date:
111- The		11 F26/D

Privacy Act Statement

The investigator of this pollution incident wishes to obtain your name, address, telephone number, and place of employment. In order for this Investigator to collect this private information, the PRIVACY ACT: 5 U.S.C. 552a(c)(3), requires that you be informed concerning the authority of this Investigator to collect this information, the primary purposes for which this information is to be used by the U.S. Coast Guard, any secondary purposes for this information, and whether your disclosure of this information is voluntary or required by Federal Law.

1. AUTHORITY. This investigator, as a Federal Law Enforcement Officer, as titled by 14 U.S.C. 93e and Executive Order 11735 of August 3, 1973 is requesting this information pursuant to the Authority contained in the Federal Water Pollution Control Act, as amended (33 U.S.C. 1321 et seq.) and other regulations written to enforce this law.

2. PRINCIPLE PURPOSES FOR THIS INFORMATION. The statement that you are providing to this Investigator will be used to determine the cause of this pollution incident and to establish the identity of the discharger. The personal information pertaining to you is needed to enable this Investigator to contact you if more information is needed or to clarify any aspects of your statement. Your identity and contact information is needed in order to use your statement at any Civil or Criminal Proceedings, which may result from this information.

SECONDARY PURPOSES FOR THIS INFORMATION. There are no secondary purposes for this
personal information.

4. DISCLOSURE. The disclosure of this personal information is strictly voluntary.





U.S. COAST GUARD INVESTIGATOR STATEMENT

Investigator Name	MST3	Investigator Unit	Sector Houston
Street Address		Department	MER
City / State / Zip		Unit Address	9640 Clinton Drive
Phone No		City / State / Zip	Houston, Texas 77029
Position	Pollution Investigator	Dep. Phone No:	713-671-5129

Source	J R Nicholls	
RP (if known)	Kinder Morgan Petcoke LP	
Waterway	Houston Ship Channel	
Product	Diesel	
Hazardous qty/Substance	10,000 gallons	
	Statement	
Morgan hired (gallons was dis statement and	discharge diesel into the Houston Ship Channel, a OSRO companies to boom off and remove the o ischarged from the towing vessel J R Nicholls be issued a notice of federal interest to Kinder Mon I my statement as documented above and to the	bil from the channel. Approximately 10,000 efore it was secured. I received a witness rgan Petcoke LP.
	\\ S \\	22FEB10
SIGNATURE		Date

To Whom it may concern On 2/10/10 about 01:00 Izook 5. F.T.C. Kits To Herman Memoral Hospital for the S. Nicholls Cruy. At the front dest I told the neceptionst who I was and why I was there, she said Chold on, lot me show you to the marses station) When I got to the nurses station I told the mouse that was on duty name and that I had (5.) fine Brug and alcohol testing kits for my grays, She said, the guys from the boat, I said yes, I told here that this was a U.S. Coast Guard and a Company 1990 mandatory policy tobe given. The more that I was Talking to, baid, (OK, let me call someone and get them up here), I said OK, and left the kits on the musses desk, I also redd mr. and that the kits where at the nurses des

FOWLER RODRIGUEZ	FOWLER RODRIGUEZ VALDES-FAU Partner Direct Dial: E-Mail @frvf-law.com
	March 5, 2010
United States Coast Guar Investigation Division Prevention Department Sector Houston-Galveston 9640 Clinton Drive Houston, Texas 77029	Via E-mail: <u>HoustonIO@uscg.mil</u> Via E-mail: <u>@uscg.mil</u>
Attn:	Senior Investigating Officer
Date of Incident: 1 Our Client: J.R Ow	R. NICHOLS (Your Reference: O.N. 590013) February 10, 2010 . Nicholls, LLC and KM Ship Channel Services, LLC, mer and Operator, respectively, of the Tug J.R. NICHOLLS le No. 5283.018)
Dear Mr.	

Pursuant to your investigation under 46 CFR Part 4, Subpart 4.07, KM Ship Channel Services, LLC serves the following Responses to the USCG Sector Houston-Galveston's February 19, 2010 Subpoena.

For the purposes of this response, the term "company" refers to J.R. Nicholls, LLC and KM Ship Channel Services, LLC, and the term "any and all company records" refers to records in the possession of and under the control of the company for the past four years, including 2006 through the present.

REQUESTS FOR RECORDS

 Any and all company records relating to vessel documentation, certification, drawings, and plans for the vessel known as J.R. NICHOLLS (O.N. 590013).

RESPONSE:

Please see attached documents under Bates Labels KMSCS 00001 - 00007.

COUNSELLORS AT LAW 4 HOUSTON CENTER • 1331 LAMAR STREET, SUITE 1560 • HOUSTON, TEXAS 77010 • PRONE: (713) 654-1560 FAX: (713) 654-7930

New Orleans . Houston . MIAMI . MOBBLE . BOOOTA

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March 5, 2010 Page 2

 Any and all company records relating to the stability, loading, and/or structural data for the vessel known as J.R. NICHOLLS (O.N. 590013).

RESPONSE: None

 The names and contact information for any and each shipyard that performed any services for or modifications or repairs to the vessel known as J.R. NICHOLLS (O.N. 590013).

RESPONSE:

HASCO Marine, Inc. 711 Lakeside Drive Channelview, Texas 77530 (281) 452-1702

Southwest Shipyard 18310 Market Street Channelview, Texas 77530 (713) 967-6300

Sneed Shipbuilding, Inc. 2011 DuPoint Drive Orange, Texas 77630 (409) 882-0284

Please contact us if you need any further information.

Very truly yours,

FOWLER RODRIGUEZ VALDES-FAULI

Encl: Documents Bates Labeled KMSCS 00001 - 00007. Copy of USCG Sector Houston-Galveston Subpoena dated 2/19/2010.

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FOWLER RODRICI	IFT VALDES FAULI
Par	tner
Direct Dial:	
E-Mail:	@frvf-law.com

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March 5, 2010

United States Coast Guard Investigation Division Via E-mail: HoustonIO@uscg mil Prevention Department Via E-mail: @uscg.mil Sector Houston-Galveston Via E-mail: @uscg.mil 9640 Clinton Drive Houston, Texas 77029 Attn: Senior Investigating Officer Sinking of Tug J.R. NICHOLS (Your Reference: O.N. 590013) Re: Date of Incident: February 10, 2010 Our Client: J.R. Nicholls, LLC and KM Ship Channel Services, LLC, Owner and Operator, respectively, of the Tug J. R. NICHOLLS (File No. 5283.018) Dear Mr. and Mr.

Pursuant to your investigation under 46 CFR Part 4, Subpart 4.07, KM Ship Channel Services, LLC serves the following Responses to the USCG Sector Houston-Galveston's February 22, 2010 Subpoena.

For the purposes of this response, the term "company" refers to J.R. Nicholls, LLC and KM Ship Channel Services, LLC, and the term "masters" refers to the captain and/or captains who served onboard the Tug J. R. NICHOLLS.

REQUESTSFOR INFORMATION

 The names and contact information of all the masters whom have sailed onboard the J. R. NICHOLLS (O.N. 590013) within the last five years.

RESPONSE:

The following persons have served as captains aboard the J. R. NICHOLLS within the last five years; and as of the date of this response, are currently employed by the company; and

COUNSELLORS AT LAW

4 HOUSTON CENTER • 1331 LAMAR STREET, SUITE 1560 • HOUSTON, TEXAS 77010 • PHONE: (713) 654-1560 FAX: (713) 654-7930

NEW ORLEANS . HOUSTON . MIAMI . MOBILE . BOGOTÁ

March 5, 2010 Page 2

may be contacted via Fowler Rodriguez Valdes-Fauli, Attn: Center, 1331 Lamar, Suite 1560, Houston, Texas 77010, (713-654-1560: 4 Houston



The following person served as captain aboard the J. R. NICHOLLS within the last five years, and as of the date of this response is currently employed by the company. Capt. is currently represented by separate counsel.



Represented by Separate Counsel

The following list of persons, along with their last know addresses, have served as captains aboard the J. R. NICHOLLS within the last five years, but they are not currently employed by the company and may be contacted directly:



Last Known Address



March 5, 2010 Page 4

Please contact us if you need any further information.

Very truly yours,

FOWLER RODRIGUEZ VALDES-FAULI

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Encl. Copy of USCG Sector Houston-Galveston Subpoena dated 2/22/2010.

J.R. Nicholls Plan 3-3-10



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J R NICHOLLS		OFFICIAL NUMBE	R IMO OR OT	HER NUMBER	YEAR COMPLETED
HALL		590031 HULL MATERIAL	1.59	ME	1978 CHANICAL PROPULSION
GROSS TONNAGE	NET TONNAGE	STEEL	LENGTH	BREADTH	DEPTH
72 GRT	57 NR	T	56.3	22.0	8.7
PLACE BUILT BOURG, LA	1				
OWNERS			ERA SE	MNT	
MANAGING OWNER JR NICHOLLS LLC 500 DALLAS STE 10 HOUSTON, TX 7700	0 2				
		_			
ENTITLEMENTS NONE					
U.S. Department of Homeland Security

United States Coast Guard



Director National Vessel Documentation Center 792 T J Jackson Drive Falling Waters, WV 25419 Staff Symbol: Phone: (304) 271-2400 Fax: (304) 271-2405 Email: NVDC.W.WEBMASTER@USCG.MIL

GENERAL INFORMATION TO ACCOMPANY CERTIFICATE OF DOCUMENTATION

Enclosed is the Certificate of Documentation (COD) for your vessel. This Certificate IS NOT valid for operation until the vessel is marked in accordance with the below instructions. A document bearing only a Recreation endorsement may not be used for any other purpose.

OFFICIAL NUMBER: For all vessels, the official number shown on the COD, preceded by the abbreviation "NO." must be marked in block-type Arabic numerals at least 3" high on some clearly visible interior structural part of the hull. The number must be permanently affixed so that alteration, removal, or replacement would be obvious and cause some scarring or damage to the surrounding hull area.

NAME AND HAILING PORT: For RECREATION vessels, the name and hailing port both must be marked together on some clearly visible exterior part of the hull. For COMMERCIAL vessels, the vessel name must be marked on each bow and the vessel name and hailing port must also be marked on the stern. The markings may be made by the use of any means and materials that result in durable markings. All must be at least 4" in height, made in clearly legible letters of the Latin alphabet or Arabic or Roman numerals. NOTE: Hailing port marking must include BOTH a place (city) AND the state. Commonly known abbreviations are acceptable. (e.g. NY, NY)

The COD is not valid for operation if any of the information shown, other than the address of the managing owner, changes. The COD is to be returned to this office. The penalty for operation of a vessel with an invalid document is \$10,000 per violation. Each day of continuing violation is a separate violation. The Certificate is valid for one year unless required to be exchanged, replaced, or is canceled. Forms, instructions, and fee schedules pertaining to documentation are available on-line at: http://www.uscg.mil/hq/gm/vdoc/nvdc.htm

Annual renewal of the endorsement is required. During the month preceding expiration, a Notice of Renewal is mailed to the managing owner at the address of record. If you do not receive the notice, contact our office not later than two weeks prior to the expiration date. If your address changes, you must notify us as soon a possible. In lieu of a renewal decal, a new COD will be issued annually and returned to you for keeping on board the vessel. THE RESPONSIBILITY FOR RENEWAL IS UP TO YOU. THE VESSEL OWNER, WITH OR WITHOUT NOTICE.

State and local officials have the right to board documented vessels for law enforcement purposes. Many states require registration of documented vessels for tax and other purposes. You may be required to place a decal on your vessel showing that you have complied with state requirements. Contact state authorities for further information.

A documented vessel may not be titled by a State ... 46 USC § 12106(a)

IF THERE ARE ERRORS IN THIS PAPERWORK, PLEASE RETURN THE PAPERWORK TO THE NATIONAL VESSEL DOCUMENTATION CENTER ALONG WITH THIS COVER LETTER.

COD COVER LETTER

Revision: B

Revision Date: Pebruary 20, 2007

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ECN 3679031 059

	MSSE3		
From: Sent: To: Cc: Subject:	KBL@brlpc.com on behalf o Friday, March 26, 2010 7:59 MSSE3 @swbeil.net J.H. Nicholls	AIVI	[KBL@brlpc.com]
Mr.			
below. After due	consideration of your requ ine to answer the question	est, on beha	you for the <u>questions set</u> forth If of Captain we the basis of the constitution's Fifth
Regards,			
Bell, Ryniker & L 5847 San Felipe, Houston, TX 77057	Suite 4600		
	n) () (tp://www.brlp <u>c.com/</u>)	rlpc.com>	
Original Mes	sage		
From: <mailto:< td=""><td>@uscg.mil [mailto @uscg.mil>]</td><td></td><td>@uscg.mil</td></mailto:<>	@uscg.mil [mailto @uscg.mil>]		@uscg.mil
Sent: Wednesday,	March 17, 2010 12:23 PM		
То:	@swbell.net		
Cc:		т	
Subject: Captain			
Good morning All,			
some questions fo	he sinking of the UTV J R or Captain Contract of to he below, either directly, or	lp me along	t occurred on 10 Feb 2010, I have a with my investigation. Please respon nsel:
1. Were you (Capt amount.	taking any	medication	prior to the incident? If so, name a
2. Were you monit	oring Channel 13 during yo	ur outbound	transit?
	La sefer deserve from a	he silet onh	and the M/T Mine Louis
3. Did you near t	he safety broadcast from t	ue bitor oup	oard the M/T Miss Lucyr

4. Are you aware of any company policy regarding light boat steaming?

5. Do you normally operate light boat with the engine room doors open?

6. Why were you so close to the harbor tugs mooring the M/T Miss Lucy?

7. What steps, if any, did you take to regain control of the J R Nicholls prior to it sinking?

8. What is your normal course of action when encountering a vessel being moored with the help of assist tugs?

9. What was Mr. Seymore doing in the engine room prior to the vessel sinking?

For any of the above questions Captain will not answer, please state the legal justification for doing so.

Thanks in advance for your cooperation...

Best regards,

CWO

Senior Marine Inspector

Investigation & Analysis/DAPI Auditor

Tel: 713 671-5182

Fax: 713 671-5172

@uscg.mil





Main: (713) 796-9292 Fax: (713) 796-6844

Harris County Institute of Forensic Sciences

AUTOPSY REPORT

Case No. ML10-0473

February 12, 2010

ON THE BODY OF

Steven Edward Sevmore

CAUSE OF DEATH: Drowning

MANNER OF DEATH: Accident

DATE OF DEATH: February 11, 2010



Reviewed by:

MD	4	19	10
M.D.		MN	IDDYY
Assistant Medical Examiner			



ML10-0473 -2-

POSTMORTEM EXAMINATION ON THE BODY OF

Steven Edward Sevmore

HISTORY: This year old white man was recovered from inside the tugboat on which he had been working, which sank in the waters of the Sims Bayou at the Houston Ship Channel. He was pronounced dead at 12000 Lawndale, Houston, Texas, at 12:45 p.m. on February 11, 2010.

AUTOPSY: The autopsy is performed at the Harris County Institute of Forensic Sciences by Forensic Pathology Fellow M.D., under the supervision of Assistant Medical Examiner M.D., pursuant to Article 49.25, Texas Code of Criminal Procedure, beginning at 2:00 p.m. on February 12, 2010.

EXTERNAL APPEARANCE: The body is that of a normally developed man clothed in an off-white t-shirt, dark blue pants, a black belt, two white socks, two dark brown boots, and dark blue briefs. The body weighs 183 pounds, is 71 inches long, and appears compatible with the reported age of years. The clothing, hair, and body surfaces are wet. Rigor mortis is fully developed and symmetric in the upper and lower extremities, neck, and jaw. Fixed red-purple lividity is posterior. The body is cool.

A strong odor of fuel is noted. Several patches of a dark black oily substance are on the clothing, torso, and extremities.

