

# Loss of S/S El Faro

Anatomy of a Major Casualty Investigation

- 2018 International Marine Claims Conference, Dublin -



# Coverage of EL FARO

## Fate unknown of ship caught in Hurricane Joaquin off Bahamas



The container ship El Faro, which the U.S. Coast Guard says has gone missing in the area of Hurricane Joaquin near the Bahamas. (OTTE Maritime / EPA)

**Chicago Tribune**  
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By **Tribune wire reports** **Contact Reporter**  
OCTOBER 3, 2015, 11:12 AM | NASSAU, BAHAMAS

**U.S.** Coast Guard aircraft searched Saturday in the waters of the southeastern Bahamas for a cargo ship with 33 people on board, including 28 Americans, that lost power and began taking on water as powerful Hurricane Joaquin roared across the sprawling archipelago.

The crew of the El Faro, 28 from the U.S. and five from Poland, reported that the ship was listing at 15 degrees before they lost contact with authorities as the ship passed near the lightly populated Crooked Island at the height of the storm. Coast Guard officials dispatched planes and helicopters to the area with the storm now moving to the northeast away from the Bahamas.

The 735-foot (224-meter) El Faro was heading from Jacksonville, Florida, to San Juan, Puerto Rico when it was caught in the storm.

## Container Ship With 33 People Aboard Goes Missing as Hurricane Joaquin Approaches East Coast

POSTED 10:51 PM, OCTOBER 2, 2015, BY CHA WANG

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This is an archived article and the information in the article may be outdated. Please look at the time stamp on the story to see when it was last updated.

A container ship with 33 people — 28 of them Americans — aboard is missing near the eye of Hurricane Joaquin as the sprawling storm readies to send possibly historic flooding to the U.S. East Coast this weekend.



The U.S.-flagged ship El Faro, carrying the Americans and five others, was missing Friday near the Bahamas after it sent a distress signal a day earlier to the U.S. Coast Guard.

A C-130 airplane searched for the vessel Friday morning, but was unable to make contact, said Coast Guard Capt. Mark Endrey.

Joaquin is expected to continue pounding parts of the Bahamas through Saturday.

## Cargo ship caught by Hurricane Joaquin, no word from crew since Thursday



By **Linda Trischitta** **Contact Reporter**  
South Florida Sun-Sentinel

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Cargo ship El Faro with 33 aboard caught in The Bahamas by Hurricane Joaquin, Coast Guard says

OCTOBER 2, 2015, 4:58 PM

**A** cargo ship sailing from Jacksonville to San Juan, Puerto Rico, was caught up in Hurricane Joaquin and has not been heard from since Thursday morning, the U.S. Coast Guard said Friday.

## BREAKING NEWS

### COAST GUARD UPDATE ON SEARCH FOR U.S. SHIP



0:00 / 1:52

## Coast Guard Searches For Ship, Crew Of 33 Caught In Hurricane Joaquin

By **Scott Neuman**  
October 2, 2015

The Coast Guard was searching for a 735-foot cargo ship with 33 crew aboard after an emergency satellite message was received from the vessel saying it was caught in the path of Hurricane Joaquin.

Authorities received the notification from the "roll-on, roll-off" El Faro early Thursday, stating that it was in storm conditions near Crooked Island, Bahamas, had lost propulsion and was listing 15 degrees, according to News 4 Jax. The television station reports that: "The crew reported the ship had previously taken on water, but that all flooding had been contained."

## Cargo ship in peril off storm-battered Bahamas



U.S. Coast Guard searches for missing El Faro cargo vessel and its 33 crew members

October 2, 2015 6:59 PM ET

The fate of more than 30 people aboard a cargo ship missing off the Bahamas in heavy seas whipped up by Hurricane Joaquin was unknown on Friday as the powerful storm battered the island chain for a second day. News that the vessel had lost contact with shore came as forecasters sketched the likely track of the potentially catastrophic storm further away from the U.S. East Coast, but there were still warnings about the possibility of

## MISSING CARGO SHIP



## SEARCH UNDERWAY FOR LOST U.S. CARGO SHIP

28 Americans aboard ship hit by Hurricane Joaquin

RIGHT NOW PORTLAND 51° SAN FRANCISCO 66° SEATTLE 67°

0:02 / 2:24



USCG Southeast @USCGSoutheast · 50m  
 #BreakingNews: @USCGSoutheast HC130 crew locates life ring. #USCG H60 confirms life ring belongs to #EIFaro #Joaquin

© U.S. Coast Guard / Twitter

STEAM SHIP EL FARO – MARINE BOARD’S REPORT

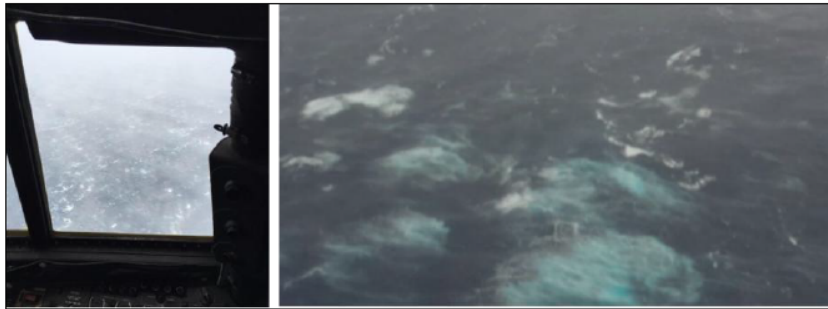


Figure 68. Air Station Clearwater CGR-1503 – EL FARO search area visual conditions on October 2, 2015.

