



National Transportation Safety Board

Washington, D.C. 20594
Office of Marine Safety

Interview Summary – DCA16PM008

Interview of: Richard Palmer, crew member on board Orin C

Date/Time: June 7, 2016 1400 to 1500 EDT

Location: Telephone conference call

Interviewed by: [REDACTED] – NTSB, [REDACTED] – Orlando and Associates, legal counsel for Mr. Palmer

Case: Sinking of fishing vessel Orin C

The Orin C departed port on December 1, 2015. The weather was fair and they knew there was going to be some westerly weather coming on December 3rd so they had planned the fishing trip in advance. They steamed out to a closed area called Wilkinson where they fished. Everything was fine and the engine ran great.

On the day of the accident, they were hauling gear and Mr. Sutherland looked at the gauges for the engine where he noticed the temperature for the engine was at about 240 degrees F so they shut it down since it normally runs at about 180 degrees F. He checked the oil and noticed it was a little grey so they knew they had water in the oil. They did not have a lot of options since they knew the weather was coming and they didn't have enough oil on board to replace it.

Mr. Sutherland knew the Foxy Lady was in the area so he called the captain on Foxy Lady and asked for a tow in. It took about an hour for the Foxy Lady to arrive. They told the captain of the Foxy Lady they had line but he said to use his line. The line supplied by the Foxy Lady was short between both vessels and the captain of the Foxy Lady talked them through the towing procedure. The Foxy Lady started towing them at about 5 knots. The line was so short between both vessels and as they started to get into the weather they kept parting the line so they tried something different each time. He estimated the winds at that time were about 25 knots. Mr. Palmer spoke with Mr. Sutherland and said that they needed to slow down. Mr. Sutherland was just happy to be in tow and didn't want to rock the boat so he did not request the Foxy Lady to slow down. He just wanted to get in.

Each time they were getting pulled down the waves by the Foxy Lady. Then they took a wave that ripped the roof off and blew the windows out of the wheelhouse of the Orin C.

The coast guard was then called. The Foxy Lady then reattached to the Orin C and continued the tow but at a slower speed and more side to the seas instead of straight into it at what he estimated to be 2.5 to 3 knots.

When the coast guard got on scene it was dark where they sent a pump over to them. It took about 45 minutes to get the pump on board due to the wind and sea conditions. They couldn't get the heaving line close enough to them for the crew of the Orin C to catch it. Once they got the pump on board, they got it working for about 10 to 20 seconds at the most. They could not get it to work after that. The coast guard gave them some troubleshooting instructions which they followed but they still could not get it to

work. The coast guard said the sea conditions were too bad to send one of their crew to the Orin C to assist.

The coast guard then started towing the Orin C. Mr. Palmer went below deck and laid down in his bunk at the forward part of the boat. He went to lay down in his bunk because everything was soaked and that was the only dry space on board. When he stepped out of his bunk, he noticed water half way up to his knee. With that, he informed Mr. Sutherland and Mr. Lane of the problem and that “we gotta go.” It was then that Mr. Sutherland told the coast guard that he was getting scared.

The crew of the Orin C started to don their survival suits. Mr. Palmer had to help Mr. Sutherland with his suit by grabbing a hold of it and pulling it up over him. Mr. Sutherland was a big guy and needed help with it. After that, he helped Mr. Lane get into his before finally donning his own suit. Mr. Palmer went out on deck and one of the rails went under the water. That is when he grabbed Mr. Sutherland and pulled him out and Mr. Lane followed. The coast guard boat couldn't get close enough to them so they were told that they would each have to swim. The boat sank from underneath them. Once in the water, Mr. Palmer could hear the coast guard calling to him so he swam toward them and when he got close, he grabbed him and pulled him on board. After that they grabbed Mr. Lane and put them down below deck on the coast guard vessel. When Mr. Palmer looked out the window he saw Mr. Sutherland with his head under the water. The coast guard dragged him aboard. Shortly after getting Mr. Sutherland on board, one of the coast guard guys came down and said Mr. Sutherland had shallow breath and that he might make it.

Down below, they took their survival suits off. On deck they were doing CPR on Mr. Sutherland. Later the helicopter showed up but he could not see what was going on because the coast guard wouldn't let them out on deck to see if Mr. Sutherland was OK.

Mr. Palmer stated that this accident has taken a toll on him.

Mr. Palmer was asked to describe the layout Orin C. He stated it was a typical 50 foot wooden Rhode Island marine design. It was a good sea boat— good and heavy which held its own. Mr. Sutherland had it out of the water 6 months earlier and had everything redone. It wasn't an unsafe boat – very good wooden boat. He trusted it since he sailed on it. He was in the bilge when it was going down. He said if it was still around he would still have no problem sailing on it.

Mr. Palmer said he has known Mr. Sutherland for a long time. He was always slime eeling. He was on different boats before getting the Orin C. He considered Mr. Sutherland a good friend. When asked who owned the Orin C, Mr. Palmer stated Mr. Sutherland owned the boat. He bought it from someone else. He was not aware if Mr. Sutherland had any insurance.

