

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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DUKW 34 AND M/V CARIBBEAN SEA

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Docket No.: DCA-10-MM-025

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Telephonic Interview of: JOHN FLYNN

Conference Room
Sector Delaware Bay
United States Coast Guard
Philadelphia, Pennsylvania

Saturday
July 10, 2010

The above-captioned matter convened, pursuant to notice,
at 3:24 p.m.

BEFORE: LIAM LARUE
Accident Investigator

APPEARANCES:

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National Transportation Safety Board
Office of Marine Safety
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MATT FINE, Lieutenant Commander
United States Coast Guard

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Health, Safety, Quality and Environment
K-Sea Transportation

GREG BLUMENTHAL, General Manager
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I N T E R V I E W

(3:24 p.m.)

1
2
3 MR. LARUE: All right. Good afternoon. It is Saturday,
4 July 10th. It is 3:24 in the afternoon. This is Liam LaRue from
5 NTSB and we're here to talk to Captain John Flynn today. And I'm
6 just going to have everybody here introduce themselves.

7 MR. BLUMENTHAL: Greg Blumenthal from Ride the Ducks.

8 MR. LAWRENCE: I'm Captain John Lawrence from K-Sea
9 Transportation.

10 MR. FINE: Lieutenant Commander Matt Fine from the Coast
11 Guard.

INTERVIEW OF JOHN FLYNN

12
13 BY MR. LARUE:

14 Q. All right. Captain Flynn, what -- we understand you
15 were involved in the rescue on Wednesday after the DUKW accident.
16 What was your capacity at the time?

17 A. I was the captain or master aboard the ferry, Freedom.

18 Q. Okay. How long have you worked for the ferry company?

19 A. I've worked for Hornblower Marine Services for almost
20 seven years. And they are the company that manages that ferry for
21 the Delaware River Transit Authority, I believe, or Delaware --
22 yeah. I think the DRPA, is that Delaware River Port Authority, I
23 believe it is.

24 Q. Okay. And now do you work out of here normally or are
25 you out of somewhere else?

1 A. I usually work in Jacksonville, Florida.

2 Q. Okay. If you don't mind, we'll just -- if you could
3 just take us through the event and just try to -- if you can
4 remember times and as much detail as possible going through the
5 whole event, please?

6 A. Where do you want me to start? Do you want me to start
7 from when I first heard something and when I thought something was
8 going bad or the recovery?

9 Q. Just from the very beginning, you know, the first time
10 you were aware maybe something was going on.

11 A. All right. Well, I'm just going to tell you, we make
12 that trip from Camden to Philadelphia every hour on the half hour.
13 And I departed Camden at approximately 2:30 in the afternoon. It
14 could have been a couple minutes after that or whatever. It's in
15 our log. And I was headed south -- and my typical route when I go
16 from Camden to Philadelphia, I head southbound on the river, past
17 the Battleship New Jersey to give the tourists a little look at
18 the New Jersey relatively close.

19 When I took off out of Camden, went south on the river,
20 went by the Battleship New Jersey and turned back northwest-bound
21 to go over to the slip in Philadelphia at Penn's Landing, our
22 slip. As I turned northbound and was on a steady course -- or
23 northwest-bound, I heard the DUKW boat. And this is paraphrase --
24 I can't -- paraphrasing, saying something to the effect that he
25 was at anchor and could not maneuver.

1 He made a radio call on channel 13. He might have said
2 I cannot maneuver; I'm at anchor or vice versa. But he said that
3 on the radio on channel 13 and that was approximately, probably
4 2:35, something like that. And then, that -- he made that call
5 one time and then he made the exact call again maybe 30 seconds
6 later. And then he made that call a third time, again, maybe 20
7 to 30 seconds later. There was no response from the tug and
8 barge.

9 At that point I saw the tug and barge bearing down on
10 the DUKW boat and I was probably about a mile to three-quarters of
11 a mile away at that time. I got on channel 13 and said to -- I
12 said, "Tug and barge, tug and barge, the DUKW boat can't move;
13 he's at anchor," or whatever, something like -- to that effect.
14 And I said that once and then I said it twice and got no response.