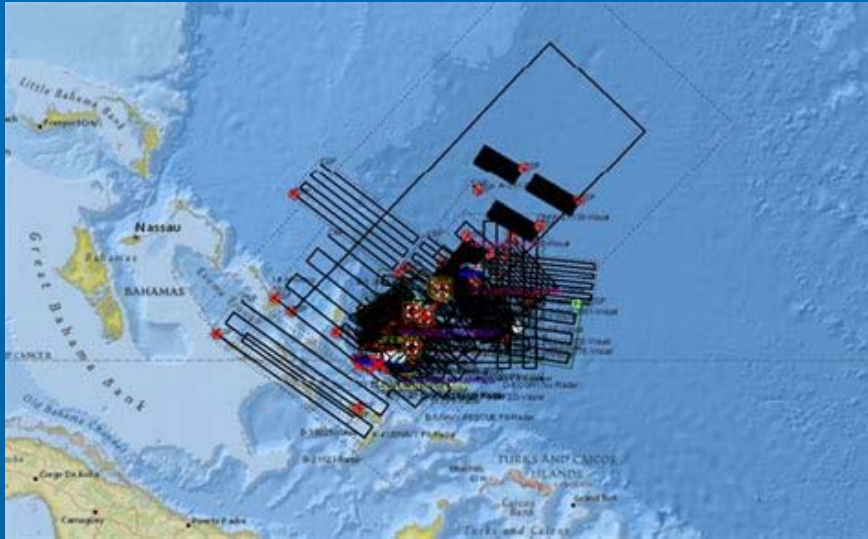


# U.S. COAST GUARD

## The Search



# Timeline of the Tragedy



-----Original Message-----  
From: EL FARO [mailto:[capt.WFJK@globeemail.com](mailto:capt.WFJK@globeemail.com)]  
Sent: Wednesday, September 30, 2015 1:12 PM  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: El Faro / Vessel Update / Hurricane Joaquin

Good Afternoon,

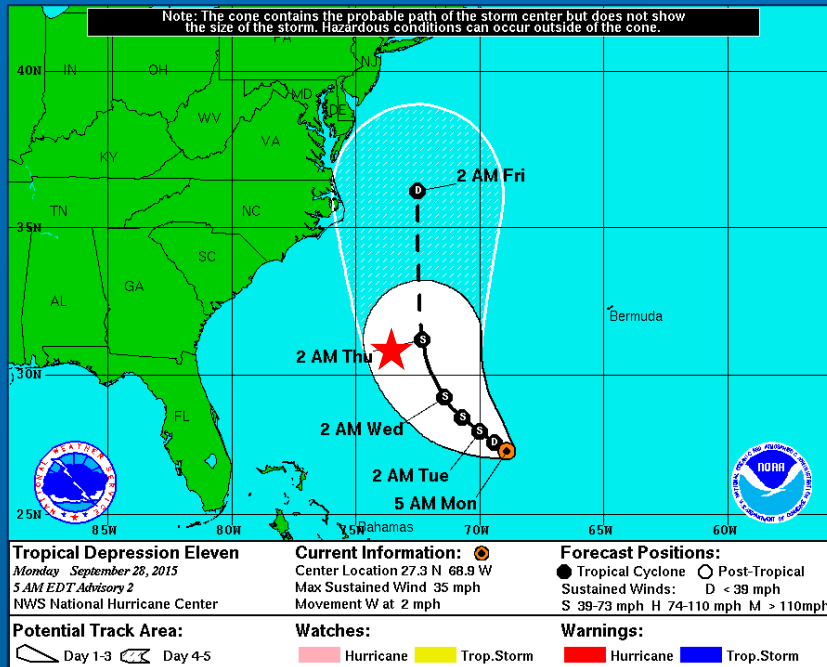
Per the latest BVS weather file and NWS Hurricane Center Miami, FL.

Center of Hurricane Joaquin: 24.7n 72.6w.  
Direction and Speed: South Westerly at 5k.  
Barometric Pressure: 971mb.  
Winds: 50k with gusts up to 70k.  
Seas: 12' - 14' throughout tonight and into tomorrow morning are expected.

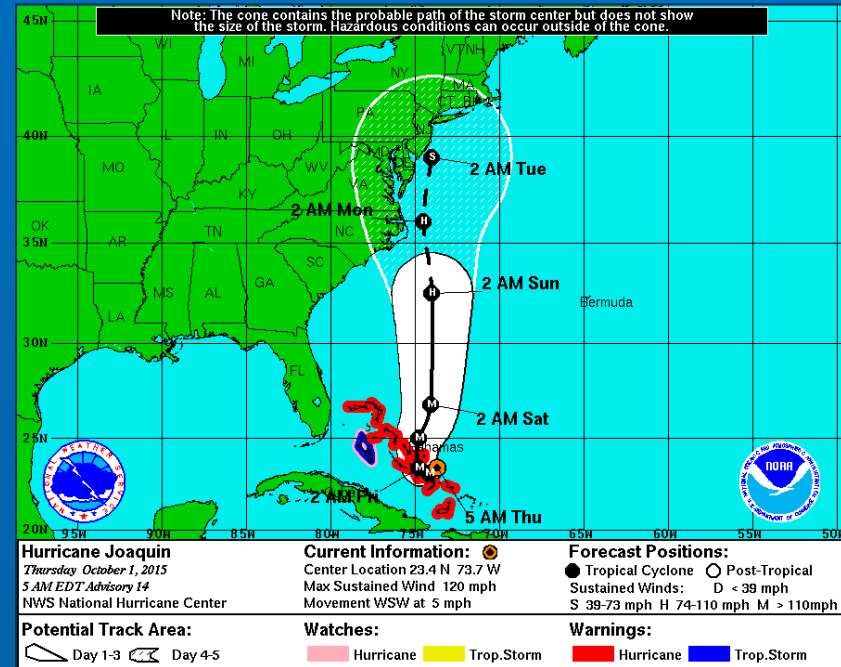
I have monitored Hurricane Joaquin tracking erratically for the better part of a week. Sometime after 09/30/0200 she began her SW'ly track. Early this morning I adjusted our direct normal route in a more SSE'ly direction towards San Juan, Puerto Rico., which will put us 65+/- nm south of the eye. Joaquin appears to be tracking now as forecasted and I anticipate us being on the back side of her by 10/01/0800.