Blunt injuries of the head, neck, torso and extremities are described under EVIDENCE OF INJURY. The scalp hair is light brown. Facial hair consists of a stubble growth of light brown beard and moustache. The irides are blue and the corneas are slightly cloudy. The conjunctivae are congested and have rare petechial hemorrhages. The sclerae are white. When first viewed, a large amount of white foam is around the mouth and within the oral cavity. The external auditory canals and nares are free of foreign material and abnormal secretions. The teeth are natural. The lips have no injury. The chest is symmetric. The abdomen is flat. The external genitalia are those of an adult male.

Steven Edward Seymore ML10-0473 -3-

Monochromatic and polychromatic professional tattoos are on the right arm, left arm and forearm, and back.

EVIDENCE OF INJURY, INTERNAL AND EXTERNAL:

I. <u>Evidence of drowning</u>: As previously described, the clothing and body surfaces are wet. The skin of the hands is wrinkled and damp. Petechiae involve the conjunctivae. Abundant white foam is within the oral cavity and airway.

The right pleural cavity contains 130 milliliters of pink watery liquid; the left pleural cavity contains 125 milliliters of similar liquid. The lungs are heavy and edematous, with the left lung weighing 800 grams and the right weighing 1175 grams. The stomach contains 390 milliliters of watery fluid. A small amount of watery fluid is within the sphenoid sinus. The mucosa of the sphenoid sinus is without petechiae.

II. <u>Blunt force injuries</u>: A 1/4 inch superficial laceration is on the right face just inferior to the right eye. A 1/8 inch pink abrasion with a 3/4 inch faint blue contusion is on the lateral upper left eyelid.

The neck is remarkable for an oblique band of intramuscular hemorrhage involving the anterior neck musculature, extending from the superior right sternocleidomastoid muscle, through both sternohyoid muscles and the left omohyoid muscle, and involving the inferior left sternocleidomastoid muscle. No contusions involve the overlying skin of the neck. There are no neck fractures.

A 3/4 by 1/2 inch red abrasion is on the lower abdomen.

The left thigh has two white, ovoid, superficial abrasions measuring 1 by 1/2 inch and 1-1/4 by 3/4 inch. A 3 by 3 inch red-brown contusion is on the left lateral knee. A 4 by 3 inch cluster of pink contusions up to 2 inches in greatest dimension is on the anterior left leg. A 2 by 1 inch pink contusion is on the anterior right leg.

INTERNAL EXAMINATION:

BODY CAVITIES: No adhesions are in any of the body cavities. Pleural effusions are previously described under "Evidence of drowning". All internal organs are in the normal anatomic position.

Steven Edward Seymore ML10-0473 -4-

HEAD: The subcutaneous scalp tissues have several small, focal hemorrhages with no corresponding contusions in the overlying skin. The skull is unremarkable. The dura mater and falx cerebri are intact. There is no epidural, subdural, or subarachnoid hemorrhage. The brain weighs 1550 grams and has a normal shape with symmetrical hemispheres. The leptomeninges are thin and delicate. The structures at the base of the brain, including the cranial nerves and blood vessels, are intact. The cortical ribbon is well-demarcated from the white matter. The deep nuclei and ventricles have the standard configuration with no lesions. Sections of the cerebellum and brainstem are unremarkable.

NECK: The neck is previously described under "Blunt force injuries". The hyoid bone and laryngeal cartilages are intact. The mucosa of the epiglottis and trachea is pink, slightly congested, and has no petechial hemorrhages. A moderate amount of white to pink foam is in the larynx and trachea. The atlantooccipital articulation is stable and no cervical fracture is palpated. The prevertebral fascia has no hemorrhage.

CARDIOVASCULAR SYSTEM: The heart weighs 380 grams and has a smooth, glistening epicardial surface with a small amount of epicardial fat. The coronary arteries have patent ostia and a right dominant distribution. No atherosclerotic plaques are identified in any of the major coronary vessels. The atrial and ventricular septa are intact. The chambers of the heart are not dilated. The endocardial surfaces have no hemorrhage. The myocardium is red-brown and firm with no evidence of ischemic injury. The left ventricle and interventricular septum are 1.4 centimeters thick, and the right ventricle is 0.3 centimeters thick. The cardiac valves have thin, freely mobile leaflets and the following circumferences: tricuspid 11.5 centimeters, pulmonic 8.1 centimeters, mitral 11.1 centimeters, and aortic 6.3 centimeters.

The aorta and its major branches arise normally, follow their usual distribution, and have no significant atherosclerosis. The venae cavae and their major tributaries return to the heart in the usual manner and are free of thrombi.

RESPIRATORY SYSTEM: The right lung weighs 1175 grams and the left lung weighs 800 grams. Both lungs have normal lobation and smooth glistening pleural surfaces with a small amount of anthracotic pigment deposition. The parenchyma is spongy

Steven Edward Seymore ML10-0473 -5-

and edematous. There is no tumor, consolidation, or hemorrhage. The bronchi are unremarkable. The vasculature has no thromboemboli.

HEPATOBILIARY SYSTEM: The liver weighs 1975 grams and has an intact capsule and dark red-brown parenchyma with no focal lesions and no visible or palpable fibrosis. The gallbladder contains 20 milliliters of green-brown mucoid bile and has a smooth, velvety, green mucosal surface.

DIGESTIVE SYSTEM: The esophageal mucosa is gray-pink and smooth. The gastric mucosa is tan and has the usual rugal folds. The stomach contains 390 milliliters of watery liquid with numerous unidentifiable white, green, and gray particles. No intact pills are identified. The serosal surfaces of the small intestines, colon, and appendix are unremarkable. The pancreatic parenchyma is tan-pink and lobulated and the ducts are clear.

GENITOURINARY SYSTEM: The right kidney weighs 140 grams and the left kidney weighs 175 grams. The renal capsules are smooth, thin, and semi-transparent. The underlying cortical surfaces are smooth and red-brown. The corticomedullary junction is distinct. The medullary pyramids are red-purple to tan and unremarkable. The calyces, pelves, and ureters are unremarkable. The bladder contains 35 milliliters of clear, pale yellow urine and has trabeculated, smooth, pink mucosa. The prostate gland, seminal vesicles, and testes are unremarkable.

RETICULOENDOTHELIAL SYSTEM: The spleen weighs 150 grams and has a smooth, gray-blue intact capsule and red-purple, moderately firm parenchyma with unremarkable white pulp. No enlarged lymph nodes are seen.

ENDOCRINE SYSTEM: The thyroid gland has a normal shape and size and uniform redbrown rubbery parenchyma. The adrenal glands have thin, golden yellow cortices and thin, gray medullae. The pituitary gland is unremarkable.

MUSCULOSKELETAL SYSTEM: The skeletal muscle is normally distributed and uniformly red. The vertebrae, clavicles, sternum, ribs and pelvis have no fracture or developmental abnormality.

Steven Edward Seymore ML10-0473 -6-

TOXICOLOGY: Blood, vitreous fluid, urine, bile, stomach contents, liver, and brain are submitted.

HISTOLOGY: Representative sections of the heart, lungs, liver, kidney, and brain are submitted.

PATHOLOGIC DIAGNOSES

- I. Drowning
 - A. Found submerged in tugboat which sank in ship channel
 - B. Pulmonary edema
 - C. Bilateral pleural effusions
 - D. Foam within oral cavity and airway
 - E. Watery gastric contents
 - F. Petechiae of conjunctivae
 - G. Wrinkling of skin over the hands
 - H. Wet clothing and body surfaces
- II. Blunt force injuries
 - A. Small laceration below right eye, and small abrasion and contusion of left eyelid
 - B. Intramuscular hemorrhage of anterior neck musculature
 - C. Abrasion of abdomen
 - D. Abrasions and contusions of lower extremities

HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES 1885 OLD SPANISH TRAIL HOUSTON, TEXAS 77054–2098

				4.D.
Forensic	Patho	logy	Fell	ow

ML10-0473

MICROSCOPIC EXAMINATION

LIVER -No significant inflammation. No fibrosis or necrosis.

KIDNEY - Vascular congestion. No significant glomerular or tubular abnormality.

BRAIN - Sections of the hippocampi, lateral geniculate bodies, cerebral cortex and pineal gland show no histopathologic abnormalities.

LUNGS - Edema and vascular congestion. Occasional small airways with aspirated foreign material. Numerous intra-alveolar pigmented macrophages. Anthracotic pigment deposition.

HEART - Mild fatty infiltration of right ventricle. No significant inflammation or fibrosis. No necrosis.

M.D. MMDDYY Forensic Pathology Fellow



HARRIS COUNTY INSTITUTE OF FORENSIC SCIENCES

1885 Old Spanish Trail

Houston, Texas 77054-2001 Phone: 713-796-6830 Fax: 713-796-6838

LABORATORY REPORT

March 16, 2010

LABORATORY NUMBER: ML10-0473

Deceased: STEVEN EDWARD SEYMORE Submitted By: Michael Condron, M.D. Forensic Pathology Fellow Harris County Medical Examiner Agency Number: ML10-0473 1885 Old Spanish Trail Submission Date: February 12, 2010 Houston, TX 77054 Specimen: Blood (femoral) Analyte **Analytical Method** Result Hydrocodone 0.05 mg/L LC/MS/MS Specimen: Stomach Contents Analyte Result. Analytical Method Hydrocodone 0.39 mg/L LC/MS/MS Specimen: Blood (femoral) Analyte **Analytical Method** Result 6-monoacetyImorphine LC/MS/MS Amphetamine Immunoassay Barbiturates Immunoassay Benzodiazepines Immunoassay Cocaine Metabolite Immunoassay Codeine LC/MS/MS Ethanol, Methanol, Isopropanol, Acetone Headspace GC Hydromorphone LC/MS/MS Marijuana Metabolite Immunoassay Methadone Immunoassay Methamphetamine Immunoassay Morphine LC/MS/MS Other Standard Basic Drugs GC/MS Oxycodone LC/MS/MS Phencyclidine Immunoassay Specimen: Stomach Contents Analyte Result Analytical Method 6-monoacetyImorphine LC/MS/MS Codeine LC/MS/MS EC/MS/MS Hydromorphone LC/MS/MS Morphine LC/MS/MS Oxycodone Medical Examiner's Initia

Unless otherwise requested, toxicology specimens will be discarded one year after date of receipt. This Laboratory is Accredited by ASCLD/LAB-*International* and ABFT.

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Page 1 of 2 ECN 3679031

LABORATORY NUMBER: ML10-0473

MEDICAL EXAMINER'S OFFICE

MAR 1 6 2010

RECEN RECORDS CUSTODIAN

, Ph.D., D-ABFT Assistant Chief Toxicologist March 16, 2010

Medical Examiner's Initial ______ 3/24

Unless otherwise requested, toxicology specimens will be discarded one year after date of receipt. This Laboratory is Accredited by ASCLD/LAB-*International* and ABFT.

VM, D-ABVT, FTS-ABFT

LOXICOLOGIST 1

March 15, 2010

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Page 2 of 2 ECN 3679031

	SECTOR HOUSTON-GALVESTON
	COMMAND CENTER DAILY LOG
	0000 - 2359 13 FEB 10
Time	Events
0209	Began new watch day. CAPT Woodring is the Sector Commander and the COTP, FMSC, FOSC, and OCMI. The port is at MARSEC I. HURCON V is in effect. OS1 OS1 OS3 OS3 and SNOS on watch. HOU UTV INSP (The ports the JR NICHOLLS has been successfully removed from the water. The vessel is in the slings of the BIG JOHN and intentions are to leave the vessel in the slings within the boom at Lyondell overnight. Will
	resume OPS at 0900 and pollution OPS will continue overnight. Channel remains closed. UTV INSP NTFD HOU IO (). NTFD ENF (). Sent CMD TXT
	NTFD D8 (1035 VTS reports HSC is open to tow traffic only. 1036 Sent CMD TXT 1213 HOU UTV INSP (1213 HOU UTV INSP (1213 HOU UTV INSP (1213 HOU UTV INSP (1214 Section 1.1) Section 1.1) Section 1.1 1213 HOU UTV INSP (1214 Section 1.1) Section 1.1 1215 Section 1.1 121
	 1329 VTS REPORTS HSC is now open to all traffic. 1330 Sent CMD TXT 1455 HOU DPO () reports APPROX 2K GAL has been recovered with APPROX 500 GAL left. Booms are lining the
	GP Terminal and BOPAK on the North side of the channel and LYONDELL on the Southside. 1505 UPDATED D8 1600 HOU UTV INSP (FIGURE reports Salvage operations complete on JR NICHOLLS. VSL is floating on its own. After
	final testing, UTV will be transferred to HASCO MARINE in OLD RIVER with the assistance of UTV TEXAN and UTV HAMPSHIRE. 1615 Sent Updated CMD TXT.
	1725 Updated D8 (1997) 1730 JR NICHOLLS is U/W departed with the UTV TEXAS ENR HASCO MARINA. 1802 HOU UTV INSP (1997) reports salvage operations complete. Pollution operations continue. Sent CMD TXT
	1942 VTS reports JR NICHOLLS has reached it's final destination. Sent CMD TXT
	OS1 relieves OS1 of the OUC watch. OS2 OS2 relieves OS1 relieves OS1 relieves OS3 SNOS of the CUC watch.
0701	MSU GALV (The provide the KIRBY 10306 was discharging at Kirby Fleet in Freeport when they noticed a pin sized hole in the cargo pipeline. They are ENR to CHANNEL VIEW FLEET. MSU DOM will attend. No POL/INJ. 1056 MSU G DOM (The pipeline content of the cargo pipeline content of the cargo pipeline content of the cargo pipeline. They are ENR to CHANNEL VIEW FLEET. MSU DOM will attend. No POL/INJ. 1056 MSU G DOM (The pipeline content of the cargo pipeline content of the cargo pipeline content of the cargo pipeline. They are ENR to CHANNEL VIEW FLEET. MSU DOM will attend. No POL/INJ. 1056 MSU G DOM (The pipeline content of the cargo
	MISLE 490494 HOU I/O (reports a gas leak at the LYONDELL-BASSELL facility. All CG Personnel evacuated the facility.SCC took precautionary measures and set a shelter in place. 0912 Shelter in Place Commenced 0918 NTFD SCC OPS/SECTOR CDR 0920 All A/C units turned off.
	0928 Sent CMD TXT 0936 NTFD 1-800-DAD-SAFE / D8 0950 LYONDELL FACILITY Reports everything is okay, it was an ALERT 1 release alarm for a crack in a 737 COKER UNIT releasing CO.
	1011 Shelter In Place Secured. 1016 Final Notification of 1-800-DAD-SAFE to confirm shelter in place has secured, and no further danger to the facility o surrounding areas. 1028 Sent Final CMD TXT.

