

INCIDENT INVESTIGATION

PURPOSE, SCOPE, AND RESPONSIBILITY

- This procedure describes the investigation and reporting process in the event of a vessel incident, personal injury or near miss. It provides a uniform and consistent plan of action to be taken following any injury or vessel incident to avoid similar incidents.
- Port Captains are responsible for implementing this policy and making vessel personnel aware of the requirements outlined in this procedure.
- Operations Managers/Directors or their designates are responsible for ensuring that this procedure is followed.
- It is the responsibility of the vessel Captain to see that the appropriate crewmembers are trained in this procedure.

PROCEDURES

Appropriate office personnel shall conduct the following accident investigations and lessons learned reporting as follows:

PERSONAL INJURY

- All injuries must be reported to the appropriate office personnel.
- The Captain, Pilot, or supervisor shall make their first call to the appropriate Safety contact to notify them of the injury.
- As required by USCG regulation, after addressing safety concerns, the appropriate contact shall notify the appropriate Marine Safety Office (MSO).
- If appropriate, the person making the USCG immediate notification may provide the vessel's cell phone number if requested by the USCG.
- The appropriate contact must keep a log of parties to whom the incident has been reported, including the name of the person contacted and time of contact.
- The vessel Captain/Pilot and the injured employee shall complete the injury report form and email to the appropriate office within twenty-four (24) hours following the injury. The original shall be sent to the office with the next crew change unless directed by Leadership to do otherwise.
- The Safety Department is responsible for sending out an Initial Report of Injury via email to the appropriate Leadership team that needs to know of the injury, no matter how serious or minor.
- The Safety Representative will enter the Report of injury into the accident reporting system within seven (7) days of the injury. The Claims Department will complete the USCG 2692 and provide answers to all questions pertaining to the injury to the appropriate Marine Safety Unit (MSU) within five (5) days of the incident.
- The Operations Department with the assistance of the Safety Department shall conduct an investigation on every injury in a timely manner. The timing and extent of the investigation will depend on the seriousness of the injury or the situation surrounding the injury. All Root Cause Analysis will need to be completed and added to the injury database within fourteen (14) calendar days from the date of the incident. Should the investigation team need

additional time beyond fourteen (14) calendar days, approval will be needed from the Director of Safety & Health.

- Upon determination through historical injury or near miss data, the Safety Department may initiate the Accident Repeater Program for an individual or even an entire vessel crew.

OIL SPILLS

The Person In Charge (PIC) of fueling shall contact the pilothouse person on watch and notify them of a possible environmental spill. The Captain/Pilot on watch is responsible for evaluating the spill, taking action to minimize the environmental impact, and reporting the initial incident to the National Response Center and Operations Leadership. Following the initial notification, these steps will be utilized to assure all required communications and reporting functions are completed.

- The Port Captain (Qualified Individual) or responsible designee will contact the Senior Manager of Operations or next available Engineering representative and communicate the initial information.
- The Senior Manager of Operations or responsible designee will contact the Director of Administration or the next available administrative representative. If necessary, the Director of Administration will dispatch an independent surveyor along with appropriate Port Engineer to the vessel for the initial investigation.
- The Senior Manager of Operations or responsible designee will communicate within one (1) hour the vessel name, location, and type of spill to all personnel included on the "environmental spill distribution list". This will serve as the "Initial Incident Report."
- At the earliest convenience, the Captain/Pilot on watch will fill out the "Property/Environmental Incident Report and email it to the Claims Department in order for the USCG Form 2692 to be filled out and turned in prior to the five (5) day deadline.
- Within 24 hours of the incident, a "Preliminary Incident Report" will be written by the Senior Manager of Operations or designated representative and distributed to all personnel included on the "environmental spill distribution list". The report will be developed utilizing the initial findings generated by the independent surveyor and Port Engineer performing the investigation.
- A committee of senior managers from Operations, Engineering, and Administration will review the findings and develop the "Final Report". The report will include the cause, type and volume, response activities, corrective measures, and lessons learned. The report will be distributed to all personnel included on the "environmental spill distribution list".
- All oil spill investigation reports shall be completed within fourteen (14) calendar days from the date of the incident.

EMERGENCY RESPONSE TEAM

- The Emergency Response Team is an assigned group of Operations Leadership staff responsible for taking action in the event of a spill incident. Responsibilities of the emergency response team include, but are not limited to, the following:
- Notify local, state, and federal authorities as required by applicable law and regulations.
- Notify appropriate Company officials and Dispatch personnel to investigate the incident.

- Initiate control procedures to minimize risk to vessel crewmembers, equipment, and the environment.
- Coordinate and disseminate information to the media.
- Handle the legal obligations and responsibilities of the company in the event of a spill.
- The Emergency Response Team may also reference the Response Plan for Non-tank Vessels.
- The Claims Administrator shall complete the USCG 2692 report and send to the appropriate Marine Safety Unit (MSU).
- The Safety Department will review all spill related investigations to assure compliance with regulations and reporting in a timely manner.