15 At that point I felt things going bad, real bad, so I
16 went full speed towards that area and I was -- when -- then I lost
17 sight of the DUKW boat because I was behind the barge. I was
18 obscured by the barge. My vision of the DUKW boat was obscured by
19 the barge. And then I saw something on the water and I couldn't
20 tell whether it was a ripple or a wake or whatever. And I called
21 my lead deckhand up -- or senior deckhand up to the wheelhouse to
22 take a look in the binoculars and see if he saw anything in the
23 water. And he told me he saw life jackets.

24 So we headed straight toward that site, off of -- just
25 northeast of Penn's Landing and when I got there, I saw a bunch of

1 people in the water. I saw people swimming towards the seawall.
2 I saw people in the middle of the river, and then I saw one guy
3 that was out in the middle river. So since I was the first one on
4 the scene, I went to the guy farthest from the bank or farthest
5 out in the river and picked him up. And it was Kyle Burkhardt,
6 the crewman off of the DUKW.

7 After I got him on board, I was deciding what I was
8 going to do next, if I was going to wade into the crowd and just
9 let them swim for the boat, but as soon as I turned back towards
10 the west bank of the Delaware River, everybody had responded, the
11 police and everything else.

12 And one thing I forgot to tell you. This is a little
13 out of order here. Is as soon as I saw people in the water, and
14 that was just before 2:40, I called out to the Coast Guard and
15 said I think that the barge has run over the DUKW boat and -- on
16 channel 16. And then they tried to call me back and asked me how
17 many people were in the water and all that kind of stuff and I
18 said I don't have time to talk to you; I'm going to pick up
19 survivors.

20 And then, after -- I'm now going back in the correct
21 order. After I was getting ready to wade into the bulk of the
22 people and maybe pick up more folks, all the rescue people from
23 the Philadelphia Police and Fire and Coast Guard, whoever else was
24 out there, they were already there in the smaller boats, picking
25 up people. So I just kind of hung out and then just waited until

1 I got clearance to go in our slip when everybody was out of the
2 water. And that's pretty much what happened.

3 Q. Fantastic. They were lucky you were there.

4 (Noise.)

5 MR. LARUE: That was a phone vibrating.

6 BY MR. LARUE:

7 Q. Let me just step back through it with you here. So you
8 said you heard three radio calls. You said the first one was that
9 they -- you know, in some order, that they were at anchor and they
10 couldn't maneuver. Was that directed at anyone or was that just
11 more of a general broadcast?

12 A. No, it was directed -- it was like, "Tug and barge" or
13 "Barge" or something like that.

14 Q. Okay.

15 A. No name though, I don't believe. I don't remember
16 hearing a name. I don't recollect hearing a name.

17 Q. And so it was definitely directed at the tug and barge?

18 A. Yes.

19 Q. And how do you know it was on 13?

20 A. Because I had -- channel 13, I had on the radio that was
21 right over my head, and I had 16 back on my chart table. I had a
22 handheld radio back there on 16.

23 Q. So you had the radio above your head was on 13?

24 A. Yes. It definitely came on 13, no doubt.

25 Q. Did -- were all the calls on channel 13?

1 A. All the calls were on 13, all five calls: the three
2 from the DUKW boat and the two from me, were on 13. And then
3 right before or right after I lost vision of the DUKW boat or lost
4 my view of the DUKW boat, I did hear something unintelligible on
5 16. I thought I did. I couldn't tell whether it was static or
6 what, but it wasn't readable.

7 Q. Okay.

8 A. Whether it was related to the situation or not, I don't
9 know.

10 Q. Okay. So as you lost sight?

11 A. Yeah.

12 Q. Okay. And so the first call was definitely directed and
13 then the next two from the DUKW were directed at the tug and barge
14 as well?

15 A. Yes.

16 Q. Okay. I just want to confirm that. And when you called
17 the Coast Guard --

18 A. Yeah.

19 Q. -- how did you do that? Was it on the radio or --

20 A. Yes.

21 Q. What channel?

22 A. You know what, I cannot remember off the top of my head
23 whether I switched the radio that was on 13 to 16. I think I did
24 just for a second to make that call.

25 Q. Okay. And they responded right away?

1 A. They did respond right away and they said -- and it was,
2 you know, something to the effect of how many people are in the
3 water, whatever, like that.

