

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
GENERAL CIVIL DIVISION

**TINISHA RENEE THOMAS,
individually, as PERSONAL
REPRESENTATIVE, and on
behalf of THE ESTATE OF
ANTHONY SHAWN THOMAS,**

Plaintiff,

vs.

CASE NO.: _____

**SEA STAR LINE, LLC d/b/a
TOTE MARITIME and TOTE
MARITIME PUERTO RICO,
TOTE, INC., TOTE SERVICES,
INC., INTEC MARITIME
OFFSHORE SERVICES CORP.,
and SHIP OR LAND
OPERATIONS AGENCY, INC.,**

Defendants.

COMPLAINT

Plaintiff, TINISHA RENEE THOMAS, individually, as Personal Representative, and on behalf of The Estate of Anthony Shawn Thomas ("Plaintiff"), sues Defendants, SEA STAR LINE, LLC d/b/a TOTE MARITIME and TOTE MARITIME PUERTO RICO, TOTE, INC., TOTE SERVICES, INC. INTEC MARITIME OFFSHORE SERVICES CORP. and SHIP OR LAND OPERATIONS AGENCY, INC. ("Defendants"), and alleges:

I.

ALLEGATIONS COMMON TO ALL COUNTS

1. This is a cause of action for damages far in excess of the \$15,000 jurisdictional requirements of this Court.

2. This claim is maintained under the Jones Act and the general maritime law of the United States. As such, this case is not removable to Federal Court. Removing this case to federal court would violate the Savings to Suitors clause.

3. Tinisha Renee Thomas is a resident of Florida and the widow of Anthony Shawn Thomas (“Decedent”). She tragically lost her husband in this senseless accident. Under maritime and relevant law, she was financially dependent on her husband and would have continued to be had her husband not been killed. She brings claims on behalf of herself and the estate of Decedent. Additionally, she brings claims as the Personal Representative of Anthony Shawn Thomas and brings claims against Defendants on behalf of Decedent’s children as well. Specifically, as the Personal Representative of Shawn Thomas, she brings all claims available at law on behalf of his children: (1) Shawn Quarterman, born on September 2, 1986; (2) Antionette Thomas, born on July 7, 1988; (3) Shawnetria Thomas, born on July 17, 1989; (4) Silas Thomas, born on June 8, 1993; and (5) Aniyah Thomas (a minor), born on March 28, 2007. Plaintiff seeks all damages recoverable under the law.

4. At all material times, Defendant, SEA STAR LINE, LLC d/b/a TOTE MARITIME and TOTE MARITIME PUERTO RICO, maintained operations in Duval County, Florida. Defendant SEA STAR LINE, LLC owns and has registered the fictitious names of TOTE MARITIME and TOTE MARITIME PUERTO RICO

with the Florida secretary of state and operates through these fictitious names. This defendant may be served through its registered agent, NRAI Services, Inc., 1200 South Pine Island Road, Plantation, FL 33324.

At all material times, Defendant SEA STAR LINE, LLC d/b/a TOTE MARITIME and TOTE MARITIME PUERTO RICO:

- a. Owned, operated, managed and/or controlled the vessel the Decedent was working on at the time the Decedent was injured and killed;
- b. Operated, conducted, engaged in or carried on a business venture in this state and/or county or had an office or agency in this state and/or county;
- c. Engaged in substantial activity within this state and county; and
- d. Committed one or more of the acts stated in Florida Statutes, Sections 48.081, 48.181 or 48.193.

5. At all material times, defendant TOTE, INC. was a foreign defendant maintaining operations in Duval County, Florida. This defendant's contacts with the State of Florida surrounding the claims made the basis of this lawsuit subject to the specific jurisdiction of this Court. This defendant may be served through its registered agent, Jane Hughes, 57 Paag Circle, Little Silver, New Jersey 07739.

At all times material, Defendant TOTE, INC.:

- a. Owned, operated, managed and/or controlled the vessel the Decedent was working on at the time the Decedent was injured and killed;

b. Operated, conducted, engaged in or carried on a business venture in this state and/or county or had an office or agency in this state and/or county;

c. Engaged in substantial activity within this state and county; and

d. Committed one or more of the acts stated in Florida Statutes, Sections 48.081, 48.181 or 48.193.

6. At all material times, Defendant TOTE SERVICES, INC. maintained operations in Duval County, Florida. Defendant may be served through its registered agent, NRAI Services, Inc., 1200 South Pine Island Road, Plantation, FL 33324.

At all material times Defendant TOTE SERVICES, INC.:

a. Owned, operated, managed and/or controlled the vessel the Decedent was working on at the time the Decedent was injured and killed;

b. Operated, conducted, engaged in or carried on a business venture in this state and/or county or had an office or agency in this state and/or county;

c. Engaged in substantial activity within this state and county; and

d. Committed one or more of the acts stated in Florida Statutes, Sections 48.081, 48.181 or 48.193.

7. At all material times, Defendant INTEC MARITIME OFFSHORE SERVICES CORP. by and through its affiliate SHIP OR LAND OPERATIONS AGENCY, INC. maintained operations in Broward County, Florida. Defendant may be served through its registered agent, Richard Sabra, Esq., 3860-A Sheridan Street, Hollywood, FL 33021.

At all material times defendant INTEC MARITIME OFFSHORE SERVICES CORP., by and through its affiliate SHIP OR LAND OPERATIONS AGENCY, INC.:

a. Operated, conducted, engaged in or carried on a business venture in this state and/or county or had an office or agency in this state and/or county;

b. Engaged in substantial activity within this state and county; and

c. Committed one or more of the acts stated in Florida Statutes, Sections 48.081, 48.181 or 48.193.

8. Venue is proper in this Circuit because defendant INTEC MARITIME OFFSHORE SERVICES CORP. by and through its affiliate SHIP OR LAND OPERATIONS AGENCY, INC. maintains a principal office and operations in Broward County.

9. Defendants SEA STAR LINE, LLC d/b/a TOTE MARITIME and TOTE MARITIME PUERTO RICO, TOTE, INC. and TOTE SERVICES, INC. will be referred to collectively as "Tote Defendants". Further, Defendant INTEC MARITIME OFFSHORE SERVICES CORP. by and through its affiliate SHIP OR LAND OPERATIONS AGENCY, INC. will be referred to as "Defendant Intec."

10. At all material times, the Decedent was employed by the Tote Defendants and assigned to work on board the vessel M/V EL FARO which was owned, operated, managed and/or controlled by the Tote Defendants.

11. At all material times, the Decedent was a permanent crew member onboard the vessel M/V EL FARO and his employment contributed to the mission and function of the M/V EL FARO.

12. Decedent was an American citizen and seaman. Plaintiff therefore brings this action pursuant to Section 1916, Title 28, United States Code without prepayment of costs or the necessity of depositing security.

II.

FACTUAL ALLEGATIONS

13. On or about October 1, 2015, Anthony Shawn Thomas was employed by the Tote Defendants aboard the M/V EL FARO, which is owned, operated, managed and/or controlled by the Tote Defendants. While the vessel was deployed on navigable waters, and while Mr. Thomas, as a member of its crew, was contributing to and aiding such vessel in the accomplishment of its mission, Mr. Thomas tragically lost his life along with 32 fellow crewmembers.

A. The Voyage Made the Basis of this Lawsuit

14. On or about September 30, 2015, the M/V EL FARO sailed near the eye of Joaquin, which at that time was a Category One hurricane with seventy-five mph winds. The vessel was roughly thirty-six nautical miles northeast of the Acklins and Crooked Islands in the Bahamas and in route from Jacksonville, Florida to San Juan Puerto Rico. *See Ex .A.*

15. The National Weather Service issued several warnings of the storm's strength. In the face of these warnings, the Tote Defendants allowed the M/V EL FARO to leave its safety in the port and begin its voyage. Captain Davidson filed a

noon report indicating that he was monitoring the storm and that he believed the weather conditions looked favorable. Captain Davidson conferred with M/V EL FARO's sister ship, M/V EL YUNQUE, as it was returning to Jacksonville, Florida. Again, the Tote Defendants determined that the weather was good enough to continue into Joaquin's path.