1048	MISLE 490496 RCVD RPT of M/V DELMAR JAEGER pushing CHEM 3702 (Loaded w/ 25,000 barrels of Diesel Fuel)
	scraped along the East Brazos Flood Gates
	1058 NTFD MSU G DOM (
	1116 NTFD MSU G I/O (
	1140 Sent CMD TXT
	1148 MSU G DOM (reports barge CHEM 3072 is a TBSIP. In house inspector will inspect the barge and send
	results to MSU G.
	1150 NTFD D8
1228	NRC 931206 Water was built up in a bulge of a 38ft pacemaker. He is pumping the liquid overboard ATT. There is now a
	sheen coming from it.
	1240 NTFD MSU G DPO
1532	RCVD DEVIATION REQUEST for M/V CIC BELEM.
1754	1535 NTFD HOU PSC); will view request in a m. NRC 931217 Suspicious activity reported at Valero TX City when two individuals were found to be filming the facility from
1/54	across the street. Local law enforcement notified.
	NTFD MSU G FIST
1800	
1800	OS2 relieved OS1 of the OU.
	OS3 w/SNOS as break-in relieved OS2 of the CU.
2030	SAR: RCVD Mayday on Ch. 16 from F/V ANGELA C 119NM offshore Galveston for medevac of 45YOM with severe
	broken arm. A/S HOU launched to recover. A/S CC launched for over flight.
	MISLE 490514
2210	VTS reports the HOU Pilot states while inbound at LT89 M/V ATLANTIC ACTION dropped from 12kts to 7kts while
	at full ahead. The Pilot asked the Master if there was a problem and he stated no and the vessel began making 12kts again.
	No further problems and Pilot is taking the vessel on to TX Terminals.
	NTFD HOU SMI); vessel will not be placed on OPCON.
	NTFD HOU IO (); vessel will not be placed on OPCON.
2211	VTS reports Garner Environmental) reports the Tug ATLAS was transiting past Lyondell
	where they had a 16ft john boat tied up and the wake caused the john boat to sink. No persons were on board the john boat
	and they are attempting to recover it.
	NTFD HOU IO); will let Garner and G&H Towing work the matter out.
2359	End of watch day.
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U.S. Department of **Homeland Security**

United States Coast Guard



Commanding Officer United States Coast Guard Marine Safety Center

2100 2ND ST SW WASHINGTON, DC 20593 Staff Symbol: MSC-1 Phone: (202) 475-3401 Fax: (202) 475-3920

16710/P015885 Serial: H1-1002355 23 Sep 2010

MEMORANDUM

From Reply to LT Attn of: (202) 475 - 3362CG MSC-SERT To: CG Sector Houston-Galveston (sp) Subj: POST SINKING STABILITY ANALYSIS OF THE J R NICHOLLS, O.N.590031 Ref: (a) Your memo 16782 ser 10-001, undated (b) Report on the stability of the J R NICHOLLS, O.N. 590031, prepared by Mr. , PE (c) Email between Mr. , and LT (d) Email between CWO and LT

of 16 July 2010 of 8 Sep 2010

1. As requested in ref (a), we performed a technical analysis to evaluate the stability of the J R NICHOLLS against the stability requirements of 46 CFR Subchapter S and to investigate potential factors that may have led to the vessel's sinking.

2. While not required to meet any regulatory stability standard, we believe the criteria in 46CFR170.173 provide an objective reference standard for intact stability for vessels similar to the J R NICHOLLS. Our analysis indicates that, at the time of the casualty, the J R NICHOLLS' stability was likely significantly less than that required to satisfy 46CFR 170.173 criteria for a protected route. Had the vessel met the protected waters criteria in 46 CFR 170.173, it would likely have had approximately twice as much area under the righting arm curve before downflooding. Based on our estimate of the pre-casualty load condition, if the doors on the main deck were open, downflooding into the engine room would have occurred at an angle of heel of approximately 16°. Downflooding would have occurred at a significantly greater angle of heel had the vessel been operating with the main deck doors closed.

3. While we cannot say whether or not a larger downflooding angle and/or compliance with the 46CFR 170.173 criteria would have allowed the vessel to survive the waves and propeller wash it encountered, both would have given the vessel a much larger margin of safety.

4. Enclosure (1) is a detailed explanation of our assumptions and analysis. If you have questions or need additional information, please contact LT of our staff.

#

Encl: (1) Explanation of Analysis & Assumptions

1. General Comments Regarding Our Stability Analysis

- Creative Systems General HydroStatics (GHS) software version 11.50 was used for our analysis.
- Our model was developed based on a hand drawn lines plan provided in reference (b). This lines plan included dimensions from the deck edge to the chine. It also listed the vertical distance from the keel to the chine at three longitudinal locations. The resulting model had hydrostatic properties consistent with the model created by Mr. Shearer in reference (b).
- All weights were reported in long tons (LT). One long ton is equivalent to 2240 pounds.
- Downflooding occurs when water enters the hull or superstructure of a vessel through an opening that is not watertight. Information on downflooding points was provided in reference (d). Downflooding points were assumed to be located at the aft doors leading to the engine room, on both the port and starboard side of the pilot house. The house door was measured 31 feet aft of the forward perpendicular, 7.7 feet outboard of the centerline, and 14 inches above the main deck.
- 46CFR174.145 contains specific stability requirements for inspected tugboats and towboats. 46CFR170.173 contains stability requirements for vessels of unusual proportion and form. Because this vessel is not inspected, it is not required to comply with any stability standards. However, for the purposes of this report, the stability of the vessel in question was analyzed against criteria in both of the aforementioned sections.
- For a detailed assessment of stability, naval architects examine a vessel's righting arm curve. The righting arm curve is a plot of a vessel's righting arm vs. angle of heel. A righting arm is a measure of a vessel's ability to right itself when disturbed from its upright position. In general, the greater the righting arm, the better the vessel's stability characteristics. The area under the righting arm curve (measured in foot-degrees), also called righting energy, is often used as a measure of the vessel's ability to absorb energy imparted by wind, waves, or other forces. A vessel with very little righting energy could roll past its range of positive stability and capsize as a result of even a relatively small disturbance.
- The effects of wind and waves were not considered in this analysis.

2. Model Development

The computer model used throughout this analysis was created using the distances from the deck edge to the chine as well as the deadrise found in the drawing shown in Figure 1. Tanks and arrangements were modeled from information provided in reference (c). A picture of the actual vessel in operation, and our computer model of the vessel, are shown in Figure 2.



Figure 1: Lines plan provided in reference (b)



Figure 2: Outboard profile picture of J R NICHOLLS, and computer generated image of our model

3. Pre-Casualty Condition Estimation

To conduct an intact stability analysis it is necessary to know the vessel's hull shape as well as its displacement and centers of gravity. Because there was no information available on the vessel's lightship characteristics, our model's displacement and longitudinal center of gravity were estimated using post-casualty freeboards and tank loadings provided in reference (b).

4. Intact Stability Assessment

Knowing the location of the vertical center of gravity (VCG) is crucial in order to make an accurate determination of the vessel's transverse stability. Because the vessel is uninspected,

and not required to comply with regulatory stability requirements, there is no record of an inclining experiment being conducted to determine the location of the VCG.

Instead, we were able to analyze the vessel to estimate the VCG height at which the vessel would just comply with a particular set of stability criteria. If the VCG of the vessel was equal to or lower than this height, the vessel would pass the criteria; if the VCG was higher, it would fail the criteria.

The first criteria we considered were those in 46 CFR 174.145, which are applicable to inspected towing vessels. However, these criteria do not make any distinction on route; a vessel on a protected waters route must meet the same stability requirements as one operating on an exposed route. In contrast, 46 CFR 170.173 is used for other inspected vessels which must comply with stability requirements of 46 CFR Subchapter S, and it does make a distinction based on the route of the vessel. Although 46 CFR 170.173 does not specifically apply to towboats, it was used in this case to evaluate the vessel's stability against a widely used, route dependent, standard.

Using these two intact stability criteria, we developed the maximum VCG curves shown in Figures 3 and 4. These curves span a range of displacements, from our assumed lightship displacement, to 220 LT, which exceeds the estimated displacement of the vessel at the time of the casualty. Reference (b) assumed a lightship VCG located at the main deck, which we concur is a reasonable estimate. The estimated condition at the time of the casualty of the J R NICHOLLS is represented by an "X" on the figures.



Figure 3: Maximum VCG vs. Displacement curve for the requirements of 46 CFR 174.145



Figure 4: Maximum VCG vs. Displacement curve for the requirements of 46 CFR 170.173.

At the estimated displacement at the time of casualty (214 LT), the maximum allowable VCG in order to pass 46CFR170.145 criteria is 4.8 feet above the baseline. In our engineering judgment, it is certain that the vessel had a higher VCG at the time of the casualty, meaning that the vessel would not have been in compliance with intact stability criteria for an inspected towboat at the time of the casualty. Additionally, it is likely that the vessel would not have met 46CFR170.173 criteria for other inspected vessels operating on a protected route, which would have required a VCG no more than 7.8 feet above baseline. Figure 5 shows an outboard profile of the vessel, showing the waterline, and the maximum allowable height of the VCG for it to pass intact stability requirements of 46 CFR 170.173.



Figure 5: Outboard profile of the J R NICHOLLS. The maximum allowable height of the VCG is represented by a dashed line

5. Assessment of the Casualty

Witness testimony indicates that the J R NICHOLLS listed heavily to port while passing through another towboat's propeller wash. From the information available, we cannot determine the nature or extent of propeller wash forces or the effects they may have had on the J R NICHOLLS. Based on our estimate of the pre-casualty load condition, if the doors on the main deck were open, downflooding into the engine room would have occurred at an angle of heel of approximately 16°. Downflooding would have occurred at a significantly greater angle of heel had the vessel been operating with the main deck doors closed.

The vessel's intact stability characteristics directly influence its ability to return to an upright condition when disturbed by external forces. In general, a more stable vessel will require a larger disturbance to heel to a given angle than would a less stable vessel. While not required to meet any regulatory stability standard, we believe the criteria in 46CFR170.173 provide an objective reference standard for intact stability for vessels similar to the J R NICHOLLS. Our analysis indicates that, at the time of the casualty, the J R NICHOLLS' stability was likely significantly less than that required to satisfy 46CFR 170.173 criteria for a protected route. Had the vessel met the protected waters criteria in 46 CFR 170.173, it would likely have had approximately twice as much area under the righting arm curve before downflooding. While we cannot say whether this would have allowed the vessel to survive the waves and propeller wash it encountered, it would have given the vessel a much larger margin of safety.

Encl(1)



FROM:

SUBJECT: UTV J. R. NICHOLLS SINKING PRELIMINARY INVESTIGATION

DATE:

APRIL 23, 2010

1. Incident Summary: On February 9, 2010 at approx. 2230 hours, the J.R. Nicholls was outbound on the Houston Ship Channel transiting from Brady's Island to Baytown TX. On hoard the tug were crewmembers Master). (deckhand), (deckhand),

(deckhand), and Steven Seymore (deckhand). The tug was approx. 500 feet past Sims Bayou Turning Basin in the vicinity of Woodhouse Terminal on its port side and Lyondell Refinery on its starboard side (see NOAA chart 11325). Two tugs were in that area assisting a tank ship with docking. The propeller wash from one of the assist tugs (Andrew K) caught the J.R. Nicholls and pushed it hard to starboard causing the J.R. Nicholls to roll to port. The J.R. Nicholls' deck took on water due to the roll and the water flooded the engine room through the outside doors. The galley doors were also open allowing water to enter the tug. The J.R. Nicholls subsequently took a hard starboard roll and began to sink into the ship channel by the stern. The J.R. Nicholls sank to the bottom of the ship channel.

 Investigation activities: To ascertain the facts of the incident, on February 12, 2010, an investigation team assembled at the 2 North Point Building in Houston, TX. The team consisted of

outside counsel) was also present to provide legal support. The

investigation team interviewed each surviving crew member of the J.R. Nicholls separately (crew members identified above). Written statements by the second (shore tankerman) and (deckhand on Snipe) were obtained on Feb. 14, 2010; these men witnessed the casualty . and also, interviewed and by phone on Feb 18, 2010.

On February 13, 2010, the J.R. Nicholls was raised off the bottom of the Houston Ship Channel and brought over to the shore side on the Lyondell side of the channel and dewatered. **Sector poarded** the tug to continue the casualty investigation by looking at physical evidence such as hatch covers, throttle position, steering lever position and shaft seals. This inspection of the tug was used in conjunction with the witness interviews to determine the facts.

3. Finding of Facts:

I. Crew	
a. Captain	is an experienced captain on his 6th license renewal.
b. Captain	was hired by KMSCS/Megafleet on May 2, 2007 and has been the captain of the UTV J.R.
Nicholls since, H	a bas not had a casualty, an incident or reprimand during his tenure with KMSCS/Megafleet and
his supervisor,	operations manager), considers him the best captain at KMSCS. (interview with
07	
c. Relief captain	as been on the LP. Micholls for 2 years and considers
safe, conscientiou	
15Feb10.	and expressed similar thoughts.
d. Captain	was on the bridge piloting the UTV when the accident occurred. Steve Seymore was in the
u. Captain	umed to be painting. All other crewmembers were asleep in their bunks
engine room pres	and to be participe. An other dewnenders were alloop in their builds
	nterviews 12Feb10).
II. Channel condi	tions and traffic.

3100 Penn City Rd

Houston, TX 77015

PH: (713) 331-0540 Fax: (713) 331-0555

ECN 3679031 068

KMSCS00184

a. The tugs Atlas and Andrew K were assisting the tank ship Miss Lucy with docking at Woodhouse Terminal. Miss Lucy's bow was pointed inbound and the series tugs were pushing on her port side. Miss Lucy's stern was further away from the dock than her bow methods interview 12Feb10).

b. Miss Lucy is 105 feet wide. Andrew K is 87 feet long. Atlas is 71 feet long.

c. The Tugs Mia Kelly with tow and Snipe with tow were moored across the channel at Lyondell refinery. A work boat and barge were also at Lyondell.

nterview 12Feb10).

d. The Houston Ship Channel is 350 feet wide were the incident occurred

e. The weather was cold, approx 40 degrees, and winds were calm

III. J.R. Nicholls

a. Had a scheduled maintenance period from Jan 11-28, 2010 at Southwest Shipyard. Work completed during this time included: 1. replacing starter on bilge pump; 2. lathe, clean and refit both shafts with new shaft seals; 3. bore a 4 inch hole (involce says 8 inch, **according to 1** a KMSCS maintenance employee, stated this was a typo during an interview on 22Feb10) into the top center of the bulkhead separating the port and starboard fuel tanks to allow fuel to flow from one tank to the other in case of overfill. (this work was conducted between Jan 11-28 2010, see Southwest shipyard invoice 166400 dated 2/17/10). Replaced starter on bilge pump and tested pump (RIO Marine invoice dated 1/28/2010).

b. Had an unscheduled yard period from Feb 1-3, 2010, to repair holes/wastage in the bow area that was discovered as a result of water leaking into the bow area. (Southwest Shinyard preliminary invoice 2/15/2010)

c. No leaks into engine room observed or known about 12Feb10).

d. Hatch covers on main deck were all observed to be closed (interview 12Feb10).

e. Water discovered in aft void space and removed on morning of accident. Unknown amount, but it took 3 hours to remove it with electric pump. Crew does not know how water entered space. This space was found to have water in it prior to the UTV's Jan. 2010 yard period. Captain the believed repairs were made to stop this flooding during the Jan. 2010 yard period to the unit of the unit of

f. UTV took on 10,144 gals of diesel, 165 gals of lube oil and 4,500 gals of water the day of the accident (Feb 9) interview 12Feb10).

g. The UTV's deck was never awash that day prior to the accident and the UTV was riding well and at the normal draft, no steering or maneuverability issues after the vessel had completed refueling and taking on water and lube oil. (**Compared** interview 12Feb10).

h. UTV was listing prior to refueling and had slight port list after. Crew used wing voids as trim tanks to stabilize vessel. The vessel refueling and had slight port list after. Crew used wing voids as trim tanks to stabilize vessel.

I. Weather tight doors are located at the port and starboard entrances to the engine room and galley. These doors were open. This is the usual position when the LTTL is transiting on the ship channel above Morgan's Point interview 12Feb10). Weather the transiting this area and some had their

weather-tight doors open and some did not.

j. After the UTV was salvaged, on 13Feb10, water was observed by pouring out of a hole at the top of the starboard, aft water tank into the aft void where these 2 tanks connect. It is not known if this condition existed prior to the accident.

k. The aft void space that water leaked into runs the width of the vessel. This space is divided by 2 baffles.

4. Actions leading up to the sinking and subsequent activity:

a. Captain misread his orders for that night. The J.R. Nicholls was supposed to go directly to Baytown from Greens Bayou Fleet and was not supposed to go to Brady's Island. Capt. Get this after he arrived at Brady's Island, where upon he turned the UTV around and headed for Baytown. (Market and Interview 12Feb10)

b. Captain stated be was proceeding at 1350 rpm (6 knots) down the channel. This is about half speed. Full speed is 1800 rpm (concerning interview 18Feb10)

c. The Atlas was on the front quarter and the Andrew K was pushing on the aft quarter of the Miss Lucy.

d. Captain control ook notice of the Miss Lucy docking operation and proceeded at the same course and speed.

