

NATIONAL TRANSPORTATION SAFETY BOARD

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 IN RE: :  
 :  
 THE EL FARO INCIDENT OFF : NTSB Accident No.  
 THE COAST OF THE BAHAMAS ON : DCA16MM001  
 OCTOBER 1, 2015 :  
 :  
 ----- :

Interview of: CWO [REDACTED]

Thursday,  
April 14, 2016

NTSB Headquarters  
Washington, DC

BEFORE:

BRIAN YOUNG, NTSB  
 TOM ROTH-ROFFY, NTSB  
 LCDR [REDACTED] USCG  
 LT. [REDACTED] JAG Corps  
 LCDR [REDACTED] USCG\*  
 LOUIS O'DONNELL, ABS\*  
 LEE PETERSON, TOTE\*  
 JIM FISHER-ANDERSEN, TOTE\*

\* Participating via teleconference

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

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

(9:27 a.m.)

1  
2  
3 MR. YOUNG: Okay, so the recorder is on. It  
4 is April 14th, 2016. The time is 9:27, we're at NTSB  
5 Headquarters in Washington, D.C.

6 We're conducting an interview of Coast Guard  
7 Inspector Chief Warrant Officer [REDACTED] [REDACTED] My name  
8 is Brian Young, I'm the Engineering Group Chairman.  
9 I'm going to go around the room of the people present  
10 here and introduce ourselves.

11 MR. ROTH-ROFFY: Good morning. Tom Roth-  
12 Roffy, NTSB.

13 LT. [REDACTED] [REDACTED] [REDACTED] Coast Guard,  
14 representing the Witness.

15 CWO [REDACTED] [REDACTED] [REDACTED] U.S. Coast  
16 Guard.

17 LCDR [REDACTED] Lieutenant Commander [REDACTED]  
18 [REDACTED] U.S. Coast Guard.

19 MR. YOUNG: On the line from the Coast  
20 Guard.

21 LCDR [REDACTED] This is Commander [REDACTED]  
22 [REDACTED] I'm actually a member of the Operations  
23 Group.

24 MR. YOUNG: From ABS.

25 MR. O'DONNELL: Louis O'Donnell, American

1 Bureau of Shipping.

2 MR. YOUNG: From TOTE.

3 MR. PETERSON: Lee Peterson, TOTE  
4 coordinator.

5 MR. FISHER-ANDERSON: Jim Fisher-Anderson,  
6 with the NTSB Engineering Group.

7 MR. YOUNG: That's great. That's everybody  
8 on the line. And if you will, [REDACTED] just acknowledge  
9 that we are recording this interview.

10 CWO [REDACTED] That's fine.

11 MR. YOUNG: Okay, great. Thanks. So I  
12 appreciate you coming down today. [REDACTED] and if you  
13 don't mind, maybe you could just start off with giving  
14 us a little background on the training and experience  
15 to become an inspector for the Coast Guard?

16 CWO [REDACTED] Sure. I have 27 years and  
17 some, coming up on 28 year's active duty. Been in  
18 marine inspection since 2004.

19 I have, let's see, foreign freight, foreign  
20 tank, foreign gas, foreign chemical, foreign passenger  
21 vessel qualifications. Small passenger vessel, T-boat,  
22 K-boat, barge and machinery quals. I think I covered  
23 everything.

24 And multiple training relevant to marine  
25 inspections. I got some certificates and dates, but I

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1 don't know if that's helpful or not.

2 MR. YOUNG: Okay. Just 27 years of Coast  
3 Guard inspector of experience. Can you discuss,  
4 particularly any training, with regard to steam plants?

5 CWO [REDACTED] Yes. Sure. Let's see. Well,  
6 I have my machinery qualification, which gets into  
7 steam as far as an auxiliary, but not main propulsion.

8 Additionally, I was working on my steam  
9 qual. And I had logged these in my PQS for my steam  
10 qual, which was the Comfort. USNS Comfort.

11 We did fire and water side with [REDACTED]  
12 [REDACTED] (phonetic), who's one of the travelers for the  
13 Coast Guard. That was back in 2009. And we also did a  
14 boiler hydro in there.

15 I attended an annual on the Chemical Pioneer  
16 with [REDACTED] in 2011. I was on the Pollux for a  
17 boiler hydro. They were doing some repairs in 2011.

18 In 2012, in San Juan, we had a major  
19 casualty on the Horizon, Navigator. I was part of that  
20 as a followup. We did periodic safety test procedures  
21 on that over the course of a couple days.

22 We also did sea trials on that vessel. This  
23 was all early January 2013. We did a damage survey on  
24 the Horizon, Navigator's boiler and then some  
25 subsequent repairs. That was April of 2013.

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1           And the El Yunque, and I just logged, I  
2 don't really recall, but we did periodic safety test  
3 procedures on the El Yunque in April of 2013 as well.

4           That's just what I've logged. I know I've  
5 done more than that. I know I was involved in some  
6 boiler repairs on the Chemical Pioneer and lots of  
7 machinery inspections.

8           We did the Cape May-Lewes Ferries. They had  
9 five of them. At the time we were on their quarterly.  
10 Didn't have propulsion boilers, but they did have  
11 auxiliary, heating boilers. Which we regularly  
12 inspected.

13           And we also had a T-boat, when in was in  
14 Philadelphia in 2004 to 2012. Which actually was a  
15 steam powered T-boat. With a reciprocating piston,  
16 paddle wheel. Which is unique.

17           MR. YOUNG: Yes.

18           CWO ██████████ So not all the experience in  
19 the world, but I've seen it. Touched it.

20           Additionally, as far as training goes, I've  
21 been to the SUNY course diesel steam automation course.

22           The Coast Guard, part of the steam qual was  
23 a online course for diesel steam machinery inspector.  
24 Which I completed in October of 2012.

25           And I took an online course of ASME. It's

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1 B31.1, so it's pressure piping. That was April of  
2 2014.

3 And in 2000, I don't know. It was probably  
4 -- oh, I'm sorry, I know. It was the summer of 2012 I  
5 took a thermo one. College level.

6 Prior to that, subsequent -- I mean I just  
7 got done taking thermo and heat transfer lab. And that  
8 was not before this, but that's pretty much the  
9 relevant stuff, I think, prior to.

10 MR. YOUNG: And it was PQSs you were  
11 discussing?

12 CWO [REDACTED] Okay. PQS is, I was pursuing  
13 my steam qual. In addition to this, there is a PQS. I  
14 gave it to our MITO to sign off for me.

15 MR. YOUNG: Can you say what a MITO is?

16 CWO [REDACTED] Yes. Marine Inspection  
17 Training Officer.

18 Two items that are kind of no-brainers, and  
19 that was taking the online course and also completing  
20 the machinery course. Completing the machinery qual,  
21 which I had. And it never got signed off. It was in  
22 the black hole of papers. So after about a month I  
23 took it back.

24 And I also pursued, in the Great Lakes they  
25 do spring breakouts. And I contacted a friend of mine

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1 who is stationed there, talked about doing breakouts.  
2 He said, sure, come on up. Presented that to the  
3 command and they told me they couldn't fund it.

4 But they did say that they would set up a  
5 ride on one of the TOTE vessels. And the CID sent that  
6 to the marine inspection trainer. The chief of  
7 inspections division sent that to the Marines, by  
8 email, and I don't have a copy of it anymore. But to  
9 the marine inspections training officer to set that up  
10 and it never happened.

11 MR. YOUNG: So if I understand properly, to  
12 get your steam qualification, you need the machinery  
13 qual plus you need online courses?

14 CWO [REDACTED] Well it's two separate qual  
15 packages. I don't have it with me, but I can get you a  
16 copy of it. But it's a PQS and its certain things you  
17 have to do.

18 I believe, I'd have to look, but I went  
19 through everything. The only thing I was lacking was  
20 setting the safeties. Which I was supposed to go up to  
21 New York. This was back in, I think late 2011, early  
22 2012 I think. And on the SUNY training vessel. Empire  
23 State I believe.

24 Had a schedule to go up there, and they were  
25 going to set the safeties. And I also had a conflict

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1 inspection where I was going to do new construction of  
2 pressure vessels. For Anne hydro (indiscernible)  
3 barge. And the two days conflicted and I had to go  
4 through the pressure vessels so I didn't make it to the  
5 safeties.

6 But otherwise, I'm pretty sure I've actually  
7 done everything that's on the PQS. Just haven't had  
8 anybody there to sign everything off.

9 MR. YOUNG: And typically during a PQS you  
10 would have, would there be a, say a superior or  
11 somebody more experienced than yourself signing off on  
12 these --

13 CWO [REDACTED] Yes. There should be a  
14 verifying officer who signs off the PQS items. I did  
15 sit on some of the MITO, Marine Inspection Training  
16 Officer, phone conferences they used to have monthly.

17 And I know there was talk, and our MITO as  
18 well, where they were talking about not, I don't want  
19 to say anything incorrectly, but I believe the gist of  
20 the conversation was that there's not enough steam  
21 vessels left. And they're obviously not going to be  
22 around for, nobody really knows how long, but there's  
23 some phase out dates coming.

24 And that some of the -- that they may not  
25 issue any quals. I think it was, in the MITOs,

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1 collectively, or at least their spokesperson's opinion,  
2 that we won't issue steam quals because steam is kind  
3 of on the way out.

4 MR. YOUNG: Understood.

5 CWO [REDACTED] Yes. That's how I took the  
6 conversation. What I heard of it.

7 But with that being said, I know there are  
8 plenty of people going to these breakouts, talking to  
9 my friend. But there is really, I don't know that  
10 there is any rhyme or reason to who was going. It was  
11 whoever, I guess, could come up with the money. And  
12 San Juan didn't have the money.

13 MR. YOUNG: And if you don't mind, just  
14 you've referred to PQS and the periodic safety test  
15 procedures --

16 CWO [REDACTED] Correct.

17 MR. YOUNG: -- as another, say inspection  
18 activity.

19 CWO [REDACTED] Yes.

20 MR. YOUNG: Can you just describe what is  
21 involved with a periodic safety test procedure onboard  
22 a steam ship? Generically.

23 CWO [REDACTED] It would depend. I went  
24 through the -- it really depends on the vessel. I've  
25 been through them, on some ships.

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1 I was involved with a lot of new  
2 construction at AKUR (phonetic). Where it was several  
3 days of going through, pulling wires, electronics.

4 I've seen periodic safety test procedures on  
5 some boats where there is maybe a handful of six items,  
6 maybe, on their whole test procedure.

7 Probably most recent would be the Horizon, I  
8 think it was the Navigator. Navigator or Trader, I  
9 don't recall which one.

10 We went through, I think it may have been  
11 like three pages. It was basically testing the alarms.  
12 Like low water, high level, flame failure, things like  
13 that.

14 MR. YOUNG: So would typically, would the  
15 vessel give you a test procedure that they maybe, or  
16 they pretested before your arrival, and then you would  
17 refer to that?

18 CWO [REDACTED] Ideally that's how it would go.  
19 That's assuming we're doing that now. That would be  
20 for a full on inspection. If it's ACP then that's not  
21 necessarily going to be part of the inspection.

22 MR. YOUNG: Okay.

23 CWO [REDACTED] The only reason we did it on  
24 the Navigator or Trader, and I don't, let me just make  
25 sure I got the right one. Navigator.

1           The only reason we did it on the Navigator  
2 was because they had a major casualty. They lost their  
3 turbine.

4           I don't know if you're familiar with it, I  
5 can go into details that I know of it, but --

6           MR. YOUNG: I think we're all set with that.

7           CWO ██████████ So anyway, through the course  
8 of the, I guess the damage survey, we found out that  
9 their periodic safety test procedures predated their  
10 automation system. So that's why we ended up going  
11 through the whole series of test.

12          MR. YOUNG: That's on the Horizon boat  
13 though, right?

14          CWO ██████████ Correct, that was on Horizon.  
15 And at the same time, our two main steam ships, or  
16 really the two we had, were SeaStar and Horizon.

17          So we had talked with ABS to make, and they  
18 went through to make sure everything was correct on  
19 Horizon, and they also told us that they had checked  
20 SeaStar. And that everything was fine on there.

21          MR. YOUNG: Okay. So just before we move on  
22 to maybe specifically the inspection on El Faro, I'm  
23 just going to go around the room and the phone to see  
24 if anyone else had any further questions about training  
25 and qualifications. So we'll just go around, start in

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1 the room, and then we'll go to phone. Tom?

2 MR. ROTH-ROFFY: Yes, thank you, Brian. Tom  
3 Roth-Roffy, NTSB. Just a followup on the topics that  
4 Brian has already mentioned.

5 You mentioned the El Yunque, PSTP.

6 CWO [REDACTED] Yes, sir.

7 MR. ROTH-ROFFY: Have you already discussed  
8 that? What did you do there? You mentioned the  
9 Horizon, Navigator, the reason why you didn't PSTP.

10 CWO [REDACTED] Oh, yes. Right. I don't  
11 recall what we did. I honestly don't remember it. I  
12 do recall, the one thing I do recall was, one of the  
13 inspections we did, it may have been the, I believe it  
14 was the El Faro, but I can't be for sure, was [REDACTED]  
15 said, when you're, he was the lead, and he said, when  
16 you go down in the engine room, do one periodic safety  
17 test procedure.

18 And I believe that was on the El Faro. So I  
19 don't recall what we did. I didn't go back and look in  
20 MISLE.

21 I don't know what the extent of what we --  
22 we may have tested a few items. I think it was  
23 probably falloff from the Horizon and just following up  
24 to make sure ABS went through all that. I don't  
25 remember to be quite perfectly clear.

1 LT. [REDACTED] (Indiscernible) five?

2 CWO [REDACTED] No, it's plural.

3 MR. ROTH-ROFFY: All right. Now do you  
4 recall if the two SeaStar vessels had their own PSTP  
5 and how well that was represented, with the equipment  
6 onboard?

7 CWO [REDACTED] I don't know that we checked it  
8 when we did the El Faro, in addition to doing the  
9 tests. And I think when we did the El Yunque, the last  
10 time, we had checked on it.

11 They didn't have the paperwork available,  
12 but assured me it was done. And that ABS had it. The  
13 paperwork was actually back in the home office. That  
14 it was completed.

15 MR. ROTH-ROFFY: Okay. Could you describe  
16 in more detail, I believe you said the ACP is not  
17 necessary to do -- with ACP you don't necessarily do  
18 PSTP, please describe how that works?

19 CWO [REDACTED] Okay. So with ACP exams, or  
20 inspections, according to the policy, the scope of ACP  
21 exam is the same as what we would do on a port state  
22 control vessel.

23 So it's pretty much an abbreviated check.  
24 Walkthrough the engine room, there's certain things we  
25 check, which I can go into detail. I don't know when

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1 you want me to do that.

2 But without going into testing the things  
3 that we would normally test. If it were in fact the  
4 full blown non-ECP inspected vessel.

5 MR. ROTH-ROFFY: Yes. So I think we'd like  
6 to cover that in detail.

7 MR. YOUNG: Absolutely.

8 MR. ROTH-ROFFY: Brian has probably some  
9 questions in that area.

10 MR. YOUNG: Yes.

11 MR. ROTH-ROFFY: You mentioned that you  
12 believe, or you think, you've completed everything on  
13 the PQS and you have submitted your package for  
14 approval and was not approved.

15 CWO [REDACTED] Yes.

16 MR. ROTH-ROFFY: Are you able, now at this  
17 time, to resubmit your package and get your steam qual  
18 or not?

19 CWO [REDACTED] Well I only submitted it to  
20 sign -- I had just asked him to sign off. So let me  
21 show you. So this lists everything that's in the  
22 course. I should have brought, if I would have known,  
23 I would have brought it. But I can get it to you.

24 So these are all the items. It's completed,  
25 completed, completed. And the course, and passed.

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1           And I had just asked him to at least sign  
2 that off. And then other part of it is, one of the  
3 sign offs is to have a machinery designation. Which I  
4 handed both of those with the package. Just asking  
5 them to sign those two items off.

6           MR. ROTH-ROFFY: And they just --

7           CWO ██████████ I don't know. I mean I don't -  
8 - there you go.

9           MR. ROTH-ROFFY: Thank you. This is kind of  
10 what your package would have looked like, right?

11          CWO ██████████ Yes, it would have had that in  
12 it. And just asking him to sign those two items off.  
13 Not necessarily had to sign the whole entire --

14          MR. ROTH-ROFFY: Okay.

15          CWO ██████████ And some of the things that he  
16 was with me when I did on the Horizon.

17          MR. ROTH-ROFFY: Okay. So your role in,  
18 inspecting respecting steam vessels, was under  
19 instruction, would that be correct?

20                 Because you were not actually a certified or  
21 qualified steam inspector?

22          CWO ██████████ No. No.

23          MR. ROTH-ROFFY: Explain that.

24          CWO ██████████ Okay. So with ACP, there's no  
25 policy that says what the inspection team should look

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1 like. I've done ACP exams, or know of ACP exams, that  
2 were done where there was just an MSD. One of our port  
3 state control examiners. Maybe a marine inspector and  
4 two examiners onboard.

5 So the scope of what we're looking at is  
6 much more limited than would be necessarily a full exam  
7 that's non-ACP. I was going to go somewhere with that  
8 and I forgot what it was.

9 MR. ROTH-ROFFY: Well I think you're getting  
10 in an area that I'm interested in.

11 CWO [REDACTED] Right.

12 MR. ROTH-ROFFY: Is to do an ACP exam --

13 CWO [REDACTED] Right.

14 MR. ROTH-ROFFY: -- do you require any  
15 qualifications in engineering or steam inspection?

16 CWO [REDACTED] No. There's no policy that  
17 states what the inspection team needs to look like,  
18 other than policy that says, the scope of it is that of  
19 a port state control exam.

20 If you go through the 840 book, all the line  
21 items are solus (phonetic). Because with ACP, we  
22 pretty much take, in this case, Subchapter I,  
23 Subchapter F, Subchapter J, Subchapter W, thrown them  
24 aside and we have solus class rules, which we really  
25 don't have any in depth training, other than what you

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1 need for machinery qual, in this case. And the  
2 supplement. And that's what's there.