16. The tracking data for M/V EL FARO shows that it was moving at near full speed on September 30, 2015. At approximately 5:00 p.m. the M/V EL FARO continued to move westward through a gap in the Bahama Islands known as the "hole in the wall" in order to move away from the storm. This attempt was unsuccessful. The following report stated that M/V EL FARO was on a "collision course" with Hurricane Joaquin. By 11:00 p.m., Hurricane Joaquin exploded into a Category Three hurricane with winds exceeding 115 mph. During this time, the Tote Defendants allowed the M/V EL FARO to continue its voyage in to the Hurricane.

17. At some point on October 1, 2015, M/V EL FARO experienced complete engine failure. *See* Ex. A. Around approximately 7:00 p.m., Captain Davidson called the Tote Defendants to tell them about the vessel's mechanical failures and loss of propulsion. *Id.* He left a message stating that the engines were disabled, the ship was listing at fifteen (15) degrees, and that water was coming into the ship through a hatch that had burst open, but that the crew had managed to pump it out. *Id.* The Captain also stated that the vessel had lost power. Without power, the M/V EL FARO was merely a cork in the sea as the Hurricane neared. At that time, M/V EL FARO drifted near Crooked Island in the Bahamas—close to the center of the storm. Around 7:15 a.m., the United States Coast Guard received distress alerts

from M/V EL FARO. These are the last-known transmissions from the M/V EL FARO. The crew of thirty-three, including Decedent Anthony Shawn Thomas, were never heard from again. *Id.*

18. By 2:00 p.m. on October 1, 2015, Hurricane Joaquin grew yet again into a Category Four hurricane with at least 130 mph winds. On October 2, 2015, the storm's severity made any rescue efforts especially difficult.

19. On October 3, 2015, the USCG deployed helicopters to the vessel's last known position. *Id.* Rescue searchers found a lift ring approximately seventy miles from the vessel's last known location.

20. On October 4, 2015, Hurricane Joaquin moved away from the M/V EL FARO's last known location and rescuers found traces of wreckage, including one damaged lifeboat, two damaged life rafts, and a deceased crewmember wearing a survival suit. *Id.* This was the first day that the United States Coast Guard could safely fly into the area because of the dangerous hurricane-force winds. *Id.* The following day, searchers found more debris and an oil slick. *Id.*

21. On October 7, 2015, the United States Coast Guard suspended its search for survivors. *Id.*

22. The National Transportation Safety Board ("NTSB") is now working with the United States Navy Salvage and Diving Division of the Naval Seas Systems Command to locate the sunken ship, assist in sea floor documentation of the wreckage, and recover the voyage data recorder for more information. *Id.*

B. History of the Defendants' Operations and Fleet

i. The M/V EL FARO

23. The M/V EL FARO is a U.S.-flagged freight ship owned by Defendant Sea Star Line, LLC and operated by Defendant TOTE Services. *See* Ex. A. The vessel was manufactured in 1975 and is over 700 feet in length. *See* Ex. B. Since 2003, the United States Coast Guard recorded at least twenty-three documented deficiencies with the M/V EL FARO. *Id.*

24. Additionally, the M/V EL FARO had a history of losing power while under voyage and during hurricanes. *Id.* On April 12, 2011, the M/V EL FARO reportedly lost power and propulsion while under voyage. *Id.* This event was reported to the U.S. Coast Guard. *Id.* After an investigation, it was found that faulty equipment caused the M/V EL FARO's complete loss of power and propulsion that left the vessel disabled in open water. *Id.* Moreover, on August 28, 2011, the M/V EL FARO was involved in a U.S. Coast Guard reportable incident during Hurricane Irene where the vessel broke free from its mooring, causing damage to the vessel. *Id.* Tellingly, during Hurricane Irene, unlike during this tragic incident, Defendants decided to keep the M/V EL FARO secured at a U.S. Port.

25. Further, immediately prior to leaving port, the M/V EL FARO was undergoing significant maintenance, repair and alteration to the M/V EL FARO's boilers. Additionally, the Tote Defendants had hired Defendant Intec to perform vessel maintenance, repairs and alterations to the M/V EL FARO. These activities occurred prior to and during the final voyage. In fact, Defendant Intec had 5 employees, who were machinists and welders, aboard the M/V EL FARO performing

maintenance, repair and alteration work in the course and scope of their employment of Defendant Intec during the final voyage.

ii. The M/V EL YUNQUE (sister vessel of the M/V EL FARO)

26. The M/V EL YUNQUE is a U.S.-flagged freight ship that is also owned, operated and maintained by Defendants. *See* Ex. C. The M/V EL YUNQUE is the sister ship of the M/V EL FARO. Similar to the M/V EL FARO the M/V EL YUNQUE was built in 1976 and is over 700 feet in length. *Id.* Like its sister ship, the M/V EL YUNQUE has a history of safety deficiencies. There are at least fifteen documented deficiencies with this vessel since 2011 according to the U.S. Coast Guard, many of which include serious violations related to the proper functioning of lifesaving equipment, including lifeboats. *Id.* These safety deficiencies shed light into the Defendants' failure to maintain their fleet. *Id.*

iii. Activities putting profits above rules and regulations

27. In addition to a history of cutting corners and inadequately maintaining and operating their fleet of vessels, which included the M/V EL FARO, Defendants SEA STAR LINE, LLC d/b/a TOTE MARITIME and TOTE MARITIME PUERTO RICO were charged and plead guilty to price fixing and racketeering in 2011 by the United States Government. These charges stemmed from SEA STAR LINE, LLC d/b/a TOTE MARITIME and TOTE MARITIME PUERTO RICO fixing transportation prices associated to sea transport in between the United States and Puerto Rico. These actions shed light into the Defendants' continuous disregard of rules and regulations for the sole purpose of seeking profits.

III.

COUNT ONE: UNSEAWORTHINESS
(against the Tote Defendants)

28. This is an action for the unseaworthiness of the M/V EL FARO.

29. Plaintiff repeats, realleges and incorporates paragraphs 1–27, above, as if stated herein and further alleges:

30. On or about October 1, 2015, Decedent was within course and scope of his employment and while performing his normal duties on board the M/V EL FARO while the M/V EL FARO was under way between Jacksonville, Florida and Puerto Rico.

31. Pursuant to the general maritime law of the United States, the Defendants, as owner/operator of the M/V EL FARO, owed Decedent an absolute and non-delegable duty to provide the Decedent with a vessel that was seaworthy in all respects.

32. The Defendants breached the duty to the Decedent. The M/V EL FARO was unseaworthy due to one or more of the following reasons:

a. The M/V EL FARO was not reasonably fit for its intended purpose because it was not properly maintained and created a dangerous condition;

b. The M/V EL FARO was not reasonably fit for its intended purpose because Defendants' personnel were aware of and failed to repair the damaged equipment and eliminate the dangerous condition; and

c. The M/V EL FARO was not reasonably fit for its intended purpose because the Defendants failed to follow sound management practices with the goal of providing Decedent a safe place to work.

33. Prior to Decedent's injury and death, Defendants failed to investigate the hazards to Decedent and then take the necessary steps to eliminate the hazards, minimize the hazard, or warn Decedent of the danger from the hazards.

34. As a direct and proximate result of the M/V EL FARO's unseaworthiness, Decedent was injured and killed. Defendants are liable for the following damages:

- a. Pre-death physical pain and suffering;
- b. Pre-death mental pain, suffering, and anguish;
- c. Past physical pain and suffering;
- d. Past mental pain, suffering, and anguish;
- e. Past lost wages;
- f. Loss of future earning capacity;
- g. Loss of fringe benefits;
- h. Loss of services and support;
- i. Wrongful death;
- j. Loss of nurture, guidance, care, and instruction;
- k. Loss of funeral expenses;
- l. Loss of inheritance;
- m. disfigurement, disability, and/or death;
- n. Loss of enjoyment of life;

- o. All survival damages recognized under the general maritime law; and
- p. All other damages recoverable under law.