When asked to describe the engine room dimensions of the Orin C, Mr. Palmer said it was big enough for him to get in there and he was 6'3". He couldn't walk into it – he had to crawl into it. The boat wasn't huge, just a typical 50-foot fishing boat. The engine room had a motor and transmission in it. There was enough space in it for him to move around and get to where he had to go. He estimated the height of the engine room to be about 4–5 feet. He stated the engine was turbo charged so the air filters were higher in the engine room but he could not estimate the height – the filter was up high and the oil pan was down low. The filters were in line with the engine which was not different than any other vessel—

the engine was not running at the time the vessel sank. The engine was not running because it had overheated and had water in the oil.

When asked why there was water in the oil, he stated both him and Mr. Sutherland did not know what happened. The first day everything was fine and the next day it overheated. He didn't know what went wrong. Mr. Sutherland noticed the problem and they took the appropriate action. If they did not shut it down, they probably would have seized the engine.

Mr. Palmer was asked about any past engine maintenance that was done. He did not know but said the last place the boat was hauled out was at Gloucester shipyard and to call Viking. Mr. Sutherland did his work there. The boat was wood. Good and heavy. There was nothing wrong with that boat—it was comfortable. Mr. Palmer said he has been fishing his whole life and he trusted it. He did not know what exact work was done at the boat yard. He was working on a different boat at the time. He did see Mr. Sutherland at the shipyard and saw the Orin C was out of the water getting some work done but that is all. He thought he was doing something with the rudder—he was checking that everything was OK.

When asked to describe the survival suit donning process for the accident date, Mr. Palmer stated Mr. Sutherland was a big guy and they had to get the suit up over his belly and then pull the hood up over his head. He fit in the suit fine and he was floating. He said it was a minute and a half get Mr. Sutherland suited up. After Mr. Sutherland was suited up, he helped Mr. Lane get suited up before putting on his own. Mr. Sutherland was the biggest guy so they got him in his suit first. It was simple getting Mr. Lane in his suit. Mr. Palmer stated he did have sea survival training but did not specify further. Because he has been fishing his whole life, things came natural. He knew he could get into his suit pretty easily and that Mr. Sutherland would have a hard time getting into his – he had an XL suit and it did fit him well.

Since Mr. Palmer knew Mr. Sutherland for such a long time, he was asked if he knew of any health issues that Mr. Sutherland may have had. Mr. Palmer said there was nothing that he knew of and that as far as he knew, he was pretty healthy and never complained of any problems. He was a good guy and good boss. He did smoke cigarettes. When asked if he smoked anything besides cigarettes, Mr. Palmer said he does not know.

Mr. Palmer was asked if there was any alcohol on board the Orin C. He said no there was not – he did not believe there was any alcohol or drugs aboard. Not to his knowledge.

Mr. Palmer was asked to be more specific about his previous mention of when he was in the bilge of the Orin C. He stated that it was after the windows got blown out and the roof taken off, there was a lot of water that came in and moved things around so he had to go down into the bilge to remove everything that had been dislodged from the wave impact. There were rags and a jacket down there and he pulled whatever he saw down there out. When the sea hit them everything came loose in the wheelhouse – it was mayhem... there was crap everywhere.

Mr. Palmer stated that when they were hit by the wave that damaged the Orin C, he was standing in the wheelhouse right at the window that blew out. He was asked about the pictures that he took with his phone that he had sent to investigators and when he took them to which he stated it was just before wave that damaged the boat. After that his phone was wet so he did not take any more until he was able to dry it out. Everyone's phone got wet. Everyone and everything was soaked. The sea came

through, it hit the back wall and it went down forward. At that point the crew were thinking about survival. They were soaked and freezing. They only had one blanket and they shared it.

After the windows got blown out, Mr. Palmer said he was soaked. He then looked around for his wallet and his phone. He found his phone and tried to dry it out. The only dry spot on the board was up forward in the bunk so he went there and thought about what to do next. He then walked up to see if everything was ok and went back down to grab a blanket which was the only one they had and gave it to Mr. Sutherland because he was freezing. The coast guard showed up when it was dark and they deployed their heaving bow which took a little while to catch that from their bow. At that time, the winds were blowing about 40 to 50 knots. Both him and Mr. Lane took turns going up on the bow to try to grab the heaving ball from the coast guard.

Once they got tied up to the coast guard boat, the ride was comfortable but by that time, the Orin C was taking on water. The coast guard later cut the line because they knew they were sinking.

When asked where the water was coming from, Mr. Palmer said he thought it was coming from the bow. They were being towed on a short line and the boat was being overcome by the seas and thinks they blew a plank in the bow. It is a wooden boat and they can't be towed by a short line.

