

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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CAPSIZE AND SINKING OF STRETCH DUCK 7 *

ON TABLE ROCK LAKE, BRANSON, MISSOURI, * Accident No.: DCA18MM028

JULY 19, 2018 *

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Interview of: CURTIS LANHAM

Sunday,
July 22, 2018

APPEARANCES:

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JOHN VOLPE, Marine Accident Investigator
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I N T E R V I E W

(9:40 a.m.)

1
2
3 MR. JONES: All right, good morning, everybody. It's July
4 22nd -- 3rd?

5 UNIDENTIFIED SPEAKERS: 2nd.

6 MR. JONES: 2nd. Sorry. July 22nd, at 9:40. We're here
7 today aboard the *Branson Belle* interviewing Mr. Curtis Lanham. My
8 name is Rob Jones. I'm with the National Transportation Safety
9 Board. We're conducting this interview with regards to the
10 accident aboard the Stretch Duck 7, Duck Stretch 7, on July 19th,
11 at about 1905 in the evening.

12 We'll go around the room and everybody introduce themselves.
13 Again, Rob Jones, Deputy Chief of Investigations with Office of
14 Marine Safety, NTSB.

15 Interviewee?

16 MR. LANHAM: Curtis Lanham, General Manager, Ride the Ducks.

17 MR. JONES: And?

18 MR. McINERNEY: I'm Pat McInerney. I'm a lawyer with Spencer
19 Fane here on behalf of Ripley.

20 MR. VOLPE: John Volpe, NTSB, Operations.

21 SGT. [REDACTED] [REDACTED] [REDACTED] Sergeant with the Missouri
22 State Highway Patrol.

23 MR. RICHARDS: Mike Richards, NTSB, Meteorology.

24 MR. ANGLE: Kelsey Angle, National Weather Service.

25 MR. [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard, St. Louis Office,

1 investigator.

2 MR. [REDACTED] [REDACTED] [REDACTED] U.S. Coast Guard Investigations,
3 National Center of Expertise.

4 MR. ALLEN: Benjamin Allen, National Transportation Safety
5 Board.

6 MR. MOTZ: Paul Motz, lawyer from the law firm of Patton &
7 Ryan, also on behalf of the company.

8 MR. JONES: Okay. Thank you, everybody.

9 INTERVIEW OF CURTIS LANHAM

10 BY MR. JONES:

11 Q. Good morning, Mr. Lanham. As you know, we're here to conduct
12 an interview with regards to the events of that day and a
13 background with regards to the operation. This is a safety
14 investigation. We're not here to blame. We're here to find out
15 what happened that day and the events around it in an effort to
16 make recommendations and, hopefully, improvements to kept his from
17 happening again. I would like to acknowledge that this interview
18 is being recorded.

19 A. Yeah.

20 Q. Okay. And we have your permission to do that?

21 A. Yes.

22 Q. Okay. Thank you very much. Can I call you Curtis?

23 A. Yes.

24 Q. All right. It will be easier. Can you just give me a little
25 background, one, your age and, two, how long you've worked for the

1 company?

2 A. So my age is 35. I've worked for the company since 2001.
3 I've held previous roles in the company.

4 Q. Okay. And could you just go through them in general?

5 A. I was hired on as a photographer when I was in high school,
6 and then I progressed to a boarding ambassador, to at one point
7 assisting the operations team, sending out trips, that sort of
8 thing; then became the operation manager, assistant general
9 manager, and then manager of systems integration on the corporate
10 side after that, and then director of operations on the corporate
11 side for Ride the Ducks National, and then general manager for
12 Ride the Ducks Branson December 1st, 2017.

13 Q. Okay. In addition to the operations manager duties you have,
14 you're also one of the boat captains?

15 A. I was.

16 Q. Okay. And could you describe when you first started in that
17 operation with regards to this company?

18 A. I got my captain's license, I do believe, right around 2005
19 or 2006. I can't really remember the exact year. It was just
20 more to know more on the operations side is why I got that
21 license.

22 Q. Okay. And what license is that?

23 A. It's a limited master's license to amphibious vehicles on the
24 White River system, 25 gross tons.

25 Q. And that's issued by?

1 A. The United States Coast Guard.

2 Q. Okay. Is that the -- and was there any training that you
3 took prior to attaining that license?

4 A. There was. Right around 200 to 250 hours of training.

5 Q. And is that a school, a maritime school or online?

6 A. That was an in-house training that we had.

7 Q. With the company?

8 A. Yes.

9 Q. Okay. And then you sit for a Coast Guard exam, is that how
10 it works?

11 A. Correct. Yep, sat for a Coast Guard exam in St. Louis.

12 Q. Okay. And how often do you -- let's talk about the boat
13 operation first. How often do you sail aboard, ride aboard as a
14 captain?

15 A. Right around 50 to 100 trips a year, max.

16 Q. Okay. And describe that trip to me. Describe the route of
17 that duck boat operation.

18 A. On the water?

19 Q. From when passengers first get aboard. Like, a normal
20 roundtrip from start to finish.

21 A. They'll board the duck and we'll depart. We'll usually drive
22 down 76, Highway 76 for a little bit and then start heading
23 towards Table Rock Lake, go across the dam, and then go up to
24 Baird Mountain, tour Baird Mountain for a little bit, which is a
25 private property, and then after that we'll come down to the shore

1 at *Branson Belle* and enter the water, go around the island by the
2 showboat, and then exit the water.

3 Q. Okay.

4 A. And then we'll continue back to our location where we boarded
5 at.

6 Q. All right. And you said about 50 times a year that is for
7 yourself?

8 A. Yes. Whatever is needed.

9 Q. So are you filling in for someone or do you take that
10 normally? For what reason?

11 A. I normally do it just in case we are needing more ducks on
12 the road, if someone calls in sick, we'll do that.

13 Q. Is there any program where you do it to keep, like,
14 proficient, just to keep your hands on the wheel, so to speak, or
15 do you just do it when necessary?

16 A. Do it when necessary.

17 Q. If we could go into your normal routine on that day, just a
18 little background information we usually do. I mean, you're 35
19 but, you know, the couple days before, how do you sleep, your
20 sleeping habits? Do you sleep well, 8 hours a night? What do you
21 usually get?

22 A. I mean, about 8.

23 Q. Okay. And we're working up to what will happen that day, but
24 I just wanted to get a background. Physical health?

25 A. Fine.

1 Q. Any medications?

2 A. Just high blood pressure medicine.

3 Q. Okay, ditto. Glasses?

4 A. Contacts, yes.

5 Q. How were you feeling that day, the day of the incident?

6 A. I felt fine.

7 Q. Okay. Let's go into just your recollections of -- because
8 this incident did happen late in the afternoon, in the evening,
9 1700 -- 1900, sorry. Just your normal routine that morning, and
10 generalities up until we get a little more specific with regards
11 to that ride that day. But that morning, describe what you did
12 that day.

13 A. So that morning, I got there about 7:30, went to my office,
14 checked emails, sent a few emails, and then I went to the duck
15 that I was assigned for the day because I was filling in for an
16 individual. And I went ahead and pre-tripped the duck, did all
17 the DOT and the Coast Guard inspection on that duck.

18 Q. Run me through that process.

19 A. So that'll be from checking drive lines, clamps, boots on the
20 Coast Guard side, to drain plugs, to steering for the DOT side,
21 blinkers, tires, everything that would be normally checked on a
22 vehicle.

23 Q. So is this a one-time thing for the day or is this before
24 every ride?

25 A. This is a one-time thing before any duck is departed on a

1 trip.

2 Q. Okay. Can that duck or similar ducks take multiple trips
3 after that inspection is made that day?

4 A. Yes.

5 Q. How many times could a duck make a roundtrip per day?

6 A. Five to six.

7 Q. Okay. And now, the duck that you were on that day was which
8 one?

9 A. Duck Number 27, Stretch Duck 27.

10 Q. And how many times did you make a roundtrip with it that day?

11 A. Five.

12 Q. And nothing was -- any problems with the vessel that day?

13 A. No, not at all.

14 Q. Was that a full load of passengers each time?

15 A. We can hold up to 37, 38. We were normally holding right
16 around 31, 32.

17 Q. Okay. So at the time, at about the time of the accident,
18 that was which trip of those five? Was that the last one? Was
19 that -- which trip was that for that duck that day?

20 A. The last trip of the day, five.

21 Q. Five. The fifth trip. Was there anything scheduled after
22 that? If the weather hadn't changed, would you have scheduled for
23 another trip?

24 A. No.

25 Q. And when is the -- when do you finish the trips for the day?

1 A. So our normal tour operational hours is 8:30 to 6:30, every
2 30 minutes departing.

3 Q. Is that due to daylight or just -- is there a reason that
4 6:30 is the cutoff?

5 A. Normally, it's daylight, because it's about an hour and 20
6 minute tour.

7 Q. Okay. All right, let's go specifically to getting aboard
8 before that incident. So just take me through it from your
9 preparation, the passenger boarding, and anything you can
10 remember. I'll leave you to go into as much detail as you can, up
11 through and including exiting the water, and then I'll follow up
12 with any questions I might have about that.