35. Plaintiff has been damaged in a sum far in excess of the minimum jurisdictional limits of this Honorable Court, for which they now sue.

36. Defendants' actions were grossly negligent and reckless. Defendants' conduct was willful, wanton, arbitrary, and capricious. They acted with flagrant and malicious disregard of Decedent's health and safety and the health and safety of Decedent's co-workers. Defendants were subjectively aware of the extreme risk posed by the conditions, which caused Decedent's injuries, but did nothing to rectify them. Instead, Defendants had Decedent and other crew members continue working despite the dangerous conditions that were posed to them and the faulty, defective equipment provided to them. Defendants did so knowing that the conditions posed dangerous and grave safety concerns. Defendants' acts and omissions involved an extreme degree of risk considering the probability and magnitude of potential harm to Decedent and others. Defendants had actual, subjective awareness of the risk, and consciously disregarded such risk by allowing Decedent to work under such dangerous conditions.

WHEREFORE, Plaintiff respectfully requests an order providing that M/V EL FARO was unseaworthy, and providing for a judgment against Defendants in a total sum in excess of the minimum jurisdictional limits of this Court, both jointly and severally, plus pre-judgment and post-judgment interests, all costs of Court, and all such other relief, to which they may show themselves entitled.

IV.

COUNT TWO: NEGLIGENCE
(against all Defendants)

37. This is an action for negligence under the Jones Act, 46 U.S.C. § 30104 and general maritime law.

38. Plaintiff repeats, realleges and readopts paragraphs 1–36, above, as if stated herein and further alleges:

39. Defendants owed an absolute duty to act reasonably in the operation and maintenance of the M/V EL FARO and to provide a safe working environment.

40. Defendants breached their duty and are negligent, negligent per se, grossly negligent and reckless for the following reasons:

- a. failure to account for serious weather hazards;
- b. failure to maintain their vessel;
- c. failure to inspect the vessel;
- d. failure to adequately maintain, repair and/or alter the M/V EL FARO;
- e. failure to adequately maintain, repair and/or alter the M/V EL FARO in a timely manner before it left port;
- f. failure to supervise their employees, agents and/or contractors;
- g. failure to properly train their employees, agents and/or contractors;
- h. failure to provide adequate safety equipment;
- i. failure to provide a safe working environment;

- j. vicariously liable for their employees' negligence;
- k. violating applicable Coast Guard regulations;
- l. requiring Decedent to work in unsafe conditions;
- m. failure to exercise due care and caution;
- n. failure to avoid this accident; and
- o. other acts deemed negligent.

41. As a direct and proximate result of the Defendants' breach, Decedent was injured and wrongfully killed. Defendants are liable for the following damages:

- a. Pre-death physical pain and suffering;
- b. Pre-death mental pain, suffering, and anguish;
- c. Past physical pain and suffering;
- d. Past mental pain, suffering, and anguish;
- e. Past lost wages;
- f. Loss of future earning capacity;
- g. Loss of fringe benefits;
- h. Wrongful death;
- i. Loss of services and support;
- j. Loss of nurture, guidance, care, and instruction;
- k. Loss of funeral expenses;
- l. Loss of inheritance;
- m. Disfigurement, disability, and/or death;
- n. Loss of enjoyment of life;

- o. All survival damages recognized under the general maritime law; and
- p. All other damages recoverable under law.

42. As a result of said occurrences, Decedent was killed. Plaintiff has been damaged in a sum far in excess of the minimum jurisdictional limits of this Honorable Court, for which they now sue.

43. Defendants' actions were grossly negligent and reckless. Defendants' conduct was willful, wanton, arbitrary, and capricious. They acted with flagrant and malicious disregard of Decedent's health and safety and the health and safety of Decedent's co-workers. Defendants were subjectively aware of the extreme risk posed by the conditions, which caused Decedent's injuries, but did nothing to rectify them. Instead, Defendants had Decedent and other crew members continue working despite the dangerous conditions that were posed to them and the faulty, defective equipment provided to them. Defendants did so knowing that the conditions posed dangerous and grave safety concerns. Defendants' acts and omissions involved an extreme degree of risk considering the probability and magnitude of potential harm to Decedent and others. Defendants had actual, subjective awareness of the risk, and consciously disregarded such risk by allowing Decedent to work under such dangerous conditions.

WHEREFORE, Plaintiff respectfully requests an order providing that the M/V EL FARO was unseaworthy, providing that Defendants were negligent, and providing for a judgment against Defendants, in a total sum in excess of the minimum jurisdictional limits of this Court, both jointly and severally, plus pre-judgment and

post-judgment interests, all costs of Court, and all such other relief, to which they may show themselves entitled.

V.

Jury Trial Demand

Plaintiff demands a jury trial on all issues.

Dated: October 28, 2015.

Respectfully submitted,

/s/ Michael P. Hamaway
MICHAEL P. HAMAWAY
Florida Bar No. 081302
mhamaway@mbhlawyer.com
MOMBACH, BOYLE, HARDIN & SIMMONS, P.A.
100 N.E. Third Avenue, Suite 1000
Fort Lauderdale, Florida 33301
Telephone: (954) 467-2200
Facsimile: (954) 467-2210

KURT ARNOLD
(to be admitted *Pro Hac Vice*)
Texas State Bar No. 24036150
karnold@arnolditkin.com

JASON ITKIN
(to be admitted *Pro Hac Vice*)
Texas State Bar No. 24032461
jitkin@arnolditkin.com

CORY ITKIN
(to be admitted *Pro Hac Vice*)
Texas State Bar No. 24050808
citkin@arnolditkin.com

ARNOLD & ITKIN LLP
6009 Memorial Drive
Houston, Texas 77007
Telephone: (713) 222-3800
Facsimile: (713) 222-3850
ATTORNEYS FOR PLAINTIFF

EXHIBIT “A”



PRELIMINARY REPORT

MARINE

DCA16MM001

The information in this report is preliminary and will be supplemented or corrected during the course of the investigation.



El Faro (Photo by Tote Services)

On Thursday, October 1, 2015, about 07:15 a.m. eastern daylight time, the US Coast Guard received distress alerts from the 737-foot-long roll-on/roll-off cargo ship *El Faro*. The US-flagged ship, owned by Sea Star Line, LLC, and operated by TOTE Services (TOTE), was 36 nautical miles northeast of Acklins and Crooked Islands, Bahamas, and close to the eye of Hurricane Joaquin. The ship was en route from Jacksonville, Florida, to San Juan, Puerto Rico, with a cargo of containers and vehicles. Just minutes before the distress alerts, the *El Faro* master had called TOTE's designated person ashore and reported that the ship was experiencing some flooding. He said the crew had controlled the ingress of water but the ship was listing 15 degrees and had lost propulsion. The Coast Guard and TOTE were unable to reestablish communication with the ship. Twenty-eight US crewmembers and five Polish workers were on board.

The Coast Guard deployed helicopters and search vessels to the ship's last known position, but the search was hampered by hurricane-force conditions on scene. On Sunday,

October 4, a damaged lifeboat, two damaged liferafts, and a deceased crewmember wearing an immersion suit were found. On Monday, October 5, a debris field and oil slick were found, and the Coast Guard determined that the *El Faro* was lost and declared the event a major marine casualty. The Coast Guard suspended the unsuccessful search for survivors at sundown on Wednesday, October 7.

On Tuesday, October 6, the National Transportation Safety Board launched a full team to Jacksonville to lead the federal investigation in cooperation with the Coast Guard, the American Bureau of Shipping (the *El Faro*'s classification society), and TOTE as parties. The US Navy Salvage and Diving division of the Naval Seas Systems Command was contracted to locate the sunken ship, assist in the sea floor documentation of the wreckage, and recover the voyage data recorder.

