

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: CWO [REDACTED] [REDACTED]

Via Telephone

Tuesday,
July 24, 2018

APPEARANCES:

MARCEL MUISE, Marine Accident Investigator
National Transportation Safety Board

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U.S. Coast Guard

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I N T E R V I E W

(11:08 a.m.)

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2
3 MR. MUISE: This is Marcel Muise with the National
4 Transportation Safety Board. It's 11:08, we're in Branson,
5 Missouri, on, I'm sorry, it's July 24th, investigating the loss of
6 the Stretch Duck 7. And with us on the phone is Sector Upper
7 Mississippi River Inspections, Mr. [REDACTED] Can you tell us your
8 name, rank, position there, and spell your name for us?

9 CWO [REDACTED] Yes, my name is [REDACTED] [REDACTED] [REDACTED],
10 [REDACTED]. I'm a chief warrant officer with the United States
11 Coast Guard, and a marine inspector assigned to Sector Upper
12 Mississippi River.

13 MR. MUISE: Commander, just for the transcriptionist, can you
14 identify your name and your voice?

15 LCDR [REDACTED] Good morning. My name is Lieutenant
16 Commander [REDACTED] [REDACTED] I am with the Investigations National
17 Center of Expertise in New Orleans, Louisiana.

18 MR. MUISE: Trooper [REDACTED]

19 TROOPER [REDACTED] And Trooper [REDACTED] [REDACTED] [REDACTED] with Missouri
20 State Highway Patrol Marine Division.

21 INTERVIEW OF CWO [REDACTED] [REDACTED]

22 BY MR. MUISE:

23 Q. Mr. [REDACTED] just, let's start with some housekeeping items.
24 How long have you been in the, with the U.S. Coast Guard?

25 A. Twenty-seven years and about, let's see, going on seven

1 months, six months, six months.

2 Q. What is your prior enlisted rating?

3 A. I was a marine science technician.

4 Q. And how long have you been an inspector?

5 A. At Sector Upper or total?

6 Q. Total.

7 A. I've been an inspector since 2008.

8 Q. And how long at Sector Upper?

9 A. I've been in Sector Upper since 2013. I was in the
10 investigations shop when I first reported here though, so I spent
11 the first two years over the investigations, and I've been in the
12 inspection shop since March of 2015. So, a little bit over three
13 at inspections.

14 Q. Do you have tours at other offices as an inspector?

15 A. Yes. Oh, as a matter of fact, I told you I was an inspector
16 since 2008, I need to correct that. I started inspections in
17 2006. I was in Sector New York as an inspector up there, then I
18 transferred to Marine Safety Detachment Nashville, Tennessee where
19 I was an inspector and an investigator because we're a small
20 office so we do dual roles. I did that for six years there. And
21 then I came to Sector Upper Mississippi River where, like I said,
22 I was assigned to the investigations department from July of 2013
23 until March of 2015, and had been in the inspection shop since
24 March of 2015 to present.

25 Q. In your prior tours, have you inspected or investigated Duck

1 boats?

2 A. When I was in MSD Nashville, we had Ducks in Chattanooga, The
3 Chattanooga Ducks. Investigations were primarily just minor
4 marine casualties. We never had any serious marine casualties or
5 major marine casualties with Ducks while I was in Nashville when I
6 inspected on the six years that I was there.

7 Q. Okay. Specifically about this year, did you participate in
8 annuals, or COIs, or hull exams, or the drills at Ripley's this
9 year?

10 A. The only think I've participated in this year was drills.

11 Q. Okay. Can you touch on that real briefly? How did it go
12 this year compared to others?

13 A. I take that back, I'm sorry. I thought we were talking about
14 Stretch Duck 7 too. I've participated in a couple, and I don't
15 know how many activities I've done this year, but I, we go down to
16 Branson every month. From the beginning of the year, we're down
17 there pretty much every month from January through May or June.
18 I'd have to go back and look at my records to see which trips I
19 made it on. So I have inspected Ducks this year, and then, like I
20 said, I also did Duck trainings. Sorry about that.

21 Q. Okay. Regarding Duck training, is there something specific,
22 a common problem that you run into there or something you have to
23 continuously reinforce with the operator?

24 A. I'd say common problems. We do do Duck training. We go down
25 there typically in April or May, this year I believe it was May.

1 And there's very low issues, there was a couple of new people that
2 were, either had their captain's license or were working towards
3 it, so there were some new people that had done some training with
4 Ride the Ducks and had attended our training too. And like I
5 said, I'm not sure, some of them had their captain's license, some
6 of them were working towards it. Nothing stands out as problems.
7 For the most part, the training has gone pretty well.