13 A. Okay. Before I left our employee lounge to get onboard the
14 duck, before any passengers, I looked at the weather and
15 determined I should be okay all the way through. The storm was
16 north quite a ways. We boarded the duck and toured our, you know,
17 our mountain area, and then we went in the water a little after
18 6:30. I then exited the water right around 7 o'clock, or before.
19 We spent about 15, 20 minutes on the water. When we were on the
20 water, it was placid, no waves really at all. You could see a
21 dark cloud over to the west/northwest.

22 Q. So if we were to -- sorry to interrupt but I don't want to
23 miss anything. I might do that just because there's a wealth of
24 information. It kind of goes against the way I like it, but I
25 don't want to miss a lot of things you already brought up. So if

1 we're looking -- we're in the aft room, up one deck from the main
2 water, like main water line, the main deck level, on the
3 paddlewheeler now, if you look due astern, where was that cloud?
4 A. The northwest, right over there.
5 Q. So a little like over the starboard wheel, you'd say?
6 A. Yes.
7 Q. Okay. And anything significant about the cloud? What type
8 of cloud was it? Was it like a front or like a huge thunderhead
9 cumulus?
10 A. It looked like a thunderhead.
11 Q. Okay.
12 A. That was dark.
13 Q. All right. And what time did you say you exited the water?
14 A. I do believe 7 o'clock, maybe a little before that.
15 Q. Okay. Anything you want to expand on about that, the trip?
16 A. Other than, I mean, the lake was very placid. You know, we
17 did our normal water route and we exited the water and the wind
18 was maybe starting to pick up a little bit, but not very much.
19 Q. When you say the lake was placid, the area that you were
20 immediately in? You can see pretty far north on this lake.
21 A. It was placid all the way through that we could see.
22 Q. All the way to the other end of the land?
23 A. That I could see, yes.
24 Q. The other shoreline?
25 A. Yeah.

1 Q. Just in a little more detail let's go with -- you say you
2 inspected the vessel earlier in the morning?

3 A. Yes.

4 Q. This is the fifth trip now. All right. Take me through
5 boarding passengers. What do you do when they come aboard, that
6 whole process?

7 A. So, when they board, it's two to a seat. They'll single-file
8 line onto the duck and then take the first available seat, from
9 front to back. And then after everybody's boarded, we'll do an
10 on-the-road safety briefing, which includes staying seated,
11 keeping hands, arms inside the duck, no smoking, that sort of
12 thing. And then after we have all that completed, we'll then
13 depart the facility.

14 Q. Okay. When you say on the road, are you moving or is it the
15 vessel, the boat's stationary?

16 A. While we're giving the briefing?

17 Q. Yeah.

18 A. Most of it is done before we start moving. There's a few
19 items that we might hit while we're slowly pulling out.

20 Q. Okay. So you mentioned keeping arms in, everything like
21 that, how about -- what about that briefing with regards to the
22 water evolution do you --

23 A. The water briefing is done at the water, before we enter the
24 water.

25 Q. Okay. So let's go back to leaving the area where the people

1 board. Anything significant about the road trip?

2 A. No, it was a normal road trip.

3 Q. No passengers questions, just sitting there --

4 A. Just sitting there enjoying the narration and the views.

5 Q. And how long is that road trip?

6 A. Altogether, start to finish on just the road is probably
7 right around 50 minutes.

8 Q. Okay. And now, all right, take me to the next evolution,
9 transitioning from the road into the water.

10 A. So we'll pull into the showboat *Branson Belle* parking lot and
11 we'll stop. We will instruct passengers how to don PFDs. We'll
12 go through our emergency exits, our firefighting equipment, our
13 life ring buoys, where they're located. And then from there,
14 we'll physically put on a PFD to demonstrate how we do it. We'll
15 do it verbally and demonstrate while we're doing it verbally.

16 And then after that, we will make a security call onto the
17 water on channel 13, marine band, to let any traffic know,
18 commercial traffic, let them know that we're going in the water
19 (indiscernible) too, in case they're close to the ramp, they can
20 let us know to hold back if we need to. And then we'll enter the
21 water.

22 Q. Okay. The demonstration, is that both you and the driver
23 that do that, or just who does it?

24 A. That day, that was my narrator.

25 Q. The narrator?

1 A. Yes.

2 Q. Is that different than a driver?

3 A. I was driving the duck on the road.

4 Q. Right.

5 A. So she is -- has gone through all of our training as a
6 captain and she's waiting for her paperwork to be went off. So,
7 with that, we let her do the demonstration of that. Since she
8 actually has the microphone, she did the safety briefing.

9 Q. Okay. So you're both the captain on the water and the driver
10 on land, with a narrator on the 27 that day?

11 A. Yes.

12 Q. Just from what we've heard, the other vessels had a captain
13 and a driver. Did they also have a narrator?

14 A. No, they did not. Normally, the captain is the narrator.

15 Q. Okay. All right. So, take me through the water ride.

16 A. We entered the water and then we'll, we will go to a static
17 condition, check our reference markers on the rear of the duck.
18 If they're submerged, we will reload, you know, culminate our load
19 differently, and then we'll then start our tour around the island.
20 We'll keep monitoring for traffic, and then once we know that it
21 is safe, we'll allow certain kids that want to drive on the water.
22 And when I say drive, I mean we're physically still holding the
23 wheel, they're just in the -- right behind the wheel. We're right
24 next to it.

25 Q. Okay. Do they get a kick out of that?

1 A. They do.

2 Q. That's standard for all your ops, that offer goes out?

3 A. Yes.

4 Q. When the life jacket demonstration, the PFD demonstration was
5 done, again, just to be sure, you said the narrator?

6 A. Yes.

7 Q. Is that the same life jacket they use every time?

8 A. Yes.

9 Q. Is that readily available to them, like next to the seat or
10 something?

11 A. Yes. It's right behind the driver's seat.

12 Q. Okay. When they're doing that demonstration, do they point
13 out where the life jackets are for the passengers?

14 A. They do. They point out where the adult life jackets are for
15 90 pounds or above.

16 Q. Okay.

17 A. Point out where the children life jackets are, and then also
18 where the infant life jackets are at.

19 Q. All right. And we were given a tour of one of -- a similar
20 duck yesterday and noticed all the life jackets up in the overhead
21 on both sides.

22 A. Yes.

23 Q. Is it demonstrated how to retrieve them from the overhead?

24 A. It is explained that you pull the yellow tab, which will then
25 remove the strap, and then two will come down, yes.

1 Q. Okay. Okay. So we're going through your ride that day up to
2 7 o'clock. Anything else before you exited the water?

3 A. Not really.

4 Q. And you mentioned VHF 13?

5 A. Yes.

6 Q. Do you have any other band you monitor? Is there --

7 A. While on the water, our policy is to monitor 13, 16, and then
8 also with that, we also monitor our in-house frequency by turning
9 our radios on to scan.

10 Q. Okay. And is that a passive, just listening frequency, or
11 can you call out on that back to the office?

12 A. So we can. I mean, the way that it's designed is to -- while
13 it's on scan, the man frequency that will be used will be our in-
14 house frequency. So it's a grab the radio and you can instantly
15 talk back to our facility so there's not a human error of trying
16 to remember what channel you're on.

17 Q. Okay. Does the office have the capability of monitoring 13
18 and 16 and broadcasting on it?

19 A. They do have the ability to monitor and broadcast on 13. Due
20 to the location, I don't quite know if it actually will reach due
21 to the water's restrictions on marine band.

22 Q. Just looking around, there's a lot of hills. Is it wattage
23 or is it the topography?

24 A. I don't know on that one.

25 Q. Okay.

1 A. For marine band, I do not know.

2 Q. Have you received signals better or worse dependent upon
3 where you are on the lake with regards to the radio?

4 A. For the marine side?

5 Q. Yeah.

6 A. I mean, for the marine side, we have the ability to monitor
7 but we do not.

8 Q. Okay.

9 A. Due to there's certain issues with trying to receive it or
10 not.

11 Q. All right. And is that the local frequency that all the
12 other even pleasure boats use, 13, around here?

13 A. Yeah, 13 and 16 is the normal frequency for the marine side.

14 Q. Okay.

15 A. And that's what the showboat *Branson Belle* uses as well.

16 Q. All right. Have you ever had an occasion where the office
17 calls you on 13 or 16, or is it always on that --

18 A. It's only going to be on the in-house frequency.

19 Q. Can you remember any time where it's been on a different
20 frequency?

21 A. Not that I remember.

22 Q. Okay. And is someone always monitoring that? Is that the
23 company policy?

24 A. On the in-house frequency?

25 Q. Yes.

1 A. Yes.

2 Q. All right. So as long as -- you tell me. If boats are in
3 the water, is someone there to monitor that frequency?

4 A. Yes.

5 Q. All right. And so, is there a call made back to the office
6 when the last boat exits the water for the day and is back, or
7 back in?

8 A. We like to have a call that the last boat has cleared the
9 water. That's really just to let the shop, our maintenance
10 facility know that all the ducks are off the water.

11 Q. Okay. And how about every individual duck, do you call the
12 office when you enter the water and exit the water?

13 A. No.

14 Q. No. Okay. So if nothing went wrong and everything's going
15 right, the office only knows when the duck gets back to the start
16 of the trip?