EXHIBIT “B”

Results for Vessel: EL FARO**Vessel Information:**

Vessel Name: EL FARO
Primary Vessel Number: 561732 (Official Number (U.S.))
Hull Identification Number: N/A
Manufacturer Hull Number: N/A
IMO Number: 7395351
Vessel Flag: UNITED STATES
Vessel Call Sign: WFJK

Vessel Particulars:

Service: Freight Ship
Length: 736.80 ft
Breadth: 92.00 ft
Depth: 42.10 ft
Build Year: 1975
Alternate VINs: N/A

Service Information:

Service Status: Active
Out Of Service Date: N/A
Last Removed From Service By: N/A

Tonnage Information:

Cargo Authority: N/A
Tonnage:

- 17527 - Regulatory (Subpart C or D), Long Ton
- 31515 - Convention (Subpart B), Long Ton
- 11399 - Regulatory (Subpart C or D), Short Ton
- 21473 - Convention (Subpart B), Short Ton

Vessel Documents and Certifications

Document	Agency	Date Issued	Expiration Date
SOLAS Cargo Ship Safety Radio Certificate	N/A	January 27,2015	January 27,2016
CERTIFICATE OF DOCUMENTATION	USCG	September 20,2014	October 31,2015
ISM - Safety Management Certificate	ABS	July 5,2014	December 5,2014
ISM - Safety Management Certificate	ABS	July 5,2014	July 4,2019
ISM - Safety Management Certificate	ABS	May 23,2014	July 23,2014
ISM - Safety Management Certificate	N/A	December 7,2013	June 6,2014
SOLAS Cargo Ship Safety Radio Certificate	N/A	February 12,2012	February 1,2013
ISM - Safety Management Certificate	N/A	February 7,2012	August 7,2012
ISM - Document Of Compliance	N/A	January 30,2012	November 8,2016
Certificate of Inspection	N/A	February 22,2011	February 22,2016
Certificate of Inspection - Amended	N/A	February 22,2011	February 22,2016
Classification Document	ABS	January 29,2011	February 26,2016
Classification Document	N/A	January 29,2011	February 26,2016
International Load Line Certificate	ABS	January 29,2011	February 26,2016
International Load Line Certificate	N/A	January 29,2011	February 26,2016
International Oil Pollution Prevention Certificate	N/A	January 29,2011	February 26,2016
SOLAS Cargo Ship Safety Construction Certificate	ABS	January 29,2011	February 26,2016
SOLAS Cargo Ship Safety Construction Certificate	N/A	January 29,2011	February 26,2016
SOLAS Cargo Ship Safety Equipment Certificate	ABS	January 29,2011	February 26,2016
SOLAS Cargo Ship Safety Equipment Certificate	N/A	January 29,2011	February 26,2016
SOLAS Cargo Ship Safety Radio Certificate	N/A	December 10,2010	December 10,2011
International Oil Pollution Prevention Certificate	ABS	April 15,2010	February 26,2016
SOLAS Cargo Ship Safety Radio Certificate	N/A	September 19,2008	September 19,2009
ISM - Document Of Compliance	ABS	July 7,2008	November 8,2011
ISM - Safety Management Certificate	N/A	June 30,2008	September 4,2011
SOLAS Cargo Ship Safety Construction Certificate	N/A	June 1,2007	February 26,2011
SOLAS Cargo Ship Safety Radio Certificate	N/A	February 16,2007	February 15,2008
ISM - Safety Management Certificate	N/A	December 24,2006	September 4,2011
ISM - Document Of Compliance	ABS	November 9,2006	April 8,2007
ISM - Document Of Compliance	N/A	November 9,2006	November 8,2011
ISM - Safety Management Certificate	N/A	September 5,2006	February 7,2007
Classification Document	N/A	June 14,2006	February 26,2011
SOLAS Cargo Ship Safety Radio Certificate	N/A	February 28,2006	February 28,2007
Certificate of Inspection	N/A	February 26,2006	February 26,2011
Certificate of Inspection - Amended	N/A	February 26,2006	February 26,2011
Classification Document	N/A	February 26,2006	July 26,2006
International Load Line Certificate	N/A	February 26,2006	February 25,2011

International Oil Pollution Prevention Certificate	N/A	February 26,2006	February 25,2011
SOLAS Cargo Ship Safety Construction Certificate	N/A	February 26,2006	February 25,2011
SOLAS Cargo Ship Safety Equipment Certificate	N/A	February 26,2006	February 25,2011
Stability Letter	N/A	February 22,2006	
Tonnage Certificate, International	ABS	February 16,2006	
Tonnage Certificate, International	N/A	January 27,2006	
Certificate of Inspection	N/A	April 11,2005	April 11,2010
ISM - Document Of Compliance	N/A	March 6,2005	November 14,2006
Load Line Certificate (Coastwise)	ABS	February 20,2002	January 31,2006
ISM - Document Of Compliance	ABS	November 16,2001	April 16,2002
Certificate of Inspection	N/A	April 6,2000	April 6,2005
Certificate of Inspection - Amended	N/A	April 6,2000	April 6,2005
International Oil Pollution Prevention Certificate	N/A	April 6,2000	April 6,2005
Load Line Certificate (Coastwise)	ABS	February 26,1997	January 31,2002
Classification Document	ABS	February 24,1997	January 31,2002
Tonnage Certificate, International	ABS	May 16,1995	

Summary of Coast Guard Contacts

To View Contact Data **From:** **To:** (MM/DD/YYYY)

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
5079207	Not Associated with a Case	San Juan, Puerto Rico	Friday, March 06, 2015	Vessel Inspection

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
5004895	Not Associated with a Case	Atlantic Beach, Florida	Tuesday, October 14, 2014	Vessel Inspection

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4766321	Not Associated with a Case	Baltimore, Maryland	Tuesday, October 01, 2013	Vessel Inspection

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4565666	Not Associated with a Case	Baltimore, Maryland	Wednesday, March 20, 2013	Vessel Inspection

Deficiency Information

System	SubSystem	Cause
Documentation	Certificates/Documents	Invalid

Description of Deficiency

****Deficiency**** ACP program vessel is in lay-up status with class and the COI is in-active. Prior to operation the vessel is required to notify both USCG and Class Society (ABS) for appropriate inspection and applicable surveys.

Due Date	Resolved	Resolved Date
Not Available	True	Monday, December 09, 2013

Resolution Description

ANNUAL EXAM AND RE-ACTIVATION SCHEDULE COMPLETED.

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4298795	Not Associated with a Case	Baltimore, Maryland	Monday, April 30, 2012	Vessel Inspection

Deficiency Information

System	SubSystem	Cause
Operations/Management	Drills/Instruction	Not Available

Description of Deficiency

Deficiency Demonstrate satisfactory fire and abandon ship drills.

Due Date	Resolved	Resolved Date
Saturday, June 30, 2012	True	Monday, December 09, 2013

Resolution Description
SATISFACTORY FIRE AND BOAT DRILLS COMPLETED

Deficiency Information

System	SubSystem	Cause
Personnel	Certificates/Documents/Licenses	Not Available

Description of Deficiency

Deficiency Provide all crew's licenses and documents.