2

e. Capt

assed astern of the Atlas and felt no stern wash and the J.R. Nicholls continued without interview 12Feb10).

f. As the J.R. Nicholls passed astern of the Andrew K, Capt. felt the current and sheer he had experienced in the past coming from Andrew K's prop wash. The J.R. Nicholls was then pushed to its starboard

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ECN 3679031 068

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rd and started to sink, stern first. Feb10)
tept the rudders at midship interview 18Feb10), use. (
Capt
were forced into the ship channel view 18Feb10)
surfaced. They had found an air They were assisted ashore and given gine room.

5. Investigation summary:

a. Capt. The property has passed astern of tugs assisting in docking operations on numerous occasions and knew how the prop wash affected his tug; it normally just pushed his tug away, causing a sudden sheer to the side. On this occasion, he was expecting the prop wash to do the same. Instead, Andrew K's prop wash pushed on the port side, moving the bottom of the UTV to starboard causing the top (superstructure) to over-balance to the port. This caused part of the deck to submerge allowing water to enter the engine room through the open doors.

b. The width of the Miss Lucy (105 ft) and the length of the Andrew K (87 ft) would take up approx 200 feet of the 350 foot wide channel off of the Woodhouse side (allowing for the fact that the stern of the Miss Lucy was off the dock and being pushed in by the Andrew K). Witness accounts put the J.R. Nicholls approx. 100-125 feet into the channel off of the Lyondell side (and the KM EHS Specialist) interview 13Feb10, the interview 18Feb10). Witness accounts also place a work barge with attending tug on the Lyondell side of the channel that extended approx. 50 feet into the channel (interview 1970) D2Mar10). This suggests that the J.R. Nicholls had approx. 100 feet of channel to operate in and it passed astern of the Andrew K by 25-50 feet.

c. The combined horsepower for both assist tugs is 3900 hp.

6. Witness list and interview dates:



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Houston, TX 77015

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1.00	WEATHERPROOF OUTLET BOX 1 GANG, THREE 1/2" OUTLETS		5.10	5.10
1.00	MISC. NUTS AND BOLTS	1	15.00	15.00
5.00	#14-3 COND. MARINE CABLE ALUMINUM ARMOR		1.15	5.75
2.00	Service Call - Houston Regular	1/27/2010	70.00	140.00
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Deckhand Signature S. SEYMORE

Kinder Morgan Ship Channel Services Weekly Inspection / Service Guide MV_JR NICHOLLS Month Of JANUARY

Date 2-6-10

	Week	Week	Week	Week	Week
Senior Deckhand To Inspect	#1	#2	#3	#4	#5
Engine Room	1		1		1
Check condition of main switch panel	ISS		shipyard	SS	SS
Check all wiring and hoses for chafing	ISS	×	shipyard	ISS	SS
Add activator / chlorine to sanitation units	ISS		shipyard	SS	SS
Drain all fuel water tank traps	ISS	1	shipyard	SS	SS
Check all battery acid levels	SS		shipvard	SS	SS
Check all engine and gear mounting / base bolts	ISS	7	shipyard	SS	SS
Grease tailshaft packing glands	ISS	1	shipyard	SS	SS
Test portable jigger pump / hose / strainer	SS		shipyard	SS	SS
Inspect & change potable water tank filter if necessary	SS	1	shipyard	SS	SS
Test day tanks for coolant (add if necessary)	ISS	1	shipyard	SS	ISS
Deck	1				1
Grease all deck winches	SS		shipyard	SS	SS
Grease rudder tube bushings	ISS		shipyard	SS	SS
Grease steering gear pins and bushings	SS		shipyard	SS	SS
Grease roller buttons	ISS		shipyard	SS	SS
Test all smoke alarms	SS		shipvard	SS	ISS
Clean / change air conditioning filter (s)	SS	1	shipyard	SS	SS
Free up & grease all watertight hatch dogs	SS		shipyard	ISS	SS
Check all Fire extinguishers	ISS		shipyard	SS	SS
Open and Inspect All Voids	SS		shipyard	SS	SS
Clear deck & passagways of slip, trip & fall haz.	ISS		shipyard	ISS	SS
Watertight Doors	SS		shipyard	SS	SS
Watertight Hatches	SS		shipyard	SS	SS
Captain / Relief Captain To Inspect				-	
Wheelhouse					
Review current status of "Work Orders" request			shipyard		-
Fest General Alarm			shipyard		-
Check Garbage Disposal Log		-	shipvard		_
Check Oil and Filter Disposal Log			shipyard		
Check completion of Tow Inspection / Service guide			shipyard		-
Check Vessel Inspection / Service guide complete		-	shipyard		
Fest ring buoy lights			shipyard		-
Conduct Safety Meeting			shipyard		
Fest VHF radio back-up battery system			shipvard		
Check Battery Acid level for back-up to VHF radios			shipyard		-
Test Fire Alarm System			shipyard		_
Test Fire Pump					
Check all Deck & Running Lights			shipyard		-

COMMENTS:

S

Form Id

68719478969

Record Id

37518539336392

Revised 12-4-2009

SOUTHWEST SHIPYARD, L.P.



18310 Market Street Channelview, TX 77530

RepairCleaningGas FreeingSteamingConversionsNew ConstructionChannelview OperationsPhone 281/860-3200Fax 281/860-3215Brady Island OperationsPhone 713/967-6300 - 713/473-5561Fax 713/967-6301

Please Remit To: Southwest Shipyard, L.P. P.O. Box 973265 Dallas, TX 75397-3265

KMSCS00194

ECN 3679031 068

RECEIVED FEB 1 9 2010

	³⁰²⁵ Kinder Morgan Channel Services 3511 Watters Road Pasadena, TX 77504	ARRIVAL : DEPARTURE : P.O. No. : LOCATION:	02/17/10
1.	DRY-DOCK		\$1,500.00
	 A. Setup dry-dock #5 in order to dry-dock vessel on 01/11/10 19:00 Hrs. B. Undock vessel on 01/21/10 		
2.	GAS FREE		\$13,557.00
	A. Setup pumps, hoses, PIC, and spill boom in order to pump 7600 gallons of fuel SWS fuel storage tanks.		a decin
	B. Upon completion of repairs, Assist owner furnished suppliers pump 7,600 gallons of fuel into vessel.		
	C. Setup pumps and hoses to strip engine room bilges and gas free prior to commencement of repairs.		
	D. Clean engine room bilges and floor plates upon completion of engine room repairs.		
	E. Clean fwd fuel oil tank (1)		
	F. Dispose of 2,400 gallons of contaminated liquids.		
	Note: Fab and install 5 ea. new gaskets on port and stbd fuel oil tank hatch covers.		
	H. Obtain a SWS furnished Marine Chemist Certificate O-23874 Safe for entry Dated on 01/11/10		
	 Obtain a SWS furnished Marine Chemist Certificate Q-23875 Safe for hot work Dated on 01/12/10 		
	 Obtain a SWS furnished Marine Chemist Certificate O-23893 Safe for hot work Dated on 01/18/10 		
	Competent Person (Persod on 17 days)		

J. Competent Person. (Based on 17 days)

1 of 5

We undertake to provide services to the best of our ability but only upon the condition that in any event our liability to you and to anyone else shall be only on account of our own negligence and in an amount not to exceed \$500,000 for all damages of every kind. ALL BILLS DUE AND PAYABLE IN HARRIS COUNTY, TEXAS.

(-	3	18310 Ma	WEST SHIPY Inket Street ew, TX 77530	ARD, L.P.				Please Remit To: Southwest Shipyard, L.P.
R		Repair	Cleaning	Gas Freeing	Steaming	Conversions	New Construction	P.O. Box 973265 Dallas, TX 75397-3265
10	~		view Operation land Operation		81/860-3200 13/967-6300 -	713/473-5561	Fax 281/860-3215 Fax 713/967-6301	Dallas, 1X 15591-5205
3.	A. Co On: 01 Off: 01	nnect and 1/11/10 19 1/21/10	disconnect sho :15 Hrs. ay or stairs in o		vessel			\$975.00
4.	A. Pro B. Los C. Re	ad onto Ba Install back	(OB) and material to umann truck. c as original. new stainless s		nd stbd propelle	ers.		\$2,200.00
5.	A. Pro B. Dis Note: C. Se D. Fit E. Fit F. Cle	connect ar existing tille for new ruc t up pump a and weld 1 and weld 1 and weld 2 an up rudd	and material to ad remove tiller ars were welde der nuts. and hoses to co ea. 1/2" x 3" x ea. 1/2 "x 6" x	s, and drop stoc d complete to n heck grease fitti 58" flat bar ato 58" breakaway /16" x 20" trim a provide machinis	d main steering udder stocks, n ngs. p each rudder plate. angles on each st to mic.	rudder. ew tillers are rea		\$3,390.00
6.	A. Pro	ider.	and material to			at Stbd IB flanki oper breakaway	Sec.	\$1,589.00
7.	A. Rei	ER SEALS move and r d main rud	enew one (1) p	oucker seal usin	g new seal and	l stainless bolts	on	\$350.00
8,	B. Rei C. Sei	connect co move tail sl nd tail shaf	upling on port a hafts and coupl Is and coupling shafts back as	ings. s to machine sh		airs.		\$3,400.00
9.	A. Fur	ass bearing		(2)		rt and starboard		\$2,100.00

- 2. Rig and remove the cutlass bearings from the strut tube.
- 3. The strut tube will be buffed and cleaned to remove burs and old chock-fast.

2 of 5

We undertake to provide services to the best of our ability but only upon the condition that in any event our liability to you and to anyone else shall be only on account. of our own negligence and in an amount not to exceed \$500,000 for all damages of every kind. ALL BILLS DUE AND PAYABLE IN HARRIS COUNTY, TEXAS.

KMSCS00195 ECN 3679031 068
SOUTHWEST SHIPYARD, L.P.

Cleaning

Channelview Operations

Brady Island Operations

Gas Freeing

Steaming

Phone 713/967-6300 - 713/473-5561

Phone 281/860-3200

Conversions



18310 Marke	t Street
Channelview,	TX 77530

Please Remit To:
Southwest Shipyard, L.P.
P.O. Box 973265
Dallas, TX 75397-3265

New Construction

Fax 281/860-3215

Fax 713/967-6301

C. Test repairs.

Rapair

14.	TIRES / M&M BUMPERS	\$923.00
	A. Provide labor and material to remove 5 ea. Bumper tires in order to sandblast	
	and paint	
	B. Reinstall tires upon completion of coatings.	
15.	"H" BITT	\$2,550.00
	A. Provide labor and material to crop and renew 1 ea. "H" bitt between pushknees.	
	using:	
	2 ea. 8" sch 80 x 3'0" vertical pipes	
	Vertical pipe to penetrate 12" below main deck.	
	4 ea. 3/8" x 8" pipe caps.	
	1 ea. 4" sch 80 x 2'6" horizontal pipes	
	2 ea. 3/8" x 4" pipe caps.	
	Fit and weld angle supports underneath main deck to tie to new "H" bitts.	
	B. Blast and coat all the materials prior installation.	
16.	BARNACLES	\$1,825.00
	A. Provide labor and equipment to scrape and remove marine growth and barnacles.	
17.	ANODES: (OFF: 54 ON: 28)	\$2,625.00
	A. Furnish necessary labor and equipments to:	
	1. Remove all M-24 type zinc anodes from hull, which are wasted in excess	
	of 50% to 75%.	
	 All straps will be washed off and ground smooth, 	
	Install owner furnished M-24 type zinc anodes.	
18.	MSD UNIT	\$990.00
	A. Provide labor and material to check vent pipe for obstructions.	4000.00
	B. Cut out and remove PVC pipe section.	
	C. Flush vent pipe and install hose section with house clamps on the existing	
	pipe.	
	RU0U 0100	
19.	PUSH PADS	\$5,029.00
	A. Provide labor and material to set up scaffolding to reach repairs.	
	B. Crop and renew 2 ea. 1/2" x 10" x 22" push pads at port side knee.	
	C. Crop and renew 1 ea. 1/2" x 10" x 36" push pads at port side knee. D. Crop and renew 3 ea. 1/2" x 10" x 36" push pads at stbd side knee.	
	E. Crop and renew 2 ea. 1/2" x 10" x 22" push pads at stod side knee.	
	E. Orop and renew 2 ea. 1/2 x 10 x 22 public pack at slob side killer.	

- F. Crop and renew 4 ea. 1/2" x 10" x 36" push pads at Headlog.
- G. Crop and renew 2 ea. 1/2" x 10" x 36" push pads at fleet deck.
- H. Refit and weld port and stbd corner pads.

4 of 5

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2	`	arket Street lew, TX 77530					Please Remit To: Southwest Shipyard, L.P.
-	Repair	Cleaning	Gas Freeing	Steaming	Conversions	New Construction	P.O. Box 973265 Dallas, TX 75397-3265
-		view Operation sland Operation		1/860-3200 3/967-6300 -	713/473-5561	Fax 281/860-3215 Fax 713/967-6301	Dalids, 1X 13391-3203
	5. Install the	ores and record new owner fun th new set-scre	nished cutlass sl	eeve type bea	rings.		
c	OLLISION VO	ID					\$9,210.00
			o cut off 2 ea. 1/2	2 "x 18" x 18" ;	access plates in	order	401210100
	to clean colli						
в	Pressure was	sh using a 3,00	0 psi collision vo	id.			
		id and loose sc					
	and the second sec		furnished coating	g.			
	Fit and weld	access plates.					
	Test repairs.						
			o remove flamm				
100			of angle shelf in		repairs.		
1.	Test repairs.	2 ea. 3/6' x 16'	' x 5'0" doubler p	hate.			
	1	d prime all mat	erials prior instal	Intion			
		angle shelf back	and the second se	auon.			
		w and disturbed					
H	ULL PAINTING	include	main deck ins	ide and outside	de bulwarks.)		\$24,800.00
	Provide labor		set up tarps on				
			heel house to p				
C			sand sweep hu include inside b		ail.		
D	Blow down al	I spent blast ab	rasive.				
E.	Apply a (3) co specs.	bat owner furnis	hed coating sys	lem as describ	ed in coatings		
F.	Clean sand fr	om dry-dock an	d dispose.				
G	Remove tarp	s from forward	and aft end of dr	y-dock.			
H.	Cut in water I	ine following ex	isting line.				
	and the second sec				nd draft numbers		
J.	Rinse vessel l abrasive deb		se down to main	deck to remov	ve any spent bla	st	
B	JLWARKS						\$829.00
		and material to	pad weld 4 ea.	Holes on bulw	ark plates.		4444.44
		eld 1 ea. 14" fra		- 1.022-002-00-0005	and the second of the		
R	JB RAIL						\$1,250.00
2.7		and material to	fit and weld 1 e	a. 5/16" x 4" x	40" doubler arou	ind the	
	stbd side she						
n	Downid a 24"	Contraction and lines					

B. Reweld a 24" fracture on stbd side.

3 of 5

We undertake to provide services to the best of our ability but only upon the condition that in any event our liability to you and to anyone else shall be only on account of our own negligence and in an amount not to exceed \$500,000 for all damages of every kind. ALL BILLS DUE AND PAYABLE IN HARRIS COUNTY, TEXAS.

KMSCS00197 ECN 3679031 068

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1	-

27.

