

Under 46 U.S. Code §6308, no part of a report of a marine casualty investigation shall be admissible as evidence in any civil or administrative proceeding, other than an administrative proceeding initiated by the United States.

1 U.S. Coast Guard Marine Board Investigation ICO the sinking of SS El Faro held in

2 Jacksonville, Florida held

3 23 February 2016

4 Volume 7

5 **CAPT Neubauer:** Good morning. This hearing will come to order. Today is February
6 23rd, 2016 and the time is 9 a.m. We're continuing at the Prime F. Osborn Convention
7 Center, in Jacksonville, Florida. I am Captain Jason Neubauer, of the United States
8 Coast Guard, Chief of the Coast Guard Office Investigations and analysis, Washington
9 D.C. I'm the Chairman of the Coast Guard Marine Board of Investigation and the
10 presiding officer over these proceedings. The Commandant of the Coast Guard has
11 convened this board under the authority of Title 46, United States Code, Section 6301
12 and Title 46 Code of Federal Regulations Part IV to investigate the circumstances
13 surrounding the sinking of the SS El Faro with the loss of 33 lives on October 1st, 2015
14 while transiting east of the Bahamas. I am conducting the investigation under the rules
15 in 46 C.F.R. Part IV. The investigation will determine as closely as possible the factors
16 that contributed to the incident so that proper recommendations for the prevention of
17 similar casualties may be made. Whether there is evidence that any act of misconduct,
18 inattention to duty, negligence or willful violation of the law on the part of any licensed or
19 certificated personnel contributed to the casualty, and whether there is evidence that
20 any Coast Guard personnel or any representative or employee of any other
21 Government agency or any other person cause or contributed to the casualty. I have
22 previously determined that the following organizations or individuals are parties in
23 interest to the investigation. Tote Incorporated, ABS, Herbert Engineering Corporation

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1 and Mrs. Teresa Davidson as next of kin for Captain Michael Davidson, Master of the
2 SS El Faro. Now Mr. Spencer Schilling who was representing Herbert Engineering
3 Corporation is not here today, but he is – has been given the opportunity to provide
4 questions remotely to the board as he desires throughout the proceedings. These
5 parties have a direct interest in the investigation and have demonstrated the potential
6 for contributing significantly to the completeness of the investigation or otherwise
7 enhancing the safety of life and property at sea through participation as party in interest.
8 All parties in interest have a statutory right to employ counsel to represent them, to
9 cross-examine witnesses and have witnesses called on their behalf.

10 I will examine all witnesses at this formal hearing under oath or affirmation and
11 witnesses will be subject to Federal laws and penalties governing false official
12 statements. Witnesses who are not parties in interest may be advised by their counsel
13 concerning their rights. However, such counsel may not examine or cross-examine
14 other witnesses or otherwise participate.

15 These proceedings are open to the public and to the media. I ask for the
16 cooperation of all persons present to minimize any disruptive influence on the
17 proceedings in general and on the witnesses in particular. Please turn your cell phones
18 or other electronic devices off or to silent or vibrate mode. Please attempt to minimize
19 entry and departure during testimony. Flash photography will be permitted during this
20 opening statement and during recess periods. The members of the press are welcome
21 and an area has been set aside for your use during the proceedings. The news media
22 may question witnesses concerning the testimony that they have given after I have
23 released them from these proceedings. I ask that such interviews be conducted outside

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1 of this room. Since the date of the casualty the National Transportation Safety Board
2 and Coast Guard have conducted substantial evidence collection activities and some of
3 that previously collected evidence will be considered during these hearings. Should any
4 person have or believe that he or she has information not brought forward, but which
5 might be of direct significance, that person is urged to bring that information to my
6 attention by emailing elfaro@uscg.mil. The Coast Guard relies on strong partnerships
7 to execute its missions. And this Marine Board of Investigation is no exception. The
8 National Transportation Safety Board, provided a representative for this hearing. Mr.
9 Tom Roth-Roffy, seated to my left is the Investigator in Charge for the NTSB
10 investigation. Mr. Roth-Roffy, would you like to make a brief statement?

11 **Mr. Roth-Roffy:** Good Morning again and thank you. Good morning, I am Thomas
12 Roth-Roffy, Investigator in Charge for the National Transportation Safety Board's
13 investigation of this accident. The NTSB has joined this hearing to avoid duplicating the
14 development of facts. Nevertheless, I do wish to point out that this does not preclude
15 the NTSB from developing additional information separately from this proceeding if that
16 becomes necessary. At the conclusion of these hearings the NTSB will analyze the
17 facts of this accident and determine the probable cause independently of the Coast
18 Guard. Issue a separate report of the NTSB's findings and if appropriate issue
19 recommendations to correct safety problems discovered during the investigation.

20 Thank you Captain.

21 **CAPT Neubauer:** Thank you. Before we begin today's proceedings I want to make
22 one announce. Mr. Louis O'Donnell, ABS Assistant Chief Surveyor of Americans will –
23 was moved from yesterday and will give testimony on Friday morning, 26 February

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1 starting at 0900. We will now hear testimony from Mr. James Robinson, former Chief
2 Engineer of the El Faro. Mr. Robinson please come forward to the witness table and
3 Lieutenant Commander Yemma will administer your oath and ask you some preliminary
4 questions.

5 **LCDR Yemma:** Could you please raise your right hand. A false statement given to an
6 agency of the United States is punishable by a fine and or imprisonment under 18
7 United States Code section 1001, knowing this do you solemnly swear that the
8 testimony you're about to give will be the truth, the whole truth and nothing but the truth,
9 so help you God?

10 **WIT:** Yes, sir.

11 **LCDR Yemma:** Thank you, you can be seated. Could you please start by stating your
12 full name and spelling your last name for the record?

13 **WIT:** James Michael Robinson, R-O-B-I-N-S-O-N.

14 **LCDR Yemma:** And could you speak a little closer to the microphone.

15 **WIT:** James, oh, sorry.

16 **LCDR Yemma:** I think we got it. Counsel could you state your name and spell you last
17 for the record?

18 **Counsel:** Jewells Victory Masee, M-A-S-S-E-E.

19 **LCDR Yemma:** Mr. Robinson what is your current employment and your position?

20 **WIT:** I'm currently on the Perla Del Caribe sailing First Engineer.

21 **LCDR Yemma:** And can you please describe some of your previous positions and
22 work history relevant to your current position?

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1 **WIT:** I started with, well Sea Star at the time in 1999 on the SS El Yunque as Third
2 Engineer, moved up to Second Engineer. Moved on to First Engineer. Went Chief on
3 the El Faro, 2006 till 2009. Moved over to the SS El Morro. In 2009 till she was laid up
4 permanently and then went back on the SS El Faro, 2013 till present. Now I'm on the
5 Isla Bella, I'm mean Perla, I'm sorry.

6 **LCDR Yemma:** Can you describe some of your general responsibilities in your current
7 position?

8 **WIT:** I'm in charge of maintenance and the crew in the engine room, any of the,
9 whatever the Chief Engineer wants and his standing orders. And basically we're getting
10 a new ship operational and everything put away where it's supposed to be.

11 **LCDR Yemma:** And what's your highest level of education completed?

12 **WIT:** Associates degree, I'm sorry, Bachelor's degree in Marine Engineering
13 Operations.

14 **LCDR Yemma:** And do you hold any licenses or professional certification?

15 **WIT:** I have a Bachelor Marine Engineering and an Associate's degree in electronics.

16 **LCDR Yemma:** Any licenses or professional certification?

17 **WIT:** No, sir, just my Coast Guard license.

18 **LCDR Yemma:** You have to speak a little closer to the mic.

19 **CAPT Neubauer:** Mr. Robinson can you give your Coast Guard license details?

20 **WIT:** I'm an unlimited Chief Engineer both steam and motor.

21 **CAPT Neubauer:** Thank you, sir.

22 **LCDR Yemma:** The board will have questions for you.

23 **CAPT Neubauer:** Commander Odom.

1 **CDR Odom:** Good morning Chief.

2 **WIT:** Good morning.

3 **CDR Odom:** Could you, just a few opening comments. As we go through the
4 testimony today will you please try to refrain from using slang or acronyms for the
5 benefit of the board and public? All of our questions and comments will be about events
6 leading up to and before the casualty on the El Faro. And we'll cover broad topics and
7 as we move through those topics there will be stop points where we'll stop and open up
8 questioning for the entire board to ask you questions about that particular topic. At any
9 time you feel like you need a break just let us know and we'll take a break. So with that
10 being said the first line of questions will be about the role you played on board the El
11 Faro and some of the relationships between the crew. And for clarification you were
12 serving in two different capacities on the El Faro. You were the Chief Engineer and you
13 were also serving as a supernumerary, is that correct?

14 **WIT:** Yes, sir.

15 **CDR Odom:** So also when we go through try to distinguish the difference as we go
16 through the testimony in which role you were serving as you answer the question.
17 Between you and Chief Engineer Pusatere, which one of you were the lead engineer or
18 the senior Chief Engineer on the vessel?

19 **WIT:** There was no seniority. I've been with the company longer, but as far as, yeah
20 there's no seniority ratings with our company as far as I've been there the longest.

21 **CDR Odom:** How would you describe Chief Engineer Pusatere's knowledge of the
22 vessel and his competency?

1 **WIT:** He was a very good engineer, very mechanical. I worked with him as my First.
2 He was very knowledgeable on the machinery and the operation of the plant.

3 **CDR Odom:** And how often had you sailed with Captain Davidson?

4 **WIT:** As a rule I would get maybe a month out of a 10 week rotation. So split up
5 between the two different Captains.

6 **CDR Odom:** And how would you describe his knowledge of engineering terms and
7 engineering in general?

8 **WIT:** With the dealings that I've had when talking, I mean he could understand what we
9 were, whatever job we were entailed in the engine room. We could describe it to him
10 and he could take an understanding of what we were trying to accomplish.

11 **CDR Odom:** So in the recording we heard earlier in the week, of the Captain making
12 the emergency call to the call center. He stated that El Faro had lost propulsion unit in
13 and the engineers could not get it going. Do you think he would have accurately
14 articulated in that situation what had happened in the engine room?

15 **WIT:** That I can't say.

16 **CDR Odom:** How would you describe the relationship between Captain Davidson and
17 Chief Engineer Pusatere?

18 **WIT:** From the time I spent on the vessel, I mean everything was, you know at supper
19 time they would have conversations, they had discussions before the day started. The
20 Captain would stop by to see if there were any issues or before going to breakfast and
21 the day started just to get a heads up on the operation of the day.

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1 **CDR Odom:** Move the mic a little bit closer. Thank you. Can you talk a little bit about
2 Captain Davidson's leadership style and his general abilities as you perceived them as
3 the Captain of the El Faro?

4 **WIT:** The Captain he had his set scheduling, his routines. The way he operated it was
5 pretty much by scheduling. He was, yeah very organized and everything was set on
6 his, you know the time frame that he wanted. So yeah, he was a very well organized
7 gentleman.

8 **CDR Odom:** How would you describe your relationship with Captain Davidson?

9 **WIT:** Well we had, you know business, we discussed any issues that was going on in
10 the engine department. We would talk at meal hours, hunting, fishing, he lived in Maine
11 and he was registered guide so we had discussions other than business.

12 **CDR Odom:** Would you please open up your exhibit book to page – Exhibit 5, page 14.
13 And that will be an email from Jim Fisker-Andersen to Phil Morrell and it discusses
14 Captain Davidson.

15 **WIT:** Yeah.

16 **CDR Odom:** The bottom of the email on page 14. Actually the top of the email from
17 Jim Fisker-Andersen to Phil Morrell, RE: credential Master of candidate. Could you
18 read the body of that email please?

19 **WIT:** He's a stateroom Captain. I'm not sure he knows what the deck looks like. Least
20 engaged of all four Captains in the deck operation. He's great at sucking up to the
21 office staff.

22 **CDR Odom:** So earlier testimony ----

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1 **Ms. Davidson:** Pardon me. Can we first ask the witness if he's ever seen the email
2 before? Lay a foundation.

3 **CAPT Neubauer:** Mr. Bennett, yes. We'll ask the witness.

4 **Ms. Davidson:** Thank you Captain.

5 **CAPT Neubauer:** Mr. Robinson we've heard testimony previously in regards to this
6 email that this potential feedback came from the engineering department on the El Faro.
7 I would like to see if you had any knowledge of relationships on the vessel that would
8 validate the content of this email, sir?

9 **WIT:** This is the first I've seen – whether ----

10 **CAPT Neubauer:** Sir, I understand. But if you read the email and it's – the email
11 states that Captain Davidson was a stateroom Captain. I would like to know if in your
12 experience in the engine room and your discussion with the other Chief Engineers if you
13 feel like that email characterizes accurately the observations that you – the Chief
14 Engineers have on the El Faro. Can you answer that, sir?

15 **WIT:** I never worried about what the Captains did. He was out of my engine room, he
16 was active in it in the way he wanted to be, but how he addressed it daily that wasn't my
17 concern. I mean as long as I had a working relationship that I could explain an issue or
18 whatever he was there to back me up. But as far as if he was down on deck, that as my
19 opinion is the Chief Mate's job or the First Engineer's job and not to have the Captain
20 pushing or the Chief pushing a First. So everybody's ----

21 **CAPT Neubauer:** Did the Captain ever come down to the engine room?

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1 **WIT:** I saw him down there a few times, yes. But he would address me up in my office
2 or whatever. Whether he didn't want to bother me in my work environment, I left – that
3 was up to him.

4 **CAPT Neubauer:** Do you know if the other Chief Engineers – did you hear them have
5 that same opinion or did you hear other people saying that he should have been more
6 active?

7 **WIT:** I really didn't pay much attention to what other people said as far as, if I had
8 something to discuss with the Captain I discussed it. I never paid attention to what
9 other people had to talk about other people on the ship.

10 **CAPT Neubauer:** Thank you.

11 **CDR Odom:** Thank you Chief. Approximately what day did Chief Engineer Pusatere
12 relieve you as Chief Engineer on the El Faro?

13 **WIT:** That would have been, well I've got my date I just saw it, it would be around 6/2, I
14 mean I'm sorry, 8/11 I got off the vessel.

15 **CDR Odom:** August 11th?

16 **WIT:** 2015.

17 **CDR Odom:** And shortly after that you returned to the vessel as supernumerary?

18 **WIT:** Yes, sir.

19 **CDR Odom:** So what day was that?

20 **WIT:** That would have been 8/25.

21 **CDR Odom:** I'm going to put an exhibit up on the screen, Exhibit 65 please. This is
22 just a very basic line diagram of the engine room. I'm going to go through the
23 components of the engine room. And one at a time, if you could just give the board a

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1 brief overview of the layout in the engine room. Mostly just the critical systems. And if
2 you would just start with the boilers, how many were there, what was the – just give us
3 some basic overview of the boilers.

4 **WIT:** We had two boilers, port and starboard, 900 pound BMW's. They supplied the
5 steam to both, we had two Terry Turbine generators and also we had one HP, a head
6 turbine and a stern turbine for our propulsion. As far as the drawing you got, the lower
7 right hand corner you had two feed pumps, one of which is online which supplies your
8 feed water to your boilers and they create steam which turn the turbines, supplies
9 electricity, turns the generator. Your HP turbine is your head steam propulsion and your
10 LP, you have your astern. I don't know how in depth you want to?

11 **CDR Odom:** Can you just walk us from like the HP turbine back to the reduction gear
12 and talk about the struts and the shaft design and?

13 **WIT:** All right. Well once the HP turbine turns the reduction gear it entails, it goes to
14 the tail shaft, well to the stern two, out to the strut bearing which is external of the vessel
15 and after that it's the propeller which ----

16 **CDR Odom:** And the bilge and ballast system, how many bilge pumps and ballast
17 pumps, what is that arrangement?

18 **WIT:** There was two bilge and ballast pumps. Their arrangement, they were in lower
19 engine room, forward bulkhead. They whatever, basically on that ship we used three
20 different cargo tanks, 1A centerline and 1B starboard was most ballasting that we did for
21 our load.

22 **CDR Odom:** Thank you. As Chief Engineer of this SS El Faro, can you discuss your
23 daily routine, duties and responsibilities?

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1 **WIT:** Daily routines basically we would meet up in the engine room, First Engineer
2 would take care of running the crews on any maintenance or whatever the daily
3 schedule entailed. Any paperwork, ordering, I tried to get done before the run of a day
4 so I could be available in the engine room, that's where I was most active. And the First
5 he would run the show. But if there was anything that he needed my assistance with
6 and I would be available to help him.

7 **CDR Odom:** Did you have any set routine as far as a round to make log entries or
8 anything like that that would require you by the safety management system?

9 **WIT:** There requires one visual inspection of the cargo areas, not the cargo, the
10 machinery areas, but that was – when I first entered the engine room in the morning,
11 you'd take and – you'd do a round, you look at the log book and then do a visual
12 inspection of the operations equipment.

13 **CDR Odom:** And for the engineering department, can you explain the watch schedule?

14 **WIT:** There was three different engineers, you had an 8 to 12 Third, 4 to 8 Second
15 Engineer, and a 12 to 4 Third Engineer so they would split up the 24 hour period. We
16 had a water Third, boiler Second and lube oil Third.

17 **CDR Odom:** Was it your responsibility to authorize overtime?

18 **WIT:** Yes, sir.

19 **CDR Odom:** And was it also your responsibility to monitor the STCW rest hours?

20 **WIT:** Yes, sir.

21 **CDR Odom:** And how did you do that? How did you manage that?

22 **WIT:** Their overtime sheets were collected weekly and you would monitor their hours,
23 whatever they were taking. They were trained on what they were allowed to do. We

1 were a 12 hour shift, so basically it only allowed you one day, you know one hour a day
2 extra that would put you over your limit if you went any further.

3 **CDR Odom:** Was there ever a lot of issues within the engineering department of
4 exceeding those work rest hour requirements?

5 **WIT:** No, no, sir.

6 **CDR Odom:** Can you talk a little bit about the asset management operating system in
7 which your responsibility for required to AMOS assistant?

8 **WIT:** AMOS was used as a maintenance history in ordering. The First Engineer each
9 month set of jobs, work orders that would be – come up due, whatever the work status
10 was on the machinery. The First Engineer would set up through the month or into the
11 next whatever when the time frame and to complete these jobs. And he would enter as
12 they were completed. Give the, whoever, he would print off the sheet and whichever
13 engineer that was going to be completing the work would be submitted the work order.
14 And when the job was complete then the First would close it out in AMOS.

15 **CDR Odom:** At the time of your relief was there any overdue or deferred maintenance
16 items? Or were there any major repairs, major or minor if you could just kind of
17 describe what the status of the engine room at the time of your relief with regards to
18 deferred maintenance and repairs going on?

19 **WIT:** There was, I mean as far as the AMOS they're always showing not outstanding,
20 you know the job comes due at the first of the month, and it's all the way at the end of
21 the month sometimes you don't get it entered in until the first of next month. The First
22 keeps the printed out work orders which are complete on his desk and when time
23 permits he gets on a computer and enters the entries in which will clear the jobs out of

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1 AMOS. And then if there were any that was outstanding it was either sent out to the
2 Port Engineers to you know reschedule or schedule whenever to fall as close to the
3 time frame that the job was to be complete.

4 **CDR Odom:** What about repairs? Was there any repairs going on?

5 **WIT:** When I got off the vessel? No.

6 **CDR Odom:** Can you briefly describe the process of deferring maintenance? If you
7 have a maintenance that's like on a piece of critical equipment and for whatever reason
8 you can't meet the schedule of doing the PM's on that, the preventative maintenance,
9 can you describe the process of you know analyzing the risks associated with deferring
10 that maintenance and who would give you permission to like extend something out to
11 the shipyard or however long you needed to extend that?

12 **WIT:** Yeah, any of the jobs that would come up if it had to be deferred it would be
13 discussed with the Port Engineers as far as the time frame and what we felt comfortable
14 in completing that and if it could be put off till the shipyard and if it was deferred then it
15 had to be entered into the AMOS system the date and on the comments reasons why,
16 waiting on parts or you know the time frame. So there had to be a written explanation
17 and why it was being deferred and not completed now.

18 **CDR Odom:** And who did that written explanation go to for approval? Or was it an
19 approval process?

20 **WIT:** It was a process that was led up to being entered into AMOS as far as to be
21 deferred.

22 **CDR Odom:** What was your understanding of who had the authority to make the
23 decision, the final decision to approve deferring maintenance?

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1 **WIT:** Basically anything I ever deferred was nothing major anyway. I mean as far as
2 any boiler work we were scheduled to go into a shipyard and that was just standard put
3 it off for a month, but it was nothing that was put off – any major issue was addressed
4 when it was needed to be addressed. Deferrals were used, you did not have the filter or
5 you didn't have the correct part at the time, defer it till the part comes in. Any major
6 issues they were addressed as soon as possible and not deferred.

7 **CDR Odom:** Was there an ample supply of spare parts to support all the critical
8 equipment?

9 **WIT:** Yes, sir.

10 **CDR Odom:** Is the asset management operating system, AMOS, did it have a specific
11 spare parts lists that would let you know what your profile was as far as spare parts?
12 Did you know when you were out of parts?

13 **WIT:** The inventory was up to date, but it did not come out, this system when the ship
14 was broke out of lay up in 2013, AMOS was a work in progress. So the ordering was
15 being done off AMOS, but the system did not automatically pop up and say okay you
16 have one left in stock, reorder. So basically you went by your inventory, yes I used one
17 bearing, order another one. So the system was not set up to that point just to come out
18 and say you're down to one, order another. So you went by your inventory and you're
19 own, what you wanted on board or what you needed.

20 **CDR Odom:** Was there ever a point where the age of the vessel made it a challenge to
21 get parts that you needed?

22 **WIT:** No, no, sir, not at all.

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1 **CDR Odom:** Was it common for you guys to use third party contractors to do
2 maintenance on board?

3 **WIT:** If we had big jobs that we needed completed, yes. We have parties come in
4 Jacksonville and the way this was a big conversion they needed extra help. So yes,
5 they brought in outside.

6 **CAPT Neubauer:** Mr. Robinson, could you bring the microphone a little closer please.
7 Thank you, sir.

8 **CDR Odom:** Do you recall any specific maintenance or safety concerns that were
9 discussed while you were on board both as the Chief Engineer and after you were
10 relieved when you were serving as a supernumerary?

11 **WIT:** Safety concerns? Nothing that comes to my mind, no.

12 **CDR Odom:** Maintenance?

13 **WIT:** There was maintenance with the economizers that the Chief was working on, but
14 there was nothing that involved a safety factor, no.

15 **CDR Odom:** All right. At this time I would like to open up questions Captain for the
16 board with regards to preventative maintenance practice and Chief Engineering duties.

17 **CAPT Neubauer:** Commander Denning.

18 **CDR Denning:** No questions on this line.

19 **CAPT Neubauer:** Mr. Young.

20 **Mr. Young:** Good morning Chief.

21 **WIT:** Good morning.

22 **Mr. Young:** Could you please describe the safety culture aboard the El Faro under
23 Captain Davidson's leadership?

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1 **WIT:** Safety was always strongly looked upon. You know all the safety meetings they
2 were very explicit on if you need the equipment, if you don't think you have what you
3 need step back, get it. You know safety was first. If the job had to wait to get
4 completed then so be it. So it was a very strong, yeah, it was – push that you had to
5 use safety to the utmost.

6 **Mr. Young:** Were there ever any safety concerns raised by your department members
7 concerning the safety features of the vessel?

8 **WIT:** No, sir.

9 **Mr. Young:** Were there ever any concerns with schedules, on maintaining schedules
10 for you as a Chief Engineer?

11 **WIT:** What schedules are those, sir?

12 **Mr. Young:** Departure, arrival times.

13 **WIT:** There was always, but when you get out of port, I mean there was nothing, they
14 weren't pushing us to get there, it was get there when you can.

15 **Mr. Young:** We've heard the term main propulsion unit a few times. In your
16 engineering expertise what would that be referring to?

17 **WIT:** That would be the turbine in my opinion.

18 **Mr. Young:** Could you repeat that?

19 **WIT:** The turbine.

20 **Mr. Young:** The turbine set?

21 **WIT:** Yes.

22 **Mr. Young:** Would it include the reduction gear and shackling, or is it just limited to the
23 turbines?

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1 **WIT:** You don't have propulsion without either one of the units, as a group, yes. The
2 turbine and the reduction gear. I mean, yes.

3 **Mr. Young:** Would it refer to the boilers?

4 **WIT:** Well no, I would have to say if he was talking of propulsion that would be the
5 reduction gear and the turbines.

6 **Mr. Young:** I understood, thank you. Kind of following up on Commander Odom's
7 questions. As a Chief Engineer – as a Chief Engineer were there company
8 requirements for you to submit turnover notes to a company official?

9 **WIT:** We would email them to the Port Engineer before, whenever we were doing a
10 turnover, we would give our relief a copy and then email a copy to the Port Engineer.

11 **Mr. Young:** And was there ever any feedback received based on a review of your
12 turnover notes?

13 **WIT:** Everything was pretty much covered before that point. You know if there was
14 anything that I was putting in my turnover notes for my relief to know about as far as any
15 repairs that we were working on, then that was pretty much all discussed with the Port
16 Engineer before and then we could discuss when my relief was there.

17 **Mr. Young:** Did you meet with the Port Engineer frequently as Chief?

18 **WIT:** Yes, every time we pulled into Jacksonville he would either see me in the engine
19 room or we would meet up in my office.

20 **Mr. Young:** Turning to AMOS, who was authorized on board the ship within your
21 department to make entries regarding preventative maintenance within the system on
22 board the ship?

23 **WIT:** It would be the First, Chief Engineer, the Chief Mate, and Captain.

1 **Mr. Young:** So if the maintenance was performed by junior engineers, how would that
2 maintenance get entered into the system?

3 **WIT:** When you – a work order is due you issue the work order and it prints out a copy
4 of the job description and you give that to the junior officer or whoever's completing this,
5 they write on it any information, parts and then submit that back to whoever the
6 department head is, myself, the First whoever was given the job from and then we
7 would discuss any issues that they have and then enter whatever into the AMOS
8 system.

9 **Mr. Young:** And did the company ever review the deferred maintenance list for
10 outstanding maintenance list? Was there ever a periodic review of the AMOS entries in
11 terms of maintenance by the company?

12 **WIT:** Nothing was ever brought up to me, I mean as far as, like I said the deferred list
13 was very minimal, it was on if we were missing a part and it was going to be month
14 instead of right now. So I mean as far as – there wasn't a big deferred maintenance list.

15 **Mr. Young:** But was there a periodic review of the maintenance overdue?

16 **WIT:** There would be discussions of, you know if there was something, any issues with
17 the AMOS with the Port Engineers or whatever when we were in Jacksonville, yes.

18 **Mr. Young:** The AMOS preventative maintenance system dictates what projects are
19 done a monthly basis. How are unscheduled maintenance items recorded in AMOS?

20 **WIT:** The unscheduled goes – are entered unscheduled maintenance. Then you put in
21 any parts, something that just comes up its unscheduled, you enter it in as
22 unscheduled, put any details in the comment section and save it underneath that
23 component as unscheduled maintenance.

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1 **Mr. Young:** Is there a company requirement for unscheduled maintenance to be
2 entered in AMOS?

3 **WIT:** It's just standard. Any equipment that's not in the regular monthly maintenance or
4 quarterly, if it's anything to do with machinery you enter it in there for a history.

5 **Mr. Young:** Switching gears to schedules, and I'll – I understand the Third Engineer
6 will be on the 8 to 12 watch, the Second Engineer 4 to 8, and another Third Engineer on
7 midnight to 4.

8 **WIT:** Yes.

9 **Mr. Young:** How would you handle a watch schedule if you had a brand new engineer
10 who had never been aboard El Faro before?

11 **WIT:** That's when the other two engineers, they would stand a 6 and 6 rotation. If the
12 watch stander was on the 12 to 4 then the Second and the other, the 8 to 12 would
13 stand through the night with them, two hours split between the two watch standers. The
14 daytime everybody's in the engine room, other engineers, but while they're on the night
15 time watch they would have one of the regular engineers who are doing like a training
16 getting them up to speed with the engine room like deal with them until they're ready to
17 stand watch on their own.

18 **Mr. Young:** And how long would that 6 and 6 watch schedule last for a new engineer?

19 **WIT:** Until either I was happy with the engineer or the First and I both agreed that he
20 was ready to stand watch on his own.

21 **Mr. Young:** And would you evaluate the competency of the junior engineers?

22 **WIT:** I would in between, you know there was written evaluations at the end of each
23 rotation, but you have verbal conversations with them if they weren't picking up the

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1 slack or where they should be just to give them a little motivation to pick it up, learn
2 more about what they're supposed to be doing.

3 **Mr. Young:** So they were a formal company evaluations required at the end of a
4 rotation?

5 **WIT:** Yes.

6 **Mr. Young:** Were you ever evaluated by the company in your performance?

7 **WIT:** Yearly we were supposed to get a company eval. So yes I have been evaled.

8 **Mr. Young:** And were you able to review your evaluation and comment on it?

9 **WIT:** Yes.

10 **Mr. Young:** Did you ever have any concerns with the reviews that you received?

11 **WIT:** No, sir.

12 **Mr. Young:** How many evaluations have you received throughout your career with ----

13 **WIT:** I really, it was a process that was started later on and you know like I said I
14 started in '99, so I'm not sure exactly when it became policy for the Port Engineers to
15 eval the senior officers. So I can't really tell you how many evals I've actually received.

16 **Mr. Young:** Was it more than one?

17 **WIT:** Yes.

18 **Mr. Young:** And shifting gears one more time. You rejoined the El Faro in 2013, was
19 that immediately at the end of the lay up period?

20 **WIT:** Yeah, we broke the ship out of Baltimore and took it to the Bahama shipyard to
21 get it ready to come back on San Juan, Jacksonville run.

22 **Mr. Young:** And during that breakout period were there any major issues with
23 machinery that required repair attention?

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1 **WIT:** No, no, sir.

2 **Mr. Young:** I'll pass it on to Captain Neubauer, thank you.

3 **CAPT Neubauer:** Thank you Mr. Young. I would like to follow up on one issue that,
4 that line of questioning that Mr. Young mentioned about the watch standing. Sir, I
5 believe you said that when there was a new engineer on board that the other engineers
6 would have to stand about 12 hours of watch a day. Is that correct, sir?

7 **WIT:** Yes, sir.

8 **CAPT Neubauer:** Did you have any work rest issues during those periods of time, sir?

9 **WIT:** That's a 12 hour shift. Our daily routine is a 12 hour day. So you still have your
10 10 hours, 6 hour blocks, so it never affected the STCW.

11 **CAPT Neubauer:** So, sir, you never had any additional work time after you got off
12 watch on those periods?

13 **WIT:** Yes maybe an hour here or an hour there, but we never fell into a regularly
14 schedule that would disrupt the STCW.

15 **CAPT Neubauer:** Sir, how often percentage wise did you sail on a 6 on 6 off watch
16 schedule versus the 4 hour shifts would you say just on a general estimate?

17 **WIT:** Crew change outs was not very frequent. We usually had the regular Third's
18 coming back, so and the Second, so they were pretty familiar, but every now and then
19 maybe a couple times a year you would get a new Third engineer that you would have
20 to bring up to speed.

21 **CAPT Neubauer:** So just a couple times out of the entire year, sir?

22 **WIT:** Yes, for new engineers.

23 **CAPT Neubauer:** So you would say that's very rare?

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1 **WIT:** Yes.

2 **CAPT Neubauer:** Do you know if that was occurring around the month or so before the
3 El Faro accident, sir?

4 **WIT:** The time frame when the new engineers come on, the new guy I was not on the
5 ship, sir.

6 **CAPT Neubauer:** Do you have any knowledge of that occurring on other watches?

7 **WIT:** I'm sure it did happen on other watches. My relief was pretty much the same way
8 as I handle things in the engine room with new crew on board.

9 **CAPT Neubauer:** Are you pretty certain that like around a month before the accident?

10 **WIT:** I can't answer that.

11 **CAPT Neubauer:** Okay. At this time I'm going to pass the questioning to Mr. Roth-
12 Roffy.

13 **Mr. Roth-Roffy:** Good morning Chief. Tom Roth-Roffy, NTSB. I would just like to
14 follow up on a few issues that's already been covered. Sir, you've probably sailed on a
15 number of different ships in your career, worked with different Captains and Chief
16 Mates, various engineers, that often – sometimes there are crew ships cultures that are
17 different than others in terms of interaction between crew and the officer, deck
18 department, engine department, some are better than others. Is that a fair statement,
19 sir?

20 **WIT:** Yes, sir.

21 **Mr. Roth-Roffy:** So in your judgment the relationship between the engine department
22 and deck department at the officer level, how would you describe that relative to other
23 ships that you have worked on?

1 **WIT:** I've been with this company since '99 so it's, the engine and deck department,
2 every ship I've been on, well the three of them is usually a good communication, a good
3 relationship between the two. And everybody's got their issues, nobody likes
4 everybody, but everybody gets along. You live on a ship you have to.

5 **Mr. Roth-Roffy:** So were there any frustrations or problems in your communications
6 with the Masters aboard the El Faro?

7 **WIT:** No, sir.

8 **Mr. Roth-Roffy:** And you sailed with two different Masters. How would you rate the
9 two Masters in terms of ease with which you were able to interact with them?

10 **WIT:** I interacted with both of them. I mean they were different, Mike and Eric, they're
11 two different people so you got different things the way you talked, but I had a
12 relationship with both of them and I never had any issues with them.

13 **Mr. Roth-Roffy:** Turning now to the work schedule and your assistant engineers, I
14 believe you mentioned they work 8 hour watches, 4 on, 8 off, is that correct?

15 **WIT:** Yes.

16 **Mr. Roth-Roffy:** At some point you also said they work 12 hour shifts.

17 **WIT:** No, 12 hours is the daily, all. They got 8 hours of watch and then 4 hours of
18 maintenance.

19 **Mr. Roth-Roffy:** Okay. And those 4 hours of maintenance that was routine basis every
20 day they would work 4 hours?

21 **WIT:** Yes.

22 **Mr. Roth-Roffy:** And sir, was that mandatory or was that optional overtime?

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1 **WIT:** The contract is set up for a 12 hour work day. It's not written in stone. If the guys
2 need time off, they're 4 hours on watch, 8 hours a day watch is standard. But if it's quiet
3 time, they need time off that 12 hours is just what's written up in our contract. So every
4 day they weren't working 12 hours, they could be working 10, could be working 11. You
5 know.

6 **Mr. Roth-Roffy:** And sir, it generally did it involve the assistant engineers including the
7 First, work 12 hours days normally?

8 **WIT:** Yes.

9 **Mr. Roth-Roffy:** And the 4 hours of overtime, could you describe please the nature of
10 the work that was being done? Was it repairs to the equipment, or was it doing the
11 AMOS preventative maintenance checks? If you could estimate the percentage of – of
12 what the crew was doing on those 4 hours of overtime.

13 **WIT:** It falls on different weekly, monthly, some months you have more work orders that
14 are due. The Second he doesn't have to have anybody tell him what to do. You know
15 he works basically for himself. And the First and the Chief oversee it. Because he's got
16 the propulsion, you know, I'm sorry, the boilers, feed pumps, he's got unlimited
17 machinery to do all the maintenance on so. The Thirds, yes they're pretty much
18 whatever comes up on a monthly basis for AMOS and if there's any other outside the –
19 outside work, you know they get put on that too.

20 **Mr. Roth-Roffy:** Sir, any way to estimate percentage?

21 **WIT:** I can't give you a percentage. Each day we do whatever – whatever comes up. I
22 mean I don't look, get up in the morning and say I've got 50 items on AMOS, I may want
23 to get this job done so I can't really give a percentage number.

1 **Mr. Roth-Roffy:** When they enter – do they – when requesting overtime for these
2 hours do they code the nature of the work they're doing?

3 **WIT:** It's not overtime. It's considered in their 12 hour day. We're salary based on a 12
4 hour day.

5 **Mr. Roth-Roffy:** Understood. So there's no accounting of what particular work ----

6 **WIT:** If they work over 12 hours then that's considered overtime.

7 **Mr. Roth-Roffy:** Understood. Sir, during the normal watches of the engineers, the
8 assistant engineers, was there any practice to perform simulations or what I would call
9 casualty control drills to drill the watch standers on responding to engineering
10 casualties?

11 **WIT:** I would run them myself. I wasn't the type of person who would like to see an
12 engineer sitting around the log desk. So I would always throw them scenarios, what
13 would you do right now if the feed pump went down. Always making them think about
14 what's going on in the engine room. What's going on with this piece of machinery. That
15 was pretty much standard, you know while I was on board the vessel. I always wanted,
16 and we would have discussions, black out discussions, if you lost a boiler, yes you have
17 another one, but if you lost both of them what is your first step you're going to do. You
18 know how are you going to maintain the ability to get back as quick as possible. So yes
19 there was scenarios that we would run down there just so they would keep familiar in
20 the mind in the middle of the night if it happens, yes call and then start making the
21 steps. But it's going to make things a lot quicker.

22 **Mr. Roth-Roffy:** And you would do that yourself with the watch standers, and sir, I
23 believe you stated?

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1 **WIT:** Oh yeah, I'll do it. I always would discuss things with them.

2 **Mr. Roth-Roffy:** And was that on an occasional basis, you know once a month or once
3 a quarter that you would do that, or how often did you do those sorts of scenarios?

4 **WIT:** There was nothing written or scheduled for it. It was basically if a new guy was
5 on board, yes, he's standing watch now by himself, but you just always try to keep their
6 minds working, and say okay, give them a -- ask them a question, what would you do
7 and they would go figure it out or whatever and come back. You was just always trying
8 to keep their minds working.

9 **Mr. Roth-Roffy:** Was there a document that the engineers could refer to that had a
10 step by step procedure in responding to various engineering casualties or
11 emergencies?

12 **WIT:** Yeah, like black out recovery, loss of power, loss of boiler, there was a written
13 one up for that, yes.