Due Date	Resolved	Resolved Date
Saturday, June 30, 2012	True	Monday, December 09, 2013

Resolution Description
LICENSE AND DOCUMENTS REVIEWED

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4255150	585704	WASHINGTON, District of Columbia	Friday, March 02, 2012	Incident Investigation
Incident Information				
Role				
Acknowledged Pollution Source				

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4234400	Not Associated with a Case	Baltimore, Maryland	Monday, February 06, 2012	Vessel Inspection

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4137181	567830	WASHINGTON, District of Columbia	Sunday, August 28, 2011	Incident Investigation
Incident Information				
Role				
Involved in a Marine Casualty				

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4137152	567830	Baltimore, Maryland	Wednesday, August 31, 2011	Vessel Inspection

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4104173	561999	WASHINGTON, District of Columbia	Tuesday, August 02, 2011	Incident Investigation
Incident Information				
Role				
Involved in a Marine Casualty				

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4103701	561999	Baltimore, Maryland	Tuesday, August 02, 2011	Vessel Inspection

Deficiency Information

System	SubSystem	Cause
Construction/Loadline	Hull	Not Available

Description of Deficiency

Due to reported possible soft grounding while entering the Port of Baltimore, vessel shall complete & submit form CG-2692 and provide satisfactory dive survey attesting to condition of underwater portion of the vessel.

Deficiency

Due Date	Resolved	Resolved Date
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Not Available True Friday, August 19, 2011

Resolution Description

Received proof all required documents received via Investigations Division, Documents saved in Documents/Certificates section.

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
4019744	Not Associated with a Case	San Juan, Puerto Rico	Monday, May 23, 2011	Boarding

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
3989673	544020	PHILADELPHIA, Pennsylvania	Tuesday, April 19, 2011	Vessel Inspection

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
3987137	544020	WASHINGTON, District of Columbia	Tuesday, April 12, 2011	Incident Investigation

Incident Information

Role

Involved in a Marine Casualty

Activity Number	Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Activity Type
3948147	Not Associated with a Case	San Juan, Puerto Rico	Tuesday, February 22, 2011	Vessel Inspection

Deficiency Information

System

Documentation

SubSystem

Markings/Placards

Cause

Improper/Lack of Maintenance

Description of Deficiency

Deficiency Label fuel oil cut-off valve for the emergency generator. Corrected on the spot.

Due Date

Tuesday, February 22, 2011

Resolved

True

Resolved Date

Tuesday, February 22, 2011

Resolution Description

Corrected on the spot.

Deficiency Information

System

Engineering

SubSystem

Fuel Oil Service System

Cause

Improper/Lack of Maintenance

Description of Deficiency

Deficiency Prove proper operation of the emergency generator fuel oil cut-off valve frozen open. Corrected on the Spot.

Due Date

Tuesday, February 22, 2011

Resolved

True

Resolved Date

Tuesday, February 22, 2011

Resolution Description

Corrected on the spot.

Deficiency Information

System

Fire Fighting

SubSystem

Structural Fire Protection - General

Cause

Improper/Lack of Maintenance

Description of Deficiency

Deficiency Prove proper operation of the fire dampner on the aft end of the emergency generator compartments. To be completed to the satisfaction of the attending ABS Surveyor.

Due Date

Tuesday, March 22, 2011

Resolved

True

Resolved Date

Friday, March 04, 2011

Resolution Description

Cleared by ABS PHIL.

Deficiency Information

System

Accommodation/Occupational Safety

SubSystem

Occupational Safety

Cause

Improper/Lack of Maintenance

Safety

Investigation Activity Report

EL FARO; Grounding

Activity Start Date: Tuesday, August 02, 2011
 MISLE Activity Number: 4104173
 MISLE Originating Unit: Sector Baltimore
 MISLE Activity Owner: Commandant (CG-INV-3)
 MISLE Activity Controller: Commandant (CG-INV-3)
 MISLE Case Number: 561999

I. INCIDENT BRIEF

On 02 August 2011, at approximately 1450, while inbound from Brewerton Angle Channel to Marine Channel at Sparrows Pt, the M/V FARO (561732) decreased forward motion verified by visual and GPS observation of several bridge officers. The decrease in forward motion was also confirmed by the docking pilot on board the vessel. The ship's forward motion was reportedly reduced by bank or bottom suction, or contact possibly by channel obstruction and/or shoaling at the intersection of the channels. The vessel submitted an initial report of a possible grounding to Sector Baltimore and conducted a dive survey to check for evidence of grounding or damage to the vessel. No evidence of grounding was found during the survey.

II. INCIDENT SUMMARY

Incident Involved: Marine Casualty, Reportable
 Level of Investigation: Data Collection
 IMO Classification: Routine
 USCG Classification: Routine
 Was This a Serious Marine Incident? No
 Was a Marine Board Convened by Commandant? No

<u>Personal Casualty Summary</u>	<u>Vessel(s) Status Summary</u>	<u>Property Damage Summary</u>
Total Missing: 0	Actual Total Loss(es): 0	NO RECORDED DATA
Total Dead: 0	Total Constructive Loss, Salvaged: 0	
Total Injured: 0	Total Constructive Loss, Unsalvaged: 0	
At Risk, Not Injured: 0	Damaged: 0	
Total Not at Risk: 0	Undamaged: 1	

III. ACTIONS IN REPONSE TO THIS REPORT

Actions on Recommendations:

NO RECORDED DATA

Safety Alerts:

NO RECORDED DATA

IV. FINDINGS OF FACT

Subjects of the Investigation

Involved Vessel(s)

Vessel Name: EL FARO
VIN: 561732
Role: Involved in a Marine Casualty

NO RECORDED DATA

For additional vessel details, please click here.

For additional facility details, please click here.

Involved Parties

Involved Organizations

Investigation Activity Report

EL FARO; Breakaway

Activity Start Date: Sunday, August 28, 2011
 MISLE Activity Number: 4137181
 MISLE Originating Unit: Sector Baltimore
 MISLE Activity Owner: Commandant (CG-INV-3)
 MISLE Activity Controller: Commandant (CG-INV-3)
 MISLE Case Number: 567830

I. INCIDENT BRIEF

The M/V EL FARO was moored at Pier #1 at Sparrows Point Shipyard. All possible wires and synthetic lines were deployed. The ship endured the passing of Hurricane Irene well into Sunday morning. With the eye of the storm well north of the ship, winds were beginning to abate. The ship was holding well about 5-6' off the pier after the winds switched to NW. The ship was hit with an extreme weather event, possibly a microburst or a localized tornado, because the wires and soft lines that had endured winds up to 90 kts the evening before all parted almost in unison. The vessel owners had placed a 4-man caretaker group on board to tend lines during the hurricane passage. These people had started the emergency generator to operate the winches. Tugs and MD pilots were engaged to re-position the ship with the assistance of the caretaker crew. The ship was secured and the tugs were released. The stern of the vessel (IVO potable water tank above the water line) received damage when it drifted aft and impacted a cement block near the pier.

II. INCIDENT SUMMARY

Incident Involved: Marine Casualty, Reportable
 Level of Investigation: Informal
 IMO Classification: Routine
 USCG Classification: Routine
 Was This a Serious Marine Incident? No
 Was a Marine Board Convened by Commandant? No

<u>Personal Casualty Summary</u>	<u>Vessel(s) Status Summary</u>	<u>Property Damage Summary</u>
Total Missing: 0	Actual Total Loss(es): 0	Total Damage:
Total Dead: 0	Total Constructive Loss, Salvaged: 0	Vessel(s): \$35000
Total Injured: 0	Total Constructive Loss, Unsalvaged: 0	Cargo: \$0
At Risk, Not Injured: 0	Damaged: 1	Facility: \$0
Total Not at Risk: 0	Undamaged: 0	Other: \$0

May Include Estimates

III. ACTIONS IN REPOSE TO THIS REPORT

Actions on Recommendations:

NO RECORDED DATA

Safety Alerts:

NO RECORDED DATA

IV. FINDINGS OF FACT

Subjects of the Investigation

Involved Vessel(s)

Vessel Name: EL FARO
VIN: 561732
Role: Involved in a Marine Casualty

Facility Name: Sparrows Point Shipyard Industrial
 Compl
Type: Waterfront Facility

For additional vessel details, please click here.

For additional facility details, please click here.

Involved Parties

Involved Organizations

Party Name: Removed for Privacy
Party Name: Removed for Privacy

Organization Name: INTEROCEAN AMERICAN SHIPPING

For additional party details, please click here.