17 A. Yes.

18 Q. Okay. If you had, while you were on the road, if you had to
19 call the office on that same frequency while you're on the road
20 that you mentioned before, other than VHF 13 or 16, you don't have
21 walkie-talkies or anything like that?

22 A. No, it's a two-way radio.

23 Q. Okay.

24 A. It's a two-way frequency.

25 Q. All right. So you say you exited the water around sometime a

1 little after 7 or a little before. And to your knowledge, what
2 ducks were following you?

3 A. To my knowledge, it was 17, the replacement duck for Duck
4 Number 26, which I did not know what that was, and then also Duck
5 Number 7.

6 Q. All right, we heard the other duck that was out there was 54.
7 Could that be the one that was the replacement?

8 A. That would be it, yes.

9 Q. Okay.

10 A. I mean, at the time, I did not know what duck it was.

11 Q. Okay. I just didn't want to get mixed up right from the
12 start here and have more numbers out there that we didn't know.

13 A. Yes.

14 Q. So, to your knowledge, 54 was the replacement for 26?

15 A. Yes.

16 Q. Okay. And were they the last two ducks that were going to
17 exit the water for the trips that day after you exited around the
18 little before 7?

19 A. Yes.

20 Q. All right. And how do you know that?

21 A. Since the last trip went out at 6:30, our operations
22 supervisor, I asked him how many ducks went out at 6:30 just so I
23 knew. And he told me one, and I knew who was behind me.

24 Q. All right. And we have heard information that one of the
25 ducks involved in the -- well, the one involved in the accident

1 might have changed their route that day, doing the evolution of
2 the water first as opposed to the road trip. Did you go out the
3 regular way?

4 A. I did go out the regular way, yes.

5 Q. All right. Were you aware the other duck did that?

6 A. Yes, I was, based on the communication with the operations
7 supervisor. He did let me know that they went to the water first.

8 Q. Okay.

9 A. That is a practice that we -- I mean, we're monitoring the
10 weather and if there's an opportunity to safely go on the water
11 and come out, we will do that.

12 Q. Okay. Do you know if 17 did the same thing? Did they do the
13 water evolution first?

14 A. No.

15 Q. All right. And you monitored the weather before you left?

16 A. Yes.

17 Q. And is there any way to monitor the weather while you're
18 aboard the duck?

19 A. Yes. If there's any question on the weather, we can always
20 call to our main facility and they can help explain what that is,
21 or if we have a smart phone, we can pull that out and look at
22 radar.

23 Q. Okay. Did you do it that day at all after watching the --
24 looking at the radar the first time before you left?

25 A. I do not recall looking at it on my phone, no.

1 Q. Okay.

2 A. Recall, no.

3 Q. While we're on that, does your company have a policy where
4 they'll call out to the vessels that are either on the road or on
5 the water or knowing they're going to enter the water to call out
6 with weather advisories?

7 A. Not that I can recall.

8 Q. Is that a policy somewhere that you know of?

9 A. Not that I know of. You know, within 40 years of doing this,
10 over 40 years, we've never had to do that.

11 Q. Okay. So, when you exited the water, I'm assuming you -- do
12 you stay on the ramp for a little bit as the vessel, you know,
13 loses whatever water it had, you know, not accumulated but, you
14 know, just do you drain it down a little bit or you just, once you
15 get on that ramp, you're off and running?

16 A. Once we get off the ramp, we exited the ramp, and then I
17 lowered the curtains for the drive back just in case it started
18 raining on us. I thought we could go ahead and lower them now,
19 before it started raining.

20 Q. Okay.

21 A. And then I exited and drove back.

22 Q. So that's actually a good point. So the curtains, were the
23 curtains -- in what position were the curtains for your ride
24 through the water?

25 A. They were up.

1 Q. Okay. Did they remain up the whole time?

2 A. Yes. I mean, the sides were open, the curtains were not
3 down. The curtains go from up to down to close, and then down to
4 up to open.

5 Q. Yeah. And is that the normal routine, dependent upon
6 weather?

7 A. Yes.

8 Q. And when do you, other than what you've mentioned, close them
9 when you're on the road for rain, when do you close or open the
10 curtains while you're on the water?

11 A. The curtains can be closed in the risk of a downpouring
12 situation to help block any water from coming in. If there's rain
13 that is coming in and, you know, getting on the passengers, we'll
14 lower the down some just to protect our passengers from getting
15 wet.

16 Q. Okay. Are there policies with regards to when not to use
17 them?

18 A. In the operations manual there is, on severe weather, there's
19 a note saying in high winds do not use them (indiscernible).
20 Also, in the beginning of that emergency procedures it says
21 nothing in this operations manual is -- eliminates good judgment.

22 Q. Okay. And that's a -- is that a push-button operation?

23 A. Yeah, there's a toggle switch that'll raise and lower them.
24 In an emergency situation, there's a pin that can be pulled and a
25 lever to be pushed that will jettison the curtain out.

1 Q. All right. Are the passengers advised how to get -- if they
2 had an emergency, how to leave the vessel and the curtains were
3 down? Are they advised how to move the curtains to get away, you
4 know, get out with the curtains down?

5 A. That is not, that I can recall, to be part of the safety
6 briefing.

7 Q. Okay.

8 A. Just because it's -- right there in the helm station is where
9 we would do it.

10 Q. Okay. And you know, while I've thought about it and I don't
11 want to lose this question: Do passengers -- what happens if a
12 passenger says, I'd like to wear a life jacket?

13 A. Then we allow them to wear it.

14 Q. Has it happened?

15 A. Yes.

16 Q. Does it happen a lot?

17 A. Once or twice a year.

18 Q. Okay. So if they ask, you're more than willing to give them
19 a life jacket to ride the vessel?

20 A. To make them feel comfortable, yes.

21 Q. So we're exiting the ramp now, you've made your trip. The
22 weather was calm. The lake was placid, in your words. You can
23 see the clouds. So as you're riding back now, what's your
24 recollection now of anything that you might recall from what
25 happened behind you with regards to the accident vessel and the

1 other vessel that was in the other water?

2 A. So, from behind me, very little information. I did receive a
3 call on my radio as I was coming in that -- verbal communication
4 was that we had lost 7. That was a very ambiguous statement that
5 I wasn't going to get into on the radio traffic to find out what
6 that fully meant, if we lost propulsion, lost steering, what lost
7 actually meant.

8 Q. And who did that call come from?

9 A. Our operations supervisor.

10 Q. And their name?

11 A. Charles Bazill.

12 Q. And that was over the frequency we're talking about, the in-
13 house?

14 A. In-house frequency, yes.

15 Q. And what did you do when you heard that?

16 A. I got back to our location as quickly as possible, exited the
17 duck before anybody else, and left in my vehicle to come down
18 here.

19 Q. Did the passengers hear that broadcast?

20 A. I do not know. I tried to keep it as low key as I could.

21 Q. Okay. And you still had the narrator aboard?

22 A. Yes.

23 Q. And if you could describe to me what you did after exiting
24 the vehicle and then got in your car?

25 A. I drove here as quick as I could. And at that point, I met

1 with a team member that was here, one of our boarding ambassadors,
2 and tried to get as much information as I could at that point.
3 Multiple agencies were onsite at that point.

4 Q. So, to your knowledge, someone maybe in the -- who called for
5 a rescue and assist?

6 A. So, to my knowledge, it was our boarding ambassador that was
7 going to close the gates on our mountain, because we close them
8 every evening. So he's the one that, from what I've been told,
9 made the original 911 call.

10 Q. Okay. Is there anything you can tell us about once you got
11 down here, the efforts to rescue passengers? Just, you know, your
12 recollection of that event.

13 A. At that point, a lot of that had already been done. There
14 was nobody else in the water when I got here that I could see.

15 Q. And what time did you get here?

16 A. I want to say 7:30, 7:35. I can't remember exactly.

17 Q. And when about did you hear about the loss of 7 and the trip
18 back to the office? If you can put a timestamp on that?

19 A. It was a couple minutes before I got back to the -- when we
20 returned. So I would say probably close to 7:15 to 7:20 at that
21 point.

22 Q. So you just mentioned about when you arrived on the scene
23 there it was 7:30, 7:35. Passengers that could be rescued were
24 rescued? There was people on scene already?

25 A. Yes, there was already agencies on scene.

1 Q. Coast Guard and police, EMTs?

2 A. Police, highway patrol, water patrol, fire rescue, sheriffs.

3 Q. And what was the state of the weather at that time, if you're
4 going to go with 7:30, 7:35?

5 A. The lake was placid again.

6 Q. So, would you say the storm had come in and come out?

7 A. Very quickly.

8 Q. From you exiting the water to you getting back down here
9 around 7:35?

10 A. Yes.

11 Q. All right. Anything else you can remember about that?

12 A. No.

13 Q. And how about the other duck, 54, where was that at the time?
14 Because that was in the area with regards to the accident with 7.
15 You had exited. Were they still around? Did they stay by the
16 ramp or did they go back to the -- if you know?

17 A. I do not know on that one at all.

18 Q. Okay. Before we get into your duties as a manager, is there
19 anything else you can recall about that specific incident right
20 now that you can remember and want to say right now?