14 **Mr. Roth-Roffy:** And that document was that something that you developed or was it a
15 part of the safety management system?

16 **WIT:** It was on board the vessel. It was just a step by step, if you lost a boiler basically
17 just for training. It was nothing, a document or whatever that was required to have. The
18 blackout recovery was.

19 **Mr. Roth-Roffy:** Sir, Captain Neubauer asked you about the assistant engineers and
20 how often you had new ones on board. Are some positions on the vessel permanent
21 and some relief positions that could come out of the hiring hall or the union?

22 **WIT:** No the engineering side, the Chiefs once you get to be up to a Chief and the
23 Firsts they're usually you know the top positions so they're not moving. They can't

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1 move any further, but they're going to stay on board because they're sailing as Chief or
2 First. You have Third Engineers that are coming out, it's a steam ship, they're right out
3 of college, they're getting a little bit of experience and then they're going to move on
4 because there's no future in steam. So that's where we would have a big turnaround
5 and there's no place for them to move up because of the time frame that the ship's
6 going to be around. They were going to be moving elsewhere. So we went through
7 different time frames we would go through more Thirds, some of them would stick
8 around, some of them, they move on to the oil fields or whatever. So depending on
9 what time of year.

10 **Mr. Roth-Roffy:** So if a Third Engineer came aboard your vessel would he be graded
11 as a permanent employee if he stayed on that vessel?

12 **WIT:** Yes.

13 **Mr. Roth-Roffy:** I think you said yes?

14 **WIT:** Yes, sir.

15 **Mr. Roth-Roffy:** Thank you very much Chief. That's all I have for now. Captain.

16 **CAPT Neubauer:** Mr. Fawcett.

17 **Mr. Fawcett:** Good morning Chief. I have a few questions about the operational
18 climate aboard the El Faro and the safety of operations.

19 **WIT:** Yes, sir.

20 **Mr. Fawcett:** Thank you for your testimony so far. What was your interaction as Chief
21 Engineer with the bridge and navigation equipment?

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1 **WIT:** Very minimal. If they had issues we would take a look and see if it was
2 something that we could fix on board. If not we would set up for outside help to come in
3 the next port of stay to address whatever issues that they had.

4 **Mr. Fawcett:** Do you know if there was a process on board where bridge officers would
5 take a general inspection of equipment and then report the results so that corrective
6 actions could take place?

7 **WIT:** When they had issues with most of the repair – the equipment on the bridge the
8 Captain would submit it directly to the Port Engineers to assist. He would let me know if
9 there was something that I could do. But when it got into the radars or most of the
10 equipment that would require a specialist to come in from an outside contractor to take
11 care of the repairs.

12 **Mr. Fawcett:** Did you ever know if the anemometer for the vessel was replaced or, the
13 one from the El Faro or another vessel?

14 **WIT:** I do not recall, sir.

15 **Mr. Fawcett:** So could you describe your interaction with the other crew members
16 during the course of your time aboard El Faro?

17 **WIT:** Basically the deck department, I mean I got along with everybody on the vessel.
18 Any help, excuse me, anything they needed or whatever I would always make myself
19 available. I was very active in repairs and stuff on the deck side. Anything they needed
20 if my crew was busy, then I would make myself available and make the repairs myself.
21 It was a good relationship with everybody as far as I know.

22 **Mr. Fawcett:** Did you interact during meal times and off duty times on board? Other
23 than during your specific work time on board.

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1 **WIT:** Yeah we would meet up at supper time, there was always just talking over the
2 table. But if they bring up shop talk at supper it's like no I don't want to talk about it. No
3 everything was pretty laid back. It was a good relationship.

4 **Mr. Fawcett:** Did anyone – any of the ship's officers discuss frustration with the
5 crewing of the Marlin vessels and whether or not they were being selected or not?

6 **WIT:** You hear all kinds of talk on the ship, but I don't get involved in it. So I mean I
7 never paid any attention. We got a job now, do your job.

8 **Mr. Fawcett:** So you had mentioned the union contract, the 12 hour contract. In the
9 summer of 2015 there was a, I'll characterize it as an insistence that bridge officers
10 work a 12 hour day. In other words that they fully work a 12 hour day, which was a
11 change from the previous way that was administered aboard the vessel. Are you
12 familiar with that?

13 **WIT:** No, sir.

14 **Mr. Fawcett:** Did you hear any of the bridge officers talking about fatigue in any way?

15 **WIT:** No, not that I know of.

16 **Mr. Fawcett:** So turning your attention to Captain Davidson, did you ever have any pre-
17 sailing meetings among the engineering staff and the bridge officers prior to getting
18 underway to discuss the risks of the voyage?

19 **WIT:** No, it was just standard. I mean our voyages were standard week in and week
20 out. There was nothing really to discuss.

21 **Mr. Fawcett:** If you were sailing out into adverse weather in the Caribbean would you
22 consider that standard?

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1 **WIT:** If I was in that position then I'm sure there would have been a communication or a
2 discussion, but I have not had issues of sailing out into weather in all my years of sailing
3 out there.

4 **Mr. Fawcett:** That's on the El Faro?

5 **WIT:** The El Faro, El Morro, El Yunque.

6 **Mr. Fawcett:** So you supervised the Polish riding crew?

7 **WIT:** I was, yes, between me and Jeff Matthias.

8 **Mr. Fawcett:** Based on your experience did they fully understand and comprehend the
9 English language?

10 **WIT:** They could get by. One of them spoke English, but the other ones they could
11 understand, you know showing them through what they needed to do with the help of
12 the translator, yes.

13 **Mr. Fawcett:** I didn't hear the last part.

14 **WIT:** With the help of the translator that would get everything. But if you were to take
15 them to do a job that you wanted to they could figure it out with you the way you were
16 discussing it or describing it.

17 **Mr. Fawcett:** During your time as supervisor of those workers, did you attend or
18 participate in any life saving drills such as boat drills or abandoned ship drills?

19 **WIT:** As far as, yes, we had life boat drills every week. But as far as they were, the first
20 couple we would muster, show them the muster locations, their duties and as far as the
21 participation, they were described, go to the bridge that's your location for a fire and
22 boat drill.

1 **Mr. Fawcett:** So how were they integrated, the Polish riding crew, how were they
2 integrated into the drill so that they actually understood the abandon ship operations?

3 **WIT:** I did not follow on how they were integrated or how they were taught. I just know
4 that they went to the drill and they or their translator or whatever, they would show what
5 to do, where to go. Basically they're not going to be lowering a life boat. They're going
6 to get in the life boat and depart. They weren't part of the mechanical or the people that
7 are running anything. The bell goes off, go to the bridge, go to the boat, get in the boat,
8 get off the ship.

9 **Mr. Fawcett:** Which boat were they in?

10 **WIT:** They were in each one. You've got port and starboard. I don't know how many
11 was in each one, but I don't know.

12 **Mr. Fawcett:** So you supervised them ----

13 **WIT:** I worked with them.

14 **Mr. Fawcett:** Excuse me?

15 **WIT:** I worked with them.

16 **Mr. Fawcett:** Okay. So can you, I know you were asked that, can you take a moment
17 to reflect and tell me which boat the Polish riding crew is expected to be in?

18 **WIT:** They split them up. There's a certain amount in one boat, certain amount in the
19 starboard boat, port boat, I'm not sure how many was in each vessel's boat. I'm not
20 sure.

21 **Mr. Fawcett:** Did you ever see them actually at the boat deck in the vicinity of the life
22 rafts or life boats?

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1 **WIT:** They would muster on the fire drill on the Captain's deck. And then when the
2 boat drill was on they would come down to the boat deck.

3 **Mr. Fawcett:** During your time under Captain Davidson's command did you ever see
4 anyone discuss the launching of the boats or the deployments of the rafts in adverse
5 weather or hurricane like conditions?

6 **WIT:** There was boat discussions on everything, but you know as well as I do if – in a
7 hurricane you're not going to lower that life boat with 30, 40 degree list. So but
8 discussions were how to do it, safety wise complete it, if not you have the life rafts to fall
9 onto.

10 **Mr. Fawcett:** Okay. Could you characterize the training that was given, say in the
11 month before the accident when you were aboard related to the deployment of the life
12 rafts, and board the life rafts following a situation such as you described as listing of the
13 vessel?

14 **WIT:** I guess I missed that question, sir. Can you repeat that?

15 **Mr. Fawcett:** In other words you mentioned you couldn't launch the boats in a listing
16 condition.

17 **WIT:** It has nothing to do with the way the life boats are. You know, if you're in rough
18 weather and have heavy lists, davit type life boats, trying to get those off with the ship
19 listing over, somebody's going to get hurt so you're going to resort to a life raft which is
20 going to be safer.

21 **Mr. Fawcett:** So how would you launch the life rafts in the same condition as a ship's
22 officer?

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1 **WIT:** I would cut the rig and wire, ops sorry, I would cut the rope off it, throw it over the
2 side, pull the cheap painter out until she let go.

3 **Mr. Fawcett:** And then what would happen for the people that were expected to board
4 the raft?

5 **WIT:** She would be tied off to the ship and hopefully you can get off the vessel and get
6 into it.

7 **Mr. Fawcett:** Did you ever have that discussion during any drills?

8 **WIT:** I can't recall what drills as far as how in depth into severe weather we got into.

9 **Mr. Fawcett:** So changing focus a little bit. Every system has an Achilles heel or a
10 critical point where the critical point of that failure will result in the loss of that system.
11 Based on your extensive knowledge of the propulsion system on the El Faro, what
12 would you consider the critical component of the propulsion system which would cause
13 a loss of that plant?

14 **WIT:** Loss of propulsion side which we were talking about being a turbine, maybe lube
15 oil.

16 **Mr. Fawcett:** So you can take your time to think about this, but if you lost a turbine,
17 could you explain to me, I'm not an engineer, I'm a deck officer, could you explain how
18 difficult it would be to get the propulsion system back online?

19 **WIT:** It depends on what you lost with the turbine. I mean I wasn't there so I can't ----

20 **Mr. Fawcett:** Yes, sir. I'm not talking about the event. I'm talking about from the loss
21 of a turbine as a consequence or potential casualty based on your experience as a
22 Chief Engineer, could you explain how difficult it would be to restore propulsion to the
23 vessel?

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1 **WIT:** It's kind of, there's so many scenarios. You lose a turbine you're done. You're
2 not going to get propulsion back. If you lose propulsion because of lube oil you have
3 two lube oil pumps, you get one reestablished, find out what scenario, what happened.
4 There's so many different avenues I don't know. We could talk about it all day. But if
5 you lose a turbine you're not going to get it back. If you lose lube oil you've got your
6 backup pump, that's supposed to come on. So I don't know how you want me to
7 answer that question.

8 **Mr. Fawcett:** Thank you, sir, you did. I have no further questions. Thank you, Captain.

9 **CAPT Neubauer:** Sir, I just have a few follow up questions. I believe you testified that
10 the Polish riding gang was split on the life boat assignments, is that correct?

11 **WIT:** That's the way it was. I don't know, like I said, how many is – which ones were on
12 which boat. I'm not sure.

13 **CAPT Neubauer:** Yes, sir. But it's safe to say that they had two different boats
14 assigned?

15 **WIT:** Yes.

16 **CAPT Neubauer:** Were there two translators on board?

17 **WIT:** I don't know. If they both – who understood what. There was one, they weren't
18 translators, some of them spoke partial English, but it just made it easier which one,
19 them calling it a translator. It comes out wrong, but.

20 **CAPT Neubauer:** Would you say that there was one member that could speak English
21 fluently?

22 **WIT:** Fluently, yes.

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1 **CAPT Neubauer:** Sir, on January 10, 2016, Coast Guard inspectors found a sea water
2 leak from the rudder post of the El Yunque of about 5 gallons a minute that was being
3 pumped to the bilge holding tanks on the vessel. Provide that as an example. Are you
4 aware of any other types of that occurring on the El Faro? And I mean flooding in any
5 hole?

6 **WIT:** No, sir.

7 **CAPT Neubauer:** Did you ever have any instances where you found unexpected sea
8 water in a hole?

9 **WIT:** We've had issues where somebody left a ballast valve open and you get a little
10 sea water backup in the rose box, but that was it.

11 **CAPT Neubauer:** Was that due to inexperience?

12 **WIT:** No, it was just due to somebody that messed up.

13 **CAPT Neubauer:** While underway, were you ever underway in heavy weather, sir?

14 **WIT:** Not on this run, no, sir.

15 **CAPT Neubauer:** At this time I would like to go to the parties in interest. Tote do you
16 have any questions?

17 **Tote Inc:** Sir, would it be okay to take a 5 minute break?

18 **CAPT Neubauer:** Yes, sir. The hearing will now recess and reconvene at 1015.

19 *The hearing recessed at 1005, 23 February 2016*

20 *The hearing was called to order at 1020, 23 February 2016*

21 **CAPT Neubauer:** The hearing is now back in session. Tote I understand we're still
22 loading the exhibit that you had mentioned. So we will come back to that when the files
23 ready. Do you have any other questions beyond that, sir?

1 **Tote Inc:** Yes, Mr. Chairman.

2 **CAPT Neubauer:** Yes, sir, could you identify yourself?

3 **Tote Inc:** Jewells Masse, on behalf of Tote.

4 **CAPT Neubauer:** Yes, sir.

5 **Tote Inc:** Mr. Robinson I just want to clarify a couple of things that you testified about.

6 First of all regarding the Polish crew musters during life boat drills. Sir, where did you
7 actually observe the Polish crew mustering?

8 **WIT:** When I saw them they were up on the bridge wings port and starboard side. That
9 was during the fire boat drill, fire drill.

10 **CAPT Neubauer:** We couldn't hear that answer, sir.

11 **WIT:** Yes, they were on port and starboard bridge wings.

12 **Tote Inc:** Okay. Sitting here today do you have any recollection where the Polish crew
13 mustered for their life boats?

14 **WIT:** Well when they were on the port and starboard side I just assumed that they
15 would go to the port and starboard life boat when the drill went, I'm not really sure if that
16 was the case or they all just mustered over to one afterwards.

17 **CAPT Neubauer:** Mr. Robinson, I know the court reporter mentioned during the break
18 that their having trouble picking up your testimony, sir. If you could.

19 **WIT:** Yes I just assumed when they muster on the port starboard side that they went to
20 the port and starboard side lifeboat, but that could have been that they just moved to
21 one side afterwards.

22 **CAPT Neubauer:** Sir, is it safe to say that they were separated?

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1 **WIT:** During the fire drill they were on the bridge wings. Whether or not when they
2 went to the boat drills, I did not see them at the boats, I just saw them up there during
3 the drill itself, the fire drill. When the abandoned ship drill come, they could have all of a
4 sudden just gone to one boat, I'm not sure.

5 **CAPT Neubauer:** Okay. I understand, thank you for the clarification.

6 **Tote Inc:** Okay. Another area of your testimony you had used the expression if you
7 lose the turbine you lose propulsion. I would like to ask first of all what did you mean
8 when you say lose the turbine?

9 **WIT:** That would be, I mean if the catastrophic failure of the turbine, that's where when
10 we were discussing what would happen or whatever the question that he had asked,
11 yes, turbine completely fail.

12 **CAPT Neubauer:** So Captain Davidson, I'm sorry, sir, Mr. Robinson, can you just give
13 a couple of examples of losing the plant, the turbine? Are you saying like a bearing
14 failure or a reduction gear?

15 **WIT:** Yeah, I mean that's, my years I mean you've just heard stories of it. You never
16 seen it. Lube oil pump would quit the other one come on. But to lose a turbine, I've
17 never seen it happen.

18 **CAPT Neubauer:** Yes, sir.

19 **Tote Inc:** Are we ready to do the photos or do you want to do those at the end?

20 **CAPT Neubauer:** I think we'll have to wait on those, they're still loading.

21 **Tote Inc:** No problem. We have no other questions at this point.

22 **CAPT Neubauer:** ABS do you have any questions at this time?

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1 **ABS:** Yes we do. Good morning Chief, my name is Jerry White I represent ABS. You
2 indicated that you had departed your vessel, departed the vessel based on your normal
3 routine for rotation on August 11th, is that correct?

4 **WIT:** Yes, sir.

5 **ABS:** And then there came a time when you returned to the vessel on August 25th as
6 an additional Chief Engineer, is that correct?

7 **WIT:** Uh no I was hired on as a contractor just to basically like I said, a supernumerary.

8 **ABS:** And can you describe for us what repairs you were familiar with that was being
9 done on August 25th to the engine room boilers?

10 **WIT:** The Chief Engineer had one of them down, had the economizer, the upper
11 economizer two leaks, so they were jumpering out the economizer, which the
12 economizer preheats your feed water to the boiler, makes it more efficient for operation.
13 It's not a safety issue or whatever, it's just for efficiency of the boiler.

14 **ABS:** Okay. So when you arrived on the vessel on August 25th did you recall whether
15 that repair of the economizer was ongoing or whether it was completed?

16 **WIT:** It was underway when I arrived at the vessel, or while I was on the vessel, yes.

17 **ABS:** And how long did you stay on the vessel as a supernumerary from August 25th
18 onward?

19 **WIT:** I got off, let me see when did I get off? On 9/22 I got off the vessel.

20 **ABS:** Okay. And to the extent that on August 25th when you boarded the vessel the
21 repair was ongoing to the economizer, do you know sitting here today when that repair
22 was completed?

1 **WIT:** I'm not sure the exact date it was completed. They had to come back to repair,
2 little tube leaks, but the jumpers were all completed within in the next, I believe two
3 weeks after I got there.

4 **ABS:** Do you know whether when the vessel departed Jacksonville on or about August
5 25th, whether or not she departed on one or two boilers?

6 **WIT:** We departed on both boilers.

7 **ABS:** When you arrived on August 25th are you aware of any superheated steam line
8 leak in a half inch drain line that was common to both SSTG's, and that was described
9 in an email from the Chief Engineer to Tote shore side, Mr. Weinbecker, Mr. Fisker, and
10 Mr. Neeson on August 20th?

11 **WIT:** Yes, it's a common drain, a low point drain for the steam feed in the SSTG's just
12 below the log desk. A pin hole developed in it and they just had to secure the plant to
13 have the repair, new section of pipe put in.

14 **ABS:** And can you help us with what a SSTG is?

15 **WIT:** It's a ship's service generators. It's a steam turbine, generator steam turbine
16 driven.

17 **ABS:** And do you know when that repair for a half inch drain line was completed?

18 **WIT:** If I remember, because it was like a week before I got to the vessel they got into
19 port, secured the plant and welded in, made the welded repair that they needed to do.

20 **ABS:** And just to clarify, to the extent that the repair on the economizer to the best of
21 your understanding was not completed when the vessel departed Jacksonville. Does
22 that affect your recollection as to whether the vessel departed on Jacksonville on one or
23 two boilers?

1 **WIT:** No, the repair was complete. But when we got back up to Jacksonville to do an
2 inspection one of the welds a pin hole had developed in it so we had to have the
3 contractor come back out, grind out one of the jumpers they put in and re-weld it, re-
4 hydro it.

5 **ABS:** Okay. When you say the repairs were complete were the – the repairs were
6 complete when the vessel departed Jacksonville on or about August 25th?

7 **WIT:** Yeah, to my recollection, yes.

8 **ABS:** Okay. And when you say that a pin hole leak developed, did the pin hole leak
9 develop subsequent to the repair on or about August 25th?

10 **WIT:** That was when we made it back in to Jacksonville the following week.

11 **ABS:** Okay. So in late August, early September, or I guess when in early September
12 when the vessel returned to Jacksonville, it was your understanding or recollection that
13 a pin hole leak in the economizer had developed at that time?

14 **WIT:** Now I think we're confusing things. The jumpers that they put in are installed to
15 make the repair on the upper economizer.

16 **ABS:** Right.

17 **WIT:** When that was complete they still had other ones they wanted to address, but we
18 departed Jacksonville with the repair complete to that point. When we came back into
19 Jacksonville they were going to do further checking on the tubes and one of the welds
20 that was leaking on one of the repairs, piece of slag let go or whatever, because it
21 passed the hydro, that they had to crop that out and reinstall a new jumper.

1 **ABS:** Thank you. Based on our understanding of the engineering plant on the El Faro,
2 if the vessel was pumping water from the number 3 hold, would that mean that the
3 vessel had power?

4 **WIT:** Yes, sir.

5 **ABS:** You indicated that you were working with or you were a contractor worker to
6 assist the Polish riding crew, correct?

7 **WIT:** Yes, sir.

8 **ABS:** And could you give us a general understanding of what work the Polish riding
9 crew was doing while you were aboard?

10 **WIT:** While I was on board we had cables that we to pull on the second deck to –
11 where we were adding ice winches or new winches to make the Alaska run. So we
12 were pulling wire ways, they were building brackets, frame works, but most of the run
13 we were taking – just pulling wires.

14 **ABS:** And the brackets they were building were for the wires or hanging supports for
15 the wires?

16 **WIT:** Yes, support for the wires, a new winch mount for the control panel for one of the
17 new winches we were getting basically. And then some of the old steam – steam lines
18 in the overhead for the ramps, they had steam tracing for the – because it's all roll on
19 ramps, they were repairing some of that stuff.

20 **ABS:** And are you aware of any other repairs on the Polish riding crew might have
21 been attending to while you were aboard?

22 **WIT:** They were – everything was involved with the wiring and the conversion work.

23 **ABS:** And when did you depart the vessel?

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1 **WIT:** 9/22.

2 **ABS:** September 22nd. Going back to the question on the pump in the number 3 hold,
3 could you operate the bilge pumps in the number 3 hold on the emergency power?

4 **WIT:** If you were to back feed the main switchboard off the emergency generator you
5 could. The ballast pumps come off the main switch board, which is fed from your SSTG
6 turbine driven generators. So if it came to the point they could back feed the
7 emergency generator to the main switchboard and then operate the ballast pumps.

8 **ABS:** Thanks, Chief. Nothing further.

9 **CAPT Neubauer:** Mrs. Davison do you have any questions?

10 **Ms. Davidson:** No questions.

11 **Tote Inc:** Sir, we just have a follow up from those questions.

12 **CAPT Neubauer:** Yes, Tote.

13 **Tote Inc:** Mr. Robinson, Chief was the winches that were being looked at, at being
14 installed were they installed when you were on the vessel?

15 **WIT:** The new winches, some of the ramp winches we were mounting towards the end
16 of my tour on there as an extra. But as far as the new ice, I mean the new spring winch,
17 ramp winches they were not all on board.

18 **Tote Inc:** And how much would you estimate that weight to be for that winch, rough
19 estimate?

20 **WIT:** Minimal, 1000 pounds apiece. I mean there ----

21 **Tote Inc:** Thank you.

22 **CAPT Neubauer:** Sir, do you know how many winches total were being installed?

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1 **WIT:** Approximately maybe 12, yeah there was four ramps, three ramps, so that would
2 have been I believe around 12.

3 **CAPT Neubauer:** Approximately 12.

4 **WIT:** Approximately, yes.

5 **CAPT Neubauer:** Thank you. At this time Tote has entered Exhibit 094, which are
6 photographs of the El Faro. And we're going to display those and then Mr. Reid are you
7 going to walk us through the photos?

8 **Tote Inc:** Yes, sir. Chief, do you see a photo up there on the screen?

9 **WIT:** Yes, sir.

10 **Tote Inc:** And could you just describe what you see there?

11 **WIT:** It's a maneuvering level, port side, it's the two blue items are your two main
12 vacuum pumps. The one forward of it would be a motor for your emergency vacuum
13 pump. In the background is your potable water tanks and a drinking fountain.

14 **Tote Inc:** On the El Faro, correct?

15 **WIT:** Yes, sir.

16 **Tote Inc:** Okay. And that's a fair and accurate depiction of when you were on board
17 the El Faro?

18 **WIT:** Yes.

19 **Tote Inc:** Next photo please. Okay. Could you just describe what you see in the photo
20 here?

21 **WIT:** It's just a side view, two vacuum pumps or maneuvering level.

22 **Tote Inc:** And what pumps systems did they pumps service?

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1 **WIT:** Your main condenser, pull vacuum on it, you put gland seal on your vacuum
2 pumps, created the vacuum and pull it back, your main condenser.

3 **Tote Inc:** And that's part of the boiler system?

4 **WIT:** It's all part of the steam propulsion system. Your steam's condensed after going
5 through the turbine into your condenser which a vacuum is needed inside the main
6 condenser.

7 **Tote Inc:** Thank you. Is that a true and accurate depiction of what you observed on the
8 El Faro when you were on board?

9 **WIT:** Yes, sir.

10 **Tote Inc:** Okay. Next photo please. Chief, what do you see in this picture?

11 **WIT:** It's your LP turbine, your astern guardian valve and on you left side is just a
12 partial view of your ahead throttle.

13 **Tote Inc:** And when you say the LP turbine, you're talking about the low pressure
14 turbine?

15 **WIT:** Yes, sir.

16 **Tote Inc:** And what's the difference between the low pressure turbine and the high
17 pressure turbine?

18 **WIT:** The high bursts through you high – your ahead steam, your head propulsion, your
19 LP is your astern.

20 **Tote Inc:** And is this a fair an accurate depiction of what you observed on the El Faro
21 when you were on board?

22 **WIT:** Yes, sir.

23 **Tote Inc:** And it's a true depiction of that?

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1 **WIT:** Yes, sir.

2 **Tote Inc:** Okay. Next photo please. Chief what do you see in this picture? Could you
3 describe it for us please?

4 **WIT:** That's a maneuvering level, your control panel. Your boiler controls, your local
5 gages.

6 **Tote Inc:** And is there where the watch stander stands his watch for the most part?

7 **WIT:** Yes.

8 **Tote Inc:** And is this a true and accurate depiction of the El Faro when you were
9 serving aboard?

10 **WIT:** Yes, sir.

11 **Tote Inc:** Thank you. Next photo. Chief can you describe what you see in this
12 photograph please?

13 **WIT:** It would be the starboard side shop over by the Second Engineer's workshop. It's
14 where the sewage treatment plant is located.

15 **Tote Inc:** And is this a true and accurate depiction of the El Faro when you served
16 aboard?

17 **WIT:** Yes, sir.

18 **Tote Inc:** Next photo please. Chief can you describe what you see in the photograph
19 here?

20 **WIT:** That's part of the lower level contaminated steam drain tank, return tank. You
21 can see the sprinkler pump on the side.

22 **Tote Inc:** And what is this silver box on the right?

1 **WIT:** It's just a return tank, excuse me your contaminated feed system which supplies
2 steam to all your fuel tanks. That's the condensation return to that tank.

3 **Tote Inc:** Okay. And is this a true and accurate depiction of the El Faro when you
4 served aboard?

5 **WIT:** Yes, sir.

6 **Tote Inc:** Thank you.

7 **CAPT Neubauer:** Mr. Reid can you give us the date of those photos and who took
8 them?

9 **Tote Inc:** We will provide that to you, sir.

10 **CAPT Neubauer:** Thank you, sir. Are there any questions on the photos that were just
11 displayed? Mr. Robinson just one follow up question from the first round. Did you have
12 any – did you ever voice concerns about – on a vibration report for the – on a reduction
13 gear from the El Faro? Do you remember that, sir?

14 **WIT:** Yes I do. We had a report from, I can't remember the name of the outfit that does
15 the vibration, but it was discussed with the Port Engineer and then the report was send
16 to Dan McDonnell which is our turbine rep, or used to be our turbine rep. And sent him
17 the report and he came back that – discussing that reading a reduction gear is very hard
18 for somebody that's new at it. But basically what was going on in there was, could have
19 been noise or whatever, but to do a visual inspection as far as what the concern was he
20 basically straightened it out and said that what he looked at is his professional
21 knowledge that it was noise, [in audible] all engine, whatever he described it as. So it
22 was basically that he read the report and made everything, you know look like it was,

1 not look like, I mean, yes he explained to it and yes I was happy with his and the Port
2 Engineers and they were going to look at it down the road as far as further inspections.

3 **CAPT Neubauer:** So it was a Port Engineer that examined it?

4 **WIT:** No, Dan McDonnell is our turbine rep. It used to be Dan McDonnell and Lee
5 Peterson which is working for Tote now, but yes he is our turbine inspector rep and he
6 took the readings from an outside vibration that was doing it and analyzed them and
7 sent us back an email with the results and that basically it was hard to read or tell what
8 was going on in a reduction gear that size. So and as far as visual inspection he
9 recommended at the next nearest time that these gears, not being familiar with each
10 inspection, I don't know if this wear was there, so it was going to be scheduled
11 whenever he could attend the vessel to do a visual inspection on something that he felt
12 there was no, no alarm point or whatever.

13 **CAPT Neubauer:** Was your understanding that would occur like the next dry docking
14 period?

15 **WIT:** Yes, sir.

16 **CAPT Neubauer:** At this time we're going to transition to a new line of questioning. Mr.
17 Fawcett.

18 **Mr. Fawcett:** Sir, I just have a brief follow up Captain, if that's okay.

19 **CAPT Neubauer:** Yes, sir.

20 **Mr. Fawcett:** Earlier testimony you said you weren't on the El Faro when it headed out
21 into a – on a voyage where there was weather in the Caribbean, is that correct?

22 **WIT:** Nothing to worry about, no.

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1 **Mr. Fawcett:** Okay. So in August the vessel departed and it did go out where
2 Hurricane Danny and Tropical Storm Erika, the vessel did deviate from her typical route,
3 is that correct?

4 **WIT:** I'm not sure what route they took.

5 **Mr. Fawcett:** Did Captain Davidson before he departed require a meeting of ship's
6 officers to discuss how to deal with the risks of that voyage?

7 **WIT:** Are talking this voyage, the last voyage? I was not on board.

8 **Mr. Fawcett:** No, the August voyage where the ship deviated from her typical path
9 because of Hurricane Danny and Tropical Storm Erika.

10 **WIT:** Oh I don't know. Evidently if I was involved in it then there wasn't anything
11 important, or pressing if I was on board.

12 **Mr. Fawcett:** Okay. So at the same time, just for clarification, when the vessel was at
13 sea was there any meeting where Captain Davidson required ship's officers and
14 yourself as a labor supervisor to get together and figure out and deal with the risks
15 associated with that voyage?

16 **WIT:** Oh, I'm sorry, yes. The rough weather, yeah. We got – while we were on there
17 the rough weather we had to secure all the man lifts, I was confused on what you were
18 talking about. And any of the work we would do would be on the deck level. And if
19 there were any issues and to secure everything and just turn back in the valves.

20 **Mr. Fawcett:** Right. But did he require a meeting on the shipboard officers to discuss
21 how you as a team would mitigate the risks associated with that voyage?

22 **WIT:** I wasn't involved if it did.

23 **Mr. Fawcett:** Thank you, sir.

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1 **CAPT Neubauer:** Sir, I have a follow up question on that. Were you on the vessel on
2 the August 25th voyage where they went South to go to San Juan?

3 **WIT:** No.

4 **CAPT Neubauer:** You were not on board, sir?

5 **WIT:** I got off on the 22nd.

6 **CAPT Neubauer:** Great, thank you. Commander Odom.

7 **CDR Odom:** The next line of questioning will be about the Polish riding gang and the
8 modifications going on with the Alaska retrofit. If you could turn to Exhibit 50, 53. One
9 follow on question about the life boat. Which was your assigned life boat Chief?

10 **WIT:** I was life boat number 2.

11 **CDR Odom:** And during the drill at life boat number 2, how many of the Polish crew
12 members were in that life boat?

13 **WIT:** There wasn't any, sir.

14 **CDR Odom:** None, okay. Thank you. In this report if you would go to page 20. And
15 under miscellaneous engine room items, if you will read the first bullet item.

16 **WIT:** Verify all pipe hangers, snubbers and supports for the main steam system in the
17 engine room are in good order to take the increased pounding in Alaska service. Many
18 hangers are currently lose or broken.

19 **CDR Odom:** Did you participate in writing this report?

20 **WIT:** No, sir.

21 **CDR Odom:** Okay. Did you ----

1 **CAPT Neubauer:** Commander Odom if I could stop you. I just want to clarify that this
2 is a SS El Faro survey report for Alaskan service retrofit prepared by Jeff Mathias, Chief
3 Engineer April 2015.

4 **CDR Odom:** Thank you. So with regards to that specific type of – can you speak to it
5 since it's talking about hangers and the main steam line? What was your knowledge of
6 the condition of those hangers and had it been addressed prior to this voyage?

7 **WIT:** These hangers were looking to be addressed. They're -- basically your steam
8 lines come out of the boilers and there's structure support down at the deck and they're
9 just a spring loaded, yeah support hanger to the piping. The springs there was just
10 questions whether they lost their elasticity or whatever and they were looking into
11 putting new system and new spring setups on to take up the vibration of the heavy
12 weather if it was needed.

13 **CDR Odom:** So reading this it says most of them are currently lose or broken. How
14 many of them were broken?

15 **WIT:** I'm not really sure. I wasn't involved in this report as far as he went inside them
16 more whether the springs inside the housing were broken, he just looked into them
17 more than we did.

18 **CDR Odom:** So as the Chief Engineer of the vessel, how long had this condition
19 persisted? Were you aware of it or did you – is it something that was ongoing?

20 **WIT:** We had done the frame work, but we didn't – as far as these spring loaded ones,
21 unless you get up and tore them apart, you would not know the spring was not
22 connected. You still had the saddle supports and everything. Unless you actually went

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1 in and torn them apart and knew we had an issue, wouldn't be anything that you would
2 look into.

3 **CDR Odom:** Thank you. Can you read number, the second bullet item there?

4 **WIT:** Verify watertight integrity of 2nd deck deck-plating to ensure there are no cracks
5 around buttons or D-rings which will allow water ingress into the cargo holds or engine
6 room.

7 **CDR Odom:** Has this part of the survey been done while you were on board, or what
8 was the status of this item?

9 **WIT:** The status this hasn't been completed yet. I don't know if they were doing an
10 ultrasonic testing of the deck, or whatever I'm not sure where they were going with that.

11 **CDR Odom:** Was there any cracks that you were aware of on the 2nd deck or any
12 issues with the buttons and the D-rings that were causing ingress of water?

13 **WIT:** Not that I was aware of, no, sir.

14 **CDR Odom:** Thank you. With regard to bringing weight onto the ship and the number
15 of winches and the arrangement of the cargo was it a consideration for the work that
16 you were doing, how was it discussed with the Chief Mate or the Master whenever you
17 guys or the riding gang when you guys were taking and shifting cargo around for the
18 man lift and bringing weight on board, how was the weight accounted for and what
19 types of discussion did you have with the Master with regards to stability of the vessel?

20 **WIT:** For that area we were going to work on the 2nd deck we would contact, you know
21 talk to the Chief Mate and the Captain. Shore side they would void out any of the
22 spaces that we needed. And as far as entering into their CargoMax program where

1 they would have to load cargo or whatever to keep their stability or whatever their
2 program satisfied with what we were voiding out.

3 **CDR Odom:** Do you know if they ever made any adjustments to their CargoMax
4 system or anything to account for the weight that was on board the vessel?

5 **WIT:** I'm sure they did, but what they did I'm not sure. We would just tell them the
6 spaces or spots that we needed voided out and that was up to them to ----

7 **CAPT Neubauer:** Sir, I want to clarify. Are you certain that it was added to CargoMax?

8 **WIT:** What's that, sir?

9 **CAPT Neubauer:** Are you certain that those weights were added to CargoMax?

10 **WIT:** I'm not certain what they did. We told them what we needed voided and that was
11 up to another department or whatever to take care of.

12 **CAPT Neubauer:** Yes, sir. I understand, I just want to clarify. Thank you.

13 **CDR Odom:** As a result of the work you were doing or anything other condition on
14 board the vessel did they ever get underway with a list while you were on board?

15 **WIT:** No it was pretty, I mean we would be using our ramp tanks to straighten us out if
16 the cargo, we had like a half of a degree we would bring her right up to.

17 **CAPT Neubauer:** Commander Odom, I would like to interject. Because I want to talk
18 about the survey report that you referenced, Exhibit 053. Sir, could you turn to page 2
19 of that exhibit? This is the survey report for Alaskan service retrofit.

20 **WIT:** Yes, sir.

21 **CAPT Neubauer:** Under engine room machinery survey, the first item is alpha,
22 Butterworth salt water heating system (BWS), do you see that, sir?

23 **WIT:** Yes, sir.

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1 **CAPT Neubauer:** Were you familiar with the plans for this installation?

2 **WIT:** Yes, sir.

3 **CAPT Neubauer:** When was that going to occur?

4 **WIT:** It was in the process, we were getting the framework set up for it just before I got
5 off 9/12, 9/22 we were just getting the steel for the framework to build that so we could
6 put it back in place.

7 **CAPT Neubauer:** And where was that, sir?

8 **WIT:** That would have been located in the starboard passageway, it was in one of the
9 photos that you saw the sewage tank.

10 **CAPT Neubauer:** And to your understanding was this work going to be done
11 underway?

12 **WIT:** Yes, sir.

13 **CAPT Neubauer:** Can you – who would be doing this work?

14 **WIT:** It would have been Jeff Mathias and the Polish workers.

15 **CAPT Neubauer:** So on the accident voyage was this work going to be done?

16 **WIT:** Well with a hurricane out there I would say no.

17 **CAPT Neubauer:** Would you say it would be not prudent to do this work with a
18 hurricane voyage?

19 **WIT:** Yes, I would postpone or whatever I had to do.

20 **CAPT Neubauer:** Sir, if this work did occur, what would be the process of getting the
21 boiler into that space? Can you go from like a loading perspective, how you would get it
22 on board?

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1 **WIT:** That, the two bundle itself would have to be lowered from the 2nd deck which is
2 the weather deck down into the starboard side of the engine room where it was going to
3 be vertically placed.

4 **CAPT Neubauer:** How would it be lowered down, sir?

5 **WIT:** Chain falls, come-a-longs, down through, there's a 2 foot open hatch on the 2nd
6 deck for access to the Butterworth heater.

7 **CAPT Neubauer:** Was that hatch bolted?