For additional organization details, please click here.

Response Resources

Waterway Segment(s)

NO RECORDED DATA

Waterway: SPARROWS POINT CHANNEL

For additional response details, please click here.

For additional waterway details, please click here.

V. REFERRAL FOR ENFORCEMENT ACTION

NO RECORDED DATA

Investigation Activity Report

EL FARO; Pollution - Oil

Activity Start Date: Friday, March 02, 2012
 MISLE Activity Number: 4255150
 MISLE Originating Unit: Sector San Juan
 MISLE Activity Owner: Commandant (CG-INV-3)
 MISLE Activity Controller: Commandant (CG-INV-3)
 MISLE Case Number: 585704

I. INCIDENT BRIEF

The freight ship EL FARO discharged fuel from a starboard side scupper of the vessel due to the gauge glass connected to a 200 gallon fuel additive tank had broken. An estimated 5 gallons of fuel was discharged onto the deck. Due to cargo offloading operations, the vessel was slightly listing toward the portside causing the fuel to migrate less than 50 feet into a drain which led to the discharging scupper and into San Juan Harbor, a tributary of the Atlantic Ocean, a navigable waterway of the United States, creating a visible sheen on the surface of the water. The source was secured and sorbents pads were used to recover product off the deck. Approximately 56 gallons were discharged into the water during transit. The amount of product in the water was non-recoverable.

II. INCIDENT SUMMARY

This incident resulted in a discharge or substantial threat of discharge of oil. This report does not limit the discretion of the Director, NPFCC, to determine facts, rights and liabilities with respect to any claims, submitted to or by the NPFCC, for removal costs and damages under the Oil Pollution Act of 1990.

Incident Involved: Discharge of Oil
 Level of Investigation: Data Collection
 IMO Classification: Routine
 USCG Classification: Routine

Was This a Serious Marine Incident? No

Was a Marine Board Convened by Commandant? No

<u>Personal Casualty Summary</u>	<u>Vessel(s) Status Summary</u>	<u>Property Damage Summary</u>
Total Missing: 0	Actual Total Loss(es): 0	
Total Dead: 0	Total Constructive Loss, Salvaged: 0	NO RECORDED DATA
Total Injured: 0	Total Constructive Loss, Unsalvaged: 0	
At Risk, Not Injured: 0	0	
Total Not at Risk: 0	Damaged: 0	
	Undamaged: 1	

III. ACTIONS IN REPONSE TO THIS REPORT

Actions on Recommendations:

NO RECORDED DATA

Safety Alerts:

NO RECORDED DATA

IV. FINDINGS OF FACT

Subjects of the Investigation

Involved Vessel(s)

Vessel Name: EL FARO

NO RECORDED DATA

VIN: 561732

Role: Acknowledged Pollution Source

For additional vessel details, please click here.

For additional facility details, please click here.

Involved Parties

Party Name: Removed for Privacy
Party Name: Removed for Privacy
Party Name: Removed for Privacy
Party Name: Removed for Privacy

For additional party details, please click here.

Involved Organizations

Organization Name: SEA STAR LINE LLC

For additional organization details, please click here.

Response Resources

NO RECORDED DATA

For additional response details, please click here.

Waterway Segment(s)

Waterway: SAN JUAN HARBOR

For additional waterway details, please click here.

V. REFERRAL FOR ENFORCEMENT ACTION

NO RECORDED DATA

EXHIBIT “C”

Results for Vessel: EL YUNQUE

ATTENTION: These results are from the PSIX Archive Database. Results from this database are for data before 12/15/2001.

Vessel Information:

Vessel Name: EL YUNQUE
VIN: D573223
Hull Number:
Vessel Flag: USA
Vessel Call Sign: WGJT
Build Year: 1976

Vessel Particulars:

Service: FREIGHT SHIP
Length: 744.20
Breadth: 92.80
Depth: 34.90
Alternate VINs: A7605415, L7506015
IMO Number: 7506015

Service Information:

Service: N/A
Out Of Service Date: N/A
Last Removed From Service By: N/A

Tonnage Information:

Deadweight: 16144
Gross Tonnage[GRT]: 17525
Net Tonnage[NRT]: 11397
Gross Tonnage[GT ITC]: 28137
Cargo Authority: GRADE C FLAMMABLE LIQUID (RUM IN BULK)

Vessel Documents and Certifications

Document	Agency	Date Issued	Expiration Date
SAFETY RADIO TELEPHONE	FCC	April 14,2001	April 14,2002
COFR	USCG	October 8,2001	October 8,2004
SAFETY MANAGEMENT CERT	DNV	September 15,1999	August 4,2004
DOCUMENT OF COMPLIANCE	DNV	June 28,2000	June 28,2001
CLASSIFICATION DOCUMENT	ABS	August 13,1999	September 30,2004
INT'L TONNAGE CERTIFICATE	ABS	October 8,1998	
LOADLINE CERT	ABS	February 8,2001	May 31,2004
DOCUMENTATION CERTIFICATE	USCG	January 26,1999	January 31,2002
CERTIFICATE OF INSPECTION	USCG	May 1,2001	May 31,2004
SAFETY CONSTRUCTION CERT	ABS	November 30,1999	May 31,2004
SAFETY RADIO TELEGRAPH	FCC	April 14,2001	April 14,2002
INT'L OIL POLL PREVENTION	ABS	November 30,1999	May 31,2004
SAFETY EQUIPMENT CERT	ABS	May 19,2001	May 31,2004

Summary of Coast Guard Contacts

To View Contact Data **From:** **To:** (MM/DD/YYYY)

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI96043153	San Francisco, CA	December 23, 1996	0	23DEC96: RECEIVED LETTER FROM OPERATOR NOTIFYING THIS OFFICE THAT VESSEL IS CURRENTLY IN A DEEP LAY UP STATUS. SINCE VESSEL IS OVERDUE FOR MID PERIOD REINSPECTION CERTIFICATE OF INSPECTION WAS DEACTIVATED.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI97042781	San Francisco, CA	December 5, 1997	1	Conducted ISE, def check (boiler repair), and partial UWILD. Extended UWILD due date to 20FEB98 as per written request. Inspection complete after clearing 01 CG-835 and issuing 01 CG- 835, with a total of 02 CG-835's outstanding. Only remaining item of UWILD is the underwater hull survey.

Deficiency Information

Location	System	SubSystem	Specification
Deficiency Not Available	HULL	GENERAL	Not Available

Description of Deficiency

COMPLETE UNDERWATER HULL SURVEY OF VESSEL PRIOR TO 20FEB98 TO COMPLETE UWILD.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI98002358	San Francisco, CA	December 30, 1997	0	Completed deficiency check. See MINS for details of this inspection.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
PS98033158	San Francisco, CA	April 8 ,1998	0	INV NEC
MC98004394	San Francisco, CA	April 8 ,1998	0	ALLISION: NONE
MI98012056	San Francisco, CA	April 8 ,1998	9	COMPLETED INSPECTION FOR CERTIFICATION. ISSUED TEMP COI #T-023-98. CLEARED ONE OUTSTANDING CG-835 FROM REFERENCE CASE. INSPECTION COMPLETE WITH 5 MACHINERY AND 4 DECKSIDE CG-835'S ISSUED.
Deficiency Information				
Location	System	SubSystem	Specification	
Deficiency Not Available	BOILER, MAIN	VALVES	Not Available	
Description of Deficiency				
REPAIR/REPLACE REACH ROD TO PORT BOILER REAR HEADER DRAIN VALVE.				
Deficiency Information				
Location	System	SubSystem	Specification	
Deficiency Not Available	GENERAL SAFETY	RESPIRATORY PROTECTION	Not Available	
Description of Deficiency				
FULLY RECHARGE EMERGENCY ESCAPE BREATHING DEVICE NEAR CONSOLE.				
Deficiency Information				
Location	System	SubSystem	Specification	
Deficiency Not Available	FUEL	LEAK	Not Available	
Description of Deficiency				
PROVIDE MECHANICAL PLUGS FOR ALL FUEL OIL CONTAINMENTS.				
Deficiency Information				
Location	System	SubSystem	Specification	
Deficiency Not Available	HULL	WATERTIGHT DOORS	Not Available	
Description of Deficiency				
PROVIDE OPERATIONAL OPEN/CLOSE INDICATOR LIGHT FOR NO. 6 WATERTIGHT CARGO DOOR.				
Deficiency Information				
Location	System	SubSystem	Specification	
Deficiency Not Available	FIRE FIGHTING	NEC	Not Available	
Description of Deficiency				
UPDATE/REVISE FIRE CONTROL PLAN TO REFLECT CURRENT STATUS OF VESSEL.				
Deficiency Information				
Location	System	SubSystem	Specification	
Deficiency Not Available	BOILER, MAIN	VALVES	Not Available	
Description of Deficiency				
PROPERLY LABEL BOILER SAFETY EASING GEAR.				
Deficiency Information				
Location	System	SubSystem	Specification	
Deficiency Not Available	BOILER, MAIN	DRUMS	Not Available	

