

NATIONAL TRANSPORTATION SAFETY BOARD

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IN RE: :

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THE EL FARO INCIDENT OFF THE: NTSB Accident No.

COAST OF THE BAHAMAS ON : DCA16MM001

OCTOBER 1, 2015 :

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INTERVIEW OF: [REDACTED] [REDACTED] INSPECTOR

Saturday,

October 10, 2015

Jacksonville, Florida

BEFORE:

JON FURUKAWA, NTSB

BRIAN YOUNG, NTSB

JIM FISHER-ANDERSEN, TOTE Services

LOUIS O'DONNELL, ABS

[REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard

LEE PETERSON, TOTE Services

[REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard

KEVIN STITH, TOTE Services

[REDACTED] [REDACTED] U.S. Coast Guard

MIKE MILLAR, ABS

MIKE PETROSKI, NTSB

This transcript was produced from audio provided by the National Transportation Safety Board.

1 P-R-O-C-E-E-D-I-N-G-S

2 8:15 a.m.

3 MR. YOUNG: It's 8:15 a.m. on October 10th.
4 My name is Brian Young. I'm the Engineering Group
5 Chairman for the National Transportation Safety Board.

6 MR. O'DONNELL: Louie O'Donnell, System
7 Chief Surveyor Americas, ABS.

8 [REDACTED] U.S. Coast Guard,
9 Engineering Working Group.

10 [REDACTED]
11 Operations Group.

12 MR. STITH: Kevin Stith, TOTE Services,
13 Operations Group.

14 MR. FURUKAWA: Jon Furukawa, NTSB, Survival
15 Tactics Group.

16 MR. FISHER-ANDERSEN: Jim Fisher-Andersen,
17 TOTE Services, Engineering Group.

18 MR. PETERSON: Lee Peterson. I'm the
19 Director of Marine Services with TOTE Services.

20 MR. [REDACTED] I'm [REDACTED] with the
21 Coast Guard on the Operations Group.

22 MR. YOUNG: And if you could state your name
23 and spell it for us and your title.

24 MR. [REDACTED] [REDACTED] [REDACTED] [REDACTED]-
25 [REDACTED]. And I'm the Main Inspection Training Officer

1 for Sector San Juan.

2 MR. YOUNG: Right. Thanks for being here.
3 Do you mind if we call you, [REDACTED] Is that alright?

4 MR. [REDACTED] That's fine.

5 MR. YOUNG: And if you could, we'll just
6 start the interview if you would tell us a little bit
7 about your background and training and what type of
8 experience you have to become the Training Officer and
9 Marine Inspector.

10 MR. [REDACTED] Okay. I have to look at my
11 certifications. I have Port State Control Examiner,
12 Foreign Freight Examiner, Foreign Tank, Foreign Chem,
13 Foreign Passengers, Foreign Gas, Barge, Dry Dock, Haul,
14 Hull TI which is tank, Machinery, Machinery/Steam and
15 Small Passenger Vessel and Small Passenger Subjectory
16 K. Those are the ones.

17 I started getting my first qual I think in
18 1993 on small passenger vessels. I worked my way up
19 from there. Machinery/Steam, I got that in 1998. It's
20 been awhile.

21 I got my Machinery quals in Hampton Roads.
22 Then when I came back to Puerto Rico, it's just the ACP
23 boats out of San Juan basically since then.

24 I came into Prevention in 1991. I was a MAR
25 POL (phonetic) officer at San Juan first. Then a year

1 later, they put in Inspections where I started
2 training. And at that time, we were still doing
3 regular inspections on freight ships, full COIs.
4 That's where I started my training on that.

5 And after that, I think it was 1994 when I
6 went to Hampton Roads. When I got there, I was the --
7 They put in me COLANUS (phonetic) which is at that time
8 considered the barge yard because I had gotten my barge
9 quals in San Juan. At that time, we had active dry
10 dock. So I had a lot of experience with barge repair.

11 Then I think it was about six weeks after I
12 got there, they had the new SOLAS because I got my
13 patch in vessel qual, my foreign tank and my passenger
14 vessel quals in Puerto Rico. And I helped stand up the
15 first port state control course in the Coast Guard
16 while I was there at Hampton Roads.

17 And when I was there I got my hull qual and
18 my machinery qual while I was there. And later, I
19 think it was 2001 they split that into two different
20 quals. That's why they have the regular hull and hull
21 tank. So I'm grandfathered. So I got those quals.
22 The same thing with the steam/machinery.

23 After that, I went back to Puerto Rico.
24 That was 1998. In 2003, I retired. I retired in 2003
25 and I took a job as Passenger Vessel Safety Specialist

1 in San Juan which the code for that is still 1801 which
2 is still a Marine Inspector. I continue doing
3 inspections while I was going the mass rescue planning.

4 After that -- I forget the exact year it
5 was -- I became the position -- The position of
6 Training Office became available. So I applied for
7 that and they gave it to me. And I've been there ever
8 since.

9 MR. YOUNG: Great. Thank you. One thing in
10 the description I forgot to say this is being recorded.
11 And as we discussed, there will be a transcription
12 available. Are you okay with that?

13 MR. [REDACTED] That's fine.

14 MR. YOUNG: Okay. Thank you.

15 MR. [REDACTED] Do you want a copy of this?

16 MR. YOUNG: Yes, that will be great. And
17 I'll get that to all the parties. Thank you.

18 MR. [REDACTED] There's this Chief of
19 Inspections signature or initials are not on there. I
20 think this is just a formality I was trying to get
21 ready for an audit. So this is something that has been
22 required. In fact, I have a few more of these that
23 I've got to get done when I get back for the new people
24 reporting this year. It takes a while. Paperwork is a
25 killer.

1 MR. YOUNG: Just for the non Coast Guard
2 people here, what's involved with obtaining a qual for
3 any of these competencies?

4 MR. [REDACTED] To get the quals -- the
5 process changed -- when I first started I followed an
6 inspector around and we just went around doing
7 inspections. And there was a qualification package at
8 the time. It's not anything near what it is now. But
9 you go through and after if they feel you're ready,
10 they sign off all your quals and they give you a board
11 and if you pass the board, they give you the qual.

12 As of 2001, they changed the qualifications
13 for a little more in-depth but it still was more of
14 following people around and getting signatures to prove
15 that you could do the job.

16 And now we started and they're still in the
17 process of taking the entire program up a level. The
18 forms qualification standards are actually where they
19 tell you what the task is and they actually give you
20 the cite in the regulations to go read. So it's a
21 little more focused on what you're doing.

22 And then in our unit, we actually give tests
23 now after you complete certain sections. And then
24 after that you still do an oral pre-board. Then you do
25 a final qualification board. And that's all outlined

1 in policy how to do that. The program is actually
2 getting a lot better. A lot of that has to do with the
3 over star (phonetic) requirements and stuff in 2010
4 Coast Guard Authorization Act. We talked about what
5 the training level should be going forward.

6 We have 21 marine inspection training
7 officers in the Coast Guard. And we meet usually on a
8 monthly basis by phone conference. And annually we get
9 together and talk about training issues. Things are
10 moving along.

11 We're even talking about kicking up the
12 training another notch and go to structured on-the-job
13 training. That's something in the future.

14 All the trainees are going through this new
15 PQS which are for the port state. They're all loving it
16 because they don't have to guess what the verifying
17 officer is asking for. They know exactly what they
18 need to look for.

19 Right now, the domestic quals are being
20 rewritten to the new format. We've had the small
21 passenger vessel that just came out. So we're still
22 working on the others. And the other one that came is
23 offshore like OSBs. I forget the name, the acronym,
24 but that one's out. It's been out for a while.

25 MR. YOUNG: So now that you are a training

1 officer for reinspections, what does that entitle when
2 you were training new investigators?

3 MR. [REDACTED] It's not investigators.
4 It's inspectors.

5 MR. YOUNG: I'm sorry. Inspectors.

6 MR. [REDACTED] I'm developing the course
7 material and the tests and documenting all the training
8 in TMT and make sure the quals are issued. Since the
9 Coast Guard Authorization Act, since I'm the senior
10 person there holding the quals, I actually sign
11 qualification letters.

12 MR. YOUNG: Is that something you do?

13 MR. [REDACTED] Yes. And I've been
14 designated by the command to do that, too. They want
15 to cover themselves on both ends. But I don't sign all
16 of them. There are some that Commander [REDACTED] signs.
17 But I sign all the port state and the domestic quals
18 that we can issue which we can only issue T, K and
19 foreign passenger, foreign chem, foreign tank, foreign
20 freight and port state examiner. That's all we're
21 allowed to do.

22 That's a list that comes out once a year to
23 determine what kind of inspection we're doing. You
24 have to have a minimum number of inspections that year
25 to keep that certification for the board.

1 MR. YOUNG: And with all this training of
2 other marine inspectors, are you still actively
3 inspecting vessels?

4 MR. [REDACTED] Not as much as I'd like to,
5 but I do go out. As a matter of fact, the night before
6 I came here, I was doing a foreign chem inspection.

7 MR. YOUNG: While we're talking about
8 training experience, I'll pass it around the room and
9 see if there are any other questions on this.

10 MR. [REDACTED] Just one other thing, I do
11 all the ACP vessels because usually I'm the only one
12 there with the machinery qual. But I've been lucky
13 this last time. They had one person that had the
14 machinery. But I still go out on all the ACP vessels.
15 Just to make sure I keep on all that.

16 MR. YOUNG: Anything, going around the room
17 to the left? Lou.

18 MR. O'DONNELL: No further questions right
19 now, [REDACTED] Impressive experience.

20 [REDACTED] [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard. In
21 talking about your quals, the Coast Guard also has a
22 policy in order for an inspector to be current and be
23 able to actively lead an inspection. And they have to
24 have --

25 MR. [REDACTED] Recency, yes.

1 ██████████ -- recency. So at the time of
2 these inspections, were you recent?

3 MR. ██████████ Yes, I was.

4 ██████████ Thank you.

5 MR. ██████████ ██████████ ██████████ with the Coast
6 Guard. I do have a few. You mentioned the performance
7 qualifications for PQS. Can you describe that for the
8 group for those that might not be familiar with exactly
9 what a PCS or a PQS is?

10 MR. ██████████ A PQS is a -- They go
11 through -- Before it was based on the inspection. And
12 they actually go through and they tell you these are
13 the items that you need to know to do the bridge, the
14 engine room, the hull and all that. So anything that
15 you would do, there's actually job aids out there.
16 They used to be called 840 books. Now they're called
17 job aids that lists everything they should be checking
18 on exam.

19 And the PQS kind of follows the same thing.
20 They marry up to make sure you have the knowledge
21 before you go out and do the inspection.

22 Then you as part of the PQS process are
23 supposed to go out on vessels. And the number of
24 vessels you go out can vary. It depends on if you had
25 some sea experience before or if you didn't. If you

1 didn't have much sea experience, you'd probably go out
2 on a lot more exams than you would if you had some time
3 of a Coast Guard cutter before you go. So usually our
4 warrant officers take less time to get qualified
5 because they have that background of being on vessels
6 whether it's engineering or deck.

7 If you want, we can get you copies of the
8 PQS. But my first one is nowhere near what we're
9 putting out now. But at that time they have experience
10 following the people around.

11 MR. [REDACTED] So essentially it's a
12 checklist of all the areas you need to --

13 MR. [REDACTED] It's not a checklist. But
14 it gets you into the regulations so you know what
15 you're supposed to be inspecting, what standards the
16 vessel has to be inspected to. And since there are so
17 many different subchapters in the regulations, it
18 varies on where they look in the regulations for each
19 different type of vessel.

20 MR. [REDACTED] And how do you get each
21 subject signed?

22 MR. [REDACTED] You have verifying officers.
23 Now they've been designated for -- I forget how long.
24 Before it was an inspector had the qual and he'd sign
25 it off. Now we have verifying officers. Command

1 actually has to designate people to sign those off.

2 Usually those are the more experienced people.

3 And a lot of our people are complaining
4 about not having enough verifying officers. They want
5 to get their signoffs faster than they think they need
6 them I guess. But most time they won't sign them off
7 until they've gone out and do it a few times and we
8 discuss it.

9 In San Juan, we actually have a whole PQS
10 base where they just sit down with the different
11 people. If the verifying officer actually has been out
12 with them, he asks them more questions. And then if at
13 that time they feel satisfied, they'll sign. And if
14 not, then it just turns into a training session where
15 they go over different systems.

16 MR. [REDACTED] Are you a verifying officer at
17 your command?

18 MR. [REDACTED] Yes, I am. I'm verifying
19 for all the things that we can issue.

20 MR. [REDACTED] So that covers essentially the
21 on-the-job training. Can you also describe the courses
22 that are required for quals? Or the ones you have
23 done?

24 MR. [REDACTED] Okay. The basic courses you
25 have to take when you're doing domestics is you have to

1 go to the marine inspection school in Yorktown. Or if
2 you're doing port state control which is in line with
3 ACP because ACP is like a port state control exam, you
4 have to go through port state control course.

5 I think MIC (marine inspection course) is
6 like four weeks, four or five weeks. I can't remember.
7 And port state control is three weeks.

8 Then there are additional schools that you
9 can go to. Most of them are on the port state control
10 side, but basically like for deep draft (phonetic)
11 there used to be a steam and automation course which
12 that course has been suspended. They're looking at
13 rewriting the contract on that one.

14 And I'm trying to think of what else. I
15 can't think of any other schools at the moment. But
16 there are various commercial schools that people go to
17 depending on the unit you're at and the funding level
18 of the training port. You may go to welding courses.
19 There is just a variety of stuff out there. Auditors,
20 lead auditors course. Like I said, there is a few of
21 them. I can't remember all of them at the moment. But
22 that all depends on whether the unit has funding to go.

23 And usually a district tries to put on some
24 training. But right now because I'm in San Juan we
25 don't have any deep draft training. The district has

1 put on some other courses for domestic qualifications.

2 One other thing I forgot. In the new PQS
3 that's coming up and also part of the apprentice
4 trainees now, they're supposed to do a ship ride. And
5 that can last up to six weeks depending on their
6 experience level on ships. And the new PQS is coming
7 out. There's a requirement they actually do is a
8 district specific training whether it's a ship ride or
9 working in the facility or both, depending on the time
10 we have.

11 [REDACTED] [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard.
12 One follow-up question. Specific to the El Faro, what
13 qualification would have been required to conduct the
14 ACP inspection on that and do you have those
15 qualifications?

16 MR. [REDACTED] You need a hull and a
17 machinery/steam to do those exams. And, yes, I have
18 those quals.

19 [REDACTED] [REDACTED] Okay. And you had briefly
20 mentioned that there's a steam and automation course
21 that's been suspended. Have you been to that course?

22 MR. [REDACTED] No, I have not.

23 [REDACTED] [REDACTED] Lt. Commander [REDACTED]
24 from the Coast Guard. You mentioned the ship ride
25 program. Have any of our apprentice marine inspectors

1 gone on ship rides on either the El Faro or the El
2 Unica (phonetic)?

3 MR. [REDACTED] No, they have not. As a
4 matter of fact, I'm in the process of trying to get
5 them scheduled. I haven't gotten that far yet.

6 MR. YOUNG: Anybody else when it comes to
7 training or anything?

8 (No verbal response)

9 This is Brian Young with the NTSB. During
10 that line of questions we had two individuals walk into
11 the interview room. If you could identify yourself for
12 the recording.

13 MR. MILLAR: This is Mike Millar, ABS.

14 MR. PETROSKI: Mike Petroski, NTSB, Group
15 Chairman Operations.

16 MR. YOUNG: Thanks.

17 [REDACTED] do you have any at sea experience?

18 MR. [REDACTED] About eight and a half years
19 on Coast Guard's 378s, polar breaker and two 180 foot
20 buoy tenders.

21 MR. YOUNG: And what was your rank when you
22 retired?

23 MR. [REDACTED] CW04.

24 MR. YOUNG: Can I get into the inspection of
25 the El Faro in March when you did the COI inspection?

1 It's kind of the meat and potatoes of why we're here.
2 We're going to try to ask an many questions as we can
3 to try and get a feel for what you saw that day and
4 your impression of the ship and any outstanding
5 deficiencies that you found.

6 Maybe you could just give us a quick
7 overview of the COI inspection that took place that
8 day, what you planned to do, how long you were there,
9 who you were with and maybe just kind of walk through
10 the day. I know it was in March, a long time ago. But
11 whatever you can recall from that inspection.

12 MR. [REDACTED] This was the annual exam and
13 not the COI. So what I did to prepare for this, I
14 actually look at the ABS records first once I get the
15 request from the company that they want to do the exam.
16 I go through the ABS records and make sure that all the
17 international certificates have been -- the survey has
18 been done for the international certificates and see if
19 there are any outstanding conditions of class that
20 remain open which for the El Faro there were two.

21 I don't remember exactly what they were.
22 But I didn't feel that they were anything that was
23 life-threatening to the vessel. It was ordinary
24 fractures that happen involved.

25 After that, we put together an inspection

1 team. The inspection team for this was myself, the
2 Chief of Inspections which was [REDACTED] [REDACTED]
3 [REDACTED]), Assistant Chief of Inspection which
4 he has the hull and there's Lt. -- I don't know if she
5 was Lt. Commander at the time because she just made
6 rank. But it was Lt. or [REDACTED]
7 (phonetic). She just had port state control quals.
8 She just wanted to come along to get some experience.

9 And there was [REDACTED],
10 which is CWO. He's a MSE-4, Marine Officer 4. And he
11 has a machinery qual. So I had him do that engine
12 room. I did the deck walks and [REDACTED] did the
13 engineering room I believe with [REDACTED] Lt.
14 [REDACTED], he did the bridge and the deck walks
15 with me.

16 One of the things I do as part of the
17 preparation is send an email back to the master and
18 tell him what we expect. We have a format. I have a
19 copy in here of the email. But all that it is is a
20 sheet that talks about everything we go through.

21 On March 2nd, I sent him this email for
22 Ultimate Compliance exam program. It's the same thing
23 that's on that sheet of paper I handed you just to let
24 him know what we're going to go through. It's pretty
25 much everything that's covered 840 book. It's a just

1 short version of it.

2 MR. YOUNG: Can I pass this around?

3 MR. [REDACTED] Yes, go ahead.

4 MR. YOUNG: What I'm going to pass around is
5 the Ultimate Compliance Program Examination sheet.

6 MR. [REDACTED] And this is actually part of
7 our mission system that we have in the office. If I
8 leave and someone else comes in, they have this
9 available to them. I don't know if you want me to go
10 through that whole list of stuff.

11 MR. YOUNG: I think we can read it.

12 MR. [REDACTED] Okay.

13 MR. YOUNG: Thank you.

14 MR. [REDACTED] And we've been doing this
15 for a while. I just find it easier. We do it on our
16 port state control exams, the same thing. When we're
17 doing the exam, we send them these sheets of here's
18 what we're going to be looking at. This makes
19 inspections go faster.

20 MR. YOUNG: So that list was emailed to the
21 ship's captain, right?

22 MR. [REDACTED] Yes, that's the email. I'm
23 sure whether they can get PDF. Sometimes they do.
24 Sometimes they don't get the attachments. So
25 everything is in the email. I do know this gets passed

1 around with the crew, too. I had people comment on it.

2 Usually once I do that, I also bring a copy
3 to the ship with me to hand out to make sure. That's
4 why I usually use this as my checklist when I'm going
5 through doing an exam. I check the things off as we
6 get them done. It's easier for me than carrying around
7 those 840 books. I don't like the new ones. They
8 don't fit in your pocket. I use them more for a
9 reference.

10 But I do have a copy of our 840 book for
11 that, too, if you want to see those. These haven't
12 been updated since 2001. There are a few things
13 missing out of there, the vessel general permits that
14 we look for EPA, the new eco-requirements for fuel
15 which really doesn't apply to El Faro. They're steam.
16 They don't have to comply with that until 2020. And
17 there are a few certificates missing on that like the
18 sewage certificate (Inaudible)

19 MR. YOUNG: And then the next group of
20 papers that [REDACTED] has given me is the ACP Freight
21 Vessel Examination book, a blank copy. Did you have
22 one with you that was actually filled out?

23 MR. [REDACTED] No, I did not. And I did go
24 back through and read policy after this. And it says
25 you must fill one out. And like I said, I haven't been

1 doing it. I've been putting all of my findings into a
2 missile. And part of the reason like I said we're
3 going away from as being 840 books into being job aids
4 for almost everything else.

5 But we did do all the same things. It's
6 just going through the list. They're there. This just
7 breaks it down. On some systems, it breaks it down a
8 little finer, but we still do look at everything.

9 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
10 Guard. Two quick questions. The list that you send to
11 the vessel, is that unique to you or Sector San Juan or
12 is that a Coast Guard wide?

13 MR. [REDACTED] It may just be us. When we
14 started doing this is the Passing Vessel Program. The
15 NSUE (phonetic), they came out and said this is a
16 recommended email to send out. We've had these sheets
17 for a long time.

18 I want to say we've been doing it since I
19 got there in 98 because it's just easy to go on
20 especially in foreign freight. If you just hand them a
21 sheet, most of the masters on the foreign vessels may
22 not have the best English. But they can read. So we
23 give them the sheets.

24 We did the same thing for the ACP program
25 down there. It makes it easy. Before we would just

1 caring and give them to the masters when we got there.
2 Then I'd say maybe about two and a half years or three
3 years ago we started sending these along with the email
4 saying we were going to do and acknowledge the date
5 that they wanted it for so they could get them done.

6 But everyone seems to like it. So we just
7 keep doing it. It's not in our policy to do it, but
8 it's actually part of MMS system under our forms that
9 we have, a list of forms that we have out. So it is
10 there.

11 But for the foreign passenger vessel, it's
12 mandated that we send that email out. It just makes
13 exams go a lot faster.

14 MR. [REDACTED] And the next question, again
15 [REDACTED] [REDACTED] with the Coast Guard, you mentioned that
16 you didn't use the 840 books. Do you happen to know if
17 Chief Warrant Officer [REDACTED] and Lt. [REDACTED] in the engine
18 room -- they were a different team on board -- if they
19 used it on engineering side?

20 MR. [REDACTED] I don't know if Andy had it
21 or he just had a copy of the sheet.

22 MR. [REDACTED] Okay.

23 MR. YOUNG: Now we'll go around the room
24 with just general questions on these sheets and then
25 notification. Lou.

1 MR. O'DONNELL: Yes, Lou O'Donnell, ABS.
2 [REDACTED] based on your experience of the size of the
3 boarding team it appears to me you had a very
4 experienced boarding team on the El Faro. Would you
5 agree with that?

6 MR. [REDACTED] I would say they're our A
7 team.

8 MR. O'DONNELL: Yes. Thanks. Just roughly
9 -- I don't want you to press your brain -- how many ACP
10 freight, domestic and foreign do you do maybe in a year
11 in San Juan? Well, let's say ACP, domestic and then
12 just freight foreign? How many inspections?

13 MR. [REDACTED] ACP is probably about -- The
14 numbers have changed because of the Horizon Lines just
15 went out of business.

16 MR. O'DONNELL: Yes.

17 MR. [REDACTED] But before Horizon went out,
18 we were probably doing about six-seven a year. And now
19 they're out of business. I think we're going to be
20 down to maybe -- Well, how many are --

21 PARTICIPANT: Couple.

22 MR. [REDACTED] Yes.

23 MR. O'DONNELL: Let's just add in foreign.
24 You probably do a lot more foreign.

25 MR. [REDACTED] A lot more foreign.

1 MR. O'DONNELL: Would you say tens?

2 Twenties? Maybe 50 a year?

3 MR. [REDACTED] Just foreign freight?

4 MR. O'DONNELL: Yes.

5 MR. [REDACTED] Foreign vessels. No, it's a
6 lot more than that. I couldn't speculate. I would
7 have to pull that information up.

8 MR. O'DONNELL: So a lot. Just say it's a
9 lot.

10 MR. [REDACTED] A lot.

11 MR. O'DONNELL: That's fine for me.

12 MR. [REDACTED] To stay a training port you
13 have to have enough exams to train people.

14 MR. O'DONNELL: So a sufficient number.
15 Let's just say more than 50 a year.

16 MR. [REDACTED] A lot more than that. I'd
17 say maybe closer to 100 or more.

18 MR. O'DONNELL: Okay.

19 MR. [REDACTED] I'd have to look because we
20 keep stats. But I really don't pay too much attention
21 to it.

22 MR. O'DONNELL: So you do a lot of freight
23 vessels. How about just quickly. Even though you
24 didn't complete the CG 840 booklet which I'm not very
25 concerned with, based on your list using your list,

1 does the format you've set up through the sector -- I
2 think it's an excellent summary to send to the captain
3 or the crew to be prepared and based on your level of
4 experience -- cover everything that you need to do
5 based on that and based on the fact that ABS had
6 already gone and done all the annual and all the
7 classic statutory surveys? You had those records.
8 You'd seen all the certificates had been signed and
9 endorsed probably prior to your boarding. And as
10 you're going on, is the Coast Guard more an oversight
11 role to have those completed by ABS? Do you feel like
12 you've covered all the bases?

13 MR. [REDACTED] Yes, what I did is I don't
14 use the 840, but actually use that sheet. We check it
15 off as we go.

16 MR. O'DONNELL: Yes, your separate sheet
17 which is very good.

18 MR. [REDACTED] It covers everything that's
19 in that 840 book.

20 MR. O'DONNELL: Thank you. One last
21 question. Your vast experience as an inspector working
22 with the ABS -- and I just recall a while back you were
23 in Hampton Roads working on ACP years ago -- how has
24 your experience been working with ABS on the ACP
25 program, not just on freight vessels, but in the ACP

1 program in general?

2 MR. [REDACTED] It's been very good.
3 There's always things that happen. It doesn't matter
4 whether you're a Coast Guard inspector or an ABS
5 inspector. We all have our strong suits and and we all
6 look at different things. So what one person missed,
7 hopefully the other person picks up.