8 **WIT:** Yes, sir.

9 **CAPT Neubauer:** Was it a policy for this retrofit not to have the Polish riding gang
10 working in the engine room underway?

11 **WIT:** They had nothing to do, this – all they were going to do – there was no ties into
12 the main systems. Everything was separate. It would be just like building around that,
13 there was not tie ins to the main propulsion steam systems. That was not being
14 addressed. Everything was external.

15 **CAPT Neubauer:** Yes, sir, I understand. So they weren't connecting the system to
16 vital system?

17 **WIT:** Correct.

18 **CAPT Neubauer:** But were the workers working in the engine room spaces?

19 **WIT:** Not while I was there.

20 **CAPT Neubauer:** If this Butterworth heater was being installed, would the Polish
21 workers be working in the engine room?

22 **WIT:** If it was to be installed, then yes they would have been.

23 **CAPT Neubauer:** Thank you. Commander Odom.

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1 **CDR Odom:** Thank you. So along that line of questioning, was there any work that
2 would have required hot work or cutting through watertight bulkheads or through decks
3 that would affected the integrity of the vessel?

4 **WIT:** No, sir.

5 **CDR Odom:** What was the status of the class, ABS involvement in the plan approval of
6 the work that you were doing or the oversight of the work that you were doing?

7 **WIT:** All the wiring plans, load plans for additional electrical devices, winches, this was
8 all being drawn out from an outside contractor and approved by ABS. An outside
9 contractor was putting in packages with whatever prints, modifications and submitted
10 and passed and approved by ABS before completion.

11 **CDR Odom:** And at any time while you were on board, I think you already answered
12 this there was no work being done electrically that would have affected the main bus
13 board or any of the main systems?

14 **WIT:** No, sir.

15 **CDR Odom:** With regards to the 5 Polish riding gang that you were working with, do
16 you know if any instruction, emergency instructions or any instructions for how to use
17 the life saving equipment was provided to them in their language?

18 **WIT:** I'm not sure, sir.

19 **CDR Odom:** Do you feel like if they needed to launch a raft on their own that they were
20 sufficiently briefed to do something along those lines?

21 **WIT:** I would say yes. The training that goes on, the new riders, yes they were.

22 **CDR Odom:** Did they understand that training?

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1 **WIT:** Yes, I would have to say yes because the translator would have been there. But I
2 was not involved in it so I don't know.

3 **CDR Odom:** Thank you. That concludes my line of questions on the Alaskan retrofit
4 and the Polish riding gang. So thank you.

5 **CAPT Neubauer:** Mr. Young do you have any questions?

6 **Mr. Young:** Thank you Chief. While you were aboard the El Faro as a super
7 numerator, you mentioned that there were some repairs being completed aboard for the
8 economizer and a steam, a superheated steam drain line. Who conducted those
9 repairs?

10 **WIT:** JAX machine, sir.

11 **Mr. Young:** I'm sorry.

12 **WIT:** Jacksonville machine and repair.

13 **Mr. Young:** And what are their qualifications to do repairs of a boiler?

14 **WIT:** All we required was certified welders, fitters, so the ship's crew did all the
15 securing, tagging out and basically all we need is pipe welders, certified pipe welders
16 and ABS would attend to do the hydro.

17 **Mr. Young:** And at any time did the Polish riding gang conduct any repairs on the
18 economizer or steam drain line?

19 **WIT:** Not while I was attending.

20 **Mr. Young:** Were they involved with any repairs inside the boiler?

21 **WIT:** No, sir.

22 **Mr. Young:** During your time as a supernumerary while aboard the vessel, was there
23 ever a loss of propulsion of the main unit?

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1 **WIT:** No, sir.

2 **Mr. Young:** Did the vessel ever depart port on one boiler during your time as super
3 numerator?

4 **WIT:** The only time departing port is when we do a routine shut down for a cleaning
5 slash inspection. And we request down in San Juan, Coast Guard approval to depart
6 San Juan on one boiler so it could cool down so we can get inside the next day to do
7 our cleaning, inspection and have it back online by Jacksonville.

8 **Mr. Young:** And did that occur during the time you were aboard as supernumerary?

9 **WIT:** The inspection that was being done at that point was for an outside contractor.
10 Luke from Walashek was starting his inspection of the boilers to see what type of
11 maintenance or repairs would have to complete for the upcoming shipyard. Before the
12 ship went to the Alaska run.

13 **Mr. Young:** And which boiler was that?

14 **WIT:** That would have been, right side, starboard boiler.

15 **Mr. Young:** Was there a plan to inspect the port boiler?

16 **WIT:** When I had left the ship yes, they were planning on scheduling a time when Luke
17 was available to inspect the port.

18 **Mr. Young:** And do you know if any time was scheduled?

19 **WIT:** I never heard, no, sir.

20 **Mr. Young:** Before you left the vessel on September 22nd as a super numerator, were
21 there any discussions of having boiler repairs or shut down as planned in the near
22 future?

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1 **WIT:** No, just after we did the shut down for the inspection, that was – whenever his
2 schedule was permitting for him to come back to do the other boiler. But that was –
3 nothing was ever discussed as far as the time, so we didn't have a time frame.

4 **Mr. Young:** But there's no planned shutdown scheduled for the following week or so
5 prior to the accident voyage that you heard of?

6 **WIT:** No, sir.

7 **Mr. Young:** Captain Neubauer mentioned a hatch that was above the starboard side of
8 the engine room that couldn't – opened to lower equipment into the engine room. Was
9 that ever opened on your time on board a super numerator?

10 **WIT:** No, sir.

11 **Mr. Young:** What's the arrangement of that hatch? Is it flush to the deck or is there a
12 lip?

13 **WIT:** It's flush to the deck with just an angle iron guard around so they can't hit the bolt
14 pattern.

15 **Mr. Young:** About how many bolts are required to open?

16 **WIT:** Well it's 5 by 5, you're looking at probably 50 bolts or better. It's about every 6
17 inches or 5 inches or so. A lot of them.

18 **Mr. Young:** How frequently is that hatch opened?

19 **WIT:** Not frequent at all. The shipyards, if you've got to get a motor down, but most
20 everything fits down through the voids and you don't have to open that unless you're in
21 the shipyard situation.

22 **Mr. Young:** And to equip the Butterworth heater down into the engine room would that
23 hatch be required to be opened?

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1 **WIT:** No not that hatch. Over on the starboard side, called bowling alley or pig galley,
2 it's what it's called on the ship. There was a separate two foot diameter sealed hole
3 with the Butterworth access which gets you right into the starboard side void or the
4 engine room. Would not go down through the main one with the engine, it would go by
5 the sewage treatment plant where that picture was taken.

6 **Mr. Young:** So there's a separate hatch that would allow the Butterworth heater to be
7 lowered?

8 **WIT:** Yes.

9 **Mr. Young:** And at any time when you were aboard the ship as a supernumerary was
10 that hatch opened?

11 **WIT:** No, sir.

12 **Mr. Young:** And what's the arrangement of that hatch? Is that flush to the deck?

13 **WIT:** Yes. Just a – got about 30 bolts, 30 studs on it and mounted right to the deck. It
14 probably hasn't been opened since I removed it, so.

15 **Mr. Young:** Was there any plans to open either of these hatches prior to the accident
16 voyage?

17 **WIT:** No, sir.

18 **Mr. Young:** That completes my line of questioning for the Alaska modifications.

19 **CAPT Neubauer:** Sir, I have a follow up question on the Butterworth heater. Who
20 installed the frame work for the Butterworth heater?

21 **WIT:** When I had left it had not be installed. It was quite a process to build the frame
22 work for it and the angle iron being heavy and everything we were waiting for calm seas
23 or whatever to be able to build it and then to be able to get the Butterworth heater.

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1 **CAPT Neubauer:** So the steel was brought down to the engine room to prepare for
2 that?

3 **WIT:** Yes, sir.

4 **CAPT Neubauer:** Mr. Roth-Roffy, do you have any questions?

5 **Mr. Roth-Roffy:** Yes, sir, thank you Captain. Just wanted to follow up with the line of
6 questioning from Mr. Young. He in his question asked about your time as
7 supernumerary, did you witness certain events happening. I would like to extend that
8 period of time to either when you were supernumerary or when you were on board as a
9 Chief Engineer. So the questions were had you ever seen those hatches open during
10 your time as the Chief Engineer in the months before the accident voyage?

11 **WIT:** No, sir. I can't even remember the one over the main unit was and like I said as
12 far as that Butterworth heater, 2006 I removed the Butterworth heater and I'm sure that
13 cover hasn't been unbolted since.

14 **Mr. Roth-Roffy:** And where was the Butterworth heater during the time you were
15 aboard the vessel and the time before the accident voyage? Where was stored, was
16 that on board?

17 **WIT:** Down in number 5 hold there was a container with the ship's spares from the EI
18 Morro and it was strapped underneath that container.

19 **Mr. Roth-Roffy:** Were there other equipment materials that were planned to be
20 lowered through those openings either on the port or starboard side to your knowledge?

21 **WIT:** No, that was the only item that that hatch would have been opened for.

1 **Mr. Roth-Roffy:** Sir, I'm referring to the vibration report that was discussed by Captain
2 Neubauer, do you recall if the vibration alert was for the turbine or the reduction gears
3 on the main ----

4 **WIT:** It was the reduction gears. It was your intermediate bearing, I can't remember
5 exactly which one it was. But it was on one of the intermediate shaft bearings.

6 **Mr. Roth-Roffy:** And during the time that that reduction gear vibration readings were
7 taken and the time subsequent did you notice any unusual vibrations on the turbine or
8 the reductions gears?

9 **WIT:** No, sir.

10 **Mr. Roth-Roffy:** Again referring to the discussion regarding the piping hangers that
11 were lose or broken, do you know, sir, if that is a piece of equipment that is covered by
12 the AMOS preventative maintenance program?

13 **WIT:** It is not an AMOS program.

14 **Mr. Roth-Roffy:** And do you know, sir, if it was a practice of yours or your relief's to
15 periodically inspect those hangers?

16 **WIT:** No, because like I said the saddles were in place, but not being in rough weather
17 you really wouldn't see the pipes moving to the extreme that those rings were being
18 used.

19 **Mr. Roth-Roffy:** Sir, you discussed the repairs to the economizer tubes on one of the
20 boilers. Which boiler was that, sir?

21 **WIT:** I want to say both boiler, but I can't remember.

22 **Mr. Roth-Roffy:** Sir, and when did those leaks develop? Were you on board when
23 they developed or do you have knowledge when they actually were first noticed?

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1 **WIT:** It would have been I believe like a week before I got on, the week before I got on
2 the vessel. Whether it was when – I believe it was when they were going South to San
3 Juan, because I remember reading an email or something. But yeah I think it was on
4 the South and then they had the repairs done when they got up to Jacksonville the
5 following week.

6 **Mr. Roth-Roffy:** So you were not on board the vessel when the leak actually
7 developed?

8 **WIT:** No, sir.

9 **Mr. Roth-Roffy:** And how about the superheated steam drain line, were you on board
10 at that time?

11 **WIT:** No, sir.

12 **Mr. Roth-Roffy:** And regarding the repairs that we've already talked about, was ABS
13 notified of these repairs and did they approve the repairs subsequent to them being
14 completed?

15 **WIT:** With the boiler repairs?

16 **Mr. Roth-Roffy:** Yes, sir, and the superheated steam drain lines.

17 **WIT:** As far as my knowledge is, yes. But that's the Chief and Port Engineers at the
18 time.

19 **CAPT Neubauer:** Would we be able to confirm that with the Port Engineer?

20 **WIT:** I'm sure you can, yes, sir.

21 **CAPT Neubauer:** Do you know who?

22 **WIT:** The Port Engineer would be Tim Neeson.

23 **CAPT Neubauer:** Yes, sir. We'll verify it with him, thank you.

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1 **Mr. Roth-Roffy:** Thanks Chief, that's all I have for now. Thank you Captain.

2 **CAPT Neubauer:** Does Tote have any questions?

3 **Tote Inc:** Chief I just want to follow up on the pictures that I showed you up here. I
4 didn't ask you about the time frame that you were on board, but those pictures, was that
5 a true and accurate depiction of the condition, cleanliness, etc., of the El Faro when you
6 were on board in September of 2015?

7 **WIT:** Yes, sir.

8 **Tote Inc:** We think the pictures may have been 2012, so I just want to make that clear.
9 But we'll get you an exact date of the pictures.

10 **CAPT Neubauer:** Thank you. So 2012 is the estimated time frame?

11 **Tote Inc:** Yes.

12 **CAPT Neubauer:** Any other questions?

13 **Tote Inc:** No further questions.

14 **CAPT Neubauer:** ABS do you have any questions?

15 **ABS:** Yes we do. Chief could you turn to Exhibit 53.

16 **WIT:** Yes, sir.

17 **ABS:** Looking at Exhibit 53 it's entitled survey report for Alaskan service retrofit. Just
18 tell me who prepared that report.

19 **WIT:** That was prepared by Jeff Mathias, he was outside subcontractor, Chief Engineer
20 and he was hired by Tote to oversee the conversion process.

21 **ABS:** And did Mr. Mathias ride the vessel to oversee that conversion process?

22 **WIT:** Yes he did.

23 **ABS:** And could you turn to Exhibit 12 please.

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1 **WIT:** Yes, sir.

2 **ABS:** Looking at Exhibit 12 that was prepared by whom, do you know?

3 **CAPT Neubauer:** Mr. White can you clarify the context of the document?

4 **ABS:** Sure. The, Chief Exhibit 12 is labeled inspection report, Sea Star Line El Faro.

5 And similarly later was a Walashek report. Do you know who Walashek is and do you
6 know whether you reviewed this report while you were aboard the vessel?

7 **WIT:** I never saw Walashek's report, I would have to look over this. But this is the
8 inspection that he did while I was on board the vessel. But I never saw what was
9 written up as his findings, no.

10 **ABS:** And was Walashek aboard the vessel while you were aboard as a super
11 numerator in August and September?

12 **WIT:** Yeah, Luke from Walashek, flew to San Juan to do an inspection of the boilers.
13 Or he did the starboard boiler for preliminary check to see what had to be addressed
14 during the shipyard period.

15 **ABS:** Were you aware of the findings of Walashek where an inspection of the boiler
16 was made on September 15th while you were on board?

17 **WIT:** I never read the report, we just discussed the standard boiler front refractory
18 floors, brick work, but I would have to read this report to see everything that he had
19 recommended or referred to have complete.

20 **ABS:** Were you aware at that time of any concerns or the maintenance items that could
21 have been deferred to the vessel's upcoming shipyard period?

22 **WIT:** Not at that time, no, sir.

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1 **ABS:** Just one point of clarification, Captain Neubauer had asked whether you were
2 aboard for the South bound voyage on the 25th and you indicated no you got off on the
3 22nd. From your testimony just to clarify that you were aboard the vessel on August 25th
4 when you signed on as a supernumerary and you rode the vessel South to Jacksonville
5 and continued to remain on the vessel until you signed off on September 22nd, is that
6 correct?

7 **WIT:** Yes, sir.

8 **ABS:** Thank you, sir.

9 **CAPT Neubauer:** So just to clarify you were on the South bound voyage on August
10 25th, but not in the position as Chief Engineer?

11 **WIT:** Yes, sir.

12 **CAPT Neubauer:** Thank you. And following up on that, do you remember hitting any
13 heavy weather during that voyage South?

14 **WIT:** There was no out of the ordinary weather.

15 **CAPT Neubauer:** I couldn't hear you, sir.

16 **WIT:** No out of the ordinary weather. Calm seas, heavy seas.

17 **CAPT Neubauer:** Do you remember receiving any special briefings?

18 **WIT:** If it gets to the point that it's unsafe to work on an extension ladder or a reach,
19 then do something else.

20 **CAPT Neubauer:** Sir, I'm sorry. Do you remember receiving a specific briefing before
21 getting underway in regards to Tropical Storm Erika?

22 **WIT:** No, sir.

23 **CAPT Neubauer:** ABS do you have any further questions?

1 **ABS:** Just one further question. Chief, as far as the drawings that you referred to with
2 respect to the conversion drawings, are you – do you know who the intermediary was
3 with ABS concerning what drawings were actually submitted and which ones might
4 have been approved?

5 **WIT:** I'm not sure, that's something you would have to get with the Port Engineers.
6 Dick Norris was doing our electrical work with an outside firm that was doing the wire
7 drawings to be approved by ABS. So I don't know who was doing what there.

8 **ABS:** Is it fair to say that sitting here today, sir, you don't have any specific knowledge
9 as far as what was specifically told to ABS concerning the conversion or what drawings
10 were approved?

11 **WIT:** No, sir, I don't.

12 **ABS:** Nothing further.

13 **CAPT Neubauer:** Mr. Davidson do you have any questions?

14 **Ms. Davidson:** No questions.

15 **CAPT Neubauer:** Sir, I just have a couple more follow up questions on this topic. Do
16 you know, can you estimate how many days total the Polish riding gangs were on board
17 say for the year ahead of this accident voyage? And specifically in relation to this
18 project, sir. The conversion from lo-lo to ro-ro.

19 **WIT:** How long they were going to be on board?

20 **CAPT Neubauer:** Sir, yeah how long were they scheduled total in days, can you give
21 an estimate?

22 **WIT:** Originally we were supposed to assume the run somewhere the first of January,
23 so I'm not sure if the scheduling was still – what their time frame was. But we were

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1 supposed to be on the run over in Alaska, so maybe a couple more months would have
2 been – their time would have been up. I can't give you a number.

3 **CAPT Neubauer:** So the schedule maybe over 60 days?

4 **WIT:** Yeah, they were on 30 while I was on there, so.

5 **CAPT Neubauer:** I would like to talk a little bit about the communications that were
6 conducted in regards to these conversion operations. Did the supernumerary Chief talk
7 to the Chief Engineer and discuss coordination on these projects?

8 **WIT:** Yeah he would keep informed on, he had an idea or was informed on the scope
9 of what we were completing and what we were trying to do. But the Chief Engineer is, if
10 it affected him in any way or whatever, but on a normal day to day he had his own
11 rotation of routine or whatever he had to complete, so he would say hey we're going to
12 be pulling wires here and here and it's like okay. You know that's not affecting me, I
13 don't have to be involved in it, so.

14 **CAPT Neubauer:** When you were overseeing the operations on let's say the South
15 bound voyage on the 25th of August, what kind of interactions did you have with the
16 Master in regards to this project?

17 **WIT:** When I was an extra on there I was basically, you know I was on there a week
18 without Jeff, give him a heads up on what we needed voided out, if there was any
19 weather to be expected, you know.

20 **CAPT Neubauer:** Did you give the Master a heads up or like a Chief Mate?

21 **WIT:** I talked to the Captain. You know the Captain, Chief Mate we would all just talk
22 about it if there was an issue.

1 **CAPT Neubauer:** Do you have an idea of when the Master becomes aware of these
2 operations? And my question is when you talk to the Master would that be the first time
3 that he would find out about this type of conversion work going on?

4 **WIT:** As far as day to day routine on what you're doing, I mean it's nothing to bother the
5 Master with. I mean we pull 5000 feet of 1 inch cable. I mean there wasn't anything
6 that we had to inform him on that. So I mean if it was something that was important or
7 was going to affect the ship then it would be discussed up through the ranks.

8 **CAPT Neubauer:** So he may not have awareness of where people are working on the
9 vessel, is that safe to say?

10 **WIT:** No he knew we were working the 2nd deck because we would void it off each
11 week. He would have an idea of where we were voided off, that's where our work
12 scope was for the North bound or South bound voyage.

13 **CAPT Neubauer:** Are there any final questions on this line of questioning?

14 **Tote Inc:** No, sir.

15 **ABS:** Yes, sir. One question. Chief when you departed the vessel on September 22nd,
16 do you know what the anticipated scope of work was for the riding crew on the South
17 bound voyage?

18 **WIT:** At that time I did not know exactly what they were. There was talk about – they
19 had scheduling with lots of jobs to do on it. Butterworth was one of them. There was
20 more wires to pull, more framework to put up for the winches, so it was just whatever we
21 could get completed with the time frame and the men, weather, whatever effected what
22 we could do.

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1 **ABS:** When you departed the vessel on September 22nd, did you provide a, or report
2 as to what was completed and what was anticipated to be done on the upcoming
3 voyage?

4 **WIT:** That was, Jeff Mathias was the one that was establishing all the reports. I was
5 basically working for him. So he was the go between in the office as far a production
6 reports. Basically I was just the contractor hired to make sure that the production was
7 keeping going and work with him.

8 **ABS:** All right. Do you specifically know whether or not Mr. Mathias would have
9 created such a report?

10 **WIT:** He sent weekly, you know North bound South bound productions, anything that
11 he required for parts for the next port of stay, any supplies he needed, so there was an
12 update sent to the office at least once a week. I never really tracked his emails, but that
13 way he could keep the office informed where we were at.

14 **ABS:** All right. And do you know to whom those emails would be – where those emails
15 would be directed to what person in the office?

16 **WIT:** Not to one specific, I don't know who he was answering to.

17 **ABS:** Thank you, nothing further.

18 **CAPT Neubauer:** Mr. Roth-Roffy. Are there any final questions on this line of
19 questioning?

20 **Ms. Davidson:** No, sir.

21 **ABS:** No, sir.

22 **CAPT Neubauer:** All right. At this time the hearing will recess and reconvene at 1130.

23

1 *The hearing recessed at 1118, 23 February 2016*

2 *The hearing was called to order at 1133, 23 February 2016*

3 **CAPT Neubauer:** Commander Odom.

4 **CDR Odom:** Thank you.

5 **CAPT Neubauer:** Standby, sorry, sir. My apologies, Mr. Robinson. Commander
6 Odom.

7 **CDR Odom:** Chief. Could you please turn your book to Exhibit 60.

8 **WIT:** Yes, sir.

9 **CDR Odom:** And are those your notes, the handover notes, could you please describe
10 this to us so we can get a context of what we're looking at?

11 **WIT:** I've got to look it over first, it's been a while.

12 **CDR Odom:** Are these your handover notes from when you got off the El Faro on the
13 11th?

14 **WIT:** It's a worklist yeah, for a worklist.

15 **CDR Odom:** It's a worklist or are they handover notes. That's what kind of what we're
16 trying to figure out what the context is.

17 **WIT:** It's just a list of stuff that was put on for the work to be completed in the shipyard.

18 **CDR Odom:** All right. And with regards to item number 11, can you speak to that a
19 little bit and read it?

20 **WIT:** Replace mechanical seal forward main lube oil pump. Seals leak, this one here is
21 just a little – we've replaced the seal so we're going to go further into the pump to see if
22 there was a little bit of clearance making the seals or what was causing the seals to fail.
23 But when lube oil's leaking it's just a nuisance leak or that's nothing, it's just I wanted

1 them to pull the pump apart, we were going into the shipyard, pull it apart and see what
2 we had. Who am I talking to? Oh shit.

3 **CDR Odom:** That's fine.

4 **WIT:** I thought I was over there.

5 **CDR Odom:** Before, the forward main lube oil pump the seal was leaking on it?

6 **WIT:** Be the forward, I mean the aft one, sir.

7 **CDR Odom:** The aft? The aft or the forward pump? In the email ----

8 **WIT:** It would be the forward ----

9 **CDR Odom:** It says forward ----

10 **WIT:** Forward one, yes, yes.

11 **CDR Odom:** Okay.

12 **WIT:** Forward.

13 **CDR Odom:** And can you read item number 12 please? Read it aloud please.

14 **WIT:** Oh I'm sorry. Rebuild or replace aft main lube oil pump with warehouse spare.

15 The pressure is running around 3 psi lower than the forward pump.

16 **CDR Odom:** And this is a lube oil system on the main, is that correct?

17 **WIT:** Yes.

18 **CDR Odom:** That's what we're talking about?

19 **WIT:** Yes.

20 **CDR Odom:** So can you describe that system to us, the forward and aft pumps, it's a
21 pressure gravity system, is that correct? And just kind of explain the flow and how it
22 works.

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1 **WIT:** Yeah, you've got two lube oil coolers, two lube oil pumps. You got a gravity tank
2 which gives you about 9, 10 minutes of standby lube oil if you lose the pumps to get the
3 shaft stopped. Lube oil pumps take suctions from the sump of the engine, discharges
4 up the gravity tank which overflows, feeds your bearings and everything down to your
5 main unit.

6 **CDR Odom:** So would you read aloud item number 18 please.

7 **WIT:** Pull and inspect the HP forward journal bearing. This journal has been running
8 168 degrees at full sea speed since I have been onboard this vessel, this ship. Spoke
9 with Lee Peterson and he recommends open up for inspection.

10 **CDR Odom:** The 168 degrees is that a high bearing temperature, or what is that, what
11 is your concern with that?

12 **WIT:** Concern with that on the other ships high temperature 152. Every bearing's got a
13 temperature range that they fall into where they're going to find their operating range.
14 Out of the other ships this was higher than I was used to so I questioned. It never
15 changed over any year that I was on there, it was just something I wanted to open up
16 and see what was going on. Tolerances, what was causing this bearing? If it was just –
17 because this temperature was higher than the other two ships used to run. That's why
18 that was on there to pull.

19 **CDR Odom:** What temperature would it be to where you would think it would be an
20 immediate concern to you?

21 **WIT:** Well that's the thing. 168 is on the upper temperature range. But with this
22 bearing that's where that bearing ran. There was not issues with it, it's just a higher
23 temperature. And I wanted to find out why. It's going to run properly efficiently, what

1 was the difference between the other ships that was causing this bearing to run at that
2 temperature.

3 **CDR Odom:** Would it be related to the lower than normal psi for the lube oil system?

4 **WIT:** No, sir.

5 **CDR Odom:** It wouldn't have anything to do with that? With the main and the lube oil
6 system, was there ever any temporary pumps outside of the normal system or
7 temporary measures taken to move lube oil to the system, or through the system or to
8 help assist the main system?

9 **WIT:** No, sir.

10 **CDR Odom:** Also I'll add number 19 just for the record, would you read that and maybe
11 that will help refresh your memory with the vibration analysis? Specific to which bearing
12 it was.

13 **WIT:** Inspect the low pressure reduction gear high speed pinion and gear as per Dan
14 McDonnell's recommendation. This showed up on the vibration analysis report.

15 **CDR Odom:** Was that with the vibration report, was that the specific?

16 **WIT:** Yes it was.

17 **CDR Odom:** With these types of notes can you discuss the way you guys came to the
18 conclusion that these things could wait until the shipyard? Is it a risk analysis or you
19 know who did you discuss it with and how was the decision made with regards to the
20 lube oil pumps needing to be rebuild in turn you have enough condition to last until the
21 shipyard?

22 **WIT:** It was just a recommendation. There was not issues, pressures weren't below, so
23 basically they didn't warrant to be rebuilt. It was a recommendation for our wish list to

1 have complete. It was not, yeah it was a recommendation. Something we're putting in
2 and we're going to do in the yard, but.

3 **CDR Odom:** Chief can I get you to open to Exhibit 11? This exhibit is an email, the
4 original email originated from the El Faro Chief Engineer on a Wednesday, the 29th of
5 July, 2015. It was sent to Tim Neeson and copied Jim Fisker-Andersen and Bill
6 Weinbecker. Is this email from you?

7 **WIT:** I'm reading it, it says my name on it, but I was just seeing what the email entails.

8 **CDR Odom:** Starting with good afternoon, would you read the paragraph.

9 **WIT:** Good afternoon. As you are aware the port boiler front wall needs to be
10 addressed in the shipyard. We inspected and cleaned the port boiler 7/11/15 and the
11 brickwork is getting worse bowing the front water wall tubes out even further. We
12 inspected/cleaned the starboard boiler 7/25/15 and found the front wall brick work
13 starting to fail and bowing out the front wall water wall tubes. The boilers need the front
14 wall brick work repaired/replaced, burner throats renewed, floor brick replaced, and fire
15 stops repaired. There is extensive work that needs to be completed inside the furnace
16 in both boilers. I recommend to have Walashek complete a boiler survey to determine
17 the scope of work which needs to be complete in the shipyard. With the short time
18 frame permitted for the yard and the amount of work that needs to be completed a
19 survey should be completed as soon as possible. Let me know what you think.

20 **CDR Odom:** Thank you Chief. And would you turn to Exhibit 12? This is a Walashek
21 boiler report that you're requesting. And in your email you're saying that you that you,
22 both boilers if I understood correctly?

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1 **WIT:** During my rotation yes I entered both boilers. This is not Walashek this was on
2 my own.

3 **CDR Odom:** So you inspected both port and starboard?

4 **WIT:** Yes.

5 **CDR Odom:** Of the two boilers which one would you say was in the better or worse
6 condition?

7 **WIT:** The port one.

8 **CDR Odom:** And in the Walashek report we're in the starboard boiler, is that correct?

9 **WIT:** Yes.

10 **CDR Odom:** Can you read the paragraph under burner throats?

11 **WIT:** Burner throats have deteriorated severely especially between number 1 and 3
12 burners. Cracking and loss of material plus heavy buildup of fuel is present on all three
13 throats.

14 **CDR Odom:** Like a boiler how many burners?

15 **WIT:** Three.

16 **CDR Odom:** Three. And what would be the consequences of what you saw and what
17 you're reading in this report? Would there be, if you lost 1 or 2 or had to shut down one
18 of the burners, how many burners could the boiler operate on efficiently? Do all three of
19 them have to be running all the time?

20 **WIT:** No, at full sea speed your three burners, you would go by your steam pressure,
21 maneuvering, depending on what load you had or required, another burner would cut in,
22 cut out just to maintain the steam pressure.

23 **CDR Odom:** Could you operate on one burner?

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1 **WIT:** At low loads maneuvering, yes.

2 **CDR Odom:** Thank you. And would you read the paragraph under front wall at the
3 bottom of the page?

4 **WIT:** The front wall on the starboard boiler is in very bad shape. The brick wall in spots
5 has pushed itself against the tubes and in turn pushed the tubes out causing them to
6 bow in towards the firebox. Other parts of the wall have begun to deteriorate and there
7 is now a 3-4 inch gap between the wall and the tubes. As the tubes are pushed out,
8 tubes around the burner throats have begun to show signs of flame impediment.

9 **CDR Odom:** Because this is the starboard boiler, and what you observed in the port
10 one you would say was worse than this?

11 **WIT:** Yes.

12 **CDR Odom:** What is the consequence of the refractory failing of the front wall tubes?

13 **WIT:** You're using failing, it's in behind it and it just distorts it. So you're just putting
14 pressure on your tubes. It's not failing, I mean it is to say, but I mean it's bowing it out.
15 I mean long term could be the problem, but what are you looking at for the answer?

16 **CDR Odom:** Was the refractory lose and moving between the wall and the tubes?

17 **WIT:** No, not lose.

18 **CDR Odom:** Would the pounding seas have an effect on this?

19 **WIT:** No, it's just anything, no not the pounding seas, no, sir.

20 **CDR Odom:** Thank you. Can you go to Exhibit 63. This is an email dated the 20th of
21 August, 2015. Sent by Chief Pusatere. You were not on board yet. And it talks about
22 the superheated steam line leak. And you already discussed this earlier. So I would

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1 just like you to read this and see if it accurately reflects what you described to us earlier.

2 About the item number 1. Please read it aloud, sorry.

3 **WIT:** We have a superheated steam line leak, this is a half inch drain line on our
4 common line to both SSTG's. This is a shut down repair. Currently it is blowing at a
5 noticeable level. All ER personnel are notified of this leak and safety is my most
6 important priority now. The leak is in the overhead and will require plant shut down and
7 welding to repair. I feel the best course of action is to proceed as scheduled to
8 Jacksonville and shut down the plant Monday evening and have a certified welder ready
9 to repair the leak.

10 **CDR Odom:** Thank you. Is that accurate as to what you perceived the leak to be?

11 **WIT:** Yes, sir.

12 **CDR Odom:** Was someone with a superheated steam line leak like that would it be
13 normal for you as a Chief Engineer to notify the company and also notify a class
14 surveyor or the Coast Guard for a situation like that?

15 **WIT:** We notify the Port Engineer on what has to be done, what repair or whatever and
16 it's the Port Engineer that, you know we tell them what system it is and then whatever
17 action if he has to notify ABS that's up to them. If it's something that we feel, sorry, if it's
18 something that we work on or whatever and it has to be the Port Engineer notifies ABS,
19 not the Chief Engineer.

20 **CDR Odom:** So your notification process as a Chief Engineer is just to report it to the
21 Port Engineer?

22 **WIT:** Yes, sir.

1 **CDR Odom:** Were you aware of any of the, in the main boiler any of the tubes that had
2 been plugged as a result of leaks?

3 **WIT:** No, sir, I can't say no. I believe there was two of the superheated plugs tubes
4 plugged.

5 **CDR Odom:** Do you know what the location of those two plugs were for, were they on
6 the front wall?

7 **WIT:** No those are water wall tubes. The super heater is where your steam is passing
8 through getting superheated. It's steam and not water.

9 **CDR Odom:** In the main boiler was there any tubes plugged?

10 **WIT:** No, sir.

11 **CDR Odom:** Can you tell us any other work that was being talked about or discussed
12 on the main outside of the inspector, the journal that was being scheduled or looked at
13 or considered for the dry dock or the upcoming yard period?

14 **WIT:** As far as what the shipyard spec I did not see any copy of that. Like a list that I
15 put in was just some of the pumps and stuff that we were looking getting through was in
16 the preliminary of the shipyard so the list hadn't been full comprised yet.

17 **CDR Odom:** You said you were on board when they brought the ship out of lay up in
18 Baltimore, is that correct?

19 **WIT:** Yes, sir.

20 **CDR Odom:** Did the Coast Guard or ABS come on board as a result of that lay up and
21 hydro the boilers?

22 **WIT:** No, sir.

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1 **CDR Odom:** What was the scope of the work? If I understood you correctly the vessel
2 went from – directly from lay up to the Bahamas for a yard period.

3 **WIT:** Yes, sir.

4 **CDR Odom:** Can you discuss the scope of the work that was performed in that yard
5 period and any repairs or any critical equipment as rebuild during that period?

6 **WIT:** The boilers, nothing was done to the boilers because we just came out of the yard
7 period the year and a half or whatever prior and the thing sat at the dock for over a year.
8 So in the ship yard we had our strut bearing replaced and any machinery the ship's
9 crew we worked on, but the primary of the ship yard was the strut bearing.

10 **CDR Odom:** The struts on the El Faro were a kind of a unique design if I understood
11 your earlier interview with NTSB. Can you speak a little bit to the design of the struts
12 and your knowledge of other vessels with that type of strut system that have
13 experienced casualties as a result of it?

14 **WIT:** Oh I think you're talking about the torque tubes breaking, the one we where we
15 were talking to Lee Peterson.

16 **CDR Odom:** Okay.

17 **WIT:** Now the strut basically your torque tube comes out from your line shaft, your shaft
18 out of your engine room, your torque tube ties the tail shaft and your strut supports your
19 rudder, tail shaft. The rudder is, yeah, of course fine but, lube oil samples back there
20 we take and that's how we determined we had the bad bearing before. But it's an
21 external bearing instead of like the one we have now is just a stern tube, forward – stern
22 tube forward and aft. We had the torque tube then the tail shaft then the propeller, that

1 strut supported the back end of the tail shaft and our torque tube. So it's kind of a, yeah
2 it was different than what we have now on these newer ships.

3 **CDR Odom:** And was there any other class of vessel that had been experienced – any
4 issues with that that you had discussed before?

5 **WIT:** We did, I can't remember the name of the vessel, but actually the torque tube
6 failed on one of the, I can't remember the company that we were discussing, but it
7 caused the main engine to actually over speed. But I can't remember the company or
8 the vessel. You would have to check with Lee Peterson on that.

9 **CDR Odom:** Thank you. Going back to the main boilers, can you give us a run down
10 on the alarms and shut downs and automation makeup on the main boiler, what you
11 had and how often did you perform testing of it? And with that automation also if there's
12 any of the automation that would have been effected by the sea state or by the storm, if
13 you could characterize that, that would be good.

14 **WIT:** We had brief, the boilers had you know a high and a low water alarms. Your high,
15 they were both just audible alarms. Your lo-lo was a boiler slash fire shutdown. So if
16 your boilers got to a low level it would kill the fires in the boiler until the level was
17 reestablished. Your hi-hi water level would cut out your throttle. But you had an
18 override switch that you could bypass that and still proceed, you know whatever. As far
19 as heavy weather you have delays on all your audible alarms. Your water, you're rolling
20 back and forth so if it gets to the point that its senses it you've got time delays, you
21 know for your alarms so it's not instantaneous. So each one of these I'm not sure what
22 the time, it could have been 10 seconds, could have been a 15 second you know

1 audible delay or shut down delay. As far as rough weather effecting shut downs or
2 anything I haven't been in the weather that I had to worry about that.

3 **CDR Odom:** You mentioned earlier overseeing the main, what type of speed limiting
4 device was on board the El Faro and how often was that tested?

5 **WIT:** The hydraulic speed limiting, it's a monthly task in the AMOS. But basically you
6 had levers on the front of your throttle and you would step on them and it would just
7 initiate a lube oil flow through the turbine and dump, I mean through the turbine, through
8 the piston and dump your throttle lube oil so that would entail dump your steam to your
9 turbine. So that was just to keep the piston from getting carbonized up or the oil lines
10 getting fouled up. It was just to keep, make sure you had a substantial flow at all times
11 you know whenever that was tested.

12 **CDR Odom:** And how often do you test that?

13 **WIT:** It was on the, it was a monthly maintenance, but South bound you were always
14 going wide open so you would go in and you would just always just ever now and then
15 just step on it and ensure you got a flow of oil and the throttle's dumping down on you.

16 **CDR Odom:** And at any point is this system designed to shut down, or would it have
17 shut down?

18 **WIT:** As per a catastrophic failure like, I don't remember the details of what we had
19 discussed in the NTSB one as far as the torque tube breaking and the turbine over
20 speeding, if the over speed trip had worked then it would have shut it down. But where
21 that one didn't the piston and cylinders locked up and the turbine did not shut down like
22 it was supposed to.