Present conditions are favorable and we are making good speed. All departments have been duly notified as before. I have indicated a later than normal arrival time in San Juan, Puerto Rico., anticipating some loss in speed throughout the night. I will update the eta tomorrow morning during our regular pre-arrival report to SJP, etc.

- ❖ Tues. 09/29: 2010 El Faro departs Jacksonville with 33 POB.
- ❖ Wed. 09/30: Captain's email to Tote
- ❖ Fri. 10/02: USCG assets search for the El Faro; no trace found.
- ❖ Sun. 10/04: USCG finds a large debris field.
- ❖ Mon. 10/05: USCG reports finding remains in survival suit.
- ❖ Tues. 10/06: NTSB begins investigation into the sinking.
- ❖ Wed 10/07: USCG suspends search at sunset.

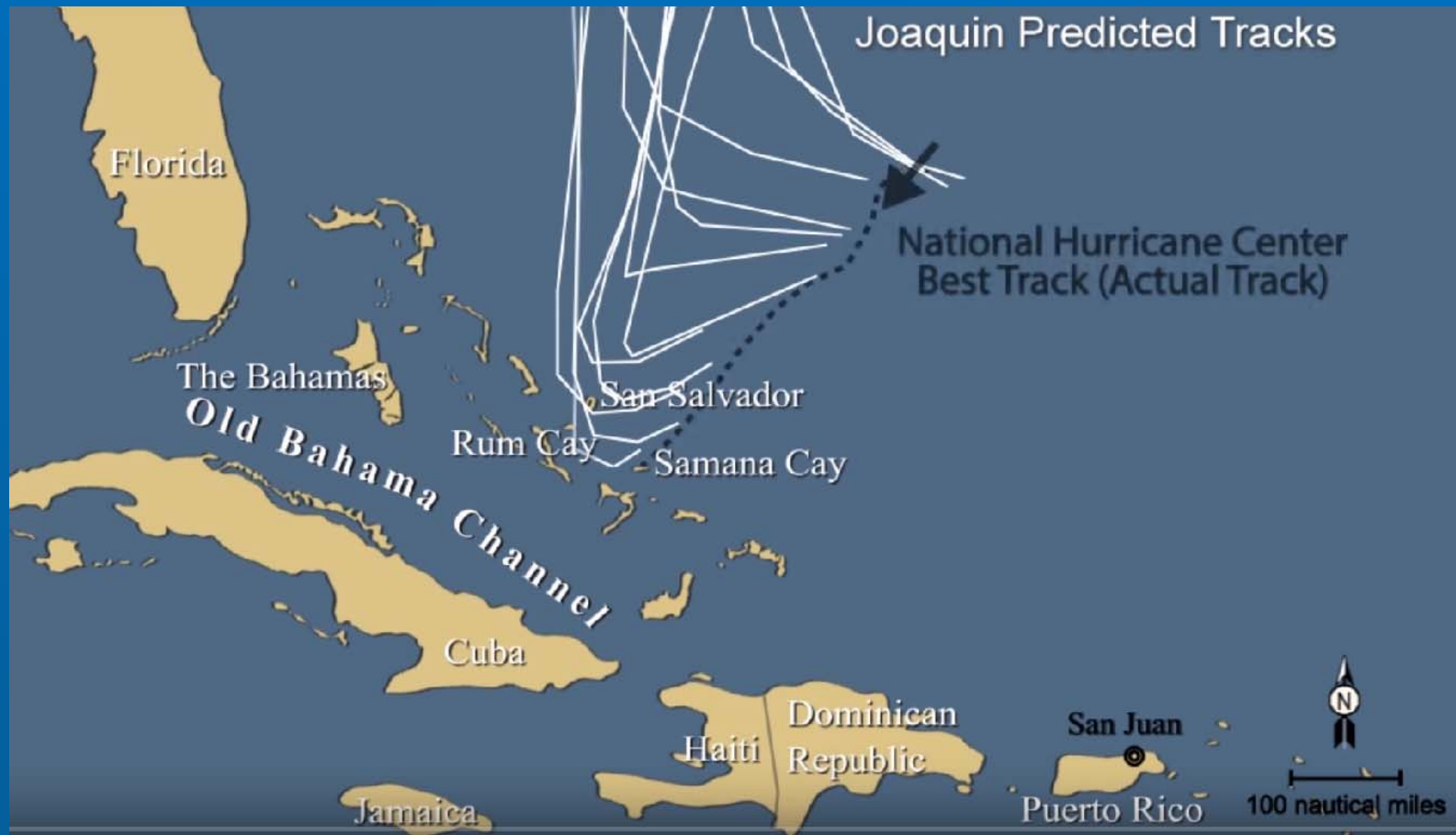


28 Sep (0500 EDT) TD Joaquin forecast & position



01 Oct (0500 EDT) Hurricane Joaquin forecast & position