8 But usually there's no anything big like I
9 said over the years between the two. There are some
10 things that has gotten missed that I think I found from
11 surveyors. But I would say that they would probably
12 say the same thing about us. It's just one of those
13 things.

14 MR. O'DONNELL: One last quick question
15 based on that. Would you say there's a good
16 cooperation level between the class and the flag as
17 Coast Guard when those kind of situations come up
18 resolving the issues?

19 MR. [REDACTED] Yes, no problems. Usually
20 call them up and they're there. Usually have to go
21 through the owner first. But the NAVIC says if the
22 owner doesn't want to do we can all ABS and we get to
23 still bill them.

24 But usually with TOTE or their predecessor
25 SEASTAR, there was no problem there. If you had a

1 problem, just call the surveyor. And if they weren't
2 on the island, then we were try to work something out
3 with the Fort Lauderdale office to get things done.

4 MR. O'DONNELL: All right. Thank you. No
5 further questions. [REDACTED]

6 [REDACTED] [REDACTED] [REDACTED] [REDACTED] with the Coast Guard.

7 You had mentioned that you guys were out there
8 performing an annual exam. There's three different
9 types of exams the Coast Guard does on these vessels
10 during the five year, annual, periodics and renewal.
11 Can you explain to the group real quick what an annual
12 exam is? What a periodic is? What a renewal is? And
13 what is the difference between them? Then they can
14 understand what the annual was and what the scope of it
15 was.

16 MR. [REDACTED] Okay. The COI, it's a more
17 in-depth exam of the vessel. And COIs are good for
18 five years.

19 Annual exams, just like I said, we're on
20 there annually to look at the systems and also like I
21 said actually in the marine safety manual it talks
22 exactly what you're there for. Usually for the
23 annuals, it's more human performance and for following
24 up on, not the back-up, port state control exam.

25 The AP exams out there are kind of like an

1 enhanced port state control exam. We look at the
2 paperwork, all the servicing reports, what ABS has
3 done. And we actually go out and do drills,
4 firefighting drills. And we also -- how do I want to
5 say this -- do a ded walk, just walk through the
6 vessel.

7 We're not really testing too many systems,
8 but there are some on that sheet I just passed around.
9 There is a list of the operational ones that we do,
10 usually steering or the water separator and the fire
11 main to make sure that it's working. There may be
12 something else on that list.

13 If we see anything that concerns us, then we
14 expand things. We're more on board on the ACP. Our
15 role is more as a auditor than an inspector.

16 You have the COI which is issued for five
17 years. It's a little more in-depth. The 840 book
18 covers what things are a little more in-depth.

19 Then you have your annual exams which covers
20 basically some of the same things, but it's not as in-
21 depth as the COI. And you have the periodic which is
22 usually between the second and third years. And it
23 covers about the same scope as the COI.

24 Then there's actually a fourth exam out
25 there. The commandant after they do their analysis of

1 all the deficiencies and everything decides that the
2 vessel needs more oversight. They get put on an
3 oversight list. Those are done at six months between
4 the annual exams roughly. El Faro was not on that exam
5 list.

6 [REDACTED] [REDACTED] So this was an annual exam.
7 Would it be fair to say you as the lead inspector doing
8 an annual exam the scope of the exam would have been at
9 your discretion?

10 MR. [REDACTED] Yes.

11 [REDACTED] [REDACTED] As an annual exam?

12 MR. [REDACTED] And even the COI the scope
13 is still at the discretion of the inspector.

14 [REDACTED] [REDACTED] Of the lead inspector. So you
15 determine the level and the scope of what was going to
16 be done.

17 MR. [REDACTED] If we start finding things,
18 then we ratch it up to the inspection.

19 [REDACTED] [REDACTED] Right. Can you tell us just
20 real quick on an annual exam for an ACP vessel for
21 Puerto Rico what is the normal duration of an ACP exam
22 for any vessel and what is the duration of an exam for
23 the El Faro that day?

24 MR. [REDACTED] I'm trying to think how long
25 we were on board. Usually we get on board about 9:00

1 a.m. and I'm not sure because I did that El Unica
2 inspection a couple of months later. And I'm not sure
3 how long we were on board. But usually we were on
4 board until about maybe 1:00 p.m. or 2:00 p.m.

5 [REDACTED] [REDACTED] So about four hours?

6 MR. [REDACTED] About four hours.

7 [REDACTED] [REDACTED] Is that a typical duration for
8 an ACP annual exam for Puerto Rico?

9 MR. [REDACTED] Yes, usually about that
10 long.

11 [REDACTED] [REDACTED] So it wasn't any shorter or
12 longer than any other exam that you did.

13 MR. [REDACTED] No. They're usually about
14 the same.

15 [REDACTED] [REDACTED] Is there a large difference in
16 the duration between an annual, periodic and a renewal
17 for COI and ACP? Or are they all pretty standard?

18 MR. [REDACTED] No, we're pretty much doing
19 the same thing for each one. Just going through all
20 the paperwork and doing it all at once.

21 [REDACTED] [REDACTED] So really with you as the lead
22 inspector the difference between annual, periodic and
23 COI the scope is generally the same.

24 MR. [REDACTED] The same because usually
25 there's not that much of a difference between the

1 types. When we're walking around, it's just I'm
2 looking at the stuff. Since I've been doing this for
3 so long, I can walk up and see something and keep going
4 and write it down.

5 [REDACTED] [REDACTED] The day that you did that did
6 you have any apprentice marine inspectors on board that
7 you were conducting training with?

8 MR. [REDACTED] [REDACTED] which she
9 was on board. But she was not -- I guess she was there
10 for training, but not training for deep draft and
11 domestic quals. Just general training.

12 [REDACTED] [REDACTED] And you had mentioned the MMS
13 system, the acronym. Can you explain that to us and
14 what that is?

15 MR. [REDACTED] That's something the Coast
16 Guard has gone to. It's just a better way of
17 documenting our procedures.

18 [REDACTED] [REDACTED] What does MMS stand for?

19 MR. [REDACTED] Mission management system.

20 [REDACTED] [REDACTED] Okay.

21 MR. [REDACTED] And I'm trying to remember
22 how long ago that came out. It's been maybe four years
23 ago, somewhere in there. It has gone through two
24 audits since then on the system, actually three audits,
25 four audits. Two of them are from FORCE COM. One of

1 them is from we were doing what they call Mido
2 (phonetic) periodics. Then we also had crew ship NSUE
3 come down and they did an audit along with basic crew
4 ship training that they give us. So four audits in
5 total.

6 The two audits from FORCE COM kind of
7 general. One was our initial kickoff of the system
8 which they were impressed that we actually had some
9 stuff for them when they got there. That's usually
10 more of -- That one is just to train us on how to do
11 it. And we actually went to the website and look and
12 started getting ready for it before they got there.

13 Then the audit we had I want to say last
14 April or May time frame we actually did pretty good on
15 it. They said we were one of the top in the country
16 from what they'd seen. But it's really just documents.

17 We used to have chief inspections on OCMI
18 policies. It was all recombined and rewritten and
19 updated so that they have the most current stuff that
20 we have. It also covers any Coast Guard forms that we
21 have to use, any Coast Guard policy, letters, marine
22 safety manuals, just one-stop shopping so we know where
23 everything is. We actually keep track of when was the
24 last time we actually updated it.

25 We have like I said a pretty robust system.

1 Anyone who has seen it likes it. All the apprentices
2 that leave wants to have the next port to have it.
3 Everyone is working through this. This is ten audits
4 around the Coast Guard. I think everyone has had at
5 least two audits now.

6 [REDACTED] [REDACTED] So you've been through two
7 mission management system audits. In those audits, was
8 your system issued an nonconformities?

9 MR. [REDACTED] Yes, they were. And they
10 weren't anything really big. One of them -- on the
11 last audit, the biggest one they hit us on was safe
12 work practices. We have that fixed. I think there was
13 something else, but I don't remember.

14 Safe work practices is a big one because we
15 had to go out to know the unit. We had to modify it to
16 fit our port. We didn't need cold weather safe work
17 practices in San Juan. But this is something that we
18 continue to work on.

19 Our mission management system, just to let
20 you know, we do have a meeting every two weeks going
21 over the instructions that we've still got in draft
22 form or the things that need to be written. And they
23 are doing internal audits to the unit. We just
24 recently changed that to where every two months we're
25 having an audit on different parts of the system.

1 ██████████ ██████████ So that's doing your own
2 internal audit.

3 MR. ██████████ Yes.

4 ██████████ ██████████ So what other question with
5 regards to the team that day? Were there any fatigue
6 factors with the team? Do you feel like you had the
7 proper resources in support to conduct the ACP
8 inspection? And then overall has your bull pen been
9 properly resourced and trained for these types of
10 inspections?

11 MR. ██████████ Everyone was well rested.
12 Yes, I think we had the correct team on board for what
13 we were doing. As for the bull pen itself, that
14 changes year to year. I should say every couple of
15 years because of the active duty transferring in and
16 out. But we work around it usually.

17 There's been a year when I had to do both
18 the hull and the machinery side. But I've actually had
19 trainees along with me to help because they knew port
20 state controls. At those times I felt that we still --
21 In those cases, where we had those, I actually went
22 through the whole ship. So those times took longer.

23 Right now, we're sitting pretty good because
24 I have the new warrant that reported in this year. He
25 has steam. So that helps.

1 ██████████ ██████████ On that day did you have any
2 other inspections scheduled or did anybody on the team
3 have any other inspections scheduled? Were you guys
4 under any type of a time constraint to get to another
5 inspection over there?

6 MR. ██████████ No.

7 ██████████ ██████████ Any other meetings or any
8 pressure to get through the inspection quick and get
9 somewhere else?

10 MR. ██████████ No, not that I remember.
11 Usually even on port state exams, we only schedule one
12 inspection a day per team because usually we have to
13 travel to different parts of the island if it's not in
14 San Juan. So we just try to keep it to one team, one
15 vessel, one inspection for the most part.

16 But sometimes that doesn't work out. We
17 have to go out and do two exams. Like I say, probably
18 about 95 percent of the time or even higher, it's just
19 one team, one vessel.

20 ██████████ ██████████ ██████████ ██████████ from Coast
21 Guard. How would you say that alternate compliance
22 program compares to a all Coast Guard inspection of the
23 same type of vessel if we were to do non ACP?

24 MR. ██████████ Not even close. Usually
25 just to do a regular Coast Guard inspection on El Faro

1 or something like that it would be about two days, two
2 long days, to go through all the surveys. I know that
3 one of the reasons we went to ACP is because we kind of
4 had duplicate inspection. We had ABS doing their exams
5 and then doing ours.

6 But for a shipowner to take a vessel out of
7 service for two days, that's kind of difficult. It's a
8 lot of money for them. And with the ABS doing their
9 surveys, they can spread them out over time which
10 probably is a little better because you've got someone
11 on board more often. But it all depends on the
12 strength of that surveyor.

13 I can actually say I was on a vessel where
14 the first one kicked out of ACP. And I'm not going to
15 mention the class society. It wasn't ABS. And I was
16 not impressed with the condition of the vessel. But
17 that was also a bad owner, too. They had a lot of
18 problems.

19 It took me -- It had actually gone dry dock
20 because it had some rudder problems. They didn't get
21 COI back for almost a year because we made them do a
22 lot of work to bring it back up and to do all the
23 certificates and everything that we needed.

24 [REDACTED] [REDACTED] Can you just repeat for the
25 Board member whenever you said that there was an CIO

1 exam and an ACP exam? What are you referring to?

2 MR. [REDACTED] The CIO, we're doing
3 everything.

4 [REDACTED] [REDACTED] You said it's not even close.

5 MR. [REDACTED] It's not even close.

6 [REDACTED] [REDACTED] A clarification.

7 MR. [REDACTED] Because you're on board and
8 usually it's two inspectors, one hull and one
9 machinery. They're on board for two days.

10 [REDACTED] [REDACTED] For a COI.

11 MR. [REDACTED] For a COI and they're
12 usually there late each day to go through everything.
13 We're doing everything that ABS would do in two days.

14 [REDACTED] [REDACTED] [REDACTED] [REDACTED] from the
15 Coast Guard. Could you maybe give us from your
16 position what would you say that difference is between
17 a Coast Guard marine inspector and a class surveyor in
18 terms of the way they work with the vessel or their
19 position with the ship?

20 MR. [REDACTED] Could you repeat that
21 question?

22 [REDACTED] [REDACTED] Yes. What I would like to
23 find out is your take on the difference between having
24 a Coast Guard marine inspector visit on one of these
25 vessels and a class surveyor in terms of how the

1 industry involved in that commercial vessel works with
2 the Coast Guard versus a class surveyor.

3 MR. [REDACTED] How would I say this? It
4 depends on the type of exam. If we're doing like the
5 full COI, I think the level of cooperation is the same
6 on both for the vessel. Just that the class surveyors
7 are on more often than we are. So they probably know
8 the vessels a little better than we do.

9 And it also depends on where they get their
10 exams. I know that the El Faro -- they probably got
11 some of their exams done in Jacksonville and some of
12 them done in Florida. I think it all depends on
13 scheduling and what's available.

14 I'm trying to think what else. The Coast
15 Guard are on there for a short period of time. So we
16 have to get a quick snapshot of what's going on on the
17 vessel.

18 [REDACTED] So essentially as a Coast
19 Guard inspector you're on there once a year for four
20 hours.

21 MR. [REDACTED] Yes.

22 [REDACTED] And then as a class
23 surveyor you're on there --

24 MR. [REDACTED] They're on there a lot more
25 often. I know that when I first started doing the

1 inspections we had owners out there that wanted us to
2 do running inspections. And they said no. Wouldn't
3 allow it. I don't think the law really allowed for it
4 at the time for us to do that.

5 [REDACTED] [REDACTED] Are you done with that answer?

6 MR. [REDACTED] I think so.

7 [REDACTED] [REDACTED] Okay. In your opinion, do we
8 have enough oversight via the ACP exam detailed in the
9 840 book to properly oversight the class society?

10 MR. [REDACTED] It depends on what inspector
11 you ask out there. Part of our problem with this is to
12 be qualified to do ACP you have to hold the major
13 quals. Since ACP has come along we've lost some of
14 that experience. You still have some of the old
15 inspectors still around. I'm not sure how much longer
16 they're going to be.

17 And there's only a few that can actually
18 issue deep draft quals out there. There's an obtain
19 and sustain list that gets put out by headquarters. I
20 couldn't tell you which ones they are right now. I
21 think San Francisco can do steam. An inspector I got
22 just came from there, an apprentice and now is a
23 journeyman. He actually has steam qual from there.

24 There are other ports around that can do
25 those. But the majority I think are port state control

1 out there. But our inspectors, they all want to get
2 hull and machinery quals. That's their goal.

3 Whether all of us should get, that's another
4 matter. I think if you're an engineer you should at
5 least get your machinery. The hull we can get that.
6 But if we get an hull inspector that has no engineering
7 background whatsoever and put him in a machinery qual,
8 I don't think they should be getting them.

9 If they can go through all the PQS and do
10 it, they come up with it. They are not as qualified.
11 I imagine ABS has some of the same problems. You have
12 different levels of qualifications for surveyors and
13 different knowledge levels.

14 [REDACTED] [REDACTED] [REDACTED] from the
15 Coast Guard again. You mentioned something I wanted to
16 hit on about ACP having its impacts on the training and
17 qualification in San Juan. In your opinion, if you're
18 on the vessel that you currently inspected, if ACP were
19 handled differently and it was a more expansive Coast
20 Guard exam, would your personnel be able to get
21 qualified?

22 MR. [REDACTED] I don't think they would at
23 the current number of ships that we have. We're losing
24 -- I know TOTE is getting rid of all their steam ships.
25 And we're getting those two new L&G powered, I don't

1 think we'd have enough vessels to actually get
2 qualified to do it.

3 MR. STITH: Kevin Stith, TOTE Services.
4 Just a couple of questions. You stated that you
5 reviewed the ABS documents saying that they had
6 completed their annuals. Did you have any
7 communications with the ABS surveyors or survey who
8 completed those exams?

9 MR. [REDACTED] No, I didn't. Sometimes
10 they'll be there if they're going to issue
11 certificates. But on this case, they weren't there.
12 They were called in later that day for a steering
13 problem that they had on the vessel.

14 MR. STITH: To your recollection, you never
15 spoke with them and said, "Yes, he never said it." Or
16 they never said, "We're done with the inspection.
17 Everything is good to go."

18 MR. [REDACTED] No. Usually I talk to TOTE
19 and make sure that the exams are done before we even
20 schedule an exam.

21 MR. STITH: So requested your attendance.

22 MR. [REDACTED] Yes.

23 MR. STITH: The age of the El Faro is
24 approximately 40 years. Have you been on vessels for
25 annual inspections about the same age?

1 MR. [REDACTED] Yes. Most of the vessels
2 that we enter are that age or a little older.

3 MR. STITH: In your experience with 40 year
4 old ships, how would the El Faro compare to those ships
5 as far as I guess condition, the overall condition?

6 MR. [REDACTED] Conditions. Actually, the
7 El Faro was the better of the ones that we've been on.
8 But all the SeaStar and TOTE at that time, ships had
9 been on better condition than the ones that Horizon
10 Lines had.

11 MR. STITH: Have you also conducted
12 machinery inspections on the El Faro on the engine room
13 and the steam lines?

14 MR. [REDACTED] In the scope of ACP, I think
15 in 2011 when we issued the COI I was down in the engine
16 room.

17 MR. STITH: Can you recall the general
18 condition of the engine room?

19 MR. [REDACTED] In 2011, it looked
20 excellent. You would have to ask [REDACTED] [REDACTED]. When he
21 came up, he told me that everything looked really good
22 down there.

23 MR. STITH: Okay. Thank you. That's all I
24 have.

25 MR. FURUKAWA: Jon Furukawa, NTSB. The

1 Captain here just mentioned the El Faro looked pretty
2 good for a older vessel compared to other older
3 vessels. How would an older vessel compare with a
4 newer vessel?

5 MR. [REDACTED] It's just the maintenance
6 level. Newer ships, less maintenance. But the El
7 Faro, besides corrosion. Corrosion from what I'd seen
8 on the El Faro wasn't that bad. They were actually
9 doing a lot of work trying to keep it up.

10 I know they don't always get as much done as
11 they would like. But they seem to be keeping
12 everything up as much as possible. Like I said, those
13 vessels are generally in better condition than older
14 vessels I've seen.

15 MR. FURUKAWA: But older vessels. But newer
16 vessels?

17 MR. [REDACTED] Newer vessels --

18 MR. FURUKAWA: Corrosion would you say.

19 MR. [REDACTED] Yes, corrosion because
20 they're not as -- Newer vessels they don't have the
21 time. Time is an enemy I guess you would say to steel
22 when you put it in salt water.

23 MR. FURUKAWA: So newer vessels have more
24 problems?

25 MR. [REDACTED] No, no. They have less just

1 because they're newer and probably better coating
2 systems and stuff were put on it at the beginning.

3 MR. FURUKAWA: So to combat the corrosion,
4 they're cropping or?

5 MR. [REDACTED] On the older vessels, yes.
6 They have to do some crop and renewals. Just looking
7 through the ABS records, there is some work they've
8 been doing. Two of the outstanding conditions for
9 class were for (1) a hole up forward of the forward
10 peek tank (phonetic) I think. I would have to look.

11 One was a vessel forward peek tank on the
12 aft trenders bulkhead. In the way of connection to the
13 main deck, they found some waste in the hull area. The
14 starboard side drain, they did a temporary repair. And
15 they started the annuals back in January. So this is
16 something they found back in January when they started.

17 They did a temporary repair. Then they
18 issued a requirement for dry dock which is in 2016
19 which they were supposed to go to dry dock the next
20 month. This is what they scheduled.

21 And then there was a number one port double
22 bottom. They found frames 50 and 51 detached at the
23 starboard connection. I have a copy of the report
24 here. This is the same thing that's in the record. So
25 we do look at these. And actually in my narrative I

1 mention these.

2 And this isn't anything out of ordinary from
3 my experience of doing steel repair. It's something
4 that can wait for dry dock where we can actually get it
5 out of the water and actually be able to work on it.
6 Nothing that I'd seen out of the ordinary as I was
7 reading this.

8 MR. FURUKAWA: Who discovered that? Was
9 that the ship's company? The ABS surveyor? The Coast
10 Guard?

11 MR. [REDACTED] I have no idea. This is on
12 an ABS report. So it must have been when ABS was on
13 board.

14 MR. FURUKAWA: With the frames 50 and 51
15 being detached, would the vessel need permission to
16 continue sailing or?

17 MR. [REDACTED] No, I don't think there's a
18 problem.

19 MR. FURUKAWA: For a COI, the alternate
20 compliance program, as I understand it any surveyor can
21 do the inspections for the Coast Guard.

22 MR. [REDACTED] For alternate compliance,
23 no. You have to get permission to be classified to
24 issue international certificates, you actually have to
25 go through a process and I think that's in 46 CFR Part

1 2 or Part 8, somewhere up there. It talks about what
2 you need to do. They actually have to submit an
3 application to the Coast Guard. And they actually have
4 to, besides their class rules, prepare what's called a
5 U.S. Supplement. Those are things that's not covered
6 the international rules or class rules. They compare
7 it with Coast Guard regulations. If there's a gap in
8 there, then they have to use U.S. Supplement.

9 MR. FURUKAWA: As an American class ship,
10 does a U.S. shipping company have to use an American
11 class society? Or do they shop around to get a
12 foreign?

13 MR. [REDACTED] Well, there's only a few of
14 them out there. There's ABS which is the first one.
15 And then there's D&V, GO which is DVG0 now. And I
16 think Lloyds. But not all of them are allowed to do
17 the same. There's different levels and they may be
18 able to do different types of vessels.

19 MR. FURUKAWA: Okay. But they can use D&V
20 or American ship companies D&V or Lloyds.

21 MR. [REDACTED] They could.

22 MR. FURUKAWA: For the annual inspection,
23 the class society can do that on behalf of the Coast
24 Guard without the Coast Guard being on board the
25 vessel.

1 MR. [REDACTED] Do the surveys?

2 MR. FURUKAWA: Right.

3 MR. [REDACTED] Yes. But when they do the
4 surveys they're supposed to invite us to come if we
5 want. And usually I've been getting notices like the
6 day before. Because it conflicts with other things we
7 have scheduled, we usually don't get out there. But we
8 did make it out to one recently where there was an ISM
9 audit. But I don't remember which vessel
10 that was. But my chief inspections went out there
11 because he wanted to take a look.

12 [REDACTED] [REDACTED] [REDACTED] [REDACTED] with Coast Guard.
13 Just one thing for clarification just to make sure that
14 you understand that ABS cannot do the COI annual exam
15 on behalf of the Coast Guard. The Coast Guard marine
16 inspectors have to do that annual exam. For the COI,
17 for the every five year COI, the Coast Guard is not
18 doing that as that two day inspection.

19 MR. [REDACTED] No.

20 MR. FURUKAWA: It is all Coast Guard. So
21 ABS is getting in conjunction with Coast Guard,
22 correct?

23 MR. [REDACTED] No. We have in the Marine
24 Safety Manual it talks about the whole program. So if
25 you want I can give you this copy that I have of it.

1 We have two guidance documents. One is the Marine
2 Safety Manual, Chapter 9, Section B. It talks about
3 it.

4 Then we have a NAVIC. A NAVIC is more for
5 the owners of the vessel to how to actually get into
6 the program and get certified. I think it also talks
7 about how the classification societies can actually get
8 into the program, too. It's very detailed.

9 MR. FURUKAWA: But you feel that vessel is
10 still getting everything looked at.

11 MR. [REDACTED] Yes.

12 MR. FURUKAWA: The historic two day
13 inspection and the ABS with Coast Guard or in this case
14 ABS with Coast Guard of everything that's --

15 MR. [REDACTED] Yes, everything they're
16 supposed to do equivalent to a Coast Guard inspection.

17 MR. FURUKAWA: Is taken care of.

18 MR. [REDACTED] Everything. And that's how
19 it's laid out in this program. It's an equivalent
20 level of inspection. And if it gets into ACP, he's
21 doing alternate compliance. That means he's doing the
22 international. He has to get SOLAS vessel. I should
23 say he has to get certified as a SOLAS vessel. He
24 doesn't have to go in and enter international, but
25 certified with SOLAS, meet the class rules and the U.S.

1 Supplement. And the U.S. Supplement is the gap between
2 Coast Guard regulations and the International Class
3 Rules that there's gaps in.

4 MR. FURUKAWA: Is there much of a difference
5 between a vessel cleared for coastal versus deep sea?

6 MR. [REDACTED] No, if you go into the ACP
7 program, you have to meet SOLAS.

8 MR. FURUKAWA: SOLAS, okay.

9 MR. [REDACTED] That's the way the program
10 is set. You have to meet the international
11 conventions.

12 MR. FURUKAWA: Same standards, okay. And
13 you mentioned the COI. I think it was the COI or
14 annual inspection that there was a steering problem.

15 MR. [REDACTED] Yes, it had a hunting, an
16 overshoot.

17 MR. FURUKAWA: An overshoot.

18 MR. [REDACTED] And that's documented in the
19 activity itself.

20 MR. FURUKAWA: What date was that about?

21 MR. [REDACTED] We did the exam on 6 March
22 of this year.

23 MR. FURUKAWA: This year, okay. And

24 (Background noise)

25 MR. [REDACTED] Yes. San Juan.

1 MR. YOUNG: This is Brian Young with the
2 NTSB. One of the next places we'd like to go is the
3 narrative from that inspection which I think will
4 include that. So maybe we'll just bolt that altogether
5 as one round of questioning

6 MR. FURUKAWA: Okay.

7 MR. MILLAR: Mike Millar, ABS. You
8 mentioned earlier that you had a team of about four
9 people for the annual Coast Guard ACP inspection.