21 A. Not that I can recall.

22 Q. Okay. So, now, let's just get into describing your day-to-
23 day duties in your position. Can you just walk me through that?

24 A. So, as general manager, I oversee all aspects of the company,
25 with the operation manager reporting to me, the maintenance

1 managers reporting to me. My day-to-day, I mean, changes every
2 day. It could be dealing with some retail issue on merchandise to
3 going down and talking to the maintenance crew about something.
4 It's different every day.

5 Q. Okay.

6 A. But overall, management of the company from day to day.

7 Q. Are you in charge of training?

8 A. So I am not in charge of training. I try to help oversee
9 training, if needed.

10 Q. Are you in charge of hiring new duck boat captains?

11 A. There's a team of us that do, yes.

12 Q. Who is the actual training person, even though you assist or
13 oversee?

14 A. As in who actually conducts training?

15 Q. Yes.

16 A. Joe Purma, John Davidson, Ronald Hoot.

17 Q. Okay, that's --

18 A. Okay.

19 Q. Yeah, there's probably a few. That's fine.

20 A. Yeah.

21 Q. So in your duties overseeing portions of it, just describe
22 the training, not only -- just either hiring a new duck boat
23 operator -- and I'm kind of keying in on the water operation at
24 this point, not the driving.

25 A. Okay.

1 Q. Although, you know, anything you can add to it, feel free to,
2 that would assist in the training of an operator.

3 A. So --

4 Q. And also, then the recurrent training. After they've been
5 hired, the training to get them on the water, then to keep them up
6 to speed.

7 A. So a new employee that would become a narrator captain, they
8 would go through 298 hours of training. What that will include is
9 knowing the duck in and out, how to enter the water, water
10 procedures, normal water procedures, routes, that kind of thing,
11 emergency procedures on the water, rules of the road training as
12 in, for the Coast Guard section, to look at their captain's
13 license. And all this has been approved through the National
14 Maritime Center.

15 Q. Okay. Do you do any type of emergency training on the water?

16 A. We do. All emergency training for new captains are done on
17 the water. And it's countless repetitive training to get it
18 ingrained in their brain, essentially. And then we also do --
19 every captain coming back does return training before they take
20 any trips out that year, with one of our trainers. And we run
21 through every procedure verbally and do a practical exam of that,
22 as well, on the water.

23 Q. Would that be like a scenario, a practical?

24 A. Yeah. Yeah, I mean, we can give scenarios from man overboard
25 to, you know, fire and man overboard, what are you going to do.

1 You know, we'll combine scenarios together to get them --

2 Q. Okay. Now, that's for the individual. Do you replicate the
3 actual operation of the vessel? So, do you have, whether it be
4 employees or passenger, simulated passengers --

5 A. We do not.

6 Q. -- with regards to -- okay, nothing like that.

7 A. No.

8 Q. Any other type of scenario on the water, training that would
9 really enhance your captains and drivers and narrators for dealing
10 with an emergency like what we -- what you guys experienced last
11 week?

12 A. Every year, the Coast Guard comes down and does -- takes our
13 captains on the water, as well, and they run them through
14 scenarios just during one of their certificate inspection, you
15 know, annual inspections for the ducks.

16 Q. Okay. Do you do -- even though this is a lake, you know,
17 there's quite a few people onboard the boat. Do you do
18 coordinated training with the Coast Guard as if -- to simulate if
19 the duck boat has a fire, it's full of passengers, the call goes
20 out, the emergency responders come in? So, do you do any kind of
21 mass casualty exercise with local authorities?

22 A. We do not.

23 Q. Okay. Any training with, like, the fire department with
24 regards to responding to the vessels?

25 A. No.

1 Q. Okay. Is there anything you can add right now about your
2 position as manager, you know, with regards to anything you want
3 us to know more than what I've asked you already that you can
4 think of?

5 A. Not that I can really think of at this point.

6 Q. Okay. All right.

7 MR. JONES: Let's start going around the room.

8 BY MR. VOLPE:

9 Q. Okay. John Volpe, NTSB. Good morning. I just want to
10 follow up on some of the first questions that Rob Jones had, and
11 then I'll ask some additional. One of the things that you talked
12 about was that you do the inspection of the duck first thing in
13 the morning, and you did the DOT as well as the water portion. Is
14 that the normal procedure for the duck captains, to do it all
15 or --

16 A. So, normal would be the CDL driver and the captain do it
17 together so there's always two sets of eyes on everything. My
18 narrator was with me doing the inspection, as well. So she had a
19 set of eyes on that as well.

20 Q. Okay. And when you do the passenger loading, you said you
21 had -- each duck has a certain amount of passengers that can
22 board. How do you keep track of the head count?

23 A. So we keep track of the head count. So, as we board, we have
24 a boarding ambassador that will assist people getting onboard.
25 Before the duck departs and, essentially, the side is closed up, a

1 head count is made and relayed to the driver and captain, and then
2 that is also documented on our end, on paperwork for our trip log.

3 Q. Okay.

4 A. Per day.

5 Q. Now, do you have an actual passenger manifest with names?

6 A. We do not.

7 Q. You do not. Okay. When you -- this is just -- on the land
8 tour, what's the maximum speed that the duck normally goes?

9 A. I mean, usually, I mean, it's 35, 40, 45 miles an hour.
10 Going down the hills, it might go a little faster.

11 Q. Okay.

12 A. And then going up the hill, it's even slower.

13 Q. Okay. And do you have any seatbelts on the duck?

14 A. We have one for the driver, the narrator, and then there's
15 one all the way on the back row, between -- essentially that faces
16 the aisle. There is no seatbelts on the duck after that.

17 Q. Okay. Now, after -- before I get into the actual trip, but
18 is there any other inspections that you complete during the day?

19 A. So we also do a post-trip inspection after the last trip of
20 the day. That is for the, really the DOT side. If there is a
21 marine issue at all, that is also documented on the post-trip
22 inspection. And then that will then -- if there's an issue, that
23 will then go to our maintenance, and they will address that issue
24 along with, as a standard practice, no matter what, if there was
25 an issue or not, they also do the nightly servicing on that duck.

1 So they also do another inspection of that duck.

2 Q. And you've mentioned the boarding ambassador. Who is the
3 boarding ambassador?

4 A. His name is John Fullerton.

5 Q. John Fullerton?

6 A. Yeah, his name is John Fullerton.

7 Q. Okay. And he not only -- he locked up the gate for that one
8 area, but he's the one who took the head count, and is he also the
9 person -- who is the person in the office that was monitoring the
10 weather?

11 A. His name was Charles Bazill.

12 Q. Charles Bazill. Okay. Okay. You've already covered that
13 prior to entering the water, you do not contact dispatch. How do
14 you determine the route that you're going to take?

15 A. I mean, that's really -- that's decided in two different
16 sides. We decide it before we leave, with a conversation between
17 the captain, the CDL driver and management, or essentially the
18 operations person at the time. Also, if that conversation was not
19 needed before they departed and it was then needed before they
20 enter the water, then a call will be made to ask about weather,
21 that kind of stuff, and then the conversation would happen at that
22 point, on the captain's discretion on what they felt needed to
23 happen.

24 Q. But the normal route is around the island --

25 A. Around the island.

1 Q. -- in the island? Okay. Around the island. Okay.

2 A. Yes.

3 Q. Are there any ramps to exit prior to the planned one? Like
4 if you had an issue and you had to return --

5 A. No.

6 Q. -- would they ever return to the initial ramp where they --

7 A. They could if they needed to.

8 Q. Okay. You've mentioned the operations manual. I'm sure
9 you've read it, but how often do you require the captains to read
10 it?

11 A. We go over it during the captain's training, return captain's
12 training every year for any returning captains, and that is how we
13 train everybody, also, for any new. Everybody has a copy of that.

14 Q. And then the actual emergency procedures that you discussed
15 that the trainers you mentioned, Purma, Davidson and Hot --

16 A. Hoot.

17 Q. Hoot. Are they captains or are they drivers?

18 A. They have their CDL license but they're also Coast Guard
19 captains.

20 Q. Duck captains?

21 A. Yes.

22 Q. Are they senior captains?

23 A. They are.

24 Q. Senior captains, okay. Besides the annual training or the
25 return training, is there -- how do you keep the records on that?

1 A. There's actually a form that is signed off by the trainee and
2 the trainer on everything that they covered, and it's dated and
3 signed off on the bottom again.

4 Q. Okay. Typically, how long does the training take?

5 A. Return training usually takes anywhere between 6½ to 8 hours
6 per day.

7 Q. Okay.

8 A. Or longer if needed.

9 Q. And how many captains do you have for training, return
10 training for captains? Like at the beginning of the season, how
11 many captains would you have for the reoccurring training,
12 roughly?

13 A. Between 20 and 25.

14 Q. Twenty to 25. Okay. In your experience, have you had an
15 emergency on one of your trips?

16 A. No.

17 Q. No. And how long have you -- I'm sorry, how long have you
18 been taking the duck boats out?

19 A. I really started having to -- I mean, I started filling in
20 more right around the 2014, 2015 mark.

21 Q. Okay. And when you were saying that you do about 50 to 100
22 trips a year, that's -- is that 50 to 100 days or 50 to 100 trips?

