

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of:

THE AXEL SPIRIT'S ALLISION WITH
THE AMBROSE LIGHT AT THE
ENTRANCE OF NEW YORK HARBOR
NOVEMBER 3, 2007

Docket No.: DCA08FM002

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Interview of: DENNIS R. SHERWOOD

Sandy Hook Pilot Office
Staten Island, New York

The above-captioned matter convened, pursuant to Notice
On November 7, 2007.

BEFORE: ROB JONES
National Transportation Safety Board

APPEARANCES:

ROB JONES
National Transportation Safety Board

BILL WOODY
National Transportation Safety Board

JIM PRITCHARD
U.S. Coast Guard

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I N T E R V I E W

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2 MR. JONES: We're on the record with Captain Dennis R.
3 Sherwood. He was the Pilot on the Axel Spirit on the night of the
4 allision with the tower, after the vessel had passed the tower.

5 My name is Rob Jones with the NTSB. With me is Jim
6 Pritchard with the U.S. Coast Guard and Bill Woody from the NTSB.

INTERVIEW OF CAPT. DENNIS R. SHERWOOD

7
8 BY MR. JONES:

9 Q. Captain, can you, just a little background about
10 yourself first. That's usually how we start our interviews. How
11 long have you been a Pilot? And if you had any maritime training,
12 went to one of the schools, that kind of stuff.

13 A. I graduated from college. I did not go to maritime
14 school. I started as an apprentice here in 1977. I became a
15 Pilot in 1984 and seven years later became a Full Branch Pilot and
16 have been here ever since, thank goodness.

17 Q. Okay. A little bit about the night of the, of the
18 accident. What time you were called for that job? What time did
19 you get out to the vessel and then just take us through from going
20 out on the launch, what you saw, what you noticed getting
21 aboard --

22 A. Okay.

23 Q. -- and then into the dock.

24 A. I was ordered off in a boat, which is how we get pilots
25 out there if there's not enough sailings. I was ordered off at,

1 let me think of what time it was, it would be 1900 for a 2200
2 sail. No, I think it was 21 for midnight, for 0200. It would be
3 five hours before. I knew the weather was not going to be too
4 good. So I got to the base early. The other fellow on the boat
5 was at Staten Island. We left the base here about 2200, went to
6 sea, got a couple hours of sleep. They called me about 0130.
7 There were two ships due at 0200, the Axel Spirit and then there
8 was a passenger ship due at the same time, I think the Norwegian
9 Spirit. About 1:30 I got up, had a cup of coffee, was informed I
10 would be getting the tank, was asked to go about 0200, got in the
11 launch, boarded the ship, asked about -- I'm assuming I got aboard
12 about 10 after 2:00, but I couldn't swear to that. Headed over
13 immediately for the Scotland buoy, and it was a routine transit.
14 I met one tank outbound. We slowed down for the meeting and that
15 was it, and there was no mention at all made of any, any problems
16 with the ship. Had the Master Pilot exchange, discussed with the
17 Captain, you know, looked at our drafts head, air drafts and such
18 and everything was absolutely normal.

19 Q. Okay.

20 A. Got off the ship about 6:15 in the morning. I met tugs
21 at 0400, maybe 0410, got off at about 6:15 in the morning and
22 still at that point had no information about any collision with
23 the tower. I proceeded to go home, went shopping for a couple of
24 hours, laid down and got -- when I woke up, my wife said Bob
25 Miller called one of our pilots. He had the weekend watch, and he

1 said had the Captain mentioned anything about a collision with the
2 tower. I said -- I thought he was kidding me. I said, no, why?
3 Had there been a collision, and he said, yes, it sounds like the
4 ship hit the tower, and that was it. That was the first I heard
5 of it.

6 Q. Do you know what time that call was about?

7 A. While I was sleeping, but I called him back about 4:00
8 in the afternoon when I got up. I don't know what time actually
9 he called but I might have it on my phone at home, the time that
10 he called.

11 Q. When you first boarded the vessel, someone met you at
12 the top of the pilot ladder?

13 A. Yes, a mate.

14 Q. Was it -- do you know which mate it was? Second mate?

15 A. No idea. I have no idea.

16 Q. He took you up to the bridge?

17 A. Yes.

18 Q. Did he remain on the bridge?

19 A. Yes.

20 Q. Okay. How did the exchange go with the, with the
21 Master?

22 A. Good.

23 Q. Master Pilot exchange?

24 A. Good. I asked the Captain if there was any problems
25 with the ship, any deficiencies. He assured there were none. The

1 draft was good. Tide was good. Everything was good.

2 Q. What was --

3 A. Transit was uneventful.

4 Q. Okay. What was your take on the Master? Was he
5 authoritative, competent?

6 A. Yeah, he seemed like a very nice guy, some kind of
7 Scandinavian and he was a nice fellow, didn't seem nervous or --
8 at all.