3 So essentially what you're looking at is  
4 some solus type items. If that helps.

5 MR. ROTH-ROFFY: And so you don't normally  
6 do any real detailed examination of this propulsion  
7 systems and other machinery --

8 CWO [REDACTED] Yes, sir. No more than you  
9 would do on a port state control exam.

10 MR. ROTH-ROFFY: Okay. And again, I think  
11 we need to kind of dig in with you on what those  
12 differences are. Have you had any ABS training in  
13 steam systems? Anything offered by ABS that would have  
14 been relevant to --

15 CWO [REDACTED] I'm not aware of anything that  
16 ABS has. I have, probably the closest thing I would  
17 have is there's a USNS, I think Joshua Humphreys, that  
18 was titled ACP light, but it was really non-ACP full  
19 Coast Guard exam. I worked hand-in-hand with a ABS  
20 surveyor.

21 Although that was not steam, they did have  
22 boilers and we went through the testing, and whatnot,  
23 for the large auxiliary boilers. That's probably the  
24 closest I've been is working with ABS surveyors in the  
25 field.

1 But I'm not aware that, I mean I try and dig  
2 into things. I'm not aware that ABS has any courses or  
3 anything. That's offered openly.

4 MR. ROTH-ROFFY: Okay, I think that's all I  
5 have. Thank you, sir.

6 CWO [REDACTED] Yes, sir.

7 LCDR [REDACTED] Lieutenant Commander  
8 [REDACTED] Coast Guard. So just to make sure I heard  
9 you right, you said you were machinery inspector diesel  
10 qualified, but not machinery inspector steam?

11 CWO [REDACTED] That's correct.

12 LCDR [REDACTED] Okay. Was there someone  
13 at Sector San Juan, when you were stationed there, that  
14 had the machinery inspector steam qualification?

15 CWO [REDACTED] Yes, sir. Marine Inspection  
16 Training Office [REDACTED] Civilian.

17 LCDR [REDACTED] [REDACTED] [REDACTED]

18 CWO [REDACTED] He was steam qualified, as far  
19 as I know.

20 LCDR [REDACTED] When you did vessels, like  
21 the El Faro, that had the steam propulsion plant, would  
22 [REDACTED] and yourself typically take the lead on those  
23 exams?

24 CWO [REDACTED] [REDACTED] all the U.S. deep-draft  
25 that came through, they would go through [REDACTED] He

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1 would schedule and setup all that.

2           And he would, as soon as they would call  
3 him, he would always ask me what I'm doing on a certain  
4 date. And I think every time, except for once, I told  
5 him I probably didn't have anything scheduled or maybe  
6 I had something scheduled and I could do it the  
7 following day or day before. But then he'd say, okay,  
8 so and so called up and they wanted to do an ACP  
9 inspection that day or whatever. And that's kind of  
10 how it would go.

11           So it would be him and I and then whoever  
12 else would come along. And I think in every, well, I  
13 don't want to say every occasion, but at least him and  
14 I.

15           LCDR ██████████ Okay. When you inspected  
16 vessels, like the El Faro or El Yunque with ██████████  
17 would you alternate who takes the lead between a hull  
18 side and machinery side?

19           CWO ██████████ We did. He would typically ask  
20 me what I wanted to do. My background is machinery so  
21 I'd typically, would choose the machinery. I don't  
22 have a hull qual, but again, the scope is essentially I  
23 do have a foreign freight qual so it wouldn't be any  
24 different as far as the inspection examination.

25           On at least one occasion, that I know of, I

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1 did do the top side. But I would prefer, felt more  
2 comfortable to do the engine room.

3 LCDR [REDACTED] You mentioned that on ACP  
4 exams, in your opinion, there's not a specific  
5 requirement to have a hull and machinery inspector  
6 because of its limited scope. Could you mention what  
7 the intent of your team assignment, typically in San  
8 Juan was, or would you try to have a hull and machinery  
9 steam qualified person go out?

10 CWO [REDACTED] Like I said, [REDACTED] would get  
11 the call, [REDACTED] would ask me and we'd go. And I think  
12 prior to my arrival, there was another inspector there  
13 and they would do the same thing.

14 LCDR [REDACTED] Okay.

15 CWO [REDACTED] And I'm sure it's the same way  
16 now.

17 LCDR [REDACTED] Was there ever discussion  
18 between yourself and [REDACTED] or anyone else at Sector  
19 San Juan, about asking for assistance from outside the  
20 unit if to supplement a machinery steam qualified or  
21 extra hull personnel, or anything like that, to help  
22 with these exams? Maybe a traveling inspector.

23 CWO [REDACTED] Between [REDACTED] and I? No. I  
24 don't know that [REDACTED] asked. I did not. I know I had  
25 done that in the past, not necessarily because it was

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1 ACP or steam, but because it was greater than 30 years  
2 old.

3 I believe there's a policy in the Marine  
4 Safety Manual that says, anything, you know, inspect  
5 greater than 30 years old you're supposed to notify the  
6 traveling inspector.

7 I had asked one of the travelers, years ago,  
8 about that. Because there's really no mechanism to do  
9 that. There's, I don't know, no website to say, click,  
10 have this inspection on this date, calendar appointment  
11 or anything like that.

12 So he said, oh yes, that? Well, you could  
13 talk to so and so. And I'm sure they've transferred  
14 out since then. But no. That's, no, to answer your  
15 question. No.

16 LCDR [REDACTED] When doing some of these  
17 inspections, as a machinery diesel qualified but not  
18 yet machinery steam qualified inspector, did you ever  
19 have any concerns that you might have to expand the  
20 exam beyond the initial scope of ACP, due to problems  
21 in the engine room?

22 CWO [REDACTED] That never came up. Especially  
23 with the SeaStar or TOTE ships. Horizon obviously, but  
24 I mean that was a little different story.

25 Even if you, I believe if you look at the

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1 840 for ACP, even the expanded exam doesn't get into  
2 that sort of thing. I mean if we found serious issues,  
3 you know, if I saw something that I felt I couldn't  
4 handle, I definitely would have talked to [REDACTED] who  
5 had the steam qual. But that never came up.

6 Other than Horizon, which that was -- we  
7 were really digging into that one.

8 LCDR [REDACTED] At Sector San Juan, when  
9 you stationed there, was it routine, when doing these  
10 ACP exams, to stick to the portion of the ACP Coast  
11 Guard 840 book that was not expanded?

12 Did you ever go into the expanded  
13 examination items, as a regular practice?

14 CWO [REDACTED] I'd have to look at it. I  
15 don't think so. But TOTE, SeaStar was, we never had  
16 problems with them.

17 I remember on the El Faro, we got into the  
18 steering. But I think our normal inspection a lot of  
19 the time, depending on what you consider expanded or  
20 normal.

21 If you go to the IMO guidelines, our normal  
22 port state control is expanded. But, I mean really  
23 getting into the weeds with things, it never came up.

24 We definitely had problems in San Juan.  
25 SeaStar wasn't a problem.

1           LCDR ██████████ And one last general  
2 question, before we move into the other topics. You  
3 mentioned that the ACP exam is very similar to a port  
4 state control exam. And in this case it's like a  
5 foreign freight vessel exam.

6           CWO ██████████ Yes.

7           LCDR ██████████ Have you ever, side-by-  
8 side, compared the ACP 840 freight book to the foreign  
9 freight vessel examination scope, to see if they line  
10 up?

11          CWO ██████████ Not line item by line item. I  
12 know there's differences, but essentially they're  
13 pretty close.

14          LCDR ██████████ Okay, thank you. That's  
15 all I have.

16          MR. YOUNG: Great. We'll go to the phone  
17 with the Coast Guard. ██████████ you got any questions?

18          LCDR ██████████ No further questions?

19          MR. YOUNG: ABS Louis?

20          MR. O'DONNELL: Yes. Louis O'Donnell, ABS.

21 A couple questions, ██████████

22          CWO ██████████ Yes, sir.

23          MR. O'DONNELL: Or, ██████████ I'm sorry.

24          CWO ██████████ No, that's fine.

25          MR. O'DONNELL: You mentioned you went

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1 through the PSTP on the El Faro. Did I hear that  
2 correctly?

3 CWO [REDACTED] No, we did one test. I can't  
4 swear, but I believe that when we did the El Faro, and  
5 it was over a year ago. I had trouble finding my car a  
6 few minutes ago.

7 But I believe that [REDACTED] had asked me, I  
8 know for sure [REDACTED] had asked me to do one PSTP on one  
9 of the inspections we were on. I believe it was the El  
10 Faro, I could be wrong, it could have been one of the  
11 other ones.

12 MR. O'DONNELL: Okay.

13 CWO [REDACTED] We did several. We did several  
14 exams, inspections, on U.S. deep-draft steam ACP. And  
15 for me to tell you exactly, I know exactly what we did  
16 on which one a year later, I can't say that.

17 With the exception on El Faro, I have pretty  
18 good recollection I tested the steering and I have a  
19 pretty good recollection of issue we had with one of  
20 the crewman.

21 Other than that, everything can kind of  
22 blend together. And I can't say with a hundred percent  
23 certainty, I'm thinking of the right day and the right  
24 ship, the right events.

25 But I believe that [REDACTED] did ask me to test



1 one PSTP. I vaguely recall that particular chief  
2 engineer dropping the water level so we could do a high  
3 water level trip. Or I'm sorry, low water level trip.  
4 But as far as actually going through the PSTPs, no.

5 MR. O'DONNELL: Okay. Because I'm just  
6 wondering because with El Faro, she didn't carry an  
7 automation notation. Now, I was aware she had boiler  
8 test procedures for all the boiler automation.

9 CWO [REDACTED] Right.

10 MR. O'DONNELL: Yes, okay.

11 CWO [REDACTED] Yes, and that's -- Right, we  
12 would be --

13 MR. O'DONNELL: That's what you went  
14 through. So that's what you're figuring PSTP? Okay.

15 CWO [REDACTED] Yes, correct. For boiler  
16 automation. That's right.

17 MR. O'DONNELL: Okay. No further questions.

18 MR. YOUNG: From TOTE, Lee?

19 MR. PETERSON: No, nothing from us, Brian.

20 MR. YOUNG: Okay. And Jim's all set too?

21 MR. FISHER-ANDERSON: We're good. Thanks.

22 MR. YOUNG: Okay.

23 MR. FISHER-ANDERSON: Thanks, [REDACTED]

24 CWO [REDACTED] Yes, sir.

25 MR. YOUNG: So maybe we'll move on to the

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1 next area of the interview, specifically about the  
2 inspection in March for the COI that you had [REDACTED] had  
3 conducted.

4 CWO [REDACTED] Okay.

5 MR. YOUNG: To the best of your  
6 recollection, if you can maybe recall that inspection?  
7 I know, like you said, it's a year ago.

8 CWO [REDACTED] Right.

9 MR. YOUNG: Maybe just kind of describe, who  
10 was there, about how long you spent onboard and maybe  
11 if you can remember what was some of the functions that  
12 were tested.

13 CWO [REDACTED] Sure.

14 MR. YOUNG: To the best of your knowledge.

15 CWO [REDACTED] Sure. So I remember us going  
16 out. And that's after I reviewed some of the MISLE  
17 entries. And it was a memory jogger for a few things.

18 There's some things that I couldn't remember  
19 if it was that vessel or not, and I was able to find  
20 some notes between the MISLE narrative and some, I  
21 actually had to pull some text messages out of my old  
22 cell phone I was able to find. And can kind of give  
23 you some times and idea about the conversation.

24 Like I said, there as two notable events.

25 One was -- well, I can tell you that it was myself and

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1 [REDACTED] as it was on all of the exams that, at least that  
2 I was one.

3 And that one in particular, we also had the  
4 CID. Chief Inspection Department, which was Lieutenant  
5 Commander [REDACTED] [REDACTED] (phonetic).

6 And we also had the ACID, the Assistant  
7 Chief of Inspections Division. And that was Lieutenant  
8 Commander [REDACTED] [REDACTED] (phonetic).

9 And, you know, they're both very capable. I  
10 believe Commander [REDACTED] had a hull qual as well. And  
11 [REDACTED] [REDACTED] had a master's degree in ocean engineer  
12 from FIT. She had been in New Orleans. I believe it  
13 was FIT.

14 She had been in New Orleans and Mobil. And  
15 she did not have an engineering machinery qual, but she  
16 had just completed, I think a few days prior, her  
17 foreign passenger vessel. She had foreign freight.  
18 And she was a very good inspector. And she was with  
19 me, that I recall, the entire time.

20 So with that being said, that was the  
21 makeup. I vaguely remember we did a hull walk. I  
22 don't recall any particulars.

23 We did go onboard. And I can't -- I  
24 remember one, and I think it was actually the El Faro,  
25 we saw they were discharging because we did see a Dodge

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1 Viper come off on the pier. But I don't think that was  
2 even the El Faro, I think that was the El Yunque.

3 We got in the office and normally, well, we  
4 do documents at first. And they were checking  
5 licenses. Licenses, credentials.

6 And we had a weird incident that occurred  
7 during all that. And I sent some text messages around.  
8 And I can kind of explain that. But it's kind of a  
9 visual thing, so can I stand up and kind of --

10 MR. YOUNG: Sure. We'll try to explain to  
11 the telephonic people that.

12 CWO [REDACTED] Yes. So we were in the  
13 captain's stateroom. And the door would have been  
14 where the door is. Just typical door at the opening of  
15 the room.

16 And against the bulkhead closest or the wall  
17 closest to the door, I think everybody knows bulkhead,  
18 right? There was a coach and then another coach  
19 opposite the door. Which is where I was seated.

20 Commander [REDACTED] [REDACTED] or [REDACTED] Commander  
21 [REDACTED] and [REDACTED] [REDACTED] in that order, were seated up  
22 against the bulkhead. And all the, most of the  
23 officers, I think, had come through at that point and  
24 brought in their credentials.

25 I don't know who it was, but another guy had

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1 walked through the door, with his credential, while  
2 they were seated at the sofa here, he walked by the  
3 table with his credential in his hand like this, sat it  
4 on the table in front of them like this, walked over,  
5 facing away from them, and just kind of stood there  
6 where they couldn't see his face. And he stood there  
7 for a few minutes, while they looked at his credential.

8           And then at that point, Commander [REDACTED] and  
9 [REDACTED] had sent some texts back and forth. And I pulled  
10 out my cell phone at the time, and I have the texts  
11 from them. And I sent to her, call CGIS. Which is  
12 Coast Guard Investigative Services.

13           To me the guy, I had an experience once  
14 where there was a fugitive onboard and that's kind of  
15 what it seemed like, what was going on.

16           Some of the other ships, I forget which one,  
17 that had some drugs. Where, when I think one of the  
18 crew members actually got shot, if I recall correctly.  
19 Coming off the vessel after they had moved some drugs  
20 and something went bad. I don't know all the details.

21           That's kind of what they were thinking. And  
22 I sent another text, should probably ask the captain.  
23 Because that's normally how I would handle it. I like  
24 to be straightforward and say, captain, what's going  
25 on.

1           And then I sent a text, it said, duty  
2 engineer. I don't know, I don't recall what that was  
3 about, and question [REDACTED] Duty engineer and question  
4 [REDACTED]

5           These were at 10:37, 10:39, 10:41 to [REDACTED]  
6 [REDACTED] I don't have any record that she replied to me.  
7 I do recall her and Commander [REDACTED] texting back and  
8 forth.

9           And I believe these times are correct. But  
10 I know some of the emails I have, later one, there's an  
11 hour difference. San Juan is Atlantic standard time  
12 and I think what may have happened is our Government  
13 computers, the server, maybe on the east coast. And  
14 the time may be different on the government computer.  
15 Or it could have been my cell phone, I'm not sure. But  
16 I think my cell phone is right.

17           So the resolution to that was the, whoever  
18 he was, walked back to the thing, grabbed his ID, with  
19 his back facing them, and walked out. So we were all  
20 kind of trying to figure out what's going on here.

21           And I think [REDACTED] finally, it was [REDACTED]  
22 exam, I didn't want to step on his toes. I was really  
23 like, kind of what the heck was going on.

24           But [REDACTED] said, he walked up, shut the door  
25 and then said, captain, you know, I think he said, we

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1 know about some drugs and blah, blah, blah. I don't  
2 remember the exact words. But said, and he kind of  
3 explained to him what the guy did.

4           And the captain hadn't caught on to this.  
5 And he seemed surprised that we were saying this. And  
6 when they told him who it was, he said, oh, that guy is  
7 a conspiracy theorist. And that was the end of it.

8           There was no more followup, it was odd. I  
9 think everybody was satisfied that maybe the guy was  
10 just a little strange, I don't know. And then we moved  
11 on.

12           So from there, during the engineering part  
13 for me, there's kind of a lull (phonetic). I'll  
14 usually look at the IoPP.

15           If the order record book is available, I'll  
16 look at it there. If not, later. And I don't recall  
17 what was the case, in this particular instance.

18           I believe on the El, I know some people have  
19 commented about the El Faro. So I think on the El Faro  
20 we actually looked at the record book afterwards in the  
21 chief engineer stateroom.

22           So once all the licenses were done we would  
23 go to the engineer room. Oh, I'm sorry. The first  
24 thing we typically do is the steering.

25           We test the steering. And that's pretty

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1 much the same for all Coast Guard inspections. Because  
2 you have to coordinate that between the bridge team and  
3 the engineering team.

4           We went to the steering compartment. I  
5 believe, to get to the steering compartment, you have  
6 to go through the car decks. Which were full.

7           And we got to the steering compartment. The  
8 chief engineer, obviously, was with us. One of the  
9 other engineers, I don't recall if was the first,  
10 second, who it was, and the port engineer. I don't  
11 recall his name, but the port engineer followed us on  
12 the engineering portion of the exam.

13           So when we tested the steering, I don't know  
14 how much detail you want to go into with the actual  
15 tests and stuff. It's pretty much the same on all  
16 ships, but we'll have them operate it from the bridge.

17           Really what we're looking for is if the  
18 rudder angle indicator is accurate within a couple  
19 degrees. And we'll do that port, starboard, one pump,  
20 two pump, followup, non-followup.