23 A. It would be days, 50 to 100. Yeah, I mean, it also could be
24 that in trips. I mean, there's some times when I might only take
25 one or two trips a day.

1 Q. Okay. Okay. And when -- how many typical trips do the duck
2 boats make a day?

3 A. Typically, anywhere from three to six. I mean, normally it's
4 five to six on busy days, but there's other days it might only be
5 three.

6 Q. Okay. Now, we've heard in the past that you've -- how long
7 ago did you change to the 1830 departure?

8 A. Just a few -- at that point, less than a week ago.

9 Q. Less than a week ago. Okay. So as you talked about when the
10 duck boat goes into the water and the captain has the say
11 whether -- do you have any policy that says he can make a go or a
12 no go?

13 A. Yes. In our safety procedures we have where any employee,
14 captain, can end the tour at any point if needed.

15 Q. Okay. And what other type of training do you do with the
16 company that the captain does, any kind of reoccurring training
17 besides the annual training?

18 A. We also do a monthly training. We have monthly meetings.
19 We'll do a topic there, as well. It could be severe weather to
20 man overboard to fire training.

21 Q. Okay. And do you do that with all the captains at once? Do
22 you do by day? How does that work since you're not all working at
23 the same time?

24 A. We always have a monthly meeting and they're supposed to come
25 to the monthly meetings.

1 Q. So everyone is required to come to the monthly meetings?

2 A. Yes.

3 Q. Okay. Getting back to whether -- what's the typical summer
4 weather in this area? Do you have afternoon thunderstorms? I
5 mean, is it seasonal? I live in south Florida and all summer it's
6 every afternoon there's a thunderstorm, so I'm just curious about
7 this local knowledge in the area.

8 A. I mean, thunderstorms here can pop up very quickly in the
9 summer. Monday, Tuesday, the day before that, we had
10 thunderstorms where we actually postponed trips from going out.

11 Q. Okay. And who made that call? Was that the office or was
12 that the captain?

13 A. That was the operations team.

14 Q. Operations team.

15 A. To go ahead and postpone trips.

16 Q. Okay. Does your office have any local procedures besides the
17 procedures in the operations manual that you discussed?

18 A. I would need to look on that, if there actually is.

19 Q. Okay.

20 MR. VOLPE: And now I'm going to just kind of touch more on
21 his operations background.

22 BY MR. VOLPE:

23 Q. Could you, once again, could you just give me your title?

24 A. General manager.

25 Q. General manager. Okay. And could you explain the company

1 hierarchy, the number of personnel in the office, how many people
2 that you employ?

3 A. Roughly, right now, it's 100 to 110 employees altogether.
4 That's anywhere from ticketing, boarding, retail, mechanics,
5 facility maintenance for buildings, captains, drivers, to the sell
6 staff, to other management team.

7 Q. Okay. But as far as, like, yourself, you're the manager.
8 Could you give me the hierarchy? Like, who's above you or who's
9 below you?

10 A. So the person who's above me would be the president of the
11 company, Ripley Entertainment. And then myself as the general
12 manager. And then from there, Brian Deckard, the fleet
13 maintenance operations, reports to me. Frank English, fleet
14 operations reports to me. Matt Solinger, our operations manager,
15 reports to me. And then the sell staff.

16 Q. Okay. And you mentioned a maintenance -- earlier on, you
17 mentioned a maintenance manager, is that correct?

18 A. Yeah. Brian Deckard is --

19 Q. Brian Deckard.

20 A. Yes. He's in charge of our maintenance crews.

21 Q. Okay. And could you just explain a little bit of the history
22 of the company?

23 A. We've been in operation for 47 years, total; never a marine,
24 major marine casualty incident. We actually pride ourselves on
25 that a lot. And normally, it's -- we'll do about 7- to 8,000

1 trips a year.

2 Q. Okay. And as far as the company itself, Ripley's, when --

3 A. Ripley's purchased the Branson assets from Ride the Ducks
4 International on December 1st, 2017.

5 Q. Okay. And prior to that, was there any change of ownership?

6 A. There was change of ownership in 2012 from Hershey Family
7 Entertainment to a single individual. And before that, 2005,
8 Hershey Family Entertainment purchased Ride the Ducks from Bob
9 McDowell, which was another individual that owned it from 1970-
10 something to 2005.

11 Q. And following -- so there was two private and three
12 corporations, correct? That's how it --

13 A. Yeah, I mean, yeah, Ride the Ducks International was the
14 entity that was being bought, yes.

15 Q. Okay. And how many ducks are in the fleet?

16 A. Twenty-two in our fleet.

17 Q. Twenty-two. And have they always been Branson ducks or did
18 you get ducks from different locations?

19 A. When the Ripley's purchase happened, it was a large range of
20 ducks that Ride the Ducks International owned that was -- you
21 know, they said we want this one or that one.

22 Q. Got it.

23 A. So some came from Philadelphia, yes.

24 Q. Okay. And that was in 2017?

25 A. Yes.

1 Q. 2017. So, basically, they're new this year?

2 A. Yes.

3 Q. Do you know if 7 was one of those ducks?

4 A. No, that's been in our fleet for a very long time.

5 Q. Okay. And I know you might have mentioned this already, but
6 how many trips, average trips per year does the company do here in
7 Branson?

8 A. 7- to 8,000.

9 Q. 7- to 8,000. Okay. Now, have you ever been involved in an
10 audit with the company, a safety audit or any type of audit with
11 the company?

12 A. The only audit I've ever been part of on my end would be an
13 audit from the National Maritime Center for our master's course.

14 Q. And you discussed -- speaking of the master's course, it's an
15 in-house course that you guys conduct. Do you actually -- does
16 everyone test here or do you actually have to go to St. Louis or
17 somewhere else to test for their duck license?

18 A. We're actually approved to test here, on our facility.

19 Q. Okay. Okay, thank you.

20 MR. JONES: Okay. Next interviewer?

21 SGT. [REDACTED] So you said --

22 MR. JONES: Identify yourself and who you're with.

23 BY SGT. [REDACTED]

24 Q. Oh, I'm sorry. Sgt. [REDACTED] [REDACTED] with the highway
25 patrol. You said that there are inspections that take place in

1 the morning, and you said something about a night maintenance
2 inspection as well?

3 A. Yes.

4 Q. Okay. But my question would have been, so in the daily
5 inspection -- I'm not familiar with the mechanics of the vehicle
6 itself and the possibility of water being in that vehicle at the
7 end of the day that was undetected. At what point -- or what's
8 the mechanism in place to detect any water that might have come
9 into the vehicle during the day, at the end of the day?

10 A. That would be when the maintenance crew services the duck and
11 also inspects the duck again.

12 Q. Okay. Thank you. How long does a vehicle, once it enters
13 the water, how long does it pause to look at the indicators at the
14 back to see where it's riding in the water as far as weight is
15 concerned?

16 A. It's about a 5- to 10-second deal depending on waves and that
17 kind of stuff, or chop.

18 Q. So it doesn't take long?

19 A. It doesn't take long at all.

20 Q. Okay. Communication with the passengers when the vehicle is
21 underway on the water, I notice that the drivers wear -- or not
22 the drivers, the captains, rather, wear a PA system or wear a
23 microphone. And they communicate through a PA system, is that
24 correct?

25 A. Yes.

1 Q. Okay. Can you describe how that communication is done? And
2 you have two people in there that are employees. You have a
3 driver and a captain.

4 A. Yes.

5 Q. And do both of them have a PA system with the ability to
6 communicate like that?

7 A. Just the narrator, captain. And there's two sets of
8 speakers, so four speakers altogether that's placed throughout the
9 duck.

10 Q. So, under normal operating conditions, the noise level within
11 that vehicle, is that -- did that require the necessity for the PA
12 system or was that just to enhance --

13 A. It's to enhance, make sure everybody from front to the rear
14 can hear an individual with the wind going through the duck and
15 that kind of thing.

16 Q. Okay. And are there -- are those PA systems -- if they get
17 wet, or particularly the headsets, if they get wet, like if stray
18 water were to hit them, I mean, do they function? Do they
19 function regardless of the weather condition, or do you guys even
20 know that?

21 A. I mean, I can't really answer that one at all.

22 Q. Okay. I didn't know if you had any experience with that kind
23 of thing. Okay. Whose responsibility is it -- and I'm assuming
24 because I'm not really familiar with maritime requirements, but
25 I'm assuming that the captain of the vessel, once it's in the

1 water, he's responsible for making the decisions to don life
2 jackets, or to make that command or give that command to the
3 passengers. Is that correct?

4 A. That is correct.

5 Q. Okay. What about your driver, is the driver -- does he have
6 any responsibilities to give any commands like that?

7 A. No.

8 Q. Okay. So just the captain. So I'm assuming, then, it would
9 be the captain's position or he would be the one responsible for
10 any other commands given or any directions given on that boat once
11 it's on the water; is that right?

12 A. He's in charge of the duck, yes.

13 Q. So whose job is it to jettison the curtains or to determine
14 when it's necessary to jettison the curtains?

15 A. The captain.

16 Q. Okay. And so I noticed yesterday with the look that was
17 provided us, that seated position, there's a pin, right, and you
18 pull the pin, and then you just shove that, you shove or you push
19 against that pin there, is that correct?