# Heavy Weather Forecasting

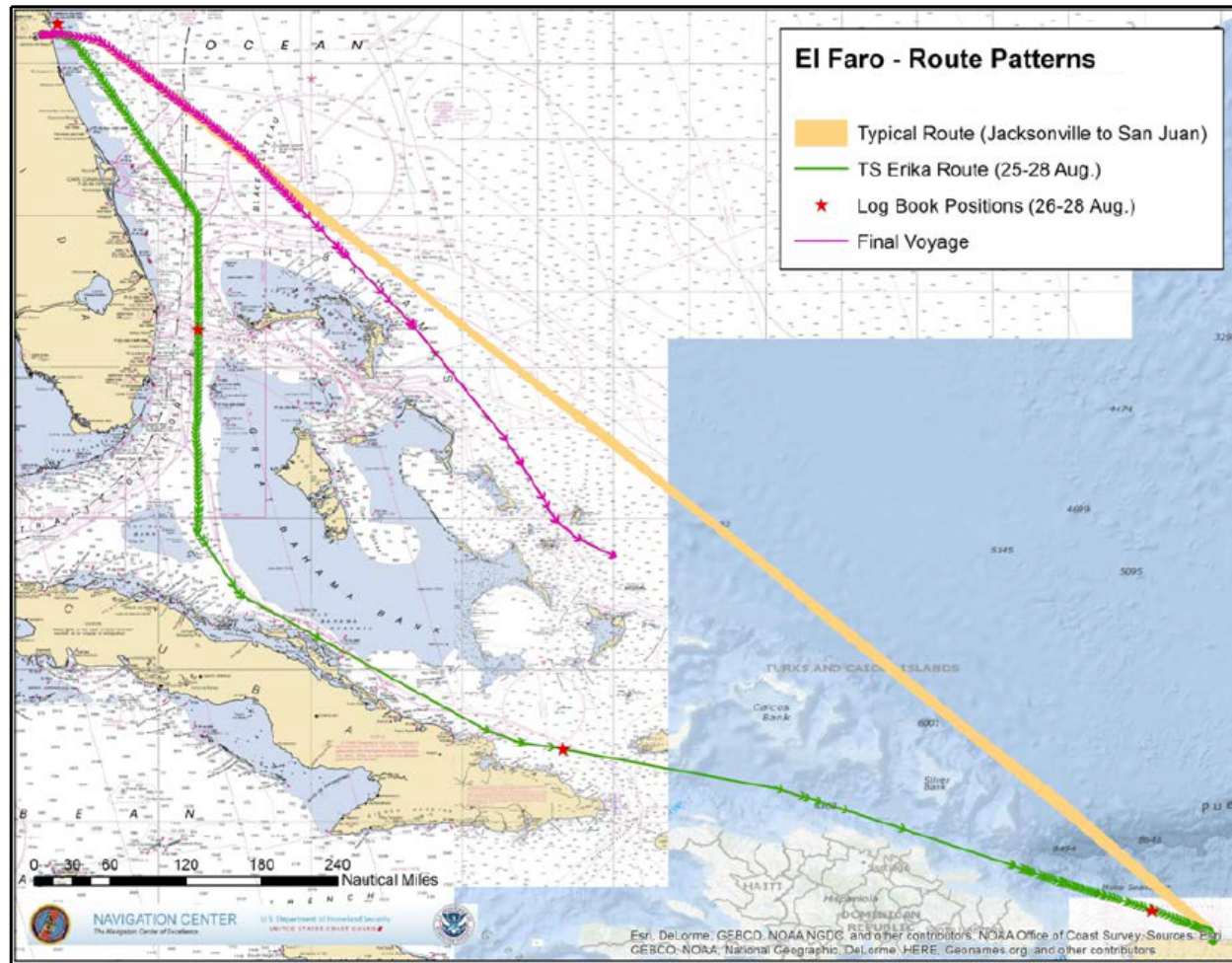


## Joaquin Predicted Tracks

# Routes to San Juan

NTSB

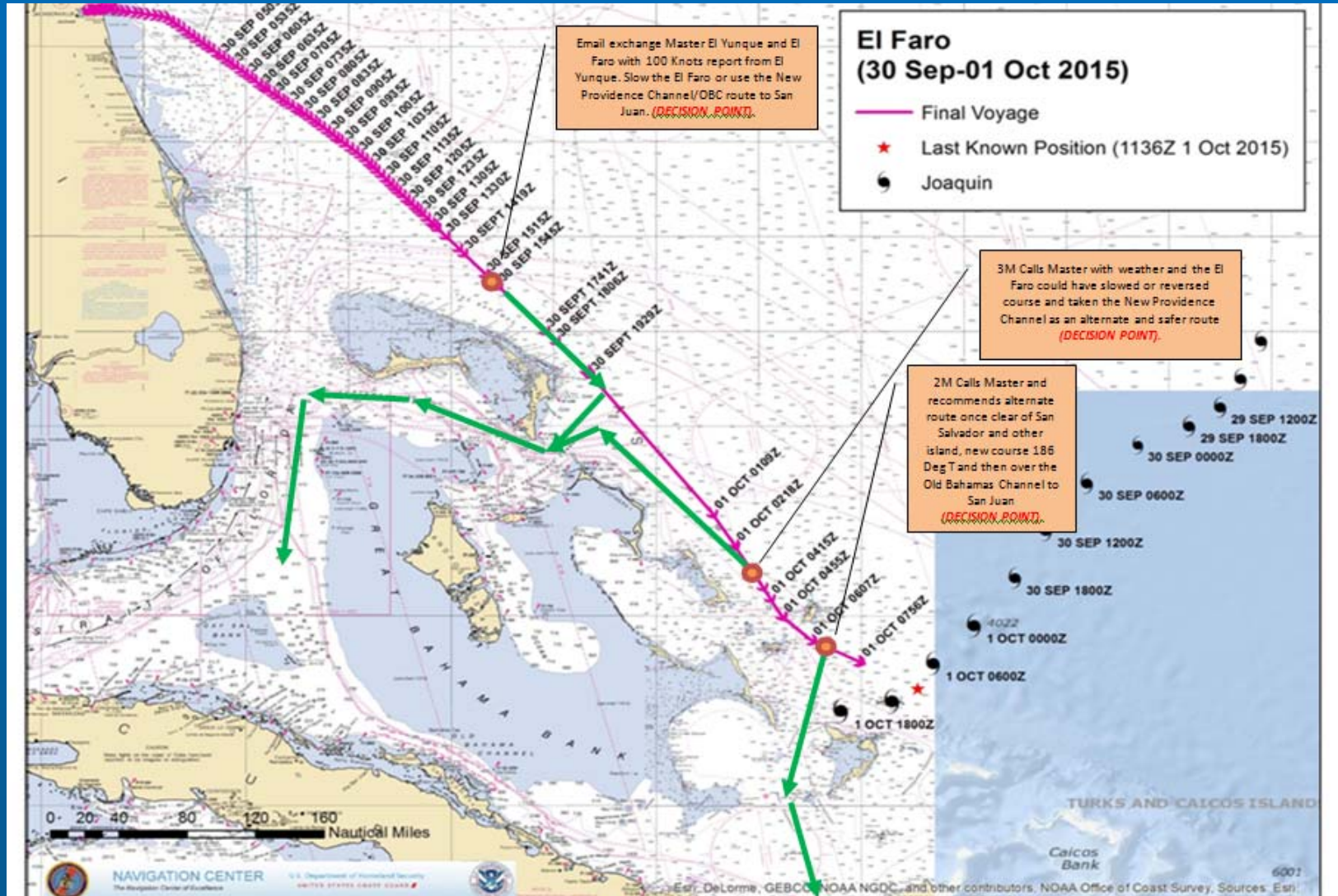
Marine Accident Report



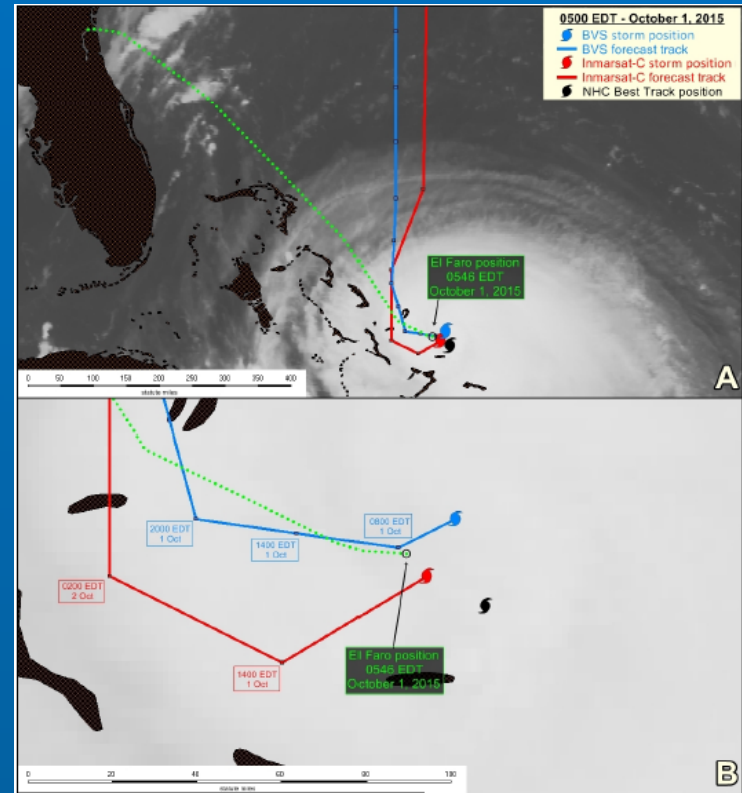
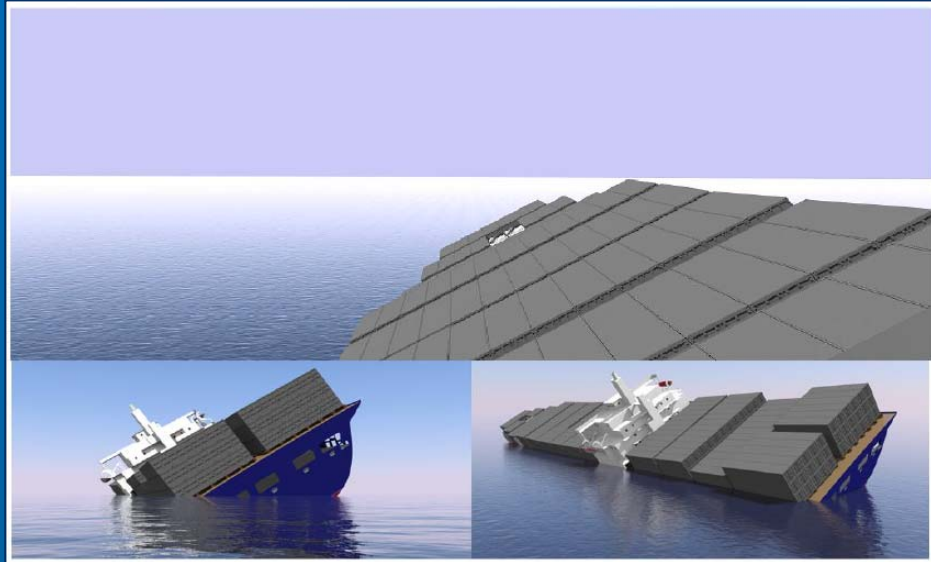
**Figure 5.** Alternate route via Old Bahama Channel (green) from Jacksonville to San Juan, compared with normal route (orange) and *El Faro*'s route on accident voyage (purple). (Coast Guard diagram)