VESSEL ACCIDENT

- All vessel collisions & allisions must be reported Operations Leadership.
- As required by USCG regulation, after addressing safety concerns, the appropriate contact shall notify the appropriate Marine Safety Unit (MSU).
- The appropriate contact must keep a log of parties to whom the incident has been reported, including the name of the person contacted and time of contact.
- The vessel Captain/Pilot shall complete the vessel damage report form and email to the appropriate office within twenty-four (24) hours following the incident. The original shall be sent to the office with the next crew change unless directed by Leadership to do otherwise.
- The Claims Administrator will complete the Department of Transportation USCG 2692 within five (5) days of the incident that answers all questions concerning the incident.
- Port Captains shall conduct an investigation on every incident in a timely manner. The timing and extent of the investigation will depend on the seriousness of the incident or the situation surrounding the incident. The investigation shall be completed within thirty (30) calendar days from the date of the incident.
- The Operations Manager will review applicable incident related investigations to assure compliance with regulations and reporting in a timely manner.

GROUNDING

- A serious grounding is one in which the tow cannot get off the ground or equipment damage occurs (includes possible sinking or environmental damage).
- Groundings are to be reported immediately to Operations Leadership.
- The vessel Captain shall complete the vessel damage report form and email to the appropriate office within twenty-four (24) hours following the injury. The original shall be sent to the office with the next crew change unless directed by Leadership to do otherwise.
- If required, the Claims Administrator will complete the Department of Transportation USCG 2692 within five (5) days of the incident that answers all questions concerning the grounding.
- Port Captains shall conduct an investigation on every grounding in a timely manner. The timing and extent of the investigation will depend on the seriousness of the grounding or the situation surrounding the incident. The investigation shall be completed within thirty (30) calendar days from the date of the incident.

- A minor grounding is one in which the tow can get off the ground without the assistance of another vessel and no equipment is damaged. The USCG defines 'bump and go' groundings as:

“Touching the bottom of the inland waters by uninspected towing vessels and uninspected barges in the navigation channel without damage, pollution, personnel injuries, or unintentional breaking apart of the tow and where the tow maintains motion or is immediately able to regain motion of the tow”

- For uninspected vessels, a 'bump and go' incident is non-reportable.

OTHER INCIDENT REPORTING

- All near miss incidents are to be reported to the Safety Department. The Safety Department will investigate all near miss reports and prepare a lessons learned where applicable to prevent future occurrences.
- Fall overboard incidents shall be immediately reported to the Safety Department. The Safety Department will conduct a formal investigation on all fall overboard incidents and prepare a lessons learned report to be distributed throughout the Company.
- The Safety Committee will review applicable investigative reports and suggest possible corrective actions.

USCG NOTIFICATION GUIDELINES

Immediately after the addressing of resultant safety concerns, the owner, agent, master, operator, or person in charge shall notify the nearest Marine Safety Office, Marine Inspection Office, or USCG Group Office whenever a vessel is involved in a marine casualty consisting of:

- An unintended grounding or an unintended strike of (allision with) a bridge.
- An intended grounding, or an intended strike of a bridge, that creates a hazard to navigation, the environment, or the safety of the vessel.
- A loss of main propulsion, primary steering, or any associated component or control system that reduces the maneuverability of the vessel.
- An occurrence materially and adversely affecting the vessel's seaworthiness or fitness for service or route, including but not limited to fire, flooding, or failure of or damage to fixed fire extinguishing systems, lifesaving equipment, auxiliary power generating equipment, or bilge pumping systems.
- Loss of life.
- An injury that requires professional medical treatment (treatment beyond first aid) and, if the person is engaged or employed onboard a vessel in commercial service that renders the individual unfit to perform his or her duties.
- An occurrence resulting in damage to property in excess of \$25,000. Damage cost includes cost of labor and material to restore the property to the condition which existed prior to the casualty, but does not include the cost of salvage, cleaning, gas freeing, dry-docking or demurrage.

USCG CLASSIFICATION OF SERIOUS MARINE INCIDENTS

- The term "serious marine incident" includes the following events involving a vessel in commercial service:

- Any marine casualty or accident that is required to be reported to the USCG and which results in any of the following:
 - One or more deaths.
 - An injury to a crewmember, passenger, or other person, which requires professional medical treatment beyond first aid and in the case of a person employed onboard a vessel in commercial service, which renders the individual unfit to perform routine vessel duties.
 - Damage to property as defined in Exhibit B in excess of \$100,000.
 - Actual or constructive total loss of any vessel subject to inspection under 46 U.S.C. 3301.
 - Actual or constructive total loss of any self-propelled vessel, not subject to inspection under 46 U.S.C. 3301, of 100 gross tons or more.
 - A discharge of oil 10,000 gallons or more into the navigable waters of the United States, as defined in 33 U.S.C. 1321, whether or not resulting from a marine casualty.
 - A discharge of a reportable quantity of a hazardous substance into the navigable waters of the United States, or a release of a reportable quantity of a hazardous substance into the environment of the United States, whether or not resulting from a marine casualty.