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Oregon Board of Maritime Pilots

Investigations Manual

Overview

In 2008-2009 the Oregon Board of Maritime Pilots reviewed and updated the Board's marine incident investigation procedures. Key changes that resulted from this process included: 1) the Board's investigation rules were revised; 2) independent investigators were contracted to assist in Category 1 incident investigations; 3) the Board gained subpoena authority to obtain key evidence; and 4) an investigation manual for current and future Board investigators to reference during the course of an investigation was created.

This manual contains applicable State rules/regulations governing Board investigations, checklists outlining the required key information, sample investigation report forms and key contacts to assist the investigator. It is hoped that this manual will be used to provide consistent investigation procedures across all pilotage grounds and result in comprehensive investigation reports for the Board's consideration.

Duty to Report

OAR 856-010-0020 identifies incident reporting requirements for Oregon Maritime Pilots. Included are

1. Accidental groundings
2. Intentional groundings which create a hazard to navigation, the environment or the safety of the vessel
3. Unintended collision or allision with any object
4. Loss of life related to the operation of the vessel
5. Serious physical injury related to the operation of the vessel
6. Any occurrence resulting in damage to the vessel or other property in excess of \$25,000
7. Any boarding or unboarding occurrence which places the licensee in peril

Pilots are required to file a written report with the Board by the close of business on the 5th calendar day following the incident or by the close of business on the 5th calendar day he/she becomes aware of the incident. You should request a copy of the report from the Administrator.

Categories of Incidents

The Board has two Categories of incidents defined in OAR 856-010-0022(2). A Category I incident is more severe and is identified as follows:

Category I

1. Property damage exceeding \$150,000
2. Loss of life or serious injury requiring hospitalization
3. Allision with a bridge
4. Release of more than 50 gallons of oil or other hazardous substance into the water
5. A pilot may have been acting under the influence of drugs or alcohol or there is evidence of gross negligence or
6. Any factor that results in substantial, widespread public interest in the incident.

A Category II incident is any incident which is not a Category I incident.

As soon as possible after completing a preliminary review of the incident, the investigator should contact the Board's Chair to make a determination regarding the incident category.

In the event of a Category I incident, the Chair will appoint an investigation team consisting of a public board member, industry board member and pilot board member. If the incident involves the pilot member of the Board from the pilotage ground where the incident occurred, the Chair will appoint another pilot member of the Board.

Category II incidents are investigated by the pilot board member from the pilotage ground on which the incident occurred. If the pilot board member is not available to conduct the investigation, the Chair will appoint another board member to conduct the investigation. A pilot from the pilotage ground on which the incident occurred will be appointed to advise on any matters unfamiliar to the board member.

Independent Investigators

The Board maintains contracts with several marine incident investigators. An independent investigator will be assigned as follows:

1. In any Category I incident, upon the request of the Chair, or of two or more members of the investigating team.
2. In any Category II incident, upon agreement of the Chair and the Board member conducting the investigation.

The role of the independent investigator is that of an advisor to the Board member (or team) who are conducting the investigation. See ORS 856-010-0022 for more information.

Notifications

When an incident occurs, you will most likely be notified by the pilot organization from the grounds on which the incident occurred. It is also possible that you will be notified by either the USCG or the Board Administrator.

1. When notified of the incident, you should initially gather the following information:
 - a. Name of Vessel
 - b. Location of Vessel
 - c. Name of Pilot
 - d. Vessel Agent and Contact Information (Note: Vessel agents can always be reached via the Merchants Exchange 24-hour answering service at 503-228-4361.)
 - e. Brief description of what occurred; including any possible damage or pollution
 - f. Time estimate of when the situation will be stabilized/intended action of vessel

2. If the incident appears to be a Category I incident, notify the Board Administrator so that the Board Chair can be briefed and an Independent Investigator assigned.

3. Call the Vessel Agent and determine when and where you will be able to board the vessel to begin the investigation. Request that the agent make arrangements for your entry into the terminal. (Note: A Transportation Workers Identification Credential [TWIC] or an approved escort is required to enter restricted areas in marine terminals.) If the vessel is at anchor or aground, it may be necessary for the agent to make arrangements to board by launch or tug. It is important to board the vessel as soon as practicable. Confirm with the agent that the vessel has saved the Vessel Data Recorder (VDR) file.

4. Call the USCG Investigations Unit and inquire if they are aware of the incident and if they intend to board the vessel to conduct an investigation. If so, try to make arrangements to board the vessel with the USCG (the OBMP has an informal agreement with the local USCG that, when possible, we will board the vessel together to conduct initial interviews and information gathering).

5. If you are not a Board Member from the pilot ground on which the incident occurred, contact the Pilot Organization and arrange for a pilot from the pilotage ground to accompany you to the vessel. This will most likely be one of the Organizations' administrative pilots who will be available to assist you as you require.