10 MR. [REDACTED] Yes.

11 MR. MILLAR: And is that a typical team
12 make-up?

13 MR. [REDACTED] We take trainees with us.
14 Like I said, one of them was an apprentice.

15 MR. MILLAR: So you basically had three
16 qualified people and it would be for a period of about
17 four hours. So you've got about 12 man hours involved
18 on a job.

19 MR. [REDACTED] Well, we just broke into two
20 teams is what we did. One did hull and one did
21 machinery.

22 MR. MILLAR: But at least as man hours
23 extended you're looking at about 12 man hours. And if
24 you were doing a full COI, you'd still have two teams.

25 MR. [REDACTED] Yes, two teams. Back when I

1 did it, like I said, hull and machinery, machinery
2 inspector and hull inspector. Since I was a trainee, I
3 went along.

4 MR. MILLAR: And that would have been for
5 over two days and much longer days.

6 MR. [REDACTED] Yes, usually we would finish
7 up about 9:00 p.m.

8 MR. MILLAR: So in terms of man hours
9 expended for a full solely Coast Guard COI, what would
10 you estimate the man hours to accomplish that?

11 MR. [REDACTED] You would have gotten on
12 board at around 7:00 a.m. or 8:00 a.m. in the morning,
13 got off at 9:00 p.m. So 12-13 hours. So about 26
14 hours. Then if there was a trainer, then there would
15 be another 13 hours. So that would be about 39 hours
16 on board. That's back when I was doing this back in
17 the 90s.

18 MR. MILLAR: Okay. So about roughly 40 man
19 hours.

20 MR. [REDACTED] About that.

21 MR. MILLAR: Over a course of two days.

22 MR. [REDACTED] Yes.

23 MR. MILLAR: All right. And in your
24 capacity as a Coast Guard inspector, you would go
25 aboard a lot of vessels. Do you have interaction most

1 of the seafarers during the course of the day or is it
2 just a captain or chief engineer?

3 MR. [REDACTED] Usually it's the captain and
4 chief engineer. But we do depending on what systems
5 we're testing see the electrician or the first
6 engineer, third engineer, second mate. Yes, we see a
7 variety, but usually not too many of the unrated. I
8 should say the -- However you want to say it.

9 [REDACTED] Unlicensed.

10 MR. [REDACTED] Unlicensed people. We
11 usually don't see them that often other than when we do
12 the licensing check. We check everyone on board and we
13 usually have them bring their original licenses up to
14 us or MMDs.

15 MR. MILLAR: During the course of your
16 attendance on these vessels, have you ever experienced
17 crew complaint?

18 MR. [REDACTED] No. I actually see them
19 during the drills, too. But no, we haven't. At least,
20 not in the recent past. On foreign flight vessels,
21 every once a while we'll get someone who will slip us a
22 note saying we've got a problem. But I've had it I
23 should say not in the recent past. We haven't had any
24 complaints from anyone or even anonymous phone calls to
25 the office saying that there's problems.

1 MR. MILLAR: Thank you.

2 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
3 Guard. Just one clarifying question. You said earlier
4 that for a full inspection on this type of vessel if it
5 was not ACP it would have been two days. Were you
6 speaking of an annual or a COI exam?

7 MR. [REDACTED] That's a COI.

8 MR. [REDACTED] That's a COI. How long would
9 a typical annual take on a vessel like this?

10 MR. [REDACTED] Well, remember the time
11 frames changed. We used to issue COIs for every two
12 years. And that changed to five years to line up with
13 the international. I forget exactly when that
14 happened, but used to be on board every two years.

15 But the annuals were shorter. On the annual
16 you weren't going through. On the COI we used to strip
17 the lifeboats, have all the survival seats out, all the
18 life jackets. And on the annuals usually it's more of
19 back then just doing a walk-through and the drills of
20 the vessel. So it's different.

21 MR. [REDACTED] On a vessel of this class had
22 it not been ACP and you were doing a full annual,
23 approximately how long do you think that would take?

24 MR. [REDACTED] It probably would have been
25 most of the day.

1 MR. [REDACTED] Most of one day.

2 MR. [REDACTED] Yes. Because there's still
3 a lot of things that you're looking at.

4 MR. [REDACTED] Right.

5 MR. [REDACTED] Because you are the flag
6 state surveyor.

7 MR. [REDACTED] Right. Thank you.

8 [REDACTED] [REDACTED] I've got one other question. In
9 your annual inspection earlier this year, if you can
10 recall, maybe just the general condition of safety
11 equipment. Can you describe if it was in good
12 condition, adequate or?

13 MR. [REDACTED] It looked in good condition
14 when we were on there.

15 [REDACTED] [REDACTED] Thank you.

16 MR. FURUKAWA: Along with that question --
17 Jon Furukawa NTSB -- that's for an older vessel, good
18 condition, compared to a newer vessel or?

19 MR. [REDACTED] Well, I don't distinguish
20 between new and old. It just looked in good condition.
21 It looked like it was well maintained.

22 MR. FURUKAWA: Because with SOLAS, dealing
23 with lifeboats like that, would that be allowed on a
24 newer vessel today?

25 MR. [REDACTED] No. In 1986, they went to

1 enclosed lifeboats. And after that, they came out with
2 some regulations for the free fall. I'm not sure what
3 year the free fall lifeboats came in.

4 MR. FURUKAWA: Free fall lifeboats are only
5 in tank vessels or freight vessels, too?

6 MR. [REDACTED] No, freight vessels have
7 them.

8 MR. FURUKAWA: Thank you.

9 MR. PETROSKI: Good morning. Mike Petroski,
10 Group Chairman for the NTSB Operational and Nautical
11 Group. Did any of your tests include SSASVDR
12 inspections or tests or anything of the coastal units?

13 MR. [REDACTED] We look at the paperwork to
14 see when they were last serviced. Then when we walk
15 by, we just make sure that they're there. Other than
16 that, if we see any alarms like on the VDR if they see
17 alarms or something like that, then we'll inquire
18 further what's going on with the systems. That day
19 everything looked okay.

20 MR. PETROSKI: So no actual operational
21 tests of the unit.

22 MR. [REDACTED] No. Actually, the 406 E
23 (Inaudible) we teach our inspectors not to test them
24 because you actually have to have some special
25 equipment to do that.

1 MR. PETROSKI: Are those part of the SSAS or
2 VDR?

3 MR. [REDACTED] Like the EPIRB, you can't
4 talk about ship security alert system. The ship
5 security alert system, that is usually depending. It
6 could be an independent system or it could be part of
7 the GMDSS (phonetic). I don't know on that vessel if
8 it was actually part of the GMDSS or not.

9 MR. PETROSKI: So your answer is you didn't
10 test any of that equipment.

11 MR. [REDACTED] No.
12 [REDACTED] [REDACTED] [REDACTED] [REDACTED] with the Coast Guard.
13 Just to help, did you check any certificates or
14 documents for the SSAS that a third party had inspected
15 over or anything like that?

16 MR. [REDACTED] Yes, we checked the
17 servicing records to make sure that they were serviced.

18 MR. O'DONNELL: Quickly. Lou O'Donnell,
19 ABS. So you reviewed the records in the last
20 inspection from the FCC radio inspector for the GMDSS
21 and radio and navigation and all that.

22 MR. [REDACTED] Yes.

23 [REDACTED] [REDACTED] And that would include the SSAS.

24 MR. [REDACTED] Yes. It's SAS.

25 [REDACTED] [REDACTED] You included all that.

1 MR. [REDACTED] And then there's actually
2 separate certificates for some of us. It's not just
3 that.

4 MR. O'DONNELL: Conformance certificates and
5 everything, yes.

6 MR. [REDACTED] Yes.

7 MR. O'DONNELL: So I think the answer is you
8 reviewed certificates, but you did no tests.

9 MR. [REDACTED] No.

10 MR. O'DONNELL: Thank you.

11 MR. [REDACTED] That's all covered -- Most
12 of that is covered under FCC regulation. We don't get
13 in depth rather than just looking at the certificates.

14 MR. O'DONNELL: How about the GMDSS? Is
15 that tested or inspected at all? The GMDSS equipment.
16 Let me say that.

17 MR. [REDACTED] Honestly, I can't say
18 whether we actually run a test that day or not. I
19 don't remember. But usually we go up there and look at
20 the printouts and stuff and the systems to see if it
21 has been working. And we actually sometimes have them
22 do a distress alert test. I don't know if we did that
23 day or not.

24 MR. O'DONNELL: Following along on that
25 question, when you do a distress alert, which one of

1 the modes would you use?

2 MR. [REDACTED] They set it up. We don't
3 touch it. But for the near frequency or high
4 frequency, I can't remember. They goes to (Inaudible)
5 Lab for the test because the local sectors do not get
6 the test signal. And for the VHMM (phonetic) the local
7 sector, actually the local command center can actually
8 do that. But sometimes they don't respond. It all
9 depends on whether they're watching that the test part
10 of it or not.

11 MR. O'DONNELL: So a follow-on to that is
12 you have different modes. Is there any specific mode
13 that you target? Do you use all the modes, VHF, MF,
14 HF, mini C, whatever they have on there? Do you do all
15 the modes or do you just pick one?

16 MR. [REDACTED] Just usually the medium
17 frequency?

18 MR. O'DONNELL: MF, medium frequency.

19 MR. [REDACTED] Yes.

20 MR. O'DONNELL: Okay. Thank you.

21 MR. O'DONNELL: The test of the bilge
22 alarms, it's on your little book there of what you
23 normally go ahead and inspect or test. What kind of
24 tests or inspections do you do at the bilge alarm?

25 MR. [REDACTED] They're just left afloat to

1 make sure we get an alarm. I don't know if the El Faro
2 actually has a bilge alarm because it is a manned
3 engine room. So I don't know if that vessel actually
4 has it or not.

5 But I wasn't the one doing the exam that
6 day. So I don't know if they had that.

7 MR. O'DONNELL: So can we ask you to confirm
8 that if it was done or not? Will that show in your
9 inspection booklet whether they did that or not?

10 MR. [REDACTED] No. Like I said, we didn't
11 fill out the thing, but I could actually contact the
12 inspector that did it and he could tell us. I do know
13 he said you talked to him two days ago. He said he
14 actually went back to the shaft seal back there to make
15 sure everything was okay. I have to ask him if he
16 actually tested it.

17 MR. O'DONNELL: If you did test them, would
18 they include those out of the engine room?

19 MR. [REDACTED] I don't believe that vessel
20 is required to have bilge alarms in the cargo holds and
21 even under SOLAS it's not required to have it. So I
22 don't know if they would or would not have that.

23 MR. O'DONNELL: So if it were not SOLAS
24 required you would not test them if they happened to be
25 there.

1 MR. [REDACTED] If they were there, we would
2 test them.

3 MR. O'DONNELL: Whether they were SOLAS or
4 not?

5 MR. [REDACTED] Yes. If they go above the
6 regulations we'll take a look. But I don't remember
7 there being bilge alarms on the vessel.

8 MR. O'DONNELL: What kind of inspection was
9 made of watertight doors and watertight enclosures?

10 MR. [REDACTED] When we were walking around,
11 we made sure that all the enclosures will fit up and
12 that they have the nuts and everything. It's all in
13 good solid condition.

14 On the El Faro, they have these big
15 watertight doors and those were -- we were just walking
16 through -- when I was looking at them I'm looking at
17 the condition of the gaskets and the closing devices
18 because when they're loading cargo it's kind of hard to
19 test them. It just isn't a manual exam.

20 But on some of the doors -- I should say all
21 the doors I'd seen -- I can't remember if it was on
22 this one or on the El Unica -- they had actually chop
23 tested all those doors.

24 MR. O'DONNELL: When you say they, had your
25 inspectors chop tested?

1 MR. [REDACTED] No, the vessel head. And I
2 imagine that was probably with ABS. That's just
3 speculation, but I don't know if that's in the ship's
4 safety management system to do that or not how often
5 they actually do that.

6 MR. O'DONNELL: Do you also spot check or
7 chalk test? Do you do any chalk testing by the way?

8 MR. [REDACTED] Usually not. Unless we have
9 a reason to. So we're looking at doors. I have chalk
10 tested. I've even done hose tests on doors if it
11 looked like there was a question about it being
12 watertight or not.

13 MR. O'DONNELL: How about the noncargo
14 doors? There were scuttles along the second deck there
15 that were smaller watertight doors.

16 MR. [REDACTED] Yes, we looked at all that.

17 MR. O'DONNELL: You looked at all those.

18 MR. [REDACTED] It's not just -- We walk
19 through and look at everything. It's just general
20 impression and it doesn't take very long to look at
21 those things to making sure the knife edges are all
22 good and that they're not wasted away or the gaskets
23 are in there.

24 And the scuttles look like they can actually
25 close. Sometimes we'll turn them to make sure to see

1 how frayed they are. It's not every single one. It's
2 just a walk-through to make sure everything is there
3 and everything looks like it's in good condition.

4 MR. O'DONNELL: How about the watertight
5 door panel, the alarm panel? Do you look at that?

6 MR. [REDACTED] On the bridge. Usually just
7 that it's there. There's going to be lights on or off
8 depending on what doors are opened and closed.

9 MR. O'DONNELL: So you look at the lights to
10 see that they're on or off and that they operate or
11 anything like that. Do you normally do that?

12 MR. [REDACTED] Yes. It's just like I said
13 walking by it and make sure it's there. But we don't
14 actually test to make sure the alarms are working.

15 MR. O'DONNELL: Do you look at any stability
16 related data, any computer required manuals related to
17 stability?

18 MR. [REDACTED] That's part of our exam. We
19 check that they have the loading manual. Then what
20 we've recently been checking is making sure that the
21 software that they've loaded on computers is current
22 and it's actually in their stability -- It's the same
23 version that's in their stability. If it's not, then
24 have them to get that updated. Make sure they have the
25 correct ones.

1 MR. O'DONNELL: Did you (Inaudible)

2 MR. [REDACTED] I did look at that. I mean
3 that's one of the things we looked at. We always look
4 at it.

5 MR. O'DONNELL: Great. Then were they for
6 the ship of class or were they actually for that
7 vessel? The El Faro? Did it say El Faro?

8 MR. [REDACTED] To be honest, I can't
9 remember. El Faro was a different name at one time. I
10 think it was called Northern Lights. I'm not sure
11 which one it was whether it lined up with the new name
12 with the ABS stamp on it or -- I couldn't tell you
13 because I can't remember that long ago.

14 MR. O'DONNELL: That's it. Thank you.

15 MR. YOUNG: This is Brian Young with the
16 NTSB. We're starting to get into more of the day of
17 the inspection. I know you said you had a narrative.
18 If there is anyway maybe you can go through the
19 inspection in your narrative and kind of describe the
20 condition of the ship, any findings?

21 MR. [REDACTED] Okay.

22 MR. YOUNG: Then we'll base the next round
23 of questions on the actual inspection from the last
24 time you were there in March.

25 MR. [REDACTED] Okay. When we're doing our

1 inspections according to that sheet I handed out, one
2 of the things we did find when we were going through
3 was the bilge pump for the cargo holds also run to the
4 engine room. And there is a SOLAS requirement that if
5 you're going to carry hazmat, certain types of hazmat,
6 below decks which is usually flammables and toxics the
7 bilge system cannot run through the engine room.

8 We actually identified that. And we
9 actually changed the COI because of that. At that
10 time, the master and the chief mate told us that they
11 didn't carry hazmat below. But we just wanted to make
12 sure it was documented that they couldn't do it. We
13 didn't want it to cause a problem in the engine room.

14 And then the other thing that they went
15 through which we have to do on all ships now is check
16 the (Inaudible) and make sure it's working which they
17 did.

18 And the other find is we didn't
19 have any other items that we didn't correct on the
20 spot. But then we had the steering gear. The rudder
21 was overshooting on the starboard of 15 degrees rudder
22 orders by about three to four degrees. And it was a
23 celluloid problem the chief engineering thought. So we
24 got class to come down.

25 In the manual mode, there's two modes.
There's non follow-up mode and the manual mode. And

1 the manual mode, everything worked fine. So we figured
2 it had something to do with the electronics.

3 So the class issued the outstanding
4 condition of class to have it fixed in Jacksonville.
5 And when they got up to Jacksonville they got it fixed.
6 And ABS attended up there.

7 Then we went through the chemical testing
8 program to make sure that everything was good on that.
9 Then we went through the hazmat train records.
10 Everything was good there. They do about 240 minutes
11 of training a quarter on the hazmat. So they were
12 pretty good on that. It's just how to handle and just
13 general awareness training for hazmat. And looked at
14 the records there.

15 They seem to have a pretty good training
16 program on board. I didn't put it in here, but they
17 also had vessel familiarization training records of
18 doing that kind of stuff. And that's about it.

19 We're doing the drills. The fire drill is
20 very organized. You can tell they're very well trained
21 in doing their fire drills. Usually we just watch what
22 they do and they just go through their procedures. We
23 don't tell them what to do and we just let them run
24 through the whole drill and just follow the --

25 You have a person up on the bridge and

1 usually I think that day I was actually following the
2 chief mate around because he's on (Inaudible) leader.
3 And then I got in and see what the fire teams are
4 actually doing to make sure they're just following the
5 basic firefighting procedures, going down low, going
6 in, sweeping the area.

7 I forget where the fire drill was. The fire
8 drill was in the galley that day. And also when we're
9 doing these drills we make sure it's not in the same
10 place they held their last drill just to that it's not
11 a pre-staged thing. I'm not sure if they did this if
12 they have a set rotation. We ask them just to do the
13 next drill on their rotation cycle.

14 But I don't know if they did it like that on
15 this or if we just agreed that it would be the galley.
16 Part of the problem is they're working cargo and we
17 didn't want people out on the cargo decks while they
18 were moving cargo that day.

19 So banner ship drill we have them go through
20 and lower the lifeboat. In this case, it was the port
21 lifeboat I think. Let me see. It was the port
22 lifeboat and we just lowered that to embarkation. We
23 didn't lower it all the way down to the water's edge.

24 And that is basically for crew safety.
25 There has been a lot of problems with lifeboats being

1 released in the past. I actually had an open lifeboat
2 drop on me with a crew in it once. And it wasn't good.
3 And everything in that boat looked good, except there
4 was one little spider underneath the engine you
5 couldn't see. And the simultaneous releasing bar had
6 to actually work its way through in that spot. But
7 everything else looked brand new on that boat.

8 [REDACTED] [REDACTED] You're not talking about the El
9 Faro.

10 MR. [REDACTED] No, it's not on the El Faro.
11 It's on the other one. When we were doing those
12 drills, I actually looked at those boats and everything
13 before we even let the crew in just to make sure there
14 were no problems. We don't want to get anyone hurt.

15 And then when we were lowering the boat, we
16 were looked at the shivs and everything to make sure
17 everything is going down good and there are no problems
18 with the brakes. Even when they were lowering it, we
19 actually have them stop it so that there's a shock to
20 the system to make sure the brakes are holding.

21 Then you just go through and the crew is
22 doing all this. We're just watching them and making
23 sure they're doing everything. We question them. Look
24 at their lifesaving equipment. At that time, they
25 usually have their life jackets out there, whatever

1 equipment they're supposed to bring for the drill,
2 survival suits, stuff like that. And sometimes we'll
3 take a look at the survival suits and make sure they --

4 I don't remember that day if it was that one
5 that El Faro actually had one of the cooks open up
6 theirs to make sure that it actually (Background noise)
7 and that the zippers were working good. And everything
8 worked fine. No problems at that point. They brought
9 everything back up and they tested limits just to make
10 sure that they're working.

11 El Faro has a motor boat and a boat with a
12 flemming gear on there. And we make sure that the
13 flemming gear does work on those. That's about it.
14 And then we looked at the life rafts to make sure that
15 they're properly stored and the service tag on there
16 matches what was on the records that we actually looked
17 at. That's about it. It's pretty standard.

18 MR. YOUNG: Was there anything out of the
19 ordinary other than the steering issue that caused you
20 any concern or?

21 MR. [REDACTED] No, no. On the walk-
22 through, didn't see anything out of the ordinary in the
23 house. Didn't see any signs of water intrusion inside
24 the house at all. I've read in the news reports about
25 someone complaining about water getting into his cabin.

1 Didn't see any of that kind of stuff. Everything
2 looked dry. Looked in good shape. Like I say,
3 everything looked pretty good.

4 All the cargo securing gear that we did see
5 because everything had been taken off because they were
6 moving cargo, everything that we saw there looked in
7 good shape. All the (Inaudible), all the cross bars,
8 all that looked in good shape.

9 MR. YOUNG: And the competency of the crew
10 that you dealt with?

11 MR. [REDACTED] Everything seemed to be --
12 From what we'd seen from the drills, everything looked
13 pretty good. The crew actually performed very well.
14 It's nice to see a crew that worked that well together.

15 But other than that, like I said, no one
16 complained about anything. We actually ate lunch on
17 board that day so we could continue and we didn't have
18 to come back. But no one seemed to have any concerns.
19 No one seemed like they were trying to talk to us about
20 issues. I don't know.

21 And the officers when you asked them if
22 there's any problems with the ship they said no which
23 they were required by law to tell us anything. They're
24 supposed to help us with our exams and make sure the
25 ship is in good shape.

1 We've always had real good relations with
2 the crew, at least, the upper officers. No problems.

3 But I can't remember. On this one they
4 didn't say anything about crews. But I've had in the
5 past where the master was telling us about some
6 problems that they had with some of the unlicensed crew
7 members. So that's normal stuff. But this day I can't
8 remember anything where they said anything about the
9 crew members.

10 MR. YOUNG: And over all -- and maybe in
11 your report you may have put in -- what was the final
12 outcome of that inspection?

13 MR. [REDACTED] That it was fit for route
14 and service as indicated on the certificate of
15 inspection.

16 MR. YOUNG: Fit for route?

17 MR. [REDACTED] Yes.

18 MR. YOUNG: And service.

19 MR. [REDACTED] Yes.

20 MR. YOUNG: And during your conversations,
21 anybody in the crew ever reported any sort of loss of
22 propulsion or loss of blowers or any sort of issues or
23 incidents with the main propulsion unit?

24 MR. [REDACTED] No, nothing in output. But
25 just to let you know, we do let the vessel depart port

1 on one blower because they wanted to clean. And they
2 do that on like a routine basis. I think they had done
3 like three times since January. The last time was
4 September 29th.

5 And they call us and let us know they're
6 going to do it and tell us they're taking an extra tug
7 out for safety. And I checked with the chief of
8 inspection to make sure he has no problems with it.
9 Then I write back and tell them that it's okay to do
10 that. And I have the emails for that in here.

11 MR. YOUNG: And when was the last time?

12 MR. [REDACTED] September 9th.

13 MR. YOUNG: September 9th. But you notified
14 and they took a tug.

15 MR. [REDACTED] Yes, they notified us a few
16 days before.

17 MR. YOUNG: Okay.

18 MR. [REDACTED] I'm not sure where those
19 emails are at. I've got them in here some place. This
20 is a common thing. It's routine maintenance. I'm not
21 sure where I put them now. I thought I had them in
22 here. I printed them out.

23 But I think they did it like once in January
24 and then somewhere else in between there. But it's a
25 routine thing. They said they needed to pressure wash

1 the tubes in there so that they can get better fuel
2 economy. I'll find those because I know I had them.

3 MR. YOUNG: We can request them afterwards.
4 So I'm going to pass it around the room for the thought
5 train of the inspection that day and general findings.

6 MR. O'DONNELL: Lou O'Donnell, ABS. You
7 said you did find a small issue with the steering gear,
8 the follow-up. I think it was the follow-up mechanism
9 in the manual mode. But it was corrected. By an ABS
10 attendant and it was correct.

11 MR. [REDACTED] Yes, ABS in San Juan
12 attended. And he wrote an outstanding condition form
13 to get it fixed in Jacksonville because in San Juan
14 they really don't have the resources there to do it.
15 And since it's just overshooting and then they could
16 operate in manual mode, that didn't seem to be a
17 problem.

18 MR. O'DONNELL: And you didn't consider, you
19 and your team, that in any way because you gave the
20 vessel a fit for route and service. You didn't
21 consider it a safety issue.

22 MR. [REDACTED] No, it's something that
23 needed to be fixed. It wasn't --

24 MR. O'DONNELL: Significant.

25 MR. [REDACTED] -- significant.

1 MR. O'DONNELL: Thank you. In both cases of
2 the fire and ship drills, you commented the crew seemed
3 very organized, competent to carry out the drills. You
4 had no issues there. You had no issues or concerns
5 with the competence of the drill and the thoroughness
6 of the drills.

7 MR. [REDACTED] No.

8 MR. O'DONNELL: Thank you. One last
9 question and this is more of a general question, in
10 your years of experience and inspections, as an
11 experienced inspector when you walk on a vessel to
12 start your inspections or do a periodic port state
13 oversight, can you pick up that sixth sense, that
14 inspector's sixth sense, essentially when you start to
15 come up the gangway based on who you get greeted on
16 board, cleared for security and just have a general
17 look on the vessel whether this is going to be a rough
18 day or a tough inspection? Or can you see that the
19 organization, professionalism of the crew on board
20 where this day might go pretty good, but we might find
21 a few things? Can you see that sense in what you've
22 done in your work in the past of whether it's going to
23 be a long day or a normal inspection day with maybe a
24 couple of minor findings?

25 MR. [REDACTED] Yes, you get a sense of

1 that. If you're coming up on board and the thing looks
2 like a rusty bucket, you might say "This will be one of
3 those days." Or if you look at like the lifeboats and
4 stuff and you see that they don't have the electric
5 tapes and stuff like that, you get the sense that this
6 is going to be a problem.

7 MR. O'DONNELL: And just lastly in your
8 experience with El Faro, did you ever get that sense
9 when you were going aboard the El Far any of the times
10 you went on board for inspection or for anything?