1 **CDR Odom:** Have you ever experienced any issues or problems with this system not
2 working?

3 **WIT:** No, sir.

4 **CDR Odom:** You said you were on board the vessel when it was the Northern Lights?

5 **WIT:** No I was not.

6 **CDR Odom:** Did you ever sail the vessel in extremely heavy weather conditions?

7 **WIT:** The roughest I had was when we were over going to the Straits of Gibraltar, 30,
8 40, 50 foot seas coming, I would say 40 foot seas coming over the bow, but nothing,
9 you know so you were rocking and rolling just head on.

10 **CDR Odom:** And were you loaded or were you light?

11 **WIT:** We were loaded.

12 **CDR Odom:** And I believe from reviewing your transcript you talk about some prop
13 capitation or something that you guys had to slow the vessel down because of the prop
14 coming out of the water?

15 **WIT:** Yeah you just get the shimmy in the back of the ship there from the cavitations so
16 you just back her off a little bit so you don't do any damage.

17 **CDR Odom:** Now what was this, this coming out Gibraltar what would you estimate the
18 speed to be and what did you have to slow down to correct that?

19 **WIT:** I couldn't recall that was so long ago. I don't.

20 **CDR Odom:** If the gear from the main boilers and main, to the fuel system, could you
21 discuss the fuel system, the stringers, how many fuel tanks the main system drew off of
22 and what your policy was or how you guys felt with fuel sediment and sloshing?

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1 **WIT:** Well we had four storage tanks, two AN boards and then three in boards, that was
2 the storage tanks. We had one settler that the second, when we're underway we
3 transfer on his morning watch, night watch. When we bunkered we used the fuel
4 treatment XT that was stratification, keep the fuel from separating your fuel tanks. And
5 then we used another fuel treatment a Nash(sic) inhibitor that we burned whenever.
6 But the stuff that was treated went into the cargo tanks themselves or the fuel tanks was
7 stratified agent there, whatever. But it never stayed inside the tanks long enough that
8 we always flipped flopped it, you know replaced it with fresh oil on a run of a six month,
9 year whatever. So strainers, you had a suction strainer, two service pumps and a
10 discharge strainer come out of your fuel pumps, went to your fuel heaters to your
11 discharge strainer to your boilers.

12 **CDR Odom:** And you guys never had an sediment or fuel contamination issues?

13 **WIT:** Not for years. I mean you get your average, you do a little rock and rolling, you
14 got to do a little, you know change the strainers more frequent, but you know we haven't
15 had any issues with fuel over the last quite a few years.

16 **CDR Odom:** You had a high and low suction for the tank?

17 **WIT:** Yes, sir.

18 **CDR Odom:** And which one was normally ----

19 **WIT:** Hey he got Mike on this one. The low suction.

20 **CDR Odom:** Low suction. And two strainers. And how often would you guys switch
21 between the strainers and clean them?

22 **WIT:** It was standard that whichever watch as we were departing would automatically
23 go down, clean both strainers before maneuvering. But then everyday on the 4 to 8, the

1 4 to 8 watch would do both strainers and then the other watches as needed when the
2 differential pressure got to the point that you need it.

3 **CDR Odom:** Thank you. Would you take in the condition the El Faro was in that it
4 would have increased the amount of sediment in the fuel or would it have presented an
5 issue with the fuel?

6 **WIT:** It's hard to say. I mean I wouldn't – couldn't guess on that.

7 **CDR Odom:** Talk about the truck generators. There's two on board. Going on the
8 South bound voyages when you were fully loaded, can you discuss the load that the
9 generators, were they both required to be online and were they – approximately what
10 percentage capacity were they running at in order to provide the hotel load, the reefers
11 and keep everything going? Can you discuss that?

12 **WIT:** Yeah we had two 2000 KW generators. Depart Jacksonville for San Juan we
13 would have a full load of reefers average 245, I think 254 was our max, but we would run
14 two generators in parallel South bound to Puerto Rico and the percentage load we were
15 running about 2000 KW's. So we were running one generator's capacity, we were
16 running both in parallel position. So we had a whole generator, you know 2000 KW
17 extra, but we were at the max point – max point of one generator, so they tell us to
18 parallel them on the way South.

19 **CDR Odom:** Can you discuss and explain to us the automation or the shut downs and
20 alarms that were associated with one of the turbines?

21 **WIT:** Shut downs as far as?

22 **CDR Odom:** Lube oil, over speed, you know what systems were on there for protection
23 for automation?

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1 **WIT:** Oh okay. You had over speed trip, which you could if got to the point you could,
2 there's right on the maneuvering – right by the throttle emergency trip which would
3 automatically dump the lube oil from the throttle. Your lube oil pressure, there was a
4 solenoid valve in line with your throttle. So if you hit the emergency trip it would shut the
5 lube oil off and all lube oil would go out of your throttle securing steam to your unit.
6 Lube oil pumps, we had two of them. They had audible alarms, low pressure as soon
7 as it hit whatever pressure it would start the other pump. So it had redundancy there.
8 As far as over speeding, like I said the one with the trip. But throttle you had manual
9 bar actuation, you had hydraulic throttle actuation and the main throttle. So you had,
10 well actually four ways to initiate that throttle to operate the turbine.

11 **CDR Odom:** On the lube oil system on those turbines was it a sump design? And
12 would there be any risk of sloshing causing a loss of lube oil pressure?

13 **WIT:** We never had any issues with that, we purify it all the time 24/7. Never had any –
14 the analysis always came back in good condition.

15 **CDR Odom:** What was the general condition of the main bus board? Was it in good
16 shape? Did you have issues with circuit breakers, lose wires or anything as a result of -
17 --

18 **WIT:** Nothing.

19 **CDR Odom:** All in good shape?

20 **WIT:** Yep.

21 **CDR Odom:** Did you ever have any wiring or anything come lose that could cause a
22 loss of propulsion that you're aware of?

23 **WIT:** Nothing to cause, I mean, over my years of sailing or, what are you?

1 **CDR Odom:** On the El Faro.

2 **WIT:** Nope.

3 **CDR Odom:** Was there ever any casualties as a result of a broken or worn out
4 electrical equipment?

5 **WIT:** The only issue I ever had was one of the wires on the exciter broke free. That
6 was like one of the only blackouts I've ever had over the years on these ships. You
7 know a wire just happened to just fail and blackout the plant. That was just one little
8 wire that's all it was. But it was nothing lack of maintenance or anything, it was just
9 failure.

10 **CDR Odom:** If there was a loss of the electrical load in the engine room, was the
11 emergency generator designed to come online automatically?

12 **WIT:** Yes, sir.

13 **CDR Odom:** Earlier you talked about using the electrical emergency generator to back
14 feed a main bus boiler.

15 **WIT:** Yes, sir.

16 **CDR Odom:** Is that a relatively difficult process? I mean is it something that all the
17 engineers are trained to do, or is that just something you would have knowledge of?

18 **WIT:** As far as the process of it they understand it. But as far as the completion of it
19 the Chief and the First and the engineers they all working together to secure what
20 equipment they have to or securing or stripping the main board. So they know the
21 process of it, they've gone through it. But to actually go do it by themselves I wouldn't
22 cut them lose. I mean if they had to they could figure it out, put it that way, yes. But it
23 was something we would always go through together on.

1 **CDR Odom:** What would be the need to do that? What would need to be powered in
2 the engine room? If you had a loss of propulsion or a loss of the boilers, would that be
3 required to get the plant back online?

4 **WIT:** Yes, sir.

5 **CDR Odom:** Would they be able to run the bilge pumps without doing that process or
6 would they be able to run them straight off the emergency bus board?

7 **WIT:** No, they got they back feeds, the bilge and ballast pumps come off a main
8 switchboard which is fed from generators.

9 **CDR Odom:** How time consuming is that process? Is it something that takes 10
10 minutes or is it something that takes a couple of hours?

11 **WIT:** Oh you could do it in 10 minutes. As long as your emergency generator is
12 running you've just got to strip whatever breakers that not necessary and close the
13 other ones. So yes no problem, 10 minutes.

14 **CDR Odom:** Is it something that you guys trained on to do it or is it just general good
15 practice knowledge that you acquired in time?

16 **WIT:** We had practiced on it during ship yards because you've got a lite off back
17 feeding, so anybody that has worked with me I mean we've gone through the process
18 on different jobs and stuff that we've had to complete in port by using our own power to
19 back feed. So everybody's been involved and talked through that I've worked with at
20 the time.

21 **CDR Odom:** Over to the bilge and ballast pumping system. Earlier you stated there
22 was two pumps that would draw suction on the bilges, is that correct?

23 **WIT:** Yes, sir.

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1 **CDR Odom:** What was the capacity of those two pumps?

2 **WIT:** I can't give an exact number. It was 300 and something gallons a minute. I can't,
3 don't quote me on it.

4 **CDR Odom:** Okay, understand. What would be the alignment of those pumps at sea
5 in these types of conditions? Is it something that you guys would have a specific lined
6 up to take suction? Or is there suction valves that would be closed if needed to be
7 opened? How do you line them up to take the suction from the 3 hold? The manifold
8 [in audible].

9 **WIT:** Yeah I mean everything's secured. When you're done with ballast you secure all
10 valves. So there's nothing lined up except for your overboard which is a stop check,
11 that's lined up. But as far as, you've got a suction manifold, discharge manifold,
12 depends on whether – where you coming, whether it's ballast, cargo hold, they were
13 color coded, everybody knew that gray was ballast, cargo hold rose boxes and orange
14 was ballast. Green was salt water. So they had, you know the overboard and then
15 there was, so we got 1, 2, 3, 4 valves to open up in order to pump cargo hold 3.

16 **CDR Odom:** What would be the location of those valves that would need to be lined
17 up?

18 **WIT:** Right in the engine, right at the front forward bulkhead, lower engine room.

19 **CDR Odom:** The lowest part of the engine room?

20 **WIT:** Yeah.

21 **CDR Odom:** The El Faro was outfitted with bilge alarms and the alarm in the engine
22 room but not on the bridge, is that correct?

23 **WIT:** Correct.

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1 **CDR Odom:** What was the alarm, was it an audible individual alarm, or was it just a
2 visual alarm?

3 **WIT:** It was an audible and visual.

4 **CDR Odom:** Can you tell us why that system existed in that form? Was it put in there
5 as a result of the lay up? Was it required because of the lay up?

6 **WIT:** Years ago when they had started laying this ship up was before, I believe it was
7 when Tote had it, or when they, it was the Westward Venture, I'm sorry, they put that in
8 so when it was in lay up status that, yes it audibled and visual, but it also was hooked
9 up to a PA outside of the ship that would notify anybody around whoever was watching
10 the ship ashore if they weren't on the vessel that there was an issue.

11 **CDR Odom:** Was it still hooked up to the PA on the ship?

12 **WIT:** No, sir. That was just when it was in lay up status.

13 **CDR Odom:** So the only audible and visual was in the engine room. Where was that?

14 **WIT:** Right at the log desk. Over a platform.

15 **CDR Odom:** In the event the engineers were distracted with a loss of propulsion do
16 you think it would be easy in that situation for them to not hear it or not notice what's
17 going on?

18 **WIT:** No, that's very noticeable.

19 **CDR Odom:** Okay.

20 **CAPT Neubauer:** Sir, would you like to take a break or you good to keep – continue?

21 **WIT:** I'm good to go.

22 **CAPT Neubauer:** Sir, thank you.

1 **CDR Odom:** I'm almost done Captain. Just a couple of general questions about the
2 watertight doors in the engine room. As you refer to the bowling alley, there's watertight
3 doors that – in that area along I guess it would be the port side if I'm correct?

4 **WIT:** Yeah, both port and starboard side access to the engine room from 5 hold.

5 **CDR Odom:** And watertight doors fore and aft? So we're back into the 5 hold and
6 going into the 3 hold?

7 **WIT:** It would be the port side, yeah it's forward and, the starboard side we didn't have
8 an access forward on that. It was just the after end, watertight door.

9 **CDR Odom:** You had an aft door on the port side going back to the steering
10 compartment?

11 **WIT:** Aft on the port and starboard, forward port was the only access to cargo hold 3.

12 **CDR Odom:** It's been pretty standard throughout the crew on board the El Yunque and
13 other crew members that we've interviewed that say that it's common to leave those
14 doors open at sea to increase the ventilation in the engine room. Is that correct?

15 **WIT:** Yes, sir.

16 **CDR Odom:** Was there an issue with the ventilation in the engine room or was there
17 anything that – why would that need to be done at sea to keep those doors open? Does
18 it get that uncomfortable in the engine room that you need that?

19 **WIT:** An old steam ship any more circulation you can get was beneficial for our – the
20 ship personnel and the cargo, you know the machinery.

21 **CDR Odom:** Was it common for the Captain to call down when you would get heavy
22 seas and give instruction to close those doors?

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1 **WIT:** The call down would be for anytime if we were going to be into seas, he would
2 notify the ship to secure for heavy seas or whatever, which entailed secure any
3 watertight boundaries to the engine room. So if we were going to go into seas, yes, he
4 would have notified, you know the engine room that make sure everything's secured
5 and good for rough seas.

6 **CDR Odom:** Is there any written procedures or checklists that you had for the engine
7 room for heavy weather operations?

8 **WIT:** No it was just standard, lash everything down, there was no written procedures,
9 no, sir.

10 **CDR Odom:** There's not a specific checklist of any type that you guys utilized for the
11 safety management system?

12 **WIT:** Nope.

13 **CDR Odom:** What about pre-departure? Was there a checklist?

14 **WIT:** Yes, sir.

15 **CDR Odom:** And did that pre-departure checklist include anything with the securing of
16 the watertight doors for sea?

17 **WIT:** Yeah, I would have to say yeah, I can't remember exactly what's on the thing right
18 now. I don't have it in front of me.

19 **CDR Odom:** Thank you Captain Neubauer, that concludes my questions.

20 **CAPT Neubauer:** Thank you. One follow up question. Sir, do you know – are you
21 ever in the engine room with both boilers going with those doors closed?

22 **WIT:** Have I been?

23 **CAPT Neubauer:** Yes, sir.

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1 **WIT:** Oh yeah.

2 **CAPT Neubauer:** What's the temperature? Do you remember how high the
3 temperature would get?

4 **WIT:** The hottest I've seen is 140 between the two boilers on a maneuvering level.

5 **CAPT Neubauer:** Okay. 140?

6 **WIT:** 140.

7 **CAPT Neubauer:** Thank you, sir. Commander Denning.

8 **CDR Denning:** Chief just a couple quick questions. Regarding the bilge alarms, can
9 you just outline for us what spaces the bilge alarms were fitted in?

10 **WIT:** We had cargo holds 1, 2, 2A, 3, 4, which is the engine room, and 5. The engine
11 room had them, all the cargo holds had a port and starboard float type indication by the
12 rose boxes.

13 **CDR Denning:** So there was definitely a sensor on the port side in cargo hold 3?

14 **WIT:** Yes, sir.

15 **CDR Denning:** As far as watertight closures, there's an indicator panel in the fire
16 control room that indicates which doors are open and closed, correct?

17 **WIT:** Yes.

18 **CDR Denning:** Is that the only place there's a panel, is there another one in the engine
19 room?

20 **WIT:** That's the only one.

21 **CDR Denning:** None on the bridge?

22 **WIT:** Nope.

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1 **CDR Denning:** And which watertight openings did that particular panel cover on the El
2 Faro?

3 **WIT:** That was the main watertight cargo doors, main ramp doors going down into the
4 different cargo holds in the different decks.

5 **CDR Denning:** Just the main, the very large cargo doors?

6 **WIT:** Yes.

7 **CDR Denning:** It didn't handle any other watertight closures such as hatches?

8 **WIT:** No.

9 **CDR Denning:** Did the engineering department have any interaction or effect any
10 repairs to any of the cargo securing fittings on board?

11 **WIT:** As far as?

12 **CDR Denning:** Buttons, D-rings, that kind of thing?

13 **WIT:** If anything had to be done in an emergency repair or whatever yes, but if not
14 outside contractors usually come in and do the work for us.

15 **CDR Denning:** So just emergency repairs.

16 **WIT:** Yeah.

17 **CDR Denning:** Any kind of routine maintenance would be done by ship force?

18 **WIT:** Routine maintenance, deck department, they usually if they were chipping around
19 and they saw one that needed to be replaced, you know we could get an outside outfit
20 or whatever to come in and weld some down.

21 **CDR Denning:** Thanks Chief.

22 **CAPT Neubauer:** Mr. Fawcett.

1 **Mr. Fawcett:** Yes, sir, I have just two follow up questions, sir. In March of 2015 an
2 engineer turned the wrong valve based on the color scheme for the valves and as a
3 result of that lube oil was lost and the ship lost propulsion departing San Juan. Would
4 that be correct?

5 **CAPT Neubauer:** Were you on board for that incident, sir?

6 **WIT:** Yes, sir.

7 **Mr. Fawcett:** My follow up question is after that incident there was a root cause
8 analysis to determine exactly what happened. And after that did Tote put a, Tote
9 Service put a procedure in place where engineers were taught the color coding of
10 valves such as the bilge pump system? Because you described it as the valve handles
11 were gray in color.

12 **WIT:** That is something we put into play to try to keep everything as easy as possible.
13 But I don't teach my engineers to – orange is this, gray is that. That is just a helping
14 aid. They are taught to understand what valves operates what, not by color code. So
15 when this valve failed as far as lube oil that was a mistake on a human being. The
16 valves were chained shut, training was done it, it never happened again. But as far as
17 training on color coding, no you're trained on the system and what the valve does, not
18 color coding.

19 **Mr. Fawcett:** So if a new engineer was aboard the El Faro during the accident time
20 frame, would they know how to operate the bilge valves and hand wheels correctly to
21 line up the bilge piping system?

22 **WIT:** Well at that time the extra engineer was riding the vessel and he was extra on
23 board assisting the new Third Engineer and learning the ship. So at no time would he

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1 have been left alone in that type of situation. There was extra people on board, left on
2 board to train this individual, the new person, so.

3 **Mr. Fawcett:** So there's been a lot of discussion about the condition of the boiler when
4 you were aboard and the various boiler inspection reports. If the ship had come off a
5 service in the Caribbean and made a trip from the Jacksonville area directly to Tacoma,
6 Washington, would there or could there in your professional opinion, could that boiler
7 have stood that voyage?

8 **WIT:** Yes.

9 **Mr. Fawcett:** Thank you, sir.

10 **CAPT Neubauer:** Mr. Young.

11 **Mr. Young:** Thank you Chief. All the questions based on Commander Odom's line of
12 questioning. Talking about the lube oil system for the main unit, how would any of the
13 watch standers be advised that there was a loss of lube oil pressure?

14 **WIT:** There would be an audible, I mean the engineer would direct them to do
15 whatever, but I mean there's audible and there's a visual inspection aid, bullseye that
16 you could tell if you have lube oil flow. If you don't have lube oil flow then you've also
17 got the alarms going off.

18 **Mr. Young:** And would the alarm be initiated by the loss of pressure or loss of flow?

19 **WIT:** Loss of pressure.

20 **Mr. Young:** On pressure?

21 **WIT:** Yes, sir.

22 **Mr. Young:** And is one pump designed to kick on after the first pumps fails?

1 **WIT:** Yes, as soon as it senses whether you're a bar, on your bar, because I'm on a
2 metric ship now, PSI below or a couple pounds the other pump kicks on. You'll get the
3 audible then the pump will start at a certain differential pressure after that.

4 **Mr. Young:** Is there a requirement to test the standby function of the offline lube oil
5 pumps?

6 **WIT:** A requirement? I mean, you can flip flop them when you secure it, but there
7 wasn't anything in the procedures or anything, no. Something we have done, yes.

8 **Mr. Young:** And that test recorded in AMOS?

9 **WIT:** If it was complete, when it was completed yes. Those test would be a set of
10 pressure switches, any time we do anything like that you record, start or differential and
11 start, everything is recorded in AMOS on that.

12 **Mr. Young:** Do you know the quantity of lube oil in the main unit?

13 **WIT:** I believe 1700 and change is 100 percent. We usually ran it around 27 inches
14 was high, I believe around 1400 gallons.

15 **Mr. Young:** And the pump suction, is there a central location port semi to starboard
16 that the lube oil pumps take suction off the main sump?

17 **WIT:** Suction goes in through, yeah it goes in through your – centralized yes, because
18 the discharge returns on the starboard, yeah centralized after end right underneath the
19 shaft.

20 **CAPT Neubauer:** Sir, if you could -----

21 **WIT:** Yes the suction, I'm sorry I'm rattling on. I'm thinking and trying to say it at the
22 same time. The centerline underneath the shaft at the after end of the reduction gear is
23 where the suction of the pumps come out of.

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1 **Mr. Young:** During heavy weather operations is there ever a requirement to increase
2 the sump level to prevent any loss of suction?

3 **WIT:** Never had an issue with it, never had to increase it, whatever, no.

4 **Mr. Young:** Have you ever had an issue with the vessel rolling or listing to lose suction
5 of the lube oil system of the main unit?

6 **WIT:** No, sir.

7 **Mr. Young:** Switching to the boilers. Have you ever been on board a steam ship
8 where you have lost boiler water wall tubes?

9 **WIT:** I have never lost a water wall tube, no, sir.

10 **Mr. Young:** How many tons of water are in the boilers aboard the El Faro and El
11 Yunque?

12 **WIT:** Boilers, I would say 9 to 11, the complete system, that's just on one boiler. You
13 talking probably about 11 tons just a boiler.

14 **Mr. Young:** So about 11 tons per boiler? And if the vessel's going to be transiting on
15 one boiler, what's the maximum speed the vessel could make?

16 **WIT:** Leaving San Juan we usually get 80, 88 is what we usually give them for, you
17 know like when we're going to do a shut down. Maybe you'll get your standard 88 RPM.
18 That gives you a certain percentage, I don't know what it is, but we still could give them
19 more. But that's a comfort zone that we give them for RPM.

20 **Mr. Young:** So 88 RPM on one boiler

21 **WIT:** Yes.

22 **Mr. Young:** What would normal sea speed on two boilers be?

23 **WIT:** Going South bound 120, usually 118 to 120, whatever we can give them.

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1 **Mr. Young:** And do you know what the setting is for the over speed limiting device on
2 the main turbine?

3 **WIT:** She's rated for 126 turns, but I can't tell you what the trip rating is for the RPM,
4 no.

5 **Mr. Young:** And were the lube oil pumps for that main unit vented through the sump or
6 were vented externally?

7 **WIT:** Externally.

8 **Mr. Young:** Shifting to the fuel system. I understand that was a single fuel settler. If
9 you had contamination in that single settler what would your recourse be to switch to a
10 different fuel supply?

11 **WIT:** That is our fuel supply.

12 **Mr. Young:** I'm sorry?

13 **WIT:** That's our storage tank, what we can do we can take suction from the settler,
14 transfer it to another, if we put it to another tank and then transfer from one of our
15 storage tanks back to the settler. But as far as, that's the only place that we could take
16 suction for the boilers.

17 **Mr. Young:** If you were exchanging the fuel in the settler would you be able to maintain
18 fuel pressure for the boilers?

19 **WIT:** Yes, we would have to use our transfer pump and get as much if we had an
20 issue, as much of the bad fuel transferred to whichever tank we could put it in and then
21 transfer fuel from one of the storage tanks to put back in there to try to exchange the
22 fuel.

23 **Mr. Young:** And do you routinely have that fuel analyzed to compare it to specs?

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1 **WIT:** Fuel, if there's an issue we do, but we get the spec sheet when it comes with the
2 cargo that matches your specs tolerable allowances. But as far as to have it sent out,
3 it's not. It's kept on board, the samples for two years. And if any issue comes up then
4 they're available to be tested. If not once the times up we get rid of them.

5 **Mr. Young:** When the Captain reported that the ship was in trouble on October 1st, he
6 said they were in 10 to 12 foot seas. Have you ever been aboard the ship in that
7 weather state?

8 **WIT:** Yeah, it's normal operation.

9 **Mr. Young:** And during this type of weather would any of the propulsion equipment be
10 affected with rolling or pitching?

11 **WIT:** Not when I've been on it, no.

12 **Mr. Young:** How about a 15 degree list to port? Would that effect any of the machinery
13 in terms of pump suction?

14 **WIT:** I cannot comment, I've never been in a big list like that. I wouldn't – I don't want
15 to answer on that.

16 **Mr. Young:** Do you know what the list rating for the emergency generator to operate?

17 **WIT:** No I do not.

18 **Mr. Young:** And my last line of questioning with the strut bearing. After the bearing
19 was replaced in the last shipyard were there any analysis done on the lube oil system?

20 **WIT:** Yes, sir.

21 **Mr. Young:** And were there any indications that that repair was effective or were there
22 still issues with the lube oil?

23 **WIT:** There was still issues with the lube oil.

1 **Mr. Young:** And what was being done to correct that situation?

2 **WIT:** Monitoring the level, increase the analysis rate and it was going to be set up to be
3 changed out in the Bahama shipyard.

4 **Mr. Young:** And what was going to be changed out?

5 **WIT:** The strut bearing was going to be replaced in the Bahama shipyard.

6 **Mr. Young:** Was there ever any filter buggies or filtration units set up to purify that oil?

7 **WIT:** There is a filter buggy on it, but it never took out the fine particles of basically the
8 water or whatever. But yeah, no, run the filter buggy every time you're in port, but the
9 analysis is you still got the metal in there from the bearing.

10 **Mr. Young:** Is the filter buggy an electrically operated system or was it the diaphragm
11 filtering system?

12 **WIT:** Electric.

13 **Mr. Young:** And just to confirm, with the bilge alarm system, if there were already bilge
14 alarms, where are the bilge panel annunciators located throughout the ship? Just to
15 clarify that.

16 **WIT:** If it's in layup status you've got alarms through all the decks of the house. But if
17 not, just annunciates right on the bridge. Not on the bridge, I'm sorry, on the
18 maneuvering platform, the engine room.

19 **Mr. Young:** Okay. And just to clarify the bilge location – bilge float locations, in each
20 cargo holds there is a separate port and starboard bilge float alarm in each of the cargo
21 holds on the El Faro, is that correct?

22 **WIT:** Yes, there was a port and starboard rose box in each cargo hold and there was a
23 port and starboard float detection high alarm bilge – uh bilge alarm, yes, in both.

1 **Mr. Young:** Thank you. I'll pass it on to Captain Neubauer.

2 **CAPT Neubauer:** Mr. Roth-Roffy, did you have any questions?

3 **Mr. Roth-Roffy:** Yes, sir, Captain. Just a few follow on. Tom Roth-Roffy, NTSB.

4 Chief, we've talked about the preventative maintenance system for various equipment
5 throughout the ship. And also some of the condition based monitoring programs having
6 discussed. Can you tell me, sir, if there is a program calibration – calibrate instruments
7 aboard the vessel? For example, steam pressure gauges, lube oil temperature gauges,
8 or other similar sensors?

9 **WIT:** As far as the calibration our critical meters went to the switchboard meters. As far
10 as any local gauge or local thermometer the process of having it calibrated, on a run of
11 time the gauge vibration usually they come out and say it's – just put a new gauge in.
12 So you've got your cert, not certs, but you get a new gauge, put it in, you can test it if
13 you want you know as per a calibrated meter or gauge that we have in our, yeah,
14 calibrated critical equipment we keep that different instruments you can send out to
15 shore, they come back and you've got a calibrated instrument on board that you
16 compare other of the same instruments to. So we do our meters on the generators and
17 if there was an issue with any of the other pressure gauges we just put new ones in. Or
18 if it was something else we could send out and have it calibrated. It all depend on what
19 the situation was.

20 **Mr. Roth-Roffy:** So if you suspect that there is a problem with an instrument reading
21 you would either calibrate it on board or send it ashore, is that what you're saying?

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1 **WIT:** Yeah you compare it to a different – different gauge because if you get pressures
2 and temperatures from numerous different places you compare and if there was still an
3 issue then you change out whichever one with a – or compare it to a calibrated one.

4 **Mr. Roth-Roffy:** And just to be clear there was no program that would periodically, or
5 on a regular basis send instruments ashore just to be calibrated?

6 **WIT:** Yearly on the instruments on the test one was sent and the critical ones on the
7 generators was every two years. So you had your hand held meters, your precision
8 ones that was kept in the Chief's office, that was on a yearly basis as per your critical
9 meter calibration.

10 **Mr. Roth-Roffy:** Understand. Referring to Exhibit 60, was a worklist for the shipyard.
11 And I believe you mentioned that you created that list.

12 **WIT:** Yes, sir.

13 **Mr. Roth-Roffy:** And was that an extensive list of all shipyard items or was that just a
14 running list?

15 **WIT:** That was just something that I had started up. We were going in, it was another 2
16 months, 3 months so we were just starting to put the worklist together, so that was just
17 preliminary. That's all that was.

18 **Mr. Roth-Roffy:** Okay. So is that the first list you had created, or was there other lists
19 that had been created before?

20 **WIT:** That was just the first list that we had started and then my relief was going to
21 continue on it.

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1 **Mr. Roth-Roffy:** Sir, there's been some discussion about the watertight doors, the
2 open and closed status. During routine maneuvering in and out of port what was the
3 practice on those watertight doors?

4 **WIT:** Are you talking?

5 **Mr. Roth-Roffy:** I'm sorry, the ones that are around the engine room.

6 **WIT:** Those are left, I mean normal operation they're open.

7 **Mr. Roth-Roffy:** Even during arrivals and departures from port?

8 **WIT:** Yes.

9 **Mr. Roth-Roffy:** And there was some discussion about the cargo securing devices, D-
10 rings, pad eyes, buttons. You mentioned that you could get involved in repairs if it was
11 discovered by deck department maintenance in the areas.

12 **WIT:** If you needed them welded down in an emergency you could weld them down. I
13 mean it's not ----

14 **Mr. Roth-Roffy:** Yes, sir. During the period of time that you were assigned to the
15 vessel had there ever been an occasion to do repairs to these cargo securing devices?

16 **WIT:** A couple here and there, but nothing major.

17 **Mr. Roth-Roffy:** And about when did those occur, in the last year or?

18 **WIT:** I don't recall. It's cut one off and they have another one put down if it's frozen up,
19 but.

20 **Mr. Roth-Roffy:** And have you observed similar work being done by outside
21 contractors to the cargo securing devices?

22 **WIT:** Yes.

23 **Mr. Roth-Roffy:** And about how many times have you seen that?

1 **WIT:** I don't have a time frame on, you know it's when needed. I mean it's something
2 the deck department if they need them up we set it up and they come take care of
3 whatever they've got to do.

4 **Mr. Roth-Roffy:** And about how many of those have been repaired in recent years?

5 **WIT:** I couldn't even give you a number.

6 **Mr. Roth-Roffy:** Okay. And is the company or the ship have an inspection program to
7 periodically either examine or weight test or do other, any type of testing to the cargo
8 securing devices?

9 **WIT:** They have just visual inspections, but I don't believe there's any, there was
10 nothing ever for them D-rings and buttons or anything like that.

11 **Mr. Roth-Roffy:** Sir, is that a routine practice to go around and inspect visually each of
12 the devices or just in conjunction with ongoing work?

13 **WIT:** The Mate would have a running list if he had issues, the longshoreman would
14 bring it up to the Chief Mate if there was issues with D-rings or buttons or if they're
15 having problems with them, he would bring it up to them and then we would figure out a
16 course of action of what we had to do.

17 **Mr. Roth-Roffy:** Sir, regarding that loss of propulsion that was occurred departing San
18 Juan, I believe back in March. You mentioned that a crew member has closed a valve.
19 What was the level of that crew member?

20 **WIT:** He was oiler man.

21 **Mr. Roth-Roffy:** OM Do?

22 **WIT:** Oiler.

23 **Mr. Roth-Roffy:** Oiler. And how long had he served aboard the vessel?

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1 **WIT:** I can't remember what the time frame, he was on there long enough he should
2 have known about it. He knew about it, but he just – human error, he made a mistake.

3 **Mr. Roth-Roffy:** So he had been on there for a period of years?

4 **WIT:** Not for a period of years, no, but.

5 **Mr. Roth-Roffy:** Weeks or months?

6 **WIT:** I don't know. I would have to look at his schedule. I could get the Captain to look
7 at his ----

8 **Mr. Roth-Roffy:** And what was the result of that valve being closed?

9 **WIT:** It was nothing. He just lost lube oil, we took – reestablished flow, filled the gravity
10 tank back up and got underway. There was no casualties, no scare, nothing happened.

11 **Mr. Roth-Roffy:** Did the turbine trip on low lube oil pressure?

12 **WIT:** No, because it's still at the gravity tank supplying it. You've got a 9 minute
13 window. If your lube oil pumps fail, you've got a 5000 gallon gravity tank that gives you
14 say 9 to 10 minutes of flow to your bearings for you to get reestablished. Oil pressure
15 or stop the main unit.

16 **Mr. Roth-Roffy:** The main steam throttle to the turbine does not require lube oil to
17 remain open?

18 **WIT:** You are supply – that's the first thing, you lose lube oil you shut the throttle.
19 That's – you lose lube oil you shut the turbine down. Because if you ruin your turbine
20 you're done, you're dead in the water.

21 **Mr. Roth-Roffy:** Thank you Chief. That's all I have.

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1 **CAPT Neubauer:** Chief I just have a couple follow up questions. Have you ever
2 requested or asked for the ship to be held in port from sailing due to a maintenance
3 issue, like delay the vessel?

4 **WIT:** No, sir.

5 **CAPT Neubauer:** And Chief can you translate or convert the RPM into speeds for
6 standard seas for 88 RPM and 120 RPM?

7 **WIT:** I know average we're usually at 118, we're doing probably around 20, 21 knots.
8 Fully loaded going down I think they usually need 20 knots to make it there, but yeah we
9 bounce anywhere with the seas 20 knots or 21 knots. 88 I can't remember what the
10 knots is on that. We would be a light ship so, you can't really compare to a heavy, you
11 know loaded ship going South.

12 **CAPT Neubauer:** Yes, sir. And then two follow up questions in regards to the riding
13 gang. In regards to the ro-ro conversion work was the work solely performed by the
14 Polish riding gangs, or were ship's force used also to conduct some of the work?

15 **WIT:** We did not involve the ship's crews. Every now and then we may have to involve
16 them to a low level, I mean we never – they had the crew, they did their work, if we
17 needed a hand moving something, but on a regular basis, no, they did not participate in
18 any of the repairs.

19 **CAPT Neubauer:** I understand. So their primary work hours were ship's business?

20 **WIT:** Yes.

21 **CAPT Neubauer:** And then also were the riding gangs ever conducting work in port or
22 was it mostly underway?

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1 **WIT:** In port if it was, you know, but you couldn't do hot work because you had fueling.

2 So it was basically you know availability of you know if they could, they could and if they
3 didn't we sent them ashore.

4 **CAPT Neubauer:** Did you ever see them doing work in port?

5 **WIT:** Yes.

6 **CAPT Neubauer:** At this time does Tote have any questions?

7 **Tote Inc:** Just a couple, sir. Chief you mentioned that the temperature in the engine
8 room between the two boilers was at one time as high 140 degrees. Is that a location
9 that's basically the hottest point in the engine room?

10 **WIT:** No that's the fidly [sic].

11 **CAPT Neubauer:** Sir, could you repeat that?

12 **WIT:** No that's just the average. That's right behind the maneuvering platform.

13 **Tote Inc:** And that's the hottest you've ever experienced?

14 **WIT:** At that point, yeah.

15 **Tote Inc:** And is the engine room ventilated with ventilation blowers?

16 **WIT:** Oh yeah, yeah it's a full circulation of air.

17 **Tote Inc:** And on average what would you say the temperature is in the engine room
18 on a normal day?

19 **WIT:** 110.

20 **Tote Inc:** Okay. Thank you.

21 **CAPT Neubauer:** Chief, can you estimate on average how hot it is with both doors
22 closed with full ventilation going?

23 **WIT:** No I couldn't.

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1 **CAPT Neubauer:** Tote do you have any follow up questions?

2 **Tote Inc:** No, sir.

3 **CAPT Neubauer:** ABS do you have any questions?

4 **ABS:** No, sir.

5 **CAPT Neubauer:** Mrs. Davidson, do you have any questions?

6 **Ms. Davidson:** No, sir.

7 **CAPT Neubauer:** Are there any final questions for Mr. Robinson? Mr. Robinson, we
8 are now complete with your testimony for today. However I anticipate that you may be
9 recalled to provide additional testimony at a later date. Therefore I am not releasing you
10 from your testimony at this time and you remain under oath. Please do not discuss your
11 testimony or this case with anyone other than your counsel, the National Transportation
12 Safety Board or members of this Coast Guard Marine Board Investigation. If you have
13 any questions about this, you may contact my legal advisor, Commander Jeff Bray. At
14 this time do any parties in interest have any concerns with testimony provided by Chief
15 Robinson?

16 **Ms. Davidson:** No, sir.

17 **Tote Inc:** No, sir.

18 **ABS:** No, sir.

19 **CAPT Neubauer:** The hearing will now recess and reconvene at 1:30

20 *The hearing recessed at 1244, 23 February 2016*

21 *The hearing was called to order at 1332, 23 February 2016*

22 **CAPT Neubauer:** The hearing is now back in session. We will now hear testimony
23 from Mr. J. Kenny Walker, former Boatswain on the El Faro. Mr. Walker please come

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1 forward to the witness table and Lieutenant Commander Yemma will administer your
2 oath and ask you some preliminary questions.

3 **LCDR Yemma:** Could you please raise your right hand, sir. A false statement given to
4 an agency of the United States is punishable by a fine and or imprisonment under 18
5 United States Code section 1001, knowing this do you solemnly swear that the
6 testimony you're about to give will be the truth, the whole truth and nothing but the truth,
7 so help you God?

8 **WIT:** I do.

9 **LCDR Yemma:** Thank you, sir. Be seated please. Sir, could you please start by
10 stating your full name and spelling your last name for the record?