21           When that's finished we'll test the  
22 emergency steering. I don't remember, the chief  
23 engineer made a comment about the emergency steering.  
24 He was like, oh. I believe it was the trick wheel, if  
25 I'm not mistaken on that.



1           That was pretty much the extent of what we  
2 tested. The ship overall was clean. All the TOTE  
3 ships were, and this one was no different.

4           I do remember there were like, not buckets,  
5 but containers underneath the steering. Which in the  
6 Caribbean that was a big problem.

7           Matter of fact, they went out, I heard one  
8 surveyor call it the bucket mentality. But that wasn't  
9 the case here.

10           In this case the buckets were all empty and  
11 clean and had clean rags in them with no evidence of  
12 anything more than maybe a minor drip. It was more,  
13 typically we see buckets, it's an indication of a  
14 problem where there's a leak and they're trying to keep  
15 up with a leak. In this case it was more that they  
16 were trying to keep it clean.

17           So moving forward. When we were testing the  
18 steering we noticed that the steering was, if we asked  
19 for, say 15 degrees to port, the steering would go 15  
20 degrees port, and then it would continue on another  
21 four or five degrees. So we had tested that several  
22 times. And I kind of got concerned that that wasn't  
23 right.

24           We brought that to -- the other thing we had  
25 noticed was there was a bolt, for the steering, that

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1 wasn't fully engaged. The head wasn't seated on the  
2 flat where it normally would. There was about, maybe  
3 3/4 of an inch of threads or so showing.

4           It wasn't loose. And when we stood there  
5 and looked at, to try and figure out the function of  
6 it, it really wasn't holding anything tight. It was  
7 only there to keep something in place.

8           So it ended up not being a concern. We  
9 pointed it out to the port engineer, he said he would  
10 have somebody tighten down.

11           The steering, with the fluctuation, the  
12 chief engineer and the port engineer initially seemed  
13 kind of surprised about it. And then they had made a  
14 comment that the person who did the work on the  
15 steering had passed away.

16           I guess it was an older system. Whoever was  
17 familiar with the system obviously was old too and was  
18 no longer around.

19           And then the chief engineer made the comment  
20 that maybe the spring and the solenoid was worn out and  
21 needed to be replaced. Which seemed to make sense,  
22 from what it was doing and what I was seeing.

23           And I don't know if he knew that or if he  
24 just came up with that, but it all seemed like we were  
25 on the same page at that point. And then we moved on

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1 from the steering, after all those tests were done.

2 I think I had asked him for a low level  
3 alarm, which it didn't have. And we checked all the  
4 other things.

5 I believe the gyro repeater, instructions  
6 for steering. Yes, I think that's the extent of  
7 everything.

8 I haven't done a port state control exam in  
9 six, well, close to nine months now I guess, being in  
10 the IO shop. But I had done them pretty consistently  
11 and had pretty much all this down, at that time.

12 And then we moved on. And the way I do the  
13 exams, I pretty much do them the same on all the ships.  
14 So I don't remember specifically. But I know what I  
15 would have done and I'm sure I would have done the same  
16 thing. And it's pretty much following the 840 port  
17 state control exam, freight vessel.

18 So I would have went back to the stern tube  
19 then. And I know it was an older ship, and I had  
20 experience, I think it was an OSG ship, it doesn't hurt  
21 to name names, right?

22 Where the stern tube was leaking. And it  
23 ended up being the end of the life for that ship. It  
24 was an older ship.

25 And I had read somewhere since that once a

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1 stern tube starts leaking, it's an indication of  
2 structural weakness or deflection, augging (phonetic)  
3 and sagging and whatnot. So I was curious to what that  
4 would look like.

5           And I remember being pleasantly surprised  
6 that the stern tube looked no different than what a new  
7 ship would look like. There was no leakage, no  
8 wetness, no signs of leakage, nothing like that.  
9 Everything looked really good. So that was, it was  
10 good, I thought, at that point.

11           We moved on. And that's a little different,  
12 because I think there is kind of like a shift alley or  
13 so to get back to the stern tube on that. Which is a  
14 little different than what you typically see on a  
15 foreign freight ship.

16           In 90 percent of the ships I think are all  
17 the Korean built foreign freight ships. They're all  
18 kind of the same. So I kind of go with that and then  
19 adapt it as need be.

20           But from there we would have went and looked  
21 at the fire pump and the bilge pump. And I think we  
22 looked at the bilge pump and with the exam is just a  
23 visual inspection.

24           Chief engineer offered to run the bilge pump  
25 and I told him no, that we don't run, there's a fear of

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1 discharging if there's oil in the lines or something  
2 like that, so we don't typically run the pumps in port.  
3 So I told him that wasn't necessary.

4 That's the time, now [REDACTED] had asked me to  
5 see if the bilge pumps went into the cargo holds during  
6 the exam. And that was something [REDACTED] had found, as  
7 he told me, when he read through solus.

8 There's, when you get into the hazardous  
9 cargos, if a bilge pump runs through a cargo hold where  
10 they're allowed to store hazardous cargos or materials,  
11 I forget all the details with it, but you can't do  
12 that, for fear of communication between the hazardous  
13 location and the location that has hazardous materials.

14 And I asked the chief engineer and he said,  
15 no, it does go through there. So that answered the  
16 question, there was no reason to go any further. When  
17 I did get back I reported that to [REDACTED] and he changed  
18 the COI.

19 From there, I believe we went to look at the  
20 turbine generators. Which were all, I mean it's  
21 basically a box. There's not a whole lot to it.

22 Looked at some gauges. I recall the sight  
23 glass for the oil, for the bearing on the generator  
24 end, everything seemed to be fine.

25 We looked at the boilers. I don't recall,

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1 if they were in port, I think they typically have one  
2 boiler online while it was in port. Everything else  
3 was closed up.

4           There was some point, I don't know if it was  
5 this vessel, another vessel, this vessel at another  
6 time, I don't recall, but I do recall, and it may not  
7 even have been one do the SeaStar ships, but there was  
8 an injector laying there.

9           And I don't know if it was [REDACTED] or someone  
10 who was with me, and it was a female, and said, what's  
11 that? And I pulled it up, I showed her the injector,  
12 and was just explaining to her what it was. Then the  
13 chief engineer came over and said, so we go through  
14 them, that's the way it is. Or something to that  
15 extent.

16           But it very well could have not been that  
17 examine or even that vessel. I recall that, but I  
18 don't remember particulars of it.

19           And we looked at the turbines. And from  
20 there we would have went -- oh, we would have tested  
21 the oily water separator and looked at the sewage  
22 system. And if I recall correctly, I think there was  
23 like a liquid chlorine they used for the sewage system.  
24 We looked to make sure they had chlorine onboard.

25           And there's no incinerator on there,

1 obviously, steam vessel. And from there we would have  
2 went to the Co2 room and the emergency generator. And  
3 ran the emergency generator.

4 MR. YOUNG: What would you say the length of  
5 time was for this inspection? Do you remember what  
6 time you got aboard and --

7 CWO [REDACTED] Well, I can tell you that those  
8 -- while we were still checking the documents, that was  
9 10:37, 10:39, 10:41. And I made a phone call to 954-  
10 [REDACTED]. Which I believe was the cell phone of Steve  
11 Hohenshelt, the ABS surveyor at 3:22.

12 And that was while we were finishing up the  
13 paperwork, prior to getting off the vessel. To let him  
14 know about what we had found with the steering.

15 Additionally, we had lunch onboard and we  
16 did drills. I can't say, with 100 percent certainty,  
17 but I did notice in the MISLE narrative there was a fire  
18 in the galley drill. And I do remember [REDACTED] and I  
19 being in the galley waiting for the fire team to  
20 arrive.

21 MR. YOUNG: I think it was a good  
22 recollection from a long time ago. Prior to going out  
23 to El Faro, you said you remove MISLE. Was there any  
24 other documents that might have been reviewed, prior to  
25 attending?

1 CWO [REDACTED] [REDACTED] does all the, setups the  
2 inspection, does all the review. He'll give me a blue  
3 folder, just like this.

4 I do recall it. It did have the COI, a copy  
5 of the COI. And a copy of the vessel critical profile  
6 in it. And I'll just take a quick glance through  
7 those. And that was the extent of what I saw.

8 [REDACTED] I used to have access to SafeNet.  
9 When I got to San Juan I couldn't get in anymore, but  
10 [REDACTED] did have it. I don't know, [REDACTED] will typically  
11 review the security plan, things like that. So I don't  
12 know what [REDACTED] did. How much he reviewed.

13 MR. YOUNG: Do you know if there is a Coast  
14 Guard requirement to review the ABS SafeNet, prior to  
15 boarding an ACP vessel?

16 CWO [REDACTED] There's no requirement that I'm  
17 aware of. And I don't think the fact that we have  
18 availability to get access to SafeNet is highly  
19 advertised.

20 The only reason I found out about it is  
21 there was a guy at headquarters, oh geez, what's his  
22 name? [REDACTED] --

23 MR. ROTH-ROFFY: Who are you talking about,

24 [REDACTED]?

25 CWO [REDACTED] [REDACTED].

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1 MR. ROTH-ROFFY: He's not there anymore.

2 CWO [REDACTED] I think he was the ACP guy at  
3 one time. And he would track the ACP exams. And when  
4 I was in Philly he sent out an email because there was  
5 like a COI that was or something, exam or something was  
6 overdue.

7  
8 He sent an email, I responded to him, we had  
9 a conversation. He said, oh, I can get you access to  
10 SafeNet. And that's kind of how I got it at the time.  
11 But had I not picked up the phone and talked to him I  
12 never would have had it, most likely.

13 MR. YOUNG: Okay. During this inspection of  
14 El Faro, did you complete a checklist or any sort of  
15 inspection book that was --

16 CWO [REDACTED] So my previous two inspection  
17 tours were both in Philadelphia. As practiced, we kept  
18 the 840 books with us. We recorded all of our exams in  
19 the 840 book, submitted them with our packages. They  
20 were reviewed and filed.

21 When I got to San Juan, they were not, and  
22 there was controversy within the bullpen whether 840  
23 books needed to be kept or not. Most people said they  
24 were as a guide. Some people didn't like to keep them,  
25 some people did. I always did.

1 San Juan was also a training port and I  
2 preached to the inspectors that not every port is like  
3 this and you should fill out the 840 books and it is a  
4 good idea to keep them.

5 But with that being said, the way things  
6 were being filed, the 840 books were just being  
7 discarded. If they were even in the casework. So  
8 there was no point in keeping one.

9 [REDACTED] always did, with the blue folder. He  
10 always did printout the 840 books. And if there were  
11 two of us going he would print out two.

12 I always put them in my back pocket of my  
13 coveralls. And I did have it onboard that day. And I  
14 do recall pulling it out and referring to it.

15 As we were going through the inspection, I  
16 think one of the line items on there I caught was, that  
17 isn't part of a normal foreign freight vessel exam, was  
18 watertight doors. And I had asked the chief engineer  
19 if he had any watertight doors, which typically  
20 machinery exam, you're checking Class 3 sliding  
21 watertight doors.

22 He said, what do you mean watertight doors?  
23 I looked under and the bullet was for Class 3 sliding  
24 watertight doors. I said, Class 3 sliding watertight  
25 doors? He said, no, we don't have anything like that.

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1           Otherwise I checked and every other item we  
2 had hit.

3           MR. YOUNG: So if there were any  
4 deficiencies that may have been reported from ABS  
5 during some of the previous surveys, how would you be  
6 made aware of those?

7           CWO ██████████ When the deck team would do  
8 documents, they would typically ask for conditions or  
9 class or anything outstanding. I wouldn't necessarily  
10 be involved with that unless there was an issue that  
11 needed to be brought to my attention.

12           So I kind of recall maybe the narrative,  
13 from the MISLE narrative, may have said that there was  
14 or was not things outstanding. I'm not sure. I  
15 probably wouldn't know unless there was a problem that  
16 I needed to know about.

17           MR. YOUNG: Okay. And do you know if there  
18 was, in the San Juan Office, ever an attempt to conduct  
19 a joint inspection with ABS?

20           CWO ██████████ No. Well, there was -- that's  
21 two ways to approach that. It typically comes up, and  
22 I don't recall for certain. I know I'm certain that  
23 the discussion came up.

24           And when you look in an ACP vessel, I've  
25 seen it done where the inspectors would accompany ABS

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1 and they would do it jointly. And my -- when I would  
2 weigh in on one of those discussions, one of the  
3 problems is, when you're doing your exam, you're  
4 recording all the dates of all the certificates. Well  
5 at that point, the certificates haven't been issued.

6 So the problem with doing it jointly with  
7 ABS is, you don't have the certificate date. So it's  
8 typically better, in my opinion, to do it after ABS  
9 attends and that way there's no hanging chads, I guess  
10 to put it one way.

11 But I know it's been done in other place,  
12 jointly with ABS. And I don't think there's any  
13 instruction that's, you have to do it one way or the  
14 other. I think you could do it one way or the other.

15 I personally would prefer to do it  
16 afterwards just because everything, you can inspect a  
17 finished product, rather than something that's work in  
18 progress.

19 MR. YOUNG: Okay. And you had mentioned,  
20 during the steering issue, that you were able to  
21 contact the ABS surveyor via cell phone. Do you feel  
22 that there was pretty open communication between Coast  
23 Guard San Juan and the ABS?

24 CWO [REDACTED] Yes.

25 MR. YOUNG: That you were able to discuss

1 issues?

2 CWO [REDACTED] Right. When I first arrived  
3 the surveyor was [REDACTED] I kind of got introduced  
4 to him because within six months after I arrived we had  
5 the big problem with the Navigator. Or the Horizon  
6 Ship. And him and I kind of work closely together.  
7 And he already had had a pretty good relationship with  
8 the office. [REDACTED] in particular.

9 Steve Hohenshelt had come new. And I think  
10 Steve and I had worked together on one inspection. It  
11 may have been a barge, I don't recall what it was. But  
12 we had a good working relationship.

13 And the way it worked out is, the first,  
14 they said before [REDACTED] was a guy named [REDACTED]  
15 Lieutenant. And he had lived, a lot of people live in  
16 housing, but not everybody. But he had lived on the  
17 economy so there's kind of, I guess American and non-  
18 American, although Puerto Rico is American, housing  
19 type areas I guess.

20 And coincidentally [REDACTED] ended up living  
21 next to [REDACTED]. So [REDACTED] had a small child, I had a  
22 small child, we all ended up being at birthday parties  
23 together. So it kind of worked for a conducive working  
24 relationship I guess.

25 But Steve was very, I could call him and he

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1 would answer. Unless he was off island and didn't have  
2 cell phone service and vice versa. And we kind of had  
3 to operate like that because San Juan, ABS is the only  
4 surveyor, as of when I left anyway.

5 I think Lloyd has had a surveyor there for  
6 some time, but when I left, ABS was the only surveyor  
7 there. We had a lot of ships come through. A lot of  
8 them tend to be DNV GL.

9 But if it was an ABS vessel and we had a  
10 problem and Steve was on another island, you know, it  
11 was a bad spot. Where if it was one of the other class  
12 societies, the nearest class surveyor might have been  
13 in Miami or Boston or New York or whatever.

14 So it was always, we kind of had to have a  
15 pretty good working relationship. I had a good working  
16 relationship with Steve. I don't know, I don't want to  
17 speak for everybody else in the office.

18 MR. YOUNG: And I think we have talked to  
19 previous, and during previous interviews we know the  
20 steering issue was resolved and I believe that Coast  
21 Guard and ABS both witnessed the successful completion  
22 of the repair.

23 CWO [REDACTED] I did not. If it was witnessed  
24 by the Coast Guard it probably was in Jacksonville, but  
25 I don't know.

1 MR. YOUNG: Okay. In one of the other  
2 interviews we discussed with Coast Guard there was some  
3 mention, especially with an older vessel about the  
4 Vintage Vessel Center of Expertise.

5 CWO [REDACTED] Yes.

6 MR. YOUNG: Would you ever be able to refer  
7 to any of those people for any advice or --

8 CWO [REDACTED] Well I don't think there is a  
9 Vintage Vessel Center of Expertise any longer. It was,  
10 I believe, Duluth, Minnesota. I think [REDACTED] [REDACTED] is  
11 probably the Coast Guard's go-to guy for vintage  
12 vessels or steam.

13 [REDACTED] [REDACTED] is a great guy, I like him a  
14 lot, but he has a, some people would say an abrasive  
15 personality. Sorry, [REDACTED] if this recorded. But he's  
16 a great guy, very knowledgeable.

17 Some people are reluctant to reach out to  
18 him. I would not be, but my point is our CID had a  
19 good working relationship with [REDACTED] [REDACTED] and had we  
20 had a problem he certainly would have gotten called.

21 As far as the Vintage Vessel NCOE, one of  
22 the guys I had trained with when I first got qualified  
23 we both reported to the unit about the same time in  
24 2004, is the guy who has been up there in Duluth for  
25 eight years now for two tours, and I have talked to him

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1 about going out there for the breakouts and the steam  
2 vessel training to work on finishing my PQS.

3 So I could have called [REDACTED] if I -- [REDACTED]  
4 [REDACTED] (phonetic) is the warrant out there. I could  
5 have called him if I had a problem, and it never came,  
6 we never had any concerns.

7 MR. YOUNG: Are they available for a tool  
8 for you to access if needed for older steamships, other  
9 than these two --

10 CWO [REDACTED] They're not advertised. I  
11 think, as far as I know they no longer exist other than  
12 that they did exist then there probably somebody out  
13 there who might have an answer.

14 MR. YOUNG: Okay.

15 CWO [REDACTED] I think Toledo is the other  
16 place where they have some older, you know, and I don't  
17 know their lakers, I don't know, I've never been on  
18 them, I don't know what they are compared to, you know,  
19 what we have here, or down there, had down there.

20 If we needed help I am sure we could have  
21 found help. We didn't and -- Yes.

22 MR. YOUNG: Okay. And when it comes to an  
23 inspection aboard El Faro did you ever conduct a  
24 similar ACP exam aboard El Yunque?