9 Q. Did he smoke on the bridge?

10 A. He did.

11 Q. Constant?

12 A. Well, I don't smoke at all. So to me --

13 Q. It would be constant.

14 A. Yeah. A little less than Bill maybe. No, I'm kidding.
15 I'm kidding. Yeah, I'd say he smoked --

16 Q. Pretty much the transit in?

17 A. Yes.

18 Q. Okay. Where did you position yourself for the transit
19 in?

20 A. Well, I sat up my laptop computer just to the left of
21 center on the bridge, and I proceeded to -- I usually just stroll
22 around. I look at the computer. I look at the radars. Depending
23 on where I am in my transit, I'm in different spots.

24 Q. Where you set up your laptop, was that forward of the
25 console --

1 A. Yes.

2 Q. -- like the windows?

3 A. Uh-huh.

4 Q. So nothing was in front of you but the windows?

5 A. Correct.

6 Q. Okay. Where was the Master while you were in front of
7 the console and by the windows?

8 A. The same. He was in different spots. He was looking at
9 the radar and he was pretty much on the bridge the whole time as
10 far as I recall.

11 Q. Yeah. Did he have, from what you could judge, a
12 favorite radar? Did he stay to one side, port radar or starboard
13 radar?

14 A. No, not that I recall.

15 Q. Okay. Did he have to give any commands or did you give
16 all the commands to either the helm and the engine bells?

17 A. I gave all the commands.

18 Q. Okay. And who answered the helm orders?

19 A. Just the quartermaster.

20 Q. And how about the engine orders?

21 A. I would give a command, and it would either be the
22 Captain or the mate would relay them and would make the actual
23 adjustments.

24 Q. Okay. Any interaction between the Captain and the mate
25 that you can comment on?

1 A. Nothing out of the ordinary.

2 Q. How about the lookout and the helmsman? Did they do
3 what you told them? Did they answer up or --

4 A. Yeah.

5 Q. -- point things out the way you --

6 A. Yeah, I have never actually had that ship but she's very
7 similar to the Eagle tanks that we get. She's a beamy ship.
8 She's 143, I think, wide --

9 Q. Uh-huh.

10 A. -- and she's about 20 feet short of an Eagle tank and
11 they're very good handling ships and she handled just the same way
12 as the Eagle tanks handle. So I had no complaints at all with any
13 of the crew, Captain or the ship itself. Everything seemed to
14 be --

15 Q. Good.

16 A. -- you know, good. Uh-huh.

17 Q. Let's see. Just to reiterate, no -- none of the crew
18 members that were on the bridge with you, the ship's bridge team,
19 no mention of any event prior to your boarding?

20 A. Nothing.

21 Q. Okay.

22 A. That's why I was absolutely shocked when I got the phone
23 call because I, you know, you would think somebody would say
24 something.

25 Q. Now even though you're, you know, you've already said,

1 you know, that the crew did what you asked, seemed competent up
2 there, if you take away your normal orders and just think about
3 the environment, the four of them up there, any nervousness
4 between them? If you just don't think about the orders you were
5 giving, just when there was a quiet time, a down time, just, you
6 know, if you'd look over and see them, their interaction between
7 each other, other than following what you gave them as helm
8 orders?

9 A. No, I didn't pick up on anything out of the ordinary.

10 Q. Did they offer you a cigarette?

11 A. No.

12 Q. Did they offer --

13 A. The Captain actually asked me if I minded if he smoked,
14 and I said absolutely not. And I had a cup of coffee and probably
15 a few cups of coffee and it was just a routine transit.

16 Q. Anybody from the crew, the bridge team, go out the -- go
17 out to the wings at all outside or did everybody remain inside?

18 A. Everybody remained inside that I recall. It was a
19 crappy night. It was blowing pretty well -- pretty good when I
20 got on board. So I think I would have noticed anybody walking out
21 on the wing. I didn't see that at all. I was the only one and
22 that was just to set up my laptop.

23 Q. Yeah. Okay. That's all I have right now.

24 MR. JONES: Bill.

25 MR. WOODY: Yes.

1 BY MR. WOODY:

2 Q. Did I understand you to say that your orders might have
3 been relayed by the mate as well as the Captain?

4 A. Well, whoever heard me say, let's go to half ahead, I
5 don't really recall who would have, you know, if the Captain was
6 standing by, he would have done the engine command. If the mate
7 was, he would have.

8 Q. I see.

9 A. But there was, you know, I wouldn't tell the Captain and
10 he would tell the mate. It was whoever heard it would.

11 Q. Uh-huh. Did you have any conversation or hear any
12 conversation from the -- well, did you ever hear the second mate
13 speak that you can remember?