11 **WIT:** James Kenneth Walker, W-A-L-K-E-R.

12 **LCDR Yemma:** And counsel can you also state your name and spell your last?

13 **Counsel:** Jewells Victory Masee, Hamilton, Miller, and Birthisel, last name, M-A-S-S-
14 E-E.

15 **LCDR Yemma:** Sir, what is your current employment and position please?

16 **WIT:** Um I'm currently employed by Tote Services for the Perla Del Caribe as able
17 seaman maintenance.

18 **LCDR Yemma:** And what are some of your responsibilities in that position?

19 **WIT:** Taking care of the maintenance of the ship under the direct supervision of the
20 Boatswain.

21 **LCDR Yemma:** And can you just generally describe some of your prior relative work
22 experiences?

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1 **WIT:** Worked on the military ships, the LMSR's during the war and lash vessels, LNG
2 vessels, container vessels going to various ports, oil tankers, we carried grain on a ship
3 before. Been 34 years been quite a few ships.

4 **LCDR Yemma:** And what's your highest level of education please?

5 **WIT:** High school graduate.

6 **LCDR Yemma:** And do you hold any licenses or professional certifications?

7 **WIT:** No, sir.

8 **LCDR Yemma:** Thank you. The board will have questions for you.

9 **CAPT Neubauer:** Good morning Mr. Walker. You're soft spoken can you pull the
10 microphone just a little closer during testimony, sir?

11 **WIT:** Yes, sir.

12 **CAPT Neubauer:** Thank you. Commander Denning.

13 **CDR Denning:** Good afternoon Mr. Walker. Just to set the stage and give context to
14 your testimony I just want to go through a few things. You were a – you've been a crew
15 member on board the El Faro as Boatswain in the last year according to our records,
16 you've served on board for a period of a little over seven months, does that sound
17 correct?

18 **WIT:** Yes, sir.

19 **CDR Denning:** And you most recently got off the El Faro on the 15th of September,
20 correct?

21 **WIT:** Yes, sir.

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1 **CDR Denning:** So for your testimony today I want you to frame your mind around not
2 just your observations as a crew member, but also you were the union representative
3 on board as well, correct?

4 **WIT:** Yes, sir.

5 **CDR Denning:** So what we're going to ask you is not only your own observations, but
6 things that may have been brought up to you from the rest of the unlicensed crew and
7 even the licensed officers on board. Understand?

8 **WIT:** Yes, sir.

9 **CDR Denning:** So can you start by briefly describing the typical routine for yourself and
10 your – and the deck force that worked for you while in port?

11 **WIT:** In port we typically took on stores, took off the garbage to the dumpster ashore
12 and dumped it and check the lines if we needed to be checked and just followed
13 instructions from the Chief Officer if there was any more than that.

14 **CDR Denning:** Did you have an interaction with cargo securing while in port?

15 **WIT:** No, sir.

16 **CDR Denning:** What about preparing for sea, can you describe the process that the
17 deck force would undergo to prepare the vessel for sea?

18 **WIT:** Well we secured the bow at departure. When the pilot got off we would secure
19 the bow, the anchors and close all the doors on the way back to the Boatswain's locker,
20 any lockers that were open on the main deck.

21 **CDR Denning:** What about watertight – can you tell me about watertight openings
22 such as doors, hatches, scuttles?

1 **WIT:** Um prior to leaving I would go down and close and dog the scuttles. I would do
2 that, that was my job. The first thing at all hands leaving port. The one day man would
3 do secure the crane. The other day man and GUDE would rig the pilot ladder for the
4 pilots and stand by there. Then we would all meet up, except the day man and the
5 GUDE at the pilot ladder, the other day man and the watch standers that were called
6 out for all hands would bring up the gang way, secure it for sea and had fore and aft for
7 undocking.

8 **CDR Denning:** Now I would like to move to underway activities. What's a typical day
9 for the Boatswain and the deck force while underway?

10 **WIT:** I start my day by going up to the bridge and talking with the Chief Office about
11 any jobs that he had for us. If he had new jobs that we weren't already working on and
12 then at 5:30, 6 O'clock we would all meet the deck gang, the day men would meet at the
13 Boatswain shop and we would start our maintenance. We would start doing our work
14 then. And then I would go to breakfast at 8 O'clock then the watch standers would
15 come out for their overtime. They would get their job assignments, the day men would
16 get their job assignments and we would all go to work from there and work. The watch
17 standers were allowed to work till noon and they would have to knock off, that was their
18 12 hours. Then the one watch stander that did the 8 to 12 watch would come out at 1 to
19 5. The day men and I worked 5:30 to 7:30, knocked off for breakfast. Worked 8 to 12,
20 knocked off for lunch. Worked 1 to 5 knocked off for dinner. Then came back out 6 to 8
21 for 2 more hours of overtime to complete our 12 hour day.

22 **CDR Denning:** What type of maintenance would you and these other individuals
23 perform underway?

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1 **WIT:** Every month I received a, approximately 5 pages of preventative maintenance.

2 And we would all do certain jobs on the PM list, preventative maintenance list, and

3 when you finish the job I would check, the guys would sign their name, put the date

4 down that the job was completed. I would go back and just make sure that what they

5 did was done properly. And we also, you know if there's time between doing the PM's

6 we would chip – chip rust, paint, tie things, secure things, whatever was necessary.

7 **CDR Denning:** So besides chipping and painting can you give us a few examples of

8 what was on the preventative maintenance list?

9 **WIT:** Oh that would be lubricating the mooring wires, lubricating the winches, any

10 machinery we lubricated. Everything from the bow to the stern if it was on deck we

11 lubricated it or cleaned it, painted it, all of that. The PM list is pretty specific. Every

12 winch takes up a column. Then you have the wires on the winch, they're separate from

13 that. Then you had the watertight doors that have their dogs, they – everything has a

14 different part of the list. And we would just go down the list every month and lubricate

15 everything. And we have 30 days to do the whole 5 pages. And certain things on my

16 PM list weren't even our job. Actually it was somebody else, I believe it was one of the

17 officers or one of the engineers would lubricate the big cargo doors. It was on my list,

18 but I didn't – we didn't do that. We did the life boats, grease and cleaning.

19 **CDR Denning:** So specific to the life boats did your PM list include work on the davits?

20 **WIT:** Yes, sir.

21 **CDR Denning:** Lubricating?

22 **WIT:** Lubricating, lubricating with davits, the falls, everything.

1 **CDR Denning:** Did you ever notice any concerns with the davits as far as motors or
2 deterioration of any of the metal involved?

3 **WIT:** No, sir.

4 **CDR Denning:** We mentioned scuttles and watertight openings and the fact that, you
5 typically, the Boatswain's job was to secure those for sea. Were they typically open
6 during the day? You know during some of this work and can you describe the process?

7 **WIT:** In port, in port they're open automatically. The Longshoreman use those to get
8 down into the lower holds. If I had work down in a certain cargo hold we would open it,
9 put the sign up that men are down in the hold, go down do the work necessary and
10 when we came out we turned the sign back around and closed it and dogged it.

11 **CDR Denning:** So Lieutenant Commander Yemma is going to bring you the exhibit
12 binder. I'm going to ask you to flip to Exhibit 23 for me. So Exhibit 23 is a photo of the
13 port side of El Faro around number 3 hold. Specifically there's a scuttle there and in the
14 recordings from Captain Davidson that we played the other day he spoke of a scuttle
15 that had popped open in 3 hold on the 2nd deck. We believe that this may be the
16 scuttle. You can see it in the bottom right hand corner there.

17 **WIT:** Yes, sir.

18 **CDR Denning:** Does that look like the scuttles on board El Faro?

19 **WIT:** That's one of the scuttles. That's number 3 on the port side.

20 **CDR Denning:** And the orientation of that particular scuttle, it's a circular handle
21 instead of a typical dog type arrangement?

22 **WIT:** Yes, sir, it's a wheel.

23 **CDR Denning:** So are these scuttles typically kept closed while underway?

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1 **WIT:** Yes, sir, unless there's work to be done down below. Anybody, the engineers
2 may go down there, I go down, I send day men down. If there's work to be done down
3 there we open it. Leave it open until you come out and then when you come out you
4 dog it closed.

5 **CDR Denning:** Now after you dog it closed can you tell from visual observation, if you
6 were just to walk by one that you didn't just come out of and close yourself, but you
7 were to walk by is there an indication of whether it's been dogged down and secured
8 from the circular handle?

9 **WIT:** No, sir, I don't believe so.

10 **CDR Denning:** So it's possible for a scuttle to be closed but not secured and you
11 wouldn't be able to necessarily tell?

12 **WIT:** Yes, sir.

13 **CDR Denning:** What duties did the Boatswain and the deck force have while underway
14 regarding cargo securing?

15 **WIT:** We didn't, typically we didn't secure cargo at all. The Second Officer would go
16 around and check the lashings. If it was – if there was a time when we rocked a little
17 more than normal and there was lashing were a little looser, then she could ask for my
18 help and I would send the whole – all the day men and I would go around with our
19 lashing bars and help her tighten the lashings.

20 **CDR Denning:** So do I understand you correctly, it's the Second Mate who checks the
21 tightness of the lashings while underway?

22 **WIT:** Yes, sir.

23 **CDR Denning:** Not the Chief Mate?

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1 **WIT:** No, sir. He checks I believe prior to leaving and during the cargo operations, but
2 the first day out the Second Officer would come down to the shop, get her lashing bar or
3 his lashing bar and go to – about their business of tightening.

4 **CDR Denning:** So while conducting all the maintenance that you described, did
5 anything come to your attention that was a safety concern on the vessel?

6 **WIT:** No I don't believe so.

7 **CDR Denning:** So in reviewing some of the email correspondence there's some
8 discussion of pneumatic tools being used in the fore peak, were you involved in any of
9 those discussions?

10 **WIT:** No, sir, I was involved with the work, but not with the discussions.

11 **CDR Denning:** Was anything unusual observed using pneumatic tools in the area of
12 the fore peak?

13 **WIT:** In the lower forepeak I put the men in there one on each side chipping and we
14 had – they chipped and made a pin hole in the deck. And as soon as that happens I'm
15 informed. We stop work. I informed the Chief Mate, he informs the Chief Engineer and
16 we stop that work completely. It's got to be repaired and we really don't go back to
17 chipping that area. We move to a different area and chip.

18 **CDR Denning:** So you observed that of her on the deck, not a bulkhead?

19 **WIT:** No, that was the deck on both sides of the lower forepeak and then the deck on
20 the upper forepeak had a few holes in it.

21 **CDR Denning:** And how was that – how were those pin holes repaired?

22 **WIT:** I believe the company gets a contractor, a JMR to come in and do the welding.
23 The welding of a double plate on there.

1 **CDR Denning:** So you observed the double plate after it had been welded?

2 **WIT:** No, sir, it's underneath.

3 **CDR Denning:** I would like to talk a little bit about fire and abandoned ship drills.

4 **CAPT Neubauer:** Commander Denning I just have a follow up question before you
5 transition.

6 **CDR Denning:** Certainly.

7 **CAPT Neubauer:** Sir, were those, were either of those watertight decks? I mean were
8 they internal or?

9 **WIT:** the lower forepeak was above a tank. It was above a ballast tank I believe. And
10 that's why we stopped working, it was repaired and we didn't go about continuing that
11 deck. The upper forepeak we did continue and it did get holes, but because that went
12 from the upper forepeak so any water if it happened to get in there it would just go to the
13 lower forepeak. We continued that and they came in and repaired all of those holes too.

14 **CAPT Neubauer:** Thank you, sir.

15 **CDR Denning:** Fire and abandoned ship drills just briefly, did everybody on board
16 participate ----

17 **WIT:** Yes, sir ----

18 **CDR Denning:** In fire and abandoned ship drills.

19 **WIT:** With the exception of I believe the watch engineer or the mate on watch. And
20 occasionally even the mate on watch would attend a drill and the Captain would take
21 over the bridge himself.

22 **CDR Denning:** And did you observe the Polish riding gang participating in the drills?

23 **WIT:** No, sir.

1 **CDR Denning:** Do you know where they would have mustered for the drills?

2 **WIT:** Well in my experience on any ship the supernumeraries station is to go directly to
3 the bridge. I didn't see them on the bridge because I'm underneath the wing for the
4 boat drill, and the fire drill I'm team leader so I was usually suited up, I don't really see a
5 lot. I see the – where I'm going.

6 **CDR Denning:** During the boat drills were they always lowered to the embarkation
7 deck?

8 **WIT:** If it was a real windy day they would not lower it all the way down. We would
9 muster, go over all of our duties and then the following Sunday on our North bound, the
10 day men and I would lower the boats so far. Sometimes to the embarkation deck,
11 sometimes just so many feet to test the limit switches and such.

12 **CDR Denning:** Were there every – during any of those operations were there ever any
13 indications that any of the equipment wasn't working properly?

14 **WIT:** No, sir. A limit switch might get stuck and you had to hit it once or twice and it'll
15 spring back to normal. And if it was – if you ran into a case where it did stick badly you
16 just get hold of the engineer and they would – the electrician would usually just go up
17 there, lubricate it and get it working.

18 **CDR Denning:** Was pressure washing conducted underway typically?

19 **WIT:** Yes, sir.

20 **CDR Denning:** Did – what areas of the ship would be pressured washed?

21 **WIT:** Just about every Sunday the house of the ship would be pressure washed. I
22 pressured washed the fructose tanks and the lower decks when they were empty. If

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1 there was too much dirt accumulated we would take a pressure washer down there and
2 we would pressure wash the whole hold.

3 **CDR Denning:** When you pressure washed the holds did – was there discussion with
4 the engine room as far as, did it set off the bilge alarms?

5 **WIT:** I always let the engine room know I was going to pressure wash and I would call
6 them when I needed the rose boxes drained. The bilge alarms are set, I believe there
7 are about 3 or 4 inches above the rose box and we never got water that deep.

8 **CDR Denning:** So understanding that you were primarily on deck, you would have had
9 general interaction with the engineering department, correct?

10 **WIT:** Yes, sir.

11 **CDR Denning:** What was their, from interaction with them, discussions with them, what
12 was their general observation of the reliability of the engineering plant? Propulsion
13 plant.

14 **WIT:** I don't know anything really. They didn't talk to me about engine room stuff, their
15 watches or nothing, nothing at all.

16 **CDR Denning:** Did they ever articulate any concerns to you as far as the maintenance
17 or the reliability, any concerns that you noted?

18 **WIT:** Not at all.

19 **CDR Denning:** During previous testimony we heard about a loss propulsion which
20 occurred while the vessel was departing San Juan, lost propulsion for approximately 20
21 minutes on March 14th. I know you weren't on board at that particular time, did anyone
22 discuss that incident with you or express any concerns?

23 **WIT:** No, sir. This is the first I've even heard of it.

1 **CDR Denning:** Did you have other interaction with the supernumeraries, the Polish
2 riding gang as far as their work that they were conducting?

3 **WIT:** I worked in conjunction with the riders, with the Polish men. When they would put
4 in new metal like for the winch controls or something like that, I would have to come and
5 they would let me know that this is in, I would go down and I would put the primer and
6 get a coat of paint on it. Other than that the only interaction was after dinner when I was
7 smoking my cigar and they were smoking their cigarettes. We all smoked in the same
8 area. That's all.

9 **CDR Denning:** Can you describe for us just the general safety culture on board El Faro
10 and its crew?

11 **WIT:** I was in charge of the PPE, personal protective equipment. If the men needed it
12 or if I thought they were going to need it I would go to the locker and give them
13 whatever they wanted. As far as personal protection we – they didn't spare, they didn't
14 hold back anything. Anybody could get anything they needed. If they thought they
15 needed it they got it. If they wanted it anyway they got it to, so. As far as safety the
16 Captain was pretty adamant about everybody being safe. Come back with all your
17 fingers and toes. Do what – tell us, take our time, do it safe.

18 **CAPT Neubauer:** Sir, are you talking about Captain Davidson?

19 **WIT:** Yes.

20 **CAPT Neubauer:** Or all Captains.

21 **WIT:** Pretty much most Captains will tell you to be safe. And Captain Davidson was
22 very adamant about being safe. Everything we did. If he saw somebody not wearing a

1 PPE he would say something. He had the habit of thanking the men and telling me to
2 thank them for him for their efforts doing it safely.

3 **CDR Denning:** You spent a pretty significant amount of time on board with Captain
4 Davidson, correct?

5 **WIT:** With both the Captains. I spend more time on the ship than they do. So I got
6 both of them pretty much quite a bit.

7 **CDR Denning:** During some previous testimony there was some discussion about how
8 much time Captain Davidson would spend, you know on deck. What was your
9 observation as far as how much time he would spend observing the work on deck or
10 making rounds and what would be appropriate of a Captain?

11 **WIT:** He would make his rounds. I've seen him on deck in the past. He wouldn't come
12 to me and tell me anything. If he saw something that wasn't safe or saw something that
13 needed repaired, he wouldn't tell me. He would tell the Chief Officer, which is who I
14 work for. I take my – get my work from the Chief Officer. So he would tell him. He was
15 pretty good about not only us following the chain of command, but he did to. He would
16 tell the Chief Officer, the Chief Officer would come to me tell me that the Captain saw
17 this and wants it addressed.

18 **CDR Denning:** In your role as the union representative did the crew bring safety
19 concerns to your attention?

20 **WIT:** Safety concerns came out during the safety meetings. They didn't bring them to
21 me. If they did have something, I would just take it to the Chief Officer if I thought it
22 needed attention. But that wasn't – that wasn't the union reps place.

1 **CDR Denning:** Did anyone express to you any concerns about the safety of the vessel
2 or the Captain in particular?

3 **WIT:** No. I don't know. I don't know.

4 **CAPT Neubauer:** Sir, more specifically did you ever hear any concerns about Captain
5 Davidson's leadership style?

6 **WIT:** Sir, we lived together 24/7. People are going to complain about this or going to
7 complain about that. I don't believe there was any safety issues brought about the
8 Captain. Somebody complains about the money not going in the bank, they come to
9 me, I take it to the Captain or. But.

10 **CAPT Neubauer:** How about related to the Captain's availability to the crew, or a
11 tendency to stay in his stateroom, did you ever hear those types of complaints?

12 **WIT:** The Captain went to the bridge all the time. He did a lot of paperwork in his room.
13 I didn't – I didn't really watch to see his interactions, or I would see him when he makes
14 his rounds on deck, I would generally see him, not all the time. He doesn't come out
15 every day. Like the Chief Officer, he's out there every day. He comes around he'll
16 check one hour, one hour, he just likes to make his rounds. But the Captain he would
17 make his rounds. He would see things. He would make his observations and make it
18 known to the Chief Officer if he saw something that he didn't.

19 **CAPT Neubauer:** Sir, how about compared to the other Captain. Was it more
20 available or less available?

21 **WIT:** No, Captain Axelsson had a, or Captain Davidson had an open door policy. If
22 people had a problem or if they – they could go to him and talk or. Not a lot of Captains
23 do that. And I don't think it's great of a policy myself, but it works. Captains want to

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1 hear if people have problems, he wants to hear about it. He doesn't want to hear daily
2 complaints. He doesn't want you coming up there complaining all the time. But the
3 other Captain specifically told the people do not come to me with your complaints. It's
4 not a crew members place to go right to the Captain and start complaining. That's
5 where the chain of command comes in. They go to delegate, their delegate comes to
6 me. We look at it, we look at the contract, we decide if it's something that the Captain
7 should address, then I go up and talk to the Captain.

8 **CAPT Neubauer:** One more question on this topic, sir. Did you notice a change in
9 Captain Davidson's demeanor over the last two months before the accident voyage?
10 Was there a noticeable shift in his overall demeanor?

11 **WIT:** No I don't believe so. I – the last two months I had to get off for a kidney stone for
12 two weeks of that last two months, so. But he seemed – he seemed confident in his
13 work. He – we didn't talk about that kind of stuff. He did say he was going to stay on
14 and take the ship to the shipyard. And I was expected to join him in the shipyard.

15 **CAPT Neubauer:** Thank you. Commander Denning.

16 **CDR Denning:** Were there any, as far as the just general climate, working relationship,
17 were there any barriers to communication between certain crew members? Or did
18 everyone tend to have a free flow of communication among one and another?

19 **WIT:** Well as far as the unlicensed we all took our meals together. And a lot of the men
20 that work with me, they were friends for many years. They've been in Jacksonville for
21 many, many years. So they talk, they cook their own foods and everybody would share
22 the food. And it's quite a bit of camaraderie. They played their card games, their
23 dominos. It was pretty good.

1 **CDR Denning:** And my last question if you could just describe for us your general
2 observation of the overall safety culture within the Tote organization?

3 **WIT:** Safety is a top priority for all the ships. The El Morro, El Faro, the El Yunque.
4 Even the Perla, we have our safety meetings, we all talk about anything we see unsafe
5 we bring it up. If there's something that is unsafe it's brought up and it's addressed
6 immediately. It has to be. And people, all the crew members, licensed and unlicensed
7 they watch for things and if they think there's something unsafe, there's a step that
8 looks a little wobbly or there's a place where it's real slippery or something, they'll bring
9 it up at the safety meeting and it will be addressed.

10 **CDR Denning:** Thank you Mr. Walker. That concludes my questions.

11 **WIT:** You're welcome.

12 **CAPT Neubauer:** Mr. Fawcett.

13 **Mr. Fawcett:** I just have a follow up line of question Mr. Walker. Good to see you, sir.

14 **WIT:** Good to see you too, sir.

15 **Mr. Fawcett:** So as Boatswain you say you operate around the davits, winches, and
16 the falls to the running gear for the life boats, is that correct?

17 **WIT:** Yes, sir.

18 **Mr. Fawcett:** Were you aboard the El Faro in late May of 2015? I believe you came
19 aboard on the 19th, does that refresh your memory?

20 **WIT:** May, approximately, yeah. Approximately May, May 14th or so I joined the ship.

21 **Mr. Fawcett:** Okay. Sir, were you aware in a life boat inspection that was conducted in
22 the later half of May that the drinking water and the first aid kits for one or both of the
23 boats had expired?

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1 **WIT:** To my knowledge I believe we replaced some water. If it was replaced because it
2 had already expired that would be the case. I didn't look at the dates. That's the Third
3 Officer gets the water. He inspects the dates and stuff. And if he needs my help to put
4 the stuff in the boat then I assign men to do that. But I don't personally check the dates.
5 That's the Third Officer.

6 **Mr. Fawcett:** Would you expect that in ship board life boat inspections that expired
7 water would be uncovered and replaced prior to its expiration date?

8 **WIT:** It's usually changed out before it expires. Some things get by and you'll change it
9 shortly afterwards. But they keep – they keep track of it pretty well.

10 **Mr. Fawcett:** Do you have any knowledge if there were replacement spares aboard
11 that were not expired for the ones that were found to be expired during a life boat
12 inspection in late May?

13 **WIT:** Yes there's cases of water in the emergency locker on the main deck. There
14 were cases of water down there and that's what we did. If we didn't have enough we
15 ordered more and they would tell us where to take it. Bring it up and replace the old
16 water with the new water.

17 **Mr. Fawcett:** Do you know if the replacement cases of water if they had expired or
18 were they within their expiration date limits?

19 **WIT:** I don't know.

20 **Mr. Fawcett:** Thank you, sir.

21 **CAPT Neubauer:** Mr. Young.

22 **Mr. Young:** Thank you Boats. Just three follow up questions. Had you been on any of
23 the other Tote vessels similar to El Faro?

1 **WIT:** I done a little bit, I did some – couple of months on the El Yunque. And I started
2 on the El Morro and then when it was laid up I went right to the El Faro. So I've been on
3 three of that class.

4 **Mr. Young:** And how would you compare the conditions of the vessels to each other?

5 **WIT:** Well they're all aged and they kept doing maintenance on them, everyone I've
6 been on we – there was always maintenance to do and we kept up the maintenance. I
7 mean it wasn't – I guess when they scraped the El Morro it was because they did the
8 test to see how thin metal had actually gotten in the decks. I don't have anything to do
9 with that, I just – I was there and they scraped that one and brought in the other one.
10 But they all, I mean they all have rust. Any ship is going to have rust after a certain
11 amount of years.

12 **Mr. Young:** And when you were aboard the ship as Boatswain aboard the El Faro was
13 there ever a loss of propulsion or any issues with the engine room that you heard
14 causing a concern?

15 **WIT:** I don't know. I honestly don't concern myself. I don't watch the speed we're
16 going. If we're going slower I would assume it's because we're going too fast. I don't, I
17 really don't ask. I concentrate on my job. I'm there for maintenance of the decks,
18 machinery and such. And I don't ask questions about the engine room and what they
19 do. And I don't ask questions about the bridge and what they do. We all do our jobs,
20 we all do it the best we can I hope. And I trust that everybody is doing their work as well
21 as I do mine. And everything runs smoothly. But I don't ask about propulsion or
22 courses, any of that.

23 **Mr. Young:** Understood. Did the lights ever go out?

1 **WIT:** Yes the lights will go out when they turn on the emergency diesel generator, it'll
2 go out and come on. And your emergency lighting will come on, but I don't recall them
3 just losing the plant or dark ship. I don't recall that.

4 **Mr. Young:** Understood. And had discussed when the light would go out that's a
5 normal practice to test the emergency generator?

6 **WIT:** Yes, sir. I believe once a week they would start up the emergency diesel
7 generator.

8 **Mr. Young:** And when you were on board and they had the Polish riding gang, did you
9 ever assist them in rigging the heavy machinery throughout the ship?

10 **WIT:** No, sir. I assisted the two Chief Engineer's, Jeff and Jim. I would jump in and get
11 my hands dirty with them bolting up a winch. They have to put it in the right place. I get
12 up there and push on one side while they're pushing another and they get it bolted in.
13 But not with the Polish men I didn't.

14 **Mr. Young:** And for that project was ongoing, as the Boatswain were you asked to
15 assist in rigging or moving in heavy equipment throughout the ship for that project?

16 **WIT:** There were times when I would have to move large scale pipes and stuff. I used
17 a fork lift and my men and we would move things for them.

18 **Mr. Young:** Did you ever move any this machinery or pipes into the engine room?

19 **WIT:** No, sir. I have taken many things down to 5 hold with the fork lift when we're in
20 Jacksonville and put it in the entrance so it will be out of the way of cargo and I'll leave it
21 right there and come out. But never into the engine room.

22 **Mr. Young:** And just my last question changing gears. On a monthly basis was there a
23 union shipboard meeting when you were on board the El Faro?

1 **WIT:** I try to have a meeting every month.

2 **Mr. Young:** And as Boatswain would you organize that meeting and be a chairman of
3 that meeting?

4 **WIT:** Yes I chaired the meetings. I posted it well in advance so anybody that wasn't
5 working could come to the meetings. I never expect the midnight to 4 watch to come
6 because it's – the meetings were held during their rests. But every now and again the
7 Chief Officer would let the 4 to 8 able seaman to come down from the bridge and attend
8 the meeting. I tried to get as many as we could. I can't force people to come to a union
9 meeting. But we had a good outcome most of the time.

10 **Mr. Young:** And during these meetings would there be an opportunity for the crew
11 members to voice any safety concerns to you as a chairman?

12 **WIT:** No, sir. The union meeting we talked about union business, not ship's business.
13 We – I'd open up and we'd talk about new business would be the changing of the ship
14 going from the El Morro to the El Faro or the plan to go to Alaska. That would be ship
15 business that we would talk about, but nothing safety wise or other than that.
16 Everything else was just pretty much union business.

17 **Mr. Young:** Okay. And did you regularly attend safety meetings on the vessel?

18 **WIT:** Yes, sir.

19 **Mr. Young:** And were you offered an opportunity to suggest any safety – to report any
20 safety concerns during these meetings?

21 **WIT:** Yes, sir. Every crew member is offered the opportunity to voice concerns during
22 a safety meeting. They'll go around, point at each person and ask if they have anything
23 to say.

1 **Mr. Young:** And the last question is when you were aboard the El Faro were life jacket
2 and survival suit available to you in your room?

3 **WIT:** Yes, sir.

4 **Mr. Young:** Thank you.

5 **CAPT Neubauer:** Mr. Roth-Roffy.

6 **Mr. Roth-Roffy:** Thank you Captain. Tom Roth-Roffy, NTSB. Good afternoon
7 Boatswain.

8 **WIT:** Sir.

9 **Mr. Roth-Roffy:** Just a few questions to follow up some of the topics that you've
10 already talked about. You mentioned that while the vessel was underway the Second
11 Mate was tasked with checking the cargo securing lashings. Is that correct, sir?

12 **WIT:** Yes, sir.

13 **Mr. Roth-Roffy:** And on any occasion do you recall if you or your day workers had
14 been requested to assist the Second Mate with the tightening down the lashings?

15 **WIT:** Yes, sir. There were a few times.

16 **Mr. Roth-Roffy:** So in the past 6 months to a year could you be more specific about
17 the number of times?

18 **WIT:** No, sir. It was very seldom.

19 **Mr. Roth-Roffy:** And sir, do you recall if the Second Mate as you were working
20 throughout the ship, did you ever see her adjusting the lashings or whichever Second
21 Mate was assigned to the vessel?

1 **WIT:** Yes, sir. I would observe them checking, and easy check, you bang it with your
2 lashing rod. It's either bar tight or it's a little lose. It would have to take a couple turns
3 on that.

4 **Mr. Roth-Roffy:** Do you have a recollection of the number of times the lashings had to
5 be tightened up? Was it frequent or just occasionally?

6 **WIT:** As I stated earlier I believe, it was very seldom that me and the day men actually
7 had to get our lashing bars and do this.

8 **Mr. Roth-Roffy:** But the Second Mate, did you observe that person having to do this
9 task, was it occasional or frequent?

10 **WIT:** They checked every time we left. They would check. The next day they would
11 check. I would see her start her rounds then I would lose sight of the Second Mate,
12 whoever it was. And I know that that's what they were going to do.

13 **CAPT Neubauer:** Sir, can you clarify which Second Mate? Is this every Second Mate
14 or a specific one?

15 **WIT:** Yes, every Second Mate.

16 **Mr. Roth-Roffy:** Sir, have you ever had the occasion to be aboard the vessel when
17 there was heavy weather anticipated?

18 **WIT:** Yes. I mean heavy weather to some is not heavy weather to others. I've been in
19 the worst of storms and I've been in light storms. I know that we went through tropical
20 storms, even the maybe the tail of a hurricane. I don't pay attention to that either.
21 Rough seas cause me to lose sleep. That's the only thing.

22 **Mr. Roth-Roffy:** So did you lose a lot of sleep on the ship?

23 **WIT:** No.

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1 **Mr. Roth-Roffy:** And sir, in anticipation of heavy weather, have you ever been tasked
2 to have additional lashings to the cargo?

3 **WIT:** Not to the cargo, no, sir.

4 **Mr. Roth-Roffy:** What did you add additional lashings to that you requested to?

5 **WIT:** We would be informed that there was inclement weather and we would be tasked
6 to lashing down, tying trash barrels, anything that was in the angle stow, the dumpster,
7 most of the stuff was lashed automatically. But we went around and checked and made
8 sure they were lashed. There were chalk the tires on the fork lift or the high lifts and just
9 added, I say what we used was ratchet straps on the heavy gear and just manila line on
10 the barrels and stuff.

11 **Mr. Roth-Roffy:** You mentioned that you sometimes do maintenance work inside the
12 cargo holds. I believe you mentioned pressuring washing the decks and the fructose
13 tanks, is that correct?

14 **WIT:** Yes, sir.

15 **Mr. Roth-Roffy:** And during that maintenance work would you also have occasion to
16 examine, visually examine the cargo securing fixtures, the D-rings, buttons, etc.?

17 **WIT:** I wouldn't examine them. I seen them and we – sometimes we have to free up a
18 D-ring if it's frozen. And then if we had frozen ones we would break out the pry bars
19 and jump up and down and unfreeze it. Get the sledge hammers out. Whatever it
20 takes we bring them up.

21 **Mr. Roth-Roffy:** And had you had the occasion to report a problem that required
22 assistance beyond what your deck crew of capable of doing? For example failure to D-
23 rings or damage to other secured fixtures?

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1 **WIT:** If there was damaged D-rings, damaged so badly that we couldn't free it up the
2 Chief Officer would come down. He would count which ones if there was numerous
3 ones and give the Chief Engineer the list. And we had all the replacement D-rings and
4 the part that he welded to the deck and the engineers or the engineering engine gang
5 would cut them off, grind it down and put new ones on.

6 **Mr. Roth-Roffy:** About how many occasions do you recall that happening?

7 **WIT:** It was ongoing. There's no specific number. Bring on the track vehicles and the
8 tend to smash D-rings.

9 **Mr. Roth-Roffy:** So you say ongoing, is that like every voyage you would have that sort
10 of work ongoing?

11 **WIT:** No. It was – if some D-rings especially around the stern ramp where the track
12 vehicles would come up had to be addressed more often. We went through a, at one
13 point there was a time where we had some and everybody just got into prying them and
14 jumping on them and doing – I had Captain Axelsson down there one time. I think he
15 just wanted to get his hands dirty. It was just – at one point we had so many and he
16 wanted to get them all freed up, or the Chief Officer wanted them freed up and we all
17 just jumped in. It's not hard work, it's good exercise.

18 **Mr. Roth-Roffy:** So that sort of work was basically freeing D-rings that had seized or
19 frozen in place?

20 **WIT:** If there was space in the hold that we could swing a sledge hammer and we – if
21 we saw some we would free them up if the Chief Officer thought it was necessary.

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1 **Mr. Roth-Roffy:** What about other work in relation to the cargo securing fixtures like
2 cracks, or broken, or cracks in the decks or welds around, did you ever have occasion
3 to see that sort of conditions?

4 **WIT:** No, no, sir.

5 **Mr. Roth-Roffy:** Did you ever see outside contractors aboard the vessel to do more
6 extensive work to the cargo securing fixtures?

7 **WIT:** I don't remember.

8 **Mr. Roth-Roffy:** Thank you. That's all I have.

9 **WIT:** Thank you.

10 **Mr. Roth-Roffy:** Thank you Captain.

11 **CAPT Neubauer:** Are there any questions from Tote?

12 **Tote Inc:** No questions, sir.

13 **CAPT Neubauer:** Are there any questions from ABS?

14 **ABS:** No questions, sir.

15 **CAPT Neubauer:** Are there any questions from Mrs. Davidson?

16 **Ms. Davidson:** No questions.

17 **CAPT Neubauer:** Thank you. Sir, I just have a few follow up questions. Did you ever
18 specifically see Second Mate Randolph securing cargo lashings?

19 **WIT:** Which Second Mate was it, was that Danielle? I don't recall the last names.

20 **CAPT Neubauer:** Oh yes, Danielle.

21 **WIT:** Umm, as it was stated she would come by with her lashing bar. I have seen her
22 banging the chains or turning them, taking some turns on a turn buckle, but it's very

1 brief. Because she's going her way and I'm going mine. But I did see her doing it in the
2 past.

3 **CAPT Neubauer:** Did she do it as much as the other Second Mates?

4 **WIT:** Pretty much the same.

5 **CAPT Neubauer:** The same?

6 **WIT:** Yes, sir.

7 **CAPT Neubauer:** Did Captain Davidson attend the safety meetings?

8 **WIT:** Yes, sir.

9 **CAPT Neubauer:** Every time?

10 **WIT:** He chaired them.

11 **CAPT Neubauer:** Did you participate in full abandon ship drills?

12 **WIT:** Yes, sir.

13 **CAPT Neubauer:** I mean to the point where you went to the life boats?

14 **WIT:** Yes, sir.

15 **CAPT Neubauer:** Do you remember seeing the Polish riding gang members at the life
16 boats?

17 **WIT:** No, sir. My position at the abandon ship drill is the most forward part on the other
18 side, the blind side of the davit. I control the brake handle. I lower the boat. I keep eye
19 contact with the officer, the Third Officer in my boat, and I would see crew members, I
20 don't recall seeing the Polish riders. They could be back further aft or behind the corner
21 to stay out of the wind. But I didn't observe, I didn't.

22 **CAPT Neubauer:** Is – was everyone at the same boat at that time, sir?

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1 **WIT:** It's all split. Half the crew goes to this boat, half the crew goes to this boat. The
2 only – I know that my job, like I said was lowering the boat, boat 2. That's the same job
3 the electrician has on boat 1. Who pulled gripes was AB's, well actually they got in the
4 habit of letting different crew members take charge and give the commands, lower the
5 boat, release the gripes, lower the boat. That's – it was split all the time. On certain
6 occasions if the weather was so bad on one side of the ship, my boat got the heavy
7 winds we would go over to the other boat and observe that boat crew lowering their
8 boat.

9 **CAPT Neubauer:** Did you ever – are you aware of any davit repairs that were going to
10 be conducted on the El Faro? And this would be very late in September.

11 **WIT:** No, sir.

12 **CAPT Neubauer:** Did you ever notice the vessel listing at the dock during cargo
13 operations?

14 **WIT:** Yes, sir.

15 **CAPT Neubauer:** What kind of list did you notice? And I mean the maximum list
16 you've seen at the dock.

17 **WIT:** Oh, well the ship would list so many degrees, I can't tell you the number of
18 degrees it would list at the dock in Puerto Rico. The Captain would immediately tell the
19 Chief Officer get the list off the ship or we'll stop cargo.

20 **CAPT Neubauer:** Do you have an estimate of when he would draw the line on the list,
21 like approximately if possible?

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1 **WIT:** I would say anything over 1. 1 degree, 2 degrees, that would – it would, maybe 2,
2 2 degrees and he would tell – and it was get it off or stop cargo. And they would
3 immediately start.

4 **CAPT Neubauer:** Was that Captain Davidson? Or both Masters?

5 **WIT:** Both.

6 **CAPT Neubauer:** Did they give you a reason why they would stop it at 2 degrees?
7 Why they had kind of urgency to do that?

8 **WIT:** No they don't explain themselves to me.

9 **CAPT Neubauer:** And do you remember which – which direction the vessel was listing
10 to port or starboard, or was it both ways?