# Key Storm Voyage Decision Points







# Sinking of the S.S. El Faro


# Tote's Initial Response

- ▶ Response & initial actions
- ▶ Addressing immediate questions & concerns raised by crewmembers' families



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## EL FARO INCIDENT



TOTE will continue to update this site with the latest information available related to the El Faro incident. As the U.S. Coast Guard continues searching for survivors – our primary concern remains the safety of all involved personnel and the care for the family and loved ones of the crew.

**USCG 10-5-2015 Press Conference Video/Photo**

The Coast Guard released a video and photo from their press conference earlier today. Please see the following link.

[Read More](#)

**USCG Update 6: 10-5-2015**

COAST GUARD SEARCHING FOR MISSING CONTAINER SHIP CAUGHT IN HURRICANE JOAQUIN BAMA – Coast Guard crews continue searching for possible survivors from the cargo ship El Faro Monday, which is believed to have sunk during Hurricane Joaquin. While searching in the vicinity of the ship's last known position 35 nautical miles northwest of Crooked Islands, Bahamas. [...]

[Read More](#)

**TOTE Media Release: 10-5-15, 12:00 EST**

TOTE Maritime Puerto Rico Stationed by El Faro Home Jacksonville, FL (October 5, 2015) – At 12:00pm EST Tim Nolan, President of TOTE Maritime Puerto Rico issued the following statement regarding ongoing efforts to locate and communicate with the El Faro and her crew. At this point in time, the entire TOTE Maritime Puerto Rico [...]

[Read More](#)

**OPERATIONAL PRIORITIES**

- Ensuring the safety of all personnel
- Care and support for families and loved ones
- Ensuring all resources are utilized to locate survivors
- Providing accurate, timely updates

**RESOURCES**

- [Press Releases](#)
- [FAQs](#)
- [Case Studies](#)
- [U.S. Coast Guard](#)

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- [Email Address](#)
- [Media Inquiries](#)


# The Coast Guard MBI & NTSB Investigation

GlobalTrade  
The Authority For US Companies Doing Business Globally. Latest Issue  
DAILY - FEATURES - LOGISTICS - SITE SELECTION - BANKING - DEPARTMENTS - GLD

OCEAN CARRIERS August 25th, 2016 | Written by Peter Buxbaum

## EL FARO VOYAGE DATA RECORDER: 26 HOURS OF INFORMATION RECOVERED

NTSB CONVENES TECHNICAL GROUP TO DEVELOP TRANSCRIPT



NTSB HAS RELEASED RESULTS OF PRELIMINARY EXAMINATION OF EL FARO VDR: A technical group will continue reviewing the entire recording, including crew discussions regarding the weather situation and the operation and condition of the ship before it sank. (Image: NTSB)

**SHARELINES**

**f** **t** **in** 26 hours of information recovered from El Faro VDR.

**f** **t** **in** El Faro's loss of propulsion was mentioned on the bridge audio.


**f** **t** **in** El Faro master sounded abandon ship alarm 7:30 AM, October 1.

The National Transportation Safety Board announced yesterday the convening of a voyage data recorder group to develop a detailed transcript of the sounds and discernible words captured on the El Faro's bridge audio, following the audition of the ship's VDR.

[The voyage data recorder from the El Faro, a US flagged cargo ship that sank during Hurricane Joaquin in October 2015, was successfully recovered from the ocean floor.](#) August 8 and transported to the NTSB's laboratory in Washington, D.C., on August 12. [Information from the El Faro's VDR](#) was successfully recovered August 15.

About 26 hours of information was recovered from the VDR, including bridge audio, navigational data, onboard radar images, and wind data. Investigators examined the VDR, found it to be in good condition, and downloaded its memory module data.