4 Q. Okay.

5 A. Then I says I really don't have time to answer that
6 question; I'm going to pick these people up.

7 Q. Okay. And so the only person that you picked up was
8 Kyle, the deckhand?

9 A. That's correct.

10 Q. Okay.

11 A. He was way out in the middle of the river.

12 MR. LARUE: Okay. Did you --

13 LCDR FINE: I do.

14 BY LCDR FINE:

15 Q. Hey, this is Matt from the Coast Guard. Did you hear
16 the tug -- or the -- I'm sorry, the DUKW boat go on 16 at all?

17 A. No. I cannot tell you whether he did or not. Like I
18 said, I heard something unintelligible and I don't know who it
19 came from.

20 Q. Okay. When you responded or did you hear anyone respond
21 to him? Like, did you hear him receiving any messages or was he
22 only sending?

23 A. No. I didn't hear him Roger up to anything.

24 Q. Okay. And at any point on any channel, did you hear the
25 barge?

1 A. No. I didn't hear anything from the barge, no.

2 Q. The tug I mean. I'm sorry.

3 A. Right, the tug.

4 Q. Okay. When you picked Kyle up, will you tell me, did
5 you talk to him at all or did he stay down on deck?

6 A. Yeah.

7 Q. You did?

8 A. Yeah. Yes.

9 Q. Can you tell me about his mental state or physical
10 appearance or anything, anything out of the ordinary?

11 A. No. He was, you know, a little bit shaken and the first
12 thing he wanted to do was call somebody to tell them he was all
13 right, because I brought him right up to the wheelhouse.

14 Q. Okay.

15 A. And I remember letting him dry my hands on -- letting
16 him dry his hands on my shirt so he could use my cell phone. And
17 he wanted to call his father and he wanted to know if I had the
18 DUKW boat's phone number and I told him I didn't.

19 Q. Okay.

20 A. And then he -- so, now he wanted me to take him, you
21 know, to the bank or whatever like that or to the seawall and I
22 told him I can't run through these people right now so you're just
23 going to have to hang out on board. And then he wanted to see if
24 a DUKW boat could come get him or whatever. He was just real
25 concerned about his passengers and crew. He did say that he felt

1 bad that, you know, he got away from it and he told me he jumped
2 right before the barge hit them and he felt real bad that, you
3 know, he couldn't do more.

4 Q. Did he talk about, like, seeing it coming or -- I mean,
5 did he say I just looked up and it was there or anything like
6 that?

7 A. No. He said he heard it coming. I mean, not heard it,
8 but he saw it coming but he didn't tell me how far away.

9 Q. Okay. Did he talk about trying to warn the people at
10 all?

11 A. Yes.

12 Q. That he --

13 A. Yes, he did.

14 Q. That he did try to warn them or he didn't have time to?

15 A. He did warn the people. Yeah.

16 Q. Okay.

17 A. He said he did.

18 Q. Okay.

19 MR. LARUE: We're all furiously scribbling right now.

20 MR. FLYNN: Oh, okay. I was wondering. I thought I
21 might have lost the line.

22 MR. LARUE: No, we're here.

23 CWO FINE: We just walked out.

24 BY MR. LAWRENCE:

25 Q. Hey, Captain, this is John Lawrence. You said --

1 A. John, you're with?

2 Q. With K-Sea. I'm with the tug.

3 A. K-Sea. Okay.

4 Q. You said that you tried -- you actually made two calls
5 to them of the --

6 A. Yeah.

7 Q. Okay. On 13?

8 A. Yes, sir.

9 Q. Okay. One right after the other, right, and that was --

10 A. Yes, sir.

11 Q. And that was just --

12 A. And they were pretty loud and emphatic.

13 Q. The --

14 UNIDENTIFIED SPEAKER: Okay. Oh, I'm sorry.

15 BY MR. LAWRENCE:

16 Q. And -- I'm sorry, another question I had was, at any
17 time did -- you know, you said you were at three-quarters to a
18 mile away. Did you see -- you had pretty good vision of the tug
19 itself?