14 A. The fellow that met me at the gangway, yes, I spoke to
15 him because when I came up, they had made a lee for me and he had
16 asked me if they could come hard port at the time, after I came on
17 board. They had to make a lee, and then we were heading over for
18 the Scotland buoy and I said, yes, absolutely, he could come hard
19 port and he had good -- this is when I had just gotten to the top
20 of the ladder.

21 Q. I see.

22 A. I was standing on deck, and he was asking if it was okay
23 at that point for the vessel to come hard to port, and I said yes.

24 Q. This is the mate that met you down at --

25 A. Yes.

1 Q. -- (indiscernible) embarkation?

2 A. Uh-huh.

3 Q. Did he speak in a loud, clear voice?

4 A. Yes.

5 Q. He did.

6 A. Uh-huh.

7 Q. Okay. Did you get close enough to the Captain to smell
8 anything?

9 A. I did not.

10 Q. Were you close enough that you could have?

11 A. I could have, yes.

12 Q. But you didn't --

13 A. I didn't notice anything.

14 Q. -- notice anything?

15 A. No.

16 Q. Tobacco smoke or tobacco breath or anything?

17 A. Not that I noticed but I did observe him smoking --

18 Q. Okay.

19 A. -- but I didn't get close enough to --

20 MR. WOODY: That's all I have.

21 MR. JONES: Jim.

22 MR. PRITCHARD: Just a quick question.

23 BY MR. PRITCHARD:

24 Q. Do you remember when you came up onto the bridge, other
25 than when you went out to set your antennas up on the port wing --

1 A. Right.

2 Q. -- any of the doors, windows, anything, anything open?

3 A. No.

4 Q. So it was just -- the only time the door got opened was
5 when you set your antennas and then it was closed behind?

6 A. Yes. As far as I recall, that's correct.

7 Q. Okay.

8 BY MR. JONES:

9 Q. When you were giving bell orders --

10 A. Uh-huh.

11 Q. -- did you ever do a stop bell? Except for alongside
12 the dock, let's say before you were, before you -- the Docking
13 Pilot came up, in the transit in, did you ever give slow bells,
14 stop bells?

15 A. Yeah. I went -- I met an outbound tank around the sixth
16 buoy of Ralton Reach (ph.) and when I got to about the Southwest
17 Spit Buoy, I had started to slow down. I was, I was full ahead
18 across station. I was full ahead in the first leg of Sandy Hook.
19 Then I went to half, slow, dead slow, to meet the outbound tank,
20 just because we were a good size ship and at that point -- but I
21 don't think I had ever stopped. I went to dead slow and probably
22 got down to about five, five or six knots when I met the outbound
23 ship and then I increased again and went to full but just for a
24 short time and then slowed it to reduced for Saigon Point (ph.).

25 Q. How did she steer at the slowest speed?

1 A. Perfect. No problem. Good handling ship.

2 Q. Did you notice anything different as you went from bell
3 to bell?

4 A. No.

5 Q. Any vibration?

6 A. No.

7 Q. Smooth run when the -- when you gave the orders, the
8 bells were answered.

9 A. Uh-huh.

10 Q. Were you watching the RPMs at all? Could you see them
11 come up?

12 A. No, I did not watch the RPMs.

13 Q. Okay. You watched your GPS --

14 A. Yes.

15 Q. -- and you saw the speed come up?

16 A. Yes.

17 Q. Just --

18 MR. JONES: Okay. That's it for me. Bill, anything?

19 MR. WOODY: Yes, I did.

20 BY MR. WOODY:

21 Q. The officer that met you and came to the bridge with
22 you, did he stay on the bridge all the time until the ship got the
23 pier?

24 A. I don't know. I couldn't swear that he stayed there the
25 whole time. He was there for a portion of it --

1 Q. Uh-huh.

2 A. -- and he might have disappeared and came back. I don't
3 know.

4 Q. Can you describe him? Was he a person of your height or
5 was he --

6 A. There wasn't too many my height. They were all
7 Filipinos what I saw, but I couldn't say, but I know he was not as
8 tall as I was. The Captain was a big man but the rest of the crew
9 didn't seem to be --

10 Q. The person who met you, this mate, was he a Caucasian
11 guy? Was he pretty --

12 A. I think he was a Filipino.

13 Q. You think he was Filipino.

14 A. Yes.

15 Q. Okay.

16 A. I believe. I couldn't swear to it.

17 Q. Okay.

18 A. You know, it's kind of odd because I'm trying to think
19 back on it --

20 Q. Yeah.

21 A. -- and if there had been an incident, it probably would
22 have been a little fresher in my mind but since -- to me, it was a
23 routine, you know, I've been on a few ships since then. So --