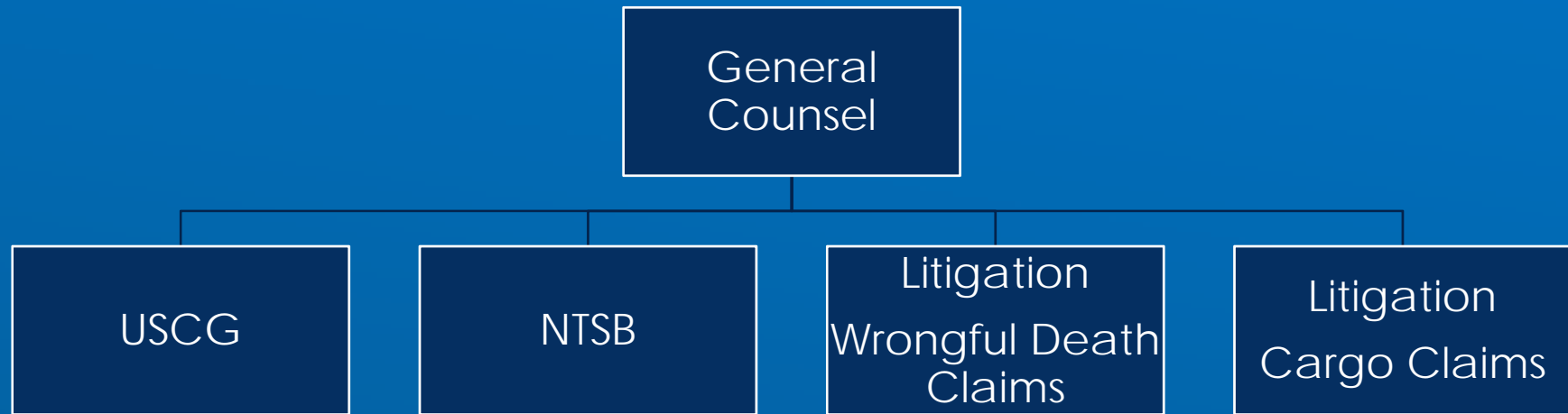
**Related Content:** Numerous events leading up to the loss of the El Faro are heard on the VDR's audio, recorded from microphones on the ship's bridge. The quality of audio contains high





# Engagement with Family Members





## Organizing the Team

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA

IN ADMIRALTY

----- x  
In the Matter of The Complaint :  
: :  
: :  
of :  
: :  
Sea Star Lines, LLC, d/b/a TOTE Maritime : **VERIFIED COMPLAINT**  
Puerto Rico, as Owners; and TOTE Services, :  
Inc., as Owner *pro hac vice* of the S.S. EL :  
FARO for Exoneration from or Limitation of :  
Liability :  
----- x

Plaintiffs, Sea Star Lines, LLC, d/b/a TOTE Maritime Puerto Rico, and TOTE Services, Inc. (hereafter collectively "Plaintiffs"), by their attorneys Holland & Knight LLP, for their Verified Complaint seeking exoneration from or limitation of liability, allege upon information and belief as follows:

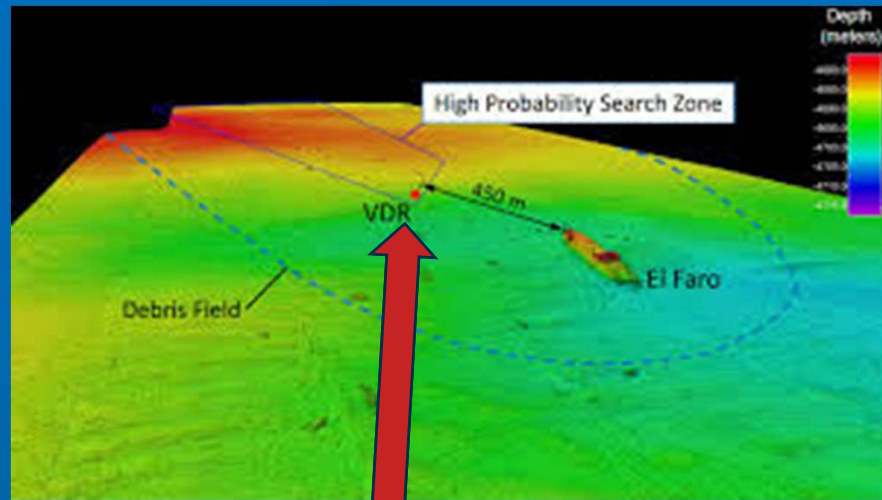
1. This is a case of admiralty and maritime jurisdiction, as hereafter more fully appears, and is an admiralty and maritime claim within the meaning of Rule 9(b) of the Federal Rules of Civil Procedure, and the Supplemental Rules for Admiralty or Maritime Claims.
2. Venue is proper in this district pursuant to Rule F(9) of the Supplementary Rules for Admiralty or Maritime Claims of the Federal Rules of Civil Procedure. Plaintiffs have been sued in the Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida, within the geographical district of the United States District Court for the Middle District of Florida, in the United States District Court for the Middle District of Florida, Jacksonville Division, and in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida for claims with respect to which Plaintiffs seek exoneration from or limitation of liability.