25 CWO [REDACTED] Yes.



1 MR. YOUNG: And is there any comparison or  
2 any difference between the two ships that stood out in  
3 your mind in terms of the condition of the vessels?

4 CWO [REDACTED] No. Every time -- So I think I  
5 kind of beat it up, but my first introduction was the  
6 Horizon ships and I think [REDACTED] was the surveyor  
7 there at the time and in passing I think he had a phone  
8 call and had to go to another exam and he found out it  
9 was one of the SeaStar ships and he was like okay, and  
10 he's like I don't mind going out to those, but the  
11 Horizon ships always scare me.

12 So everybody kind of knew that the Horizon  
13 ships were good, and the first time I went on one, I  
14 have a calendar in my inspections so I could probably  
15 tell you when that was, but I looked around and I'm  
16 like wow, the engine room is incredible as far as the  
17 cleanliness, how maintained, and talking to the chief  
18 engineers and they're like, you know, we try, we take  
19 pride in the engine room, we do good work.

20 But I know when I arrived December 20th is  
21 when we had issues with the Horizon, did some work in  
22 February of the following year, that's 2012/2013.

23 We had some issues with the Horizon  
24 Navigator, supposedly some water in the holds, did a,  
25 let's see, March of 2013, ACP annual Horizon producer,

1 April 2013, Horizon Navigator onboard for a casualty  
2 with the SSTG, April 2013, it looks like that was a  
3 follow-up on that same casualty, April of 2013, we were  
4 on the El Yunque, it would have been an annual.

5 July of 2013 we did an annual on the El  
6 Moro, November of 2013 we were on the Horizon Navigator  
7 for I believe an annual, May of 2014, Horizon Trader.  
8 I forget if that was an annual or it might have been a  
9 repair to a boiler.

10 July 2014 we were on the El Faro for an ISM  
11 audit and August of 2014 we had another U.S. deep draft  
12 coming through, it was not steam it was diesel, but had  
13 an engine fire, National Glory, and then the El Faro  
14 and El Yunque.

15 That's -- There may be more. I think there  
16 were a few extra like incidents we may have been  
17 onboard, but I didn't make note of it so I'm not sure  
18 without really digging through everything and I may or  
19 may not have it.

20 MR. YOUNG: Right. And to the best of your  
21 recollection, I know you go aboard a lot of ships and  
22 talk to a lot of people, the chief and the first of the  
23 El Faro competency, I mean is there anything you  
24 remember specifically about them?

25 CWO [REDACTED] Yes. I had no problems with

1 the chief. He was a New England guy, which 90 percent  
2 of your mariners are. He was, to me, very confident.  
3 He was very much a typical, I guess you would,  
4 engineer.

5 He kind of was my engine room, you know. I  
6 didn't have any issues with him.

7 MR. YOUNG: And how about the captain, did  
8 you deal with the captain much on there?

9 CWO [REDACTED] I did. Well not so much, but  
10 what I recall about the captain on the El Faro was a  
11 coat I believe he had hanging on the back of his,  
12 because when we were onboard El Faro I think it was  
13 March, so I think there was some snowfall up in the  
14 Northeast, or had been recently, he had a coat hanging  
15 on the back of his chair that said Cold Spring, I  
16 believe, or something like that.

17 And in Cape May, New Jersey, which I was  
18 familiar with, I lived down there for a little while,  
19 there is an area called Cold Spring and there is, it's  
20 a fishing community, and I was kind of curious as to  
21 the jacket but typically your mariners are all from the  
22 Boston area is the way it works out, and so it would  
23 have been unusual if that were the case, but near the  
24 end of the exam I had asked him about his jacket and he  
25 said oh, yes, I'm from Cape May, and we had talked and

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1 we had talked about the snow and the weather they had  
2 had up there.

3 I thought it was unusual because, you know,  
4 that's predominately a commercial fishing vessel port,  
5 Cape May, not so many mariners. It's atypical to see a  
6 mariner, especially a Master to come out of Cape May,  
7 but that's what I recall about him.

8 MR. YOUNG: And the last question I have  
9 about this inspection, when you were aboard did you  
10 ever notice or hear about any riding gangs aboard doing  
11 extra work at that time?

12 CWO [REDACTED] No. That was -- I had heard of  
13 things like that before, mostly from doing new  
14 construction in Philly that they would take workers out  
15 as they were outfitting a brand new delivery and  
16 putting, customizing it the way the owner would want  
17 it, so I was aware of that.

18 We had lots of things with cruise ships,  
19 where cruise ships were going to the yards, and they  
20 would pre-stage all their gear onboard prior to going  
21 to a dry dock while they still had passengers, things  
22 like that, but nothing, no, nothing like that.

23 MR. YOUNG: Thank you. I'm going to pass it  
24 over to Tom. Do you need a break or anything?

25 CWO [REDACTED] No, I'm good.

1 MR. YOUNG: All right.

2 MR. ROTH-ROFFY: Tom Roth-Roffy, NTSB. Just  
3 a couple of follow-ups, please. I believe you  
4 mentioned as you were recalling your visit to the El  
5 Faro for the COI the last time you were onboard that  
6 there were two events.

7 You described in some detail the event with  
8 a crew member. The second one was that for the  
9 steering gear?

10 CWO [REDACTED] Yes, the crew member I remember  
11 pretty well and the steering gear I remember.

12 MR. ROTH-ROFFY: Okay. And do you recall  
13 the position of that crew member, you called it a weird  
14 incident?

15 CWO [REDACTED] I don't. On my text I wrote  
16 "duty engineer?" I don't believe he was an officer. I  
17 don't know whether he was -- I know SeaStar while they  
18 were on port they would have engineers from the local  
19 area stand watch while they were on port, I don't know  
20 if he was one of those or if he was part of the crew.

21 MR. ROTH-ROFFY: Would a port engineer have  
22 to present credentials while the vessel was in port for  
23 the examination?

24 CWO [REDACTED] No.

25 (Simultaneous speaking)

1 CWO ██████ Oh, an in-port engineer?

2 MR. ROTH-ROFFY: Correct.

3 CWO ██████ Yes, if he was working onboard,  
4 sure. Yes, right. I thought -- I'm sorry.

5 MR. ROTH-ROFFY: Okay. I'm interested about  
6 this a little bit more if this person was actually a  
7 crew member and what his position was, and, you know,  
8 there is an issue of competency I would think on this  
9 sort of occasion.

10 You don't know if there was any follow-up  
11 done after the inspection to kind of validate his --

12 CWO ██████ As far as I know the  
13 explanation of conspiracy theorists was good for  
14 everyone and it was left at that.

15 MR. ROTH-ROFFY: All right.

16 CWO ██████ We went down to the engine room  
17 from there, the bridge team stayed up on the bridge,  
18 you know, with the -- and then would have went up to  
19 the, well they would have went up to the bridge when we  
20 went to the steering.

21 MR. ROTH-ROFFY: I think it might be worth  
22 following up on to get a little bit more details. So  
23 the best person for us to talk to about that would be  
24 ██████ in your opinion? Would it be ██████ or another  
25 CID?

1 CWO [REDACTED] [REDACTED] or the commander, the  
2 CID. I think he is the guy who was checking the guy's  
3 credential.

4 MR. ROTH-ROFFY: Okay.

5 CWO [REDACTED] Because I think he had told me,  
6 because I was concerned that maybe his document was, or  
7 credential was fraudulent and he had mentioned that no,  
8 I saw his face and it matched the picture.

9 LCDR [REDACTED] This is Lieutenant  
10 Commander [REDACTED] from the Coast Guard. When you  
11 just said he was checking the credentials are you  
12 talking about Lieutenant Commander [REDACTED] (phonetic)?

13 CWO [REDACTED] Correct.

14 LCDR [REDACTED] Okay.

15 CWO [REDACTED] Yes.

16 LCDR [REDACTED] So [REDACTED] [REDACTED] okay.

17 MR. ROTH-ROFFY: It seems to me to be  
18 aberrant behavior that perhaps we need to look at it.  
19 And you mentioned the composition of the team normally  
20 is just you and [REDACTED] but in this instance you had two  
21 others additional participating. Do you know why those  
22 others were added to the team?

23 CWO [REDACTED] Well I would -- It would  
24 probably be --

25 (Simultaneous speaking)

1 CWO [REDACTED] Sure, sure. Yes, it would be  
2 abnormal. I think in every case we always took  
3 somebody along. I think the -- There was no particular  
4 reason other than training.

5 MR. ROTH-ROFFY: Okay. And so in this case  
6 was [REDACTED] the only person on the team that had the  
7 steam qualification?

8 CWO [REDACTED] That's correct.

9 MR. ROTH-ROFFY: Everybody else was in  
10 training?

11 CWO [REDACTED] Commander [REDACTED] I believe has  
12 a hull qual.

13 MR. ROTH-ROFFY: But no steam qual?

14 CWO [REDACTED] No. Yes, everybody else would  
15 be in training for steam.

16 MR. ROTH-ROFFY: All right.

17 CWO [REDACTED] And, you know, with that I  
18 think there was some talk of when you are talking about  
19 qualifications, in other words for a machinery  
20 qualification I know you, as I understand it you  
21 technically could not get a machinery qualification by  
22 doing an ACP exam.

23 However, you could maintain currency of your  
24 machinery qual by doing an ACP exam. So I guess we  
25 were in training but I don't know that it was, if that

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1 makes a difference or helps any.

2 MR. ROTH-ROFFY: Okay. And you also talked  
3 a little bit about the Horizon versus the TOTE ships.

4 CWO [REDACTED] Yes.

5 MR. ROTH-ROFFY: Could you just restate your  
6 view on the condition of those two different operating  
7 companies?

8 CWO [REDACTED] Sure, absolutely.

9 MR. ROTH-ROFFY: (Inaudible) vessels.

10 CWO [REDACTED] Yes. Horizon -- Can I go into  
11 kind of the Reader's Digest version of what happened to  
12 the Horizon ship?

13 LT. [REDACTED] I think it would be helpful for  
14 background, sure.

15 CWO [REDACTED] Yes. When I had arrived I had  
16 arrived at the end of the August, last day in August,  
17 and I think December is when we had this casualty and  
18 it was the Horizon, it doesn't really matter, but it  
19 had left the yards in I think, I want to say Busan, it  
20 was in the Far East somewhere, and it returned I  
21 believe to Jacksonville and was making its first trip  
22 from Jacksonville to San Juan, and, of course, it would  
23 have been light this entire time.

24 I think they had put empty containers  
25 onboard in Jacksonville. Typically nothing, no cargo

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1 goes into San Juan, very little, it all comes out of  
2 San Juan and empties come back, for the most part,  
3 there is some minor cargo.

4           With the few containers they had onboard it  
5 was loaded enough that they found a pinhole leak below  
6 the water line, so they were dealing with this water  
7 ingress and they had managed to stop the leak, and I  
8 don't recall the details exactly how they stopped it,  
9 some type of temporary repair, and pretty much the  
10 moment they got the leak stopped the power went out.

11           And what had happened was there is, this  
12 vessel was supposedly designed by a NASA engineer, so  
13 instead of having the typical two-steam turbine  
14 generators they had a steam turbine generator and a  
15 diesel generator.

16           And I think they were on the diesel at the  
17 time and the exciter at the end of the diesel shorted  
18 out, which tripped the board. When the board tripped  
19 the turbine tried to come online but overloaded it and  
20 burnt out the breaker.

21           When they lost the breaker, and I may not be  
22 100 percent on base with this, but it's pretty close,  
23 they lost the breaker, the emergency came online -- The  
24 emergency never, the emergency failed to come online,  
25 it wouldn't start.

1           As a matter of fact I believe it was six  
2 hours later before they could get the emergency  
3 started. During that time they still had steam in the  
4 plant so they were blowing, instead of blowing the  
5 steam they were running the turbine.

6           The lube oil pump for the turbine was on the  
7 main bus, so it had a battery backup but the battery  
8 wasn't working, so they had no oil going to the turbine  
9 and they ended up losing the turbine.

10           So they were able to take an Aggreko  
11 generator there on deck, tie it in to the main bus, get  
12 it powered up, make slow speed to port, and then they  
13 came in with tug assist, and I want to say it was like  
14 \$1.3 million to fix the turbine and get, you know, I  
15 think six weeks, two months later or something they  
16 finally got the ship online.

17           And then after that we had another casualty  
18 with the generator, I think where just some wires had  
19 broke or come loose in the generator, and then they had  
20 issues, a whistleblower I guess onboard -- I can get in  
21 trouble saying this, but somebody had reported water in  
22 the cargo holds.

23           It turned out really not to be maybe an  
24 issue at the time, but it went to New York. ABS, the  
25 Coast Guard in New York went onboard it, issued like 17

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1 deficiencies.

2           You know, we were on there quite a bit and  
3 they realized they had issues and we tried to work with  
4 them, but just the condition, the overall like  
5 condition of the vessel it just aesthetically it wasn't  
6 as nice compared to going to the SeaStar and everything  
7 was just kept like a classic car almost is kind of what  
8 it looked like.

9           MR. ROTH-ROFFY: And which Coast Guard  
10 office normally did the seal line inspections on the El  
11 Faro?

12           CWO ██████████ You know --

13           MR. ROTH-ROFFY: Do you have that with the  
14 schedule?

15           CWO ██████████ I couldn't say. I mean my  
16 timeframe was 2012 to 2015, so I think you'd have to  
17 look at that being an annual inspection at a bigger  
18 window and I don't think I -- I do know we had worked  
19 with Jacksonville at one time, and I don't recall if  
20 the TOTE ships were involved with it or not, but there  
21 was a, headquarters had a policy to do additional  
22 oversight on some of the ACP vessels and they were  
23 targeted, so in a certain timeframe you should have  
24 done an additional inspection exam.

25           And we had worked with Jacksonville and

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1 Jacksonville found that -- We have schedulers, in San  
2 Juan at least, that look at that and they are maybe not  
3 as keen on the domestic side of that but we brought  
4 them up to speed and, I don't know, it may have -- I do  
5 recall there was an issue where it was coming in and we  
6 were trying to interpret the policy.

7           The policy wasn't maybe as clear as it could  
8 have been and we were trying to figure out if it needed  
9 to get boarded or if it could wait till the next board  
10 and I think it went back to Jacksonville and they  
11 called and they asked us to do it.

12           I don't remember what ship that was. And I  
13 thought El -- I had gone on leave/training at one point  
14 and I do remember [REDACTED] saying that there was a new, I  
15 think it was a SeaStar ship coming in, and I was going  
16 to be gone at that time, and I had just assumed it had  
17 gotten done when I got back, but I'm thinking maybe it  
18 didn't, I don't know.

19           So I can't really -- We did, I can tell you  
20 the ones that I was one and I believe that's all that  
21 was done while I was there, what I read off.

22           LT. [REDACTED] Okay.

23           CWO [REDACTED] But I don't know if there is  
24 any port or any, you know -- San Juan is pretty small  
25 office. There is -- I think wherever they submit the

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1 application for inspection is who does it and I don't  
2 think there is an answer other than that.

3 MR. ROTH-ROFFY: Okay. And you mentioned in  
4 July of, I forget the year, was it July 2014 or July  
5 2015 you were on the El Faro for an ISM audit?

6 CWO [REDACTED] Yes.

7 MR. ROTH-ROFFY: Could you explain what  
8 that's all about?

9 CWO [REDACTED] Yes.

10 MR. ROTH-ROFFY: Did you work with the ABS  
11 on an audit or was it independent?

12 CWO [REDACTED] Yes. ABS, and my understanding  
13 is that ABS as part of the ACP program they are  
14 supposed to notify the Coast Guard before they go on a  
15 vessel just to give us basically a courtesy notice and  
16 invite us to attend if we wish, and there was an email  
17 that came about ISM audit on the El Faro.

18 I wanted to become more familiar, learn a  
19 little more about ISM. I was hoping to go -- All the  
20 class societies have a course, but I had never been to  
21 it, but the opportunity came along to attend the ISM  
22 exam and when the email went out I replied that I would  
23 go.

24 It turned out to be on Saturday the Fourth  
25 of July weekend, but the Fourth of July is not a big

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1 deal in San Juan. So I went out and actually we had  
2 several other people ask to go along as well, [REDACTED]  
3 [REDACTED] (phonetic) was one, Commander [REDACTED] went, and I  
4 don't recall here name but it's the Lieutenant that  
5 works in the Waterways Office.

6 The three of us were onboard. Commander  
7 [REDACTED] the surveyor had been prior Coast Guard and  
8 Commander [REDACTED] knew him, so he asked us to come in  
9 civilian attire so we weren't imposing.

10 We attended, we witnessed this survey, and  
11 that's all I recall.

12 MR. ROTH-ROFFY: Okay. Actually, I think  
13 you called it an ISM audit.

14 CWO [REDACTED] Yes, ISM audit.

15 MR. ROTH-ROFFY: Okay. And that was being  
16 done by the ABS and you were just kind of observing?

17 CWO [REDACTED] It was done by ABS, we were  
18 just observing. There is only two things I recall, one  
19 I can't say 100 percent certain, but I think one was  
20 they had asked, I think there was probably no non-  
21 conformities, and kind of what I learned out of it was  
22 that no non-conformities, although you think that would  
23 be a good thing it, would be a bad thing, because the  
24 reality is non-conformities happen and they should be  
25 documented, and I think that's what came out of it.

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1           They had went through a scenario and they  
2 are like okay, great, where is it, and it wasn't  
3 recorded and they kind of felt well we didn't  
4 understand that that was necessarily something that had  
5 to be recorded.

6           So ABS I think corrected it on the spot, and  
7 that's how I recall it. That may not be 100 percent  
8 accurate. The other thing I recall is us going, the  
9 auditor had grabbed a crew member at random who turned  
10 out to be a cadet, who was a Kings Pointer, was  
11 onboard, and had asked him some questions about the ISM  
12 and I think everybody was amazed, but especially the  
13 auditor was amazed at how sharp this kid was and how he  
14 was able to answer the questions.

15           And, you know, it was obvious that they had  
16 given him training onboard and he came up with all the  
17 answers that the auditors asked.