11 **WIT:** I believe it was more port list than starboard, because in Puerto Rico they start
12 taking the cargo off of the starboard side and they would take, just continue on the
13 starboard side until all the weight was on the port side.

14 **CAPT Neubauer:** After incurring a list of 2 degrees or around that, did you ever have to
15 securing the cargo lashing because of the list?

16 **WIT:** No, sir.

17 **CAPT Neubauer:** Sir, do you know what I'm referring to if I say the 2nd deck soft patch?

18 **WIT:** The soft patch? I believe that's the hatch in the angle stow that they, the
19 engineers would lift up if they needed to access the engine room from the 2nd deck.

20 **CAPT Neubauer:** Can you describe that hatch, sir? Approximately.

21 **WIT:** It's in the engine – it's on the 2nd deck in the angle stow, it's a big square with a lot
22 of bolts.

23 **CAPT Neubauer:** Can you give a dimension, approximate?

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1 **WIT:** 5 by 5.

2 **CAPT Neubauer:** 5 by 5.

3 **WIT:** It was good size.

4 **CAPT Neubauer:** Are you certain that when you say 2nd deck soft patch that it's a 5 by
5 5?

6 **WIT:** Not exact.

7 **CAPT Neubauer:** I'm sorry. The patch you're talking about or referring to, is not –
8 that's – there's not another soft patch that you're aware of?

9 **WIT:** Not that I'm aware of.

10 **CAPT Neubauer:** Thank you. Are there any additional questions at this time?

11 **Tote Inc:** No, sir.

12 **ABS:** No, sir.

13 **Ms. Davidson:** No, sir.

14 **CAPT Neubauer:** Mr. Walker, we are now complete with your testimony for today.
15 However I anticipate that you may be recalled to provide additional testimony at a later
16 date. Therefore I am not releasing you from your testimony at this time and you remain
17 under oath. Please do not discuss your testimony or this case with anyone other than
18 your counsel, the National Transportation Safety Board or members of this Coast Guard
19 Marine Board Investigation. If you have any questions about this, you may contact my
20 legal advisor, Commander Jeff Bray. Sir, I want to thank you for your testimony. And
21 the hearing will now recess and reconvene at 2:45.

22 *The hearing recessed at 1429, 23 February 2016*

23 *The hearing was called to order at 1448, 23 February 2016*

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1 **CAPT Neubauer:** The hearing is now back in session. We will now hear testimony
2 from Captain Todd Coggeshall, the Seventh Coast Guard District Director of Incident
3 Management. Captain Coggeshall please come forward to the witness table and
4 Lieutenant Commander Yemma will administer your oath and ask you some preliminary
5 questions.

6 **LCDR Yemma:** Sir, could you raise your right hand. A false statement given to an
7 agency of the United States is punishable by a fine and or imprisonment under 18
8 United States Code section 1001, and may also subject you to discipline under the
9 Uniform Code of Military Justice. Knowing this do you solemnly swear that the
10 testimony you're about to give will be the truth, the whole truth and nothing but the truth,
11 so help you God?

12 **WIT:** I do.

13 **LCDR Yemma:** Thank you, sir. You can be seated.

14 **CAPT Neubauer:** Good afternoon Captain. I want to say thank you for coming to
15 provide testimony to the board today. We're going to start off with the Coast Guard
16 questions then we'll transition to the NTSB. The first – I'm going to pass it over to Paul
17 Webb.

18 **LCDR Yemma:** I have some preliminary questions.

19 **CAPT Neubauer:** Oh I'm sorry. We'll start with preliminary questions. I apologize.

20 **LCDR Yemma:** Captain please start by stating your full name and spelling your last
21 name for the record?

22 **WIT:** My name is Todd Malay Coggeshall, last name is C-O-G-G-E-S-H-A-L-L.

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1 **LCDR Yemma:** Thank you. And counsel also please your name and spell your last for
2 the record.

3 **COUNSEL:** Lieutenant Jeffery Travis Noyes, last name N-O-Y-E-S.

4 **LCDR Yemma:** And Captain what's your current position in the Coast Guard?

5 **WIT:** I'm the Seventh Coast Guard District, Chief of Incident Response Management.

6 **LCDR Yemma:** And can you describe some of your general responsibilities in that
7 position?

8 **WIT:** My general responsibilities, I'm in charge of the Seventh District Command
9 Center and all the personnel assigned to it. I'm in charge of aviation resources for the
10 Seventh District, disaster recovery assistance team and the incident management
11 professional advisor. So I'm responsible for search and rescue and pollution response
12 within the Seventh District as well as anything else the Coast Guard will respond to that
13 does not fall under the law enforcement umbrella.

14 **LCDR Yemma:** Thank you. Can you also describe generally some of your prior
15 assignments or work experience that are relevant to your current duties?

16 **WIT:** Pretty much my entire Coast Guard career is relevant to my current position. I
17 was assigned to Coast Guard Cutter Salvia as a deck watch officer fresh out of the
18 Coast Guard Academy. I was the Operations Officer and Navigator on the Coast Guard
19 Cutter Sweetgum. I did a short tour with law enforcement detachment Mobile prior to
20 going to flight training at Pensacola. Following flight training I was assigned to Traverse
21 City, Michigan as a search and rescue pilot. And then I went to the polar operations
22 division in Mobile, Alabama where I made 5 deployments to Antarctica, 3 to Alaska in
23 the Arctic. And then from there I went to Coast Guard Group Air Station Port Angeles

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1 where in addition to being a search and rescue helicopter pilot I was also qualified as
2 the senior duty officer at the group responsible for search and rescue in Group Port
3 Angeles' AOR. I was the H-65 platform manager in Washington, D.C. and then
4 Operations Officers and Executive Officer of Coast Guard Air Station Savannah. And
5 then a following staff assignment.

6 **LCDR Yemma:** And what's your highest level of education complete, sir?

7 **WIT:** I have a Master's degree in diplomacy from Norwich University.

8 **LCDR Yemma:** And do you hold any licenses or professional certification?

9 **WIT:** No.

10 **LCDR Yemma:** That you Captain. The board will ask you questions.

11 **Mr. Fawcett:** Good afternoon Captain Coggeshall, how are you, sir?

12 **WIT:** Fine, sir, yourself?

13 **Mr. Fawcett:** All right. For the better of the public if you would try to steer clear from
14 the use of Coast Guard specific acronyms. I know there's a whole list that we use in
15 search and rescue and it would be very helpful if you could avoid that. The one we will
16 use consistently is search and rescue which is the acronym SAR for the efficiency of
17 this line of questioning. So we're going to break down the line of questioning for this
18 afternoon. Into one is an overview of your duties and the status of the Coast Guard's
19 search and rescue forces about the time of the accident. The second topic area we'll
20 focus on the day of the incident and the related communications and decisions that
21 were made that day. So basically after the Coast Guard finishes its line of questioning
22 the NTSB will conduct their questioning, it will return to the Coast Guard and then back
23 to the parties in interest so that they can have an opportunity and then we'll move on to

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1 the next topic. So through the course of this testimony if you need to take a break
2 please let us know, okay, sir?

3 **WIT:** Will do.

4 **Mr. Fawcett:** So focusing on the overview of your duties, your background and the
5 status of Coast Guard search and rescue forces, could you please talk about the
6 specific training that you've received as it relates to your present duties at the Seventh
7 Coast Guard District?

8 **WIT:** Training's that relate to my present duties at the Coast Guard Seventh District,
9 basically I was assigned the position as a culmination of a long career in search and
10 rescue with a lot of experience, in addition to that to be qualified as a SAR mission
11 coordinator as designated by the SAR coordinator, who for the Seventh District is Rear
12 Admiral Buschman is to attend the SAR supervisor course in Yorktown, Virginia at the
13 training center. And I attended that course in 2008 and again in 2014.

14 **Mr. Fawcett:** So how long is that course of instruction?

15 **WIT:** It's a one week course focused primarily on Coast Guard search and rescue
16 policy.

17 **Mr. Fawcett:** So in your present position, does it require that you be qualified and
18 certified to perform the function that you perform?

19 **WIT:** Yes. I have to be designated in writing by the SAR coordinator.

20 **Mr. Fawcett:** And is there any kind of review board or vetting process to make sure
21 that you're qualified?

22 **WIT:** No there was not.

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1 **Mr. Fawcett:** Moving on so that we can understand this a little bit better. Have you, in
2 your present position or other positions, have you performed exercises or training
3 operations that involved foreign Governments such as the Bahamas or any of the other
4 Caribbean nations to enhance your operational effectiveness?

5 **WIT:** We frequently operate with the Government of Bahamas under the Gray
6 agreement which is an international agreement that the Coast Guard will actively
7 prosecute SAR within their search and rescue region with them having right of first
8 refusal for the case. Additionally we have a close cooperative relationship for search
9 and rescue with the Cuban Government and we frequently work cases, I can't say
10 frequently, but relatively frequently throughout the entire Caribbean region including
11 Panama, Honduras, El Salvador, Nicaragua. We've had cases off of all those countries
12 in my past 18 months in the position.

13 **Mr. Fawcett:** So that we can understand the reporting relationship, and you don't have
14 to use people's names please, but the organizational titles, who do you report to
15 directly?

16 **WIT:** I report to the DR, Chief of Coast Guard Operations for Seventh District. And he
17 reports to the Chief of Staff and then to the Admiral. For search and rescue, specific
18 cases my reporting chain as SAR mission coordinator is directly to the SAR coordinator.
19 And I obviously back brief my boss and the Chief of Staff as well.

20 **Mr. Fawcett:** Okay. So I didn't quite understand that. Is that reporting relationship that
21 you just described, are those people that you report to, or report to you?

22 **WIT:** That I report to. That's going up the chain of command.

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1 **Mr. Fawcett:** And how would that work, just to give us a brief idea, how would that
2 work in a case like the El Faro?

3 **WIT:** In a case like the El Faro I was SAR mission coordinator for the incident. And this
4 incident we established an area commander under the ICS, incident command
5 structure. And we had two area command meetings a day and I briefed the SAR
6 coordinator on pertinent updates throughout the day as they came about so that he was
7 aware of the situation as it progressed.

8 **Mr. Fawcett:** Okay. We'll talk more about it later, but when you describe area
9 command, are you describing, what I would characterize as a major case where you
10 bring a variety of entities together so that you can effectively prosecute that case. And
11 by prosecute I mean deal with whatever's involved with the case.

12 **WIT:** Correct. We augmented the watch, under the ICS structure and we also
13 augmented the watch in the command center. We had three separate incidents,
14 actually 4 if you could the motor vessel Minouche that occurred at the same time. We
15 had the El Faro, we had the flooding in North, North and South Carolina, we had the
16 sinking of the motor vessel Minouche and the hurricane recovery in the Bahamas.

17 **Mr. Fawcett:** Okay. We'll talk more about that later, sir, thank you. So on the day of
18 the accident your role as you described it as the day began, and we'll talk more in detail
19 later, but initially what was your role?

20 **WIT:** I was the SAR mission coordinator.

21 **Mr. Fawcett:** So you were there?

22 **WIT:** I was there, yes, sir.

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1 **Mr. Fawcett:** Okay. We'll talk more about this later, but who worked for you that day?

2 What were the positions that worked directly for you within the command center?

3 **WIT:** The command duty officer, which is the senior Coast Guard Officer on the floor
4 who directly represents the Admiral for all outside contact and then the operations unit
5 specialist for search and rescue.

6 **Mr. Fawcett:** So to further understand, you know we're talking about the Coast Guard's
7 Seventh District. But within that organization at that command center, are there other
8 Coast Guard geographic units, other Sector command centers, other units that are
9 reporting to you in some way?

10 **WIT:** Yes, sir. There are 5 Sectors, 4 Air Stations and all major Cutter and aircraft that
11 are, LANT area aircraft that are deployed to the Seventh District for operations.

12 **Mr. Fawcett:** I wouldn't expect you to know this off the top of your head, but
13 approximately how many geographic miles would the Seventh District, if you hazard to
14 guess, how many – how large is that area?

15 **WIT:** We are responsible for an area of 1.8 million square miles.

16 **Mr. Fawcett:** So could you characterize on the morning of the 1st of October, and we'll
17 get into the details later, the level of activity that was going on on the morning of the 1st
18 of October?

19 **WIT:** I believe we were at the – at 0700 when I walked in on Thursday morning I
20 believe we were in our normal busy OP tempo in the Seventh District. There is always
21 something going on in the Seventh District that the Coast Guard is intimately involved
22 with and we recognized that the potential existed for operations to accelerate

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1 significantly since Hurricane Joaquin had upgraded to a hurricane the day before and
2 was forecast to rapidly intensify as it approached the Bahamas.

3 **Mr. Fawcett:** So on the morning of the 1st of October, 2015 was the command center
4 staffed in compliance of what the requirements were for that command center?

5 **WIT:** Yes, sir. We had, as I said the command duty officer, the operation unit SAR
6 watch stander, the operations unit law enforcement watch stander, which is a position
7 that is unique to the Seventh District in Florida and D11 in California and then a
8 situation unit leader.

9 **Mr. Fawcett:** Okay. And in the very briefest of terms, could you describe what the
10 situation unit controller does?

11 **WIT:** The situation unit controller is responsible for all mission sets outside of SAR and
12 law enforcement and they are also responsible for tracking blue forces, which are Coast
13 Guard assets and assets that the Coast Guard can reach out to use in response to law
14 enforcement, search and rescue or others types of cases.

15 **Mr. Fawcett:** Okay. And then if you could explain what the operations unit controller
16 is?

17 **WIT:** Operations unit controller is the person that oversees the specific operations.
18 One desk was search and rescue, they provide quality control over Sector search and
19 rescue cases and they prosecute District level search and rescue cases. And then I like
20 to say they provide quality assurance that things are being done in accordance with
21 policy, tactics, training and procedure and law and regulation up the chain of command.

22 **Mr. Fawcett:** And how about you mentioned earlier the command duty officer. Can
23 you briefly describe what the function is of that individual?

1 **WIT:** The function of the command duty officer is he's the Admiral's direct
2 representative for operations. He oversees the workload of the operations unit, the
3 watch standers and make sure that things are being done in compliance with Coast
4 Guard policy and regulation.

5 **Mr. Fawcett:** And then your job as the SAR mission coordinator, could you briefly
6 describe what that entailed?

7 **WIT:** SAR mission coordinator is to provide oversight of the case to make sure it's
8 being prosecuted effectively and that the appropriate resources are brought to bear to
9 prosecute the case.

10 **Mr. Fawcett:** Okay. So you're an extremely senior Coast Guard officer. Why would
11 you be in the command center as a SAR mission coordinator on the morning of the 1st?

12 **WIT:** I'm one of 4 qualified SAR mission coordinators in the Seventh District. Two of us
13 routinely stand the duty, myself and the SAR technical specialist, Mr. Chris Eddy and
14 we alternate weeks as to who SAR mission coordinator and it happened to be my week.

15 **Mr. Fawcett:** And then finally before I pass my line of questions over to Mr. Webb, why
16 would this call, we'll explore it in depth later, why would it go to a District command
17 center versus for example a command center in Sector Miami or some other Sector
18 along the coast of the United States?

19 **WIT:** Well the way this call came in was the call came in from the company Tote to
20 Atlantic area. Atlantic area does not prosecute search and rescue cases so they
21 forwarded the information on to us to prosecute the case. They had received a ship's
22 safety and security alert system alert as well as we also received a registered un-
23 located 406 megahertz EPIRB hit which gives it to the District as the appropriate search

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1 and rescue entity to respond to it. So we took on the role as the first rescue
2 coordination center and prosecuted the case because of its distance from shore and the
3 fact that it was in the territorial waters of a foreign nation.

4 **Mr. Fawcett:** Okay. So we'll talk more in detail later about that. But thank you for your
5 explanation. I pass the questioning to Mr. Webb.

6 **CAPT Neubauer:** I note for the record that Mr. Webb has previously been sworn in for
7 the board.

8 **Mr. Webb:** Good afternoon Captain.

9 **CAPT Neubauer:** Mr. Webb can you speak into the microphone, sir?

10 **Mr. Webb:** The first question I have for you is the functions of the command center can
11 you explain to me on a typical day the functions of the command center, what it's like in
12 the command center in D7?

13 **WIT:** It's hard to define a typical day in the Seventh District. The command center
14 tends to be an extremely busy place. Its primary role is to gather information, process
15 that information and then apply resources to execute Coast Guard missions to
16 successfully accomplish whatever mission it is. On a typical day in the 7th Coast – in
17 the Seventh Coast Guard District we respond to on average I would say roughly 5 to 10
18 SAR cases, a migrant interdiction and probably a law enforcement case, all of which are
19 pretty involved operations.

20 **Mr. Webb:** Okay. What's the level of training for the search and rescue operations?
21 What type of training do they go through?

22 **WIT:** The operations unit, SAR watch standers go through the maritime search
23 planner's course. They are – go through the standard Coast Guard professional

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1 qualification system, PQS. They have to stand a minimum of 15 watches, typically
2 that's much longer than that. In the Seventh District they take a written SAR test that is
3 given by the SAR technical specialist Mr. Eddy. And then he conducts a very extensive
4 pre-board interview with them. And then following his okay then they go before a
5 qualification board that is comprised of myself and master level watch standers,
6 prevention department head and I think that's about it.

7 **Mr. Webb:** What's the typical length of the – for the qualification process?

8 **CAPT Neubauer:** Mr. Webb can you repeat that? You have to speak right in the
9 microphone, they're having trouble.

10 **Mr. Webb:** What's the typical length of that qualification process?

11 **WIT:** It depends on – it depends on the individual and how aggressively they pursue
12 their qualification. But I would say no less than 3 months in that qualification process.
13 And up to 6 months.

14 **Mr. Webb:** Are there any other qualifications they need to get before that?

15 **WIT:** Yes. They qualify as a situation unit leader watch stander prior to breaking in as
16 operations unit search and rescue. And depending on the makeup of the command
17 center and the people that are qualified they may qualify as an operations unit law
18 enforcement watch stander before qualifying as search and rescue.

19 **Mr. Webb:** Okay. Moving on to your AOR does Seventh District search and rescue
20 region extends out to sea and it touches the waters of other search and rescue regions
21 of foreign countries, can you talk to us about how you manage that?

22 **WIT:** Well we have, there are a number of bilateral agreements with other nations,
23 working relationships has been established between all of the RCC's. As we become

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1 aware of cases in other search and rescue regions, we reach out to their rescue
2 coordination center as well as our liaison officers posted in those countries to try and
3 coordinate a response with them. In some instances that country will take the lead for
4 the case and assume SAR mission coordinator, at which point we will be in a supporting
5 role, either providing them drifts or occasionally applying our assets outside of their
6 territorial waters. In other instances such as the El Faro they may not be able to
7 respond. We may have assets that are in vector and then we will respond. Particularly
8 if they are American citizens involved.

9 **Mr. Webb:** How many other SRR's are adjacent to D7? Search and rescue regions.

10 **CAPT Neubauer:** Mr. Webb you really have to project in the microphone please.

11 **Mr. Webb:** How many other search and rescue regions are around Miami?

12 **WIT:** That's a good question. I know we interact with approximately 34 countries. As
13 well as we also work with the United States Southern Command and JTF force – Joint
14 Task Force Bravo which is a personnel recovery unit located in Central America.

15 **Mr. Webb:** Do you have a MOU, memorandum of understanding with the Bahamas
16 and for their search and rescue region?

17 **WIT:** It's not a memorandum of understanding, it's called the Gray agreement that was
18 signed in the 50's between the United States and the Government of the Bahamas that
19 says that the U.S. will respond to search and rescue within the Bahamian territorial
20 waters. And it also contains other items for air traffic control and other interactions
21 between the United States and the Bahamas.

22 **Mr. Webb:** Can you explain the process of determining who will be the search and
23 rescue coordinator for a SAR case within the Bahamian search and rescue region?

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1 **WIT:** We'll typically – if we receive a call we will reach out to our operations Bahamas
2 Turks and Caicos watch center who will contact the Royal Bahamian Defense Force
3 which is our primary search and rescue agency. And essentially give them right of first
4 refusal to act as SAR mission coordinator for the case.

5 **Mr. Webb:** Okay. That – the port operating location is that – what's the short term for
6 that? What's the name?

7 **WIT:** OPBAT.

8 **Mr. Webb:** OPBAT.

9 **WIT:** Correct.

10 **Mr. Webb:** Does Miami or the Atlantic area SAR plan does that discuss hurricane
11 operations at all?

12 **WIT:** I can't recall specifically. I know there's a hurricane heavy weather annex in the
13 Atlantic area SOP as well as the Coast Guard Seventh District's SOP, the focus on in
14 both of those SOPs is to focus on safety and security of Coast Guard resources to
15 respond as quickly as possible after storm passage.

16 **Mr. Webb:** Can you define SOP?

17 **WIT:** Standard operating procedures.

18 **Mr. Webb:** Thank you. So can you further explain the area of responsibility for the
19 District 7, or the Miami search and rescue region?

20 **WIT:** Yes, sir. The Coast Guard Seventh District area of operations is from the North
21 Carolina, South Carolina border South around Florida to Apalachicola in the pan handle
22 and from a line from Apalachicola down to the Yucatan Peninsula throughout the

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1 Caribbean and then the line angles from the North Carolina, South Carolina border
2 down to the North coast of South America where it makes the bend to the South.

3 **Mr. Webb:** In your AOR who does SAR mission coordination? And who is the SAR
4 coordinator?

5 **WIT:** The SAR coordinator is the Seventh District Commander, Rear Admiral Bushman.
6 And the SAR mission coordinator, we have four that are qualified in writing in the
7 Seventh District which is the Chief of Staff, DR, Director of Operations, myself and Mr.
8 Chris Eddy. And as I said before Mr. Eddy and myself are the two primary SAR mission
9 coordinators for the region.

10 **Mr. Webb:** And how many Sectors are in the Seventh District?

11 **WIT:** There are 5 Sectors. Sector Charleston, Sector Jacksonville, Sector Miami,
12 Sector St. Pete, and Sector San Juan, which is a sub rescue coordination center.

13 **Mr. Webb:** And they all have SAR mission coordinators?

14 **WIT:** Correct, to oversee Sector cases.

15 **Mr. Webb:** And who designates them as SAR mission coordinators?

16 **WIT:** The Sector Commander. With the exception of the CO and the Deputy Sector
17 Commanders are designated by the SAR coordinator.

18 **Mr. Webb:** So in regards to the Bahamian Government, what was their role in the EI
19 Faro case?

20 **WIT:** We contacted them immediately upon notification and advised them of the
21 incident, the issues that were reported by the SS EI Faro. Requested for them to make
22 call outs and render any assistance if possible. They said that they no way to contact
23 the ship and that they were unable to render assistance.

1 **Mr. Webb:** And what was the reason why that they're not rendering assistance?

2 **WIT:** Hurricane Joaquin, all of their forces had been – were in storm avoidance or
3 shelter in place.

4 **Mr. Webb:** Can you talk to how D7 command center tracks tropical weather activity?

5 **WIT:** Yes, sir. We – hurricanes are obviously a primary concern for the Seventh Coast
6 Guard District. We track every invest that is reported, where it – how it's forecasted to
7 strengthen, what it's intended track appears to be, what may be affected and to make
8 sure that our forces are in readiness to conduct storm avoidance or respond as
9 necessary.

10 **Mr. Webb:** What's your main source of getting information for severe weather?

11 **WIT:** The National Weather Service Hurricane Center and then also we pay attention to
12 the Weather Channel and the different weather websites around to get a variety of
13 opinions besides just the official National Weather Service and Hurricane Center
14 opinion.

15 **Mr. Webb:** What is your relationship with the Hurricane Center? Do you train with
16 them?

17 **WIT:** I wouldn't say that we train with them, but we've visited each other's facilities. We
18 have an ongoing dialogue and relationship with them.

19 **Mr. Webb:** On weather reporting and communications, when you have a severe
20 weather warning, how is that communicated in your AOR, in your area of operations?

21 **WIT:** In this particular instance and other storms that are going to specifically affect
22 waters near the United States we've exercised the option to send out aircraft from Air

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1 Station Miami to make pre-storm weather broadcast advising mariners of potential
2 severe weather.

3 **Mr. Webb:** And that occurred in this event?

4 **WIT:** Yes.

5 **Mr. Webb:** How many sorties?

6 **WIT:** We flew one sortie on the 30th and we also flew another sortie on the 1st.

7 **Mr. Webb:** Say that again?

8 **WIT:** We flew one sortie on September 30th through the central Bahamas and the
9 Northern Florida Straits and we followed that sortie up with another sortie on the 1st of
10 October in the Northern Florida Straits.

11 **Mr. Webb:** How many vessels did you come across through the broadcast?

12 **WIT:** I do not know that information.

13 **Mr. Webb:** What other forms of communication do you use to get weather broadcast
14 out, severe weather broadcast? Whether from the District or other Coast Guard
15 entities.

16 **WIT:** I believe the Sectors put out weather advisories particularly when it comes to
17 hurricanes they will change the port condition based on the predicted maximum wind
18 speeds as the hurricane approaches shore.

19 **Mr. Webb:** And how far does their broadcast go out?

20 **WIT:** If you're making a VHF FM broadcast you're limited to the line of sight. Most of
21 our RFF towers, I would say depending on where you are, the height of the tower,
22 somewhere between 20 and 35 miles. But that's just an approximation.

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1 **Mr. Webb:** Does the Seventh District command center put out any safety broadcast
2 notice to the mariners through HF with weather warning?

3 **WIT:** We do not. We do not have, we have limited radio communications out of the
4 Seventh District. We rely on the Sectors to provide most of the radio communication on
5 VHF FM to mariners in the local waters. We can speak to aircraft on HF and we can
6 also speak to our Coast Guard Cutters on HF on different nets for law enforcement,
7 search and rescue.

8 **Mr. Webb:** Does the Atlantic area communication station, the compound, do they put
9 out broadcast on HF?

10 **WIT:** I'm reaching way back in my experience, but I know that there was a regular
11 weather broadcast that is – that is put out that we used to listen to on the buoy tender
12 every night.

13 **Mr. Webb:** When, going to vessel tracking. What type of tools does the command
14 center have to do vessel tracking? What's available to them?

15 **WIT:** We have, well for blue forces we get position reports from all of our vessels. We
16 also have AIS, AIS feed that we can check and I'm, I'm blanking on what ----

17 **Mr. Webb:** What's AIS?

18 **WIT:** AIS stands for something identification system.

19 **CAPT Neubauer:** Automatic identification system.

20 **WIT:** Automatic.

21 **CAPT Neubauer:** Automatic identification system.

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1 **WIT:** Automatic identification system. And we also take a surface – we also have the
2 ability to access a surface picture to look for AMVER vessels which automated maritime
3 vessel emergency rescue network.

4 **Mr. Webb:** And the AMVER systems, how do you access that?

5 **WIT:** We take a surface picture based on a circumference to see what vessels have
6 participated in the AMVER program might be in the general area of a distress and may
7 be able to voluntarily respond.

8 **Mr. Webb:** As – do you know how often the automated information system, the AIS
9 system is updated? The picture you got for your blue force track?

10 **WIT:** Our blue force trackers updated pretty regularly, I do not know what the interval
11 on the reporting for the AIS system is.

12 **Mr. Webb:** Do you know with AIS and AMVER do you know what types of vessels,
13 either reporting or have that equipment on board?

14 **WIT:** AMVER vessels tend to be your larger commercial vessels. AIS tracking is
15 anyone that has an AIS transponder on board. I know the commercial vessels,
16 commercial fishing vessels all have AIS trackers on them. As well as Coast Guard
17 Cutters, Naval vessels.

18 **Mr. Webb:** Who in the command center is responsible for observing and following their
19 tracks that you're receiving? Which position?

20 **WIT:** Can you be more specific.

21 **Mr. Webb:** So you have your, basically 3 watch positions.

22 **WIT:** Right.

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1 **Mr. Webb:** You have your CDO, OU and SU positions. Which one of those positions is
2 responsible for monitoring the track?

3 **WIT:** The situation unit leader tracks Coast Guard blue forces. We do not actively track
4 commercial vessels in the way that a vessel traffic service station would do to monitor
5 vessels that may be in distress or moving erratically counter to a track separation
6 scheme or something along those lines.

7 **Mr. Webb:** But do you keep an awareness of the vessel traffic that's transiting your
8 AOR? Without being a vessel traffic system?

9 **WIT:** In a general sense.

10 **CAPT Neubauer:** I just want to make one clarification. That it would be much different
11 than a Coast Guard Vessel Traffic Service what you said, is true, sir?

12 **WIT:** Yes, very much different. It's like we have a display that tracks air traffic and you
13 will see thousands of little dots that each represent airplanes. But what each one of
14 those are doing or who they are we don't actively monitor until there's a situation or a
15 case that requires us to narrow down and either identify other contacts around a contact
16 of interest, or a specific contact of interest.

17 **Mr. Webb:** During a hurricane event is there any requirement, or is there a higher
18 awareness of vessel traffic heading towards a storm that you can watch through AIS or
19 through AMVER?

20 **WIT:** No, sir. If your question is were we monitoring El Faro as she was tracking South
21 the answer is no. The vessel was 400 miles off the coast of Florida and in a foreign
22 countries territorial seas.

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1 **Mr. Webb:** Moving to status of forces for the status of forces for the day before and the
2 day of the event, can you explain the Bravo status and Charlie status of your – the
3 Coast Guard assets that were available to you and to the Sectors?

4 **WIT:** In the immediate vicinity attached to operations Bahamas Turks and Caicos we
5 had two Coast Guard H-60 helicopters in Bravo status on Great Inagua. We had one
6 Coast Guard H-60 also assigned to operations Bahamas Turks and Caicos assigned to
7 AUTEK, which is the Atlantic Undersea Test and Evaluation Center on Andros Island.
8 Coast Guard Cutter Northland was South of Guantanamo Bay Cuba for storm
9 avoidance. Coast Guard Cutter Resolute was South of Puerto Rico conducting
10 operations. We had the normal force lay down of aircraft at Air Stations Miami and Air
11 Station Clearwater. In addition to the Air Station Clearwater C-130 that were present.
12 There were also two C-130J's from Air Station Elizabeth City that had flown South in
13 anticipation of bad weather in North Carolina.

14 **Mr. Webb:** Can you explain the different types of Bravo status and what it means to be
15 in a Bravo 2 or Bravo 6 status?

16 **WIT:** Yes, sir. Each Air Station is required to have a Bravo 0 aircraft which means the
17 aircraft should be airborne within 30 minutes of notification. Coast Guard patrol boats
18 are typically in a Bravo 6 status which means they should be underway within 6 hours.
19 And Cutters in a higher readiness status would be in Bravo 12 or Bravo 24.

20 **Mr. Webb:** In regards to C-130's what's their status when they're in a SAR ready
21 status?

22 **WIT:** They're a Bravo 0.

23 **Mr. Webb:** And explain what Charlie status means?

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1 **WIT:** Charlie means that the asset is undergoing maintenance, either routine or
2 emergent nature that precludes the use of the asset for operations.

3 **Mr. Webb:** Did the, because you knew of the storm coming, did you have additional
4 aircraft in a higher readiness status than normal?

5 **WIT:** No, sir. We were actively discussing whether or not the H-60 in Great Inagua and
6 the H-60 in AUTEC were going to be, dependent on the track of this storm, whether or
7 not we were going to relocate them to Air Station Miami for storm avoidance, or
8 Guantanamo Bay.

9 **Mr. Webb:** Can you explain what a H-60 is?

10 **WIT:** H-60 is the, H-60 Jayhawk is the Coast Guard's medium range rescue and
11 recovery aircraft helicopter.

12 **Mr. Webb:** And what's the range of the H-60 Jayhawk?

13 **WIT:** Depends on a whole lot of factors.

14 **Mr. Webb:** Okay. The average.

15 **WIT:** I would say 6 to 8 hours of flight time at 800 miles, roughly.

16 **Mr. Webb:** And when it comes to the C-130's what's their ranges?

17 **WIT:** It will give you 8 to 10 hours of flight time depending on fuel load.

18 **CAPT Neubauer:** Captain, on the 800 miles is that a radius or total?

19 **WIT:** I would have to look that up.

20 **CAPT Neubauer:** Yes, sir, thank you.

21 **WIT:** Yeah, sorry. I believe that's out and back, but I'm a H-65 pilot so I'm used to 120
22 miles offshore, 120 miles back.

23 **CAPT Neubauer:** No, thanks Captain, we can look it up.

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1 **Mr. Webb:** Captain, can you explain how D7 and the Coast Guard prepared the forces
2 to provide assistance for after the hurricane in general? What was the plan?

3 **WIT:** Well in general as things – as things began to accelerate on Thursday the 1st of
4 October we made the determination that we were going to need more resources in the
5 Bahamas to respond to the distress of the El Faro and also to respond to any Bahamian
6 Government request for assistance in post storm search and rescue and disaster
7 recovery. So we had already had a regularly scheduled logistics flight out of Air Station
8 Clearwater that was to be flown on Friday October 2nd to bring fresh crews into both
9 Great Inagua and AUTEK so we made the decision to deploy 4 air crews to Great
10 Inagua as well an additional H-60 Jayhawk and crew to AUTEK. So we essentially
11 doubled our – our rotary wing aviation force lay down in the Bahamas immediately
12 following the storm.

13 **Mr. Webb:** Okay. Can you explain the challenges with responding during the hurricane
14 or any hurricane and maybe the aftermath?

15 **WIT:** Well there were a number of challenges not the least of which was distance. The
16 location where this incident occurred just under 200 miles from both Great Inagua and
17 from Andros Island, which is approximately an hour and a half to an hour to 40 minutes
18 of flight time for the H-60 stationed there. The Cutters as I said were below
19 Guantanamo Bay and Puerto Rico which is several days of steaming in good
20 conditions. And the incident occurred, I have to look at my notes, almost 600 nautical
21 miles from, or 600 miles from Air Station Clearwater where the C-130's were coming out
22 of. In addition to that the storm was a Category 1 hurricane as I said on Wednesday
23 evening and by 24 hours later by Thursday evening it was a strong Category 4

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1 hurricane that stayed in its approximate position Thursday, Friday, started to move
2 North on Saturday. So over 48 hours.

3 **Mr. Webb:** We'll talk more about that later on. Okay. I'm going to move on to the type
4 of equipment and programs that are provided to the command center. And the – what
5 equipment and programs are available to the watch that they can utilize to prosecute a
6 search and rescue mission? And we'll start out with just the SAR Ops. Can you explain
7 that?

8 **WIT:** SAR Ops is the Coast Guard's basic search planning tool. It essentially you
9 enter, it has a number of menus where you can enter information about the search
10 object, the time of the event, the location, all kinds of variables. You prescribe a – to
11 prescribe a search area, create a drift for those primary search objects and it allows you
12 to build a search action plan which is basically the search pattern that the search and
13 rescue units will use to prosecute the case.

14 **Mr. Webb:** Who was required to get trained on SAR Ops?

15 **WIT:** All the operations unit search and rescue watch standers.

16 **Mr. Webb:** Are the command duty officers required to have that training?

17 **WIT:** Command duty officers are all previously qualified operations unit SAR watch
18 standers and they go back periodically for refresher training.

19 **Mr. Webb:** In that period of time SAR Ops was upgrade to 2.0. Did your watch
20 standers receive the training for 2.0 prior to that date?

21 **WIT:** We did. We had a transition to 2.0 and we're working with the system.

22 **Mr. Webb:** Was there any issues with the SAR Ops program during the El Faro
23 search?

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1 **WIT:** There were a number of issues with the system. One of which the system locked
2 up a number of times and had to be recreated on different servers. Which it came time
3 to do the investigation it made it difficult to track down all the files.

4 **Mr. Webb:** Okay. I'll go back to that a little bit later. Also you use MISLE in the
5 command center, is that correct?

6 **WIT:** Yes.

7 **Mr. Webb:** And can you explain what MISLE is?

8 **WIT:** MISLE is the Coast Guard's authoritative data source for Coast Guard operations.
9 So all Coast Guard operations and everything that is attached to those operations
10 should be annotated and documented in MISLE.

11 **Mr. Webb:** Is MISLE specifically used for search and rescue?

12 **WIT:** Search and rescue, law enforcement, I think pretty much every Coast Guard
13 mission that we conduct operations with is documented in one fashion or another in
14 MISLE.

15 **Mr. Webb:** During the same period MISLE was upgraded to 5.0. Was your command
16 center trained in the new MISLE 5.0?

17 **WIT:** We had made the transition to 5.0 and we're working with it.

18 **Mr. Webb:** Were there any training issues with the 5.0 that were brought to your
19 attention?

20 **WIT:** Yes. There were some issues on the initial roll out with the level of detail, the
21 training given and the amount of technical support that was available to the watch
22 standers. There was a lot of learning on the fly.

1 **Mr. Webb:** There's a number of ways to communicate in command centers and I
2 wanted to go through a list to see if you use them or have them available to you. Does
3 the D7 command center use Iridium or INMARSAT C and if so how do you access it?

4 **WIT:** Yes we do. In this particular case we tried to make the call to INMARSAT C
5 phone number a number of times. Access through the phone system.

6 **Mr. Webb:** As for tracking do you know the difference besides AMVER in an AIS world
7 how – how is that displayed in the command center? What is used?

8 **WIT:** Graphically on the workstation 3.

9 **Mr. Webb:** Do you know what program it's being displayed through?

10 **WIT:** No. Can't say that I do. I know I have access to it and they asked for it.

11 **Mr. Webb:** Another piece of equipment that, in command centers, that was replaced
12 recently is the recorder that gives you the ability to record and archive conversations on
13 the telephone. Can you talk about that equipment and how – the level of training your
14 command center folks got on it?

15 **WIT:** We had recently replaced our DVL, digital voice ----

16 **Mr. Webb:** I believe it's logger.

17 **WIT:** Logger, okay, thank you. We recently replaced that. All of our watch standers
18 had been trained on how to pull calls from that and the phone lines in the command
19 center are recorded automatically by the DVL.

