



# National Transportation Safety Board

## Marine Accident Brief

### Grounding and Sinking of Fishing Vessel *Capt. M&M*

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<b>Accident type</b>	Grounding/Stranding	<b>No.</b> DCA18FM040
<b>Vessel name</b>	<i>Capt. M&amp;M</i>	
<b>Location</b>	Gulf of Mexico, east of Sabine Pass, Louisiana 29°39.35' N, 093°49.47' W	
<b>Date</b>	September 18, 2018	
<b>Time</b>	0532 central daylight time (coordinated universal time – 5 hours)	
<b>Injuries</b>	None	
<b>Property damage</b>	\$100,000 est.	
<b>Environmental damage</b>	Approximately 3,500 gallons of diesel fuel oil	
<b>Weather</b>	Visibility 10 miles, winds west 5 knots, seas calm, air temperature 81°F, water temperature 85°F <sup>1</sup>	
<b>Waterway information</b>	Sabine Pass connects the Sabine and Neches Rivers with the Gulf of Mexico. Located between Jefferson County, Texas, and Cameron Parish, Louisiana, the channel has a depth of 40 feet.	

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On September 18, 2018, at 0532 local time, the fishing vessel *Capt. M&M* grounded on the east jetty of Sabine Pass, an outlet for the Sabine and Neches Rivers into the Gulf of Mexico, while en route to the channel's entrance. The vessel subsequently flooded and capsized. All four crewmembers climbed onto the overturned hull, from where they were rescued uninjured by a local law enforcement boat with US Coast Guard coordination. The vessel later sank at an estimated loss of \$100,000. Approximately 3,500 gallons of diesel fuel oil on board were not recovered.



Fishing vessel *Capt. M&M* before the accident. (Source: Coast Guard)

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<sup>1</sup> All miles in this report are nautical miles (1.15 statute miles).

## Grounding and Sinking of Fishing Vessel *Capt. M&M*



Area of accident where the *Capt. M&M* grounded and later sank, as indicated by the red triangle. (Background Source: Google Earth)

### Background

The *Capt. M&M* was a 65-foot-long, steel-hulled trawler rigged for shrimp fishery.<sup>2</sup> Built as the *Miss Laurie* in 1973 by Marine Mart Inc. in Port Isabel, Texas, it was later renamed the *Nguyen LV* and then the *Capt. M&M*. The vessel's captain had owned the vessel since 1999.

### Accident Events

About 1400 on September 17, the crew of the *Capt. M&M*—the master and three deckhands—left Abbeville, Louisiana, to fish for shrimp. While they were trawling, fish hold refrigeration issues arose, forcing them to divert to Sabine Pass for repairs. The captain navigated for 13 hours, from the time of departure until about 0300 the following morning when he woke a deckhand to relieve him. The deckhand stated he had many years of experience in the industry but had only been on board the *Capt. M&M* for 2 days. The captain instructed the deckhand to wake him before reaching the Sabine Pass jetties.

The crew navigated with a P-Sea WindPlot electronic charting system (ECS) loaded on a laptop computer. The captain later told investigators that the ECS needed to be reset about hourly for it to function correctly; otherwise, the vessel would disappear from the screen. However, he forgot to explain how to reset it to the deckhand, who was not familiar with the ECS. When the