18           MR. ROTH-ROFFY: I for one am not surprised  
19 that the Kings Pointer had all those answers. Okay,  
20 that's all I have. Thank you, Brian.

21           MR. YOUNG: Thank you.

22           LCDR ██████████ Lieutenant Commander  
23 ██████████ from the Coast Guard. I do have a few  
24 questions.

25           You mentioned that ██████████ ██████████ was



1 typically the one who checks ABS's SafeNet System and  
2 would have noticed the outstanding conditions the class  
3 noted in the narrative, did he talk about those at all  
4 with you, are you familiar with them?

5 One was a 4P aft transverse bulkhead wasted  
6 and hold, and a Number 1 port double bottom ballast  
7 tank with some fractured welds.

8 CWO [REDACTED] I don't recall that coming up,  
9 so, no.

10 LCDR [REDACTED] Okay.

11 CWO [REDACTED] He didn't make a point of it.  
12 As far as I know I wasn't aware of that, no.

13 LCDR [REDACTED] In the narrative [REDACTED]  
14 writes that the vessel is scheduled to go out of  
15 service in October 2015, what was your understanding of  
16 going out of service, was it actually going out of  
17 certificated service or was it going to convert to West  
18 Coast, what were you told?

19 CWO [REDACTED] That was a topic of  
20 conversation not necessarily just on that inspection,  
21 but on others as well. We all knew that the L&G ships  
22 were coming, so we were curious as to, you know, when  
23 they were coming, and that was always a topic of  
24 conversation.

25 I would probably say at that time my, we

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1 kind of knew that it was going away and probably  
2 assumed that it was just -- I don't know that we, I  
3 don't know that I knew that it was going to go to  
4 Alaskan service. I probably assumed it was going to go  
5 out of serve all together, but I don't think that  
6 weighed in any way.

7 LCDR [REDACTED] In the narrative, just the  
8 way it's written to me, it seems to list the  
9 outstanding conditions of the class being completed by  
10 next dry dock in February of 2016 and the vessel is  
11 scheduled to go out of service in October of 2015,  
12 right next to each other maybe on purpose.

13 I am curious do you know if that was a  
14 conversation that [REDACTED] had with you or with anyone  
15 about concern that maybe the requirements shouldn't be  
16 put past when it's going out of service?

17 CWO [REDACTED] Not with me.

18 LCDR [REDACTED] Okay.

19 CWO [REDACTED] [REDACTED] would have done the  
20 narrative. [REDACTED] was pretty good. I mean I pride  
21 myself in narratives and [REDACTED] does as well I think and  
22 he does pretty good stuff, but I didn't have -- He  
23 would typically ask me to check his grammar and his  
24 spelling, and I don't remember that being the case in  
25 this instance.

1 I don't recall having looked at his  
2 narrative or anything from this particular one.

3 LCDR [REDACTED] Okay. The ABS survey that  
4 identified these open conditions was the annual hull  
5 survey for -- held between 23 and 27 January,  
6 approximately, and part of it in San Juan.

7 Do you know if anyone from your office or  
8 yourself may have attended the hull survey?

9 CWO [REDACTED] No, no one attended. I have  
10 some emails that might clarify that, but the gist of  
11 them ABS hasn't always, in my experience ABS hasn't  
12 been great at giving us the notice that they are  
13 required to.

14 I think mainly because surveyors are busy,  
15 we're busy, and whatever, but I think most of the  
16 surveyors typically give it an effort, but when we do  
17 get it it might be short notice.

18 LCDR [REDACTED] Okay.

19 CWO [REDACTED] And according to the emails,  
20 and I wasn't really engaged in this although I was  
21 copied on some of them, and [REDACTED] was one of the ones  
22 who was very good about giving the notice when the  
23 exams were coming.

24 And there was an email that said, you know,  
25 FYI doing a survey, just to let you know, in accordance

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1 with what he's supposed to do, and then there is an  
2 email, the CID reviewed it and then asked the domestic  
3 branch chief if we had anybody available and the reply  
4 from the CID then was that we're busy but we'll try and  
5 see if we have somebody in the afternoon.

6 I do recall a conversation with [REDACTED] [REDACTED]  
7 and she was like -- I don't remember the exact details.  
8 I don't know that it was particularly this instance or  
9 it may have been another one, but she was like we got  
10 all this stuff going on, I've got to do this and got to  
11 do that.

12 And I know that maybe she didn't have a  
13 clear understanding that this was a requirement for  
14 them to notify us that we have a survey coming due,  
15 that we're going to do a survey, and there is not  
16 necessarily an obligation to attend, but this is just a  
17 courtesy in accordance with the policy.

18 LT. [REDACTED] Sir, just to reemphasize, this  
19 is Lieutenant [REDACTED] when was the annual hull survey?

20 LCDR [REDACTED] I have the ABS survey  
21 status in front of me and it seems to show 23 January  
22 in San Juan, Puerto Rico, and 27 January in  
23 Jacksonville, Florida.

24 LT. [REDACTED] Okay. And then, [REDACTED] the  
25 emails that you are talking about are dated 12

1 February, so this would have been after that portion  
2 that appears to have been completed. These emails are  
3 from Steve --

4 MALE PARTICIPANT: Hohenshelt.

5 LT. [REDACTED] -- Hohenshelt and it's providing  
6 notice on February 12th that he will be attending the  
7 subject ACP vessel on February 13th to complete annual  
8 surveys.

9 CWO [REDACTED] Okay.

10 LT. [REDACTED] So this is --

11 CWO [REDACTED] Okay.

12 LT. [REDACTED] The emails that [REDACTED] is  
13 referring to are after the portion of the survey that  
14 you are referring to.

15 LCDR [REDACTED] Okay, thank you.

16 CWO [REDACTED] And what survey was it? I'm  
17 maybe -- You were talking the --

18 LCDR [REDACTED] The hull survey.

19 CWO [REDACTED] So like dry dock or --

20 LCDR [REDACTED] No, it was before the dry  
21 docking. They were --

22 CWO [REDACTED] Okay. Yes, okay.

23 LCDR [REDACTED] The requirements were  
24 issued to be completed at dry dock, which would be 26  
25 February 2016.

1 CWO [REDACTED] And we didn't have any active  
2 dry docks in San Juan, so we, you know, that's not  
3 something we would have done.

4 LCDR [REDACTED] Okay. And a couple  
5 clarifications. You mentioned that [REDACTED] would  
6 typically put a Coast Guard 840 book or a guide into  
7 your folder.

8 CWO [REDACTED] That's right.

9 LCDR [REDACTED] What 840 book would he  
10 have put in there this time?

11 CWO [REDACTED] The ACP --

12 LCDR [REDACTED] The ACP freight.

13 CWO [REDACTED] Yes, which I believe the  
14 revision was like 2001 or --

15 LCDR [REDACTED] Okay.

16 CWO [REDACTED] You know, it don't think that's  
17 something -- most of the 840 books had been  
18 continuously revised and almost made so thick that  
19 they're kind of worthless in my opinion, but ACP is one  
20 that hadn't been touched in a long time.

21 LCDR [REDACTED] Would it be your  
22 preference to have a machinery inspection book as well  
23 or is that not something that you would do?

24 CWO [REDACTED] At that time we were doing an  
25 ACP inspection and, you know, the ACP 840 would have

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1 been the appropriate one.

2 LCDR [REDACTED] Okay. As part of your  
3 exam did you consider cargo hold ventilation systems to  
4 be part of your exam or was that something you didn't  
5 look at or --

6 CWO [REDACTED] I would be the machinery guy,  
7 so I would work with the chief engineer, and the extent  
8 or scope of our exam would be steering, engine room,  
9 not, wouldn't get into the cargo or deck or bridge.

10 LCDR [REDACTED] Okay. Have you ever had  
11 any experience looking at the cargo hold ventilation  
12 systems for either El Faro or El Yunque?

13 CWO [REDACTED] For those, no.

14 LCDR [REDACTED] Okay.

15 CWO [REDACTED] Other ships I have looked at  
16 ventilation.

17 LCDR [REDACTED] Okay. In your time in the  
18 engine room did you notice any means of escape issues  
19 or like door problems or things like that?

20 CWO [REDACTED] I did not. When we came in I  
21 believe from the steering area you go, I believe it's  
22 almost like a machine shop or like a work storage room  
23 or something like that, and maybe I'm thinking of a  
24 different vessel, but when you come in like from the  
25 galley you end up going down some ladders, so it's

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1 several decks down to get down to the main machinery  
2 flat so I don't -- I didn't notice anything.

3           Going from steering to the engine room, and  
4 I'm sure you know, but you are following the chief  
5 engineer, who lives on there for several months, and  
6 he's going 100 miles an hour and you're just trying to  
7 keep up, follow him, while you are also trying to look  
8 around the best you can and walk between the cars and  
9 having a flashlight and not scratch a Mercedes or, you  
10 know, whatever, you know. I didn't notice that though,  
11 no.

12           LCDR ██████████ Okay. During the exam do  
13 you recall testing the fire main?

14           CWO ██████████ I did not. We looked at the  
15 fire pump. I am sure that the fire main would have  
16 gotten checked when they did the, out on deck, so the  
17 deck guys would have checked that.

18           LCDR ██████████ Okay. So you didn't see  
19 the main or emergency fire pumps running?

20           CWO ██████████ Not the emergency. The main we  
21 may have bumped it over just to see pressure on the  
22 gauge.

23           LCDR ██████████ Okay.

24           CWO ██████████ I don't have a clear  
25 recollection.



1           LCDR ██████████ Okay. During any of your  
2 time in the engine room or steering did you test COMs  
3 at all, communication?

4           CWO ██████████ Yes, that's how we would have  
5 checked the steering, so it would have been with the  
6 sound power phones or --

7           LCDR ██████████ Okay. Any problems with  
8 that or --

9           CWO ██████████ Not that I recall. I mean some  
10 are better than others, most are generally bad, but you  
11 can hear.

12          LCDR ██████████ Did you happen to look at  
13 the emergency generator or was that more --

14          CWO ██████████ Yes, the emergency generator we  
15 would have checked and ran.

16          LCDR ██████████ Did you run it or put it  
17 under load or --

18          CWO ██████████ We would have run it, not under  
19 load.

20          LCDR ██████████ Not under load, okay. Did  
21 you test any alarms or anything on the emergency  
22 generator?

23          CWO ██████████ We would not have tested  
24 alarms. I do recall with -- Typically on a freight  
25 exam, which is kind of the scope we're looking at, we

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1 would check two means of starts.

2 I don't recall, I think what I am recalling  
3 is the El Yunque, which I am sure is the same but I'm  
4 not 100 percent certain, which would not have a second  
5 means of start in the true sense where it would have  
6 two independent, a pneumatic and electric starter or  
7 even a battery switch and two backs, but instead they  
8 have over crank protection.

9 I think this came up on the El Faro where I  
10 had asked the chief engineer if he knew how to test the  
11 over crank and he said he did not, but that doesn't  
12 mean it wasn't checked.

13 I was -- My intent was to check with ABS  
14 next time I ran into them and see if it was done there.

15 LCDR [REDACTED] Okay. You mentioned you  
16 looked at the bilge pumps, but I don't think you ran  
17 them, right?

18 CWO [REDACTED] That's correct.

19 LCDR [REDACTED] Did you look at any bilge  
20 alarms?

21 CWO [REDACTED] We did not, and that's  
22 typically something I would do, but it was a solid 60,  
23 a manned engine room, so it wouldn't have been  
24 required, so we wouldn't have looked at that.

25 LCDR [REDACTED] Okay. This may have been

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1 more of [REDACTED] job on this inspection, but did you  
2 happen to notice if there were bilge alarms in the  
3 holds?

4 CWO [REDACTED] No. Like I said the holds as  
5 we walked through them was just going to the engine  
6 room and it was filled with cars. It was a challenge  
7 to -- You couldn't walk straight through them, you had  
8 to walk sideways just to get through.

9 LCDR [REDACTED] Okay. During your time  
10 onboard I know you wouldn't have been able to look at  
11 the boilers in too much detail, but do you recall  
12 having a conversation or looking into when they were  
13 last hydro'd or anything like that?

14 CWO [REDACTED] No, because that's -- Under ACP  
15 that would fall under ABS. So, again, we would kind of  
16 take our regs out and throw them out the window and  
17 ABS's would apply, which without having reason to get  
18 into that that wouldn't be something we would normally  
19 do.

20 LCDR [REDACTED] Okay. Did you spot check  
21 any periodic safety test procedures?

22 CWO [REDACTED] As I recall we did, but that  
23 was just simply --

24 LCDR [REDACTED] Okay.

25 CWO [REDACTED] I believe it was low water, or

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1 I mean, yes, low water. I know there was, it was a  
2 challenge for the chief engineer as I recall it and he  
3 had us maybe test, there was like a low and low low or  
4 something and we may have tested the low, not the low  
5 low.

6 LCDR [REDACTED] Okay.

7 CWO [REDACTED] But we tested, as I recall we  
8 tested some, but I --

9 LCDR [REDACTED] You're not sure, all  
10 right.

11 CWO [REDACTED] I'm not 100 percent certain.

12 LCDR [REDACTED] Well during that period  
13 when you were with the chief engineer did you note or  
14 remember any conversation about the condition of the  
15 boilers or the steam piping, did he have any concerns  
16 with it?

17 CWO [REDACTED] No.

18 LCDR [REDACTED] Okay.

19 CWO [REDACTED] No, there was --

20 LCDR [REDACTED] All right. Did you note  
21 anything from the electrical standpoint while you were  
22 walking around, was the electrical in good condition?

23 CWO [REDACTED] Yes, no issues with electrical.

24 LCDR [REDACTED] Okay. This is probably  
25 something you wouldn't remember, but just out of

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1 curiosity to see if anything strikes your memory.

2 CWO [REDACTED] Yes?

3 LCDR [REDACTED] Bulkhead penetrations, do  
4 you recall, is that something you look at, were you  
5 looking at cable ways going through the bulkhead  
6 penetrations, things like that?

7 CWO [REDACTED] No. No, I wouldn't go out of  
8 my way to look at that. If I had saw something as I  
9 was passing by I would have, you know, looked into it  
10 further.

11 LCDR [REDACTED] But you don't recall any  
12 issues?

13 CWO [REDACTED] I don't recall anything. You  
14 know, maybe two things, I think when we looked at the  
15 bilge pump as we passed that there may have been a rag  
16 or two laying in the engine room.

17 LCDR [REDACTED] Okay.

18 CWO [REDACTED] I asked the chief engineer, I  
19 pointed it out to him, I asked him to pick it up. And  
20 if I got the right vessel, and I'm not sure I do, it  
21 may have been El Faro, there was maybe a small puddle  
22 on the deck tank top up towards, let me get my  
23 orientation, I think looking at the boiler it would  
24 have been to the port side, and I asked the chief  
25 engineer what that was and he said it was just a steam

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1 leak.

2           So there was no active steam leaks, but I  
3 took that as a little bit of packing from a valve or  
4 something may have dripped, but there was no, you know.

5           LCDR ██████████ Okay. Did you have a  
6 habit of looking at the non-metallic expansion joints,  
7 was that something you would look at?

8           CWO ██████████ I would because Horizon they  
9 had actually, for their feedwater treatment they had  
10 put PVC pipe in and when I saw that I was like wow, and  
11 we made an issue of it and the last I checked with  
12 them, they're out of service now, but it was still  
13 existing and an issue and something they are working  
14 on.

15           But, yes, I mean I was cognizant of that. I  
16 didn't see it and didn't look, go out of my way to look  
17 for it, but it's something I would've been looking for  
18 and it wasn't there.

19           LCDR ██████████ In your experience working  
20 with ABS have you seen any problems or positives with  
21 their handling of replacement of non-metallic expansion  
22 joints, making sure it's done?

23           CWO ██████████ No.

24           LCDR ██████████ Okay.

25           CWO ██████████ No, I don't -- I think usually

1 there is a lot of confusion about non-metallic  
2 expansion joints. A lot of times they are like oil  
3 joints where they are not below the water line or  
4 whatever.

5 But I don't recall -- Yes, no, I don't  
6 recall any issues or --

7 LCDR [REDACTED] Okay. So just some  
8 overall summary questions, I have a few of them here,  
9 safety management wise did you feel after being onboard  
10 do you recall having a feeling of good safety  
11 management, not so good, you know, how did you feel  
12 about the company and the ship and their procedures for  
13 safety?

14 CWO [REDACTED] Yes, we didn't have any  
15 concerns.

16 LCDR [REDACTED] Okay. Did you feel that  
17 the crew was knowledgeable, did you recall any type of  
18 concern with either the crew or, you know, just the  
19 condition of the vessel itself?

20 Did you feel the crew was knowledgeable and  
21 were taking care of the plant?

22 CWO [REDACTED] I mostly dealt with just the  
23 chief engineer and the port engineer.

24 LCDR [REDACTED] Do you recall if the port  
25 engineer was Tim Neeson, does that sound familiar?

1 CWO [REDACTED] The only conversation I had  
2 with the port engineer was there was an email that went  
3 out about them looking for a port engineer, it was a  
4 Coast Guard guy, and I had asked them if they hired  
5 somebody and he told me they had.

6 I didn't recognize the name until I met him  
7 the next time we were onboard, and he's like why, you  
8 want a job, are you looking for a job or something like  
9 that, and I said no and that was pretty much the extent  
10 of our interaction.

11 LCDR [REDACTED] So after you completed the  
12 entire exam and you were walking off did you have  
13 confidence in the machinery onboard based on the  
14 completion of that exam?

15 CWO [REDACTED] Yes. It was --

16 LCDR [REDACTED] How did you develop --

17 CWO [REDACTED] With the exception of the  
18 steering.

19 LCDR [REDACTED] Okay. How did you develop  
20 that confidence considering you didn't run a lot of it,  
21 right. I mean --

22 CWO [REDACTED] You know, it's funny, right  
23 before that we had ISO-9001 training and the guy was a  
24 Port State Control prior Commander and he was like what  
25 are doing, a Port State Control Exam, right, within the

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1 first five minutes of you exam you decide the condition  
2 of that vessel?