20 A. Yeah, there's a red lever that you would push out, yes.

21 Q. Okay. It appears -- help me; it appears that to jettison the
22 one on the right, the captain would have to get up out of his seat
23 to reach that, because that's -- you can't -- I mean, it's not
24 arm's length away. So he would have to get out of his seat to
25 actually push that appendage?

1 A. Yes.

2 Q. In your training, do you train the captains to remove
3 themselves from that seat to do that or is he supposed to give
4 direction to do that, or how does that work?

5 A. All of the above.

6 Q. Okay. And that's what you guys, you train your captains to
7 do?

8 A. Yeah, whatever's needed.

9 Q. Okay. Also, you said that you don't -- I mean, if a
10 passenger feels uncomfortable, they can don a life vest
11 (indiscernible). Are they told in the instruction phase or in the
12 phase right before you enter the water, are they given the option
13 then, if you feel this way, you can don the life vest, or do they
14 just come up with that and you allow them to?

15 A. They usually just come up and we allow it.

16 Q. Okay. (Indiscernible) thank you.

17 MR. JONES: We've been going just about an hour. Before the
18 next one, do you need a water, do you need a break?

19 Okay to keep going?

20 MR. LANHAM: Yeah.

21 MR. JONES: Okay. Thanks.

22 BY MR. RICHARDS:

23 Q. Mike Richards, NTSB. So --

24 MR. JONES: And the group?

25 MR. RICHARDS: Meteorology group chairman.

1 MR. JONES: Thanks.

2 MR. RICHARDS: Sure. Thanks.

3 BY MR. RICHARDS:

4 Q. So I know we spoke a bit about this yesterday but, you know,
5 for the record here, can you describe what does the company make
6 available to crew and management for monitoring weather and
7 forecasts?

8 A. There's a paid subscription to a radar system through
9 EarthNetworks called StreamerRT that has allowed us to see
10 lightning in the area, storms coming in. And that is available in
11 our employee lounge on a 50-inch monitor.

12 Q. Okay. Is it available to everybody in the company,
13 management and crew?

14 A. Anybody that would love to see it, yes.

15 Q. Has there been -- is there training or has there been
16 training provided to, let's start with management, on the use of
17 the EarthNetworks program?

18 A. Yes. When we first purchased it, yes, it was to the
19 management operations side.

20 Q. Has there been training provided to crew on use of that
21 program?

22 A. I cannot answer that one.

23 Q. Is there a company requirement for crew to -- either by
24 EarthNetworks or any other source, a pre-brief on weather prior to
25 a trip or at the beginning of the day? Is there any requirement

1 for crew to monitor, to brief themselves on the weather?

2 A. No, but it's always in the forefront of our mind if we know
3 there's going to be a potential forecast for storms to always keep
4 monitoring the weather.

5 Q. You said the day of the accident, before you went out, you
6 checked the weather. Do you recall about what time that was?

7 A. It would be before 6 p.m., because I departed right around
8 6 p.m.

9 Q. So 10 minutes before would have been 30 minutes before
10 (indiscernible)?

11 A. It'd probably be about 5 to 10 minutes beforehand.

12 Q. Was there anyone else with you when you briefed the weather?

13 A. There were some, I do believe some employees in the lounge.

14 Q. Do you recall if any of the captains of the three vessels
15 that departed after you were with you when you briefed the
16 weather?

17 A. Well, there was only two that departed after me.

18 Q. Two, excuse me.

19 A. Yeah.

20 Q. Two.

21 A. I do believe the captain driver of Duck 7 was in the lounge
22 as well.

23 Q. Do you recall speaking with him at all about the weather?

24 A. I might have mentioned it, but I can't recall.

25 Q. And you also mentioned cell phones is another way for people

1 to monitor the weather. Is there a certain application or source
2 that's recommended by the company for people to use on their cell
3 phone or is it a personal type of choice?

4 A. Personal type choice.

5 Q. And are crew restricted from using their cell phones while
6 they're underway?

7 A. During driving, I mean, the driver would not be utilizing his
8 cell phone during driving. We like to keep it at a minimum, if
9 possible, just for the guest experience.

10 Q. So in speaking with someone yesterday with your company, and
11 I'm not sure if I understood this correctly, but there was a
12 reference to agreements that may have been made with the showboat
13 here about relaying weather information to your company. Does
14 that sound familiar to you?

15 A. I don't know anything about that.

16 Q. And you had also mentioned that recently you had some days or
17 some trips that were postponed due to weather?

18 A. Yes.

19 Q. Do you recall, or at some point, perhaps, after this
20 interview can we get the dates and times of those trips that were
21 postponed?

22 A. Yes.

23 Q. And I'll probably have some additional questions on the sound
24 round, but all right. Thank you.

25 MR. JONES: Thank you.

1 BY MR. ANGLE:

2 Q. Kelsey Angle, National Weather Service, part of the weather
3 group. Can you tell me what types of weather and conditions are
4 considered hazardous for operations, both over land and water?

5 A. High winds, thunderstorms, heavy rain for visibility,
6 lightning.

7 Q. What do you consider high winds?

8 A. 35 miles an hour and above.

9 Q. You mentioned determining the weather is okay. Can you tell
10 me how that process is done?

11 A. It's you look at the radar and determine, you know, where the
12 storm is traveling, how fast it's traveling. That's how.

13 Q. You talked about the EarthNetworks program. Are there any
14 other ways that weather information is received or monitored in
15 your operations?

16 A. I mean, can you kind of modify the -- I mean, because it's --

17 Q. Yeah, how are you essentially seeing weather information?
18 What are your sources for weather information?

19 A. I mean, our main source is the EarthNetworks, yes.

20 Q. Is NOAA All Hazards Weather Radio in use in operation or
21 accessible on your boats?

22 A. Yes. There is an opportunity for weather -- the weather
23 channel is programmed into all of our radios on the ducks.

24 Q. Okay. And when you say weather channel --

25 A. I mean, yes.

1 Q. That broadcast?

2 A. That broadcast if you're on that portion of that frequency.

3 Q. And is that a mobile device or is that a device that's inside
4 physically, permanent in each craft?

5 A. It's affixed to each duck, yes.

6 Q. You talked about, from your experience, that during the
7 summer thunderstorms are common in that area. Is that a fair
8 statement?

9 A. Yes.

10 Q. Okay. Has a boat ever been out on the lake during a
11 thunderstorm, where a thunderstorm has developed or been near the
12 area?

13 A. I mean, I can't say for certain.

14 Q. You talked about postponement of trips. How do you make that
15 determination? Based upon the weather and the products that
16 you're seeing in EarthNetworks, how do you make that determination
17 in regards to (indiscernible)?

18 A. Once again, I mean, we just kind of monitor the weather and
19 try to figure out where it's traveling. And, you know, if it's --
20 there's lightning in the area, then we postpone and allow it to
21 clear before we send out any more trips.

22 Q. You mentioned that before you left on your particular trip
23 that you checked the weather. What did you notice about the
24 conditions that you saw on EarthNetworks that were occurring?

25 A. That the thunderstorm was quite a ways north.

1 Q. Can you estimate how far?

2 A. I can't estimate on that one.

3 Q. Were you aware there was a severe thunderstorm watch in
4 effect for this area?

5 A. Yes.

6 Q. Okay. When did you become aware of that information?

7 A. Right around 11, 12 o'clock.

8 Q. How do you define a thunderstorm?

9 A. I mean, severe weather which includes lightning, heavy rain.

10 Q. How would you define a severe thunderstorm? What's that
11 mean, that term mean to you?

12 A. What?

13 Q. A severe thunderstorm.

14 A. High winds, high rain, you know, plus lightning.

15 Q. You talked about the captains briefing, essentially, on the
16 weather. Can you tell me types of products, things that they look
17 at when they're doing a briefing? Is it fair to say that it's a
18 self-briefing that they're undergoing in regards to looking at the
19 weather before they depart?

20 A. Yes.

21 Q. Okay. Can you tell me some of the things that are looked at?

22 A. Where the storm's at, travel, lightning.

23 Q. So is that radar, essentially --

24 A. Yes.

25 Q. -- that they're looking at? As part of your operations, once

1 a captain has self-briefed on the weather, is there -- once they
2 have departed, is there ways that information is shared with them
3 in regards to the weather once they depart?

4 A. So, I mean, I'm assuming you're asking the question -- I
5 mean, can you kind of repeat the question?

6 Q. Sure. So a captain self-briefs on the weather --

7 A. Yep.

8 Q. -- then departs from your facility to go on the tour. If
9 weather conditions change, how is information shared with the
10 captain?

11 A. Through the two-way radio. A lot of this, I mean, the
12 captain would need to communicate back to ask questions if there's
13 any questions they have. There is the ability to call the duck if
14 needed.

15 Q. So if a -- en route, if a severe thunderstorm warning is
16 issued, how does that notification take place?

17 A. That notification would be through calling the duck if that
18 is done. It's not always been a policy we have to do that because
19 it's not (indiscernible) to do it all.