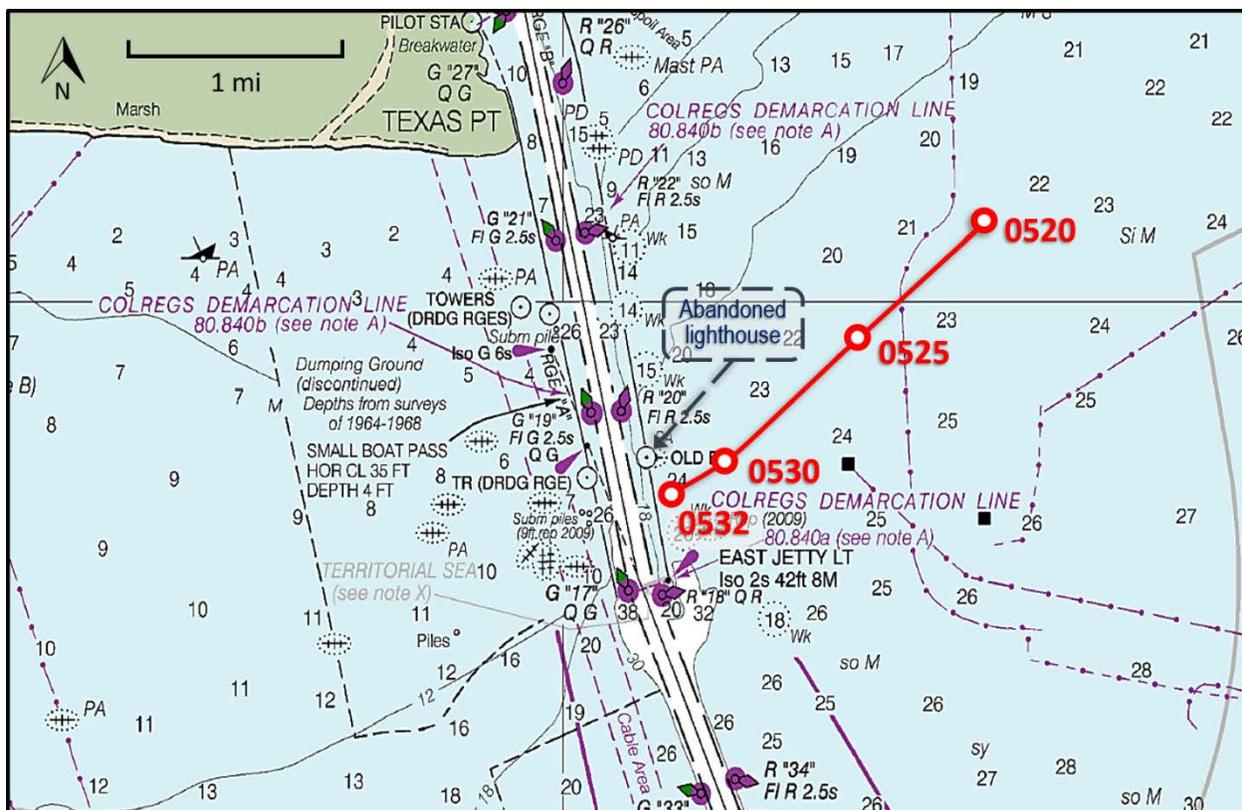
<sup>2</sup> A *trawler* describes a type of vessel primarily engaged in the fishing practice of trawling, which involves herding and capturing the target species by towing a net through the water.

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*Capt. M&M* approached the jetties about 2 hours later, the deckhand was not aware of the vessel's proximity to them.

Small vessels approaching Sabine Pass from the east or west, instead of via the offshore fairways, must round the ends of two jetties that extend 3.5 miles offshore. The end of the east jetty is marked by the East Jetty Light, a 42-foot-high, white light flashing every 2 seconds. The light has an 8-mile nominal range.

About 0520 on September 18, about half an hour before sunrise, the *Capt. M&M* was approaching the channel from the east on a steady course of 227 degrees true at 8 knots, according to a replay of Port Arthur Vessel Traffic Service's (VTS) display.<sup>3</sup> Approximately 10 minutes later, the radar target on the display reached the east jetty 0.6 mile north of the jetty's end. At 0532, the *Capt. M&M*'s starboard bow struck the jetty.<sup>4</sup> Located nearby was an abandoned lighthouse on the jetty and lighted red buoy "20," 0.2 mile north and inside of the jetty.



Trackline of the *Capt. M&M* before grounding on the jetty. (Source: NOAA chart 11332)

<sup>3</sup> At less than 20 meters in length, the *Capt. M&M* was not required to report to VTS, nor carry and transmit an automatic identification system (AIS). The radar target was not acquired or otherwise tracked by VTS.