3 And I never really thought about it like  
4 that before but it kind of, after going through the  
5 quality assurance type training, you know, that's just  
6 another tool in the quiver.

7 But, you know, everything -- I don't -- I  
8 guess we couldn't say that we were confident in the  
9 machinery, but I think what we were doing is checking  
10 to make sure that we are confident ABS did what they  
11 were supposed to and, you know, I think that's what we  
12 walked away with.

13 LCDR [REDACTED] Okay, thank you. No  
14 further questions.

15 MR. YOUNG: Before we go to the phone we're  
16 going to take a 5-minute bio break as they call it.  
17 We'll put the recording on pause and we'll come back at  
18 11:15.

19 (Whereupon, the above-entitled matter went  
20 off the record at 11:\*\* a.m. and resumed at 11:20 a.m.)

21 MR. YOUNG: It's 11:20 and we put the  
22 recording back on and we're all back here. I  
23 understand TOTE's back on the line. How about [REDACTED] and  
24 Lou, are you guys there?

25 LCDR [REDACTED] Yes, I am, this is [REDACTED]

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1 MR. O'DONNELL: Online.

2 MR. YOUNG: Okay, thanks. Yes, we're going  
3 to resume our line of questioning about the inspection  
4 of the El Faro. We have completed the questions in the  
5 room and now we're going to go to the phone to, start  
6 with [REDACTED]

7 LCDR [REDACTED] I don't have any follow-on  
8 questions.

9 MR. YOUNG: Okay, thanks. Lou?

10 MR. O'DONNELL: Lou O'Donnell, ABS, no  
11 follow-on questions.

12 MR. YOUNG: Okay. From TOTE, Lee?

13 MR. FISHER-ANDERSON: Jim Fisher-Anderson  
14 here. Lee had to step out. No follow-up questions  
15 from TOTE.

16 MR. YOUNG: Okay, thank you. This is Brian  
17 Young with the NTSB again. I had just a few follow-up  
18 questions on that line of questioning. What is the  
19 size of the San Juan sector ballpark, if you will, not  
20 ballpark, bullpen?

21 CWO [REDACTED] The sector I guess you could  
22 say is fairly large, but the inspection shop is not, so  
23 I assume that's what you're looking at.

24 MR. YOUNG: Yes.

25 CWO [REDACTED] I'm trying to quantify that.

1 Maybe you could do it comparatively, like in  
2 Philadelphia for machinery warrant officers with MSSEs,  
3 which is Chief Warrant Officer Engineer -- MSSE, Marine  
4 Safety Specialist Engineering, I think we had five in  
5 Philadelphia where in San Juan we were only (inaudible)  
6 for one.

7           So one to five, you know, considerably  
8 smaller, obviously not as busy. For domestic vessel  
9 inspections a fleet of T-boats from Philadelphia I  
10 think we had around 200, in San Juan we had around 50.

11           But it's a different level of work. In  
12 Philadelphia you could inspect the vessel once and be  
13 done. In San Juan you might have to go to that same  
14 vessel, a domestically small passenger vessel, several  
15 times.

16           I think there is a challenge in the  
17 Caribbean where in the U.S. if you need a part you go  
18 to Auto Zone and, you know. In San Juan you order it  
19 and they may or may not ship it there and it may or may  
20 not come there in a week or whatever, so it's a  
21 different environment.

22           I guess you could say it's a smaller office  
23 staffing wise and maybe not as busy as some other  
24 places. Did I answer your question?

25           MR. YOUNG: Yes. No, you did a good

1 comparative, especially to Philadelphia. But during  
2 your time in San Juan were there ever any challenges in  
3 manpower where you didn't have the personnel available  
4 to conduct?

5 CWO [REDACTED] So there are several  
6 challenges. The one big thing that actually got  
7 corrected as far as I know, with San Juan the tour  
8 length domestically it's four years in Philadelphia or  
9 any U.S., CONUS, Continental U.S., port it's four  
10 years, in San Juan it was three, and if you were  
11 unaccompanied, if you didn't have a family with you it  
12 was only two years.

13 Well a lot of times it would take two years  
14 to qualify somebody. So they would come there, they  
15 would train, and as soon as they get qualified they'd  
16 leave and we'd get somebody else unqualified.

17 And sometimes those seat transfers are off  
18 season if they go to a school, so they may come six  
19 months into it, so they are only there for 18 months,  
20 so that was a challenge.

21 Our budget was a challenge. We basically,  
22 we had that sequestration going on, but then even after  
23 that my understanding is a lot of the money that we had  
24 went to pay security for housing on the base and the  
25 swimming pool and any time we asked for training we

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1 didn't have it.

2           And then just getting to San Juan, unless  
3 it's the winter time and people want to come on  
4 vacation, it's not easy logistically to get people  
5 there.

6           MR. YOUNG: Understanding the inspection  
7 regime of an ACP vessel is similar to a Port State  
8 Control, I kind of --

9           CWO ██████████ Correct.

10          MR. YOUNG: You stated that. Well have you  
11 ever been involved with a full inspection of a non-ACP  
12 vessel of a steamship?

13          CWO ██████████ Yes.

14          MR. YOUNG: And how much more intense  
15 engineering wise is an inspection like that compared to  
16 the ACP?

17          CWO ██████████ Well quite a bit. I mean most  
18 vessels are ACP. We don't have a lot in the domestic  
19 fleet that's not. The one I did do was the Chemical  
20 Pioneer, who was ACP but went out of ACP and I did it  
21 when it was non-ACP.

22                I don't know their status now, but it's  
23 definitely -- and that was probably not as robust as  
24 some may be. That was, you know, a full day of in the  
25 engine room doing tests, testing equipment, observing

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1 the test and whatnot with them being prepared and, you  
2 know.

3           It was every bit of a full day to that  
4 exempt. We did the Humphreys, which was non-ACP. That  
5 was, for the whole inspection it probably would have  
6 taken us a week if it was all, you know, back-to-back.

7           It happened to be in a dry dock at the time  
8 so it was -- We did the new construction at ACCR  
9 (phonetic), which was we did one that was, it was GL,  
10 so they weren't ACP at the time, so that was pretty  
11 intense as far as the entire construction of a new ship  
12 doing a complete inspection.

13           So, you know, it's a lot more intense to do  
14 --Even when we did the ferries, which aren't steam, but  
15 which are full machinery inspections to do, and we did  
16 them quarterly, every three months, that was a full day  
17 to do an inspection on those. So there's quite a bit  
18 there.

19           MR. YOUNG: And on an ACP vessel I  
20 understand you have the 840 book to serve as a guide.

21           CWO ██████████ Correct.

22           MR. YOUNG: What would the publication be  
23 for a guide for a full inspection?

24           CWO ██████████ There would be two, there is a  
25 hull book and a machinery book.

1 MR. YOUNG: And is there a title to the  
2 machinery book?

3 CWO [REDACTED] That's it right there.

4 MR. YOUNG: That's it? That's for a full  
5 inspection, right?

6 CWO [REDACTED] Yes, that's the machinery.

7 MR. YOUNG: CG-840 MI?

8 CWO [REDACTED] Yes.

9 MR. YOUNG: Is this the same as ACP or  
10 different?

11 CWO [REDACTED] Different.

12 MALE PARTICIPANT: Different, they're  
13 different.

14 CWO [REDACTED] Immensely different.

15 MR. YOUNG: What's the ACP?

16 MALE PARTICIPANT: This is ACP.

17 MR. YOUNG: Okay.

18 MALE PARTICIPANT: Sorry.

19 MR. YOUNG: Oh, so there is a CG-840 ACP, a  
20 CG-840 MI, that's the difference?

21 CWO [REDACTED] Correct, yes.

22 MR. YOUNG: Okay.

23 LCDR [REDACTED] Can I --

24 CWO [REDACTED] Sure.

25 LCDR [REDACTED] This is Lieutenant

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1 [REDACTED] from the Coast Guard. So essentially the  
2 difference is that when you are doing an ACP vessel you  
3 are going to have one book, it's going to be ACP  
4 freight, ACP tankship, whatever you're doing, okay.

5 So what you see there is ACP freight, that's  
6 one book that if you are doing hull, machinery,  
7 everything is in there, okay. When we do the vessel  
8 outside of ACP we're going to have two books, we're  
9 going to have hull and machinery, okay.

10 MR. YOUNG: Okay.

11 LCDR [REDACTED] And so the hull guy, [REDACTED]  
12 in this case, would have got the hull book, he would've  
13 got the machinery book, and they would have split up  
14 and done a completely different exam.

15 You know, whereas in the ACP case it's more  
16 put together into one exam and it's less intense.

17 MR. YOUNG: Okay.

18 LCDR [REDACTED] In general the ACP exam is  
19 designed, as he said, to be closer to the Port State  
20 Exam and maybe take a, you know, three, four hours,  
21 whereas the hull and machinery exam, if you do the full  
22 thing then a lot of times those inspections are going  
23 to take you between two and four days.

24 MR. YOUNG: Okay. I was just looking for  
25 the difference in between the levels of inspection and,



1 obviously, there is a big difference.

2 CWO [REDACTED] Right. And if you look at the  
3 ACP boat and, you know, most of the sites are typically  
4 solus (phonetic).

5 MR. YOUNG: Right, right.

6 CWO [REDACTED] So, you know, we're going  
7 actually into the regulations when we get a machinery  
8 exam. So even if we would look further we would really  
9 have nothing to look at because we don't have any basis  
10 for what we're checking. Does that make sense?

11 MR. YOUNG: Not really, no.

12 CWO [REDACTED] Like he had mentioned flex  
13 couplings, which there is a regulation in Subchapter F  
14 for flex couplings, how often they have to be replaced,  
15 but if I am on an ACP vessel Subchapter F doesn't  
16 apply.

17 So I have no regulation for flex couplings  
18 unless there is something solus, but ABS rules then  
19 would apply. Does that make sense?

20 MR. YOUNG: Okay, yes. Yes.

21 LT. [REDACTED] This is Lieutenant [REDACTED]  
22 During an ACP exam you are not checking compliance with  
23 class rules you're just checking certificates that  
24 state they are in compliance with (inaudible) rules?

25 CWO [REDACTED] Correct, because we don't have

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1 any training on the class rules. I mean -- Does that  
2 make sense?

3 MR. YOUNG: Yes, it would.

4 LCDR [REDACTED] Do you mind if I ask  
5 something to help?

6 MR. YOUNG: Sure.

7 LCDR [REDACTED] Okay. This is Lieutenant  
8 Commander [REDACTED] from the Coast Guard. So with ACP  
9 what's your understanding of how we make sure with the  
10 ACP program that we're getting similar coverage to a  
11 vessel that is under Subchapter F and Subchapter I?

12 CWO [REDACTED] Correct, right. So we  
13 basically give our authority to do the inspection to  
14 class. They do the inspection and what that does for  
15 the vessel is it eliminates the redundancy of class  
16 doing their exam and us doing our inspection.

17 So the program was designed so that there is  
18 an equivalent level of safety built into the program  
19 between the class's roles, solus, and the supplement as  
20 far as the regulations, so that is equivalent. I lost  
21 my train of thought.

22 LCDR [REDACTED] So maybe I'll help you out  
23 here.

24 CWO [REDACTED] Yes, please.

25 LCDR [REDACTED] So you mentioned the

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1 supplement --

2 CWO [REDACTED] Right.

3 LCDR [REDACTED] -- does the supplement  
4 generally serve a purpose to --

5 CWO [REDACTED] Right. So the supplement, if  
6 there is anything lacking in the equivalency of safety  
7 between class and solus and the regulations then the  
8 supplement is supposed to fill that gap.

9 But, you know, we have found through over  
10 the years that there are --

11 LCDR [REDACTED] Sure.

12 CWO [REDACTED] And that was the decision made  
13 by whoever put the program together. We have had  
14 things come up. It just came up again for the third  
15 time with our new construction oversight, which the  
16 vessels are ACP that they have building.

17 The regulations say fire hoses on the  
18 exterior of the ship have to be hooked up, but that's  
19 the only place it is, is in the regulations. Well so  
20 that wasn't covered in the supplement so an ACP vessel  
21 can have the fire hoses not hooked up and still be  
22 perfectly fine.

23 And we also found an issue with steering I  
24 think where the regulations in Subchapter J,  
25 Electrical, say the breaker, I believe, has to be an

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1 instantaneous trip breaker, but class rules say the  
2 opposite, it says it shouldn't be an instantaneous trip  
3 breaker.

4 And the regulations were written like that  
5 for a reason, but that's not -- A non-ACP vessel would  
6 have an instantaneous trip breaker, a non-ACP vessel  
7 would have a non-instantaneous trip breaker and they'd  
8 both be fully compliant.

9 LCDR [REDACTED] This is Lieutenant  
10 Commander [REDACTED] from the Coast Guard again. So if  
11 you find gaps like that out in the field where you  
12 maybe see something that seems unsafe --

13 CWO [REDACTED] Right.

14 LCDR [REDACTED] -- do you have any idea  
15 what you could do to maybe help the ACP program address  
16 it?

17 CWO [REDACTED] Yes. Well in those particular  
18 instances we have contacted the, at the time the ACP  
19 officer and there is I believe a Federal Register that  
20 has some things that are, I forget the title, but they  
21 are critical safety items or something like that that  
22 have to be complied with.

23 But otherwise it usually falls back on that  
24 that was evaluated at the time and that's the decision  
25 that was made and --

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1           LCDR ██████████ So how is this supplement  
2 developed, like who puts that together?

3           CWO ██████████ I don't know who puts it  
4 together. Headquarters will put it together and there  
5 would be a gap analysis between what the regulations  
6 say and what the ABS rules and supplement would say.

7           MR. YOUNG: This is Brian Young again with  
8 the NTSB. My last question -- It disappeared. I'm  
9 going to have to come back to it, but just wrap-up  
10 questions I'll head to Tom, sorry.

11           MR. ROTH-ROFFY: Tom Roth-Roffy, NTSB. I  
12 believe you stated that you don't get any training on  
13 class rules, right, so is that a, did I capture that  
14 correctly?

15           CWO ██████████ Essentially that's correct, but  
16 with that being said for the machinery qual there is a  
17 certain part of the regulations that refer, I think  
18 it's Part 42 for automation, would refer to --

19           MALE PARTICIPANT: Sixty-two.

20           CWO ██████████ Sixty-two, okay. Well Part 62  
21 in the class rules and I think, or 4-2 I think in ABS  
22 rules, so certain parts of the regulations you have to  
23 refer to ABS rules, but essentially no, there is -- If  
24 you are doing an ACP exam we don't, other than having  
25 maybe access to ACPs, or class rules, and there's no --

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1 and the online course you have to dig into the class  
2 rules at times to get through the course, certain  
3 sections, or you're supposed to read certain sections.

4 But there is no formal training or there is  
5 no guarantee you are actually going to have a set of  
6 ABS rules even in your office.

7 LT. [REDACTED] So you mentioned online  
8 training, what did you mean by that?

9 CWO [REDACTED] So like the steam course has an  
10 online course, the machinery course also has an online  
11 course.

12 LT. [REDACTED] And I believe somebody in the  
13 room stated that your task as part of the ACP exam is  
14 to verify that the certificates are correctly issued,  
15 correct, and is that the extent of the way you validate  
16 that the vessel is in compliance with the safety  
17 regulations of the U.S. Coast Guard, that the vessel is  
18 safe you just verify that the ABS certificates are,  
19 principally that they are validated?

20 CWO [REDACTED] So we would go onboard and we'd  
21 check the certificates and then we're doing our regular  
22 exam. And, you know, with ABS I have found before,  
23 like I went onboard one ship and the incinerator wasn't  
24 working and ABS said just been there maybe a week or  
25 two before and, you know, how is this possible, and

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1 then I'd talk to the chief engineer and he was like  
2 well they never checked that.

3           So there is certain things that we check  
4 that maybe if a class surveyor is not really up to  
5 speed on ACP might not check and then we can follow up  
6 with that, but I mean as long as we go onboard and we  
7 find out everything is okay by our ACP exam in  
8 accordance with our ACP book then that indicates that -  
9 -

10           LT. [REDACTED] I believe you already stated  
11 that that's a very high level inspection, it doesn't  
12 really go into the details that perhaps an ABS surveyor  
13 would.

14           CWO [REDACTED] Right.

15           LT. [REDACTED] Referring to the ACP 840 book?

16           CWO [REDACTED] Correct, correct.

17           LT. [REDACTED] And I believe you have also  
18 stated that you have no training or high level  
19 knowledge of the ABS class rules.

20           CWO [REDACTED] Right.

21           LT. [REDACTED] So do you see any problem with  
22 that scenario where, you know, you are checking  
23 documents and you --

24           CWO [REDACTED] Yes. So it is very possible  
25 going into the detail, into the weeds of it, it's very

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1 possible that we walk off the boat and it does not  
2 comply with Coast Guard regulations, you know, but that  
3 is the way the program was originally designed.

4 LT. [REDACTED] And, also, there was some  
5 discussion about differences between regulations and  
6 class rules and it's offset, actually I believe it's  
7 called a supplement.

8 CWO [REDACTED] Yes.

9 LT. [REDACTED] But in some cases here you said  
10 that, you know, it's okay, the Coast Guard requires  
11 certain things like connection of the hoses --

12 CWO [REDACTED] Correct.

13 LT. [REDACTED] -- the class rules or not, but  
14 you're saying it's still okay even though the Coast  
15 Guard requires it, but only because it's not identified  
16 in a supplement that it becomes okay?

17 CWO [REDACTED] Correct.

18 LT. [REDACTED] Does that make sense to you?

19 CWO [REDACTED] Personally I guess it makes  
20 sense in the fact that somebody looked at that and  
21 decided that that was an acceptable, there was an  
22 acceptable -- There was other things in the ABS rules  
23 that made up for that I guess. That's how I understand  
24 it.

25 LT. [REDACTED] Okay.



1 CWO [REDACTED] I haven't dug into it to do a  
2 complete gap analysis that -- I don't know if I can  
3 answer that.

4 LT. [REDACTED] So is there a mechanism, formal  
5 or informal, for you to provide that kind of feedback  
6 about areas that you see these differences and what  
7 the, you know, how you are supposed to interpret the  
8 differences between the Coast Guard regs and the class  
9 rules when you do a, for example, an ACP inspection?