VENDOR #

VO#

4	R	18310 Ma	WEST SHIPYA rket Street ew, TX 77530	ARD, L.P.				Please Remit To: Southwest Shipyard, L.P.
~	1	Repair	Cleaning	Gas Freeing	Steaming	Conversions	New Construction	P.O. Box 973265
1	×/		view Operation land Operation		81/860-3200 13/967-6300 -	713/473-5561	Fax 281/860-3215 Fax 713/967-6301	Dallas, TX 75397-3265
20.	A. Pri No B. Cla C. Fit	plate: Cut out plate. an lube oil	and material to opening on way tank for hotwork a shipyard furnis	y of bulwarks a	nd rub rail pipe	e oil tank. and air test outs	side	\$1,875.00
21.	A. Pro		DAY TANK and material to	gouge and we	ld pit hole on p	ort main engine	day	\$545.00
22.	A. Lo. 1.	Align both	MENT undation bolts fr engines using s to gears and to	him stock mate		ngines.		\$3,500.00
23)		OIL TANK t out 8" lim	ber holes inside	port and stbd	fuel oil tank.			\$444.00
24.	A. Pro					official number p	plaque	\$650.00
25.	A. Rei	PUMP PIPI move fire p st repairs.	NG oump piping unic	on and install te	e bushing.			\$546.00
26.	ran	ovide labor n.	and material to wner furnished h		install stbd mai	n rudder hydraul	ic	\$435.00
27.	1000 B. (111)	INUM COV	ERS and material to	cut 6 ea. 1/4" x	7" OD alumini	um covers with		\$350.00
			g unit (12)					
	AC AC	CTIVITY (15)		AFE TYPE			Jo	b Total \$ 87,437.0

5 of 5

15

We undertake to provide services to the best of our ability but only upon the condition that in any event our liability to you and to anyone else shall be only on account of our own negligence and in an amount not to exceed \$500,000 for all damages of every kind. ALL BILLS DUE AND PAYABLE IN HARRIS COUNTY, TEXAS.

KMSCS00198 ECN 3679031 068

JR Nicholis

Southwest Shipyard - Brady Island

	³⁰²⁵ Kinder Morgan Channel Services 3511 Watters Road Pasadena, TX 77504	DATE: JOB No. : VESSEL : ARRIVAL :	5-01898 JR Nicholls 02/01/10 13:00 Hrs.
	Status: PRELIMINARY INVOICE 02/15/10	TOTAL	\$ 12,711.00
2100	CLEANING FOR HOT WORK		\$615.00
	A. Provide labor to remove ropes, boxes and flammables from storage room in order to perform hot work repairs.		
3105	DRY-DOCK FOR REPAIRS.		\$1,500.00
	 A. Setup dry-dock #8 in order to drydock vessel on 02/01/10 18:30 Hrs. B. Undock vessel on 02/02/10 17:45 Hrs. 		
14005	MARINE CHEMIST CERTIFICATE.		\$575.00
	 A. Obtain a SWS furnished Marine Chemist Certificate 0.23943 Safe for hotwork Dated on 02/01/10 B. Competent Person. 		
14100	VESSEL SERVICES		\$540.00
	 A. Connect and disconnect shore power. On: 02/01/10 19:00 Hrs. Off: 02/02/10 17:00 Hrs. B. Setup gangway or statrs in order to access vessel 		
3115	IN YARD SHIFTING		No shares
	A. Shift vessel on and off drydock. B. Shift vessel in yard as necessary.		No charge
6500	INTERNALS		\$8,243.00
	 A. Provide labor and materials to chip and needle scale lower 6" x 20'0" of the port and stbd wing ballast void in order to inspect hull plate. B. Set up testing rig and air test the port and stbd wing voids to check hull plate. 		
	1 - 62		

JR Nicholls

Southwest Shipyard - Brady Island

- bottom plate and side plates.
- C. Set up testing rig and air test fwd collision void to check hull plate.
- Note: Founded wasted metal on the port and stod lower pushknee sections.
- D. Crop and renew 2 ea. 3/8" x 26" x 26" steel plates on lower pushknee section.
- E. Fit and weld 2 ea. 3/8" x 8" x 8" doublers on hull plate inside pushknee plate.
- F. Fit and weld 2 ea. 6" x 9'0" doubler plates on port and stbd wing voids.
- G. Fit and weid 1 ea. 3/8" x 6" x 20" doubler at storage room to collision void bulkhead
- H. Reweld 7'0" of stod lower push knee section.
- I. Post a fire watch during hotwork.
- J. Air test repairs.
- K. Touch up new and disturbed areas using owner furnished coatings.

77600 PUSHKNEE PAD

- A, Set up scattold to access pushknee pad repairs.
- B. Provide labor and material to crop and renew 1ea. 1/2" x 10" x 38" shipyard furnished pushknee pad.
- C. Touch up new and disturbed areas using owner fumished coatings.

\$1,238.00

KMSCS00200

ECN 3679031 068

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AND A

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17

Allstar Hydraulic Sales & Service LLC.

Invoice

5646 Ransom Houston, TX 77087 713-643-2600 FAX 713-643-2610

RECEIVED TED 01 TH

Date	Invoice #
1/27/2010	1-3554

Bill To	
Kinder Morgan Ship Channel Services LLC 3511 Watters Pasadena, Texas 77504	

		Motor Vessel	Code #	Date of Order	Terms	P.O. Number
		JR Nichols		1/27/2010	10 Net 30	753-56
Amount	Each	Price	1	Description		Quantity
730.00T 105.00T 68.89	730.00 105.00 8.25%		03420010 TOC (4)980	1 1/2"pin Reman cylinde hipyard 1-27-2010 (2) <u>10</u> ACCTG UNIT (12) COUNT (8) 7401/5 IVITY (1) T CAT (5 ROVAL ROVAL DOR # <u>2010(62 7)</u>	1 heavy tang/ lug Deliver to: SW S Sales Tax CO ACO ACO APP APP	
	1					

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O P S

Bill To

Oil Purification Specialists, inc.

OPS I	FUEL SERVICE
	in the second
	INC.

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-	-	-		-	_	_	_

Date	Invoice #		
1/29/2010	20708		

Oil Purification Specialists, Inc. PO Box 8513

The Woodlands, TX 77387

Kinder Morgan Ship Channel Svcs. LLC 3511 Watters Pasadena, TX 77504

				P.O. No.	Due Date
				6753-55-10	2/28/2010
Serviced		Description	Rate	Location	Amount
1/27/2010	diesel fuel f	purification of 7,000 gallons of or "JR Nichols". acctg UNIT (12) $O34200$ (6) $730//5$ Toc (4) 94		0.00	2,100.00
Thank you for y Contact -	ACTIVITY ACCTICA APPROVA APPROVA VENDOR	1.0. <u>34765</u> DATE <u>0 2</u> VICULO 6333 VO#		ales Tax (0.00)	\$0,00
	Phone #	Fax #	Т	otal	\$2,100.00
93	6-273-5529	936-273-6710			



RECEIVED JAN 2 6 2010

Texas Wheel Works, Inc.

945 Houston Ave. P.O. Box 1276 Port Arthur, TX 77641-1276 P.O. Box 1276 Port Arthur, Texas 77641-1276 (409) 984-5533 • (800) 238-9402 Fax (409) 984-5690

	Invoice		
Date	Invoice #		
1/18/2010	6238		

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Bill To	
KMSC SERVICES, LLC	
3511 WATTERS ROAD	
PASADENA, TX 77504	

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Sh	ID.	Τo

SOUTHWEST SHIPYARD BRADEY ISLAND M/V J.R. NICHOLS

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P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
6753-37-10	Net 30	н	1/15/2010	Our Delivery	DESTINATION	
Quantity	Item Code		Descriptio	on	Price Each	Amount
2	DURAMAX FARE	BEARINGS. S.O. #3906 Sales Tax CO (2) <u>10</u> ACCT ACCOUNT (8) - ACTIVITY (15) - ACCT CAT (1		* X 21* SLEEVE <i>f200/0</i> toc (4) <u>7380</u> DATE <i>f 29-1</i> (Vo #		1,238.00
				17	otal	\$1,340,14

20



14.

PARTS / LABOR / MISC						
Qty	Description	Date	Rate	Ext. Price		
1 18.00	EXTERNAL SHOTS		3.00	354.00		
13.00	INTERNAL SHOTS		4.00	52.00		
2.00	REPORT FILING FEE		50.00	100.00		
10.00	01/12/10 - MILEAGE		1.50	15.00		

INVOICE TOTALS	2.2	
	PARTS TOTAL	0.00
	LABOR TOTAL	0.00
	MISC. TOTAL	521.00
00 (2) 10 ACCTG UNIT (19) () 2 (/ 2 0 0) () (2 0 0)	TAX	0.00
CO (2) 10 ACCTG UNIT (12) 03420010 6753		\$521.00
PPROVA		de
ENDOR #100106339 VO#		1/25

KMSCS00204 ECN 3679031 068 51

21

350	rboline Company Hanley Industrial Court • St. Louis, MO 63144 • 314-644-1000 • F/	AX 314-644-4617	carbo	Page 2
dia tan	VOICE			
	Kinder Morgan Marine Division	- sls/	INVOICE NUMBER 20621291	01-27-2010
SHIP TO	Houston, TX 77015		CARBOLINE PO. BOX CLEVELAND, O	931942
	Southwest Shinyard	h.		

8502 Cypress Street Houston, TX 77012

	CLEVELAND, OH 44193-0004
A	PLEASE PAY FROM INVOICE
E.	TERMS: NET 30 DAYS-NO DISCOUNT ALLOWED

LES REF'S ORDER NO.	CUB	CUSTOMER P.O. NUMBER SHIPPED VI		CUSTOMER P.O. NUMBER SHIPPED VIA F.O.B. SHIPPE				O.B. SHIPPING PO	DINT
668908	DRYDOCK J	R.NICHOLLS						1	
DATE ENTERED	0	CUSTOMER	NUMBER			SHIPP	ING DATE	INVOICE DATE	ORIGINAL
01-16-2010 107699006			Prepay and Do Not Add	Prepay and Do Not Add		-2010	01-27-2010	SLS/206	
UNITS	UNIC	T SIZE		DESCRIPTION	c	TOTAL	GAL	JUNIT	AMOUNT
2.00	20 PCUN	ØS	44470904c2 Filler 47	AD		2.00 Units		0000	88.00
5.00	GALLON		1 (1 = 1 = 1 = 1 =	82150516001D Carbocost 8215		5.00 Gals	45.4500		227.25
10.00	GALLON			,	0.00 Gals	22,	5500		
	1	State			- 70	COUNT (8)	1-1	100 (4).	1000
		State		2.000 69	30 2.56 AC AC .92 AP AP	TIVITY (15) CT CAT (1 PROVAL		6.5 DATE 5	2-3F
Material Saiely al www.carboli Service at 1-80	ine com or b	Local		2.000 69	-36 AC -56 AC -92 AP AP VE	TIVITY (15) CT CAT (1 PROVAL PROVAL		2 <u>2/-</u> / vo#_	USD 5,764.72
al www.carooli	ine com or b	tocal	chnical	2.000 69 286 7HIS ORDER IF SUBJECT 1 THE TERMS & CONDITIONS BET FORTH ON THE	-10 56 AC 92 AP AP VE	TIVITY (1) CT CAT (1) PROVAL PROVAL D. NDOR # f.		2 <u>2/-</u> / vo#_	uso 3,764.72
al www.carooli	ine com or b 00-848-464	tocal	hnical e Portion, Detai	2.000 59 286 THIS ORDER IS SUBJECTT THE TERMS & CONDITIONS BET FORTH ON THE REVERSE SIDE HEREOF	-10 56 AC 92 AP AP VE	TIVITY (1) CT CAT (1) PROVAL D. PROVAL D. NDOR # AQU		2 <u>2/-</u> / vo⊭	uso 3,764.72

KMSCS00205 ECN 3679031 068

Carboline Company

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INVOICE

Kinder Morgan Marine Division Attn 3100 Femil City Road Houston, TX 77015

SHIP TO

Southwest Shipyard 8502 Cypress Street Houston, TX 77012

	INVOICE NUMBER	,, RAVUIGENDATE
SLS/	20621291	01-27-2010
	PO BO	E COMPANY X 931942 OH 44193-0004
194	PLEASE RAY F	DISCOUNT ALLOWED
¥	www.carbo	

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S REFS OFDER NO.	CUSTO	MER P.O. NUMBER	IER SHIPPED VIA		NUMBER SHIPPED VIA			F.O.B. SHIPPING POINT		
668908	DRYDOCK J.R.	NICHOLLS			i here					
DATE ENTERED	0 0	ISTOMER NUMBER			SHIPPINK	3 DATE	INVOICE DATE	ORIGINAL IN		
01-14-2010 107699006		2006	Prepay and Do Not Add		01-14-2	arø	01-27-2010	SL5/20621		
UNITS INVOICED	UNITS	ilze	DESCRIPTION	101 GALS	AL UNIT	GAL	IUNIT ICE	AMOUNT		
	DRYDOCK .	R MICHOLLS		1		1				
20.00	GALLON		1054A5909100 Carboguard B85 Red		Gals	22.	5500	451.00		
30.00	GALLON		1054C900910b Carboguard 885 Black		Gals	22.	5500	676.50		
20.00	GALLON		C1110500005D C-Flex 1-2-3 AF Red		Cals	60.5	5000	,210.00		
5.00	GALLON		821569000010 Carbocoat 8215		Gats	45.4	500	227.25		
1.00	GALLON	8215186400 Carbocoat	25-11-	1,00	Gals	45.4	500	45.45		
15.00	GALLON	0510091000 Thimer 10		15.00	Gals	13.4	5100	204.15		
5.00	GALLON	0556091000 Thinner 21		5.00	Gals	24.5	5400	122.70		
Material Salety Data Sheets are also available at www.carboline.com or by calling Technical Service at 1-800-848-4545.			THIS DADER IF SUBJECT TO THE TERMS & CONDITIONS SET FORTH ON THE REVERSE SIDE MERCOR	1	VOICE AI	MOUNT	·•			
	1	Remittance Portion, Deta	ch and return this portion with payment,			Ī	AMOUN \$	IT PAID		
CUSTOMER N	UMBER		CUSTOMER NAME	INVOICE NUM	BER	INVOI	CE AMOUNT	INVOICE		
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KMSCS00206

ECN 3679031 068

	implex America Distribution of the second emington, NJ 08822 hone: (908) 237-909 ex: (908) 237-9503 mail: info@simplexam /eb: www.simplexam	d 9 nericas.com			invoic Orde Custom Vessel Name	e No. Date 1/13/2010 er No. er ID	VOICE 10001111 0000123 KMS00
KM Ship Channel Serv 3511 Watters Road Pasadena, TX 77504	vices, LLC		850	thwest Sh 2 Cypress Iston, TX	Street		
Notes: 1ZA3y729039736146			-1				PAGE
FOB POINT	SHIP VIA/	TRACKING #		ORDERED B	8 V	CUSTOMER P	0.00
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SHIP DATE	TERMS	_	1.000	_		L	
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Simplan Freight

 Without Deductions Please Remit Wire Tranafer to:
 Sales Total
 12,000.00

 DONESTIC USD WIRING INSTRUCTIONS:
 Shipping & Handling
 0.00

 Pay to Bank: Skylands Community Bank, Flemington, NJ, ABA: 021209990
 Misc. Charges
 155.00

 Beneficiary: Simplex Americas LLC, 20 Bartles Corner Rd, Flemington, NJ 08822
 Tax Total
 0.00

 Intermediary Bank: Fulton Bank, Lancaster, PA, Intermediary Switt: FLBKUS33
 Lass Paid Amount
 0.00

 Beneficiary: Bank: Skylands Community Bank, Flemington, NJ, BKK ABA: 021209990
 Lass Paid Amount
 0.00

 For further cradit: Singlex Americas LLC, 20 Bartles Corner Rd, Flemington, NJ
 States Corner Rd, Flemington, NJ
 812,155.00

 Account #: 00211200522
 ToTAL
 \$12,155.00USD

155.00

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JUL-19-1999 03:01A FROM:

DANMARAN

BAUMANN MARINE SERVICE, INC.