<sup>4</sup> Less than a year before this accident, and less than 0.1 mile from this site, the fishing vessel *Southern Bell* also grounded on the east jetty and sank. Based on its investigation, the NTSB determined that the probable cause of the accident was the captain's decision to leave the wheelhouse unattended. For the report, see [www.nts.gov/investigations/AccidentReports/Pages/MAB1813.aspx](http://www.nts.gov/investigations/AccidentReports/Pages/MAB1813.aspx).

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The impact from the grounding awoke the sleeping crew and caused a hole in the forepeak through which water began entering the vessel. The engine room also began flooding through a cutout in the collision bulkhead that separated the engine room from the forepeak.

One of the two deckhands retrieved the life float and lowered it to the main deck.<sup>5</sup> He then attempted to return to the stateroom to retrieve his clothes but could not do so, given that the water inside was chest deep.

As the vessel rolled to starboard, the crewmembers climbed up the deck, over the bulwark, and onto the hull. Although they had access to a life float in the water, they never used it, because they were able to stand on the overturned hull. The crewmembers stated that they did not have time to make a VHF distress call or don lifejackets, but the captain retrieved the emergency position-indicating radio beacon (EPIRB) and activated it.

At 0552, the Coast Guard received an EPIRB distress signal identifying the vessel. The registered point-of-contact informed the Coast Guard that the vessel was heading to Sabine. An MH-65 helicopter and a 45-foot-long Response Boat–Medium (RBM) were dispatched. A Jefferson County Sheriff’s Office boat, which had been escorting an inbound liquified natural gas (LNG) tanker, diverted to the scene, rescued the four crewmembers, and transferred them to the Coast Guard boat.

After capsizing, the vessel sank several days later near the site of the grounding. The MH-65 crew reported seeing a 1.5-by-1.0-mile oil sheen afterward. At the time of the accident, the *Capt. M&M* had 3,500 gallons on board, just under half of its fuel capacity. None of the fuel was recovered.

### Additional Information

Coast Guard dockside examinations are required for commercial fishing vessels operating beyond 3 miles of the baseline, such as the *Capt. M&M*. These safety exams primarily address fire and lifesaving equipment and typically do not include hull or other machinery assessments that are required for Coast Guard-inspected vessels. As a vessel engaged in providing products to Vermillion Gulf Seafood of Intracoastal City, Louisiana, the *Capt. M&M* had to pass the exam to satisfy the company’s contract requirement. In addition, the company offered to register their vessels’ EPIRBs with Vermillion Gulf Seafood’s contact information to avoid language barriers, considering that the fleet was operated primarily by Vietnamese-Americans.

During a dockside examination in February 2017, twenty-three deficiencies on the *Capt. M&M* were issued, including the following critical items: an expired EPIRB battery, an inoperable wheelhouse door, an unusable life float, inoperable navigation lights, and a holed hull above the waterline. The vessel also had several fiber-reinforced plastic patches on the steel hull that were failing. The Coast Guard followed its exam with a Captain of the Port order preventing the vessel from sailing due to “substantial structural deterioration in way of the hull and pilothouse.” After steel repairs to the hull were made, the order was lifted on March 24, 2017. All deficiencies were cleared during a return visit the next month; the vessel subsequently was issued a decal to operate within 12 miles.