24 Q. The reason I asked you, because I would have kind of
25 expected maybe a deckhand to be down there, maybe as well as the

1 mate, maybe and --

2 A. Well, there were a couple of fellows standing there.

3 Q. He asked you if it was all right if they come hard
4 right?

5 A. Hard left.

6 Q. Hard left. Sorry.

7 A. Yes, correct.

8 Q. (indiscernible).

9 A. Uh-huh.

10 Q. How many people were on the bridge during the transit?

11 A. It was myself, the Captain, helmsman and a mate.

12 Q. A mate.

13 A. You know, were we all there at the same time? Not the
14 whole way.

15 Q. Uh-huh.

16 A. You know, the Captain disappeared for a while. It's
17 usual. He could have gone in his chart room. I give him a
18 newspaper. He might have been looking at the paper, whatever, but
19 as far as I knew, he was within earshot the whole time. You know,
20 I don't remember him leaving the bridge but I don't actually
21 follow him around. I'm doing my job. As long as there's somebody
22 there that's going to do the engine commands I'm asking for, I'm
23 happy.

24 Q. I'm going to ask this one more time. Do you recall any
25 other Caucasian on the bridge that was the same height as the

1 Captain? About the same height? A big guy.

2 A. I don't recall.

3 Q. And you think that the deck officer on the ship at the
4 time you were there was a Filipino maybe?

5 A. I believe so. I think that was the guy that was
6 standing by for me and took me to the bridge.

7 MR. JONES: I was done, but just a follow up to that
8 line.

9 BY MR. JONES:

10 Q. When you just said there was a mate on the bridge, the
11 Captain, what mate do you mean? Describe him. Or just Caucasian?

12 A. I'm thinking he was the fellow that stood by for me that
13 was the Filipino. I don't recall another Caucasian.

14 BY MR. WOODY:

15 Q. The same one that escorted you up to the bridge?

16 A. Yeah, I mean I remember him being there and, and I mean
17 there might have been another Caucasian, one there, but I don't
18 recall. I talked to the Captain mostly.

19 Q. Yeah.

20 A. And not really having too much conversation with anybody
21 besides him.

22 BY MR. JONES:

23 Q. When you say you set up your laptop forward on the
24 portside of the bridge --

25 A. Right.

1 Q. -- someone -- was anybody behind you? There was a chart
2 table there on that side, inside the console? Do you remember
3 someone being there and the Captain over by, you know, who rang
4 the bells when you gave orders? The Captain and who

5 A. The Captain or the mate.

6 Q. And which mate was that?

7 A. The one --

8 Q. The one we've been talking about?

9 A. Yeah. Uh-huh.

10 Q. All right.

11 BY MR. PRITCHETT:

12 Q. (indiscernible) description, do you remember an accent?

13 That might be easier than --

14 A. Yeah, just the Captain.

15 Q. Just the Captain.

16 A. The Captain seemed to be some kind of Norwegian and
17 that's the only -- but it seemed like a fellow that asked me on
18 deck, if they could come hard left, he had a pretty good command
19 of the English language. I mean it was questioned. You get on a
20 lot of ships and you have difficulty.

21 Q. Yeah.

22 A. This guy was absolutely not a problem with the language.

23 Q. You don't recall an accent though?

24 A. No, just from the Captain. He was the only one I really
25 had a conversation with that I would know.

1 BY MR. JONES:

2 Q. The helmsman spoke up pretty good repeating your orders?

3 A. Yes.

4 Q. The Captain, you kind of got his dialect, Norwegian,
5 Scandinavian?

6 A. Yes.

7 Q. You could understand him. The other mate, and let's,
8 let's not just, you know, try to decipher his, his ethnicity, was
9 there one up there soft spoken that might have been interacting
10 with the Captain? Do you recall that at all?

11 A. I don't recall that.

12 Q. Yeah. Well, all right.

13 MR. JONES: I think we're beating a dead horse.

14 MR. WOODY: Yeah.

15 BY MR. WOODY:

16 Q. We're trying -- just searching for any kind of
17 interaction between the fellows on the bridge.

18 A. Yeah.

19 Q. That's why they're questioning it.

20 A. I didn't pick up on any.

21 MR. JONES: Nothing unusual, everybody followed your
22 commands. Okay. I'm done. Okay. Thanks again.

23 CAPT. SHERWOOD: Okay. I hope I helped you.

24 (Whereupon, the interview in the above-entitled matter
25 was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: The Axel Spirit's Allision with the
 Ambrose Light at the Entrance of
 New York Harbor
 November 3, 2007
 Interview of Capt. Dennis R. Sherwood

DOCKET NUMBER: DCA-08-FM-002

PLACE: New York, New York

DATE:

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.

Kathryn A. Mirfin
Transcriber