2311 S/Sgt. Macario Garcia Dr. Houston, Texas 77011 Tel. 713/926-6908 Fax 713/926-6920

DATE	INVOICE #
1/25/2010	23302

BILL TO

KM Ship Channel Services, LLC 3511 Watters Road Pasadena, TX. 77504

DATE REC'D	P.O. NO.	TERMS	DUE DATE.	SHIP DATE	SHIP VIA	B	OAT NAME	
1/12/10	6753-40-10	Net 30	2/24/2010	2/2/2010	OUR TRU	JR	NICKLES	
ITEM	QUANTITY		DESCRIPTI	DN	RATE		AMOUNT	
14564	1	RECO/BAL/	SCAN 4BL 60	"X 48" RH SS	1,280.	00	1,280.00	
VELD/SS	- 54	WELD DIAM	ETER TO 64		35.	00	1,890.00	
4\$64	j.		SCAN 4BL 60	X 48" LH SS	1,280.	.00	1,280.00	
WELD/SS	50	5" BORE WELD DIAL	METER TO 64	*	35	.00	1,750.00	
DELSWB		2 PICK UP / I	ELIVERY 1/2	2/10	45	.00	90.00	
		CO (2) 10 ACO ACCOUNT (E ACTIVITY (ACCT CAT APPROVAL VENDOR #10		20010 988	Subtotal Sales Tax Total	(8.25	\$6,290.04 (6) <u>\$0.</u> \$6,290	00
+-	- tra complete!	_	25			ECN	KMS 3679031 068	SCS002

MNI DIESEL INC.

P.O. BOX 266334 HOUSTON, TX 77207

RECEIVED JAN 2 3 2010

Dale Invoice #

1/25/2010

1/25/2010 100870

Invoice

Bill To KM SHIP CHANNEL SERVICES LLC 3511 WATTERS RD. PASADENA TX 77504

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Ship To	
MEGA FLEET	
M/V JR NICHOLLS	
SERIAL# C1Z00486/C1Z00485	
C-12 PORT AND STB	
CLEANED AFTER COOLER	

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	1	Project
6753-45-10	Net 30	2111	1/13/2010				
Quantity	Item Code	T	Descripti	on	Price	Each	Amount
40 2 2 4 2 4 2 4 2 4 4 2 4 4 2 4 4 2 4 4 4	LABOR MILEAGE 9M9989 4P3871 1095307 1260124 6V3917 25629 6L1651 2248572 9X7287 2147568 3P0649 HELICOIL 6V5049	HELICOILS ON 1/13 1 MAN 6.5 HOL	CO (2) <u>10</u> ACCTG ACCOUNT (6) -2 ACTIVITY (10) ACCT CAT	HOUR PER MILE UNIT (12) 23 40.115	42000675 FOC (4) 7288 DATE 492-10 VO #	70.00 1.50 1.47 4.45 36.91 4.25 17.84 7.79 5.82 13.44 14.77 2.72 13.08 7.50 1.94	455.00 60.00 2.94 8.99 147.64 8.50 71.36 15.58 11.64 53.76 59.08 5.44 52.32 30.00 7.76
Ph	one#	-			Tota	1	\$989,92
	84-4550				IULA		\$203,92

KMSCS00209 ECN 3679031 068

	Anna hunde manuar	
Mnl	DIESEL INC.	C/

(281) 484-4550

CAT

1927

SERVICE REPORT

ECN 3679031 068

Fax (281)	484-6955 P.O. Box 266334	SERVICE REPORT
MNIDiesel@aol.com	Houston, Tx 77207-6334	PAGE OF
6753.45.10	ORDER 100 820	NAME Kinder Malcon
MODEL (12-	SERIAL NO. CIZ00485	93238.6 DATE 1/03/1/2
MILES	South west ship yord	VESSEL JA NICHOIIS
arrive at	boot went on	engine voom and
Remove of	tercooler and we	ter liners that go from
water pamp	to aFfurcally and	clean the after cooler
with Desr	easer and water	install. 4. belicoils on
		thath conects from cold
		on StB engine install
new basket	s and after coolel	back on and water
pipes uni	16 new or Arings	and Goskets.

M n I DIESEL INC. WARRANTS THE WORK PERFORMED TO BE FREE FROM DEFECTS IN WORKMANSHIP FOR A PERIOD OF 90 DAYS OR 500 HRS WHICH EVER COMES FIRST (UNLESS OTHERWISE AGREED TO IN WRITING) IN ADDITION TO THE STAND MANUFACTURERS WARRANTIES. M n I'S OBLIGATION UNDER THIS WARRANTY SHALL BE LIMITED TO THE REPAIR OR REPLACEMENT OF THOSE NEW PARTS INSTALLED OR LABOR PERFORMED. DEMONSTRATED TO BE DEFECTIVE CUSTOMER HEREBY AGREES THAT NO OTHER REMEDY (INCLUDING, BUT NOT LIMITED TO CLAIMS FOR INCIDENTAL, CONSEQUENTIAL SPECIAL DAMAGES INCLUDING LOSS OF TIME, INJURY TO PENSON OR PROPERTY OR ANY OTHER ECONOMIC LOSS. WARRANT REPAIRS SHALL BE PROVIDED WITHOUT CHARGE TO THE OLSTOMER, EXCLUDING EXPENDABLE ITEMS SUCH AS OIL AND FILTERS IN CONSIDERATION OF THE SALE OF GOODS AND/OR SERVICE BY M I DIESEL INC. I (OR WE) HEREBY AGREE TO PAY THE SAME AT YOUR OFFICE IN HOUSTON, TEXAS. WE ALSO AGREE TO ASSUME ALL RESPONSIBILITY FOR REASONABLE ATTORNEY FEES IF PLACE IN THE HANDS OF AN ATTORNEY FOR COLLECTION.

CUSTOMER SIGNATURE	SERVICEMAI SIGNATURE	
		KMSCS00210

M n I DIESEL INC.

11/10

P.O. #

MILES

(281) 484-4550 SERVICE REPORT Fax (281) 484-6955 P.O. Box 266334 Houston, Tx 77207-6334 MNIDiesel@aol.com PAGE OF WORK CUSTOMER ORDER NAME 675345.10 00820 Kin MOLGE MODEL SERIAL NO. HOURS DATE 01 С C 1200486 C MO LOCATION MOTOR VESSEL 0 South Sh H 0 ericue GALIUR bn ens inc 100 nol 90110 10 CON PCM NG n

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M IN TORESEL INC. WARRANTS THE WORK PERFORMED TO BE FREE FROM DEFECTS IN WORKMANSHIP FOR A PERIOD OF 90 DAYS OR 500 HRS WHICH EVER COMES FIRST (UNLESS OTHERWISE ABREED TO IN WRITING) IN ADDITION TO THE STAND MANUFACTURERS WARRANTIES. M IN IS OBLIGATION UNDER THIS WARRANTY SHALL BE LIMITED TO THE REPAIR OR REPLACEMENT OF THOSE NEW PARTS INSTALLED OR LABOR PERFORMED. DEMONSTRATED TO BE DEFECTIVE CUSTOMER HEREBY AGREES THAT NO OTHER REMEDY (INCLUDING, BUT NOT LIMITED TO CLAIMS FOR INCIDENTAL, CONSEQUENTIAL SPECIAL DAMAGES INCLUDING LOSS OF TIME, INJURY TO PENSON OR PROPERTY OR ANY OTHER ECONOMIC LOSS. WARRANTY REPAIRS SHALL BE PROVIDED WITHOUT CHARGE TO THE CUSTOMER, EXCLUDING EXPENDATES SUCH AS ON AND FILTERS IN CONSIDERATION OF THE SALE OF GOODS AND/OR SERVICE BY M IN DISEL INC. I (OR WE) HEREBY AGREE TO PAY THE SAME AT YOUR OFFICE IN HOUSTON. TEXAS. WE ALSO AGREE TO ASSUME ALL RESPONSIBILITY FOR REASONABLE ATTORNEY FEE'S IF PLACE IN THE HANDS OF AN ATTORNEY FOR COLLECTION.

CUSTOMER SIGNATURE

SERVICEM SIGNATUR



Rio Marine, Inc. 5301 Polk St Bidg #12 Houston, Texas 77023 P:(713) 921-5213 F:(713) 921-8061

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INVOICE NO.

and the second	1/18/2010
BILL TO	DUE DATE 2/17/2010
KM SHIP CHANNEL SERVICES, LLC.	SERVICE CALL NO. 0000018460
3511 WATERS	the second second second second
PASADENA, TX 77504 J. R. NICHOLS	REMIT TO;
. A NOTOLS	P.O. Box 231609 Houston, Texas 77223-1609

Account	Contact	Completed	Equipment Name	Customer PO Np.
MEG01		1/13/2010 J. R. NICHOLS		6753-39-10
Area	ter a second	Contraction of the	Call Description	and the second
SWSY Brady Island	Add remote for fire ala	rm and switches for nav	vigation lights	
		Service D	escription	a law.
a free free free free free free free fre		the second se		14

Qtγ	Description	Date	Rate	Ext. Price
2.00	CONTACT BLOCK 2 N.O.		43.26	85.52
1.00	DBL GANG WEA PROOF BOX 3 HOLE 1/2 INCH		6.20	6.20
3.00	CONNECTOR 1/2" ROMEX		2.00	6.00
1.00	CONDUIT BOX 2 1/8" DEEP HANDY BOX		3.16	3.16
1.00	CONDUIT BOX COVER BLANK FOR HANDY BOX		0.33	0.33
1.00	CONDULET "C" W/COV & GAS ALUMINUM 1/2"		6.65	6.6
2.00	SELECTOR SWITCH 2 POS., MAINTAINED		26.88	53.76
1.00	EDWARDS SIGNAL REMOTE ZONE INDICATOR		72.52	72.52
1.00	EDWSG FSRZIA REMOTE ZONE INDICATOR		54.00	54.00
50.00	#16-4 COND. MARINE CABLE ALUMINUM ARMOR		1.30	65.00
1.00	MISC. NUTS AND BOLTS		15.00	15.00
2.00	CGB 1/2 PLASTIC S2112		2.50	5.00
1.00	TP262RED RED 2G GFCI PLATE		5.00	5.00
85.00	#14-3 COND. MARINE CABLE ALUMINUM ARMOR		1.10	93.50
2.00	ENCLOSURE 1-HOLE PUSHBUTTON UNIT NEMA 4 FIBERGLASS		33.60	67.20
7.00	Service Call - Houston Regular	1/13/2010	70.00	490.00



Rio Marine, Inc. 5301 Polk St Bldg #12 Houston, Texas 77023 P:(713) 921-5213 F:(713) 921-8061

INVOICE

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	PARTS / LABOR /	MISC	and in the	halle and an a
Qty	Description	Date	Rate	Ext. Price
3.50	Service Call - Houston Regular	1/13/2010	70.00	245.00

	and the second se	INVOICE TOTALS
524.84	PARTS TOTAL	
735,00	LABOR TOTAL	
15.00	MISC. TOTAL	
0.00	TAX	
\$1,274.84	INVOICE	



CO (2) 10 ACCTG UNIT (12) 03 420010 ACCOUNT (B) 730115 TOC (4) 93400 6753 ACTIVITY (15) ACCT CAT APPROVA APPROVALD. 29165 DATE 1-05510 VENDOR # 100106339 VO#____

R. C. SCHMIDT & SONS, Inc.

MACHINE SHOP

1215 AKRON - NOUSTON, TEXAS 77029

Nº 14930

Phone (713) 673-5911

INVOICE DATE February 3, 2010

RECEIVED FEB 0 8 2010	CUST. ORL	DER NO. F.O.#67	53-41-10
SOLD TO Kinder Morgan Ship Channel Services LLG 3511 Watter Rd. Pasadena, Texas 77504	-1 L	TERMSN - 30	Days
M/V J. R. Nicholes		PRICE	AMOUNT
Clean and inspect the port and stbd. to Place each shaft in a lathe and machine on the forward and aft journals. Machine each tailshaft true so the forward jour 12" for a mechanical shaft seal. Weld up the forward and aft journals on Machine the aft journals to 54" diameter Machine the forward journals to 55" diam Install the companion flanges and check the flange faces true. Fit a new propeller nut and key to each Re-coat each shaft with fiberglass betw Machine two (2) adapter flanges to moun seal to the existing stern tube flanges	e away the damaged m ine the forward end rnals can be moved f n each shaft. er. meter. k the runout. Skim h shaft. ween the journals nt a simplan shaft	of Forward cut	\$5,996.00 \$ <u>1,114.00</u>
CO (2) 10 ACCTG UNIT (12)	al	6753	\$7,110.00

ACTIVITY (15) ACCT CA APPROVALD. 24765 DATE 2-9-10 APPROVALD. 24765 DATE 2-9-10 VENDOR #/00/107/38_ VO #_____

DELIVERY TICKET 1. 2 25 R. C. SCHMIDT & SONS, Inc. MACHINE SHOP (713) 673-5911 - 1215 AKRON - HOUSTON, TEXAS 77029 DATE 01.21.10 J.R. Widnites CUST. ORDER NO. JOB NO. AMOUNT QUANTITY DESCRIPTION 2 TAILSHHALL Company FINNER Seal Nemptois 2 2 Signature

all all the

122

SOUTHWEST SHIPYARD, L.P.



126.4.201604	rket Street ew, TX 77530					Please Remit To: Southwest Shipyard, L.P.
Repair	Cleaning	Gas Freeing	Steaming	Conversions	New Construction	P.O. Box 973265
	view Operatio land Operatio		1/860-3200 3/967-6300 -	713/473-5561	Fax 281/860-3215 Fax 713/967-6301	Dallas, TX 75397-3265

' RECEIVED FEB 1 9 2010

	3025 Kinder Morgan Channel Services 3511 Watters Road Pasadena, TX 77504	INVOICE No. : 166399 INVOICE DATE : 02/17/10 JOB No. : 5-01870 VESSEL : JR Nicholis ARRIVAL : 1/11/2010 06:00 Hrs. DEPARTURE : 01/28/10 20:00 Hrs. P.O. No. : 6753-43-10 LOCATION: Brady Island TERMS : Due Upon Receipt
1.	 SHAFT SEALS (Owner furnished seals) A. Remove studs from port and stbd packing glands. B. Fill weld and grind stud holes in way of shaft seal installation. C. Align, fit, and weld seal adaptor flange to packing gland. 	\$3,800.00
2.	 COOLERS A. Provide labor and material to cut off the port and stbd cooler guards. B. Remove the port and stbd grid coolers. C. Pressure wash the port and stbd grid cooler boxes. D. Pressure wash the port and stbd grid coolers. E Reinstall new grid coolers using new gaskets and hardware. F. Fill day tanks and test coolers. 	\$3,617.00
3.	 COOLER BOXES A. Provide labor and material to crop and renew the port and stbd cooler boxes Wash out and remove lower flat bar on cooler box and fit and weld back as original. B. Post fire watch during hotwork repairs. C. Air test repairs. 	\$18,980.00

Job Total

\$26,397.00

1 of 1

We undertake to provide services to the best of our ability but only upon the condition that in any event our liability to you and to anyone else shall be only on account of our own negligence and in an amount not to exceed \$500,000 for all damages of every kind. ALL BILLS DUE AND PAYABLE IN HARRIS COUNTY, TEXAS.

PREMIUM ELECTRUNICO

SHIP TO

Attn:

Kinder Morgan

MIV J R Nicholls

MAUL BLIBA

Invoice

DATE 2/3/2010

18514

BILL TO

Kinder Morgan Ship Channel Services LLC Atin: Accounts Payable 3511 Watters Road Pasadena TX 77504

PRENATURA ELECTRONIC SERVICES, INC. PORT OFFICE 60x 1711 LA PORTE, TX 77572 (2011) 475-0005

P.O. NUMBER	TERMS	REP	SHIP	AIA	F.O.B.	PROJECT
6753-51-10	Net 30 Days	PES	1/27/2010	: Service Tech	Ship Point	
QUANTITY	ITEM CODE	i el	DESCRIP	HOIT	PRICE F	ACH AMOUNT
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			VENDO	R#10010633	Q VO#	
γ	our business	s appreci	ated. Tho	unikyou	тот	AL \$3.444.94

02/15/2010 14:37 2814709596

PREMIUM ELECTRUNICS PAGE 02/02

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LA PO 281-47	RTE, TX 77571 70-9595 FAX 2	81-470-959	6	JOB NO.	61		Sw	ATION SY R	inly I	
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Results for Vessel: ATLAS

Vessel Information:

Vessel Name: ATLAS VIN: 524945 Hull Number: 236 Vessel Flag: UNITED STATES Vessel Call Sign: WDC2601 IMO Number: 8842258 Build Year: 1970

Vessel Particulars:

Service: Towing Vessel Length: 71.2 ft Breadth: 24.2 ft Depth: 10.2 ft Alternate VINs: 524945.