10 CWO [REDACTED] The only mechanism would be to  
11 bring it up through the chain of command.

12 LT. [REDACTED] Okay. Have you ever had  
13 occasion to do that?

14 CWO [REDACTED] I have. We did a lot of  
15 construction with the new construction and we talked to  
16 the ACP officer quite frequently at the time. My  
17 understanding is right now there is not an ACP officer,  
18 so --

19 MALE PARTICIPANT: Not allowed to  
20 (inaudible) --

21 LT. [REDACTED] This is an informal interview.

22 LCDR [REDACTED] Okay. This Lieutenant  
23 Commander [REDACTED] from the Coast Guard. There used  
24 to be a lorax (phonetic) position that's been  
25 eliminated.

1           There is still a lieutenant at headquarters  
2 that does the job that [REDACTED] (phonetic) used to  
3 do, it's now [REDACTED] (phonetic), so we are  
4 tracking the ACP program but it's done at a lower  
5 level. It used to be a dedicated Commander position.

6           MALE PARTICIPANT: Okay.

7           LT. [REDACTED] And just to go back to the  
8 competence or proficiency of the engineers, in  
9 particular the chief engineer. Did you have an  
10 opportunity to work with both permanent chief engineers  
11 on the vessel or did you work with one only, and do you  
12 recall which one that was?

13          CWO [REDACTED] This is on the El Faro?

14          LT. [REDACTED] Yes, I'm sorry, El Faro.

15          CWO [REDACTED] The chief engineer, to the best  
16 of my recollection, was James Robinson.

17          LT. [REDACTED] Okay. Thank you very much,  
18 that's all I have.

19          MR. YOUNG: This is Brian Young. One last  
20 question before we go to the phone. I remembered  
21 before. With the ACP inspection of a steam ship, you're  
22 not required to look into the boiler safeties and the  
23 boiler shut downs and the automation for the boiler.  
24 How do you know that that has been completed?

25          CWO [REDACTED] You don't. Your exam, I guess

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1 the intent of the exam is to validate that ABS was on  
2 board. So if you don't find anything, it's basically a  
3 spot check to look at things. And if everything looks  
4 okay, you kind of assume that ABS has done their due  
5 diligence.

6 MR. YOUNG: And are you aware that ABS is  
7 required to test each and every automated shut down or  
8 alarm?

9 CWO [REDACTED] I don't know exactly what ABS  
10 has in their system as far as what they track to make  
11 sure what they check. I don't know that for a fact. I  
12 know they check things. I don't know exactly, I don't  
13 know exactly.

14 MR. YOUNG: Okay, thank you. We'll go to  
15 the phone. [REDACTED] from Coast Guard?

16 LCDR [REDACTED] No further questions.

17 MR. YOUNG: Lou, ABS?

18 MR. O'DONNELL: Yes, Louie O'Donnell, ABS.

19 [REDACTED]

20 CWO [REDACTED] Yes.

21 MR. O'DONNELL: Just a couple things I would  
22 like to clarify.

23 CWO [REDACTED] Sure.

24 MR. O'DONNELL: You know, some of the things  
25 you say the differences between ACP and let's say

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1 straight up full Coast Guard inspection.

2 CWO [REDACTED] Right.

3 MR. O'DONNELL: I mean, a lot of the items  
4 that you might question or address, would you normally  
5 be able to refer to the supplement and see if those are  
6 covered in the supplement whether they're covered by  
7 ABS rules or IMO requirements?

8 I mean, are you guys trained to refer to the  
9 supplement for that case? I use, like, the fire hose  
10 is not being connected on an ACP vessel. I mean, do  
11 you normally go on foreign vessels doing port state  
12 boardings that you're qualified for and find the fire  
13 hose is connected?

14 CWO [REDACTED] Well, I mean, the foreign, make  
15 sure I have your question worded correctly. But would  
16 a foreign ship and an ACP ship be the same, and the  
17 answer is yes. And as far as the supplement goes --

18 MR. O'DONNELL: Okay, yes go ahead, go  
19 ahead.

20 CWO [REDACTED] As far as the supplement goes,  
21 I don't know that we get any specific training on the  
22 supplement. I'm aware of the supplement because I've  
23 had to use it before.

24 But with that being said, there's several  
25 versions of supplements and, you know, what supplement

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1 you would use would depend on what rules the ship was  
2 built under or classed under I guess. So that kind of  
3 thing would vary.

4 MR. O'DONNELL: Okay. Yes, you know, you  
5 said you compared ACP oversight to, like I said, a port  
6 state boarding whether it's a tanker, foreign vessel --

7 CWO [REDACTED] Correct.

8 MR. O'DONNELL: -- cargo vessel, you know,  
9 and another thing I possibly heard you say and correct  
10 me if I'm wrong, you said you guys don't review the ABS  
11 certificates because you wouldn't know how to review  
12 them. But I find that rather ironic if you guys are  
13 doing port state boardings, most of the classification  
14 certificates are all based on IMO, let's say the word  
15 I'm trying to use, the document's very similar.

16 They may have a little bit different header,  
17 it might say AMBABSLR (phonetic) or whatever. But the  
18 format is the same because it's the IMO prescribed  
19 format. So is reviewing and search is something you do  
20 when you guys certificate --

21 (Simultaneous speaking)

22 CWO [REDACTED] No, absolutely. Absolutely we  
23 review the certificates. We're on a different page  
24 there. Yes, we definitely review the certificates.

25 MR. O'DONNELL: Maybe I misunderstood what

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1 you said. Okay, I just wanted to clarify that. And  
2 during your ACP inspections, and I think you mentioned  
3 this a couple times, if you were doing an oversight  
4 exam on a vessel and, you know, you know the ABS  
5 surveyors in your area or the ABS surveyor in your area  
6 whether you're in San Juan, Philadelphia, whatever, I  
7 mean, do you know that any time if you have concerns of  
8 inspections that may have been done in that area, even  
9 if they weren't done in that area or surveys that  
10 weren't done in that area, that you can call the local  
11 surveyor and say hey, we're on doing oversight. We  
12 would like you to come down and look at this.

13 I mean, is that something that they tell MIs  
14 that it's kind of a what I think maybe one of the  
15 unknowns in the ACP process. But the Coast Guard  
16 inspector when doing an oversight reserves the right  
17 any time to call out an ABS surveyor if they want  
18 something clarified. Are you aware of that?

19 CWO [REDACTED] Absolutely. I'm with you 100  
20 percent on that. And that's, you know, in this  
21 particular case with the steering, that's what I did is  
22 I called the ABS surveyor. And that's the way I  
23 understand the policy, that's the way I was taught,  
24 that's the way I do it.

25 If there's an issue with the vessel, we

1 would contact the ABS surveyor. And I think the policy  
2 tells you to do that unless it's something, you know,  
3 egregious where there's a really huge issue. Then you  
4 could go with the A-35 control action or whatever. But  
5 typically it says to notify the class surveyor and have  
6 him work it out.

7 MR. O'DONNELL: Okay.

8 CWO [REDACTED] So we're on the same page  
9 there.

10 MR. O'DONNELL: And then overall in your  
11 experience, you know, you're a well experienced  
12 inspector, what's been your overall, I mean, just  
13 reaction working with ABS surveyors in ACP? And maybe  
14 the working or learning with ABS surveyors and doing  
15 oversight and stuff on ACP, what's your overall opinion  
16 of that?

17 CWO [REDACTED] I guess my opinion, I think ABS  
18 does some things really well and I think the Coast  
19 Guard does some things really well. But I think maybe  
20 they're different things, you know, as far as  
21 structures go. I think ABS is way far above us. You  
22 know, Coast Guard, MSC, stability is one of the things  
23 they do really well.

24 I think when we have people that are really  
25 up on boilers, that might be a strong point just based

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1 on the history of the whole thing, the Coast Guard's  
2 thing. But overall, I mean, a lot of what I've learned  
3 I've learned from ABS surveyors.

4 I probably learned the most from Trigger  
5 Burke (phonetic), one of the ABS surveyors.  
6 Unfortunately no longer with us. But we have done  
7 quite a bit of new construction and worked with ABS  
8 surveyors. I learned a lot from them.

9 I think there were times when we, you know,  
10 the way we work is we work through our chain of command  
11 and I would bring things back. And their boss would  
12 educate their surveyors on ACP a little bit and get  
13 them in the right direction.

14 But yes, I haven't had any huge problems.  
15 And not from --

16 (Simultaneous speaking)

17 CWO [REDACTED] I'm sorry?

18 MR. O'DONNELL: I guess my overall question,  
19 do you think that there is, do you think ACP works,  
20 yes/no. And if you think it works, do you think  
21 there's always room for or opportunity for improvement  
22 where we can improve, you know, ABS and Coast Guard can  
23 improve the program. And do you feel that maybe more  
24 input is needed from the field inspectors and surveyors  
25 to improve the ACP program?

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1 CWO [REDACTED] In my opinion, through my  
2 experience and talking to my colleagues, I think ACP  
3 works for the owners. I think that the negative that  
4 comes out of ACP is it kind of waters down the Coast  
5 Guard inspector's knowledge.

6 There's a huge difference between doing an  
7 ACP inspection and doing a full on Coast Guard  
8 inspection. And when the further and further we go  
9 along, the less and less Coast Guard inspectors are  
10 going to know.

11 And I had another point I was trying to make  
12 and it escapes me at this second. But I think that's a  
13 negative is we would be much better inspectors if we  
14 were doing ACP.

15 But with that being said, there's a  
16 redundancy that the owner or operator, or the mariner  
17 is going to see which could be good or bad I guess,  
18 depending on how you look at it. So --

19 MR. O'DONNELL: Do you think the ACP could  
20 be improved if there was more feedback from the field  
21 from senior inspectors and --

22 (Simultaneous speaking)

23 CWO [REDACTED] So I think what could be  
24 improved is us, and I'm one little guy here. But --

25 MR. O'DONNELL: No, just your opinion.

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1 CWO [REDACTED] Right. So in my opinion, I do  
2 know because he told us that a traveler at one time  
3 came through and they had to staff the Coast Guard and  
4 figure out how many people we need.

5 So what they did is look at how many  
6 inspections were being done and then figured out how  
7 long it would take to drive to those inspections and  
8 figured out those inspections were X amount of man-  
9 hours. And I don't think we were doing a lot of  
10 oversight of ACP other than our annuals in the form of  
11 attending the inspections with the surveyor.

12 So I don't think those man-hours were ever  
13 calculated into the way we're staffed. With that being  
14 said, it's kind of a double edged sword because if we  
15 add more people, that's, you know, that dilutes the  
16 amount of people that do exams.

17 So maybe, you know, I'm on the spot here.  
18 But if part of the training program had attending X  
19 amount of ACP exams with a surveyor, maybe that's an  
20 answer to get people where they need to be without, you  
21 know, messing with the program the way it is and, you  
22 know, helps the product.

23 MR. O'DONNELL: So maybe more joint  
24 inspection, joint work together under ACP. Is that  
25 what you're kind of saying?

1 CWO [REDACTED] No, because I think when you do  
2 joint inspection, what kind of tends to happen then is  
3 you go that way and I'll go this way and we'll compare  
4 notes at the end.

5 But I think what I'm saying is if the, you  
6 know, because we have a apprentices and when  
7 apprentices are in the training mode, that they get out  
8 there in the field more with ABS.

9 Maybe even go to a, dedicated with the ABS  
10 surveyor for a certain amount of time and get those  
11 surveys under their belt so they're seeing the things  
12 that they aren't seeing otherwise and get that base  
13 knowledge in.

14 MR. O'DONNELL: Okay, very good. Thank you  
15 very much.

16 CWO [REDACTED] Just my opinion.

17 MR. O'DONNELL: I have no further questions.  
18 Thank you, [REDACTED]

19 CWO [REDACTED] You're welcome.

20 MR. YOUNG: Thank you, Lou. And from TOTE,  
21 Jim or Lee?

22 MR. FISHER-ANDERSEN: Yes, Jim Fisker-  
23 Andersen. Mr. [REDACTED] looking back to your, the day  
24 that you did the inspection on the El Faro, when you  
25 and your team, to your best recollection, left the

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1 ship, was there any hesitation that there was anything  
2 that was outstanding? Oh, I should have written an 835  
3 on that?

4 CWO [REDACTED] No.

5 MR. FISHER-ANDERSEN: Or any concerns that  
6 you guys had?

7 CWO [REDACTED] No. Other than the steering,  
8 and the only, I was not the lead so it wasn't my exam,  
9 my inspection. I, you know, made the recommendation to  
10 contact ABS and they said go ahead. And if it were me,  
11 I would have stuck around until ABS got on scene to  
12 show them what the problem was.

13 But I don't know why it seems there was, I  
14 don't want to say we were in a hurry to get off, but I  
15 think we had been there as long as we needed to be was  
16 the consensus and it was time to go.

17 With that being said, the only reason I  
18 would have done that was so I could say ABS surveyor,  
19 this is what I'm seeing because I didn't want the ABS  
20 surveyor to come up and say oh, everything looks fine.  
21 And the way it worked out, he did see what I saw. We  
22 spoke about it, so it worked out just fine.

23 So to answer your question, no. There were  
24 no issues as far as I was concerned, and there was no  
25 discussions as we had any questions walking off of

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1 there.

2 MR. FISKER-ANDERSEN: Yes, thank you very  
3 much.

4 CWO [REDACTED] You're welcome.

5 MR. FISKER-ANDERSEN: No further questions  
6 from TOTE.

7 MR. YOUNG: Yes, any questions from anybody  
8 in the room for final wrap up? And it appears that Tom  
9 has a question.

10 MR. ROTH-ROFFY: Yes. Just a question or  
11 two to follow up. I know Brian is quite hungry for  
12 lunch. I would like to just revisit the comment you  
13 made about the improvements that could be made in the  
14 ACRP (phonetic).

15 And you made some comment about the Coast  
16 Guard being notified of ABS surveys and the invitation  
17 to participate. And I believe you said that perhaps  
18 you could have done more. Do you have an idea, an  
19 estimate of what percentage of those surveys that you  
20 were notified of that you were actually able to attend?

21 CWO [REDACTED] My experience is probably close  
22 to zero. The times that, I'm certain it happens and  
23 I'm not aware of it. Probably when it does happen is  
24 when there's somebody maybe new who needs some type of  
25 training, and they're really not doing anything else.

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1           You know, we tend to get busy with just  
2 doing our job and then the extra things that get thrown  
3 on from time to time as far as being in the Coast Guard  
4 tends to, you know, keep you occupied. So it's  
5 probably very small.

6           MR. ROTH-ROFFY: Okay, and then going back  
7 to the previous discussion about, you know, Coast Guard  
8 role in overseeing the ABS and performance of the  
9 safety certification of the vessel, doing your ACP  
10 exam, it's kind of limited to just the document check  
11 and just high level spot checks.

12           Do you think perhaps, you know, additional  
13 participation and other machinery surveys and other  
14 surveys that happen throughout the year would help to  
15 give Coast Guard some higher level of assurance that  
16 ABS is doing their job.

17           MR. [REDACTED] I think it would be helpful,  
18 not only for that fact but the fact we could probably  
19 teach the surveyors a few things. Like I said, we do  
20 things a little differently than the typical survey on  
21 a foreign ship. And you know, I think we could get  
22 take a working together kind of approach to make it  
23 better.

24           MR. ROTH-ROFFY: So in your view, it's  
25 primarily a resource issue that prevents you from doing

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1 that?

2 MR. [REDACTED] I would say typically, it's  
3 typically short notice and then resources to follow up  
4 on that.

5 MR. ROTH-ROFFY: Okay, thank you very much.

6 LCDR [REDACTED] Lieutenant Commander  
7 [REDACTED] from the Coast Guard. Just one more quick  
8 follow up. So who does ABS serve on behalf of with  
9 regard to the ACP program?

10 MR. [REDACTED] Who does -- ABS is basically  
11 granted our Coast Guard authority to do the inspection.

12 LCDR [REDACTED] So who pays ABS though?

13 MR. [REDACTED] The owner would pay the fees,  
14 whatever ABS charges to be enrolled.

15 LCDR [REDACTED] In the bull pen in San  
16 Juan or in Philadelphia, have you ever had  
17 conversations about that particular relationship and  
18 whether that can cause issues?

19 MR. [REDACTED] Yes. I'm a firm believer in  
20 follow the money, personally. There's that  
21 conversation always comes up. So does the one that the  
22 admiral who signed the ACP policy went to work for ABS.  
23 But you know, I think the other thing we have is  
24 there's an enhanced level of safety you can't  
25 understate in the fact that we had one vessel go out of

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1 ACP because it was cheaper for them to not, they didn't  
2 need the international certificates.

3           So there's, in some ways ACP may increase  
4 the level of safety because a ship that doesn't trade  
5 internationally is required to have a higher level of  
6 safety than they have if they're just non-ACP and on a  
7 domestic route.

8           So you know, you could go all different  
9 sorts of ways with that. I don't know what the right  
10 answer is. There's kinds of talk. I think the only  
11 negative in reality that's really has some basis to it  
12 is if the Coast Guard's not doing full blown machinery  
13 and hull exams, they're not getting that proficiency,  
14 they're not seeing things.

15           Just like a doctor. If a doctor sees a  
16 bunch of guys that are 50 years old and they all have  
17 the same kind of problems and you see somebody that's  
18 80 years old might miss something. And if you're  
19 looking at a bunch of foreign ships and you're just  
20 seeing little pieces and then you get a full blown US  
21 deep draft, you may miss something because you're not  
22 proficient, you're not doing it all the time.

23           I think that's the negative from the Coast  
24 Guard's perspective. But, you know, with that being  
25 said, I was told by someone from a shipyard, working at

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1 a shipyard that they like ACP. And the reason for  
2 that, and I know there was a study that came out  
3 recently about ACP and the difference in it and I  
4 haven't read it, I don't know what it says.

5 But what the project manager at the shipyard  
6 told me was they like ACP because if they had to build  
7 something to Coast Guard standards, they couldn't  
8 compete with the builders of building foreign ships.