Description of Deficiency

REPAIR BRICK AND INSULATION OVER STBD BOILER STEAM DRUM.

Deficiency Information

Location	System	SubSystem	Specification
Deficiency Not Available	BILGE	VALVES	Not Available

Description of Deficiency

REPAIR/REPLACE "RAMP AND BALLAST SUCTION" VALVE FOR STBD BILGE MANIFOLD.

Deficiency Information

Location	System	SubSystem	Specification
Deficiency Not Available	NAVIGATION	COMPASS	Not Available

Description of Deficiency

UPDATE MAGNETIC COMPASS DEVIATION CARD.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI98012397	San Francisco, CA	April 9 ,1998	0	CONDUCTED DAMAGE SURVEY OF SATCOM DOME. WHILE TRANSITING UP DELTA TO CONCORD, VESSEL'S SATCOM DOME TRANSCIVER ALLIDED WITH BENECIA-MARTINEZ BRIDGE KNOCKING IT DOWN ONTO 10CM RADAR ANTENNA. ALLISION WAS ATTRIBUTED TO A MISCALCULATION OF VESSEL'S AIR DRAFT. RADAR WAS CHECKED/TESTED AND FOUND SATISFACTORY AS WAS ALL OTHER NAVIGATIONAL ELECTRONIC EQUIPMENT.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
PS98033783	San Francisco, CA	April 10 ,1998	0	MON PK HAZMAT

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI98014739	San Francisco, CA	April 25 ,1998	0	Attended vessel at the above location to conduct a deficiency check. Cleared 5 engineering CG-835 requirements issued at the COI. 4 Deck requirements remain outstanding. Endorsed the bridge record card, departed the vessel, inspection complete.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
PS98043058	San Francisco, CA	May 8 ,1998	0	MON BLAST/OX

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI98016492	San Francisco, CA	May 8 ,1998	0	CONDUCTED DEFICIENCY CHECK OF ITEMS ISSUED IN REFERENCE CASE. CLEARED 3 CG-835'S WITH NONE LEFT OUTSTANDING. INSPECTION COMPLETE.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
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MI98024618 San Francisco, CA July 20 ,1998 0 CONDUCTED SATISFACTORY REVIEW OF UPDATED FIRE CONTROL PLAN. INSPECTION COMPLETE.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI98033910	San Francisco, CA	October 9 ,1998	0	Conducted Fireside, Waterside, and hydro of port and stbd boiler. Conducted hydro of main steam piping. Opened mounts for inspection on port and stbd boilers. All inspections satisfactory.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI98037186	Jacksonville, FL	November 17 ,1998	0	ISSUED A CG949 EXCURSION PERMIT TO VESSEL FOR A ONE TIME TRIP TO SAN JUAN PR TO CARRY THREE PERSONS IN ADDITION TO THE CREW. CWO MJ LANG

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI99002560	Jacksonville, FL	February 4 ,1999	0	Boarded vessel to inspect Fructose tank installation. See mins for details.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI99012670	Mobile, AL	May 4 ,1999	0	CONDUCTED HULL EXAM AND ACP HAND-OVER SURVEY. SEE MINS/CASE PACKAGE FOR DETAILS.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI99028764	Jacksonville, FL	August 24 ,1999	1	VSL NOTIFIED THIS OFFICE OF INOPERATIVE GYRO. ISSUED 1 CG835 TO REPAIR GYRO PRIOR TO DEPARTURE AND PROVIDE REPAIR REPORT. VSL PROVIDED REPAIR REPORT THIS OFFICE CLEARED CG835. NONE REMAIN OUTSTANDING

Deficiency Information

Location	System	SubSystem	Specification
Deficiency BRIDGE	NAVIGATION	COMPASS	MATERIAL DEFECT

Description of Deficiency
INOP GYRO, REPAIR GYRO PRIOR TO DEPARTURE.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
PS00095963	Jacksonville, FL	October 31 ,2000	0	VSL MOVE CTRL

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI00033843	Jacksonville,	March 17	0	Installed RUM cargo tanks and associated piping on main deck.

FL ,2001 Amended COI. Updated the following product sets, VFOD, VFCA, VFCC and VFSL.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI01013580	San Juan, PR	May 1 ,2001	3	CONDUCTED AN ACP COI EXAM. ISSUED 3 REQUIREMENTS, 3 CLEARED 3 REMAINS OUTSTANDING. ISSUED TEMP COI SJPMS 272.

Deficiency Information

Location	System	SubSystem	Specification
Deficiency Not Available	LIFESAVING	LIFEBOAT	Not Available

Description of Deficiency

CONDUCT WEIGHT TEST OF THE PORT LIFEBOAT IN THE PRESENTS OF A COAST GUARD MARINE INSPECTOR OR ABS SURVEYOR.

Deficiency Information

Location	System	SubSystem	Specification
Deficiency Not Available	LIFESAVING	LIFEBOAT	Not Available

Description of Deficiency

CONDUCT WEIGHT TEST OF THE STARBOARD LIFE BOAT IN THE PRESENTS OF A COAST GUARD MARINE INSPECTOR OR ABS SURVEYOR.

Deficiency Information

Location	System	SubSystem	Specification
Deficiency Not Available	LIFESAVING	TESTS, DRILLS	Not Available

Description of Deficiency

CONDUCT ABANDON SHIP DRILL IN THE PRESENTS OF A COAST GUARD MARINE INSPECTOR.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
PS01056262	Jacksonville, FL	June 29 ,2001	0	POL PREV COMP AND CREW LIC. CHK

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI01022341	San Juan, PR	July 11 ,2001	0	Updated lifeboat weight test dates. Weight test conducted by ABS. Removed tailshaft details and hull exam dates. Cleared 1 requirement from the above ref. case. 0 remain outstanding.

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
PS01071200	San Juan, PR	August 24 ,2001	0	INV NEC

Case Number	Responsible Unit's USCG Zone/Port	Incident Date	Number of Deficiencies	Nature of Incident
MI01027665	Jacksonville, FL	August 30 ,2001	1	RECEIVED REPORT OF SHAFT SEAL OIL LEAKING FROM COMPANY REP. ABS SURVEYOR INSPECTED AND FOUND NO DEFICIENCIES, RECOMMENDED TO MONITOR SITUATION ON NEXT VOYAGE. ISSUED O1 REQUIREMENT TO MONITOR AND REEVALUATE UPON ARRIVAL IN SAN JUAN PR. ABS SJPMS ATTENDED AND CLEARED VSL. SEE

MINS FOR DETAILS. CLEARED CG835 NONE
REMAIN OUTSTANDING.