20 Q. You talked about the use of applications, also, to monitor
21 the weather. Can you tell me what some of those applications are,
22 like on mobile devices?

23 A. It could be local weather, the new station weather.

24 Q. Are there any that are frequently used amongst your staff?

25 A. I mean, it could be our local news station applications.

1 MR. ANGLE: That's all the questions I have right now. Thank
2 you.

3 MR. JONES: You still good to go, sir?

4 MR. LANHAM: Yeah.

5 MR. JONES: Okay.

6 BY MR. [REDACTED]

7 Q. Good morning. [REDACTED] [REDACTED] investigator from the St. Louis
8 office on the operations team. Good morning, Curtis.

9 A. Good morning.

10 Q. Thank you for meeting with us. I first want to kind of do
11 some follow-on questions regarding your capacity that you operated
12 as the captain on Stretch Duck 27. Stretch Duck 27, is that --
13 would you say you predominantly operate that duck when filling in
14 as a captain, or do you frequent other ducks?

15 A. Frequent other ducks.

16 Q. Okay. How familiar would you say you are with Stretch Duck
17 27?

18 A. I'd say pretty familiar.

19 Q. Okay. Who conducted the pre-inspection checklist the morning
20 of July 19th?

21 A. That would be myself and the narrator slash captain in
22 training.

23 Q. Okay. Is this a checklist -- obviously, this is not for
24 Stretch Duck 27, but does that resemble the checklist that you
25 completed on Stretch Duck 27?

1 A. Yes. That is the standard form.

2 Q. Okay. And who's responsible for what components of that
3 checklist?

4 A. The CDL driver would be in charge of the DOT exterior
5 inspection, DOT interior inspection, and the captain would be in
6 charge of the Coast Guard exterior and Coast Guard interior.

7 Q. Okay. And who completed the checklist or who initialed the
8 blocks for your particular form on Stretch Duck 27?

9 A. It was myself on both sections, yes.

10 Q. Okay. So on Stretch Duck 27, how many bilge high water
11 alarms are there?

12 A. There is one in the rear, there's one in the mid-ship,
13 there's one in the forward. Well, I mean, when I say rear,
14 there's one in each tub, rear tubs. So there's four.

15 Q. After wheel wells?

16 A. Yes, yes.

17 Q. Okay. So how many did you come to?

18 A. There would be four.

19 Q. Four. Stretch Duck --

20 MR. [REDACTED] You can come up, yeah.

21 MR. JONES: Rob Jones, NTSB. Just let me interrupt real
22 quick. Could you reference the form you're -- I mean, does it
23 have a form name, is this a control document for the company?

24 MR. LANHAM: It's the Captain's/Driver's Pre-Trip Inspection
25 Form.

1 MR. JONES: Okay. Good.

2 MR. [REDACTED] I apologize.

3 MR. JONES: Thank you.

4 BY MR. [REDACTED]

5 Q. Is your vessel -- because you have different arrangements
6 amongst your fleet, some vessels have a Higgins pump, which is the
7 traditional de-watering mechanism that is installed on these, and
8 some vessels have been -- have had the Higgins pump removed and
9 have had a sea chest installed in lieu of that, correct?

10 A. Correct.

11 Q. Okay. How do you access the sea chest?

12 A. There's two sealed openings that can be opened to access it.

13 Q. And then how were the bilge water alarms tested that day?

14 A. For?

15 Q. The highlighted block.

16 A. Oh.

17 Q. No line item. Under the Coast Guard interior inspection
18 form, it indicates that the bilge high water alarms were checked.

19 A. There is a test button on the alarm box that is pushed to
20 make sure there's an audible alarm for that.

21 Q. So the actual floats in each of the after wheel wells and
22 mid-ships were not raised to check --

23 A. That's correct.

24 Q. They were not or were?

25 A. They were not.

1 Q. They were not lifted and checked. How do you check for water
2 on the interior of the hull?

3 A. We will raise floorboards and look for interior water.

4 Q. Okay. And have you ever inspected a duck that has a Higgins
5 pump installed?

6 A. Yes.

7 Q. Okay. How do you inspect to indicate that the Higgins pump
8 key is installed on those ducks?

9 A. So there is a Higgins pump key that extends past the sprocket
10 that is painted red. And from there, you will manually make sure
11 that you rotate through the chain, make sure that you see that
12 key, that it's physically in place and not sticking -- it's only
13 sticking out about a half inch to three-quarters of an inch.

14 Q. And what floorboard do you access to view that Higgins pump?

15 A. They're center floorboards. In some ducks, it could be the
16 second one, it could be the third one, depending on the
17 arrangement of the floorboards.

18 Q. And where is the key if you're looking through the center
19 floorboard, is it on the outboard side or is it on the inboard
20 side?

21 A. It would be actually facing towards the stern of the duck and
22 it would be on the port side of the hole. I guess it would be on
23 the port side of the duck.

24 Q. If you wouldn't mind, if we can get copies of the Stretch
25 Duck 27 checklist, pre-inspection checklist?

1 A. Yeah.

2 Q. Thank you. Back to the channel that you monitor for your
3 watches. Not the marine frequency but the in-house frequency, is
4 that how you refer to it?

5 A. Yeah.

6 Q. What channel is that, or is that a --

7 A. Well, it's a frequency that is leased to us through the FCC.

8 Q. Okay. Does it have a channel number assigned to it?

9 A. No, the channel name is Repeater.

10 Q. Just Repeater?

11 A. Yes.

12 Q. Okay. In the Coast Guard, we have a command center and have
13 continuous live watch, everybody's there and that is their
14 dedicated position. Who conducts that watch on the in-house
15 frequency back at Ride the Ducks' facility?

16 A. Whoever is the manager on duty at the time, with the radio.

17 Q. Okay. So, does he have other responsibilities, obligations
18 that may pull him away from that watch?

19 A. There is. However, he always has that handheld radio with
20 him at all times.

21 Q. Okay. And the handheld radio is powerful enough to reach the
22 water?

23 A. Yes, because it runs through our repeater system, yes.

24 Q. Okay. So it runs off of the repeater in the green room?

25 A. Yes. Yes.

1 Q. Okay. Have you ever filled in as an operations manager being
2 that you're the general manager, these individuals report to you?

3 A. Yes.

4 Q. Okay. And have you ever on your watch, have you ever lost
5 communication to a vessel that may be operating down here at the
6 waterfront?

7 A. Not that I can recall, but it could be. Yeah, there could be
8 a potential of that.

9 Q. Okay. One of the other -- well, moving on. Thank you.
10 Moving on, we talked about your boarding ambassador closing the
11 gates to the -- I'm sorry, you referred to it as the --

12 A. The mountain.

13 Q. The mountain, closing the gates to the mountain. That is a
14 common practice that is done every night, there's a boarding
15 ambassador that does that?

16 A. Yes.

17 Q. Okay. And that's his responsibility?

18 A. Yep.

19 Q. Okay. Is it that boarding ambassador's responsibility to
20 come and check on ducks that might be on the water?

21 A. No.

22 Q. So the individual the night of the capsizing of Stretch Duck
23 7, why did he, why did that individual come down here?

24 A. From what he's told me, he just felt the need to come down
25 here.

1 Q. Okay. So that's not a common practice to do that?

2 A. Not at all.

3 Q. So he did that of his own accord. Okay. I think that's all.

4 I'm going to move on to -- so that's just my follow-up questions.

5 So I'm going to move on to the operations manual here. Do you

6 have a copy of this available to you?

7 A. (Indiscernible).

8 (Pause.)

9 Q. I'll be referencing the operations manual that was provided
10 to me dated 2012, Ride the Ducks Operation Manual.

11 (Pause.)

12 A. Hey, [REDACTED] can I follow up on the --

13 Q. Yes, sir.

14 A. -- the high water alarm question (indiscernible) that?

15 Q. Yes, sir, please.

16 A. If the duck does have a seat chest, there is a high water
17 alarm inside that sea chest as well.

18 Q. Yes.

19 A. So that would be five with that.

20 MR. [REDACTED] Can I begin?

21 MR. JONES: Yep, go ahead.

22 BY MR. [REDACTED]

23 Q. So you have the operations manual that I have in front of me,
24 it's dated 2012?

25 A. Yes.

1 Q. Okay. Is this the most current operations manual that -- or
2 is this the manual that Ride the Ducks currently operates under?

3 A. Yes.

4 Q. Okay. And have you reviewed this manual in the past?

5 A. Yes.

6 Q. Okay. Is there a -- you indicated, I think, earlier that all
7 of the -- pretty much everybody under the umbrella of Ride the
8 Ducks is responsible for reviewing this?

9 A. That is correct.

10 Q. Is that documented somewhere or captured somewhere, that
11 captains and operations managers and the like have reviewed this
12 manual?

13 A. Not that I can recall.

14 Q. Does Ride the Ducks gather everybody together, particularly
15 in December of '17 when Ripley's took over, and reviewed this
16 together as a team, or in-house or total?

17 A. No.

18 Q. So I'll be flipping to specific pages and I'll call out the
19 page numbers that I'm referencing. The first page I'd like to
20 call your attention to is page 6 of the operations manual. Under
21 the title of Safety, I had questions about the last sentence of
22 the first paragraph there. It says, "Authorized operators are
23 personnel who have been trained on operating and safety procedures
24 for this equipment and have signed off on the applicable forms."
25 Do you have those forms?