20 A. I -- yeah, I would say, yeah.

21 Q. Okay. I'm just wondering, what did you see on the tug
22 as far as personnel on board? Could you --

23 A. No, I didn't see anybody on deck or on board, no.

24 Q. Okay. Could you see into the wheelhouse this distance?

25 A. No. No. I was too far away for that and I didn't have

1 my binoculars on the tug and barge.

2 Q. Okay. Okay. Thank you.

3 BY MR. FINE:

4 Q. John, this is Matt from the Coast Guard again. Did you
5 see the tug make any alterations in course, back down, anything?

6 A. No.

7 Q. Okay.

8 A. The only alteration to course I saw, it was after I saw
9 people in the water.

10 Q. Sure.

11 A. And then he made a 180 and then he got it back behind
12 me, south of our slip in Penn's Landing when the recovery was
13 going on.

14 BY MR. BLUMENTHAL:

15 Q. I have a question. Just based on your experience in the
16 water and seeing all the daily traffic in this area of the
17 Delaware, is that a normal course for that barge?

18 A. You know, I only worked up there for two weeks; 17 days
19 I was actually there. I just left yesterday. And it was amazing
20 to me how close that the tugs and barges and even ships get to
21 that Pennsylvania side. And what surprised me a lot was a lot of
22 tugs just, when they're transiting light, going by that seawall
23 there. And I was especially vigilant for them when I pull out of
24 the Philadelphia slip. I don't know if you all are familiar with
25 it, but it's -- the boat is parallel to the slip wall and if

1 southbound traffic is coming over my left shoulder, I have to look
2 real closely if they're close to the bank to make sure I don't
3 pull out in front of anybody. So that didn't surprise me that
4 particular day that that tug and barge was over that far.

5 LCDR FINE: Yeah. That channel cuts over. I mean, it
6 just hugs, the way they (indiscernible) --

7 MR. FLYNN: Right.

8 LCDR FINE: -- out there on that -- that area in
9 particular, hugs the entire coast.

10 MR. FLYNN: Right. Right. Right. Yeah, that's what I
11 became aware of after I was there a couple days.

12 MR. LARUE: Anything else? We all good?

13 BY MR. LARUE:

14 Q. I think that's all the questions we've got. Anything
15 you can think of off the top of your head we didn't ask you about
16 that might be important to know?

17 A. No, not that I can think of. I was just amazed at how
18 fast the -- all the rescue people got here. I mean, it really was
19 quick. I mean, I couldn't believe it. But then, I guess, when
20 you're a major municipal area like that, they're set up for it.

21 BY MR. LAWRENCE:

22 Q. This is John Lawrence again, Captain. I've got one more
23 question. Did you hear any danger signals from the -- or any
24 signals at all from the boat or the tug and barge?

25 A. No, I did not hear anything. I did not hear any whistle

1 or a horn.

2 Q. Did -- also, did you hear -- did you have a pretty good
3 view of the DUKW boat prior to it being hit by the barge?

4 A. Not that great, no. I could not see if he -- it was
5 anchored or whatever.

6 Q. Okay. I was just wondering if you saw -- actually,
7 Kyle, the deckhand, was saying he had been standing on the bow of
8 the DUKW boat waving, you know, in a frantic --

9 A. No. No, I was too far away to see that.

10 Q. Okay. Did he mention anything about that once he was on
11 board, about him trying to warn the tug and barge by --

12 A. Gosh, I can't say for sure.

13 Q. Okay. Thank you very much.

14 A. Okay.

15 MR. LARUE: All right, John, this is Liam again. I
16 really appreciate you talking to us today. You've got my number.
17 If you happen to think of something else, feel free to give me a
18 call. I'm going to turn off the recording now. If you don't
19 mind, just acknowledge that you're okay with us recording this.

20 MR. FLYNN: Okay.

21 MR. LARUE: All right. Thank you very much. Shutting
22 it off.

23 (Whereupon, at 3:41 p.m., the interview was concluded.)

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: DUKW 34 AND M/V CARIBBEAN SEA
Interview of John Flynn

DOCKET NUMBER: DCA-10-MM-025

PLACE: Philadelphia, Pennsylvania

DATE: July 10, 2010

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.

Tiffany Meeker
Transcriber