Deficiency Information

Location	System	SubSystem	Specification
Not Available	PROPULSION SHAFT		Not Available

****Deficiency****

Description of Deficiency

MONITOR OIL LEVEL IN SHAFT SEAL SYSTEM AND RECORD. UPON ARRIVAL IN SAN JUAN REEVALUATE SYSTEM FOR ANY SIGN OF LEAKAGE TO THE SATISFACTION OF ABS SURVEYOR AND LOCAL OCMI. IF REQUIRED MAKE REPAIRS TO THE SATISFACTION OF ABS.

Investigation Activity Report

FL9560HG; Capsized Vessel

Activity Start Date: Friday, March 21, 2014
 MISLE Activity Number: 4826253
 MISLE Originating Unit: Sector Jacksonville
 MISLE Activity Owner: Commandant (CG-INV-3)
 MISLE Activity Controller: Commandant (CG-INV-3)
 MISLE Case Number: 675015

I. INCIDENT BRIEF

while transiting inbound on the St. Johns river, the SS EL YUNQUE produced a wake that ultimately capsized an anchored recreational vessel. The recreational vessel was anchored outside the navigable channel. The operator of the recreational vessel saw the approaching wake and was unable to retrieve his anchor. As the waves hit the stern of the recreational vessel the anchor line became taut, the bow of the vessel was submerged, and the vessel rolled and capsized. Minor injuries were reported, no medical attention was required. No pollution reported.

II. INCIDENT SUMMARY

Incident Involved: Marine Casualty, Reportable
 Level of Investigation: Data Collection
 IMO Classification: Routine
 USCG Classification: Routine
 Was This a Serious Marine Incident? No
 Was a Marine Board Convened by Commandant? No

Personal Casualty Summary	Vessel(s) Status Summary	Property Damage Summary
Total Missing: 0	Actual Total Loss(es): 0	Total Damage:
Total Dead: 0	Total Constructive Loss, Salvaged: 0	Vessel(s): \$9000
Total Injured: 2	Total Constructive Loss, Unsalvaged: 0	Cargo: \$0
At Risk, Not Injured: 2	0	Facility: \$0
Total Not at Risk: 2	Damaged: 1	Other: \$0
	Undamaged: 1	

May Include Estimates

III. ACTIONS IN RESPONSE TO THIS REPORT

Actions on Recommendations:

NO RECORDED DATA

Safety Alerts:

NO RECORDED DATA

IV. FINDINGS OF FACT

Subjects of the Investigation

Involved Vessel(s)

Vessel Name: FL9560HG

NO RECORDED DATA

VIN: FL9560HG

Role: Involved in a Marine Casualty

Vessel Name: SS EL YUNQUE

VIN: 573223

Role: Involved in a Marine Casualty

For additional vessel details, please click here.

For additional facility details, please click here.

Involved Parties

Party Name: Removed for Privacy
Party Name: Removed for Privacy
Party Name: Removed for Privacy

For additional party details, please click here.

Involved Organizations

NO RECORDED DATA

For additional organization details, please click here.

Response Resources

NO RECORDED DATA

For additional response details, please click here.

Waterway Segment(s)

Waterway: ST JOHNS RIVER

For additional waterway details, please click here.

V. REFERRAL FOR ENFORCEMENT ACTION

NO RECORDED DATA

Investigation Activity Report

SS EL YUNQUE; Equipment Failure

Activity Start Date: Thursday, November 11, 2010
MISLE Activity Number: 3891811
MISLE Originating Unit: Sector Delaware Bay
MISLE Activity Owner: Commandant (CG-INV-3)
MISLE Activity Controller: Commandant (CG-INV-3)
MISLE Case Number: 529549

I. INCIDENT BRIEF

11Nov2010: Sector Delaware Bay was notified that the vessel SS EL YUNQUE, while transitting from San Juan, PR to Philadelphia, PA sustained damage to the deck when 8 cargo trailers broke free from its lashings and crashed onto the deck. The vessel, off the coast of Cape Hatteras, encountered heavy weather rolls causing a securing point to break from the deck plating and leaving an eight to ten inch crack in the damaged area.

II. INCIDENT SUMMARY

Incident Involved: Marine Casualty, Reportable
Level of Investigation: Data Collection
IMO Classification: Routine
USCG Classification: Routine
Was This a Serious Marine Incident? No
Was a Marine Board Convened by Commandant? No

<u>Personal Casualty Summary</u>	<u>Vessel(s) Status Summary</u>	<u>Property Damage Summary</u>
Total Missing: 0	Actual Total Loss(es): 0	
Total Dead: 0	Total Constructive Loss, Salvaged: 0	NO RECORDED DATA
Total Injured: 0	Total Constructive Loss, Unsalvaged: 0	
At Risk, Not Injured: 25	Damaged: 1	
Total Not at Risk: 0	Undamaged: 0	

III. ACTIONS IN REPONSE TO THIS REPORT

Actions on Recommendations:

NO RECORDED DATA

Safety Alerts:

NO RECORDED DATA

IV. FINDINGS OF FACT

Subjects of the Investigation

Involved Vessel(s)

Vessel Name: SS EL YUNQUE
VIN: 573223
Role: Involved in a Marine Casualty

NO RECORDED DATA

For additional vessel details, please click here.

For additional facility details, please click here.

Involved Parties

Party Name: Removed for Privacy

Involved Organizations

Organization Name: INTEROCEAN AMERICAN SHIPPING CORP

[For additional party details, please click here.](#)

[For additional organization details, please click here.](#)

Response Resources

Waterway Segment(s)

NO RECORDED DATA

Waterway: ATLANTIC DEEP WATER ACCESS

[For additional response details, please click here.](#)

[For additional waterway details, please click here.](#)

V. REFERRAL FOR ENFORCEMENT ACTION

NO RECORDED DATA

Investigation Activity Report

SS EL YUNQUE; Equipment Failure

Activity Start Date: Wednesday, January 05, 2011
 MISLE Activity Number: 3926478
 MISLE Originating Unit: Sector Jacksonville
 MISLE Activity Owner: Commandant (CG-INV-3)
 MISLE Activity Controller: Commandant (CG-INV-3)
 MISLE Case Number: 534902

I. INCIDENT BRIEF

On January 5, 2011 at approx. 0030 vessel encountered loss of boiler water which triggered a safety shut down of the boiler fires. Three hours later propulsion was restored. Location of failure determined to be economizer tubes. Damaged economizer tubes were isolated and replacement of economizers are scheduled for next yard period.

II. INCIDENT SUMMARY

Incident Involved: Marine Casualty, Reportable
 Level of Investigation: Informal
 IMO Classification: Routine
 USCG Classification: Routine
 Was This a Serious Marine incident? No
 Was a Marine Board Convened by Commandant? No

<u>Personal Casualty Summary</u>	<u>Vessel(s) Status Summary</u>	<u>Property Damage Summary</u>
Total Missing: 0	Actual Total Loss(es): 0	
Total Dead: 0	Total Constructive Loss, Salvaged: 0	NO RECORDED DATA
Total Injured: 0	Total Constructive Loss, Unsalvaged:	
At Risk, Not Injured: 0	0	
Total Not at Risk: 0	Damaged: 0	
	Undamaged: 1	

III. ACTIONS IN REPOSE TO THIS REPORT

Actions on Recommendations:

NO RECORDED DATA

Safety Alerts:

NO RECORDED DATA

IV. FINDINGS OF FACT

Subjects of the Investigation

Involved Vessel(s)

Vessel Name: SS EL YUNQUE NO RECORDED DATA
VIN: 573223
Role: Involved in a Marine Casualty

For additional vessel details, please click here.

For additional facility details, please click here.

Involved Parties

Party Name: Removed for Privacy NO RECORDED DATA

For additional party details, please click here.

For additional organization details, please click here.

Involved Organizations

Response Resources

Waterway Segment(s)

NO RECORDED DATA

Waterway: ATLANTIC DEEP WATER ACCESS

For additional response details, please click here. For additional waterway details, please click here.

V. REFERRAL FOR ENFORCEMENT ACTION

NO RECORDED DATA