9 So they can get an off the shelf plan from a  
10 foreign shipyard and build a ship equivelant to what  
11 the foreign ships that are coming here are and be  
12 competitive. So there's pluses and minuses. I'm by no  
13 means an expert. I see a little piece of the big  
14 picture and that's kind of what I've heard and my  
15 opinions.

16 LCDR [REDACTED] Just a couple more  
17 questions on that. So if an ABS surveyor and a Coast  
18 Guard marine inspector both see the same item, a no-  
19 sail type item, do they react the same way?

20 MR. [REDACTED] Could you say that question  
21 again, I'm sorry.

22 LCDR [REDACTED] Let's give a specific  
23 example.

24 MR. [REDACTED] Sure.

25 LCDR [REDACTED] If a Coast Guard inspector

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1 sees lifeboat davit issues where the lifeboat might  
2 have trouble launching, and an ABS surveyor and a Coast  
3 Guard marine inspector see the same thing that's on  
4 separate occasions, they're not together, do they react  
5 the same way?

6 MR. [REDACTED] I think that would depend on  
7 the individual. I think they would -- I think the --  
8 that's a judgement. And I think you may restate the  
9 question, but if somebody looks at a davit and maybe  
10 there's some wastage on it or something, does one  
11 person who may be an ABS surveyor look at it and say  
12 yes, that's acceptable and one person who's a Coast  
13 Guard inspector look at it and say that's not  
14 acceptable?

15 I can definitely see that happening. And I  
16 think in a lot of the cases, the reason the Coast Guard  
17 inspector says it's not acceptable is because they  
18 don't have the experience that the ABS surveyor has.

19 And the ABS surveyor may have said oh, I've  
20 seen much worse than that and it's been fine where the  
21 Coast Guard inspectors may have never seen a ship  
22 before.

23 And I mean, obviously they've seen a ship  
24 but they're pretty new at the whole industry. And they  
25 say oh my God, that's bad. So I mean, maybe that's a

1 good thing in the scope of things, but it's maybe not  
2 the best thing overall.

3 So I've seen that, and I've seen ABS  
4 inspectors where a guy may have had some sailing time  
5 and said oh, that happens all the time and ABS  
6 inspectors who may have come straight from school and  
7 gone right to being a surveyor and said oh my God,  
8 that's not good. So I think it depends.

9 LCDR [REDACTED] Have you ever had an ABS  
10 surveyor recommend to you or your supervisors to revoke  
11 certificates or no-sail a ship?

12 MR. [REDACTED] Have I had an ABS surveyor  
13 recommend to revoke --

14 LCDR [REDACTED] Revoke a certificate or  
15 prevent a ship from sailing?

16 MR. [REDACTED] No. But I have seen surveyors  
17 after the fact say this ship, look out for this or this  
18 ship is doing that, things like that when they were no  
19 longer within their class.

20 And I've had ABS inspectors, you know, I've  
21 definitely seen ABS inspectors take the hard line.  
22 Trigger Burke, like I said, God rest his soul, watching  
23 him do a boat, I mean, my God. Everything have better  
24 have been perfect when that went.

25 But I've also heard stories where ABS

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1 inspectors may have been like he never even opened that  
2 hatch or whatever. So I think a lot of it is  
3 experience and based on a comfort level and knowing the  
4 players involved. But yes. To answer the question,  
5 I've never seen a --

6 LCDR [REDACTED] So you've never seen,  
7 you've never had an actual recommendation to do a no-  
8 sail or revoke a certificate. But have Coast Guard  
9 marine inspectors during that same period had to do  
10 that on an ACP boat?

11 MR. [REDACTED] Yes. I've never, ACP, not to  
12 my knowledge. I know things like that have happened.  
13 I know there's obviously safety, the messages come out  
14 for reasons. But I don't know the details specific.

15 I know we've issued deficiencies to ACP  
16 vessels and they've been looked at closely. But I  
17 don't know of any that have been kicked out of the  
18 program, anything like that.

19 LCDR [REDACTED] Okay, thank you. That's  
20 all.

21 MR. YOUNG: This is Brian Young again with  
22 the NTSB. Is there anything you felt we haven't asked  
23 you that pertains to this case?

24 MR. [REDACTED] No. The only thing that comes  
25 to mind, and I watched what I could of the testimony in

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1 Jacksonville. And I know one thing had come up, and I  
2 don't really understand what the point was. But I  
3 might have a little bit of knowledge that can maybe  
4 expand on it.

5 And that was with the El Yunque and the  
6 lifeboat davit, and you know, [REDACTED] was the lead on  
7 that. And I do recall it was, I think the outboard  
8 side lifeboat. And [REDACTED] made a, or raised the point  
9 that a pin in the lifeboat handling gear may have been  
10 wasted.

11 And he asked me, well he actually busted his  
12 head open pretty bad. The lifeboats are open lifeboats  
13 as we all know. And going up the ladder they extend  
14 beyond the platform for you to have something to hold  
15 onto as you're going on to the lifeboat.

16 And he had taken his hard hat off to go up  
17 the ladder to look at this pin and smashed his head on  
18 one of the rungs and his head opened. But he asked me  
19 to look at the pin.

20 And I looked at it and, you know, I working  
21 on a couple degrees but one right now is a  
22 manufacturing and building these machining parts. And  
23 I didn't see any problem with the pin. There was a  
24 little surface rust on the outside, there was no  
25 problem. I think he had told me he had heard about a

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1 problem or known about a problem previously, and that's  
2 kind of what got him to look at that pin.

3 Stacey also has a masters degree in  
4 engineering. She looked at it and she said it looks  
5 fine. And I think it was the captain, maybe one of the  
6 engineers looked at it and they said, you know, we  
7 don't see anything wrong. But if you want us to look  
8 at it further, we'll do that.

9 And apparently what I got from feedback,  
10 learned a bit, was they did take it apart and they did  
11 find some serious wastage on it. But it kind of  
12 sounded like there was this big problem with the davit  
13 and from my perspective that wasn't the case.

14 MR. YOUNG: Great. Well, we appreciate your  
15 time. And it's 12:07, we're going to stop the  
16 recording. But thank you very much for coming here.  
17 And we'll give you our contact information should we  
18 continue to have any other questions.

19 MR. [REDACTED] Sure.

20 MR. YOUNG: And then, you know, maybe  
21 reaching out to you again.

22 MR. [REDACTED] Sure.

23 MR. YOUNG: But we appreciate everybody's  
24 time. And on the phone, just one final, is everybody  
25 all set? Are there any final questions? Sorry, forgot

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1 to check.

2 MR PETERSON: Thank you from TOTE. We  
3 appreciate it.

4 MR. YOUNG: Thanks, Lee.

5 MR. O'DONNELL: Thank you from ABS and thank  
6 you for your time. No further questions.

7 MR. YOUNG: Thank you, Lou. And thank you,

8 [REDACTED] All right, we're going to conclude the  
9 recording.

10 (Whereupon, the interview in the above-  
11 entitled matter was concluded at 12:07 p.m.)

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C E R T I F I C A T E

MATTER: El Faro Incident  
October 1, 2015  
Accident No. DCA16MM001  
Interview of CWO [REDACTED] [REDACTED]

DATE: 04-14-16

I hereby certify that the attached transcription of page 1 to 120 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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Office of Marine Safety  
Transcript Errata

Matter: El Faro  
Ref Nbr: DCA16MM001

Dear Sir:

Enclosed with this letter is a copy of the transcript of interview for CWO [REDACTED] taken on 4/14/2016. 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.

4/25/2016

Brian Young  
Major Marine Accident Investigator

TABLE OF CORRECTIONS TO TRANSCRIPT OF INTERVIEW FOR

Interview of CWO [REDACTED]  
 TAKEN ON

4/14/2016

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
1		LCDR [REDACTED]	CDR [REDACTED]
4	11	[REDACTED]	[REDACTED]
4	19	Horizon, Navigator	Horizon Navigator
4	24	Horizon, Navigator's	Horizon Navigator's
5	13	when in was in	when I was in
5	21	SUNY course diesel steam automation course	SUNY course, Diesel Steam Automation Course
5	22	The Coast Guard, part of the steam qual	The Coast Guard part of the steam qual
6	5	took a thermo one. College level.	took Thermo – One, College Level.
6	6-9	Intended meaning of this remark: This summarizes the training and qualifications CWO [REDACTED] completed prior to his inspection of the EL FARO in March 2015.	
6	13	In addition to this,	In addition to this (the online course)
6	15	MR. YOUNG	LT [REDACTED]
6	18 - 21	Two items that are kind of no-brainers, and that was taking the online course and also completing the machinery course. Completing the machinery qual, which I had.	Two items that (I asked him to sign off) are kind of no-brainers, and that was taking the online course and also completing the machinery course, or completing the machinery qual, which I had.
7	2	Presented that to the	I presented that to the
7	7	Marines	marine ins-
8	2	Anne hydro (indiscernible)	anhydrous ammonia
8	3-4	I had to go through the pressure vessels	I had to go to the pressure vessels
10	2	AKUR (phonetic)	Aker (Philadelphia Shipyard)
11	12	MR. YOUNG	LT [REDACTED]
12	9	didn't	did the
12	14	I can't be for sure, was [REDACTED] said	I can't be for sure, what [REDACTED] said
13	2	No, it's plural.	No, it's plural (referring to handwritten notes indicating PTSP's, not PTSP 5).
14	4	non-ECP	non-ACP
15	6	MR. ROTH-ROFFY:	CWO [REDACTED]
15	9	MR. ROTH-ROFFY:	LT J. [REDACTED]
16	2	MSD	MST
16	21	solus (phonetic)	SOLAS

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
16	24	solus class rules	SOLAS and class rules
17	4	solus	SOLAS
17	24	closest I've been is working with ABS surveyors in the field.	closest (to any ABS training) I've been is working with ABS surveyors in the field.
18	16	Training Office [REDACTED]	Training Officer [REDACTED]
23	18	LCDR [REDACTED]	CD [REDACTED]
25	1	PSTP	PTSP
25	4	PSTPs	PTSPs
26	2	you had [REDACTED] had	you and [REDACTED] had
27	2	I was one.	I was on.
27	5	[REDACTED] (phonetic)	[REDACTED]
27	8	[REDACTED] (phonetic)	[REDACTED]
27	10	[REDACTED]	[REDACTED]
27	11	[REDACTED] had a master's degree in ocean engineer	[REDACTED] had a master's degree in ocean engineering
27	14	Mobil	Mobile
28	18	coach and then another coach	couch and then another couch
28	20	Commande [REDACTED] or [REDACTED] Commander [REDACTED] and [REDACTED]	Commander [REDACTED] and [REDACTED]
29	8	[REDACTED]	[REDACTED]
29	11	And I sent to her, call CGIS.	And I sent to her, "Call CGIS?"
29	22	I sent another text, should probably ask the captain.	I sent another text, "Should probably ask the captain..."
30	1	it said, duty engineer.	it said, "Duty Engineer?"
30	6	[REDACTED]	[REDACTED]
30	7	[REDACTED]	[REDACTED]
30	18	walked back to the thing	walked back to the thing (table),
30	23	kind of what the heck is going on.	"Captain, what the heck is going on?"
31	15	order record book	oil record book
31	23	engineer	engine
33	8	they went out, I heard one	they went out (on a cruise ship), I heard one
33	13	typically we see buckets	typically, when we see buckets,
35	5-6	gyro repeater, instructions for steering.	gyro repeater, instructions for steering (power failure alarm).
36	2	auging (phonetic)	Hogging
36	12	shift alley	shaft alley
36	16-19	In 90 percent of the ships I think are all the Korean built foreign freight ships. They're all kind of the same. So I kind	90 percent of the ships (I inspect) I think are all the Korean built foreign freight ships. They're all kind of the same. So I kind of go with that (model



PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
		of go with that and then adapt it as need be.	for sequence) and then adapt it as need be.
37	7	solus	SOLAS
38	13	so we go through them, that's the way it is.	"So we go through them, that's the way it is."
38	17	examine	exam
39	17	but I did notice I the MISLE	but I did notice in the MISLE
39	23	remove	reviewed
40	23	MR. ROTH-ROFFY	LCDR [REDACTED]
41	1	MR. ROTH-ROFFY	LCDR [REDACTED]
41	5	COI that was or something, exam or something was overdue.	COI or exam or something that was overdue.
41	17	practiced	practice
41	22	within the bullpen	within the bullpen (in Philadelphia)
42	23	I looked under and	I looked under (in the 840 book) and
43	8	conditions or class	conditions of class
43	20	that's	there's
43	24	look in an ACP vessel	look at an ACP vessel
44	11	in other place	in other places
45	13	And the way it worked out is, the first, they said before Stacy	And the way it worked out is, the first ACID before Stacey
46	5	Lloyd	Lloyd's
47	10	[REDACTED]	[REDACTED]
47	13	[REDACTED]	[REDACTED]
47	15	[REDACTED]	[REDACTED]
47	19	[REDACTED]	[REDACTED]
48	12	then there probably	and there's probably
48	17	Their lakers	they're lakers (steam powered ships)
49	9	he was like okay, and he's like I don't mind going out to those, but the Horizon ships always scare me.	he was like "okay," and he's like "I don't mind going out to those, but the Horizon ships always scare me."
49	12	Horizon	Horizon (Sea Star)
49	25	Horizon producer	Horizon Producer
53	18	on port	in port
53	19	on port	in port
55	12	[REDACTED]	[REDACTED]
55	16	[REDACTED]	[REDACTED]
55	25	(simultaneous speaking)	MR. ROTH-ROFFY: The CID and the ACID?
56	2	abnormal. I think	abnormal. (pause) I think
56	11	[REDACTED]	[REDACTED]

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
57	9	(inaudible)	Condition of the
57	13	LT. [REDACTED]	MR. ROTH-ROFFY
57-58	25 - 3	Typically nothing, no cargo goes into San Juan, very little, it all comes out of San Juan and empties come back, for the most part, there is some minor cargo	Typically nothing, no cargo goes out of San Juan, very little, it all goes into San Juan and empties come back, for the most part, there is some minor cargo.
59	20-21	a whistleblower I guess onboard – I can get in trouble saying this, but somebody had reported water in the cargo holds.	a whistleblower I guess onboard – can I get in trouble saying this? But somebody had reported water in the cargo holds.
60	5-8	it wasn't as nice compared to going to the SeaStar and everything was just kept like a classic car almost is kind of what it looked like.	it wasn't as nice compared to going to the SeaStar. Everything (on SeaStar) was just kept like a classic car almost is kind of what it looked like.
60	10	seal line	COI
61	9	next board	next port
61	20	the ones that I was one	the ones that I was on
63	3	[REDACTED]	[REDACTED]
63	7	[REDACTED]	[REDACTED]
63	8	[REDACTED]	[REDACTED]
65	21	L&G	LNG
67	6	survey for	survey four
69	4	MALE PARTICIPANT	CWO [REDACTED]
74	7	two backs	two banks
74	9	El Faro	El Faro (El Yunque)
74	22	solid 60	SOLAS 60
80	24	Port State Control prior Commander and he was like what are doing	Port State Control (Officer), prior Commander, and he was like when you are doing
81	1	first five minutes of you exam you decide	first five minutes of your exam, you decide
83	5	(inaudible)	billeted
86	3	to that exempt.	to do that exam.
86	9	ACCR (phonetic)	Aker (Philadelphia Shipyard)
89	3	ACP boat and, you know, most of the sites are typically solus	ACP book and, you know most of the sites are typically SOLAS.
89	18	something solus	something in SOLAS
89	24	(inaudible)	the class
90	19	class's roles, solus,	class's rules, SOLAS,
91	7	solus	SOLAS

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
92	6	have an instantaneous strip breaker, a non-ACP vessel would have a non-instantaneous trip breaker	have an instantaneous strip breaker, an ACP vessel would have a non-instantaneous trip breaker
93	19	MALE PARTICIPANT:	LCDR [REDACTED]
93	25	maybe access to ACPs, or class rules	maybe access to ACP (Supplements), or class rules
94	7	LT. [REDACTED]	MR. ROTH-ROFFY:
94	12	LT. [REDACTED]	MR. ROTH-ROFFY:
94	24	and ABS said just been there	and ABS had just been there
95	10	LT. [REDACTED]	MR. ROTH-ROFFY:
95	15	LT. [REDACTED]	MR. ROTH-ROFFY:
95	17	LT. [REDACTED]	MR. ROTH-ROFFY:
95	21	LT. [REDACTED]	MR. ROTH-ROFFY:
96	4	LT. [REDACTED]	MR. ROTH-ROFFY:
96	9	LT. [REDACTED]	MR. ROTH-ROFFY:
96	13	LT. [REDACTED]	MR. ROTH-ROFFY:
96	18	LT. [REDACTED]	MR. ROTH-ROFFY:
96	25	LT. [REDACTED]	MR. ROTH-ROFFY:
97	4	LT. [REDACTED]	MR. ROTH-ROFFY:
97	12	LT. [REDACTED]	MR. ROTH-ROFFY:
97	21	LT. [REDACTED]	MR. ROTH-ROFFY:
97	24	lorax (phonetic)	LORACS (Liaison Office for Recognized and Authorized Classification Societies)
98	7	LT. [REDACTED]	MR. ROTH-ROFFY:
98	14	LT. [REDACTED]	MR. ROTH-ROFFY:
98	17	LT. [REDACTED]	MR. ROTH-ROFFY:
103	4	A-35	835
105	14	were doing ACP.	were not doing ACP.
109	14	ACRP (phonetic)	ACP

General Notes:

Page	Note
3	In addition to the qualifications mentioned on Page 3, CWO [REDACTED] also has a drydock inspection qualification.
85-86	A PSC freight exam usually takes about 3 hours. On average I would estimate that an equivalent vessel's non-ACP inspection would take at least 3 times (or more) as long.
99	The intent of an ACP annual inspection is to evaluate crew performance through observing fire, abandon ship, and security drills.

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

\_\_\_\_\_  
Printed Name of Person providing the above information

\_\_\_\_\_  
Signature of Person providing the above information

9 May 2016  
Date