



**MINTON, TREHARNE
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Captain Mary Landry
Commanding Officer
USCG Marine Safety Office
20 Risho Ave.
East Providence, RI 02914-1208

March 17, 2004

Dear Captain Landry:

Bouchard Transportation Co. Inc. requested our office provide an independent review and evaluation of the various papers written by David A. Hall of Independent Maritime Consulting Ltd. and Dr. Joseph E. Costa PhD, executive director, Buzzards Bay Project National Estuary Program in connection with the likely volume of a #6 fuel oil spilled into Buzzards Bay by the Bouchard barge B-120 on April 27, 2003.

We have analyzed the original report and appendices authored by David Hall dated June 14, 2003, the interim analysis authored by Joseph Costa dated February 3, 2004 and David Hall's response to Dr. Costa's interim analysis.

Our evaluation considered the various sources of information like the barge before and after loading reports, ullage reports, shore tank receipts and laboratory analysis. We also considered the limitations of the measurement tools and instruments used to collect the quantitative data plus the confines and margins of error inherent within the methodologies employed in obtaining this data. We then evaluated the various interpretations of the undisputed data and the logic used to formulate the various opinions and estimations expressed in the various papers.

While reviewing and considering the foregoing we were mindful that cold fuel oil would have adhered to all the internal structures of both barges involved and that there would have been an unusually large amount of ungaugable product remaining in and across the lower hulls of both barges. The ungaugable cold product and clingage remaining in the barges would have been completely recovered when the barges were subsequently cleaned at the shipyard. We were also aware that the numbers surrounding the different spill estimates, when considered in isolation, may appear to be large, however when these same numbers are considered within the context of a 4,000,000 gallon bulk oil movement, the percentage differences fall within accepted margins of error for marine custody transfers.

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Based on our evaluation of the available evidence, data and information, as well as our review of the interpretations offered in the various papers put forward, we would be of the opinion to concur with the conclusions offered by D. Hall.

Sincerely,

A handwritten signature in blue ink, appearing to read "Denis M. Grath". The signature is written in a cursive style with a large initial 'D'.

Denis M^e Grath