1 A. Those forms would be the training logs.

2 Q. The training logs?

3 A. Yes.

4 Q. Okay. I have training logs here for -- they are labeled as
5 training logs for Mr. -- I apologize here.

6 So I have training logs that were provided to me by Ride the
7 Ducks on July 20th, by Mr. Matt Solinger, the operations manager
8 there that day. Do these resemble -- for a Captain Scott McKee
9 and a Captain Barry King, Captain Scott McKee was the captain of
10 Stretch Duck 07, and Captain Barry King was the captain of Stretch
11 Duck 54. Are these the training records that that paragraph is
12 referring to?

13 A. Yes.

14 Q. And I think earlier you indicated Mr. Ronald Hoot is --

15 A. He is a trainer, yes.

16 Q. He's a trainer for that. Okay. On here, what are these
17 training logs? And I'll kind of focus just on the water side
18 training one. There's a land and there's a water side. I'll let
19 you (indiscernible) reference there. So for Mr. Scott McKee, it
20 indicates that training was conducted on what date?

21 A. 2/22/2017.

22 Q. Oh. I apologize. There's a 2018 version. Let me use this.
23 This is the most current. I apologize. What is the date that is
24 indicated on there?

25 A. 2/19/2018.

1 Q. Okay. And who conducted that training?

2 A. Ronald Hoot.

3 Q. Okay. And on the top portion, it indicates various emergency
4 procedures, correct?

5 A. That is correct.

6 Q. Okay. Where does it -- in what category, I suppose, does it
7 address severe weather training?

8 A. It is not on here.

9 Q. Do you conduct severe weather training?

10 A. Yes.

11 Q. It also indicates -- there's a signature at the bottom --
12 that the operations manager should sign off on and date it. What
13 is the purpose of the operations manager --

14 A. Just so that he reviewed it and signed it.

15 Q. Okay. Is there a signature there?

16 A. There's not.

17 Q. Okay. Do you happen to know why?

18 A. I do not.

19 Q. Does that indicate that the form was not reviewed?

20 A. I can't say.

21 Q. No idea? That's all the questions I have about the training
22 forms, the training log. Do you do water training with the CDL
23 drivers, as well?

24 A. We do.

25 Q. Okay. And who conducts that training, typically?

1 A. It could be any captain, senior captain.

2 Q. I was also provided the, they refer to it as the captain
3 deckhand water training log for Mr. Bob Williams, who was the CDL
4 driver for Stretch Duck 07 that night.

5 MR. [REDACTED] I apologize. That's the only copy I have, so
6 can I please stand?

7 MR. JONES: Oh, sure. Yeah.

8 MR. [REDACTED] No, I can stand up and ask questions.

9 UNIDENTIFIED SPEAKER: You want to sit down? I'll just get
10 out of your way and stand here and take some notes.

11 BY MR. [REDACTED]

12 Q. This indicates that -- what is the date on there that was
13 conducted for Mr. Bob Williams?

14 A. 2/21/2018.

15 Q. Okay. And who conducted that training with Mr. Williams?

16 A. Scott McKee.

17 Q. Okay. And it indicates various, again, similar hazards to
18 what's on the captain's training, but there are a few that are
19 left blank, particularly hull breach, loss of propulsion,
20 maneuvering and current, ingress, knowledge of COI restrictions,
21 and safety briefs. Why would those not be complete -- oh, and
22 also proper ingress and egress procedures for the vessel. Why
23 were those --

24 A. That I do not know.

25 Q. Okay. Are those -- should those normally be covered in a

1 training?

2 A. Yes.

3 Q. Okay. And there also is another space for the operations
4 manager's signature. Is there a signature there?

5 A. There's not.

6 Q. Okay. I would assume you don't know why that is as well?

7 Okay. That's all my questions about that. Referring back to
8 the operations manual, on page 7 it refers to a duck hotline,
9 okay? That phone number that is listed under that paragraph, is
10 that still an active phone number?

11 A. As far as I know, yes.

12 Q. Okay. And can you elaborate on what the purpose of the duck
13 hotline is?

14 A. That is for anybody that would have questions on the fleet
15 operations side on, usually, any aspects of the duck, for
16 mechanics to, you know (indiscernible).

17 Q. Okay. Are captains and CDL drivers allowed to use that line
18 as well?

19 A. To call it? Yeah, if need be, yes.

20 Q. Okay. Okay. And where does that ring? Does that ring into
21 the main facility or does that go down to the maintenance office?

22 A. It usually goes down to Brian Deckard's phone.

23 Q. Okay. Is that your -- if the ducks that are in need of
24 assistance on the water (indiscernible) --

25 A. No, it's not for that.

1 Q. Not for that?

2 A. No, not at all.

3 Q. Okay.

4 A. It's more for knowledge-based questions.

5 Q. Okay. Thank you. Turning to page 8, and this will fall
6 under the topic on page 7. I'm sorry, the topic for page 7 under
7 Mobile Procedures. The information carries over to page 8. And
8 under the bullets on the top of page 8 there, the third bullet
9 down from the top indicates, and I'll read it out loud:

10 "Procedures to ensure that the crewmembers have essential daily
11 operating information, weather, vessel traffic on the waterway,
12 local notice to mariners, traffic information, tour route
13 concerns, security concerns, and VIP group information."

14 It indicates that there are procedures. What does that look
15 like? What do you mean by there are procedures? Are these daily
16 written procedures that are maybe posted on a wall or are these --

17 A. They're more verbal.

18 Q. Verbal procedures?

19 A. Yes.

20 Q. Okay. When verbal procedures are given out, is there some
21 way for people to sign off to acknowledge that they've received
22 them or --

23 A. No.

24 Q. -- is there a roster kept? No? Two bullets down, it says,
25 "Adverse weather plans, notification procedures. How operations

1 will be handled, et cetera." What are adverse weather plans? Did
2 you prepare an adverse weather plan on July 18 in light of the
3 incoming storm?

4 A. I don't know how to answer that question.

5 Q. No idea what that means?

6 A. I mean, I don't know if there was one prepared or not on that
7 one.

8 Q. Okay. But adverse weather plans have been prepared in the
9 past for other storms that were incoming?

10 A. I mean, it's, well, once again, it's just briefing on the
11 storm and that kind of stuff.

12 Q. Verbal briefing?

13 A. Yes.

14 Q. Okay. All right. Moving on down to the topic of training
15 program on page 8, I will read the last sentence of the first
16 paragraph -- or excuse me, the last two sentences of the first
17 paragraph: "These employees shall be trained to the highest
18 standards. Because of the diversity of the different geographical
19 markers, most of the training will take place at the local level
20 and will be the responsibility of the general manager." You have
21 indicated you are the general manager for Ride the Ducks Branson.
22 Is that accurate?

23 A. That is correct.

24 Q. Okay. Do you actively oversee the training at Ride the Ducks
25 Branson?

1 A. That is not normally my role. My role is to make sure the
2 training has been completed through individuals below me,
3 operation managers, trainers, that sort of thing.

4 Q. So that's delegated down to other personnel?

5 A. Yes.

6 Q. When was the last time that Ride the Ducks conducted any
7 emergency training?

8 A. We just had a monthly meeting in July and we covered a safety
9 topic. I can't remember what that safety topic was, but we did.

10 Q. Okay. And were you present for that training?

11 A. Yes.

12 Q. Okay. And can we get copies of that?

13 A. Yes.

14 Q. Okay. What kind of topics do you cover at these trainings?
15 Do you attend all training meetings?

16 A. I try to attend all.

17 Q. Okay. And who administers that training?

18 A. Trainers. So John Davidson, Joe Purma.

19 Q. Okay. And who are those individuals?

20 A. They're captain trainers.

21 Q. Okay. So they're captains and they're also --

22 A. Trainers, yes.

23 Q. -- designated trainers?

24 A. Yes.

25 Q. What qualifies them to be trainers?

1 A. As senior captains.

2 Q. Okay. Seasoned, experienced captains?

3 A. Yeah, seasoned.

4 Q. Okay. Okay. Were you aware that you were responsible for
5 the overall training Ride the Ducks Branson?

6 UNIDENTIFIED SPEAKER: I'm going to interrupt. I need to
7 talk to my client. Can we take a break?

8 MR. JONES: Yeah. We're going off the record right now.

9 (Off the record; on the record.)

10 MR. VOLPE: The interview has been suspended on advice from
11 the counsel at 11:36 a.m.

12 (Whereupon, at 11:36 a.m. the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

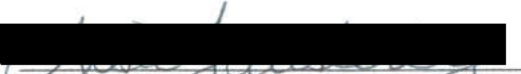
IN THE MATTER OF: CAPSIZE AND SINKING OF STRETCH DUCK 7
 ON TABLE ROCK LAKE, BRANSON, MISSOURI,
 JULY 19, 2018
 Interview of Curtis Lanham

ACCIDENT NO.: DCA18MM028

PLACE:

DATE: July 22, 2018

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Lisa Fuerstenberg
Transcriber