11 MR. [REDACTED] No. Never got that because
12 even though it's not the cleanest ship down there on
13 that main row deck everything seems to be working and
14 stuff. But the engine room that we'd seen, everything
15 always looked good in the cab. In the super structure,
16 everything always looked good. The open decks,
17 everything seemed to be well maintained.

18 There are always going to be issues on a
19 ship. If there's a ship out there that everything
20 works on, I'd be surprised. In all my years of
21 sailing, I never -- because I was an electrician -- had
22 everything working at the same time.

23 MR. O'DONNELL: Understand.

24 MR. O'DONNELL: I have no further questions.

25 Mike.

1 ██████████ with the Coast Guard.
2 In the inspection part of it, did you happen to test
3 the emergency generator?

4 MR. ██████████ I didn't do the engineering,
5 but I believe that it was tested. Mr. ██████████, like I
6 said, did the engineering. But it's very standard for
7 us to actually run them.

8 ██████████ But you would have noticed it if
9 the ship went dark and the emergency lighting came on
10 or anything like that.

11 MR. ██████████ We didn't do a blackout
12 test.

13 ██████████ Is that in the scope of ACP
14 inspection or is that beyond that scope?

15 MR. ██████████ That's beyond the scope.

16 ██████████ Okay.

17 MR. ██████████ They do start the engine
18 though to make sure that it's working.

19 ██████████ So that's within the scope.

20 MR. ██████████ Yes.

21 ██████████ Okay. Going back to the GMBSS
22 real quick for clarification, the authority for testing
23 and certifying the GMBSS falls under the Coast Guard
24 regulations or the FCC regulations.

25 MR. ██████████ It's radio equipment. So

1 it's FCC.

2 [REDACTED] [REDACTED] Thank you. For the overall, we
3 were talking earlier a little bit about the competency
4 of the crew and your interaction with them and
5 everything. And I think the best opportunity for that
6 comes during the drills and seeing how they communicate
7 together and even the nonlicensed crew. Did you feel
8 that like in its entirety the crew was competent and
9 professional in the way they conducted the drill and
10 the way they interacted? I know you already touched on
11 that a little bit.

12 MR. [REDACTED] Yes, they were.

13 [REDACTED] [REDACTED] And even the nonlicensed crew
14 members were fully engaged.

15 MR. [REDACTED] Yes, they knew what their
16 jobs were and they had all the equipment to the scene
17 and minimal direction by the chief mate on what to do.

18 [REDACTED] [REDACTED] Communications were good on
19 board.

20 MR. [REDACTED] Yes.

21 [REDACTED] [REDACTED] Between the radios, everybody
22 had a radio and they were working. No issue with
23 communication.

24 MR. [REDACTED] No, everything was going
25 good.

1 ██████████ Okay. In your inspection
2 document, it says "In your opinion, the vessel was fit
3 for service." Do you think that you could make that
4 characterization of a vessel in a four hour inspection
5 once a year? Do you think that's fair? I mean under
6 what circumstances would you say a vessel is not fit
7 for service? What's the threshold?

8 MR. ██████████ If you're having problems
9 with - You've got holes in the vessel, that's a good
10 indicator. Major problems with lifesaving and
11 firefighting or the hull, watertight integrity of the
12 ship, those are all grounds to not be fit for service.

13 And they're also looking at cargo securing
14 and all that. If there are major problems with that,
15 that's where I would draw the line. I would not even
16 issue the COI or sign it until those major things are
17 taken care of.

18 ██████████ Also Lou had said something
19 about walking up to the vessel. Was the vessel fully
20 loaded whenever you were out there?

21 MR. ██████████ No, they were offloading.

22 ██████████ They were offloading.

23 MR. ██████████ Yes, offloading.

24 ██████████ Have you ever observed -- I know
25 they come into Puerto Rico loaded, fully loaded. Have

1 you ever been out and observed the load line?

2 MR. [REDACTED] Yes, it depends on what time
3 in the morning it is. But sometimes in the morning
4 when I come to work the vessels are coming. I can see
5 it come through.

6 [REDACTED] [REDACTED] Do you think they were loaded
7 within the load line determination?

8 MR. [REDACTED] Oh yes. Well within.

9 [REDACTED] [REDACTED] Have you ever had an issue with
10 that in the past?

11 MR. [REDACTED] No. I actually got a
12 detection on a carrying cargo boat that came in, bow
13 down. I noticed that. Sent the team over and they
14 actually had a hole in the forward peak.

15 [REDACTED] [REDACTED] But not on El Faro.

16 MR. [REDACTED] No, not El Faro. Just
17 looking at it. Just about anyone in prevention who
18 sees a ship going by the office -- where we're located
19 we're right at the entrance of the harbor there -- we
20 can actually see the ships coming in. We're all
21 looking at that.

22 I actually had one of the corpsman there
23 asking why I was looking at the ships. It's habit.
24 Looking at the load line to make sure it's not
25 submerged.

1 ██████████ One other thing. In your
2 inspection narrative, you state -- let me see if I can
3 get to that -- that the vessel is being replaced by a
4 newer vessel, an L&G powered vessel.

5 MR. ██████████ Yes, that's a discussion I
6 had with the captain.

7 ██████████ Okay. And do you think that
8 that had anything to do with the condition of the
9 vessel or was it still being maintained at a high level
10 knowing it was going to be replaced? Did you see any
11 change in the level of the maintenance?

12 MR. ██████████ No. When I went on the El
13 Unica, I think after that they told us the El Faro was
14 going to be converted back into a full row-row. And
15 that they were going to go to Alaska. So I don't think
16 -- From what I'd seen on board, I didn't see anything
17 of the level of maintenance going down for that when I
18 was on board.

19 Everything seemed to be still going and they
20 were still -- I always ask the captain if the company
21 seems to giving them everything they need. And he
22 indicated that they have been.

23 ██████████ Very good. And you stated that
24 over the deck it was not the cleanliness ship. Could
25 you be a little more specific about that? What was not

1 --

2 MR. [REDACTED] It was just regular dirt.

3 [REDACTED] [REDACTED] Anything that would have
4 affected the bilge and ballast system or the pumps or
5 the rose boxes to clog that up?

6 MR. [REDACTED] No.

7 [REDACTED] [REDACTED] Or anything that would have
8 affected its ability to work properly?

9 MR. [REDACTED] No, just the ordinary dust
10 and dirt that you get on a vessel that's been around
11 for a long time.

12 [REDACTED] [REDACTED] Okay.

13 MR. [REDACTED] Plus down in Puerto Rico we
14 have in the summer a hair dust. So with the vents and
15 stuff blowing in, that dust even gets down into the
16 holds and stuff.

17 [REDACTED] [REDACTED] All right. So no piles of dirt
18 or dust that would have clogged up.

19 MR. [REDACTED] No. That's one of the
20 things we were looking for, too, is to make sure the
21 bilges and everything is clean.

22 [REDACTED] [REDACTED] Maybe you can remember this and
23 maybe you can't because you did all these holds. But
24 the escape hatches from the holds, small escape hatches
25 and ladders that go up the side, did you guys test any

1 of those? I know it's beyond the scope. But did you
2 guys actually --

3 MR. [REDACTED] We actually go up some of
4 them just because the way we're doing our inspection
5 and the way cargo is operating. Sometimes we'll turn
6 the wheels. But one of the things I'm looking at is if
7 it looks like it's well greased and fresh grease. I'm
8 really not too worried about it then.

9 We don't actually close them and dog them.
10 Just make sure that -- Because like I said, it's just a
11 walk through. If we were going to do a full COI we
12 would. We would test them all.

13 [REDACTED] [REDACTED] So when you were there doing
14 your annual, they were open generally or closed.

15 MR. [REDACTED] It depends. It depends on
16 what they're doing with cargo at the moment. So some
17 of them could be closed. Some of them could be open.

18 [REDACTED] [REDACTED] Okay.

19 [REDACTED] [REDACTED] [REDACTED] [REDACTED] from the
20 Coast Guard. On the class (Inaudible) there was some
21 indication of modifications in 2014 having to do with
22 fructose tanks.

23 MR. [REDACTED] Yes.

24 [REDACTED] [REDACTED] Did you see that before
25 the exam?

1 MR. [REDACTED] Yes, I did. This is like a
2 standard operation when you've got a contract I guess
3 to carry the fructose. But we actually went down into
4 -- I went through all the cargo holds during the exam.
5 That's just of my things that I want to make sure to go
6 through and make sure everything is good. But
7 everything down there looked in good shape.

8 [REDACTED] So during your time on
9 board you did see those fructose tanks in the setup
10 over there?

11 MR. [REDACTED] Yes.

12 [REDACTED] And are you aware how that
13 was looked at in 2014 or thereafter in terms of the
14 weight change to the vessel?

15 MR. [REDACTED] That was all handled. We
16 didn't handle any of that in San Juan. I can't even
17 remember where they had actually done the work. I know
18 that ABS was involved and they did that oversight of
19 the installation. I'm not sure where that was done.

20 [REDACTED] I know you didn't do
21 machinery, but just checking if you happen to be aware
22 of this. During the course of the exam, do you know if
23 the steam plant was being running at all or did you ask
24 it be run?

25 MR. [REDACTED] The steam plant was running.

1 [REDACTED] Okay.

2 MR. [REDACTED] But the turbines were shut
3 down. They were running on -- On that ship they have
4 two steam turbine generators. I'm not sure how many
5 were online or anything. But I do know that the steam
6 plant was running and power was being provided.

7 [REDACTED] Okay. And what level of -
8 - Did you test any automation or alarms? Or if you did
9 what would it be that you focused on?

10 MR. [REDACTED] I can't tell you about that
11 because I wasn't down there. But I believe Andy said
12 that he did do testing on automation. Usually what we
13 do is just pick one thing out of the automation test
14 procedures and test it to see if it's working.

15 Andy is pretty competent with that because
16 we actually had a failure on another ship that they
17 actually melted down the bearings in the propulsion
18 plant. We had to go through and we found there was
19 some automation problems. They had done some
20 modifications without telling us and updating their
21 automation test procedures to cover it.

22 [REDACTED] And you heard of no
23 problems at all with the generators.

24 MR. [REDACTED] No.

25 [REDACTED] Okay. Thank you.

1 MR. STITH: Kevin Stith for TOTE Services.
2 You said during your inspection or drills you saw that
3 crew members had emergent suits.

4 MR. [REDACTED] Usually during the abandon
5 ship drill, they'll bring the emergency stuff up.

6 MR. STITH: For this vessel, for the El
7 Faro, for this route are emergent suits required?

8 MR. [REDACTED] I'd have to read their COI.
9 Usually under SOLAS there is guidance for warm water
10 areas. I don't know if that's part of the COI or not.
11 It actually may be on their safety equipment
12 certificate. I'm just looking here. Usually if you
13 stay below, I think, 32 degrees, you don't have to have
14 them.

15 MR. STITH: I think it's 32, but yes. I was
16 just wondering. So they probably had safety equipment
17 that wasn't actually required.

18 MR. [REDACTED] But it may be required by
19 SOLAS.

20 MR. STITH: Okay.

21 MR. [REDACTED] So I'd would have to look at
22 the safety equipment certificate to see if it's
23 actually required or not. I'm just looking here. We'd
24 have to look at the safety equipment certificate to see
25 if it actually was listed on there.

1 MR. STITH: Okay. Thanks. That's all.

2 MR. FURUKAWA: John Furukawa, NTSB. Earlier
3 you were talking about the condition of the lifeboats
4 and you said that the flemming gear was in good
5 condition. In similar ship, a new ship, a row-row or a
6 row-low built today, would that vessel be allowed to
7 flemming gear lifeboat as a propulsion system?

8 MR. [REDACTED] No, it would not. Not since
9 1986. That's when it was required to have enclosed
10 lifeboats.

11 MR. FURUKAWA: But the Coast Guard
12 grandfathers them.

13 MR. [REDACTED] Even under SOLAS vessels
14 built before 1986 can keep the lifesaving that they
15 have on board.

16 MR. FURUKAWA: With other parts of the
17 SOLAS, would there be a period of time where you'd have
18 to replace things?

19 MR. [REDACTED] No, they're not required to
20 replace it unless they can't replace it in kind.

21 MR. FURUKAWA: So according to the Coast
22 Guard and SOLAS, just as long as flemming gear is in
23 working condition it can go on indefinitely.

24 MR. [REDACTED] Yes.

25 MR. FURUKAWA: Would that be up to SOLAS or

1 the Coast Guard to change it?

2 MR. [REDACTED] I don't know if you'd
3 actually have to change SOLAS to require it. It
4 wouldn't be a bad idea to get rid of them all. But
5 that's way above my level.

6 MR. FURUKAWA: Thank you very much. No
7 further questions.

8 MR. MILLAR: Mike Millar with ABS. You were
9 talking about and there were some earlier questions
10 about the SSAS testing. Do you guys do security audits
11 on the vessel?

12 MR. [REDACTED] Yes, we do. We issue an
13 international safety certificate.

14 MR. MILLAR: And during those audits, do you
15 have to witness a ship's security alert system test?

16 MR. [REDACTED] We could. Usually what we
17 do is we look at their records because they're required
18 to do drills and exercises. And we look at those to
19 see if there are any reports that they've actually done
20 the test.

21 MR. MILLAR: Is this security audit done
22 every year on board the vessel as part of the Coast
23 Guard's program? Is that part of your annual COI?

24 MR. [REDACTED] Yes, we have actually to
25 endorse the international security certificate. So we

1 look at the records and usually at the COI we actually
2 do the drill. I'm not sure if we did on this one or
3 not. I remember doing it, but I don't know if it was
4 this or -- I think we actually did drill.

5 But the drill usually is either we'll have
6 them find a bomb or we'll just have them go into
7 lockdown and see their procedures for doing the
8 lockdown of the vessel.

9 MR. MILLAR: Do you also go through the
10 specific training and certification to become a
11 security auditor?

12 MR. [REDACTED] No, we have a checklist that
13 we go by. And we go through that. And that's a -- I'm
14 trying to remember. I think it's in NAVIC where it
15 talks about what we do for that.

16 MR. MILLAR: So there's no -- Do they
17 consider you qualified to do the security audit if
18 you're a marine inspector?

19 MR. [REDACTED] Let's back up. Part of our
20 PQS, there is security in there. When we're going
21 through it, people get training. But we don't go
22 through any specific course for it.

23 MR. MILLAR: If it wasn't documented in your
24 missile or your marine safety inspection record about a
25 security audit, would there have been another

1 attendance that may have taken care of that?

2 MR. [REDACTED] No. And we do not document
3 anything with security in our narratives.

4 MR. MILLAR: That's a policy condition.

5 MR. [REDACTED] That's a policy. If there
6 is any deficiencies in that, we actually write a
7 separate narrative and it gets uploaded into a
8 document. It's not released to the public. These
9 narratives, these are released to the public through
10 what we call the port state information exchange. Then
11 they can see some of this stuff. We don't put anything
12 about security in there.

13 MR. MILLAR: All right. I'm going to shift
14 gears. During the lifeboat and fire drill, it's common
15 to do both of them together or consecutively.

16 MR. [REDACTED] Yes.

17 MR. MILLAR: When the Coast Guard boards and
18 is witnessing this, do they time these?

19 MR. [REDACTED] We do not time. Even though
20 there are time requirements for lowering lifeboats and
21 stuff, we don't want anyone to get hurt. So we just
22 let them go through and do what they're doing as long
23 as they're doing it safely and it looks like they know
24 what they're doing.

25 You can tell when people don't know what

1 they're doing real easy. And we want to make sure
2 everything is safe. We're just standing. The only
3 thing we tell them when they start the drill is we say
4 "We're going to stand back. We're not going to tell
5 you what to do. But if we see something unsafe, we're
6 going to stop." That's all the guidance that we give
7 them.

8 Then usually on the port state exam, the
9 standards are what's in SOLAS. So you just have to
10 meet what the requirements in SOLAS say. If they go
11 through and they don't dress people out because it's
12 not in their procedures, we'll look at their safety
13 management system to see what their safety management
14 system says that they do for first response and all
15 that.

16 So we'll go back and look. On this one, I
17 had no reason to look in their safety management system
18 because everything looked like it was working well.

19 MR. MILLAR: You talked about the COI having
20 to be changed because of hazmat in the cargo hold. Was
21 that restriction applied to all hazmat or just certain
22 types of hazmat?

23 MR. [REDACTED] Just certain types. It's in
24 the -- What is it?

25 MR. MILLAR: The code.

1 MR. [REDACTED] Yes, it has to do with class
2 1.4, groups 2.1, 2.2, 2.3. It's listed here. This is
3 all right out of the SOLAS.

4 MR. MILLAR: So there was an amendment to
5 the COI to correct that error.

6 MR. [REDACTED] Yes.

7 MR. MILLAR: Did you actually test the bilge
8 pump system during your --

9 MR. [REDACTED] No, we did not during this
10 exam.

11 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast
12 Guard. What type of -- In your narrative, I didn't
13 hear much about structural integrity. Is there any?
14 What's within the scope of an ACP exam as far as
15 structural integrity?

16 MR. [REDACTED] When we arrive on the
17 vessel, we walk down the haul and look for any
18 problems, any dents, fractures, insets, fractures. So
19 we're looking for those. And we're also looking at
20 haul coding to see what it looks like and also looking
21 at bottom paint for bio-fouling. Then also we look at
22 the rudder to make sure that it doesn't look like
23 there's any problems with the rudder or the anchors.
24 We look at all that.

25 It's just a general walk down the deck, hand

1 rails, anything that we can see from the dock. That's
2 why we document which side of the vessel was more
3 obtrusive. But we can't see the other side because
4 it's on the water side unless you get in a boat.
5 That's what we look at.

6 Then when we walk through the interior,
7 we're just looking at everything, looking for buckled
8 decks, fractures in the deck, anything that looks out
9 of place with the framing, see if there's been any
10 modifications made to the vessel. That's all the kinds
11 of things we're looking at.

12 Watertight integrity to make sure that the
13 hatches are there and the gaskets are there and the
14 dogging devices are there. Make sure it looks like
15 they're meeting load line requirements for heights for
16 conings (phonetic) and stuff above of the deck. Just
17 general stuff like that.

18 MR. [REDACTED] Can you describe on the El
19 Faro on the last inspection how that went for that
20 particular vessel? How did you did that process and if
21 anything stood out?

22 MR. [REDACTED] We walked all the decks. We
23 walked around the perimeter of the vessel. On the top
24 deck looking down and looked at cargo securing
25 arrangements to make sure that they're good. And we

1 got down below deck. The same thing. Do entire
2 perimeter to make sure everything is looking good. Any
3 securing devices on hatches and all that's good. And
4 the same thing with the decks below that. Just like I
5 said a walk-through to just make sure everything is
6 looking good. No problems, no bent train members,
7 anything like that.

8 MR. [REDACTED] So you didn't notice anything
9 on that particular inspection.

10 MR. [REDACTED] No.

11 MR. [REDACTED] Okay. Thank you. That's all
12 I have.

13 MR. FURUKAWA: Jon Furukawa. A follow-up.
14 I hate to beat a dead horse, but for the flemming gear
15 it's been allowed since 1986. In your experience, have
16 you seen foreign vessels as old as El Faro ship of 40
17 years old?

18 MR. [REDACTED] Most of the ships that age
19 don't come to the U.S. and I think it's for the reason
20 that they don't think they can pass the port state
21 control exam. Many of the older vessels that do come
22 here tend to get detained. So they stay away because
23 they don't want to pour the money into fixing them.
24 Usually it's a maintenance issue.

25 Every once and a while, we do get them

1 coming through carrying drugs and stuff. When they
2 come into port, you have to watch about falling through
3 the decks and stuff when they're that age.

4 MR. FURUKAWA: You've been an inspector now
5 for how many years?

6 MR. [REDACTED] First qual 1993. So it's 22
7 years.

8 MR. FURUKAWA: In your 22 years, have you
9 seen any other vessels, U.S. vessels, that have
10 flemming gear?

11 MR. [REDACTED] When I first started doing
12 port state control in Hampton Roads, we would find open
13 lifeboats and I've seen a few of them that had flemming
14 gears. But I haven't seen any for years now.

15 MR. FURUKAWA: How many years now?

16 MR. [REDACTED] I have no idea. It's been a
17 long time since I've seen them.

18 MR. FURUKAWA: How many years?

19 MR. [REDACTED] The last one was one of the
20 Evergreen boats that came down there. I'm not sure
21 what year that was. That was in the early 2000s maybe.

22 MR. FURUKAWA: An Evergreen ship?

23 MR. [REDACTED] Yes, I think.

24 MR. FURUKAWA: Back on 2000.

25 MR. [REDACTED] Yes, that was an old boat

1 that was built back in the 70s. I don't think it's in
2 service anymore.

3 MR. FURUKAWA: Okay. So if you did see a
4 foreign ship with flemming gear that would be pretty
5 unusual.

6 MR. [REDACTED] In this day and age, yes.
7 But it would have to be a pretty old ship. Like I
8 said, they're not coming here anymore because they
9 don't want to go through a port state regime.

10 MR. FURUKAWA: Okay. Thank you very much.

11 MR. O'DONNELL: Lou O'Donnell, ABS. Just
12 one quick follow-up question. In your experience, have
13 you seen -- you talk about older vessels coming in
14 there for the port state exam -- older vessels saying
15 older than 40 years of age come in and have a port
16 state exams or general boarding and they're found to be
17 in very good condition and good state of maintenance?

18 MR. [REDACTED] Possibly. I haven't seen
19 all the vessels I've been seeing now that are probably
20 older than maybe 1990. They're just not coming.

21 MR. O'DONNELL: Thank you. That's all.

22 MR. YOUNG: Brian Young with the NTSB. Just
23 one question about inspections. With your experience
24 in San Juan, have you ever or have you previously had
25 time or been aboard the El Faro before this inspection?

1 MR. [REDACTED] I've been on it three times.

2 MR. YOUNG: Three times?

3 MR. [REDACTED] Yes. I was in it in 2009
4 for an annual and 2011 for the COI.

5 MR. YOUNG: And during those two times
6 previously to this last inspection, did you have any
7 issues, problems, deficiencies of note when it came to
8 propulsion systems or?

9 MR. [REDACTED] Propulsion, no. I have the
10 activities for those. One thing that they did when I
11 was on it in 2011, in a January dry dock they replaced,
12 the master told me, all the tubes. Yes, the chief
13 engineer told me they replaced all the tubes in the
14 boilers and they overhauled the safety valves at that
15 time.

16 MR. FURUKAWA: Could you repeat which
17 boiler?

18 MR. [REDACTED] Both boilers. And we had
19 some other problems with the engineering. In testing
20 of the emergency generator, there was problems with the
21 fire hampers. Engine bilges, they had a lot of rags
22 left over the generator dry dock at that time.

23 And the fuel cutoff valve didn't work for
24 the generators. It was in a frozen open position. The
25 engine would have run, but they wouldn't have been able

1 to shut it off if they had a fire in the space. And
2 just labeling. Other than that, everything else was
3 good.

4 [REDACTED] [REDACTED] When you say just labeling, what
5 do you mean by that?

6 MR. [REDACTED] The labeling of the cutoff
7 valve for the emergency generator. And I think they
8 didn't hydro-test the bunker piping at that time. So
9 they had to do that. That was one of the things that's
10 kind of missed between the class rules and the
11 international and U.S. regs. It wasn't in the
12 supplement, but we made them do it anyway because it's
13 required that they do that.

14 MR. O'DONNELL: Lou O'Donnell. A quick
15 question from ABS. Those items you wrote up in 2011
16 with the EDG, those were repaired in the course of your
17 inspection or were your 835s issued in ABS under ACP?

18 MR. [REDACTED] The fire requirements issued
19 three cleared on the spot and two remained outstanding.
20 I believe those were -- There is a follow-up to that.
21 ABS was going to going to do the bunker piping, but
22 they were off island that day. So we actually did
23 that.

24 And let's see what else. The fire dampers
25 later ABS provided that and reported the proper

1 operation.

2 [REDACTED] [REDACTED] So they were correct. Thank
3 you.

4 MR. [REDACTED] Yes.

5 [REDACTED] [REDACTED] No further questions.

6 MR. [REDACTED] February 16th was that exam
7 and then the correct of the fire dampers was on the
8 22nd.

9 [REDACTED] [REDACTED] [REDACTED] with the Coast Guard.
10 Are we going around again?

11 MR. YOUNG: Yes.

12 [REDACTED] [REDACTED] Is this open for whatever?

13 MR. YOUNG: Yes.

14 [REDACTED] [REDACTED] You've done El Faro or
15 you've also done the sister ships. You've done a lot
16 of the TOTE exams. You've been in Puerto Rico for a
17 long time.

18 MR. [REDACTED] Since 1998.

19 [REDACTED] [REDACTED] Right. So in the history
20 that you have and the experience that you have working
21 with TOTE and working with all the crews in all the
22 vessels in the entirety of the system, do you think
23 that the safety culture is superior or average? What's
24 your overall take on the operations, the support that
25 you've received, the safety management system and the

1 entirety of the company's support and management
2 support efforts?

3 MR. [REDACTED] Everything I've seen over
4 the years they have a very good safety culture. It
5 seems like they really take pride in it. If there
6 would have been a problem, if they have any issues,
7 they call us and let us know. Or they have scheduling
8 of exams. They're always good about scheduling exams.

9 We've never really had any issues with them
10 in that regard. And if there's a problem with them,
11 they let us know.

12 Now after the -- Just (Background noise)
13 talking about propulsion failures. And I think back
14 after we did our annual they actually sent us a report
15 of marine casualty. They were leaving San Juan Harbor
16 where they were losing oil to the propulsion system, a
17 lubricant oil. And someone had actually turned a valve
18 that they shouldn't have. But I got the email from
19 them. I got the report of marine casualty.

20 This is the only thing I ever heard of that
21 was related to propulsion failure. And really someone
22 turned the wrong valve and the oil and the tank came
23 down.