Vessel Information:

Service: In Service Out Of Service Date: N/A Last Removed From Service By: N/A

Vessel Particulars: Deadweight: Gross Tonnage(GRT): 143 Net Tonnage(NRT): 97 Gross Tonnage(GT ITC): **Cargo Authority:**

Vessel Documents and Certifications:

Document	Agency	Date Issued	Expiration Date	
CERTIFICATE OF DOCUMENTATION	USCG	April 16, 2009	May 31, 2010	

Summary of Coast Guard Contacts

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http://cgmix.uscg.mil/PSIX/PSIXDetails.aspx?VesselID=103737

Page 1 of 1

Results for Vessel: ANDREW K

Vessel Information:	Vessel Particulars:
Vessel Name: ANDREW K	Service: Towing Vessel
VIN: 964050	Length: 87.0 ft
Hull Number: 387	Breadth: 34.1 ft
Vessel Flag: UNITED	Depth: 13.1 ft
STATES	Alternate VINs:
Vessel Call Sign: WAO2822	CG028293964050,
Build Year: 1990	IMO Number: 8835126
and the second se	

Vessel Information: Service: In Service Out Of Service Date: N/A Last Removed From Service By: N/A Vessel Particulars: Deadweight: Gross Tonnage(GRT): 159 Net Tonnage(NRT): 99 Gross Tonnage(GT ITC): Cargo Authority:

Vessel Documents and Certifications:

Document	Agency	Date Issued	Expiration Date	
CERTIFICATE OF DOCUMENTATION	USCG	May 13, 2009	June 30, 2010	

Summary of Coast Guard Contacts

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Port stop ON

http://cgmix.uscg.mil/PSIX/PSIXDetails.aspx?VesselID=349103

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Live Map

Vessels

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Vessel's Details

Ship Type: Tanker Length x Breadth: 182 m X 32 m Speed recorded (Max / Average): 14.6 / 9.7 knots

Flag: Marshall Is [MH] Call Sign: V70M5 IMO: 396799, MMSI: 538003115

Last Position Received

Area: Mexico Gulf Latitude / Longitude: <u>29,72243' / -95,23671' (Map)</u> Currently in Port: Last Known Port: Info Received: Od 21h 45min 14s ago Not Currently in Range Itineraries History

Voyage Related Info (Last Received)

Draught: 10.2 m Destination: Info Received: 2010-02-11 16:42 (0d, 22h 9min 4s ago)

Recent Port Calls:

No Records Found

Ex Names History

No Records Found

http://www.marinetraffic.com/ais/shipdetails.aspx?MMSI=538003115&language=_EN 2/12

2/12/2010

KMSCS00221

ECN 3679031 068

Captain		1		Kinder I Vessel I	Morgan S Daily Inst	Kinder Morgan Ship Channel Services	nel Serv	ices	Date	01/31010				
Deckhand	1	1	R	MVVJ.R.	MV J.R. NICHOLS			1 NOVTO BU	c	1		Page 1 of 2	of 2	
0600-1200 Watch	Sun		Mon	1	Tue		Wind	1	These			1	0.1	1
Main Engines	Port	Stbd	Port	Sthd	Port	Sthd	Port	Stbd	Port	Stbd	Port	Sthd	Port	Citha I
Hour Meter Reading Today	16027	16012	16042	16027	16042	16027	16059	16044	16082	16067	16104	16089	16124	16109
Hour Meter Last Oil Change	16003	15988	16003	15988	16003	15988	16003	15988	16003	15988	16003	15988	16003	15988
Hours Since Oil Change	24	24	39	39	39	39	56	56	79	79	101	101	121	121
Oil Pressure	38	36	NA	NA	SHIPYARD	SHIPYARD 35	35	35	21	15	NA	NA	35	3
Water Temperature	181	189	NA	NA	SHIPYARI		186	189	142	183	NA	NA	178	180
Oil Level Full	π	וד	F	Π	F	TI	-	n	17	11	"	77	n	"
Oil Added Last 24 Hours	0	0	0	0	0	-	0	0	0	0		-	2	7
Day Tank Level Full & Alarms			SS	SS	SS	SS	SS	SS	SS	22	22	20	22	2
Oil, Water, Exhaust Leaks		1	SS	SS	SS	SS	SS	SS	20	22	200	nn og	2 00	200
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Hour Meter Reading Today	2195	2278	2215	2278	2215	2278	2215	2291	2215	2316	2238	2316	2263	2316
Hour Meter Last Oil Change	2195	2254	2195	2254	2195	2254	2195	2254	2195	2294	2195	2294	2195	2294
Hours Since Oil Change	0	24	20	24	20	24	20	37	20	82	43	83	68	2
Oil Pressure	NA	70	70	NA	SHIPYARD	SHIPYARD SHIPYARD	NA	70	70	70	70	NA	70	3
Water Temperature	NA	135	142	NA	SHIPYARD	SHIPYARD SHIPYARD NA	NA	145	105	142	142	NA	142	105
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Oil Added Last 24 Hours	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oil Pressure	225	205	NA	NA	NA	NA	225	205	225	205	225	205	225	205
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KMSCS00222 ECN 3679031 068 į

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021 COM ANYWHERE PAGE 1 OF 1 Accutrans 2-10-10 It was about 2230 we were about to disconnect our dock hose from the FMT 3116, When one of the other TRM on boat noticed the MU J.R. Noteles was starting to top over so we took off to stern of my man kelly and put the skift in water and took off to go help if we could when one guy popped up we were able to grab him and put mmI him in the skiff and put him on the MIU Snipe and about that time a Lyondell guy was screeming another man just popped up we wen't back and grashed him and got him back to the mju snipe and they were ready with blankets to wrap them op we stayed standing by another 25 mins waiting for the last guy they said was still on South but he never came op. Coast Guard showed up and we went beck to the M/U MIA Kelly. phone ? h.PM

PAGE 1 OF 1

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2-10-10

02/14/2010 8:33:38 AM -0500 FAXCOM ANYWHERE

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La rallason 40 Ogi 1120 Ball CANNES 79 69 Julies 2101 the UNCO nen 6 2012-Bialt TO IZHINI 11/60. Sault in all & marchai silo .0472 d 41 12450 drive in conse which is the part of the less RINNINS to book adder of lither us settled to rease Statize versel. surital wain Black but when when the same a station was a situated and the particular and the same and the same the station of the 1 84 Colicientink maging un duced and Mile Furt - letter sot. Believed you have the provided KMSCS00225

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EARL HATFIELD MARINE SURVEYORS MV "J R NICHOLLS" CONDITION VALUATION SURVEY (08/27/08)



M/V "J R NICHOLLS" VIEWED FROM PORT FORWARD TO AFT.

PHOTOGRAPHS TAKLN /a HASCO MARINE, INC . DOCK CHANNELVIEW, TEXAS AUGUST 27, 2008 3

alt. And

ETAL HALF READ ALLANS SURVEYOR

FAX 713-668-0554

REPORT NO .: 63601

0 EOX 460461 OUSTON, TEXA: 77056-8461

Channelview, Texas

SURVEY: Condition/ Valuation (08/27/07)

Official No.: 590031 Gross Tons: 72 / Net Tons: 57

August 28, 2008

ALL STEEL WELDED INLAND PUSH BOAT M/V "J.R. NICHOLLS"

THIS IS TO CERTIFY THAT the undersigned Marine Surveyor and Appraiser, acting at the request of Mr with owners and managing operators documented as MegaFleet Towing, Inc., and for the account "To Whom It May Concern", did attend survey of the subject vessel on August 27. 2008, as she lay on afloat at Hasco Marine, Inc., Dock, Channelview, Texas, in order to ascertain the condition of said vessel for the purpose of estimating her present day fair values.

BRIEF DESCRIPTION

Vessel is all welded steel construction being typical inland river tug, twin screw design, square bow, slight shear forward fitted with Port and Starboard push knees, square stern, two (2) main steering and two (2) flanking rudders. Carries all welded steel triple level super structure toward forward end with aft deckhouse covering machinery space. Main deck is fitted with four (4) 2- dog watertight doors with remaining levels above deck fitted with 2-dog aluminum weather tight doors. Sleeps a crew of five (5).

Hull is longitudinally framed, subdivided by five (5) transverse bulkheads. Two (2) forward and three (3) aft of machinery compartment which is located amidships. Rubber pudding along forward and aft ends, corners and 8"split bumper pipes, rubber tire fenders along each side.

Dimensions: Length 56.3', Breadth 22.0', Depth 8.7'

Built at Rayco Shipbuilders & Repairs, Inc., Bourg, LA, in 1978.

PAGE 2 of 7 M/V "J.R.NICHOLLS" REPORT NO.: 63601

MACHINERY:

Vessel is propelled by two (2) Caterpillar, C18, turbocharged, air started, grid cooled Diesel engines each fitted with one (1) hydraulic clutch, reverse and Twin Disc MG 514, 6.00:1, reduction gear. Port and Starboard engines are pilothouse controlled, rating of 500 HP each @ 1800 RPM with oil pressure, water temperature, gear oil drive pressure gauges in pilothouse and engine room. Dry insulated exhaust through metal pipe out top of engine stack aft of super structure.

Two (2) John Deere, 4.5 liter, keel cooled, Diesel Engine, driving one (1) "Magna Plus", 45 KW, 120/240 volt, AC generator, both located Port and Starboard forward in main engine room with dry insulated exhaust through metal pipe out top of engine stack aft of super structure. Port and Starboard engines are battery started. Electrical Services is run through approved type distribution panel, breaker boxes and marine shielded wiring throughout vessel.

Steering is pilothouse controlled by two (2) 10.0 HP electric motors over hydraulic steering pumps to Port and Starboard steering rudder rams and tiller assemblies, located on stem main deck.

All machinery appears properly secured and in apparent satisfactory condition.

Machinery space has an angle framed floor covered with steel raised checkered plate.

Vessel also carries adequate supplied electric motor driven bilge, fire, fuel, potable and lube oil pumps for a vessel of this size.

DECK EQUIPMENT:

Bow deck area is fitted with twin rubber faced push knees, one (1) 8" double post bitt forward on centerline, one (1) "Patterson" manual deck winch located Port and Starboard main deck, 18" high enclosed bulwark between push knees, grated access stairway to O2 level which accommodates grated fleet deck for width of vessel and grated steps stairway from main deck up to top of each push knee. One (1) 18" manway to below deck void and one (1) 24" x 24" raised coaming single-dog hatch to below deck storage with raised watertight cover.

Port and Starboard outer decks each fitted with one (1) 42" cast steel kevel and forward and aft quarters and one (1) 8" roller button forward, one (1) 6" deck coupling button located amidships, 19" enclosed bulwark around outer perimeter, one (1) 18" OD flush manway to below deck tanks and 1"safety grab rail along Port and Starboard superstructure.

PAGE 3 of 7 M/V "J.R.NICHOLLS" **REPORT NO.: 63601**

Stern deck is fitted with one (1) 10" double post towing bitt along forward centerline, raised angle framed grated cover over steering rams, tillers and quadrant assemblies, 24" high enclosed bulwarks and access stairway to O2 level.

Outer perimeter of main deck is fitted with 19" high enclosed bulwark complete with adequate port openings.

O2 level is fitted with one (1) 42" cast steel kevel forward on centerline, Port and Starboard 36" cast steel kevel, one (1) storage locker located on fleet deck, Port and Starboard access plate forms each fitted with one (1) 36" cast steel kevels and 2-tier handrails around outer perimeter of O2 level.

WHEELHOUSE:

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NAVIGATIONAL EQUIPMENT:

One(1)	"Furuno", FR-8062 96 mile Radar with screen.			
Two (2)	"Standard Horizon", VHF transceivers. Model "Quest" .			
One(1)	"Furuno", model LH-3000 loudhailer.			
One(1)	"Swing Guard" model 2B, rudder indicator.			
One (1)	"Furuno" Model FA-100 AIS vessel tracking system.			
One(1)	"Maximum" wind gauge.			
One(1)	"Verizon", company telephone.			
One(1)	"Dell", Latitude D520 and "Brother", DCP-130C printer, fax combination.			
Two (2)	Caterpillar digital tachometers (main engines).			
One(1)	"Ritchie", 4" liquid filled compass.			
One (1)	"Westclox", battery operated clock.			

PAGE 4 of 7 M/V "J.R. NICHOLLS" REPORT NO.: 63601

Wooden floor, marlite walls and wood ceilings throughout pilot house. Bench cushion settee and tinted glass. Navigational charts for areas navigated.

ATOP PILOT HOUSE:

One(1)	"Kahlenberg" dual bugle air horn with signal light.
One (1)	Radar scanner.
Two (2)	"Carliste & Finch", 750 watt incandescent searchlights
One(I)	Radar Scanner.
American	and a second second second second second second

Approved mounted running and anchor lights for this class vessel.

Required antennas for navigational equipment,

SAFETY EQUIPMENT:

Onc (1)	30" life ring, with life line and emergency beacon light mounted in rack on Port and Starboard pilothouse handrails.
One(1)	First Aid Kit located in galley.
One(1)	Electric Windshield wiper
One(1)	"Edwards" 2400 series, High temp monitoring system with temp probes located in machinery space and galley.
Onc (1)	Audible engine alarm system.
One (1)	General Alarm
One (1)	Fire Axe mounted on Bow superstructure.

ABC dry chemical fire extinguishers mounted throughout vessel. Last Inspected (02/08)

USCG Life preservers distributed throughout vessel as required.

Adequate smoke alarms mounted throughout vessel.

PAGE 5 of 7 M/V "J.R. NICHOLLS" REPORT NO.: 63601

Tinted windows in wheelhouse.

Fire station on Port and Starboard main deck level with hose and nozzle mounted in fire rack.

External emergency fuel shut down mounted Starboard side main deck aft of superstructure.

GALLEY EQUIPMENT:

- One (1) "American" 4-burner electric stove and oven complete with exhaust hood and side rails.
- One (1) "GE" upright Refrigerator/freezer combination.
- One (1) "Hamilton Beach" electric coffee maker.
- One (1) "Emerson" Microwave Oven.
- One (1) "Toshiba" 13" color TV.
- One (1) "Standard Horizon", Matrix, GX-3000S, VHF transceiver radio.
- One (1) Stainless Steel double sink.

Formica covered counter top, mess table, wooden cabinets and fluorescent lighting with vinyl floors and marlite walls and ceiling.

MISCELLANEOUS EQUIPMENT;

- Five (5) Window mounted air conditioning units located throughout vessel.
- One (1) 30 gallon electric water heater.
- One (1) "Maytag" clothes washer and "Kenmore" electric clothes dryer.
- One (1) "Quincy" belt driven, electric motors, air compressors located in aft area of machinery space complete with air receiving tanks and piping throughout vessel.

PAGE 6 of 7 M/V "J.R. NICHOLLS" REPORT NO.: 63601

- One (1) "Ingersoll Rand" belt driven, electric motors, air compressors located in aft area of machinery space complete with air receiving tanks and piping throughout vessel.
- One (1) Workbench with vise and grinder.

Vessel is equipped with one (1) "Owens Kleen", Type II, sanitary unit reported to be operational.

Vessel is provided with adequate interior incandescent and fluorescent lighting. Incandescent deck lights and rectangular floodlights mounted outside.

HOUSEKEEPING:

Satisfactory. Vessel reflects good care and maintenance throughout. All through hull penetrations welded and weather tight covers to below main deck with weather scal lip.

Moderate indents along Port and Starboard bumper pipes.

Hull sides are coated with light marine growth sighted just below waterline.

Machinery space is coated and maintained with bilges found with normal oil residues.

Vessel is fitted with rubber tire protectors along each side and rubber puddings along forward and aft corners.

SERVICE:

Vessel is designed for and engaged in towing operations on the inland waterways tributary to the Gulf of Mexico.