Mr. Palmer was asked to recount the activities when the coast guard sent the dewatering pump over to the Orin C. He said it took a while to get it on board because of the weather – they couldn't get the heaving ball over because the wind would take it. Once the pump was on board, they got it started easily but it pumped water only for about 10 seconds. They tried to get it working in the screeching winds on deck by priming it but it wouldn't work. The coast guard said they couldn't send anyone over due to the sea state. They then got connected up with the tow line from the coast guard which was comfortable. They were taking on too much water for the Orin C's pumps to handle. After that Mr. Sutherland made the call that he was getting a little scared and coast guard cut the line. They then came alongside as close as they could and said they had to swim.

Mr. Palmer stated he entered the water from the stern, port quarter. All three men were on the stern. The boat went right out from underneath them.

Mr. Palmer recalled they had 10,000 pounds of hagfish on board which was not abnormal – that boat had handled it so many times prior. 5000 pounds were below deck in a hold and the other 5000 pounds were on deck in caskets, leveled out on each side of the vessel. It was all level and even. He noted the boat did not sink from the stern, it started sinking from the bow first taking on water from there. There was nothing abnormal or any sea state they hadn't been through before. The Orin C was a big offshore lobster boat. It looked like a Rhode Island Marine boat.

Mr. Palmer was asked to recall his activities when he was in his bunk to which he responded when he got out of the bunk he was standing in water so he went up to and said to Mr. Sutherland "we gotta get out of here". Then Mr. Sutherland called coast guard to say he was getting a little scared and then they put Mr. Sutherland in his suit. He stated his bunk was not wet – it was only when he stepped out of his bunk that he was standing in water. The bunk is up in the forward part of the vessel where they never take on water there. It was always very comfortable up there and things were solid.

Mr. Palmer stated when they blew the window out, there was a "loud ass snap – creek kind of thing". In his opinion, the boat started to come apart. She came "unglued". It was a "loud nasty/ugly noise". He

never saw where the water was coming from. He stated the crew was busy trying to get dry and they also had to go on deck to reattach the tow line that parted from the Foxy Lady. They didn't know what was going on just that the boats pumps did not handle it. Later when the coast guard arrived, they were then busy trying to get the dewatering pump supplied to them working.

The Orin C had two engine room bilge pumps and a pump in the lazarette (aft) and one in the fish hold and also one forward. The boat was fully capable and they were all working.

With respect to the pump supplied to them by the coast guard, Mr. Palmer was asked if that was the first time for him working with or operating such a pump. He replied, no and that he was on the Northern Voyager when it sank in Gloucester which had one. He was also on the Sea Hawk when it sank where they had to use one as well. He dealt with those pumps quite a bit. The pump would just not pump -- they pulled it out of the canister and the plastic and they got it going for 10 seconds and then they couldn't get it going again. The coast guard kept giving them the same instructions for troubleshooting which did not work. They kept saying to keep priming the pump. It wouldn't suck.

By the time they got the pump started after receiving it from the coast guard, the water was up over the dipstick of the engine. They communicated with Mr. Sutherland where the water levels were in the engine room. Mr. Sutherland did not want to shake any trees -- he was just happy to be towed home. They worked hard to keep the boat afloat.

Mr. Palmer was asked if he knew if Mr. Sutherland was able to swim and he replied that he did not know. He stated he still did not know what caused Mr. Sutherland's death.

When asked if there had been any previous engine problems, Mr. Palmer stated no and they had just done an oil change. He had been down below checking all the wiring for the pumps and electronics. He had rewired a new pump that worked perfectly. Mr. Sutherland was on top of the maintenance of the boat. It was in good shape.

With respect to their knowledge of the approaching weather, Mr. Palmer stated they knew got it from the weather report. He stated they were on their last trawl before heading back when Mr. Sutherland noticed the high temperature indication on the instruments. The temperature was 240 and he shut it down. They knew it was going to blow 40 knots and they had plans to steam in before the winds came on. He stated that had the engine not broken down, they would have made it home with no problems.

Mr. Palmer was asked what they did to control the flooding from the windows and roof blown out. He responded he took a cabinets and anything else he could find and screwed them to the windows but they had no way to control the water coming through the roof. Sea spray was coming in through the roof but he did not know if that was the cause of the flooding. It probably helped a little. He stated his opinion of what happened was that they got towed too hard and blew a plank.

With respect to the pump that was supplied to them by the coast guard, Mr. Palmer was asked to recall if there was any type of blockage that he noticed. He stated no and that he took the pump apart and everything was fine. Both him and Mr. Lane primed it and they just couldn't get it going. He said the coast guard told them at the time that they had problems with the pumps in the past.

Mr. Palmer stated he lost all of his personal effects when the boat sank. He said he still does not have his license. He lost his clothing, wallet, iPad and all of his gear.

Mr. Palmer stated the engine on the Orin C was a diesel engine and it was not shut down for the duration of their trip. They needed to keep everything going. When asked what they did the night before, he said they fished up until about 1900/dark the day before.

Phone call ended at 1500. Lost phone connection from Mr. Palmer.