24 MR. YOUNG: Can you read us the description
25 of that failure and tell us the date of it? This is

1 Brian Young with the NTSB. Give the description on
2 this please.

3 MR. [REDACTED] The date of occurrence was
4 March 14th as it departed San Juan Harbor.

5 [REDACTED] March 14th of what year?

6 MR. [REDACTED] Of this year. And here's
7 what the captain wrote. "Upon departing San Juan
8 pilot, the bridge was notified the oiler in lieu of
9 opening the saltwater cooling valve to the main engine
10 lube oil coolers that the oiler closed the lube oil
11 outlet valve on the cooler. Not knowing the oiler
12 changed any valves, the engineer changed over the
13 discharge strainer figuring these was an issue with no
14 flow. While having the shaft stopped, the oiler
15 secured the lube oil outlet valve and dropped the
16 gravity tank. The engineer opened the valves, filled
17 the gravity tank and was starting to boil the system."
18 It shows the oil pressure was back to normal. They
19 must have had a (Inaudible)

20 After that, they came back and they sent
21 this. This is from Jim Fisk, showing us photos of the
22 valves and what they were doing to correct those. It
23 was a training issue it seemed like. That was the only
24 thing I ever heard of any propulsion failures. And
25 they didn't actually lose oil to the induction gears or

1 -- I don't know how you say that.

2 [REDACTED] Gear box.

3 MR. [REDACTED] Yes, gear box.

4 MR. YOUNG: They would have a little lube
5 oil alarm to the gravity tank.

6 MR. [REDACTED] Yes. So they didn't
7 actually lose oil. So no damage was done.

8 MR. FURUKAWA: It was a human error.

9 MR. [REDACTED] Human error.

10 [REDACTED] Also with the alternate
11 compliance program when you fill that in, did it give
12 an adequate in the vessels and adequate level of survey
13 and oversight?

14 MR. [REDACTED] With the experience I have,
15 I think so. If you get someone in that doesn't have
16 the hull and the machinery quals, I don't know how you
17 say this. I guess us old-timers, the ones that have
18 been around for a while, been doing this a while, if
19 you don't have that experience, it might be a problem.

20 But I have warrant in my office now that
21 just got a steam hull out in San Francisco. And he
22 seems to be very competent. I think he'd have no
23 problem doing ACP. As long as we can keep that level
24 of inspector out there, I think we'd be fine. But it's
25 hard to get those quals. And it's probably hard to get

1 people into the correct areas because of the way the
2 Coast Guard does their assignments, the assignment
3 process.

4 [REDACTED] Thank you.

5 (Chorus of no questions)

6 MR. YOUNG: This is Brian Young with NTSB
7 again. Do you have any questions for us? And do you
8 have anything to add to help us in this investigation
9 that may shed some light of any of the issues? We're
10 not asking you to speculate, but whatever information
11 or whatever you can do to help us try to figure out
12 what happened we would appreciate your input.

13 MR. [REDACTED] Just wracking my brains. I
14 can't think of anything that would cause this. It's a
15 million and one things that could have happened.
16 Before being a marine inspector, I was being an
17 electrician and automation was one of the things I used
18 to do. It could have been automation. It could have
19 been water in the fuel. There are any number of things
20 that could have caused it. I have no idea.

21 It would be nice if they could fine the VDR
22 to get a little bit more insight of what happened on
23 board. But I really can't think of anything.

24 There are probably some things that we can
25 do to improve on safety. One of them that we keep

1 talking about is open lifeboats. I think they probably
2 should be getting rid of. But even just a regular
3 enclosed lifeboat in that category of hurricane, I
4 don't know if it would have survived. Just get it down
5 over the side in that kind of weather, who knows.

6 I've been in lifeboats, closed lifeboats
7 dropped, during drop tests. And you get some pretty
8 wild rides sometimes. But it would be nice if we could
9 update our regs to get rid of those even
10 internationally. I don't know if they'll ever do that.
11 I know it's a big political process. Everyone in the
12 world has to agree on it pretty much to do that.

13 There are probably some other things that
14 could be done, but it would all require a change of
15 regulations. And I'm not sure whether it could be done
16 any time soon. It would be nice if the crew members
17 could have the personal leave approach because Coast
18 Guard does that on our law enforcement teams as part of
19 their standard package now.

20 Full SVDRs. I know that the new IMO
21 requirements are that they float free. But SVDRs
22 they're kind of a stop gap because of the older
23 vessels. Can't have all the inputs.

24 I know my boss has a lot of opinions on what
25 could be done. But like I said, a lot of that requires

1 regulation changes.

2 But for actually what happened to the ship,
3 I guess around 40 foot seas, somewhere in there.
4 Getting a ship that big in and anything that happened,
5 loss of power, I think that they were doomed right
6 there.

7 I've been in 30 to 50 foot seas out in the
8 Pacific. It's not the same as the Atlantic, but still
9 it's pretty scary when you're out there in that kind of
10 weather. If we'd lost power, I think we would have
11 probably suffered the same fate out there.

12 That's about all I have to say about it
13 Other than I think we probably had the best inspection
14 team we could have out there at the time. I don't
15 think we could have changed anything even if we had
16 brought in some of the traveling inspectors and stuff.
17 I don't think we would have done anything different
18 than what we did at the time.

19 MR. YOUNG: Thank you. Any last comments
20 around the room or questions before we call it a wrap?

21 MR. [REDACTED] I have one. This is [REDACTED]
22 [REDACTED] with the Coast Guard. You mentioned updates of
23 regulations and how complicated that process is. I
24 just want to add a general comment that those types of
25 recommendations are certainly within the scope of this

1 investigation. This investigation will result in
2 several recommendations.

3 If you or you mentioned your boss had ideas,
4 please consider continuing to think about this
5 casualty. Any recommendations that you or anyone else
6 has. I know that all the parties to this investigation
7 would be eager to hear those.

8 Our goal is to do as thorough of an
9 investigation as possible. Any recommendations that
10 could prevent other crews from suffering the same fate
11 is the goal of this investigation. Please keep that on
12 the table. And don't be hindered by the fact that a
13 new regulation is challenging. We're up to the
14 challenge. That's part of this process.

15 MR. [REDACTED] I can read a few of them
16 that he had on here. His number one thing is mandate
17 stern launch lifeboats. That's probably about the only
18 boat that they could have gotten over. Depending on
19 where it's at on the boat and what the conditions are,
20 they still might not been able to get it over.

21 Two EPIRBs on all the ships. I want it to
22 be combined EPIRB VDR. So those do exist out there
23 right now. Also EPIRBS, they've been around for a
24 while. But get a GPS signal built into them. Right
25 now, the way EPIRBs work you have to have a Doppler

1 effect. You have to get at least two passes before you
2 can actually (Inaudible) where it's at. So if they had
3 GPS in there. I think EPIRB has 90 technology.

4 His other thing was the personal EPIRBs.
5 Then his other thing is if we can update SOLAS 74 to
6 get rid of all of the grandfathering for life saving so
7 we don't have these open life boats out there.

8 MR. [REDACTED] And when you're speaking of
9 your boss who wrote these recommendations, who is it?

10 MR. [REDACTED] [REDACTED] [REDACTED].

11 MR. [REDACTED] Thank you for sharing those.

12 MR. MILLAR: Mike Millar with ABS. Do you
13 by chance know if the Coast Guard Aviation Group
14 upgraded all their search and rescue helicopter
15 capabilities to actually track EPIRBs signals?

16 MR. [REDACTED] I have no idea.

17 MR. MILLAR: From personal experience, I
18 know that they were unable to track EPIRB signals
19 without having a specific frequency built into their
20 own helicopters. They could handle like 121.5, but
21 they didn't have 406 EPIRB capabilities.

22 And there was an ongoing project that was
23 started by one of the guys that used to work for me.
24 And I don't know whether that ever got funded or
25 completed.

1 MR. [REDACTED] I have no idea. I do know
2 that from doing a mass rescue operation in 2007 that we
3 actually activated an EPIRB down in the Virgin Islands.
4 And it never got picked up because the way of the radio
5 propagations in that area. There's something about
6 that area where it's hard for radio signals to get out
7 I guess. But they're not foolproof to say the least.

8 MR. O'DONNELL: Question. Do you think the
9 proximity of the life rafts posed any issue as far as
10 the stowage height?

11 MR. [REDACTED] No. As I remember looking
12 at the height, the containers were rated for that
13 height. In a hurricane if they let them go, they're
14 going to blow away. Even if it's tied off, I'm pretty
15 sure it's probably just going to break loose.

16 I've actually seen a MASH rescue raft
17 deployed off a brink and the helicopter just blew it
18 all over the place. If you get that much wind, I think
19 it would just be blown away.

20 MR. FURUKAWA: Jon Furukawa, NTSB. The next
21 time you inspect the El Unica after what's happened to
22 El Faro, what are you going to concentrate on?

23 MR. [REDACTED] Really there's not much
24 difference that you could do because you can't -- It
25 would be nice if you could watch the crew act under bad

1 weather conditions. But we're not going to do that
2 because everything they're doing is just whatever the
3 weather is at the time. But other than just talk to
4 them to see what their thoughts are and ask them what
5 they're going to do if the weather gets really rough
6 out there.

7 We had on the El Unica an apprentice, the
8 same Lt. Weist. She was talking to one of the people
9 when she was up in the lifeboats about what do you do
10 if you got into some really bad weather. He said he'd
11 take his chances with the ship.

12 MR. FURUKAWA: What about materially?

13 MR. [REDACTED] No, the same thing. We're
14 making sure that the vessel is weather-tight and water-
15 tight and that the life saving equipment is in the best
16 condition that it can be. On the El Unica, this last
17 inspection we actually made them do some repairs to the
18 port davit because of some things we found. Actually,
19 the master thanked us for that. I've got the part that
20 was bad sitting on my desk now. He gave it to me.

21 MR. FURUKAWA: Thank you very much.

22 MR. [REDACTED] Okay.

23 MR. YOUNG: If there are no other comments
24 or questions we'll secure the interview. Thank you
25 very much for your time and for coming all the way up

1 here from Puerto Rico. We appreciate it. Off the
2 record.

3 (Whereupon, the above-entitled interview was
4 concluded.)

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A

a.m. 2:2,3 29:1 50:12,12
abandon 83:4
ability 79:8
able 9:23 39:20 44:5
 45:18 94:25 103:20
aboard 50:25 73:9
 93:25
above-entitled 107:3
ABS 1:14,17 2:7 15:13
 16:14,16 22:1 24:5,11
 24:22,24 25:4,22 27:2
 35:4,8,15 36:13 39:11
 40:5,7 43:7 44:9,12
 44:12 45:14 46:14,21
 47:13,14 49:7 55:19
 60:2 62:12 64:6 71:6
 71:9,11 81:18 85:8
 93:11 95:15,17,21,25
 104:12
Accident 1:4
accomplish 50:10
acknowledge 21:4
ACP 3:22 9:11,14 13:3
 13:3 14:14 19:20
 20:24 22:9,11,13
 24:23,24,25 27:14
 28:20,21 29:8,17 33:7
 34:23 35:3,14 36:1
 38:8,12,13 39:16,18
 41:14 47:20 48:6 49:9
 52:5,22 74:13 89:14
 95:17 99:23
acronym 7:23 30:13
act 7:4 8:9 105:25
activated 105:3
active 4:9 33:15
actively 9:2,23
activities 94:10
activity 48:19
actual 54:20 62:23
add 22:23 100:8 102:24
additional 13:8
adequate 53:12 99:12
 99:12
afloat 57:25
aft 43:12
age 40:23,25 41:2 91:18
 92:3 93:6,15
ago 16:10 21:3 24:23
 30:22,23 58:13 62:13
agree 22:5 101:12
agreed 65:15
ahead 18:3 57:23
aids 10:15,17 20:3
alarm 57:24 58:1,2 61:5
 99:5
alarms 54:16,17 57:22
 58:20 59:7 61:14 82:8
Alaska 78:15
alert 55:4,5 56:22,25
 85:15
allow 38:3
allowed 8:21 38:3 45:16
 53:23 84:6 91:15
alright 3:3
alternate 34:21 44:19
 44:22 47:21 99:10
altogether 49:4
amendment 89:4
American 45:9,10,20
Americas 2:7
analysis 27:25
anchors 89:23
Andrew 17:9
Andy 17:9,12 21:20
 41:20 82:11,15
annual 16:12 24:6 26:8
 26:10,11,14,19 27:19
 28:4,6,8,11,20 29:8
 29:16,22 40:25 45:22
 46:14,16 48:14 49:9
 52:6,9,15,22 53:9
 80:14 85:23 94:4
 97:14
annually 7:8 26:20
annuals 26:23 40:6
 43:15 52:15,18
anonymous 51:24
answer 38:5 55:9 56:7
anybody 15:6 34:2
 69:21
anymore 93:2,8
anyway 62:18 95:12
AP 26:25
appears 22:3
application 45:3
applied 5:6 88:21
apply 19:15
appreciate 100:12
 107:1
apprentice 14:3,25 30:6
 38:22 49:14 106:7
apprentices 32:1
approach 101:17
approximately 40:24
 52:23
April 31:14
area 43:13 65:6 105:5,6
areas 11:12 83:10
 100:1
arrangements 90:25
arrive 89:16
asked 68:21
asking 7:17 77:23
 100:10

asks 12:12
assignment 100:2
assignments 100:2
Assistant 17:3
ate 68:16
Atlantic 102:8
attachments 18:24
attendance 40:21 51:16
 87:1
attendant 71:10
attended 64:6 71:12
attention 23:20
audio 1:21
audit 5:21 31:3,13
 32:11,25 33:2 46:9
 85:21 86:17,25
auditor 27:15 86:11
auditors 13:19,20
audits 30:24,24,25 31:4
 31:6 32:3,5,7,7,23
 85:10,14
authority 74:22
Authorization 7:4 8:9
automation 13:11
 14:20 82:8,12,13,19
 82:21 100:17,18
available 5:6,12 18:9
 37:13
average 96:23
Aviation 104:13
aware 81:12,21
awareness 64:13
awhile 3:20

B

B 47:2
back 3:22 4:23 5:23
 17:17 19:24 24:22
 35:21,22 43:15,16
 49:25 50:16,16 52:19
 58:14,14 67:9 68:18
 70:9 74:21 78:14
 86:19 88:4,16 92:24
 93:1 97:13 98:18,20
back-up 26:24
background 3:7 11:5
 39:7 48:24 67:6 97:12
bad 35:17 42:8 85:4
 105:25 106:10,20
BAHAMAS 1:4
ballast 79:4
banner 65:19
bar 66:5
barge 3:13 4:8,8,10
bars 68:7
base 12:10 62:22
based 10:11 22:2 23:25
 24:3,5,5 25:15 72:15
bases 24:12
basic 12:24 31:3 65:5
basically 3:23 13:10
 27:20 49:15 65:24
basis 7:8 70:2
bearings 82:17
beat 91:14
beginning 43:2
behalf 45:23 46:15
believe 17:13 58:19
 74:5 82:11 95:20
Benson 8:16
best 91:6
best 20:22 75:5 102:13
 106:15
better 7:2 30:16 35:10
 37:8 41:7,9 42:13
 43:1 71:1
beyond 74:14,15 80:1
big 25:8 32:10,14 59:14
 101:11 102:4
biggest 32:11
bilge 57:21,24 58:2,20
 59:7 63:3,7 79:4 89:7
bilges 79:21 94:21
bill 25:23
bio-failing 89:21
bit 3:6 75:3,11 100:22
blackout 74:11
blank 19:21
blew 105:17
blow 105:14
blower 70:1
blowers 69:22
blowing 79:15
blown 105:19
board 1:1,22 2:5 6:10
 6:11,25 8:25 21:18
 27:14 28:25,25 29:3,4
 30:6,9 33:12 35:11,25
 36:7,9 44:13 45:24
 50:12,16 51:12 52:14
 64:16 68:17 72:16,19
 73:1,10 75:19 78:16
 78:18 81:9 84:15
 85:22 100:23
boarding 22:3,4 24:9
 93:16
boards 87:17
boat 66:3,7,15 67:11,11
 77:12 90:4 92:25
 103:18,19
boats 3:23 66:12 92:20
 104:7
boil 98:17
boiler 94:17
boilers 94:14,18
bolt 49:4

bomb 86:6
book 17:25 19:10,21
 24:19 27:17 38:9
 57:22
booklet 23:24 58:9
books 10:16 19:7 20:3
 21:16
boss 101:24 103:3
 104:9
bottom 43:22 89:21
bow 77:12
box 99:2,3
boxes 79:5
brain 22:9
brains 100:13
brakes 66:18,20
brand 66:7
break 105:15
breaker 15:19
breaks 20:7,7
Brian 1:13 2:4 15:9 49:1
 62:15 93:22 98:1
 100:6
bridge 10:13 17:14 61:6
 64:25 98:8
briefly 14:19
bring 19:2 35:22 51:13
 67:1 83:5
brink 105:17
broke 49:19
brought 67:8 102:16
bucket 73:2
buckled 90:7
built 84:6,14 93:1
 103:24 104:19
bulkhead 43:12
bull 33:8,13
bunker 95:8,21
buoy 15:20
business 22:15,19

C

C 57:14
C-M-I-L-L 2:24
cab 73:15
cabin 67:25
call 3:3 25:20 26:1 31:1
 70:5 87:10 97:7
 102:20
called 10:16,16 40:12
 45:4 62:10
calls 51:24
capabilities 104:15,21
capacity 50:24
captain 18:21 24:2 42:1
 51:2,3 78:6,20 98:7
care 47:17 76:17 87:1
cargo 58:20 59:18 63:3

65:16,17,18 68:4,6
 76:13 77:12 80:5,16
 81:4 88:20 90:24
caring 21:1
carry 63:5,11 72:3 81:3
carrying 19:6 77:12
 92:1
case 40:11 47:13 65:20
cases 33:21 72:1
casualty 97:15,19
 103:5
category 101:3
cause 63:13 100:14
caused 67:19 100:20
celluloid 63:22
center 57:7
certain 6:23 63:5 88:21
 88:23
certainly 102:25
certificate 19:18 69:14
 83:12,22,24 85:13,25
certificates 16:17,18
 19:17 24:8 35:23
 40:11 44:24 55:13
 56:2,4,8,13
certification 8:25 86:10
certifications 3:11
certified 47:6,23,25
certifying 74:23
CFR 44:25
CG 23:24
Chairman 2:5 15:15
 54:10
chalk 60:7,7,9
challenge 103:14
challenging 103:13
chance 104:13
chances 106:11
change 78:11 81:14
 85:1,3 101:14
changed 6:5,12 22:14
 32:24 52:11,12 63:9
 88:20 98:12,12
 102:15
changes 33:14 102:1
Chapter 47:2
characterization 76:4
check 19:5 24:14 51:12
 51:12 55:13 60:6
 61:19 63:15
checked 55:16 70:7
checking 10:17 61:20
 81:21
checklist 11:12,13 19:4
 86:12
chem 3:12 8:19 9:6
chemical 64:7
chief 2:7 5:18 17:2,3

21:17 31:17 46:10
 51:2,4 63:10,22 65:2
 70:7 75:17 94:12
chop 59:22,25
Chorus 100:5
CIO 35:25 36:2
circumstances 76:6
cite 6:20
clarification 36:6 46:13
 74:22
clarifying 52:3
class 16:19 25:16 35:15
 36:17,25 37:2,6,22
 38:9 43:9 45:4,6,9,11
 45:23 47:25 48:2
 52:21 62:6 63:23 64:3
 64:4 80:20 89:1 95:10
classic 24:7
classification 47:7
classified 44:23
clean 70:1 79:21
cleanest 73:12
cleanliness 78:24
cleared 48:5 72:16
 95:19
clog 79:5
logged 79:18
close 34:24 36:4,5
 60:25 80:9
closed 61:8 80:14,17
 98:10 101:6
closer 23:17
closing 59:17
Coast 1:4,14,15,16 2:8
 2:21 4:15 6:1 7:4,7
 8:9 9:20,21 10:5 11:3
 14:11,24 15:19 20:9
 20:12 21:15 24:10
 25:4,17 26:6,9 30:15
 31:20,21 32:4 34:20
 34:22,25 36:15,17,24
 37:2,14,18 39:15,19
 44:9,21 45:3,7,23,24
 46:12,15,15,17,20,21
 47:13,14,16 48:2 49:9
 50:9,24 52:2 55:12
 74:1,23 80:20 84:11
 84:21 85:1,22 87:17
 89:11 96:9 100:2
 101:17 102:22 104:13
coastal 48:5 54:12
coating 43:1
code 5:1 88:25
coding 89:20
COI 15:25 16:7,13
 26:16 27:16,21,23
 28:12 29:17,23 35:21
 36:10,11 37:5 41:15

44:19 46:14,16,17
 48:13,13 49:24 50:9
 52:6,7,8,16 63:9
 76:16 80:11 83:8,10
 85:23 86:1 88:19 89:5
 94:4
COIs 4:3 26:17 52:11
COLANUS 4:7
cold 32:16
COM 30:25 31:6
combat 43:3
combined 103:22
come 17:8 25:17 31:3
 38:13 39:10 46:4
 63:23 68:18 72:15
 76:25 77:4,5 91:19,21
 92:2 93:15
comes 8:22 15:6 18:8
 75:6
coming 14:3,6 73:1
 77:4,20 92:1 93:8,13
 93:20 106:25
command 8:14 11:25
 12:17 57:7
commandant 27:25
Commander 8:16 14:23
 17:2,5,6,14
comment 19:1 102:24
commented 72:2
comments 102:19
 106:23
commercial 13:16 37:1
common 70:20 87:14
communicate 75:6
communication 75:23
communications 40:7
 75:18
companies 45:20
company 16:15 44:9
 45:10 78:20
company's 97:1
compare 41:4 42:3 45:6
compared 42:2 53:18
compares 34:22
competence 72:5
competencies 6:3
competency 68:9 75:3
competent 72:3 75:8
 82:15 99:22
complained 68:16
complaining 12:3 67:25
complaint 51:17
complaints 51:24
complete 6:23 23:24
completed 24:11 40:6,8
 104:25
compliance 17:22 18:5
 34:21 44:20,22 47:21

99:11
complicated 102:23
comply 19:16
computer 61:16
computers 61:21
concentrate 105:22
concern 67:20
concerned 23:25
concerns 27:13 68:18
 72:4
concluded 107:4
condition 35:16 41:5,5
 41:9,18 42:13 53:10
 53:12,13,18,20 59:13
 59:17 61:3 62:20 64:4
 71:12 78:8 84:3,5,23
 87:4 93:17 106:16
conditions 16:19 41:6
 43:8 103:19 106:1
conduct 14:13 33:7
conducted 41:11 75:9
conducting 30:7
conference 7:8
confirm 58:7
conflicts 46:6
Conformance 56:4
conings 90:16
conjunction 46:21
connection 43:12,23
consecutively 87:15
consider 71:18,21
 86:17 103:4
considered 4:8
constraint 34:4
contact 58:11
containers 105:12
continue 5:2 32:18
 44:16 68:17
continuing 103:4
contract 13:13 81:2
control 3:11 4:15 13:2,3
 13:4,7,9 17:7 18:16
 26:24 27:1 38:25
 91:21 92:12
controls 33:20
conventions 48:11
conversations 69:20
converted 78:14
cooks 67:5
cooler 98:11
coolers 98:10
cooling 98:9
cooperation 25:16 37:5
copies 11:7
copy 5:15 17:19 19:2
 19:10,21 21:21 43:23
 46:25
corpsman 77:22

correct 33:12 46:22
 61:25 63:18 71:10
 89:5 96:2,7 98:22
 100:1
corrected 71:9
corrosion 42:7,7,18,19
 43:3
country 31:15
couple 22:21 29:2
 33:14 40:4 72:24
course 4:15 8:6 13:4,5
 13:11,12,20 14:20,21
 50:21 51:1,15 81:22
 86:22 95:16
courses 12:21,24 13:18
 14:1
cover 8:15 24:4 82:21
covered 17:25 24:12
 45:5 56:11,12
covers 12:20 24:18
 27:18,19,23 31:20
crew 19:1 24:3 31:2,3
 51:17 65:24 66:2,13
 66:21 68:9,13,14 69:2
 69:6,9,21 72:2,19
 75:4,7,8,13 83:3
 101:16 105:25
crews 69:4 96:21
 103:10
crop 43:6
cropping 43:4
cross 68:7
culture 96:23 97:4
current 9:22 31:19
 39:23 61:21
currently 39:18
cutoff 94:23 95:6
cutter 11:3
CW04 15:23
CWO 17:10
cycle 65:13

D

D&V 45:15,19,20
damage 99:7
dampers 95:24 96:7
dark 74:9
data 61:16
date 21:4 48:20 97:25
 98:3
davit 106:18
day 16:3,8,10 28:23
 30:5 33:5 34:1,12
 36:12 40:12 46:6,18
 47:12 51:1 52:25 53:1
 54:18 56:18,23 58:6
 62:16 65:1,8,18 67:4
 68:17 69:7 71:5 72:18

72:20,23,23 93:6
 95:22
days 35:1,2,7 36:9,13
 50:5,5,21 52:5 58:13
 70:16 73:3
DCA16MM001 1:4
dead 91:14
dealing 53:22
dealt 68:10
decides 28:1
deck 11:6 17:12,14
 43:13 60:14 73:13
 78:24 89:25 90:8,16
 90:24 91:1
decks 63:6 65:17 73:16
 90:8,22 91:4 92:3
ded 27:5
deep 13:10,25 30:10
 38:18 48:5
deficiencies 16:5 28:1
 87:6 94:7
degrees 63:20,21 83:13
 [REDACTED] 1:16 2:20,20
 10:5,5 11:11,20 12:16
 12:20 20:9,9 21:14,15
 21:22 52:2,2,8,21
 53:1,4,7 89:11,11
 90:18 91:8,11 102:21
 102:22 104:8,11
dents 89:18
depart 69:25
departed 98:4
departing 98:7
depending 13:17 14:5,9
 51:4 55:5 61:8 103:18
depends 10:24 13:22
 35:11 37:4,9,12 38:10
 57:9 77:2 80:15,15
deployed 105:17
depth 27:21 56:13
describe 10:7 12:21
 53:11 62:19 90:18
description 5:10 97:24
 98:1
designate 12:1
designated 8:14 11:23
desk 106:20
detached 43:22 44:15
detailed 38:8 47:8
detained 91:22
detection 77:12
determination 77:7
determine 8:23 28:15
developing 8:6
devices 59:17 90:14
 91:3
difference 26:13 29:15
 29:22,25 36:16,23