PAGE 7 of 7 M/V "J.R. NICHOLLS" REPORT NO.: 63601

VALUATION:

Based upon examination of the aforementioned vessel afloat and with the benefit of review of recent hull renewals, without opening machinery for examination, test running machinery and/or recent hull gauge thickness readings. It is the opinion of the undersigned that the M/V "J.R. NICHOLLS" is in suitable condition for the service intended and has the following present day fair values:

REPLACEMENT \$2,700,000.00 (TWO MILLION SEVEN-HUNDRED THOUSAND DOLLARS)

It is the opinion of the undersigned that Fair Market Value is the cash value reasonably offered and accepted with all conditions requisite to a fair sale with buyer and seller acting prudently and knowledgeably without necessity to buy or sell.

This value is not an opinion of a forced liquidation sale.

This is not a Certificate of Seaworthiness.

THIS SURVEY WAS MADE WITHOUT PREJUDICE FOR THE ACCOUNT

"TO WHOM IT MAY CONCERN".



Marine Surveyor & Appraiser





CASE NO 232509A

16 March 2009

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INTERNAL CONDITION SURVEY

MOTOR VESSEL J.R. NICHOLLS OFFICIAL NUMBER 590031

MEGAFLEET GREENS BAYOU FLEET FACILITY DOCK HOUSTON, TEXAS

18 FEBRUARY 2009

THIS IS TO CERTIFY THAT THE UNDERNAMED MARINE SURVEYOR DID, at the request of KINDER MORGAN TERMINALS, Houston, Texas, and on behalf of whom it may concern, attend the motor vessel J R NICHOLLS on 18 February 2009, while vessel lay affoat at Megafleet Greens Bayou Fleet Facility Dock, Houston, Texas, in order to ascertain the current condition of said vessel's internals not previously inspected during the condition and valuation survey conducted on 12 December 2008

CONSTRUCTION

The vessel's bull was longitudinally framed, subdivided by five (5) transverse bulkheads, three (3) forward and two (2) aft of engine room compartment, which are located amidships. Thes suspended using steel chains were placed alongside and at corners for the vessel's hull for protection

The hull was fitted with fully enclosed steel bulwarks which measured 19 inches high throughout the perimeter of the deck

The vessel's hull was subdivided by five (5) transverse watertight bulkheads into the following main subdivisions, from forward to aft:

- 1 Bow void compartment
- 2. Port void, storage compartment (center), starboard void
- 3 Diesel fuel oil tanks, port and starboard
- 4 Engine room
- 5. Fresh water tank
- 6 Aft void compartment

17049 EL CAMINO REAL . SUITE 209 . HOUSTON, TEXAS 77058 . TEL. (281) 480-2020 . FAX (281) 480-2525 ...

CORPORATE OFFICE: 9509 HIGHWAY 69 . PORT ARTHUR, TEXAS 77640 . ISO 9001:2000 CERTIFIED

CASE NO 232509A

16 March 2009

INTERNAL EXAMINATION

At time of the survey, all void compartments were found closed The void compartment covers were opened and were found in satisfactory condition with all rubber packing and locking devices working and in place

After a Certified Marine Chemist's Fit for Entry Certificate was issued for the four (4) compartments, the spaces were entered for inspection of the internal conditions

Measured water depths were found in the following void compartments:

Bow void compartment:	0'-00"
Forward, port side void compartment:	0'-06"
Forward, starboard void compartment:	2'-00"
Forward Storage:	0'-00"
Aff void compartment:	1'-06"

FINDINGS

- Approximately 1'-06" and 2'-00" of water was pumped out from the forward starboard and aft void compartments prior to our internal inspection, with mud residues found which obscured inspection of the bottom plating and the internal frames at the lower areas
- 2 The bow, forward port, forward starboard and aft void compartments were found in similar condition with the protective coatings mostly absent and had appeared to have been used over a prolonged period of time to hold ballast water Furthermore, advanced corrosion was sighted on most exposed frames with mud residues obscuring our inspection of the bottom plating
- 3 Bow void compartment, two (2) bulkhead stiffeners and a single transverse angle frame were found partially wasted throughout
- 4 Forward starboard void compartment, transverse frame #2 was found fractured 0-21/3 inches
- 5 A modification for the purpose of reinforcement for the forward part of the vessel's hull and was found inside the center storage compartment and consisted of two (2) 12-inch single flanged transverse beams, two (2) 12-inch single flanged beams used as upper longitudinal frames with four (4) 3-inch posts welded at the top and bottom of each frame at port and starboard sides
- 6 All bulkhead and internal frame surfaces were found with rust and oxidation at various locations in way of missing protective coating, especially at the lower areas

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CASE NO 232509A

16 March 2009

** ** ** ** ** ** **

This Survey was undertaken and Survey Report is submitted without prejudice and for the benefit of whom it may concern

Attending Surveyor,



- Attachments: 1 Marine Chemist's Certificate No N28742.
- 2 A Bonds Chemist, Inc 's Invoice No SS021809
- 3 Photograph album





1. M.V. J.R. NICHOLLS moored at Megafleet Dock, Houston, Texas.



2. Flush 18" access to the bow void compartment.

Case Number 232509A

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3. Rust scale on the internal frames, especially at the lower areas.



4. Bow void compartment, rust scale and mud residues on internal frames.

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Case Number 232509A

18 February 2009

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7. Flush 18" access to the forward port side void compartment.



8. Typical conditions found with rust scale at lower areas and approximately 6" of water remaining.

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9. Rust scale on all exposed frames in way of missing protective coating.



10. Rust scale and advanced corrosion on exposed frames, bulkheads and the underside of the main deck in way of missing coatings.

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11. Flush 18" access to the forward starboard side void compartment.



12. Typical conditions found with rust scale at lower areas and approximately 2 feet of water remaining.

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18 February 2009

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13. Crew member pumping out water from the forward starboard side void compartment.



14. Rust scale on the internal frames and mud residues covering the bottom frames.

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15. Close-up showing advanced corrosion on exposed frames.



16. Close-up showing advanced corrosion on exposed frames.

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17. Flush 18" access to the aft void compartment.



18. Aft void compartment, rust scale on internal frames, especially in lower areas.

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19. Aft void compartment, rust scale on bulkheads and frames throughout.



20. Rust scale on the underside of the main deck and internals.

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18 February 2009

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21. Rust scale on exposed pipes and frames.



22. Rust scale on exposed pipes and frames.

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18 February 2009

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A. Bonds Chemist, Inc. PO Box 925 Highlands , TX 77562 (281)424-1581 Fax (281)424-2738

Invoice No SS021809

IAIN /

Name Address City Phone	Sabine Surveyors 17049 El Camino Real Suite 209 Houston State TX ZIP 77053 281 480 2020	Date Date Ins PO Number	2/23/2009 2/18/09
Qty	Description	Unit Price	-
1	Marine Chemist Certificate # N28739 Audrey 2/18/09	\$250 00	TOTAL
1	Marine Chemist Certificate # N28740 Mr Vance 2/18/09	0.000 500	\$250 00
1	Marine Chemist Certificate # N28741 Hampshire 2/18/09	\$225 00	\$225 00
¥.	Marine Chemist Certificate # N28742 JR Nichols 2/18/09	\$225 00	\$225 00
T	Marine Chemist Certificate # N28743 MR Bennett 2/18/09	\$225 00	\$225 00
1	Marine Chemist Certificate # N28744 Texan 2/18/09	\$250 00	\$250 00
1	Marine Chamiet Codificate # N28744 Texan 2/18/09	\$250 00	\$250 00
1	Marine Chemist Certificate # N28745 Jennie Brewer 2/19/09	\$250 00	\$250 00
1	Marine Chemist Certificate # N28746 Javelina 2/20/09	\$250 00	\$250 00
	Marine Chemist Certificate # N28747 Razorback 2/21/09	\$250 00	\$250 00

¥ =	SubTotal Shipping & Handling Taxes	\$2,175 00 \$0 00 \$0 00
Office Use Only	TOTAL	\$2,175.00
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	SECTOR HOUSTON-GALVESTON
	COMMAND CENTER DAILY LOG
	0000 - 2359 11 FEB 10
Time	Events
	Began new watch day. CAPT Woodring is the Sector Commander and the COTP, FMSC, FOSC, and OCMI. The port is at MARSEC I. HURCON V is in effect. OS1 , OS1 , OS1 , OS2 , OS2 , and OS3 are on watch. UCN# 087-10 pending.
0008	MISLE 490286: G&H towing reports TUG JESS NEWTON got U/W from San Jacinto Port but lost steering while en route. JESS NEWTON was able to regain steering and returned to San Jacinto Port to troubleshoot problem. 0045 NTFD HOU UTV INSP () 0052 NTFD HOU I/O ()
	OS1 relieves OS1 CIV of the OU. OS2 relieves OS1 of the SU. OS3 w/OS3 as break-in relieves OS2 of the CU.
	RCVD Released OPCON for M/V CAP SAN ANTONIO. Updated OPSUM.
	CDR P. SMITH confirms it will be okay to bring the 3 offshore security boardings to the inner anchorage. 0745 NTFD Agent for the CS MANATEE
	0745 NTFD Agent for the TRADEWIND UNION
	0747 NTFD Agent for the DION
	0930 NTFD CGC MANTA / MSU
	1536 Sent CMD TXT referencing the 2 postponed boardings M/V DION & M/V CS MANATEE.
	Conducted morning brief.
0941	RCVD OPCON for M/V MOUNT KARAVA. Updated OPSUM.
0900	RCVD NRC 931000 A tug VSL sunk in the Houston Ship Channel IVO LYONDELL PETRO CHEM COMPANY. 0910 Fuel from the sunken VSL is visible ATT. The Fuel has risen under the Woodhouse Dock #1 and under the ship which is docked there.
	1030 T & T Marine Salvage is the salvaging company who will be securing the source of the leak, as well as salvage the VSL. GENMAR ENVIRONMENTAL is the OSRO.
	1230 SEC HG MER reports 10,000 of potential Diesel Fuel is on board the sunken VSL. Sheen is visible on scene, but UNK
	AMT at this time.
	1253 Sent CMD TXT
	1257 NTFD D8 1345 HOU MER reports estimated release of Diesel Fuel is between 1,000 – 1,500 gallons of fuel.
	1353 Sent Updated CMD TXT.
	1525 Crane Barge (BILL SPENCE) is ENR to sunken UTV this evening. Operations will not commence until tomorrow
	morning. POC:
	1620 Approximately 1500 gallons of fuel has been released at this time. There are divers in the water attempting to secure the leak.
	1910 RCVD email from CENF reporting divers plugged all vents and lift preps were made.

1045	MISLE 490317: KIRBY INLAND MARINE reports the UTV BILL MILLER pushing 3 loaded barges and 1 empty barge is
	aground at MM 327 in between HIGH ISLAND and BOLIVAR approximately 7 miles west of the HIGH ISLAND
	BRIDGE. The company reports the VSL experienced a temporary loss of steering and by the time it recovered, the barge
	K28063 ran aground on the bank. The grounded barge is empty. The UTV AL MIDDLETON is ENR to their location to
	assist.
	Kirby 28012 (loaded with 3751 tons Ethylene Dichloride)
	Kirby 15028 (Loaded with 2180 tons Butanole)
	Kirby 28063 (Empty - last cargo Pye Gas) GROUNDED BARGE
	Kirby 14832 (Empty - last cargo Butene 1)
	1055 NTFD MSU G I/O
	1105 NTFD MSU G DO \overline{M} ()
	1137 Sent CMD TXT.
	1140 NTFD D8
	1503 MSU G DOM reports K28063 is a TBSIP and has been refloated and an in house inspector will attend and fax to us the
	results.
	1550 Sent Final CMD TXT.
1145	Reference MISLE 490281
	1146 Sector HG I/O along with a mobile drug testing team ENR to G&H Towing to perform drug testing.
	1243 I/O and drug testing team are on scene at the perimeter of the boom line.
	RCVD Amended OPCON for M/V BRO CECILE. Updated OPSUM.
1342	CGC MANTA commenced boarding on M/V TRADEWIND UNION
	CGC MANTA completed boarding, 0 violations & recommend entry into port. NTFD VTS, AGENT, PILOTS.
1524	RCVD OPCON Release of M/V ASIAN MOON. Updated OPSUM.
1535	NRC 931062 Material coming from a salvage yard going into a bayou that leads to Galveston bay. Caller was anonymous
	and material is UNK. No sheen details were given.
1720	RCVD OPCON for M/V MARE DI NAPOLI. Updated OPSUM.
1800	
	OS1 relieved OS1 of the OU.
1929	OS3 w/OS3 as break-in relieved OS3 of the CU.
1929	OS3 w/OS3 as break-in relieved OS3 of the CU. (G&H reports at 0830 this morning, a crewmember of the UTV MARS reported elbow pain
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1929	OS3 w/OS3 was break-in relieved OS3 of the CU. (G&H control of the UTV MARS reported elbow pain after letting go of mooring lines. He was taken to hospital and diagnosed with a sprained elbow. Crewmember is cleared to return to work with restrictions.
1929	OS3 w/OS3 was break-in relieved OS3 for a of the CU. (G&H for a constraint of the UTV MARS reported elbow pain after letting go of mooring lines. He was taken to hospital and diagnosed with a sprained elbow. Crewmember is cleared to return to work with restrictions. NTFD HOU IO (); will follow up in am.
	OS3 w/OS3 w as break-in relieved OS3 of the CU. (G&H reports at 0830 this morning, a crewmember of the UTV MARS reported elbow pain after letting go of mooring lines. He was taken to hospital and diagnosed with a sprained elbow. Crewmember is cleared to return to work with restrictions. NTFD HOU IO (); will follow up in am. MISLE NTF 402624
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IIA #: 33679031 .

Enf#: TBD

Photographer: CWO

Witness: CIV

Camera Used: Digital

Alterations: None

Date/Time Taken: 02/14/10-0912Lcl



Description of Photograph: Photo number 001: Photo of the general alarm activation switch located on the main console.



IIA #: 33679031	Enf#: TBD
Photographer: CWO	Witness: CIV
Camera Used: Digital	Alterations: None
Date/Time Taken: 0	2/14/10-0901Lcl

Description of Photograph: Photo number 002: Photo of the starboard generator, the decedent was found in the area above the generator.

ECN 3679031 070

2



Description of Photograph: Photo number 003: Photo of the port side of vessel, both doors were open prior to the vessel sinking.



Description of Photograph: Photo number 004: Photo of the starboard side of vessel; two crewmembers escaped from the sunken vessel through the forward window.

IIA #: 33679031

Enf#: TBD

Photographer: CWO

Camera Used: Digital

Alterations: None

Witness: CIV

Date/Time Taken: 02/14/10-0858Lcl



Description of Photograph: Photo number 005: Photo of the port side entrance to engine room. Water entered the engine room as the vessel heel over to port prior to sinking in the Houston Ship Channel.



Description of Photograph: Photo number 006: Photo of the vessel's forward stateroom that housed two crewmembers for twenty minutes on the bottom of the HSC before they managed to free themselves and swim 40 feet to safety.



Description of Photograph: Photo number 007: Photo of the rudders amidships and the engines controls at all stop.

IIA	#:	33679031
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Enf#: TBD

Photographer: CWO

Camera Used: Digital

Alterations: None

Witness: CIV

Date/Time Taken: 02/14/10-0915Lcl

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Description of Photograph: Photo number 008: Photo of the vessel's Certificate of Documentation.

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Enf #: TBD

Photographer: CWO

Camera Used: Digital

Witness: CIV

Alterations: None

Date/Time Taken: 02/14/10-0918Lcl



Mate (Steersman).

Enf #: TBD

IIA #: 33679031



Description of Photograph: Photo number 010: Photo of Mariners Document.

Photographer: CWO

Enf #: TBD

Witness: CIV

Camera Used: Digital

Alterations: None

Date/Time Taken: 02/14/10-0911Lcl



Enf#: TBD

Witness: CIV

IIA #: 33679031

Photographer: CWO



Description of Photograph: Photo number 012: Photo of the US Merchant Marine Officer License