20 **Mr. Webb:** The DVL system do you know if it provides a time stamp when you pull a
21 conversation off the actual hard drive?

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1 **WIT:** I can't say authoritatively yes, but since I would say yes because I know that
2 when we searched for – search for phone calls we do it based on – based on the time.
3 So by deduction I would say yes.

4 **Mr. Webb:** And you've never seen ----

5 **WIT:** I have not actually pulled a recording off myself.

6 **Mr. Webb:** Okay. So what's the – what's the level of expertise and who is your
7 technical experts on that equipment?

8 **WIT:** My watch standers. And my command center Chief, Commander Luke Perciak or
9 Senior Chief Negron are typically, when we have either FOIA requests or request for
10 investigations are the ones that go back and pull the calls.

11 **Mr. Webb:** During the El Faro case did you use the AMVER system?

12 **WIT:** Yes we did.

13 **Mr. Webb:** How often was that used or was it used at the beginning of the case or
14 throughout?

15 **WIT:** It was used immediately after notification and throughout to track the vessels that
16 were transiting the area.

17 **Mr. Webb:** Can you generally give me an idea of what type of vessel traffic you saw
18 when you did AMVER pull?

19 **WIT:** We maximized the radius to 150 nautical miles when we did our surface picture
20 shot. The only vessel with in AMVER system that was on that picture was the El Faro.
21 There was no other vessel traffic out there. We later found a vessel using AIS, but they
22 were not a part of the AMVER system.

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1 **Mr. Webb:** Moving on to documentation and job aids. Can you explain to me what
2 types of job aids the Coast Guard has available to your watch standers to use during a
3 search and rescue case?

4 **WIT:** The primary job aid that we use are the QRC's, which are quick response cards.
5 Basically there's – have a binder that's full of these cards that have the principal
6 information and principal actions and principal briefing items that need to be addressed
7 for specific types of cases and incidents.

8 **Mr. Webb:** Do these cover all types of emergencies, fires, flooding, sinking?

9 **WIT:** There's an initial action QRC which is standard regardless of the case that you're
10 prosecuting, then there are other quick response cards that go further in depth for
11 specific instances of emergencies. Or law enforcement cases or any other types of
12 items the command center can be expected to deal with. And there's also a briefing
13 matrix that the command center has on who needs to be notified about what instances,
14 when, and there's also CCIR's, which is commander's critical information request that
15 have certain reporting guidelines up the chain of command.

16 **Mr. Webb:** Referring to the quick actions sheets or cards, are they locally derived or
17 are they District mandated, LANT Area mandated, or do they come from Headquarters?

18 **WIT:** There's a Commandant standard, LANT Area has additional requirements, we
19 have local cards that are based off of those off of the policy guidance. They are sent up
20 to LANT Area for review and approval.

21 **Mr. Webb:** Do you know if all the documents that you created, were they complete,
22 correct during the final review of the case package?

23 **WIT:** To the best of my knowledge.

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1 **Mr. Webb:** What's the process for ensuring that all the documentation is there?

2 **WIT:** I believe it's within 5 days, 5 working days of a case being closed or suspended it
3 has to go through a MISLE review where we use an administrative checklist to review it
4 to make sure that all the pertinent information is included and complete in the case and
5 it's verified by that MISLE verification officer.

6 **Mr. Webb:** Is there designated people who do those reviews?

7 **WIT:** Yes.

8 **Mr. Webb:** How many people do you have look at them?

9 **WIT:** CDO's are the, we just changed this. The CDO's were the ones that were doing
10 the initial reviews and then we have one designated MISLE verification officer that does
11 all the reviews for District cases. And it's a collateral duty for one of the CDO's.

12 **Mr. Webb:** When you have paper copies, the paper documents, how do you get them
13 into MISLE?

14 **WIT:** They're scanned in, attached electronically.

15 **Mr. Webb:** Okay. What's the policy on electronic documentation and paper files on
16 how long do you keep them?

17 **WIT:** That's a very good question. I don't know off the top of my head.

18 **Mr. Webb:** I'm going to stop here. And I'll pass it on to Captain Neubauer.

19 **CAPT Neubauer:** At this time I'm going to pass the questioning over to the NTSB. Mr.
20 Roth-Roffy. Or Mr. Furukawa.

21 **Mr. Furukawa:** Good afternoon Captain.

22 **WIT:** Sir.

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1 **Mr. Furukawa:** For procedures, what are the Coast Guard procedures or rules for
2 recovering of human remains?

3 **WIT:** There is no set or prescribed policy for the recovery of remains. The SAR
4 addendum does discuss it, but does not give specific policy.

5 **CAPT Neubauer:** Captain, we've been going for a while would you like to take a break
6 to discuss, we can reconvene, or are you ready to proceed?

7 **WIT:** I'm good with a break for a minute.

8 **CAPT Neubauer:** The hearing will now recess and reconvene at 4 O'clock.

9 *The hearing recessed at 1548, 23 February 2016*

10 *The hearing was called to order at 1605, 23 February 2016*

11 **CAPT Neubauer:** The hearing is now back in session. Before we begin I'm going to
12 make an announcement. The – as we discuss the search and rescue efforts we're
13 going to do a few rounds of questioning. The first rounds will be general Coast Guard
14 policies, procedures and then we'll get into the search for the vessel. And then the last
15 round will include more sensitive topics in relation to the search for the mariners.
16 Before we do that I'll make an announcement, we'll take a recess and then we'll get into
17 that subject matter so the audience here and anybody watching live can either leave the
18 room or cut the broadcast. Mr. Furukawa.

19 **Mr. Furukawa:** Thank you. I think the Coast Guard for rescuing people, the
20 procedures are fairly clear. But for human remains as far as procedures go, what the
21 Coast Guard ----

22 **CAPT Neubauer:** Sir, before we get into that subject matter, I think we're going to
23 discuss those types of issues at the last round.

1 **Mr. Furukawa:** Okay, okay. I don't have any questions then.

2 **CAPT Neubauer:** Commander Denning, do you have any questions?

3 **CDR Denning:** Good afternoon Captain. Earlier in your testimony you described your
4 typical day. Can you just, and there was some discussion about how much time spent
5 in the command center, can you just describe for us as the search and rescue mission
6 coordinator how much time is typically spent the in the command center versus
7 elsewhere please?

8 **WIT:** Both mine and Mr. Eddy's offices are in the command center. So during the
9 normal workday I'm in the command center essentially from 7 O'clock in the morning
10 until, on a typical workday, 1730, 1800 in the evening. When you're on duty as the SAR
11 mission coordinator you're also on call throughout the evening. So it's not uncommon
12 to get a number of phone calls throughout the night related to search and rescue cases
13 within the 7th District.

14 **CDR Denning:** Thank you, sir. That concludes my questions on this round.

15 **CAPT Neubauer:** Mr. Fawcett. Are you ready to start the next round of questioning or
16 you passing it to Mr. Webb.

17 **Mr. Fawcett:** Sir, do you want to go to the PII's first?

18 **CAPT Neubauer:** Oh yes, thank you. Do the parties in interest have any questions at
19 this time, Tote?

20 **Tote Inc:** No, sir.

21 **CAPT Neubauer:** ABS do you have any questions?

22 **ABS:** No, sir.

23 **CAPT Neubauer:** Mrs. Davidson do you have any questions?

1 **Ms. Davidson:** No, sir.

2 **CAPT Neubauer:** Mr. Fawcett.

3 **Mr. Fawcett:** Thank you Captain. We'll now turn our attention to a new topic and that
4 is the day of the incident, the decisions and communications that took place that day.
5 So the first thing I want to take you back to the day of the accident, October 1st, 2015.
6 What time did you come on the command center watch floor?

7 **WIT:** I arrived on the watch floor between 0700 and 0715 is my custom.

8 **Mr. Fawcett:** On that particular day as you drove to the watch center did you have any
9 thoughts in your head about the events that might unfold during that day's watch?

10 **WIT:** I was thinking about Hurricane Joaquin and it's intended track and how that was
11 going to impact operations. I was concerned about our aviation assets in the Bahamas
12 and making sure that the 7th District was ready to respond in the aftermath of Hurricane
13 Joaquin.

14 **Mr. Fawcett:** Did you have enough, and I'm asking these from the human performance
15 side, did you have enough rest the night before as you came into duty?

16 **WIT:** I believe up until that point it had been a relatively quiet week for phone calls at
17 night.

18 **Mr. Fawcett:** Did you have duty the day before the incident?

19 **WIT:** Yes. We do the SAR mission coordinator role we rotate on a weekly basis. We
20 relieve on Tuesday to allow the cases from the weekend to clear out of the cue and start
21 fresh so to speak. So I'll stand SAR mission coordinator from Tuesday morning until the
22 following Tuesday morning. And Mr. Eddy will have active search suspension authority
23 and then the following we'll switch roles.

1 **Mr. Fawcett:** Okay. So just, you used a little terminology there. Does that mean that
2 your cohort that's off duty will assess the decision to suspend a search in certain levels
3 of cases and validate a decision you recommend so that the search is effectively carried
4 out? Am I characterizing that correctly?

5 **WIT:** You are characterizing that correctly.

6 **Mr. Fawcett:** So when you came on the watch floor how long does your relief take, if
7 you had duty the night before?

8 **WIT:** Well there isn't – I mean there isn't a daily relief process with SAR mission
9 coordinator. I will – uh the typical routine for me is to call into the watch every evening
10 before bed, get a full run down on the active cases in the District. They will call me
11 throughout the night if necessary to update me on cases or significant case. Then I
12 arrive at work at between 0700 and 0715 and I'll go to the CDO and the OU SAR watch
13 stander and they'll update me on any developments that I was not aware of during the
14 course of the night. And then I periodically check in with the command center watch
15 standers throughout the day and they come back and brief me as necessary.

16 **Mr. Fawcett:** Okay. The night before, so you're on call throughout the night. Do you
17 recall any significant cases that drew your attention the night before?

18 **WIT:** Not that I recall.

19 **Mr. Fawcett:** All right. So as you came on the watch floor that day, could you please
20 talk about, in the very briefest terms, what your understanding was of the forecasted, in
21 general terms, the forecasted was – the forecast for Joaquin as it was expected to
22 develop or what was your general understanding of what was going to happen
23 tropically?

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1 **WIT:** My recollection was that the storm was going to intensify, continue to track slightly
2 to the Southwest at a very low rate of speed before eventually making a turn back to the
3 Northeast and heading out into the Atlantic.

4 **Mr. Fawcett:** Without talking about the individual's name, but the person you identified
5 as the Command Duty Officer, that person would oversee the operations, you now in
6 the command center, how much experience did that person have?

7 **WIT:** I don't recall who was CDO that day.

8 **Mr. Fawcett:** How about, if you know it, how about the operations unit controller, how
9 experienced?

10 **WIT:** The operations unit controller was – is, in my estimation well experienced. I know
11 he was previously stationed at Sector Jacksonville and had proven himself to be reliable
12 and trustworthy operations unit SAR controller. One of my go to watch standers.

13 **Mr. Fawcett:** How about the situation unit controller?

14 **WIT:** I do not recall who was on the situation unit desk.

15 **Mr. Fawcett:** So later on in lines of questioning we'll talk to, talk about someone who
16 took some initial calls back and forth about the El Faro. Which individual would be that?
17 Would it be the situation unit controller or the operational unit controller?

18 **WIT:** Operation unit search and rescue.

19 **Mr. Fawcett:** So you have a pretty good familiarity with capabilities of that individual?

20 **WIT:** Yes.

21 **Mr. Fawcett:** Thank you very much, sir.

22 **CAPT Neubauer:** Mr. Fawcett I would just like to follow up on one question on that.

23 **Mr. Fawcett:** Certainly Captain.

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1 **CAPT Neubauer:** Talking about experience level. Can you say that all the watch
2 standers, the CDO, the OUC, and the SUC were all qualified?

3 **WIT:** Yes they were all qualified.

4 **CAPT Neubauer:** Thank you.

5 **Mr. Fawcett:** Thank you Captain. I'll turn my line of questioning over to Mr. Webb.

6 **Mr. Webb:** Okay, Captain. I'm going to start talking about the case itself, the El Faro
7 case and I'm going to use the AIPOC model, you can go through it step by step with the
8 awareness and initial actions and so forth.

9 **CAPT Neubauer:** Can you define that acronym please?

10 **Mr. Webb:** AIPOC is a term that's in the SAR manual, it's for awareness, initial action
11 planning. Planning and conclusion.

12 **CAPT Neubauer:** And can you just say that into the microphone, I want to make sure it
13 got on the record?

14 **Mr. Webb:** Say this?

15 **CAPT Neubauer:** Can you say the full term into the microphone please?

16 **Mr. Webb:** The AIPOC model is awareness, initial action, planning, operations and
17 conclusions. It's how a SAR case is broken down from the beginning to the end. So I'm
18 going to start with awareness and how was the D7 command center notified of the
19 distress?

20 **WIT:** D7 command center was notified by telephone by the Atlantic Area.

21 **Mr. Webb:** And that notification that the Atlantic Area command center got, what
22 information did they pass to the D7 command center watch?

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1 **WIT:** What was relayed to the D7 command center watch was that the SS El Faro was
2 disabled, had lost propulsion, that they had blown a scuttle sometime during the night,
3 and it had taken on water, it developed a 15 degree list to port with water, and it was
4 unclear to whether it was 3 holds, or the number 3 hold. But that the source of the
5 flooding had been secured and that they were confident that they were going to be able
6 to pump the vessel out.

7 **Mr. Webb:** Do you recall how the Atlantic Area command center received that report?

8 **WIT:** My understanding is that Tote called the Atlantic Area command center.

9 **Mr. Webb:** Now who in Tote called?

10 **WIT:** I believe it was Mr. Lawrence.

11 **Mr. Webb:** Was there any other forms of distress communications besides the report
12 from Captain Lawrence?

13 **WIT:** We were notified by the Atlantic Area command center that the SS El Faro was
14 going to energize their EPIRB and that they were also going to send a shipboard
15 security and safety alert, so we received both of those pieces of information, which are
16 also methods of communicating distress.

17 **Mr. Webb:** There was another form of communication that was passed to the Atlantic
18 Area command center and it was the INMARSAT C distress, do you remember that?
19 Did he pass on an INMARSAT C ----

20 **WIT:** I do not ----

21 **Mr. Webb:** Distress message?

22 **WIT:** From what?

23 **Mr. Webb:** From the El Faro?

1 **WIT:** From the El Faro. I'm drawing a blank on that. I know the EPIRB and the SSAS
2 and the phone call to Mr. Lawrence.

3 **Mr. Webb:** The – with that report from Captain Lawrence and the electronic forms of,
4 well let me go back. Who received the SARSAT EPIRB alert? Is that LANT Area or
5 D7?

6 **WIT:** I believe D7 would have gotten that.

7 **Mr. Webb:** With those reports, electronic and the verbal report, with this distress and
8 what you knew what was going on, how did you classify the distress in the emergency
9 phases?

10 **WIT:** There are three emergency phases. Emergency, alert and distress. It was
11 initially classified as alert, because we knew that it was a very serious situation that the
12 vessel had flooding, had a list and had no propulsion. But we wanted to gather
13 additional facts and details to determine the severity of the distress and to appropriately
14 respond to the situation.

15 **Mr. Webb:** Do you know what time the EPIRB SARSAT alert came in?

16 **WIT:** I know we received the initial notification, the phone call was 0733 in the morning.
17 The MISLE timeline has that happening fairly shortly thereafter that we -- that we
18 received, well LANT Area told us about the SSAS notification and we received the
19 EPIRB notification shortly thereafter, which was not a -- it was not a surprise because
20 of the Master's communication to Captain Lawrence. What was surprising about that to
21 us was the fact that we got a registered EPIRB hit to the SS El Faro but it was un-
22 located. And then we did not receive any additional alerts from the EPIRB from that
23 time forward.

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1 **Mr. Webb:** Can you explain what un-located alert means?

2 **WIT:** EPIRB's, depending on the make and model of the EPIRB has a number of ways
3 reporting their position. The most common is it sends a GPS signal to the COSGAS or
4 SARSAT satellite that provides the appropriate rescue coordination centers provide the
5 registration information and the geographic location of the alert to appropriately
6 respond. And a registered un-located beacon is the equivalent of a mayday.

7 **Mr. Webb:** Okay. So you're saying a registered un-located is equivalent to a mayday.
8 What level of distress, or level in the emergency phases is that?

9 **WIT:** That's distress.

10 **Mr. Webb:** Were there any other SARSAT alerts going off at the same time as the EI
11 Faro's unregistered beacon came in? Or were you working any other cases that
12 SARSAT?

13 **WIT:** There was another – there was another EPIRB that I believe, a 406 EPIRB that
14 alerted on the Friday, October 2nd on the South side of Rum Kay, but it was
15 unregistered.

16 **Mr. Webb:** But nothing the morning of the incident?

17 **WIT:** Nothing the morning of the incident.

18 **Mr. Webb:** Okay. A little clarification on the SSAS system, that's the ship's security
19 alert system.

20 **WIT:** Yes.

21 **Mr. Webb:** Moving into initial actions.

22 **CAPT Neubauer:** I'm sorry. That was ship's security alert system, SSAS. Could you
23 speak a little closer to the microphone please Mr. Webb?

1 **Mr. Webb:** Okay. Moving onto the initial actions. As the SAR mission coordinator,
2 when were you first notified of the incident?

3 **WIT:** I was notified very quickly right after that initial phone conversation.

4 **Mr. Webb:** Who notified you of the El Faro incident?

5 **WIT:** OS2 Matt Chancery, the OU SAR watch stander.

6 **Mr. Webb:** And how did he accomplish that notification? Was it in person or over the
7 telephone?

8 **WIT:** It was in person.

9 **Mr. Webb:** So as the SAR mission coordinator, at that time you felt that this was in the
10 alert stage from what you've said already?

11 **WIT:** Yes. I believe that there was distress, but since the communication that we
12 received from the vessel and the nature of that communication did not have them in –
13 the tone and tenor or the communication did not put me into an immediate distress that
14 this was a – that we were – that there was an immediate risk of loss of life or loss of the
15 vessel. Because the vessel was on emergency power, the source of the flooding had
16 been secured, they were pumping out, actively pumping out the water that had – that
17 had flooded the vessel and that we had been advised that they were going to send
18 these emergency signals so that we had a clear understanding of the position of the
19 vessel.

20 **Mr. Webb:** Did you talk with Captain Lawrence yourself, or was that through the
21 operation unit controller's briefing to you?

22 **WIT:** That was through the operations unit controller's briefing to me. And based on
23 that I took my initial action.

1 **Mr. Webb:** During, early on in the case your operations unit controller he had
2 conversations with Captain Lawrence and your OPBAT watch stander. And he referred
3 to the vessel as disabled and was not considered in distress due to loss of propulsion
4 and power. Did you know – and you knew at that point that they had a loss of
5 propulsion and power and they had been taking on water, you had all that information?

6 **WIT:** I did. I would like to clarify that it was apparent to me that the vessel was in
7 serious trouble. So classification of whether we were on alert or distress was immaterial
8 to the initial action that was taken. But we moved out aggressively to identify the nature
9 of the emergency to take appropriate action.

10 **CAPT Neubauer:** Mr. Webb you're going to have to talk louder.

11 **Mr. Webb:** Okay.

12 **CAPT Neubauer:** We want to make sure to capture this on the record please.

13 **Mr. Webb:** So if the El Faro was in distress what could have been done at that time
14 with the weather situation and what you had force wise out there with what was
15 available to you?

16 **WIT:** It was very limited. We took all the – we took all the actions that we could given
17 the force lay down that we had. My direction to the watch was to first attempt to
18 communicate with the vessel to determine the nature and severity of their distress.
19 Second was to put out an EGC an enhanced group callout which is basically an urgent
20 marine information broadcast for greater than 200 miles off shore. Sea region 3 in the
21 geographic marine distress safety system which is HF and INMARSAT C C, alerting all
22 vessels in that area of the distress in hopes that they could assist. We did AMVER
23 surface picture which showed that there were no vessels within 150 nautical miles that

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1 could respond. And we also checked the AIS tracker which identified one vessel, the
2 Emerald Express which was on the other side of Crooked Island. And we called them
3 directly to see if they were in a position to assist. Based on the weather conditions they
4 said they could not assist, but would be willing to make call outs for us, which I believe
5 they did. We reached out to NOAA and the Air Force weather squadron at Keesler Air
6 Force Base to leverage hurricane hunter aircraft that were flying in the storm to make
7 call outs for the vessel, fly their last known position in attempt to establish contact. But I
8 knew based on the severity of the weather conditions that our Coast Guard assets,
9 particularly the H-60's located in Great Inagua and on Andros Island we were going to
10 be outside of their parameters, launch parameters to respond and perform a rescue.
11 And we validated that with the command at Air Station Clearwater that morning that
12 they were not going to be of any assistance to us that day. And as I previously detailed
13 all of our surface assets were far to the South and unable to respond. Although we
14 direct the Northland to proceed North at best speed and as it was safe to do so to
15 render assistance if possible.

16 **CAPT Neubauer:** Can you describe that assets please, Captain?

17 **WIT:** The U.S. Coast Guard Northland is a 270 foot medium endurance Cutter.

18 **CAPT Neubauer:** Thank you.

19 **Mr. Webb:** Another, can you describe what an EPIRB is?

20 **WIT:** Emergency position indicated radio beacon. Transmits on 406 megahertz, sends
21 registration information and geographic position to the satellite which is further relayed
22 onto the United States mission coordination center which allocates the EPIRB's to – hits
23 to the responsible rescue coordination center for prosecution.

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1 **Mr. Webb:** Getting back to gathering the initial information on this case, when your
2 operations unit controller, when he was talking with Captain Lawrence he had
3 mentioned that the ship might be able to anchor from the position that he was given.
4 Was that information passed on to you? Did you get that information?

5 **WIT:** Yes it was. Based on the initial position that he plotted the vessel was
6 approximately 6 nautical miles Rum Kay. The – his response as we discussed was not
7 that the vessel could anchor right now right where it was, that's obviously impossible in
8 15,000 feet of water, but given the strength of the hurricane and the potential drift of the
9 vessel we thought that it might likely that it would get pushed into shallower water where
10 it would be able to anchor itself and ride out the storm.

11 **Mr. Webb:** When you watch standers received a position report, how did they plot that?
12 What tool do they use to plot that?

13 **WIT:** They use SAR Ops to plot it.

14 **Mr. Webb:** So as SAR mission coordinator, what was your initial instructions to and
15 guidance to your watch stander on prosecuting this case?

16 **WIT:** My initial instructions were attempt to establish communications with the vessel.
17 Put out an EGC, enhanced group call out to any vessels in the area that might be able
18 to assist. Take a surface picture to look for AMVER vessels. The watch took that a
19 step further to look at AIS tracks for other vessels in the area and then coordinate with
20 NOAA and the hurricane hunter squadron out of Keesler Air Force Base to make call
21 outs for the vessel and attempt to locate it.

22 **Mr. Webb:** When was the critical information conference call done? Was it done early
23 in this case or brief up the chain of command? CIC report, when was that completed?

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1 **WIT:** I don't recall specifically when that was done. LANT Area was aware of the case
2 because they pushed it to us and we were in constant communication with them about
3 the case. And the SAR coordinator, Rear Admiral Bushman was briefed about the initial
4 information and initial actions at the 0815 morning operations brief.

5 **CAPT Neubauer:** Captain, can you just briefly describe what the Coast Guard CIC
6 process is?

7 **WIT:** For cases of national significance that meet certain threshold criteria the
8 command receiving the initial report is required to make a phone call to the national
9 command center within, I believe it's 5 minutes – 5 minutes of notification. That's a
10 direct line to the national command center and then other entities along the way are
11 briefed to catch up and within – there's typically a follow up conversation shortly
12 thereafter with all the elements of the command and control architecture between NCC
13 and the reporting unit within 30 minutes.

14 **CAPT Neubauer:** Captain, is there a SAR threshold that triggers that call?

15 **WIT:** I can't think of a specific threshold, but SS El Faro is a national level case of a
16 major U.S. flagged vessel would reach that threshold, I believe.

17 **CAPT Neubauer:** Is there a marine casualty threshold for making a CIC call?

18 **WIT:** You've got me, sir. I don't know.

19 **CAPT Neubauer:** Thanks Captain.

20 **Mr. Webb:** Captain.

21 **WIT:** Yes.

22 **Mr. Webb:** What other assets were available to you besides the Coast Guard assets
23 during the initial stages of this case?

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1 **WIT:** In addition to the C-130 hurricane hunter aircraft, or?

2 **Mr. Webb:** So you had the Coast Guard assets, what other assets non Coast Guard
3 were available to you, both internationally and other agencies?

4 **WIT:** I'm not sure I understand your question.

5 **Mr. Webb:** Say that again.

6 **WIT:** Are you talking about the Department of Defense assets, or?

7 **Mr. Webb:** The hurricane hunters and any other aircrafts that you might have utilized,
8 or other vessels that may have been available to you.

9 **WIT:** Well throughout the course of the search we leveraged the Department of
10 Defense assets to include P8's out of NAS Jacksonville which is our newest submarine
11 hunter aircraft. We had C-130's flying out of Patrick Air Force Base. One from the
12 Massachusetts National Guard and one from Florida. And we also had, there were 3
13 commercial vessels, two which were hired by Tote and one who was a volunteer, the
14 Tugs Hawk, Century and Sentinel I believe. And we also had a Department of Defense
15 Air Force J-Stars aircraft that flew through the search area twice for us. And we also
16 leveraged national strategic assets through the D7 intelligence shop to assist in the
17 search.

18 **Mr. Webb:** After the initial report was received, when did you realize that the ship was
19 a U.S. flagged vessel?

20 **WIT:** It was immediately apparent that it was a U.S. flagged vessel. We knew that it
21 was Tote marine.

22 **Mr. Webb:** The Air National Guard hurricane hunters, were they in area soon after or
23 during the event?

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1 **WIT:** They were in the area I believe during the event. They were out there when we
2 contacted them shortly after notification. They flew the last known position, made call
3 outs, but were unable to descend below 10,000 feet due to the violence of the storm, so
4 they were unable to get visual with the surface of the water.

5 **Mr. Webb:** Did they have radar capability?

6 **WIT:** They did, but it was ineffective due to the atmospheric conditions.

7 **Mr. Webb:** Did the C-130 pass back to you the on scene weather?

8 **WIT:** I don't recall.

9 **Mr. Webb:** Can you explain what a call out is?

10 **WIT:** A call out, basically you are attempting to establish communications with another
11 vessel or another aircraft. So you are calling out their name on, in this case it would be
12 VHF FM channel 16, bridge to bridge, radio stating their name and who you are the
13 sending source so they would know who to call back to.

14 **Mr. Webb:** You also mentioned that the Emerald Express was contacted. And she was
15 identified as a potential provider of assistance. How did you contact the Emerald
16 Express?

17 **WIT:** INMARSAT C C.

18 **Mr. Webb:** And can you again tell us the location, their location?

19 **WIT:** My understanding she was on the Western side of Crooked Islands looking for
20 relief from the storm.

21 **Mr. Webb:** Okay. What type of vessel is the Emerald Express?

22 **WIT:** I don't recall.

23 **Mr. Webb:** Is it a large vessel?

1 **WIT:** It's a large commercial vessel.

2 **Mr. Webb:** When you asked the Emerald Express to assist, what did they tell your
3 watch stander?

4 **WIT:** They said that they were, I believe they were in approximately 20 foot seas and
5 were seeing 40 to 50 knot winds. Were unable and unwilling to go to the El Faro's last
6 known position due to the weather conditions, but they would make radio call outs for
7 us.

8 **Mr. Webb:** Did the Emerald, you just said it, the Emerald passed weather. Do you
9 know if they heard any call outs from the aircraft or did the aircraft hear any call outs
10 from the Emerald Express?

11 **WIT:** I do not know.

12 **Mr. Webb:** The Bahamian Defense Force, were they able to respond at all with any
13 assets?

14 **WIT:** No, they were not.

15 **Mr. Webb:** And what was the status of their forces?

16 **WIT:** I believe they were all either storm avoidance or shelter in place.

17 **Mr. Webb:** So after the initial response that you had, can you explain for the next 8
18 hours through the day what your instructions were to the command center and the SAR
19 plans?

20 **WIT:** We were continuing to attempt to get in contact with the vessel. Continue to work
21 with the weather squadron out of Keesler Air Force Base and NOAA aircraft to attempt
22 to contact the vessel. In addition we were continually evaluating the weather to
23 determine when we were going to be able to respond with Coast Guard assets.

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1 **Mr. Webb:** Was there any SAR ops drifts conducted that first day? For the aircraft that
2 were out there, the hurricane hunters, were there any search patterns provided to them
3 for drift information?

4 **WIT:** I don't know. I know we had the last known position and that's where we were
5 primarily sending them to in the immediate vicinity around – around that area. But I
6 don't recall whether or not we actually did a SAR Ops drift.

7 **Mr. Webb:** Do you know how many sorties that the hurricane hunters flew in the first
8 day?

9 **WIT:** I believe there were 3 sorties that they had flown between the time of notification
10 and the time our first aircraft arrived on scene the next morning.

11 **Mr. Webb:** And that was the next morning that the first Coast Guard arrived?

12 **WIT:** Yes.

13 **Mr. Webb:** Do you know if they completed their mission, their search plan that they
14 had, to the whole period of time?

15 **WIT:** Which asset for the search?

16 **Mr. Webb:** The hurricane hunters. Did they fly their complete mission and do call outs
17 the whole time?

18 **WIT:** No. They would – they have a specific flight pattern that they fly as part of their
19 data collection on the storm. So they were taking time out of their flight pattern to
20 periodically go to the last known position, make a call out then resume their mission.

21 **Mr. Webb:** So what Coast Guard assets had you diverted in that first 12 hours of the
22 case to arrive on scene once it was safe?

23 **WIT:** Coast Guard Cutter Northland.

1 **CAPT Neubauer:** Captain did the Northland give you an ETA? Or any estimates at
2 all?

3 **WIT:** No not specifically. We were – they were about 70 percent fuel when we
4 contacted them. We knew that they – they knew that they would be experiencing very
5 heavy seas as they tried to push to the North. Their instructions were to loiter South of
6 Great Inagua until the storm had move significantly enough for them to be able to enter
7 the area. As part of that the intent was for them to refuel in Guantanamo Bay the
8 evening of October 1st. But when the motor vessel Minouche called in their distress 40
9 miles North of Haiti with a 30 degree list and that they were abandoning ship the
10 Northland was tasked with responding to that case.

11 **CAPT Neubauer:** Was there a different asset available to assign to the El Faro
12 search?

13 **WIT:** No, sir.

14 **CAPT Neubauer:** Thank you.

15 **Mr. Webb:** So you talked earlier about, in your answer you stand up, or you can stand
16 up an IMT, did you make any plans, augmented the watch through the command center
17 due to the size of the case early on?

18 **WIT:** Yes we did. That first day we decided we were going to stand up an incident
19 command structure using the area command model. The command center would
20 continue to run the El Faro SAR case. But we would assign a resources unit leader and
21 a situation unit leader to gather information, provide information up the chain of
22 command, assist with the operations in the Bahamas and in North Carolina and South
23 Carolina. We also assigned an additional operations unit SAR watch stander to the

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1 command center watch floor, so we had two. One specifically to run the SS El Faro
2 case and one to run any other search and rescue that was happening within the District.
3 And we also assigned another supervisory staff member to assist the CDO, command
4 duty officer.

5 **Mr. Webb:** For the area command people, do they go through a qualification process?

6 **WIT:** Yes they do under the incident command system.

7 **CAPT Neubauer:** Captain, how long did it take you to get the full enhanced ICS watch
8 system in place? Could you have an estimate?

9 **WIT:** It was in place the next morning.

10 **CAPT Neubauer:** Thank you.

11 **Mr. Webb:** Are they trained on hurricane response?

12 **WIT:** Yes. That's principally what we do most of our exercises in the Seventh District
13 on is for using the ICS structure.

14 **Mr. Webb:** Can you tell me what other command centers or incident command post
15 you coordinated with during the incident?

16 **WIT:** We worked with Operation Bahamas Turks and Caicos, the Coast Guard liaison
17 in the Bahamas and we were also actively engaged with the State EOC in Columbia,
18 South Carolina for the flooding. And had liaison officers assigned there as well.

19 **Mr. Webb:** Did you maintain SAR mission coordinator throughout the El Faro?

20 **WIT:** I did.

21 **Mr. Webb:** And what time did you leave the command center in D7 Headquarters that
22 evening?

23 **WIT:** It was late, it was sometime after 8 O'clock I believe.

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1 **Mr. Webb:** And once you left work how were you getting briefs and how often were you
2 getting briefs throughout the evening and overnight?

3 **WIT:** I took at brief at 9:30, 10 O'clock when I called in prior to going to bed, and I was
4 called another 2 to 3 times during the course of the evening for updates on the motor
5 vessel Minouche and SS El Faro cases.

6 **Mr. Webb:** Did you give any specific instructions to the overnight watch standers on
7 your intentions and what you expected for them that night?

8 **WIT:** We were to – the plan was to launch a C-130 out of Air Station Clearwater and
9 arrive on scene at first light to conduct an initial search for the vessel if able. The plan
10 was for them to fly down the West Coast of Florida, come through the straits in Florida
11 and then essentially come into the back side of the hurricane and attempt to locate the
12 vessel.

13 **Mr. Webb:** And that first light search was there a search plan created through SAR
14 Ops completed and passed to the Air Station?

15 **WIT:** Yes, there was search action plan created for the Air Station, for the aircraft.

16 **Mr. Webb:** Can you explain the search planning cycle for the El Faro case from the
17 second day through the suspension of the case, just the Op tempo and what was
18 expected through each of the watch cycles?

19 **WIT:** It was – But well in general terms, we can go over each day's events with the
20 brief. But in general terms prior to leaving each day I would meet with the off going and
21 the oncoming watch to review what we had accomplished during the day, review our
22 drifts and then I would lay out in general terms where I wanted the assets to be placed,
23 what areas I wanted covered in what order. And then overnight they would build out the

1 search action plans for each of the assets. And then when I came in the morning I
2 would review those as those assets were heading out to conduct our searches.

3 **Mr. Webb:** And that went out throughout?

4 **WIT:** Yes. And then as additional information came in from the morning searches
5 depending on what we found, then we would adjust the search action plans for the
6 afternoon sorties accordingly and then repeat the planning cycle the next day.

7 **Mr. Webb:** Was the C-130 that was scheduled for the first flight search, did that
8 successfully make it to scene?

9 **WIT:** It did make it to scene. Hurricane hunter aircraft was on scene as well and
10 helped provide information to our aircraft on how best – where best to penetrate the
11 storm. Our aircraft arrived on scene and they managed to descend to I believe between
12 2500 and 3000 feet and get in contact with the surface. They reported 115 knot winds,
13 50 knot gusts, 20 to 40 foot seas and 1 to 2 miles of visibility.

14 **Mr. Webb:** Were they able to complete the assigned search area?

15 **WIT:** Yes.

16 **Mr. Webb:** Was that a visual search or radar?

17 **WIT:** Visual and radar. Because of the visibility and the sea surface conditions I would
18 classify it as not being an effective search to locate life rafts or life boats or people in the
19 water. But we did get on scene and did an initial look with nothing found.

20 **Mr. Webb:** The plan, the SAR Ops plans – what search objects did they use for their
21 first search?

22 **WIT:** Our initial searches were to locate the vessel itself, life boats and life rafts.

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1 **CAPT Neubauer:** Captain, I just have a couple questions on that same thread. Do you
2 know if the C-130 had to do some kind of risk assessment to fly in those weather
3 conditions? And are you involved in that process, sir?

4 **WIT:** Yes. SAR mission coordinator is involved in risk assessment process and is
5 close coordination with the Air Station command on launching the resources and the
6 prosecution of the mission.

7 **CAPT Neubauer:** Do they run like a GAR model, familiar with?

8 **WIT:** They do, yes.

9 **CAPT Neubauer:** And do you know what color that mission was? Was it in the red?
10 Did they go beyond what a normal – was that a high risk flight?

11 **WIT:** Yes, it was a – I do not recall specifically what the scoring was in their risk
12 assessment, but it was a high risk mission outside of – outside of normal parameters
13 that we would operate in. Coast Guard defines heavy weather as 30 knots of wind and
14 8 foot seas and this was significantly above that threshold.

15 **CAPT Neubauer:** Do you remember approximately what the wind speed they went
16 through?

17 **WIT:** They said 115 knots with 50 knot gusts and the aircraft was in moderate to severe
18 turbulence. Severe turbulence is extreme attitude or altitude deviations according to the
19 FAA and they were experiencing altitude deviations of 800 feet, which at 2500 to 3000
20 feet can seem very significant.

21 **CAPT Neubauer:** Is that a certain amount of altitude loss in a certain time period?

22 **WIT:** For that kind of turbulence it would be a near instantaneous altitude change.

23 **CAPT Neubauer:** So near instantaneous altitude change like 800 feet?

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1 **WIT:** Yes.

2 **CAPT Neubauer:** And do you know, did the C-130 sustain damage during that
3 mission?

4 **WIT:** It did. It was relayed to us that the metal fasteners were dropping out of the
5 overhead and they developed an engine fuel leak.

6 **CAPT Neubauer:** Thank you. Mr. Webb.

7 **Mr. Webb:** Captain, during that search did they sight any debris?

8 **WIT:** They did not.

9 **Mr. Webb:** Were they able to deploy a locator beacon?

10 **WIT:** I do not believe we deployed one with that – on that initial sortie.

11 **Mr. Webb:** Did you deploy a locator beacon later in that case?

12 **WIT:** Subsequently we deployed 3 of them that.

13 **Mr. Webb:** As the case went on at what point in the case did you start considering and
14 that the vessel, that the El Faro had sunk?

15 **WIT:** Thursday morning.

16 **Mr. Webb:** Thursday's is what?