48:4 105:24
different 4:19 11:17,19
 12:10,15 21:18 25:6
 26:8 32:25 34:13
 39:12,13 45:17,18
 52:20 57:12 62:9
 102:17
differently 39:19
difficult 35:7
direction 75:17
Director 2:19
dirt 79:2,10,17
discharge 98:13
discovered 44:8
discretion 28:9,13
discuss 12:8
discussed 5:11
discussion 78:5
distinguish 53:19
distress 56:22,25
district 13:23,25 14:8
dock 3:13 4:10 35:19
 43:18,19 44:4 90:1
 94:11,22
document 76:2 87:2,8
 90:2
documented 48:18
 63:12 86:23
documenting 8:7 30:17
documents 31:16 40:5
 47:1 55:14
dog 80:9
dogging 90:14
doing 4:2 5:2 6:6,21
 8:23 9:6 12:25 13:2
 18:14,17 19:5 20:1,14
 20:18 21:7 22:18 28:7
 29:18,20 30:2 31:1
 32:23 33:1,13 35:4,5
 35:8 36:2,13 37:4,25
 42:9 43:8 44:3 46:18
 47:21,21 49:24 50:16
 52:19,22 58:5 62:25
 64:18,19,21 65:4,9
 66:11,22,23 80:4,13
 80:16 86:3,7 87:22,23
 87:24 88:1 92:11
 98:22 99:18,23 105:2
 106:2
domestic 7:19 8:17
 14:1 22:10,11 30:11
domestics 12:25
doomed 102:5
door 61:5
doors 59:9,15,20,21,23
 60:9,10,14,15 61:8
Doppler 103:25
double 43:21

draft 13:10,25 30:10
32:21 38:18
drain 43:14
draw 76:15
dress 88:11
drill 64:19,24 65:7,8,10
65:13,19 67:1 72:5
75:9 83:5 86:2,4,5
87:14 88:3
drills 27:3,4 51:19
52:19 64:19,21 65:9
66:12 68:12 72:2,3,6
75:6 83:2 85:18
drop 66:2 101:7
dropped 98:15 101:7
drugs 92:1
dry 3:13 4:9 35:19
43:18,19 44:4 68:2
94:11,22
duplicate 35:4
duration 28:21,22 29:7
29:16
dust 79:9,14,15,18
duty 33:15
DVGO 45:15

E

E 54:22
eager 103:7
earlier 49:8 52:3 53:9
75:3 84:2 85:9
early 92:21
easier 18:15 19:6
easy 20:19,25 88:1
eco-requirements
19:14
economy 71:2
EDG 95:16
edge 65:23
edges 60:21
effect 104:1
efforts 97:2
eight 15:18
either 15:1 86:5
EI 1:4 14:12 15:1,1,25
16:20 19:15 22:4 28:4
28:23 29:1 34:25
37:10 40:23 41:4,7,12
42:1,6,8 58:1 59:14
59:22 62:7,7,9 66:8
66:10 67:5,11 73:8,9
77:15,16 78:12,13
83:6 90:18 91:16
93:25 96:14 105:21
105:22 106:7,16
electric 73:4
electrician 51:5 73:21
100:17

electronics 64:2
email 17:17,19,21 18:22
18:25 20:16 21:3,12
97:18
emailed 18:20
emails 70:10,19
embarkation 65:22
emergency 74:3,9 83:5
94:20 95:7
emergent 83:3,7
enclosed 54:1 84:9
101:3
enclosures 59:9,11
endorse 85:25
endorsed 24:9
ends 8:15
enemy 42:21
enforcement 101:18
engaged 75:14
engine 10:14 17:11
21:17 41:12,15,18
58:3,18 63:4,7,13
66:4 73:14 74:17
94:21,25 98:9
engineer 39:4 51:2,4,6
51:6 94:13 98:12,16
engineering 2:4,9,17
11:6 17:13 21:19 39:6
63:22 74:4,6 94:19
English 20:22
enhanced 27:1
enter 41:2 47:24
entire 6:17 91:1
entirety 75:8 96:22 97:1
entitle 8:1
entrance 77:19
EPA 19:14
EPIRB 55:3 103:22
104:3,18,21 105:3
EPIRBs 103:21,23,25
104:4,15
equipment 53:11 54:25
55:10 56:15 66:24
67:1 74:25 75:16
83:11,16,22,24
106:15
equivalent 47:16,19
error 89:5 99:8,9
escape 79:24,24
especially 20:20
essentially 11:11 12:20
37:18 72:14
estimate 50:10
Evergreen 92:20,22
everybody 75:21
exact 5:4
exactly 7:17 10:8 16:21
26:22 52:13

exam 10:18 13:3 16:12
16:15 17:22 18:17
19:5 26:8,12,17,24
27:1,24 28:4,6,8,8,11
28:20,21,22 29:8,12
36:1,1 37:4 38:8
39:20 40:20 46:14,16
48:21 52:6 58:5 59:19
61:18 80:25 81:4,22
88:8 89:10,14 91:21
93:14 96:6
Examination 18:5
19:21
examiner 3:11,12 8:20
exams 11:2 14:17 18:16
21:13 23:13 26:9,19
26:25 27:19 28:4
34:11,17 35:4 37:10
37:11 40:8,19 68:24
93:16 96:16 97:8,8
excellent 24:2 41:20
exchange 87:10
exercises 85:18
exist 103:22
expand 27:14
expansive 39:19
expect 17:18
expended 50:9
experience 3:8 4:10 9:8
9:19 10:25 11:1,9
14:6 15:17 17:8 22:2
24:4,21,24 38:14 41:3
44:3 72:10 73:8 91:15
93:12,23 96:20 99:14
99:19 104:17
experienced 12:2 22:4
51:16 72:11
explain 26:11 30:13
extended 49:23
extra 70:6

F

facility 14:9
fact 5:22 9:5 15:4 24:5
103:12
factors 33:6
failure 82:16 97:21,25
failures 97:13 98:24
fair 28:7 76:5
fall 54:2,3,4
falling 92:2
falls 74:23
familiar 10:8
familiarization 64:17
far 15:5 41:5 73:9 89:14
105:9
Faro 1:4 14:12 15:1,25
16:20 19:15 22:4 28:4

28:23 34:25 37:10
40:23 41:4,7,12 42:1
42:7,8 58:1 59:14
62:7,7,9 66:9,10 67:5
67:11 73:8 77:15,16
78:13 83:7 90:19
91:16 93:25 96:14
105:22
faster 12:5 18:19 21:13
fate 102:11 103:10
fatigue 33:5
FCC 55:20 56:12 74:24
75:1
February 96:6
feel 6:9 12:13 16:3,22
24:11 33:6 47:9 75:7
felt 33:20
figure 100:11
figured 64:1
figuring 98:13
fill 19:25 58:11 99:11
filled 19:22 98:16
final 6:25 69:11
find 18:15 36:23 63:2
63:17 71:2,7 72:20
86:6 92:12
finding 28:17
findings 20:1 62:20
71:5 72:24
fine 3:4 5:13 23:11 64:1
67:8 99:24 100:21
finer 20:8
finish 50:6
fire 27:10 64:19,21 65:3
65:7,7 72:2 87:14
94:21 95:1,18,24 96:7
firefighting 27:4 65:5
76:11
first 3:17,25 4:15 6:5
11:8 16:14 25:21
35:14 37:25 45:14
51:5 88:14 92:6,11
Fisk 98:21
Fisker-Andersen 1:13
2:16,16
fit 19:8 32:16 59:11
69:13,16 71:20 76:2,6
76:12
five 13:6 26:10,18 27:16
46:17 52:12
fixed 32:12 64:4,5
71:13,23
fixing 91:23
flag 25:16 53:5
flammables 63:6
flemming 67:12,13 84:4
84:7,22 91:14 92:10
92:13 93:4

flight 51:20
float 101:21
Florida 1:10 37:12
flow 98:14
focused 6:21 82:9
follow 64:24
follow-on 57:11
follow-up 14:12 63:25
 71:8,8 91:13 93:12
 95:20
followed 6:5
following 6:14 11:10
 26:23 56:24 65:1,4
follows 10:19
foolproof 105:7
foot 15:19 102:3,7
FORCE 30:25 31:6
foreign 3:12,12,12,13
 3:13 4:13 8:19,19,19
 8:19 9:6 20:20,21
 21:11 22:10,12,23,24
 22:25 23:3,5 45:12
 51:20 91:16 93:4
forget 5:4 7:23 11:23
 52:13 65:7
forgot 5:10 14:2
form 32:22 71:12
formality 5:20
format 7:20 17:18 24:1
forms 6:18 21:8,9 31:20
Fort 26:3
forward 7:5 43:9,9,11
 77:14
found 16:5 25:10 43:13
 43:16,22 82:18 93:16
 106:18
four 13:6,6 29:5,6 30:22
 30:25 31:4 37:19 49:8
 49:17 63:21 76:4
fourth 27:24
fractures 16:24 89:18
 89:18 90:8
frame 31:14
frames 43:22 44:14
 52:11
framing 90:9
Francisco 38:21 99:21
frayed 61:1
free 54:2,3,4 101:21
freight 3:12 4:3 8:20
 19:20 20:20 22:10,12
 23:3,22 24:25 54:5,6
frequency 57:3,4,17,18
 104:19
fresh 80:7
frozen 94:24
fructose 80:22 81:3,9
fuel 19:14 71:1 94:23

100:19
full 4:3 37:5 49:24 50:9
 52:4,22 78:14 80:11
 101:20
fully 75:14 76:19,25
funded 104:24
funding 13:17,22
further 9:18 26:5 54:18
 73:24 85:7 96:5
Furukawa 1:12 2:14,14
 41:25,25 42:15,18,23
 43:3 44:8,14,19 45:9
 45:19,22 46:2,20 47:9
 47:12,17 48:4,8,12,17
 48:20,23 49:6 53:16
 53:17,22 54:4,8 84:2
 84:2,11,16,21,25 85:6
 91:13,13 92:4,8,15,18
 92:22,24 93:3,10
 94:16 99:8 105:20,20
 106:12,21
future 7:13

G

galley 65:8,15
gangway 72:15
gap 45:7 48:1 101:22
gaps 48:3
Gas 3:13
gaskets 59:17 60:22
 90:13
gear 63:19 67:12,13
 68:4 71:7 84:4,7,22
 91:14 92:10 93:4 99:2
 99:3
gears 87:14 92:14
 98:25
general 19:13 21:24
 25:1 30:11 31:7 41:17
 53:10 60:19 64:13
 71:5 72:9,16 89:25
 90:17 93:16 102:24
generally 29:23 42:13
 80:14
generator 74:3 94:20
 94:22 95:7
generators 82:4,23
 94:24
getting 3:17 6:14 7:2
 31:12 39:8,24,25 46:5
 46:21 47:10 67:25
 101:2 102:4
give 6:10,11,19,22 16:6
 20:23 21:1 31:4 36:15
 46:25 88:6 98:1 99:11
given 19:20
giving 78:21
GMBSS 74:21,23

GMDSS 55:7,8,20 56:14
 56:15
go 6:9,20 7:12 9:5,14
 10:10,12,21,23,24
 11:1,3 12:15 13:1,4,9
 13:16,18,22 16:16
 17:20,24 18:3,9,19
 19:23 20:19 21:13,23
 24:15 25:20 27:3
 32:15 34:17 35:2
 36:12 39:9 40:17
 43:19 44:25 45:15
 47:24 48:6 49:2 50:24
 56:19 57:23 59:5
 62:18 64:22 65:19
 66:21 72:20 78:15
 79:25 80:3 81:5 82:18
 84:23 86:6,9,13,13,21
 87:22 88:10,16 93:9
 105:13
goal 39:2 103:8,11
goes 57:4
going 5:3 7:5,14 9:16
 16:2 17:24 18:4,18
 19:4 20:3,6 21:4
 22:19 24:10 28:15
 29:19 30:3 32:20
 35:14 37:16 38:16
 40:10 52:16 54:18
 61:7 63:2,5 65:5,5
 66:17 70:6 71:4 72:17
 72:22 73:6,9,18 74:21
 75:24 77:18 78:10,14
 78:15,17,19 80:11
 86:20 87:13 88:4,4,6
 95:21,21 96:10
 105:14,15,22 106:1,5
good 24:17 25:2,15
 26:17 31:14 33:23
 40:17 41:21 42:2
 53:11,13,17,20 54:9
 59:13 60:22 61:3 64:8
 64:10,12,15 66:2,3,17
 67:7 68:2,3,7,8,13,25
 69:1 72:20 73:15,16
 75:18,25 76:9 78:23
 81:6,7 84:4 90:25
 91:2,3,6 93:17,17
 95:3 97:4,8
gotten 4:8 15:5 25:10
 50:11 103:18
GPS 103:24 104:3
grandfathered 4:21
grandfathering 104:6
grandfathers 84:12
gravity 98:16,17 99:5
grease 80:7
greased 80:7

great 5:9,16 62:5
greeted 72:15
grounds 76:12
group 2:4,9,11,13,15,17
 2:21 10:8 15:14 19:19
 26:11 54:10,11
 104:13
groups 89:2
Guard 1:14,15,16 2:8
 2:21 4:15 6:1 7:4,7
 8:9 9:20,21 10:6 11:3
 14:11,24 20:10,12
 21:15 24:10 25:4,17
 26:6,9 30:16 31:20,21
 32:4 34:21,22,25
 36:15,17,24 37:2,15
 37:19 39:15,20 44:10
 44:21 45:3,7,24,24
 46:12,15,15,17,20,21
 47:13,14,16 48:2 49:9
 50:9,24 52:3 55:12
 74:1,23 80:20 84:11
 84:22 85:1 87:17
 89:12 96:9 100:2
 101:18 102:22 104:13
Guard's 15:19 85:23
guess 7:16 12:6 30:9
 41:5 42:21 81:2 99:17
 102:3 105:7
guidance 47:1 83:9
 88:6
guys 26:7 34:3 79:25
 80:2 85:10 104:23

H

habit 77:23
hair 79:14
half 15:18 21:2
hampers 94:21
Hampton 3:21 4:6,16
 24:23 92:12
hand 19:3 20:20 89:25
handed 17:23 63:1
handle 64:12 81:16
 104:20
handled 39:19 81:15
happen 16:24 21:16
 25:3 74:2 81:21
happened 52:14 58:24
 100:12,15,22 102:2,4
 105:21
harbor 77:19 97:15
 98:4
hard 59:18 99:25,25
 105:6
hatches 79:24,24 90:13
 91:3
hate 91:14

haul 3:13 89:17,20
 hazmat 63:5,5,11 64:9
 64:11,13 88:20,21,22
 head 60:1
 headquarters 38:19
 hear 89:13 103:7
 heard 82:22 97:20
 98:24
 height 105:10,12,13
 heights 90:15
 held 65:10
 helicopter 104:14
 105:17
 helicopters 104:20
 help 33:19 55:13 68:24
 100:8,11
 helped 4:14
 helps 33:25
 HF 57:14
 high 57:3 78:9
 higher 34:18
 hindered 103:12
 historic 47:12
 history 96:19
 hit 32:11 39:16
 hold 38:12 88:20
 holding 8:10 66:20
 holds 58:20 63:3 79:16
 79:23,24 81:4
 hole 43:9 77:14
 holes 76:9
 honest 62:8
 Honestly 56:17
 hopefully 25:7
 Horizon 22:14,17 41:9
 horse 91:14
 hose 60:10
 hour 76:4
 hours 29:5,6 37:20
 49:17,17,22,23 50:8
 50:10,13,14,15,15,19
 house 67:23,24
 hull 3:14 4:17,20,20
 10:14 14:16 17:4
 33:18 36:8 39:2,5,6
 43:13 49:20 50:1,2
 76:11 99:16,21
 human 26:23 99:8,9
 hunting 48:15
 hurricane 101:3 105:13
 hurt 66:14 87:21
 hydro-test 95:8

I

I-A-N 2:25
 idea 44:11 85:4 92:16
 100:20 104:16 105:1
 ideas 103:3

identified 63:8
 identify 15:11
 imagine 39:11 60:2
 IMO 101:20
 impacts 39:16
 impressed 31:8 35:16
 impression 16:4 60:20
 Impressive 9:19
 improve 100:25
 in-depth 6:13 26:17
 27:17,18
 Inaudible 19:18 54:23
 57:4 62:1 63:16 65:2
 68:7 80:20 98:19
 104:2
INCIDENT 1:4
 incidents 69:23
 include 49:4 54:11
 55:23 58:18
 included 55:25
 indefinitely 84:23
 independent 55:6
 indicated 69:14 78:22
 indication 80:21
 indicator 76:10
 individuals 15:10
 induction 98:25
 industry 37:1
 information 23:7 87:10
 100:10
 initial 31:7
 initials 5:19
 input 100:12
 inputs 101:23
 inquire 54:17
 insets 89:18
 inside 67:23
 insight 100:22
 inspect 57:23 105:21
 inspected 11:16 39:18
 55:14 56:15
 inspecting 9:3 11:15
 inspection 2:25 7:6
 8:23 9:6,23 10:11,21
 13:1,5 14:14 15:24,25
 16:7,11,25 17:1,3
 28:18 29:2 33:8 34:5
 34:8,12,15,22,25 35:4
 40:16 45:22 46:18
 47:13,16,20 48:14
 49:3,9 52:4 53:9
 55:20 58:9 59:8 62:17
 62:19,23 69:12,15
 70:8 71:5 72:18,23
 73:10 74:2,14 76:1,4
 78:2 80:4 83:2 86:24
 90:19 91:9 93:25 94:6
 95:17 102:13 106:17

inspections 4:1,3 5:3
 5:19 6:7 8:24 10:2
 17:2 18:19 22:12
 31:17 33:10 34:2,3
 38:1,2 40:25 41:12
 44:21 46:10 54:12
 57:24 63:1 72:10,12
 93:23
 inspector 1:7 3:9 5:2
 6:6 9:22 11:24 24:21
 25:4,5 27:15 28:7,13
 28:14 29:22 36:17,24
 37:19 38:10,21 39:6
 50:2,2,24 55:20 58:12
 72:11 86:18 92:4
 99:24 100:16
 inspector's 72:14
 inspectors 8:4,5 9:2
 14:25 30:6 36:8 38:15
 39:1 46:16 54:23
 59:25 102:16
 installation 81:19
 instructions 32:21
 integrity 76:11 89:13,15
 90:12
 interacted 75:10
 interaction 50:25 75:4
 interior 90:6
 internal 32:23 33:2
 international 16:17,18
 44:24 45:6 47:22,24
 48:2,10 52:13 85:13
 85:25 95:11
 internationally 101:10
 interview 1:7 3:6 15:11
 106:24 107:3
 intrusion 67:23
 investigation 100:8
 103:1,1,6,9,11
 investigators 8:2,3
 invite 46:4
 involved 6:2 16:24 37:1
 49:17 81:18
 island 26:2 34:13 95:22
 Islands 105:3
 ISM 46:8
 issue 8:18,18 12:19
 38:18 40:10 44:24
 52:11 67:19 71:7,21
 75:22 76:16 77:9
 85:12 91:24 98:13,23
 105:9
 issued 8:8 27:16 32:8
 41:15 43:18 64:3
 95:17,18
 issues 7:9 25:18 68:20
 69:22 72:4,4 73:18
 94:7 97:6,9 100:9

items 10:13 63:18
 95:15

J

jackets 52:18 66:25
 Jacksonville 1:10
 37:11 64:4,5 71:13
 January 43:15,16 70:3
 70:23 94:11
 1:7 2:24 3:3 9:19
 15:17 19:20 22:2
 Jim 1:13 2:16 98:21
 job 4:25 6:15 10:15,17
 20:3 49:18
 jobs 75:16
 John 84:2
 Jon 1:12 2:14 41:25
 53:17 91:13 105:20
 journeyman 38:23
 Juan 3:1,23,25 4:9 5:1
 12:9 13:24 20:11
 22:11 32:17 34:14
 39:17 48:25 71:11,13
 81:16 93:24 97:15
 98:4,7

K

K 3:16 8:18
 keep 8:25 9:15 21:7
 23:20 30:3 31:23
 34:14 42:9 84:14
 99:23 100:25 103:11
 keeping 42:11
 Kevin 1:16 2:12 40:3
 83:1
 kicked 35:14
 kicking 7:11
 kickoff 31:7
 killer 5:25
 kind 8:23 10:19 16:1,9
 25:17 26:25 31:6 35:3
 35:7 57:23 59:8,18
 62:19 64:18 68:1
 84:20 95:10 101:5,22
 102:9
 kinds 90:10
 knew 33:19 75:15
 knife 60:21
 know 7:17 10:13 11:14
 16:10 17:4,24 18:9,25
 21:16,20 31:22 32:15
 32:20 35:2 37:7,10,25
 39:24 42:10 55:7
 56:22 58:1,3,6,12,22
 60:3 62:17 65:14
 68:20 69:25 70:5 71:2
 75:10 76:24 80:1
 81:17,20,22 82:5

83:10 85:2 86:3 87:23
87:25 97:7,11 99:1,16
101:4,10,11,20,24
103:6 104:13,18,24
105:1
knowing 78:10 98:11
knowledge 10:20 39:13
knows 101:5

L

L&G 39:25 78:4
Lab 57:5
labeling 95:2,4,6
ladders 79:25
laid 47:19
large 29:15
lastly 73:7
late 36:12
Lauderdale 26:3
launch 103:17
law 38:3 68:23 101:18
█ 1:14,15 2:8,10
9:20 10:1,4 14:11,19
14:23 26:6 28:6,11,14
28:19 29:5,7,11,15,21
30:5,12,18,20 32:6
33:1,4 34:1,7,20,20
35:24 36:4,6,10,14,14
36:22 37:18,22 38:5,7
39:14,14 46:12 51:9
53:8,15 55:12,23,25
66:8 74:1,8,13,16,19
74:21 75:2,13,18,21
76:1,18,22,24 77:6,9
77:15 78:1,7,23 79:3
79:7,12,17,22 80:13
80:18,19,19,24 81:8
81:12,20 82:1,7,22,25
95:4 96:2,5,9,12,14
96:19 98:5 99:2,10
100:4 104:10
lead 9:23 13:20 28:7,14
29:21
leader 65:2
leave 18:8 32:2 101:17
leaving 97:15
Lee 1:15 2:18
left 9:17 57:25 94:22
let's 22:11,23 23:15
86:19 95:24
letters 8:11 31:21
level 6:17 7:5 13:17
14:6 24:3 25:16 28:15
37:5 42:6 47:20 78:9
78:11,17 82:7 85:5
99:12,23
levels 39:12,13 45:17
licenses 51:13

licensing 51:12
lieu 98:8
life 52:18 66:25 67:14
104:6,7 105:9 106:15
life-threatening 16:23
lifeboat 65:20,21,22
66:1 84:7 87:14 101:3
lifeboats 52:17 53:23
54:1,3,4 65:25 73:3
84:3,10 87:20 92:13
101:1,6,6 103:17
106:9
lifesaving 66:24 76:10
84:14
light 100:9
lighting 74:9
lights 61:7,9 62:10
likes 32:1
limits 67:9
line 13:2 15:10 52:12
76:15 77:1,7,24 90:15
lined 62:11
lines 22:14 41:10,13
list 8:22 18:10,20 20:6
20:10 21:9 23:25,25
27:9,12 28:3,5 38:19
listed 83:25 89:2
lists 10:17
little 3:6 6:13,21 20:8
27:17,18 35:10 37:8
41:2 57:22 66:4 75:3
75:11 78:25 99:4
100:22
Lloyds 45:16,20
load 77:1,7,24 90:15
loaded 61:21 76:20,25
76:25 77:6
loading 59:18 61:19
local 57:5,6,7
located 77:18
lockdown 86:7,8
long 11:23 16:8,10
20:17 28:24 29:3,10
30:3,22 35:2 52:8,23
60:20 62:13 72:23
79:11 84:22 87:22
92:17 96:17 99:23
longer 29:12 33:22
38:15 50:5
look 3:10 7:18 11:18
16:14 19:14 20:8
23:19 25:6 26:20 27:1
31:11 43:10,25 46:11
54:13 56:19 59:6
60:19,20,24 61:5,9,15
62:2,3 66:23 67:3
72:17 73:3 83:21,24
85:17,18 86:1 88:12

88:16,17 89:17,21,22
89:24 90:5
looked 41:19,21 42:1
47:10 53:13,20,21
54:19 60:11,16,17
62:3 64:13 66:3,7,12
66:16 67:14,16 68:2,2
68:3,6,8,12 73:15,16
81:7,13 88:18 90:24
looking 13:12 18:18
30:2 43:6 49:23 53:3
56:13 59:16,16 60:9
76:13 77:17,21,23,24
79:20 80:6 83:12,23
89:19,19,20 90:7,7,11
90:24 91:2,6 105:11
looks 61:3 73:1 80:7
87:23 89:20 90:8,14
loose 105:15
lose 98:25 99:7
losing 39:23 97:16
loss 69:21,22 102:5
lost 38:13 102:10
lot 4:10 7:2,2 11:2 12:3
21:13 22:24,25 23:6,8
23:9,10,16,22 35:8,17
35:22 37:24 42:9
50:25 53:3 65:25
94:21 96:15 101:24
101:25
Lou 9:17 21:25 22:1
55:18 71:6 76:18
93:11 95:14
Louie 2:6
LOUIS 1:14
loving 7:15
low 65:5
lower 65:20,23
lowered 65:22
lowering 66:15,18
87:20
Lt 14:23 17:2,4,5,6,6,13
17:13 21:17 30:8
106:8
lube 98:10,10,15 99:4
lubricant 97:17
lucky 9:12
lunch 68:16