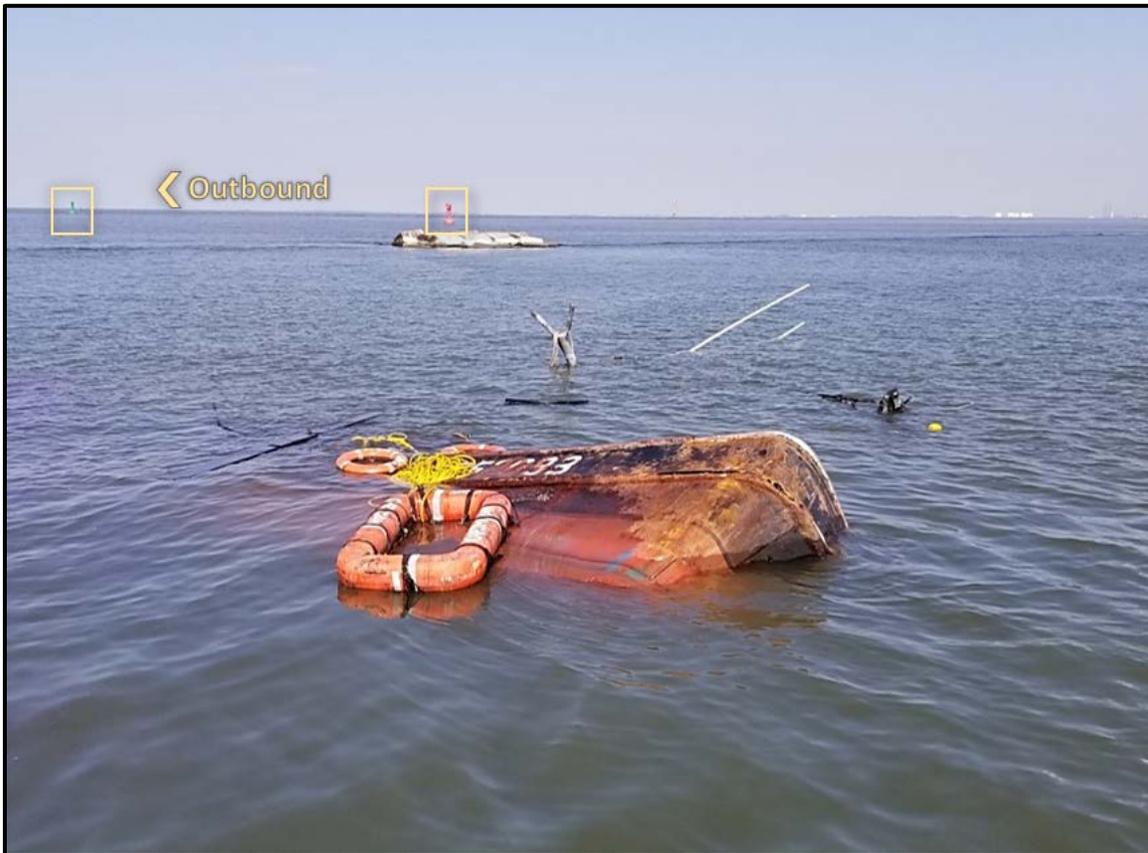
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<sup>5</sup> *Life floats* are bouyant primary lifesaving devices designed to support a number of persons partially immersed in the water, unlike life rafts that keep people completely out of the water.

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The vessel's collision bulkhead had been modified with a cutout to allow crew access between the engine room and forepeak, which is common in this industry according to a local Coast Guard commercial fishing vessel examiner. For commercial fishing vessels the size and age of the *Capt. M&M* and operating in areas (routes) similar to the vessel, watertight subdivision was not required by existing regulations and was beyond the scope of a dockside exam.

Most recently, in July 2018, the *Capt. M&M* drydocked at a shipyard in Louisiana, where numerous steel hull repairs were made. Following this drydock period, the vessel returned to service.



Starboard quarter of the *Capt. M&M* wreckage. Sabine Pass Jetty Channel buoys "19" (green) and "20" (red) appear in the background. (Source: Coast Guard)

## Analysis

Vermillion Gulf Seafood's requirement for contracted vessels to have a valid Coast Guard dockside exam and thereby a functioning EPIRB, combined with its offer to use the company's contact information on the EPIRB registration, assisted search-and-rescue coordinators. In recognition of the company's role in the incident, the Coast Guard presented Vermillion Gulf Seafood owners with the Meritorious Public Service Award. The *Capt. M&M* carried a life float, although it was not required by regulations for this route in warm water.

The *Capt. M&M* crew stated in interviews that the ECS, without being reset, was unreliable after about an hour. The deckhand on watch told investigators he had seen this hardware issue before on other vessels. Investigators spoke with the manufacturer, P-Sea Software Co., but were

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unable to determine the exact problem with the ECS; the captain attributed it to an issue with the power supply.