637469599\_v4

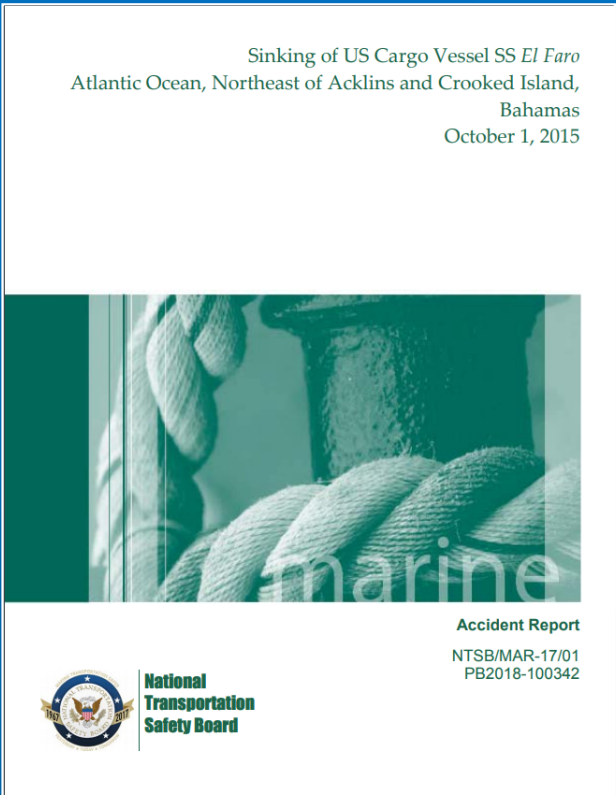
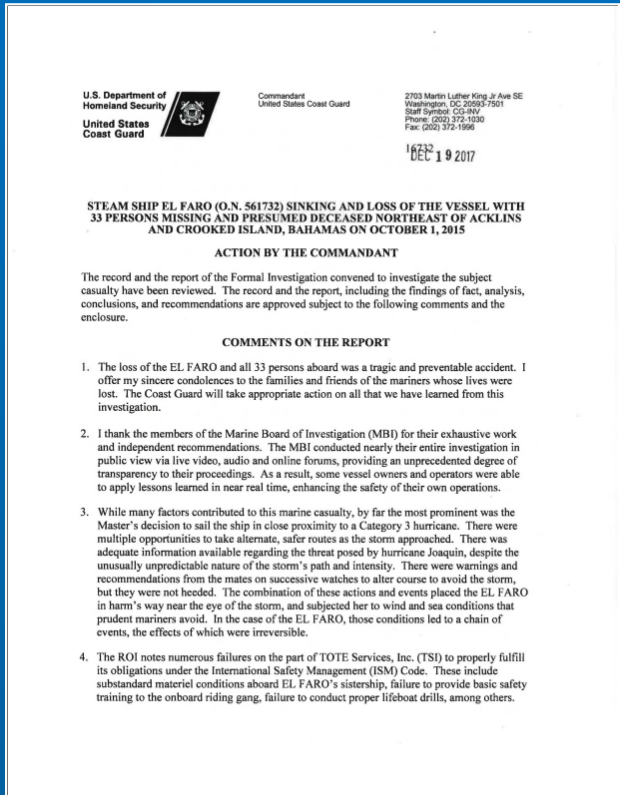


# Limitation Action & Government Investigations






Voyage Data Recorder



# Government Investigation Reports

Articulating the Cause:  
Release of the USCG & NTSB Reports

# EL FARO Lessons Learned

- ❖ Focus on the families
  - ❖ Assemble the Team
  - ❖ Watertight Integrity
  - ❖ Stability
  - ❖ General ACP Issues
  - ❖ Third Party Oversight
- 



# QUESTIONS

# SOURCES

*Vanity Fair Article*

<https://www.vanityfair.com/news/2018/04/inside-el-faro-the-worst-us-maritime-disaster-in-decades>

*Maritime Executive Article on enactment of EL FARO Safety Recommendations*

<https://www.maritime-executive.com/article/house-passes-bill-to-enact-el-faro-safety-recommendations#gs.wZvMoa4>

*NTSB Report on EL FARO sinking*

<https://www.nts.gov/investigations/AccidentReports/Reports/SPC1801.pdf>

Coast Guard Marine Safety Manual Volume V -- Investigations

[https://media.defense.gov/2017/Mar/29/2001723821/-1/-1/0/CIM\\_16000\\_10A.PDF](https://media.defense.gov/2017/Mar/29/2001723821/-1/-1/0/CIM_16000_10A.PDF)

46 CFR Part 4 – Marine Casualties and Investigations

<https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=46:1.0.1.1.4>

46 USC 6301 – Investigation of Marine Casualties

<https://www.law.cornell.edu/uscode/text/46/6301>

49 CFR Part 831 – Investigations (NTSB)

<https://www.ecfr.gov/cgi-bin/text-idx?SID=343a4704d4d7ed8aa1cf8c540d407ddd&node=pt49.7.831&rgn=div5>

# IN MEMORIAM

Louis Champa -- Palm Coast, Florida  
Roosevelt Clark -- Jacksonville, Florida  
Sylvester Crawford Jr. -- Lawrenceville, Georgia  
Michael Davidson -- Windham, Maine  
Brookie Davis -- Jacksonville, Florida  
Keith Griffin -- Fort Myers, Florida  
Frank Hamm -- Jacksonville, Florida  
Joe Hargrove -- Orange Park, Florida  
Carey Hatch -- Jacksonville, Florida  
Michael Holland -- North Wilton, Maine  
Jack Jackson -- Jacksonville, Florida  
Jackie Jones, Jr. -- Jacksonville, Florida  
Lonnie Jordan -- Jacksonville, Florida  
Piotr Krause -- Poland  
Mitchell Kuflik -- Brooklyn, New York  
Roan Lightfoot -- Jacksonville Beach, Florida  
Jeffrey Mathias -- Kingston, Massachusetts

Dylan Meklin -- Rockland, Maine  
Marcin Nita -- Poland  
Jan Podgorski -- Poland  
James Porter -- Jacksonville, Florida  
Richard Pusatere -- Virginia Beach, Virginia  
Theodore Quammie -- Jacksonville, Florida  
Danielle Randolph -- Rockland, Massachusetts  
Jeremie Riehm -- Camden, Delaware  
Lashawn Rivera -- Jacksonville, Florida  
Howard Schoenly -- Cape Coral, Florida  
Steven Shultz -- Roan Mountain, Tennessee  
German Solar-Cortes -- Orlando, Florida  
Anthony Thomas -- Jacksonville, Florida  
Andrzej Truskowski -- Poland  
Mariette Wright -- St. Augustine, Florida  
Rafal Zdobych -- Poland