M

machinery 3:14,21 4:18
9:12,14 17:11 33:18
36:9 39:2,5,7 41:12
49:21 50:1,1 81:21
99:16
machinery/steam 3:14
3:19 14:17
main 2:25 27:11 43:13

69:23 73:13 98:9
maintained 53:21 73:17
78:9
maintenance 42:5,6
70:20 78:11,17 91:24
93:17
major 38:12 76:10,14
76:16
majority 38:25
make-up 49:12
making 60:21 61:20
66:22 106:14
man 49:17,22,23 50:8
50:10,18
management 30:19
32:7,19 60:4 88:13,13
88:17 96:25 97:1
mandate 103:16
mandated 21:12
manned 58:2
manual 26:21 46:24
47:2 59:19 61:19
63:24,25 64:1 71:9,16
manuals 31:22 61:16
MAR 3:24
March 15:25 16:10
17:21 48:21 62:24
98:4,5
marine 2:19 3:9 5:2 7:6
9:2 13:1,5 14:25
17:10 26:21 30:6
31:21 36:17,24 46:15
46:23 47:1 86:18,24
97:15,19 100:16
marry 10:20
MASH 105:16
mass 5:3 105:2
master 17:17 63:10
69:5 94:12 106:19
masters 20:21 21:1
matches 67:16
mate 51:6 63:10 65:2
75:17
material 8:7
materially 106:12
█ 1:16 2:20 10:5
17:2 20:9 21:15 52:2
89:11 102:21
matter 9:5 15:4 25:3
39:4
█ 1:7
2:24,24 3:4
3:10 5:13,15,18 6:4
8:3,6,13 9:4,10,25
10:3,10 11:13,22
12:18,24 14:16,22
15:3,18,23 16:12 18:3
18:6,12,14,22 19:23

20:13 21:20 22:6,13
 22:17,22,25 23:3,5,10
 23:12,16,19 24:13,18
 25:2,19 26:16 28:10
 28:12,17,24 29:6,9,13
 29:18,24 30:8,15,19
 30:21 32:9 33:3,11
 34:6,10,24 36:2,5,7
 36:11,20 37:3,21,24
 38:6,10 39:22 40:9,18
 40:22 41:1,6,14,19
 42:5,17,19,25 43:5
 44:11,17,22 45:13,21
 46:1,3,19,23 47:11,15
 47:18 48:6,9,15,18,21
 48:25 49:10,13,19,25
 50:6,11,20,22 51:3,10
 51:18 52:7,10,24 53:2
 53:5,13,19,25 54:6,13
 54:22 55:3,11,16,22
 55:24 56:1,6,9,11,17
 57:2,16,19,25 58:10
 58:19 59:1,5,10 60:1
 60:8,16,18 61:6,12,18
 62:2,8,21,25 66:10
 67:21 68:11 69:13,17
 69:19,24 70:12,15,18
 71:11,22,25 72:7,25
 73:11 74:4,11,15,17
 74:20,25 75:12,15,20
 75:24 76:8,21,23 77:2
 77:8,11,16 78:5,12
 79:2,6,9,13,19 80:3
 80:15,23 81:1,11,15
 81:25 82:2,10,24 83:4
 83:8,18,21 84:8,13,19
 84:24 85:2,12,16,24
 86:12,19 87:2,5,16,19
 88:23 89:1,6,9,16
 90:22 91:10,18 92:6
 92:11,16,19,23,25
 93:6,18 94:1,3,9,18
 95:6,18 96:4,6,18
 97:3 98:3,6 99:3,6,9
 99:14 100:13 103:15
 104:10,16 105:1,11
 105:23 106:13,22
mean 62:2 76:5 95:5
means 47:21
meat 16:1
mechanism 71:8
medium 57:16,18
meet 7:7 47:25 48:7,10
 88:10
meeting 32:20 90:15
meetings 34:7
melted 82:17
member 35:25

members 69:7,9 75:14
 83:3 91:6 101:16
mention 35:15 44:1
mentioned 10:6 14:20
 14:24 21:15 26:7
 30:12 39:15 42:1
 48:13 49:8 102:22
 103:3
 [REDACTED] 17:3,14 104:10
MF 57:13,18
MIC 13:5
Mido 31:1
 [REDACTED] 1:14,15,17,17 2:8
 2:10 9:20 14:11 15:13
 15:14 26:5,6 46:12
 49:7 54:9 55:12 73:25
 74:1 85:8 96:9 104:12
Millar 1:17 15:13,13
 49:7,7,11,15,22 50:4
 50:8,18,21,23 51:15
 52:1 85:8,8,14,21
 86:9,16,23 87:4,13,17
 88:19,25 89:4,7
 104:12,12,17
million 100:15
mind 3:3
mini 57:14
minimal 75:17
minimum 8:24
minor 72:24
minutes 64:10
missed 25:6,10 95:10
missile 20:2 86:24
missing 19:13,17
mission 18:7 30:19
 32:7,19
MMDs 51:14
MMS 21:8 30:12,18
mode 57:12 63:24,25
 63:25 64:1 71:9,16
modes 57:1,12,13,15
 63:24
modifications 80:21
 82:20 90:10
modify 32:15
moment 13:15,21 80:16
money 35:8 91:23
month 43:20
monthly 7:8
months 28:3 29:2 32:24
morning 50:12 54:9
 77:3,3
motor 67:11
moving 7:10 65:18 68:6
MSE-4 17:10

N

name 2:4,22 7:23 62:9

62:11
narrative 43:25 49:3
 62:17,19 78:2 87:7
 89:12
narratives 87:3,9
National 1:1,22 2:5
Nautical 54:10
NAVIC 25:21 47:4,4
 86:14
navigation 55:21
near 6:8 11:8 57:3
need 7:18 10:13 11:12
 12:5 14:16 24:4 32:16
 32:22 44:15 45:2
 78:21
needed 35:23 70:25
 71:23
needs 28:2
never 40:14,15,16
 73:11,21 97:9 105:4
new 4:12 5:23 7:14,20
 8:2 14:2,6 19:7,14
 33:24 39:25 53:20
 62:11 66:7 84:5
 101:20 103:13
newer 42:4,6,15,17,20
 42:23 43:1 53:18,24
 78:4
news 67:24
nice 68:14 100:21 101:8
 101:16 105:25
night 9:5
noise 48:24 67:6 97:12
non 6:1 34:23 63:25
noncargo 60:13
nonconformities 32:8
nonlicensed 75:7,13
normal 28:21 69:7
 72:23 98:18
normally 57:23 61:11
Northern 62:10
notch 7:12
note 51:22 94:7
notice 91:8
noticed 74:8 77:13
notices 46:5
notification 21:25
notified 70:13,15 98:8
NSUE 20:15 31:2
NTSB 1:4,12,13,17 2:14
 15:9,14 41:25 49:2
 53:17 54:10 62:16
 84:2 93:22 98:1 100:6
 105:20
number 8:24 10:23
 23:14 39:23 43:21
 100:19 103:16
numbers 22:14

nuts 59:12

O

O'Donnell 1:14 2:6,6
 9:18 22:1,1,8,16,23
 23:1,4,8,11,14,18,22
 24:16,20 25:14 26:4
 55:18,18 56:4,7,10,14
 56:24 57:11,18,20,21
 58:7,17,23 59:3,8,24
 60:6,13,17 61:4,9,15
 62:1,5,14 71:6,6,18
 71:24 72:1,8 73:7,23
 73:24 93:11,11,21
 95:14,14 105:8
observed 76:24 77:1
obtain 38:18
obtaining 6:2
obtrusive 90:3
occurrence 98:3
OCMI 31:17
October 1:5,9 2:3
 [REDACTED] 1:14 2:8,8 9:20
 9:20 10:1,4 14:11,11
 14:19 26:6,6 28:6,11
 28:14,19 29:5,7,11,15
 29:21 30:5,12,18,20
 32:6 33:1,4 34:1,7
 35:24 36:4,6,10 38:5
 38:7 46:12,12 53:8,15
 55:12,12,23,25 66:8
 74:1,1,8,13,16,19,21
 75:2,13,18,21 76:1,18
 76:22,24 77:6,9,15
 78:1,7,23 79:3,7,12
 79:17,22 80:13,18
 95:4 96:2,5 98:5 99:2
 99:10 100:4
office 5:6 18:7 26:3
 51:25 77:18 99:20
officer 2:25 3:8,25 7:17
 8:1 12:11,16 17:10
 21:17
officers 7:7 11:4,22,25
 12:4 68:21 69:2
offloading 76:21,22,23
offshore 7:23
Oh 77:8
oil 97:16,17,22 98:10,10
 98:15,18,25 99:5,7
oiler 98:8,10,11,14
okay 3:10 5:12,14 12:24
 14:19 18:12 21:22
 23:18 26:16 30:20
 38:7 41:23 45:19 48:8
 48:12,23 49:6 50:18
 54:19 57:20 58:15
 62:21,25 70:9,17

74:16,21 76:1 78:7
 79:12 80:18 82:1,7,25
 83:20 84:1 91:11 93:3
 93:10 106:22
old 38:14 41:4 53:20
 91:16,17 92:25 93:7
old-timers 99:17
older 41:2 42:2,2,3,13
 42:15 43:5 53:17
 91:21 93:13,14,15,20
 101:22
on-the-job 7:12 12:21
once 8:22 16:14 19:2
 29:20 37:19 51:21
 66:2 70:23 76:5 91:25
one's 7:24
one-stop 31:22
ones 3:16 12:22 19:7
 27:9 38:20 41:7,9
 61:25 99:17
ongoing 104:22
online 82:5
open 16:20 66:1 67:5
 73:16 80:14,17 92:12
 94:24 96:12 101:1
 104:7
opened 61:8 98:16
opening 98:9
operate 61:10 71:16
operating 80:5
operation 81:2 96:1
 105:2
operational 27:9 54:10
 54:20
operations 2:11,13,21
 15:15 96:24
opinion 38:7 39:17 76:2
opinions 101:24
opportunity 75:5
oral 6:24
order 9:22
orders 63:21
ordinary 16:23 44:2,6
 67:19,22 79:9
organization 72:19
organized 64:20 72:3
original 51:13
OSBs 7:23
outcome 69:12
outlet 98:11,15
outlined 6:25
output 69:24
outstanding 16:4,19
 43:8 64:3 71:12 95:19
overall 33:8 41:5 75:2
 96:24
overhauled 94:14
overshoot 48:16,17

overshooting 63:20
 71:15
oversight 24:10 28:2,3
 38:8,9 72:13 81:18
 99:13
overview 16:7
owner 25:21,22 35:17
owners 38:1 47:5

P

P-R-O-C-E-E-D-I-N-G-S
 2:1
p.m 29:4,4 50:7,13
Pacific 102:8
package 6:7 101:19
paint 89:21
panel 61:5,5
paper 17:23
papers 19:20
paperwork 5:24 27:2
 29:20 54:13
part 10:22 14:3 17:16
 18:6 20:2 21:8 34:15
 38:11 44:25 45:1 55:1
 55:6,8 57:9 61:18
 65:16 74:2 83:10
 85:22,23 86:19
 101:18 103:14 106:19
PARTICIPANT 22:21
particular 90:20 91:9
parties 5:17 103:6
parts 32:25 34:13 84:16
party 55:14
pass 6:11 9:8 18:2,4
 71:4 91:20
passed 18:25 27:8
passenger 3:15,15,18
 4:13,25 7:21 8:19
 21:11
Passengers 3:13
passes 104:1
Passing 20:14
patch 4:13
pay 23:20
PCS 10:9
PDF 18:23
peak 77:14
peek 43:10,11
pen 33:8,13
people 5:23 6:2,14
 11:10 12:1,2,3,11
 13:16 19:1 23:13 49:9
 49:16 51:10 65:17
 86:21 87:25 88:11
 100:1 106:8
percent 34:18
performance 10:6
 26:23

performed 68:13
performing 26:8
perimeter 90:23 91:2
period 37:15 49:16
 84:17
periodic 26:12 27:21
 29:16,22 72:12
periodics 26:10 31:2
permission 44:15,23
permits 19:13
person 8:10 9:13 25:6,7
 64:25
personal 101:17 104:4
 104:17
personnel 39:20
Peterson 1:15 2:18,18
Petroski 1:17 15:14,14
 54:9,9,20 55:1,9
phone 7:8 51:24
phonetic 3:25 4:7 7:3
 13:10 15:2 17:3,7
 20:15 31:2 43:10 55:7
 57:6 90:16
photos 98:21
pick 57:15 72:13 82:13
picked 105:4
picks 25:7
piles 79:17
pilot 98:8
piping 95:8,21
place 16:7 65:10 70:19
 90:9 105:18
places 49:2
planned 16:8
planning 5:3
plant 81:23,25 82:6,18
please 98:2 103:4,11
Plus 79:13
pocket 19:8
point 67:8
POL 3:25
polar 15:19
policies 31:18
policy 7:1 9:22 19:24
 21:7 31:21 87:4,5
political 101:11
port 3:11 4:15 7:15 8:17
 8:20 13:2,3,4,7,9,18
 17:7 18:16 23:12
 26:24 27:1 32:2,16
 33:19 34:11 38:25
 43:21 65:20,21 69:25
 72:12 87:10 88:8
 91:20 92:2,12 93:9,14
 93:15 106:18
ports 38:24
posed 105:9
position 5:5,5 36:16,19

94:24
possible 42:12 103:9
Possibly 93:18
potatoes 16:1
pour 91:23
power 82:6 102:5,10
powered 39:25 78:4
PQS 7:15 10:7,9,10,19
 10:22 11:8 12:9 14:2
 14:6 39:9 86:20
practices 32:12,14,17
pre-board 6:24
pre-staged 65:11
predecessor 25:24
preparation 17:17
prepare 16:13 45:4
prepared 24:3
press 22:9
pressure 34:8 70:25
 98:18
pretty 17:24 29:17,18
 31:14,25 33:23 42:1
 64:12,15 67:17 68:3
 68:13 72:20 82:15
 93:4,7 101:7,12 102:9
 105:14
prevent 103:10
prevention 3:24 77:17
previously 93:24 94:6
pride 97:5
printed 70:22
printouts 56:20
prior 24:9
probably 11:1 22:13,18
 22:24 24:9 25:11
 34:17 35:10 37:7,10
 43:1 52:24 60:2 83:16
 93:19 99:25 100:24
 101:1,13 102:11,13
 103:17 105:15
problem 25:25 26:1
 38:11 40:13 44:18
 48:14 51:22 63:13,22
 65:16 71:17 73:6 97:6
 97:10 99:19,23
problems 25:19 35:18
 35:20 39:11 42:24
 51:25 65:25 66:14,17
 67:8 68:22 69:2,6
 70:8 76:8,10,14 82:19
 82:23 89:18,23 91:6
 94:7,19,20
procedures 30:17
 64:22 65:5 82:14,21
 86:7 88:12
process 6:5,17 10:22
 15:4 44:25 90:20
 100:3 101:11 102:23

103:14
produced 1:21
professional 75:9
professionalism 72:19
program 6:17 7:1 14:25
 17:22 18:5 20:14,24
 24:25 25:1 34:22
 44:20 46:24 47:6,8,19
 48:7,9 64:8,16 85:23
 99:11
project 104:22
propagations 105:5
proper 33:7 95:25
properly 33:9 38:9
 67:15 79:8
propulsion 69:22,23
 82:17 84:7 94:8,9
 97:13,16,21 98:24
prove 6:14
provided 1:22 82:6
 95:25
proximity 105:9
public 87:8,9
Puerto 3:22 4:14,23
 28:21 29:8 76:25
 79:13 96:16 107:1
pull 23:7
pump 63:3 89:8
pumps 79:4
put 4:1,7 13:23 14:1
 16:25 28:2 38:19 39:7
 42:22 43:2 64:16
 69:11 70:21 87:11
putting 11:9 20:1

Q

qual 3:17 4:13,17,18
 6:2,11 9:12 11:24
 17:11 38:23 39:7 92:6
qualification 6:7,18,25
 8:11 14:13 39:17
qualifications 6:12 10:7
 14:1,15 39:12
qualified 11:4 38:12
 39:10,21 40:2 49:16
 86:17
quals 3:21 4:9,14,20,21
 6:4,10 7:19 8:8,10,17
 9:21 12:22 14:18 17:7
 30:11 38:13,18 39:2
 99:16,25
quarter 64:11
question 14:12 21:14
 24:21 25:14 33:4
 36:21 52:3 53:8,16
 56:25 60:11 66:23
 72:9,9 93:12,23 95:15
 105:8

questioning 49:5
questions 9:9,18 12:12
 15:10 16:2 20:10
 21:24 26:5 40:4 62:23
 73:24 85:7,9 96:5
 100:5,7 102:20
 106:24
quick 16:6 20:10 25:14
 26:11 28:20 34:8
 37:16 74:22 93:12
 95:14
quickly 23:23 55:18

R

radio 55:20,21 74:25
 75:22 105:4,6
radios 75:21
raft 105:16
rafts 67:14 105:9
rags 94:21
rails 90:1
rank 15:21 17:6
ratch 28:18
rated 105:12
read 6:20 18:11 19:24
 20:22 67:24 83:8
 97:24 103:15
reading 44:7
ready 5:21 6:9 31:12
real 26:11 28:20 69:1
 74:22 88:1
really 19:15 23:20 27:7
 29:21 31:16 32:10
 38:3 41:21 71:14 80:8
 97:5,9,21 100:23
 105:23 106:5,10
reason 20:2 60:9 88:17
 91:19
reasons 35:3
recall 16:11 24:22
 41:17 53:10
received 96:25
recency 9:25 10:1
recollection 40:14
recombined 31:18
recommendations
 102:25 103:2,5,9
 104:9
recommended 20:16
record 43:24 86:24
 107:2
recorded 5:10
recording 15:12
records 16:14,16 24:7
 43:7 55:17,19 64:9,14
 64:17 67:16 85:17
 86:1
reference 19:9

referring 36:1
regard 97:10
regards 33:5
regime 93:9
regs 95:11 101:9
regular 4:3,20 34:25
 79:2 101:2
regulation 56:12 102:1
 103:13
regulations 6:20 11:14
 11:17,18 45:7 48:2
 54:2 59:6 74:24,24
 101:15 102:23
reinspections 8:1
related 61:16,16 97:21
relations 69:1
released 66:1 87:8,9
releasing 66:5
remain 16:20
remained 95:19
remember 13:6,21
 16:21 30:21 32:13
 34:10 46:9 52:10
 56:19 57:4 59:6,21
 62:9,13 67:4 69:3,8
 79:22 81:17 86:3,14
 105:11
renewal 26:10,12 29:16
renewals 43:6
repair 4:10 43:14,17
 44:3
repaired 95:16
repairs 106:17
repeat 35:24 36:20
 94:16
replace 84:18,20,20
replaced 78:3,10 94:11
 94:13
report 43:23 44:12
 69:11 97:14,19
reported 33:24 69:21
 95:25
reporting 5:24
reports 27:2 67:24
 85:19
request 16:15 71:3
requested 40:21
require 85:3 101:14
required 5:22 12:22
 14:13 58:20,21,24
 61:16 68:23 83:7,17
 83:18,23 84:9,19
 85:17 95:13
requirement 14:7 43:18
 63:4
requirements 7:3 87:20
 88:10 90:15 95:18
 101:21

requires 101:25
rescue 5:3 104:14
 105:2,16
resolving 25:18
resourced 33:9
resources 33:7 71:14
respond 57:8
response 15:8 88:14
rested 33:11
restriction 88:21
result 103:1
retired 4:24,24 15:22
reviewed 40:5 55:19
 56:8
rewriting 13:13
rewritten 7:20 31:18
Rico 3:22 4:14,23 28:21
 29:8 76:25 79:13
 96:16 107:1
rid 39:24 85:4 101:2,9
 104:6
ride 14:4,8,24
rides 15:1 101:8
right 3:2 7:19 9:18
 13:24 18:21 26:4
 28:19 33:23 38:20
 46:2 50:23 53:4,7
 77:19 79:17 87:13
 89:3 96:19 102:5
 103:23,24
Roads 3:21 4:6,16
 24:23 92:12
robust 31:25
role 24:11 27:15
room 9:8,16 10:14
 15:11 17:12,13 21:18
 21:23 41:12,16,18
 58:3,18 63:4,7,13
 71:4 73:14 102:20
rose 79:5
rotation 65:12,13
rough 72:17 106:5
roughly 22:8 28:4 50:18
round 49:5 62:22
route 69:13,16 71:20
 83:7
routine 70:2,20,25
row 73:13
row-low 84:6
row-row 78:14 84:5
rudder 35:20 63:19,20
 89:22,23
rules 45:4,6,6 47:25
 48:3 95:10
run 56:18 63:3,7 64:23
 74:7 81:24 94:25
running 38:2 81:23,25
 82:3,6

rusty 73:2

S

safe 32:11,14,16 88:2
safely 87:23
safety 1:1,22 2:5 4:25
 26:21 31:22 46:24
 47:2 53:10 60:4 65:24
 70:7 71:21 83:11,16
 83:22,24 85:13 86:24
 88:12,13,17 94:14
 96:23,25 97:4 100:25
sailing 44:16 73:21
salt 42:22
saltwater 98:9
San 3:1,23,25 4:9 5:1
 12:9 13:24 20:11
 22:11 32:17 34:14
 38:21 39:17 48:25
 71:11,13 81:16 93:24
 97:15 98:4,7 99:21
SAS 55:24
satisfied 12:13
Saturday 1:8
saving 104:6 106:15
saw 16:3 68:6 83:2
saying 21:4 40:5 51:22
 51:25 93:14
says 19:24 25:21 76:2
 88:14
scary 102:9
scene 75:16
schedule 34:11 40:20
scheduled 15:5 34:2,3
 43:20 46:7
scheduling 37:13 97:7
 97:8
school 13:1
schools 13:8,15,16
scope 26:14 27:23 28:8
 28:12,15 29:23 41:14
 74:13,14,15,19 80:1
 89:14 102:25
scuttles 60:14,24
sea 10:25 11:1 15:17
 48:5
seafarers 51:1
seal 58:14
search 104:14
seas 102:3,7
SeaStar 25:25 41:8
seats 52:17
second 27:22 51:6
 60:14
Section 47:2
sections 6:23
sector 3:1 20:11 24:1
 57:7

sectors 57:5
secure 106:24
secured 98:15
securing 68:4 76:13
 90:24 91:3
security 55:4,5 72:16
 85:10,15,21,25 86:11
 86:17,20,25 87:3,12
see 9:9 16:18 19:11
 27:13 30:3 51:5,6,11
 51:18 54:14,16,16
 56:20 60:25 61:10
 65:3,21 66:5 67:22,23
 68:1,4,14 72:18,21
 73:4 77:4,20 78:2,10
 78:16 80:24 81:9
 82:14 83:22,24 85:19
 86:7 87:11 88:5,13
 89:20 90:1,3,9 93:3
 95:24 106:4
seeing 75:6 93:19
seen 24:8 31:16 32:1
 42:7,14 44:6 59:21
 68:12 73:14 78:16
 91:16 92:9,13,14,17
 93:13,18 97:3 105:16
sees 77:18
send 17:17 18:17 20:10
 20:16 21:12 24:2
sending 21:3
senior 8:9
sense 72:13,14,21,25
 73:5,8
sent 17:21 77:13 97:14
 98:20
separate 24:16 56:2
 87:7
separator 27:10
September 70:4,12,13
service 35:7 67:15
 69:14,18 71:20 76:3,7
 76:12 93:2
serviced 54:14 55:17
Services 1:13,15,16
 2:12,17,19,19 40:3
 83:1
servicing 27:2 55:17
session 12:14
set 24:1 48:10 57:2
 65:12
setup 81:9
sewage 19:18
shaft 58:14 98:14
shape 68:2,7,8,25 81:7
sharing 104:11
shed 100:9
sheet 17:20,23 18:5
 20:21 21:21 24:14,16

27:8 63:1
sheets 18:17 20:16,23
 21:24
shift 87:13
ship 14:4,8,24 15:1
 16:4 19:3 31:2,4
 33:22 36:19 45:9,20
 55:4,4 62:6,20 65:19
 68:22,25 72:2 73:12
 73:19,19 74:9 76:12
 77:18 78:24 82:3,16
 83:5 84:5,5 91:16
 92:22 93:4,7 102:2,4
 106:11
ship's 18:21 44:9 60:3
 85:15
shipowner 35:6
shipping 45:10
ships 4:3 14:6 39:23,24
 41:4,4,8 42:6 63:15
 77:20,23 91:18 96:15
 103:21
shivs 66:16
shock 17:9,9 21:17
 41:20 66:19 74:5
shop 45:11
shopping 31:22
short 18:1 37:15
shorter 29:11 52:15
show 58:8
showing 98:21
shows 98:18
shut 82:2 95:1
side 13:10 21:19 33:18
 43:14 79:25 90:2,3,4
 101:5
sign 6:10 8:10,15,17
 11:24 12:1,6,13 76:16
signal 57:6 103:24
signals 104:15,18
 105:6
signature 5:19
signatures 6:14
signed 11:21 24:8
significant 71:24,25
signoffs 12:5
signs 8:16 67:23
similar 84:5
simultaneous 66:5
single 61:1
sister 96:15
sit 12:10
sitting 33:23 106:20
situations 25:17
six 4:11 14:5 28:3
six-seven 22:18
sixth 72:13,14
size 22:2

slip 51:21
small 3:15,15,18 7:20
 71:7 79:24
smaller 60:15
snapshot 37:16
societies 47:7
society 35:15 38:9
 45:11,23
software 61:21
SOLAS 4:12 47:22,23
 47:25 48:7,8 53:22
 58:21,23 59:3 63:4
 83:9,19 84:13,17,22
 84:25 85:3 88:9,10
 89:3 104:5
solely 50:9
solid 59:13
soon 101:16
sorry 8:5
sort 69:21,22
space 95:1
speaking 52:6 104:8
special 54:24
Specialist 4:25
specific 14:8,12 57:12
 78:25 86:10,22
 104:19
speculate 23:6 100:10
speculation 60:3
spell 2:23
spider 66:4
split 4:19
spoke 40:15
spot 60:6 63:19 66:6
 95:19
spread 35:9
SSAS 55:1,14,23 85:10
SSASVDR 54:11
stability 61:15,17,22,23
Stacy 17:6 30:8
stamp 62:12
stand 4:14 30:18 88:4
standard 29:17 67:17
 74:6 81:2 101:19
standards 6:18 11:15
 48:12 88:9
standing 88:2
star 7:3
starboard 43:14,23
 63:20
start 3:6 28:17 72:12,14
 74:17 88:3
started 3:17 4:1,4 6:5
 6:16 20:14 21:3 31:12
 37:25 43:15,16 92:11
 104:23
starting 62:16 98:17
state 2:22 3:11 4:15