17 **WIT:** October 1st. It was a distinct possibility from the initiation, almost from the
18 initiation of the case when we failed to establish contact with the vessel. And the
19 hurricane hunters had no luck in establishing communications with the vessel. I would
20 also like to point out in addition to the C-130 sortie on that first day, we also launched,
21 once the initial C-130 was determined was not going to be able to return to the scene
22 due to the fuel leak, we launch a H-60 helicopter out of Great Inagua to attempt to
23 search the Island chain and get to the last known position of the El Faro and due to the

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1 weather conditions and the extreme turbulence, they were unable to get closer than 90
2 nautical miles from the last known position.

3 **Mr. Webb:** That's all the questions I have right now Captain.

4 **CAPT Neubauer:** Thank you. For the record I want to clarify that GAR is green, amber
5 red model, that's a risk assessment matrix that the Coast Guard uses. Captain before I
6 pass it to Commander Denning I just have a couple questions during the initial phase.
7 Did you find it unusual that the vessel sent a SSAS signal to the command center for a
8 safety issue?

9 **WIT:** The way it was briefed to me I just saw it as one additional means of
10 communication from the vessel to shore. It's not a frequent occurrence, we do not get
11 many SSAS notification from the LANT Area command center.

12 **CAPT Neubauer:** Would – how many would you say would you estimate over the
13 previous 6 months?

14 **WIT:** This is the only one that I can recall.

15 **CAPT Neubauer:** When you first identified the El Faro on the – when you first became
16 aware of its position how did you fix the position?

17 **WIT:** We tried to, well there was the initial position that was relayed to Captain
18 Lawrence and AIS as well was the other primary means that we had attempted to
19 establish a position.

20 **CAPT Neubauer:** When you checked the AIS data did you check the time stamp?

21 **WIT:** I believe the watch stander did, yes. Which it was older than the position that was
22 given by Captain Lawrence I believe.

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1 **CAPT Neubauer:** Do you know how much difference in the hours between the call,
2 location and the AIS time stamp?

3 **WIT:** I do not.

4 **CAPT Neubauer:** Captain, are you aware of any deep draft emergency procedures
5 that direct disabled vessels to drop anchor in heavy weather in any water depth to serve
6 as a sea anchor?

7 **WIT:** No I can't say that I do.

8 **CAPT Neubauer:** And Captain can you give some details on the motor vessel
9 Minouche rescue and some details about the vessel itself? Is that foreign or domestic?

10 **WIT:** It's a foreign flagged vessel, if my memory serves me correctly, it was a Brazilian
11 vessel approximately 300 feet in length. It was carrying containers, one of their cranes
12 had broken free, she developed a 30 degree port list. The crew attempted to secure the
13 crane but was unable to. They were in tropical storm conditions, winds over 40 knots,
14 seas 20 feet. They determined that their only course of action was to abandon ship.
15 They abandoned ship into their life raft. Coast Guard Cutter Northland responded as
16 well as three AMVER vessels. And the H-60 out of Great Inagua fly to the scene,
17 hoisted I believe it was 9 individuals. Flew back to Great Inagua, refueled, returned to
18 scene, hoisted one individual, fouled their hoist cable, had to return to Great Inagua,
19 shifted to the backup helicopter, flew back out to the life raft, rescued the remaining two
20 individuals and returned over the period of about 8 hours all at night.

21 **CAPT Neubauer:** Captain, did that operation occur before you set up the enhanced
22 watch? Were you trying to handle that with your single watch system?

23 **WIT:** That was within the single watch system because it was overnight.

1 **CAPT Neubauer:** Was it difficult to address both operations, the El Faro and that
2 operation at the same time?

3 **WIT:** I can't speak specifically to the workload on the watch floor, but it would have
4 been a very high workload that night. But we ready to go and conduct operations for
5 the SS El Faro first thing in the morning and a search action plan had been given to Air
6 Station Clearwater, so.

7 **CAPT Neubauer:** Yes, sir. Because there was no active assets other than the
8 Northland which had been diverted, is that correct? For the El Faro that night, the first
9 night.

10 **WIT:** That is correct. Other than the late evening hurricane hunter flight that was out
11 there attempting to establish communications for us.

12 **CAPT Neubauer:** And Captain did you – can you tell me when you had last contact
13 with the Emerald Express? Do you remember approximately when that occurred?

14 **WIT:** That would have been – that was Thursday October 1st very late morning I
15 believe.

16 **CAPT Neubauer:** Do you remember the nature of the last contact? Did they confirm
17 they were trying to contact the El Faro or had heard anything?

18 **WIT:** The OU SAR watch stander would have had that communication with the
19 Emerald Express. I was under the impression that they had attempted to contact the El
20 Faro and that they had been unsuccessful.

21 **CAPT Neubauer:** Thank you Captain. Commander Denning.

22 **CDR Denning:** Captain back to the initial phases of the search and rescue case you
23 described the initial call the alert phase and eventually the distress phase. Can you

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1 give us a sense of the length of time that those deliberations essentially took place? In
2 other words from the initial call, initially, you know the recording that we listened to here
3 the other day the watch stander spoke in terms of disabled and not in distress. You
4 describe the process by which you determined eventually that it was in distress. Can
5 you just give us a sense the amount of time that that took until it became apparent that
6 we needed to launch assets to get on scene as soon as the weather would allow?

7 **WIT:** Well it was – it was very quickly. When you take initial notification, you take initial
8 information as additional information comes in to you, you're constantly reevaluating the
9 information to determine whether or not what you're doing is appropriate and adequate
10 given the set of circumstances. In this instance whether the OU watch stander said we
11 were in the alert phase or the distress phase we took all the action that was available to
12 us as if it was an emergent distress. It was formally logged as being in the distress
13 phase I believe within an hour and a half of initial notification. Somewhere in there, but
14 we immediately upon recognizing that we were unable to establish communication with
15 the vessel via the INMARSAT C C, the telephone, the fact that nobody else was being
16 able to communicate with the vessel, the fact that we got a SSAS, the 406 megahertz
17 EPIRB and additional information that was provided to us, we knew the vessel was very
18 deeply in trouble and required assistance.

19 **CDR Denning:** So would you say that throughout that process your initial actions were
20 the same regardless of what it was called?

21 **WIT:** Correct. Communicate the fact that there was a vessel in distress, which was the
22 EGC, identify resources within the immediate vicinity of their capable and able
23 responding, and then sending those resources to the scene. We attempted to

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1 communicate with the vessel, unable to communicate with the vessel, we looked to –
2 we knew that we had no surface assets in the area, so we looked to AMVER and AIS to
3 see if there were any surface assets in the area that could respond, there were not.
4 And then we looked for – and we looked at aviation assets to send and that was the
5 hurricane hunters.

6 **CDR Denning:** Thank you, sir.

7 **CAPT Neubauer:** Mr. Furukawa.

8 **Mr. Furukawa:** Good afternoon Captain. The Emerald Express she never got back
9 and said that she had a successful call out to the El Faro and I believe she ended up
10 running aground. Did the Emerald Express ever declare a distress for herself?

11 **WIT:** It did not. Not that was reported to the D7 command center.

12 **Mr. Furukawa:** That's all I have.

13 **CAPT Neubauer:** Mr. Roth-Roffy.

14 **Mr. Roth-Roffy:** Thank you Captain. No questions.

15 **CAPT Neubauer:** Tote do you have any questions?

16 **Tote Inc:** No questions, sir.

17 **CAPT Neubauer:** ABS do you have any questions?

18 **ABS:** No questions, sir.

19 **CAPT Neubauer:** Mrs. Davidson do you have any questions?

20 **Ms. Davidson:** Only one comment. On behalf of Teresa Davidson and the Davidson
21 family I would like to thank you and your team for all the efforts you made. Thank you.

22 **WIT:** Thank you, sir.

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1 **CAPT Neubauer:** At this time the hearing will recess. But before we do I want to make
2 an announcement that the next round will be in regards to the helicopter operations that
3 were involved with the search and rescue for the crew members of the El Faro and we
4 will go into some sensitive subject matter. So I advise anybody who wants to stay out of
5 the room during that portion of the testimony, we'll have somebody posted outside to
6 inform you when we're through that portion. But this will be the last round of questions.
7 And we may have some final, so I will have somebody posted and before we wrap up
8 they'll let anybody who wants to stay out of the room know that we're going into different
9 subject matter. But when we come back from the recess it will be the sensitive
10 subjects. The hearing is now recessed. We will reconvene at 5:15.

11 *The hearing recessed at 1708, 23 February 2016*

12 *The hearing was called to order at 1719, 23 February 2016*

13 **CAPT Neubauer:** The hearing is now back in session. As a warning to all, this
14 conversation, we'll talk about the Coast Guard helicopter operations and the finding of
15 one deceased crew member during its search efforts on 4 October, 2015. Captain
16 Coggeshall I understand you have a presentation to walk through the helicopter
17 operations, is that correct, sir?

18 **WIT:** It's next of kin power point brief that we developed to provide the families
19 information on our search efforts. One point that I would like to clarify from the previous
20 line of questioning, Mr. Webb asked me whether or not a drift or had – SAR Ops drift
21 had been completed for the initial search by the C-130 on the morning of October 2nd, I
22 stated that a search action plan had been communicated to the Air Station, that was not
23 a SAR Ops drift pattern that was communicated. Because of the weather conditions,

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1 the proximity of the Category 4 storm our instructions to the C-130 aircraft were to
2 attempt to penetrate the storm, get as close to the last known position as possible and
3 conduct as an effective a search as they possibly could given the conditions. So a
4 specific traditional search action plan, commence search point four corner points, legs
5 and track spacing were not communicated to the aircraft.

6 **CAPT Neubauer:** I thank you for that clarify. Lieutenant Commander Yemma, do we
7 have this presentation as an exhibit?

8 **LCDR Yemma:** 079.

9 **CAPT Neubauer:** This is Exhibit 079 for the record. Captain Coggeshall.

10 **CAPT Neubauer:** Okay. So your intention, sir, is to have me walk through the – walk
11 through the presentation?

12 **CAPT Neubauer:** Yes, sir.

13 **WIT:** Okay. Will do. Next slide please. Oh, next page please. Okay. This is basically
14 the initial timeline that we have already covered through the line of questioning saying –
15 stating the nature of the distress of the El Faro, the fact that we used hurricane hunters
16 out of Keesler Air Force Base to try and located the vessel and that we had initiated the
17 launch of a Coast Guard C-130 for a first light search on the morning of the 2nd to do
18 what they could do.

19 **CAPT Neubauer:** Captain, if you could just move the microphone a little closer.

20 **WIT:** Oh, yes, sorry. Okay. Next page please. These are the assets – principal assets
21 that were used during the search. And at top – upper most left corner is Coast Guard
22 H-60 Jayhawk which is our medium range rescue and recovery aircraft. Coast Guard
23 HC-144 is stationed in Air Station Miami did post storm assessments in the Bahamas

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1 and flew the El Faro life ring that was recovered on Saturday back to Air Station Miami.
2 Coast Guard HC-130 Hercules is the next aircraft it was based out of Air Station
3 Clearwater and we also had C-130J's out of Air Station Elizabeth City. Coast Guard H-
4 65 – MH-65 Dolphin aircraft was on the back of Coast Guard Cutter Resolute which is
5 the middle Cutter. Coast Guard Cutter Northland is the 270 foot Coast Guard Cutter on
6 the left. Resolute is a 210 foot medium endurance Cutter. In the center both are flight
7 deck equipped. The Northland during the course of operations did a number of
8 helicopter inflight refueling, hovering inflight refueling, basically the H-60 lowered a hook
9 down to the deck and lifted a fuel hose up to the aircraft, plugged in and refueled the
10 aircraft to extend its time on scene. Charles Sexton was one of our newer fast
11 response Cutters that came out of Sector Miami to assist with the search. We had Air
12 Force HC-130 aircraft which assisted with the search as previously detailed. U.S. Navy
13 P-8 sub hunter aircraft out of Jacksonville assisted with the search and used their
14 exceptional surface search radar to eventually rule out that the SS El Faro was still
15 afloat. And finally as I mentioned previously we had an Air Force JSTARS aircraft
16 which has an extremely powerful radar to ascertain if there was any areas of interest
17 that were outside of our search area that we should investigate. Next page. This page
18 essentially gives you a first person view of the types of conditions that C-130 were
19 seeing during our initial searches. As the hurricane moved out of the search area to the
20 Northeast on late Saturday and Sunday conditions rapidly improved throughout the
21 search area. Next page. And if the panel has questions as I move through these slides
22 feel free to interrupt me and I'll answer them to the best of ability. So this slide shows
23 the searches that we conducted on 3 October. Detailed that we managed to get a

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1 Coast Guard C-130 into the storm on the 2nd of October and in very bad conditions and
2 they were unable to locate the vessel, life rafts, life boats, or any debris related to the El
3 Faro and that we had also launched a H-60 helicopter out of Great Inagua that was
4 unable to get any closer than 90 nautical miles from the reported last known position of
5 the El Faro. So that night we had the expectation that the storm was going to move to
6 the Northeast sufficiently for us to be able to finally do some effective searching. We
7 ran into an issue with the SAR Ops program that we initially believed that it would not
8 conduct a drift, or could not account for winds in greater than – greater than 40 knots
9 and one of our principal search objects, actually all of our principal search objects the
10 cargo ship, the maximum size of a cargo ship that SAR Ops will drift is 300 feet and
11 both the El Faro's life boats and life rafts were larger than the – than the models that are
12 within the SAR Ops program to drift. Our SAR technical specialist Mr. Eddy reached
13 out to program, Mr. Jake Frost and the Coast Guard Oceanographer Mr. Art Allen to
14 discuss if we were – if our assessment was accurate and to get any recommendations
15 that they might have of alternate search objects to use. One of those they
16 recommended using a Newfoundland skiff as a closer approximation for the El Faro's
17 life boats. But because SAR Ops could not create an accurate drift using the
18 environmental data that it has, we went back to manual search planning to determine
19 where we wanted to look. And that basically involves a minimum and a maximum
20 solution. For the minimum solution I determined that the last known position would be
21 the minimum solution as, you know the most likely spot to potentially find the vessel.
22 Then we conducted – I had them conduct a drift to the Northeast at the maximum – at
23 the maximum velocity of 40 knots and then we multiplied it by 3 and then I had them tile

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1 out 3 C-130 search boxes headed to the Northeast. My thinking was as the storm
2 pushed from the Northeast to the Southwest with its center coming as far South as
3 down here in Samana Cay and Rum Cay with a counter clockwise rotation that it was
4 going to suck the vessel and anything that came off the vessel in a Northeasterly
5 direction. And as the storm left that it would pull, essentially pull anything in the water to
6 the Northeast with it. And then on top of that since we have a Navy P-8 aircraft
7 available, I put them at a higher altitude over the top of the C-130 boxes to use their
8 superior surface search radar and sensor equipment to basically really reach out and
9 see if we could – if we could located the SS El Faro or the life boats. The blue X up
10 there is the rough position of the center of circulation for Hurricane Joaquin on Saturday
11 morning. You can see it really hasn't moved very far from its most Southwesterly
12 position. As a result we were unable to cover this far Northeastern box because it was
13 impossible for the C-130 aircraft to get into it and conduct a search as we had laid it out.
14 So we shifted that box down here to the South and West thinking we'd cover the
15 basically the 45 degree leeway vector on either side from our minimum – our minimum
16 solution. And then I had the H-60 out Great Inagua thinking that if they had managed to
17 abandon ship successfully or the El Faro had been pushed South that, you know they
18 could have got hung up or been on one of these, on Long Island here or along this
19 Island chain here. It was essentially acting as a barrier to anything traveling – traveling
20 East. So late morning, if my recollection's correct the Navy P-8 located a large day tank
21 which was probably about, I'm guessing 30 feet long or so and 15 feet tall, it was in
22 welded cradle with a ladder on one side and they also located a recreational vessel, a
23 Boston Whaler, both of which we tried to correlate to cargo or being carried on the SS

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1 El Faro. We had a picture of the tank and we had the registration numbers on the boat
2 thanks to the P-8 aircraft, but we were unable to conclusively identify those as coming
3 from the – coming from the El Faro. We had a discussion on whether or not that tank
4 may have been an oily waste tank located behind the pilot house, but we were never
5 able to conclusively you know determine that. And then I thought it was – I thought it
6 was quite remarkable because the search conditions were fairly good down here, but go
7 progressively worse as you headed up to the hurricane up here in the Northeast. That
8 our C-130 in this middle search pattern located 3 life rings and a lot of Styrofoam debris.
9 The H-60 came out of their search pattern, went up there and 20 foot seas, 40 knot plus
10 winds they deployed the rescue swimmer and recovered the life ring and that was our
11 first conclusive piece of evidence of the SS El Faro, because the name of the ship was
12 stenciled on the life ring. And then finding that life ring I knew that we finally had good
13 datum and a good place to really start our – start our search effort. Now there was still
14 a lot of ambiguity because anybody that's – anybody's that's been at sea knows that in
15 heavy seas, heavy storms it's not infrequent that you lose life rings and top side
16 equipment. So the question in my mind was did this come off – when did this come off?
17 Did this come off before the SS El Faro was in extremis? Or during? But at least I had
18 datum in my head, something that I could use to plan my subsequent searches. So
19 next page.

20 **CAPT Neubauer:** Captain, can I clarify one issue? At this time in the search were you
21 certain the El Faro was not afloat? Or fairly certain?

22 **WIT:** My inclination was that she was not still afloat. Particularly, you know after the 2
23 C-130's were out there and the P-8 were out there and the search conditions, closest to

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1 the last known position were good, particularly if you're searching for a 791 foot cargo
2 vessel, they should have found her that morning. But because of the proximity of the
3 storm to the search area and the fact that our sensor searches into the storm were not –
4 they were inconclusive because of all the interference that they were having. So I could
5 not conclusively say, you know Saturday morning or even Sunday morning before
6 searches that she had sunk. But I was starting to get – we were starting to get more
7 indications that that may have in fact happened, but I had not ruled the ship itself out as
8 a search object.

9 **CAPT Neubauer:** Thanks Captain.

10 **WIT:** This slide just shows all the assets that were involved in the search on 3 October
11 in the morning and afternoon, the square miles that they covered and the amount of
12 time that they were – that they were on scene. These are just, well Coast Guard assets
13 and it also accounts for the Air Force and Navy assets as well. Next page. So this is
14 the morning – this is the morning of 4 October. As I stated in my previous answer that
15 my suspicion was that the SS El Faro had sunk since we had not found any – we had
16 not found the large cargo vessel in our search. But this morning was the morning that I
17 was going to – I was going to conclusively rule that out. So based on our experience
18 the previous day and the fact that I had not covered the drift of that farther most
19 Northeast box on 3 October and believing that the drift was pushing everything to the
20 Northeast we built our search pattern to have 3 C-130 searches up here to the
21 Northeast of – Northeast of where we found the life ring. And then this track here is the
22 Navy P-8 aircraft. We called them, the squadron directly, said you know what's your
23 best search altitude for a 791 foot commercial vessel? What's your track spacing to find

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1 that vessel? And we basically said okay, start from North of the last known position, I'm
2 trying to remember if this – I'm trying to remember specifically, but I believe this is a 300
3 mile leg, is that right? I don't remember how long that leg is. It's, anyway. This swath
4 here is about 500 miles of ocean. So by having them go out, do this cross leg as close
5 to the storm as they possibly could get and then returning we covered about 900 miles
6 side to side looking for the SS El Faro. And when that aircraft landed with nothing
7 significant sighted other than a roll on roll off barge of approximately the same length, it
8 was up here, I knew the SS El Faro was – had sunk, was lost. On the day previous
9 there was an ocean going tug with a 700 foot roll on roll off barge that was essentially
10 very close to that Northeastern search pattern that we didn't cover, tug thought he was
11 in distress, broke is tow and departed the area and the C-130 that was in the search
12 pattern that found the life ring identified that roll on roll off barge on radar and then the
13 P-3 relocated it, or P-8 I'm sorry, relocated it on 4 October headed to the Northeast at 8
14 knots. So I knew my drift direction was good. It acted like a great big self-locating
15 datum marking beacon for us. We did drop 3 self-locating datum marker beacons in the
16 search area. One essentially that cork screws in the search area. One trended in the
17 North and one trended in the South which told me that after the hurricane past and
18 conditions were returning to normal that the drift was not going in any particular
19 direction, but basically expanding. The search pattern down here, this is the helicopter
20 search pattern that was being flown in the morning. And then this was about the time
21 that the tugs Sentinel, Hawk and Century as well as the Coast Guard Cutter Northland
22 were all arriving on scene. The helicopter that was in their search pattern was reporting
23 seeing debris as well as the 3, the Northland and the 3 commercial tugs that were on

1 scene. So if you go to the next page please. We shifted our search areas back based
2 on that information back to the South and West closer to the – closer to the last known
3 position to concentrate on a debris field that we had found that included, I believe on the
4 4th we located a hung down life raft, part of the SS El Faro's life boat, general cargo
5 debris, Styrofoam, we talked about finding some bulkheads potentially that were from
6 the interior of the ship and uh – and uh – and general debris from containers. What else
7 do I want to say about that? Oh and then we also located a survival suit with human
8 remains in them late in the evening on 4 October.

9 **CAPT Neubauer:** Are you willing to describe that situation Captain?

10 **WIT:** Well, yes. The aircraft located the survival suit and they deployed the rescue
11 swimmer who ascertained that the remains appeared to have been warm water
12 decomposition for a number of days. The body was greatly swollen, the head was twice
13 it's normal size, the complexion was blueish in color, was unable to ascertain whether
14 the individual was male or a female or the ethnicity of the individual.

15 **CAPT Neubauer:** Captain can you describe the difficulties in recovering a deceased
16 person in that state? I mean is it possible with a rescue swimmer?

17 **WIT:** It is possible. The – you have to slice the – slice the feet of the survival suit open
18 to allow it to drain and then you would hoist the individual into the aircraft and then the
19 aircraft would be, it's a biohazard so the aircraft would be immediately grounded upon
20 landing until it could be properly cleaned in accordance with the proper maintenance
21 card.

22 **CAPT Neubauer:** Would the aircraft immediately have to return to base?

23 **WIT:** That would be – would it have to immediately return to base?

1 **CAPT Neubauer:** I guess I asked the question, you said the biohazard, does that
2 mean before you re-sortie? Or could you keep flying?

3 **WIT:** You could keep flying, but immediately upon landing you would have to do it. It
4 would be something that the crew would have to deal with during that period. We would
5 have – if the P-8 aircraft had not identified a possible another survival suit with what
6 looked like somebody potentially waiving, we would – we may have, and this is
7 speculation because the events did not go this way, of hosting the remains then place
8 them on Coast Guard Cutter Northland. A decision had to be made when that P-8
9 aircraft reported a possible survivor in the general vicinity. A decision was made to
10 leave the remains there, to mark them with a self-locating datum marker buoy so we
11 could re-locate them and recover them. At the time in my mind if we were going to find
12 survivors or even additional remains, if they had abandoned ship in good order they
13 should have all been in close proximity to each other. So that led credence to the P-8's
14 report that we might have additional findings. So they marked it with the self-locating
15 datum marker beacon, they recovered the swimmer, the aircraft departed that position
16 to the reported position of the other survival suit, it turned out to be a false report.
17 Northland and the helicopter returned to the position of the remains to attempt to re-
18 locate them but were unable to and the self-locating datum marker beacon did not
19 activate. So we were unable to hone in on the signal.

20 **CAPT Neubauer:** Captain, when the decision to move to the other survival suit, is that
21 an aircraft commander decision or were you involved in that decision making process?

22 **WIT:** We were in discussion of about how – how to recover the remains. But that was
23 the aircraft commander exercised on scene initiative based on his judgment to

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1 investigate that additional report. And as an aircraft commander I would say that I
2 would have done the same thing.

3 **CAPT Neubauer:** Has the Coast Guard ever considered trying to obtain like a DNA
4 sample when it is impossible to recover a person at sea? Have you heard of any
5 considerations along those lines, sir?

6 **WIT:** No I have not.

7 **CAPT Neubauer:** Can you speak to the reliability of the datum marker buoys?

8 **WIT:** The – the generation 2 self-locating datum marker beacons have a 40 to 50
9 percent failure rate. We're in the process of fielding 3rd generation datum marker
10 beacons.

11 **CAPT Neubauer:** You're – we're in the process of obtaining an update datum marker?

12 **WIT:** Well actually they're – they are – we deployed our first one last week. So they're
13 supposedly going to be a much more reliable system.

14 **CAPT Neubauer:** Was that in part due to the El Faro response?

15 **WIT:** No, it was a project that had been in the pipeline for a while because of the known
16 failure rate of the version 2's.

17 **CAPT Neubauer:** Thank you Captain.

18 **WIT:** That next page is details, the total square miles, assets, and hours that were –
19 that were completed on the 4th of October. Next page please. These are images of the
20 El Faro's life boat that were obtained on scene. As you can see the life boat was
21 heavily damaged. There was no way of – based on these images it was impossible to
22 tell whether the damage had incurred during the attempted launch of the life boat or if it
23 had broken free from the vessel subsequent – subsequent to the sinking. But it was – I

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1 saw the life boat at Air Station Miami after it was – after it brought ashore and it was – it
2 was heavily, heavily damaged. Basically broken open with large sections of the hull
3 missing. And the life raft that the Northland spotted and deployed their over the horizon
4 Cutter boat to investigate was partially hung down and had no signs of life or survivor in
5 the immediate vicinity of it either. This is just a picture of the life ring that was recovered
6 on – on Saturday being returned to Air Station Miami. And then as you can see the
7 weather conditions for the searches on 4 October were significantly better. Once
8 Hurricane Joaquin began accelerating to the North and East and leaving the area the
9 winds died down, visibility increased dramatically and the seas calmed down
10 significantly to the point that at the conclusion of the search it was clear skies, light
11 winds and calm. So this is 5 October which is Monday. So Monday was – Monday was
12 a very significant day. This was the day that we briefed the – briefed the families that all
13 indications were that the SS El Faro had sunk and that we were shifting our searches
14 primarily to finding the remaining life boats and life rafts. Sunday the day before was
15 the first day that I had split my – split my search objects with the P-8 concentrating
16 specifically on finding the SS El Faro and the C-130's concentrating on attempting to
17 locate the life boats and life rafts. Ahh, let me go back to the 4th real quick. So our
18 search efforts in the P.M. on October 4th and then moving on was when SAR Ops
19 became a very effective search planning tool for us. Because we had established good
20 datum and between the – between the life rings and debris fields that we found and the
21 conditions had moderated to a degree that SAR Ops was effective then we were able to
22 produce accurate drifts for the debris field which helped focus our search areas in the
23 areas of highest probability. So the force lay down, it was very much as before. We

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1 had the – we located two primary debris fields that were separated by approximately 60
2 to 70 nautical miles, here and here. This one is over the approximate last known
3 position of the El Faro. There were also a couple oil sheens that were reported. And
4 this one is reported by the H-60, this one was reported by either the C-130 or the P-8
5 and we concentrated our searches over the top of two debris fields. And then had the
6 P-8 overlaying again with their superior surface search capability. And we continued to
7 find generalized debris. As the aircraft found debris and reported it in significant
8 sightings were passed to Coast Guard Cutter Northland, Coast Guard Cutter Resolute
9 to further investigate. And if you go to the next page. This encapsulates the total
10 search efforts on the 5th of October. And now that we had, this was Monday, now that
11 we had determined that the SS El Faro had sunk I seriously began to consider the
12 chances of the crew's survival. Having found one set of remains in a survival suit and
13 trying to speculate, look at scenarios for how they could have abandoned ship in an
14 orderly fashion, based on the wreckage of the life boat and list, the weather conditions, I
15 found it hard to imagine a way, with a pronounced list and the ship rolling, one life boat's
16 going to be hung up on the side of the ship and not able to get free, the other life boat's
17 potentially out of reach of anybody that's on the ship to be able to get into and then use
18 the gravity davits in an open life boat to descend in those types of conditions and
19 successfully unhook to clear the vessel is difficult to imagine. Similarly the ability to
20 abandon ship into a life raft under good conditions is difficult because you have to get
21 down the freeboard of the ship to the raft if the – if conditions aren't such that you can
22 inflate the raft on the deck and have the ship sink out from underneath it, if it's tied off to
23 the ship and the ship's rolling in 30 to 40 foot seas, that's just going to be yanked back

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1 and forth. How you get down the side of the ship and into a life raft in a survival suit is
2 difficult to imagine. And if the raft isn't tied off to the ship it's just going to blow away,
3 you're not going – you're not going to be able to get to it in those kind of seas. Which
4 leaves you to – leads you to, you know potentially abandoning ship in a survival suit
5 which anyone that's been in an immersion suit knows that your mobility is severely
6 limited and you're ability to swim is virtually nil. And protect your airway to breath in
7 those kinds of conditions would be extremely difficult as well. There's – in those kind of
8 hurricane force conditions there's no real sea surface so to speak because of the waves
9 and the spray. So – so survival is, I – in a survival suit in those conditions I would
10 imagine is measured in minutes not hours. So these were all things that I was – that I
11 was considering as the search moved forward once we made the determination that the
12 El Faro had sunk.

13 **CAPT Neubauer:** Captain, I think we have what we need for the investigation. But I
14 have an important question that we're considering, or we're looking at. Do you feel in
15 your professional opinion that if the El Faro had a modern enclosed life boat would that
16 have changed your assessment that you just discussed, sir?

17 **WIT:** Yes. If – I – in my initial interview if there was one thing that I was wishing that
18 this crew had from the onset of this case was an enclosed life boat, self-launching on
19 the rails. But there is a caveat to that. In that the decision to abandon ship would have
20 had to been made in a timely enough manner for them to clear the vessel. If the ship
21 started to capsize and that was the moment they decided to go, I don't know that it
22 would have made a difference. But if they had the option, in my professional opinion
23 the safest place for that crew to be in those conditions was on the ship. Once that was

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1 compromised, in my opinion they did not have any other options. That life boat would
2 have given them an option that they could have used earlier.

3 **CAPT Neubauer:** Do you think they could have launched that life boat at a 15 degree
4 list? An enclosed life boat, sir.

5 **WIT:** I don't know what the launch parameters of those life boats are.

6 **CAPT Neubauer:** Okay. I think at this time we can wrap up the presentation. But I
7 know there's a few remaining questions. Captain if you're up to answering a few more?

8 **WIT:** Yes.

9 **CAPT Neubauer:** Okay. I know the NTSB has a few follow up questions in regard.
10 And I'll pass it over to Mr. Roth-Roffy.

11 **WIT:** If I could though, if we could just go to the last slide, the total search efforts.

12 **CAPT Neubauer:** Oh, yes, sir.

13 **WIT:** It's on the last page. I just wanted to, next to the last one, page 27. That
14 illustrates the, I think that pretty well illustrates the level of effort by all agencies and
15 assets to locate the vessel and possible survivors.

16 **CAPT Neubauer:** Sir, thank you for providing that presentation. Mr. Furukawa has a
17 question, sir.

18 **Mr. Furukawa:** My name is John Furukawa, I work for the National Transportation
19 Safety Board as a marine accident investigator and I'm the group chairman of the
20 survival factors. Captain can you go through your decision to cancel the SAR efforts?

21 **WIT:** Yes. So the decision to suspend actively searching is a judgment call. There's a
22 lot of factors that go into it. During the course of the presentation I detailed what I was
23 thinking and why I made some of the decisions I did. Because we concluded search

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1 efforts on Monday evening. I knew the likelihood of finding survivors was diminishing
2 rapidly. I conclusively ruled out that the vessel was afloat. I had found all my primary
3 search objects with the exception of survivors. We had found life rings, a life boat, still
4 hadn't found one life boat, we found a life raft, but there were still life rafts missing,
5 PFD's, general debris. But I knew that we were saturating the search area and that
6 search conditions had improved markedly and if those objects were – if the other life
7 boat and other life rafts were afloat then we were going to find them. That we would
8 have found them. And we were finding personal survival equipment, survival – empty
9 survival suites and life rings so I knew that we had good coverage for searching for
10 people in the water as well. We also have the survival tables which are cold water
11 immersion tables that put the maximum – the maximum functional survival time into 120
12 hours and we were – we were rapidly approaching the 120 hour mark which would be –
13 which was going to be Wednesday morning. So we moved ahead with saturating –
14 saturating the search area again on Tuesday with everything that we had available.
15 SAR in the Bahamas had wound down, that was no longer a factor. And I briefed the
16 families that I was becoming more pessimistic. And that at the conclusion of Tuesday's
17 search efforts that I was going to go back, review our search efforts to date, what we
18 found, where we found it, evaluate the potential for survivors, see if there was any place
19 that we should have looked that we hadn't yet for some reason and plan the next day's
20 searches accordingly. And we planned out – we planned out Wednesday's searches, I
21 had briefed the Admiral who had brought active search suspension authority for this
22 case off of Mr. Eddy up to his level as the SAR coordinator. I laid out the entire case for
23 him and make my recommendation that we would suspend searching for survivors from

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1 the El Faro Wednesday night at sunset. And then on Wednesday Admiral Buschman,
2 myself and other members of the Seventh District staff flew to Jacksonville and I briefed
3 them, I briefed the family at the Seaman's Union Hall of our search efforts to date and
4 Admiral Buschman notified them that we were going to suspend our search efforts at
5 sunset. And then we went in and did the same brief to Tote to let their – all their
6 employees know because they were very personally involved in this case as well.

7 **Mr. Furukawa:** Thank you Captain. And one last question. During your initial interview
8 based on your SAR experience as a helo pilot up in Alaska, why was only one survival
9 suit with human remains recovered? Why weren't more survivors or human remains
10 found?

11 **WIT:** This is – this is speculation on my part. When I was in – when I was in polar
12 operations I was on the Polar Star when we were diverted for the search and rescue
13 case for the fishing vessel Arctic Rose which was the biggest commercial, U.S. flagged
14 commercial fishing vessel disaster in I think 50 years at the time. When she went down
15 there were only two crew members that were found and only the Master was recovered.
16 One was in a survival suit and one was, a fully zipped survival suit, that was the Master,
17 the other one was not, the survival suit wasn't fully zipped and they were unable to
18 recover that individual. I theorize that, and it's kind of, it was borne out by the marine
19 inquiry board, marine board of inquiry that the vessel sunk very suddenly and that the
20 only two people that were in a position to egress the vessel were the Master and
21 whoever was on watch on the bridge. They just happened to be close to the door when
22 the vessel – vessel sank. Everybody else was below decks out of the weather
23 potentially planning to abandon ship. It's my – my theory, my speculation that the

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1 remains that we located were whoever was – had the bridge watch, whoever was
2 minding the store, talking on – trying to talk on the telephone, but that everybody else
3 was below decks out of the weather either preparing to abandon ship or I would imagine
4 the engineers were still down with the plant trying to get it started.

5 **Mr. Furukawa:** Thank you Captain.

6 **CAPT Neubauer:** Captain I just have two questions, sir. Did the – you mentioned that
7 the Coast Guard updated to data bases just prior to this incident that you worked. One I
8 believe was MISLE 5.0.

9 **WIT:** Yes.

10 **CAPT Neubauer:** And that happened in mid-September time frame?

11 **WIT:** Yes.

12 **CAPT Neubauer:** Did that upgrade effect your ability to do this operation, sir?

13 **WIT:** I think the operations unit watch standers can speak most clearly.

14 **CAPT Neubauer:** Yes, sir.

15 **WIT:** On that topic. I know that there was a fairly steep learning curve with both
16 programs that presented challenges, but.

17 **CAPT Neubauer:** Did you feel that the Coast Guard provided you adequate training
18 before launching those programs and your watch standers?

19 **WIT:** It depends on your definition of adequate, not to be – not to be – not to be coy,
20 but having launched a number of or seeing the launch of a number of programs from
21 the program level there is always more that you can do. But you're constrained by time
22 and resources.

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1 **CAPT Neubauer:** Yes, sir. I'll rephrase just to be clear. Did your watch standers ever
2 have a chance to use the program prior to it being launched? The new MISLE 5.0 or
3 SAR Ops 2.0.

4 **WIT:** I don't believe so.

5 **CAPT Neubauer:** So essentially your watch standers had to learn on the job training
6 for those programs?

7 **WIT:** Well we, yes. I mean we did the cross over, we had the power point trainings, but
8 there wasn't – I don't – I'll leave it to the OU watch stander to detail specifically how it
9 impacted him.

10 **CAPT Neubauer:** Thank you Captain. We will definitely address that with the OU
11 watch stander. Are there any final questions for Captain Coggeshall?

12 **Tote Inc:** Captain Coggeshall on behalf of Tote I would like to extend our sincere
13 thanks to you and everyone in the Coast Guard that performed this mission and all of
14 the other services that participated. There's really no greater calling than to put your life
15 on the line for someone else and we greatly appreciate it.

16 **WIT:** Thank you, sir.

17 **CAPT Neubauer:** Are there any other final comments for Captain Coggeshall?

18 **ABS:** No, sir.

19 **Ms. Davidson:** No, sir.

20 **CAPT Neubauer:** Captain Coggeshall, we are now complete with your testimony. You
21 are released as a witness at this Marine Board Investigation. Thank you for your
22 testimony and cooperation. If I later determine this board needs information from you I
23 will contact you through your counsel. If you have any questions about this

Under 46 U.S. Code §6308, no part of a report of a marine casualty investigation shall be admissible as evidence in any civil or administrative proceeding, other than an administrative proceeding initiated by the United States.

1 investigation you may contact the Marine Board Reporter, Lieutenant Commander
2 Damian Yemma. And I want to personally say it was an honor to meet up with you
3 again after 26 years from the Coast Guard Academy, sir. Do any of the parties in
4 interest here have any concerns with the testimony that was provided by Captain
5 Coggeshall?

6 **Tote Inc:** No, sir.

7 **ABS:** No, sir.

8 **Ms. Davidson:** No, sir.

9 **CAPT Neubauer:** At this time the hearing is adjourned and will reconvene at 0900
10 February 24th, tomorrow morning.

11 *The hearing adjourned at 1815, 23 February 2016.*

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