Despite the malfunctioning ECS, there were several navigation aids nearby to alert the deckhand to the jetty's location. As the vessel approached the jetty, the East Jetty Light would have been visible to port, given the clear visibility. Had the vessel been on the correct course toward the channel entrance, this light would have been visible to starboard. Likewise, buoys "19" and "20," which flash green and red lights respectively every 2.5 seconds, would have been seen to starboard, in addition to a quick flashing green light on the west jetty, which was almost directly ahead. The deckhand, however, did not wake the captain before reaching the jetties as he was instructed to do. Because the navigation aids marking the ends of the jetties and jetty channel would have been clearly visible for some time as the vessel approached, it is likely that the deckhand was not sufficiently knowledgeable in the aids to navigation without being able to reference his vessel's position on the ECS. It is also possible that the deckhand fell asleep while on watch.

The crew stated in interviews that the vessel flooded from a holed forepeak below the waterline, which allowed progressive flooding into the engine room via a cutout in the collision bulkhead. According to Coast Guard personnel and Vermillion Gulf Seafood staff, it is a common practice in the local shrimp fleet to modify the bulkhead with a cutout to allow access to the forepeak from the engine room. However, modifying this bulkhead on the *Capt. M&M* defeated the purpose of a watertight collision bulkhead, which is to limit flooding to the forward compartment of a vessel following a collision. Once flooding reached the engine room, the vessel likely lost stability and capsized. Although regulations regarding the integrity of collision bulkheads exist for inspected vessels, they do not apply to fishing vessels the size and age of the *Capt. M&M*; therefore, the Coast Guard did not require repair of the cutout in the bulkhead.

### Probable Cause

The National Transportation Safety Board determines that the probable cause of the grounding of the fishing vessel *Capt. M&M* was the failure of the wheelhouse watchstander to keep a proper navigation watch. Contributing to the sinking was a modification to the watertight collision bulkhead that allowed progressive flooding.

#### Proper Navigation

The safety of a vessel under way depends on awareness of the vessel's position and adherence to a voyage plan. Good seamanship requires correlating information from all means of navigation, including satellite, radar, and visual aids to navigation. Fishing vessel masters should ensure crewmembers navigating the vessel are familiar with electronic charting systems.

#### Watertight Subdivision

Collision bulkheads—the first transverse watertight bulkhead aft of a vessel's stem—are designed to prevent progressive flooding when the bow is compromised in a collision. Cutting holes in these bulkheads for ease of access to adjacent spaces defeats the designed intent of the bulkhead. Vessel owners, operators, and crews should ensure the integrity of their vessels' watertight subdivision is maintained.

## Grounding and Sinking of Fishing Vessel *Capt. M&M*

### Vessel Particulars

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Vessel	<i>Capt. M&amp;M</i>
Owner / operator	Nguyen and LA, LLC
Port of registry	Port Arthur, Texas
Flag	United States
Call sign	WCZ6166
Type	Commercial fishing vessel
Year built	1973
Official number (US)	552093
IMO number	7515597
Classification Society	N/A
Construction	Welded steel
Length	64.6 ft (19.7 m)
Beam / width	20.1 ft (6.1 m)
Gross / net tonnage	103 / 70
Engine power; manufacturer	402-hp diesel (300 kW)
Persons on board	4

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**NTSB investigators worked closely with our counterparts from Coast Guard Marine Safety Unit Port Arthur, Texas, throughout this investigation.**

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For more details about this accident, visit [www.ntsb.gov](http://www.ntsb.gov) and search for NTSB accident ID DCA18FM040.

### Issued: September 17, 2019

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The NTSB has authority to investigate and establish the probable cause of any major marine casualty or any marine casualty involving both public and nonpublic vessels under Title 49 *United States Code*, 1131. This report is based on factual information either gathered by NTSB investigators or provided by the Coast Guard from its informal investigation of the accident.

The NTSB does not assign fault or blame for a marine casualty; rather, as specified by NTSB regulation, “[NTSB] investigations are fact-finding proceedings with no formal issues and no adverse parties . . . and are not conducted for the purpose of determining the rights or liabilities of any person.” Title 49 *Code of Federal Regulations*, 831.4.

Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by conducting investigations and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report. Title 49 *United States Code*, 1154(b).

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