7:15 8:17,20 13:2,3,4
 13:7,9 17:7 18:16
 26:24 27:1 33:20
 34:11 38:25 53:6
 72:12 78:2 87:10 88:8
 91:20 92:12 93:9,14
 93:16,17
stated 40:4 78:23
stats 23:20
statutory 24:7
stay 23:12 83:13 91:22
steam 13:11 14:20
 19:15 33:25 38:21,23
 39:24 41:13 81:23,25
 82:4,5 99:21
steam/machinery 4:22
steel 42:21 44:3
steering 27:10 40:12
 48:14 63:19 67:19
 71:7
stern 103:17
Stith 1:16 2:12,12 40:3
 40:3,14,21,23 41:3,11
 41:17,23 83:1,1,6,15
 83:20 84:1
stood 90:21
stop 66:19 88:6 101:22
stopped 98:14
stored 67:15
stowage 105:10
strainer 98:13
strength 35:12
strip 52:16
strong 25:5
structural 89:13,15
structure 73:15
structured 7:12
stuff 7:3 13:19 18:10
 30:2 31:9,19 43:2
 56:20 64:18 67:2 68:1
 69:7 73:4,5,14 79:15
 79:16 83:5 87:11,21
 90:16,17 92:1,3
 102:16
subchapters 11:17
subject 11:21
Subjectory 3:15
submerged 77:25
submit 45:2
suffered 102:11
suffering 103:10
sufficient 23:14
suits 25:5 67:2,3 83:3,7
summary 24:2
summer 79:14
super 73:15
superior 96:23
supplement 45:5,8 48:1

48:1 95:12
support 33:7 96:24
 97:1,2
supposed 10:23 11:15
 14:4 43:19 46:4 47:16
 67:1 68:24
sure 8:8 9:15 10:20
 16:16 18:23 19:3
 27:11 29:1,2 38:15
 40:19 46:13 54:2,15
 55:17 58:1,15 59:11
 60:21,25 61:2,13,14
 61:20,24 62:10 63:12
 63:16 64:8 65:4,9,11
 66:13,16,20,23 67:3,6
 67:10,12,14 68:24
 70:8,18,21 74:18
 77:24 79:20 80:10
 81:5,6,19 82:4 86:2
 88:1 89:22 90:12,14
 90:25 91:2,5 92:20
 101:15 105:15 106:14
surprised 73:20
survey 16:17 40:7
 99:12
surveyor 2:7 26:1 35:12
 36:17,25 37:2,23 44:9
 44:20 53:6
surveyors 25:11 37:6
 39:12 40:7
surveys 24:7 35:2,9
 46:1,4
survival 2:14 52:17
 67:2,3
survived 101:4
suspended 13:12 14:21
sustain 38:19
SVDRs 101:20,21
sweeping 65:6
system 2:6 18:7 21:8
 30:13,19,24 31:7,25
 32:7,8,19,25 55:4,5,6
 60:4 63:7 66:20 79:4
 84:7 85:15 88:13,14
 88:17 89:8 96:22,25
 97:16 98:17
systems 12:15 20:7
 26:20 27:7 43:2 51:4
 54:18 56:20 94:8

T

T 8:18
table 103:12
Tactics 2:15
tag 67:15
take 11:4 12:25 35:6
 36:23 46:11 49:13
 52:9,23 59:6 60:20

67:3 96:24 97:5
 106:11
taken 47:17 68:5 76:17
 87:1
takes 5:24
talk 7:9 40:18 55:4
 68:19 93:13 106:3
talked 7:4 58:13 88:19
talking 7:11 9:7,21 66:8
 75:3 84:3 85:9 97:13
 101:1 106:8
talks 17:20 26:21 45:1
 46:24 47:2,6 86:15
tank 3:12,14 4:13,21
 8:19 43:10,11 54:5
 97:22 98:16,17 99:5
tanks 80:22 81:9
tapes 73:5
target 57:13
task 6:19
teach 54:23
team 17:1,1 21:18 22:3
 22:4,7 33:5,6,12 34:2
 34:12,14,19 49:8,11
 71:19 77:13 102:14
teams 49:20,24,25 65:3
 101:18
technology 104:3
tell 3:6 6:19 10:12 17:18
 28:19 38:20 58:12
 62:12 64:20,23 68:23
 70:6,9 82:10 87:25
 88:3,4 97:25
telling 69:5 82:20
temporary 43:14,17
ten 32:3
tend 91:22
tenders 15:20
tens 23:1
terms 36:18,25 50:8
 81:13
test 54:23 55:10 56:18
 56:22 57:5,6,9,21,23
 58:17,24 59:2,19 60:7
 61:14 74:2,12 79:25
 80:12 82:8,13,14,21
 85:15,20 89:7
tested 56:15 58:16
 59:23,25 60:10 67:9
 74:5
testing 27:7 51:5 60:7
 64:7 74:22 82:12
 85:10 94:19
tests 6:22 8:7 54:11,12
 54:21 56:8 57:24
 60:10 101:7
Thank 5:9,14,17 10:4
 18:13 24:20 26:4

41:23 52:1 53:7,15
 54:8 56:10 57:20
 62:14 72:1,8 75:2
 82:25 85:6 91:11
 93:10,21 96:2 100:4
 102:19 104:11 106:21
 106:24
thanked 106:19
Thanks 3:2 15:16 22:8
 84:1
theirs 67:6
they'd 31:16
thing 4:22 5:9 9:10
 10:19 14:2 17:22
 18:16 20:24 25:12
 29:19 43:24 46:13
 58:11 63:14 65:11
 70:20,25 73:1 78:1
 82:13 88:3 91:1,4
 94:10 97:20 98:24
 103:16 104:4,5
 106:13
things 7:9 12:19 17:16
 19:5,12 20:5 25:3,6
 25:10,13 26:3 27:14
 27:18,20 28:17 32:22
 45:5 46:6 53:3 60:21
 62:3 63:2 72:21 76:16
 79:20 80:6 81:5 84:18
 90:11 95:9 100:15,17
 100:19,24 101:13
 106:18
think 3:17 4:5,11,19
 5:20 12:5 13:5,14,15
 18:11 22:19 24:2
 25:10 28:24 32:4,12
 33:12 37:5,12,14 38:3
 38:6,21,25 39:4,8,22
 40:1 41:14 43:10
 44:17,25 45:16 47:6
 48:13 49:3 52:23 56:7
 62:10 65:1,21 70:2,23
 71:8 75:5 76:3,5 77:6
 78:7,13,15 83:13,15
 86:4,14 91:19,20
 92:23 93:1 95:7 96:22
 97:13 99:15,22,24
 100:14,23 101:1
 102:5,10,13,15,17
 103:4 104:3 105:8,18
third 27:22 51:6 55:14
thorough 103:8
thoroughness 72:5
thought 63:22 70:21
 71:4
thoughts 106:4
three 13:7 21:2 26:8
 30:24 49:15 63:21

70:3 94:1,2 95:19
threshold 76:7
TI 3:14
tied 105:14
tight 106:15
time 4:2,7,9 6:8 9:13
 10:1 11:2,4,9 12:6,13
 14:9 16:10 17:5 20:17
 31:14,24 34:4,18 35:9
 37:15 38:4 41:8 42:21
 42:21 52:10 62:9,24
 63:10 66:24 70:3,11
 73:22 77:2 79:11 81:8
 84:17 87:18,19,20
 92:17 93:25 94:15,22
 95:8 96:17 101:16
 102:14,18 105:21
 106:3,25
times 12:7 33:20,22
 70:3 73:9 94:1,2,5
title 2:23
TMT 8:8
today 53:24 84:6
told 41:21 63:10 78:13
 94:12,13
top 31:15 90:23
total 31:5
TOTE 1:13,15,16 2:12
 2:17,19 25:24 39:24
 40:3,18 41:8 83:1
 96:16,21
touch 57:3
touched 75:10
tough 72:18
toxics 63:6
track 31:23 104:15,18
train 23:13 31:10 64:9
 71:5 91:6
trained 33:9 64:20
trainee 50:2
trainees 7:14 14:4
 33:19 49:13
trainer 50:14
training 2:25 3:7,8 4:2,4
 5:6 7:5,6,9,12,13,25
 8:2,7 9:1,8 12:14,21
 13:18,24,25 14:8 15:7
 23:12 30:7,10,10,11
 31:4 39:16 64:11,13
 64:15,17 86:10,21
 98:23
transcript 1:21
transcription 5:11
transferring 33:15
Transportation 1:1,22
 2:5
travel 34:13
traveling 102:16

trenders 43:12
tries 13:23
try 16:2,3 26:2 34:14
 100:11
trying 5:20 13:14 15:4
 28:24 30:21 37:14
 42:9 68:19 86:14
tubes 71:1 94:12,13
tug 70:6,14
turbine 82:4
turbines 82:2
turn 60:25 80:5
turned 97:17,22
turns 12:14
Twenties 23:2
two 4:19 15:10,19 16:20
 20:10 21:2 25:9 30:23
 30:25 31:6 32:5,6,20
 32:24 34:17 35:1,1,7
 36:8,9,13 39:25 43:8
 46:18 47:1,12 49:19
 49:24,25 50:5,21 52:5
 52:11,14 58:13 63:24
 82:4 94:5 95:19
 103:21 104:1
type 3:7 11:19 34:4,23
 37:4 52:4 89:12
types 26:9 30:1 33:9
 45:18 63:5 88:22,23
 102:24
typical 29:7 49:11 52:9

U

U.S 1:14,15,16 2:8 9:20
 14:11 45:5,8,10 47:25
 48:1 91:19 92:9 95:11
Ultimate 17:22 18:5
unable 104:18
underneath 66:4
understand 26:14
 44:20 46:14 73:23
Unica 15:2 29:1 59:22
 78:13 105:21 106:7
 106:16
unique 20:11
unit 6:22 13:17,22
 32:15,23 54:21 69:23
units 54:12
unlicensed 51:9,10
 69:6
unrated 51:7
unsafe 88:5
unusual 93:5
update 101:9 104:5
updated 19:12 31:19,24
 61:24
updates 102:22
updating 82:20

upgraded 104:14
uploaded 87:7
upper 69:2
use 19:4,8 21:16 24:14
 24:14 31:21 45:8,10
 45:19 57:1,13
usually 7:7 9:11 11:3
 12:2 13:23 19:2,4
 25:8,19,20,24 26:22
 27:10,22 28:25 29:3,9
 29:13,24 31:9 33:16
 34:11,12,24 36:8,12
 40:18 46:5,7 50:6
 51:3,7,11,13 52:18
 55:5 56:19 57:16 60:8
 61:6 63:6 64:21 65:1
 66:25 82:12 83:4,9,12
 85:16 86:1,5 88:8
 91:24

V

valve 94:23 95:7 97:17
 97:22 98:9,11,15
valves 94:14 98:12,16
 98:22
varies 11:18
variety 13:19 51:7
various 13:16
vary 10:24
vast 24:21
VDR 54:16 55:2 100:21
 103:22
vents 79:14
 [REDACTED] 1:15 2:10,10
 14:23,23 34:20,20
 36:14,14,22 37:18,22
 39:14,14 51:9 80:19
 80:19,24 81:8,12,20
 82:1,7,22,25 96:9,12
 96:14,19
verbal 15:8
verifying 7:16 11:22,25
 12:4,11,16,18
version 18:1 61:23
versus 37:2 48:5
vessel 3:15 4:13,14,25
 7:21 11:16,19 16:23
 19:13,21 20:11,14
 21:11 26:17 27:6 28:2
 28:20,22 34:15,19,23
 35:6,13,16 36:18 37:1
 37:6,17 39:18 40:13
 42:2,3,4 43:11 44:15
 45:25 46:9 47:5,9,22
 47:23 48:5 52:4,9,20
 52:21 53:17,18,24
 55:7 58:3,19 59:7
 60:1 62:7 64:17 69:25

71:20 72:11,17 76:2,4
 76:6,9,19,19 78:3,4,4
 78:9 79:10 81:14 83:6
 84:6 85:11,22 86:8
 89:17 90:2,10,20,23
 106:14
vessels 3:18 9:3,11,14
 10:23,24 11:5 20:21
 23:5,23 24:25 26:9
 36:25 37:8 40:1,24
 41:1 42:3,13,14,15,16
 42:17,20,23 43:5
 45:18 50:25 51:16,20
 54:5,5,6 77:4 84:13
 91:16,21 92:9,9 93:13
 93:14,19 96:22 99:12
 101:23
VHF 57:13
VHMM 57:6
Virgin 105:3
visit 36:24

W

wait 44:4
walk 15:10 16:9 27:5,5
 30:3 54:14 60:18
 67:21 72:11 80:11
 89:17,25 90:6
walk-through 52:19
 61:2 91:5
walked 90:22,23
walking 30:1 59:10,15
 61:13 76:19
walks 17:12,14
want 5:15 8:14 11:7
 12:4 16:15 18:9 19:11
 20:18 22:9 25:22 27:4
 31:13 39:1 46:5,25
 51:8 63:13 65:17
 66:14 81:5 87:21 88:1
 91:23 93:9 102:24
 103:21
wanted 17:8 21:5 38:1
 39:15 46:11 63:11
 70:1
wants 32:2
warm 83:9
warrant 11:4 21:17
 33:24 99:20
wash 70:25
wasn't 29:11 35:15 42:8
 58:5 66:2 71:23 82:11
 83:17 86:23 95:11
waste 43:13
wasted 60:22
watch 64:21 92:2
 105:25
watching 57:9 66:22

water 27:10 42:22 44:5
67:23,25 83:9 90:4
100:19 106:14
water's 65:23
watertight 59:9,9,15
60:12,15 61:4 76:11
90:12
way 3:18 30:16 36:18
43:12 48:9 60:7 65:23
66:6 71:19 75:9,10
80:4,5 85:5 100:1
103:25 105:4 106:25
we'll 3:5 21:23 49:4
51:21 54:17 59:6
60:25 62:22 67:2 80:5
86:5,6 88:12,16
106:24
we're 7:11,21 8:20,23
9:7 11:8 16:1,2 17:24
18:16,18 20:2 22:19
26:19 27:7,14 29:18
30:1 32:24 33:23 36:2
36:13 37:4 39:23,25
40:16 51:5 60:9 62:16
62:25 64:19 65:8
66:22 77:18,19,20
80:4 86:20 88:2,4,4,5
89:19,19 90:7,11
100:9 103:13 106:1
106:13
we've 7:20 18:14 20:16
20:18 32:21 38:13
41:7 51:22 61:20 69:1
97:9
weather 32:16 101:5
102:10 106:1,3,5,10
weather-tight 106:14
website 31:11
weeks 4:11 13:6,6,7
14:5 32:20
weight 81:14
Weist 17:6,13 21:17
30:8 106:8
welding 13:18
went 4:6,23 6:6 22:15
22:17 31:11 33:21
35:3 46:10 50:3 53:25
58:14 63:14 64:7,9
73:10 74:9 78:12 81:3
81:4 90:19
weren't 26:1 32:10
40:11 52:16
whatsoever 39:7
wheels 80:6
wide 20:12
wild 101:8
wind 105:18
witness 85:15

witnessing 87:18
wondering 83:16
work 26:2 32:12,14,16
32:18 33:16 34:16
35:22 36:18 42:9 43:7
44:5 66:6 67:13 72:22
77:4 79:8 81:17 94:23
103:25 104:23
worked 3:18 64:1 67:8
68:14
working 2:9 7:22 14:9
24:21,23,24 27:11
32:3 56:21 61:14
63:16 65:16 67:7,10
73:13,22 74:18 75:22
82:14 84:23 88:18
96:20,21
works 37:1 73:20
world 101:12
worried 80:8
wouldn't 38:2 85:4
94:25
wracking 100:13
wrap 102:20
write 30:4 70:9 87:6
written 32:22
wrong 97:22
wrote 71:12 95:15 98:7
104:9

X

Y

yard 4:8
year 3:25 5:4,24 8:22
8:24 22:10,18 23:2,15
26:10 33:14,14,17,24
35:21 37:19 41:3
46:17 48:22,23 53:9
54:3 76:5 85:22 92:21
98:5,6
years 15:18 21:2,3
24:23 25:9 26:18
27:17,22 30:22 33:15
40:24 52:12,12,14
72:10 73:20 91:17
92:5,7,8,14,15,18
93:15 97:4
Yorktown 13:1
Young 1:13 2:3,4,22 3:2
3:5 5:9,14,16 6:1 7:25
8:5,12 9:1,7,16 15:6,9
15:16,21,24 18:2,4,11
18:13,20 19:19 21:23
49:1,1 62:15,15,22
67:18 68:9 69:10,16
69:18,20 70:11,13,17
71:3 93:22,22 94:2,5

96:11,13 97:24 98:1
99:4 100:6,6 102:19
106:23

Z

zippers 67:7

0

1

1 1:5 43:9
1.4 89:2
1:00 29:4
10 1:9
100 23:17
10th 2:3
12 49:17,23
12-13 50:13
121.5 104:20
13 50:15
14th 98:4,5
15 63:20
16th 96:6
180 15:19
1801 5:1
1986 53:25 84:9,14
91:15
1990 93:20
1991 3:24
1993 3:18 92:6
1994 4:5
1998 3:19 4:24 96:18

2

2 45:1
2.1 89:2
2.2 89:2
2.3 89:2
2:00 29:4
2000 92:24
2000s 92:21
2001 4:19 6:12 19:12
2003 4:24,24
2007 105:2
2009 94:3
2010 7:3
2011 41:15,19 94:4,11
95:15
2014 80:21 81:13
2015 1:5,9
2016 43:18
2020 19:16
21 7:6
22 92:6,8
22nd 96:8
240 64:10
26 50:13
29th 70:4

2nd 17:21

3

30 102:7
32 83:13,15
378s 15:19
39 50:15

4

4 17:10
40 40:24 41:3 50:18
91:16 93:15 102:3
406 54:22 104:21
46 44:25

5

50 23:2,15 43:22 44:14
102:7
51 43:22 44:14

6

6 48:21

7

7:00 50:12
70s 93:1
74 104:5

8

8 45:1
8:00 50:12
8:15 2:2,3
835s 95:17
840 10:16 17:25 19:7,10
20:3 21:16 23:24
24:14,19 27:17 38:9

9



Office of Marine Safety
Transcript Errata

Matter: El Faro
Ref #: DCA16MM001

[REDACTED]

Enclosed with this letter is a copy of the transcript of interview for [REDACTED] taken on 10/10/2015. Kindly review this transcript for accuracy and provide corrections, if any, in the attached table.

Thank you in advance for your attention to this matter.

11/3/2015
Date

Brian Young
Major Marine Accident Investigator

TABLE OF CORRECTIONS TO TRANSCRIPT OF INTERVIEW FOR

[REDACTED]

TAKEN ON

Saturday October 1, 2015

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
2	24	[REDACTED]	[REDACTED]
2	25	And I'm the Main	And I'm the Marine
3	13	, Haul,	, Hull,
3	14	Hull TI	Hull HI
3	15	Subjectory	Subchapter
4	7	COLANUS	COLONNA'S SHIPYARD
4	9	, we had active	, San Juan had active
4	12	they had the new SOLAS because I got my	they knew I understood SOLAS because I got my
4	13	Patch in vessel qual, my foreign tank and my passenger	my Foreign Tank Vessel, Foreign Chemical Vessel and Foreign Passenger Vessel
5	3	going	doing
6	18	forms qualification standards	new Performance Qualification Standards
6	22	And then in	And then at
7	3	over star	Senator Oberstar
7	4	Act. We talked about what	Act; it talks about what
7	23	OSBs	OSVs
8	22	That's	There's
9	15	I keep on	I keep up on
11	3	of a Coast	on a Coast
14	8	district	industry
16	24	fractures that happened involved.	fractures that happened in non critical areas.
17	3	[REDACTED] phonetic), Assistant Chief	[REDACTED]
17	6	Stacy	Eustacia
17	10	MSE-4	MSSE-4
17	14	[REDACTED]	[REDACTED]
17	22	Ultimate	Alternate
17	25	that's covered	that's' covered in the
18	5	Ultimate	Alternate
18	7	mission system	Mission Management System
18	23	sure whether	not sure whether
20	2	missile	MISLE
20	3	going away from as being	going away from being

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
20	14	Is the Passing Vessel	in the Passenger Vessel
20	15	NSUE (phonetic)	CSNCOE
21	1	caring	carry
25	21	NAVIC	NVIC
25	22	to do we can all ABS and we get to	to do that we can call ABS and ABS
25	23	bill	bills
26	2	we were	we would
26	24	up on, the back-up, port state control exam	up on class outstanding requirements.
26	25	AP	ACP
27	5	do a deb walk	do a deck walk
27	10	or the water separator	or the oily water separator
28	18	then we ratchet it up to	then we ratchet up
29	1	El Unica	El Yunque
30	8	Stacy Weist	Eustacia Weist
31	1	Mido	MITO
31	2	(phonetic) periodic. Then we also had crew ship NSUE	Peer Audit. Then we also had cruise ship NCOE
31	3	Crew	cruise
31	17	inspections on	inspections and
31	18	recombined	combined
32	2	that leave wants to have	that leaves wants
32	3	This is ten audits	All Sector Prevention Departs are audited
32	4	around the Coast Guard	throughout the Coast Guard.
32	15	had to go out to know the unit. We had to modify it to	we had to modify it to
33	20	state controls	state control
35	25	CIO	COI
36	2	CIO	COI
38	2	And they said no	And we (CG) said no
38	17	And there's only a few that	And there's only a few Sectors that
39	3	Whether all of us should get,	Whether all of us should obtain these quals
39	5	least get your machinery. The hull we can get that.	least obtain your machinery.
39	25	L&G	LNG
41	2	we enter	we inspect
42	10	peek	peak
42	11	peek	peak
45	15	D&V, GO which si DVGO now.	DNV, GL; which is now DNVGL.
45	19	D&V	DNV
45	20	D&V	DNV
46	10	chief inspections	chief of inspections

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
47	4	Then we have a NAVIC. A NAVIC	Then we have a NVIC. A NVIC
47	20	And if its gets into ACP, he's	And if the vessel gets into ACP, the vessel is
47	23	vessel. He	vessel. The vessel
47	24	go in and enter international	go international
50	14	trainer	trainee
51	20	flight	freight
53	5	Because you	Because we
54	11	SSASVDR	SSAS, VDR
54	22	406 E	406 EPIRB
54	23	(inaudible) we	we
55	24	SAS	SSAS
57	3	near	medium
57	6	VHMM (phonetic)	VHF-FM
57	25	left afloat	lift the float
59	22	El Unica – they had actually chop	EL Yunque – they had actually chalk
59	25	chop	chalk
60	1	head.	had.
61	1	frayed	free
63	22	celluloid	solenoid
65	2	On (Inaudible)	on scene
65	3	got	go
65	11	I'm not sure if they did this if	I'm not sure if
65	19	so Banner.	abandon
66	4	spider	piece
67	6	(Background noise)	in good condition
68	7	(Inaudible)	chains
69	24	in output.	reported.
73	4	electric	reflective
73	9	El Far	El Farro
73	15	in the cab.	and clean
74	21	GMBSS	GMDSS
74	23	GMBSS	GMDSS
77	12	detection on a carrying cargo	detention on a caribbean cargo
78	4	L&G	LNG
78	13	Unica	Yunque
78	14	row-row	RO-RO
79	14	a hair	Sahara desert
83	3	emergent	immersion
83	7	emergent	immersion
86	14	NAVIC	NVIC
89	20	coding	coating
90	16	Coning (phonetic)	coaming
91	6	train	frame
94	3	I was in it	I was on it

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
94	21	hamper	dampers
94	21	generator	from the
95	21	going to going	going
98	17	was starting to boil the system	restarting the system.
99	4	Little	low
100	21	fine	find
103	16	he had on here.	he had here.
103	19	conditions are	conditions were
104	2	(inaudible)	determine
104	10	[REDACTED]	[REDACTED]
105	16	MASH rescue	mass rescue
105	17	brink	beach
105	21	El Unica	EL Yunque
106	7	El Unica	EL Yunque
106	16	El Unica	EL Yunque

If, to the best of your knowledge, no corrections are needed kindly circle the statement "no corrections needed" and initial in the space provided.

NO CORRECTIONS NEEDED. _____
Initials

[REDACTED]

Printed Name of Person providing the above information

[REDACTED]

Signature of Person providing the above information

20 Nov 2015

Date

C E R T I F I C A T E

MATTER: El Faro Incident
Accident No. DCA16MM001
Interview of [REDACTED] [REDACTED]
Jacksonville, FL

DATE: 10-10-15

I hereby certify that the attached transcription of page 1 to 122 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.

[REDACTED]

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