8 Q. On the hull or COI side of the inspection, is there common
9 deficiencies that you look for with them?

10 A. Say again? The hull and --

11 Q. And the COI or the annual, is there a common --

12 A. -- COI?

13 Q. -- thing that you have to continuously reinforce?

14 A. Nothing really stands out. We go, like I said, we go through
15 a, an array of things with the checklist. I'm trying to think of
16 anything that specifically stands out that we need to reinforce.
17 I don't know if this specifically stands out, I mean every once in
18 a while we run into the normal with most of our operators, where
19 we would go through their first aid kit, and there's an expiration
20 date for several different items in there, and like any other T-
21 boat operator, you know, the operant, those expiration dates vary,
22 so you could have Aspirin, and burn gel, and something else inside
23 there and they all have different expiration dates.

24 So that's one thing, you know, we tend to, you know, a lot of
25 Subchapter T-boat operators, it's just, you know, they haven't

1 paid attention to Aspirin or something along those lines being out
2 of, out of expiration. So that's, I would say that's probably a
3 common one amongst the fleet. And I'm not talking about like, you
4 know three to four years, I'm talking like, they went out of
5 expiration in the past couple months or so.

6 So most of our T-boat operators in Sector Upper are seasonal
7 ones, and we tend to get onboard them outside their normal
8 operating seasons, because we usually do them, like I said, during
9 the late fall and spring. That's one of the things that we, you
10 know, they really hadn't gone through it and checked their stuff.
11 That would actually be the most common one, and it also applies to
12 Ducks as any other of our vessels. Other than that, like I said,
13 it's just, it's varying things that you'll find.

14 Q. On the hull side, is there a specific spot that you'll, that
15 you look at that you, that you're concerned with? Either a weld
16 or corrosion?

17 A. Just that we, just any part that comes into contact with the
18 water or is just above the water line. Especially the ones that
19 are just above the water line. We're talking about that area
20 where it's maybe not always in contact with the water, but it's in
21 contact with water and then out. We're looking at that, but
22 pretty much when we're doing hull exams, we go down before it goes
23 into the water, we are, you know, doing an entire walk of the
24 vessel. We're not crawling under it, but we're looking like in
25 the wheel wells, typically some spots we, that we have seen once

1 we're in the water is the steering box. Where the steering box
2 is, we've had issues where we've had like, water trickle in, and
3 that's maybe something going back to your previous question that
4 we've maybe seen. I wouldn't say it's become an issue, but where
5 we've seen it a couple of times when we go inside the water.
6 We'll see a little trickle in that steering box area, and they
7 usually have it fixed before we ever depart, because we're usually
8 there for several days. But, we're paying attention to pretty
9 much all of the areas.

10 We do a waterborne test when we first get down there. So
11 like I said, we first walk around the boat, look at all of the,
12 just, where I'm paying attention is to, is the areas where they,
13 where they have their external ribs, once again just because
14 there's areas where that, since that rib kind of hangs over, you
15 look up inside there to see if you see any corrosion behind those
16 ribs. Don't see it as much here because it's freshwater, but we
17 have had Ducks back here that have worked in saltwater
18 environments and you see more big issues in those areas.

19 But we check those areas, check, like I said, check in the
20 wheel wells, I'm looking back in there where the prop tunnel's at
21 and the rudder, specifically looking at the welds, looking at the
22 condition of the metal, and then we do a waterborne test. And
23 that's where these Ducks are always prepared to where we go
24 onboard them, all the seats and floorboards are removed, and where
25 they're doing their annual inspections. So, you know, the

1 waterborne test, and once again, checking for any areas where we
2 may have water leaking in from the outside in.

3 And then when we go back to the shop to do the remainder of
4 the inspection, once again, we're inside of it. Then we're mostly
5 checking equipment stuff, but then at the very, the last thing we
6 do, we're done with all of that, is they'll jack it up and we'll
7 actually go on crawlers.

8 And I typically start from the bow and I will use the crawler
9 and work my whole entire way back, and I'm looking at, you know,
10 underneath hull, I'm looking at the drive tubes, I'm looking at,
11 looking at the spot where they have their drain plugs, I'm looking
12 at any spot where, you know, I could possibly see corrosion,
13 wastage.

14 If I'm back out and, maybe now the rudder, it's been out of
15 the water for a while, if I suddenly, since we've been out of the
16 water for a while, I shouldn't really expect to see too much water
17 dripping from there. If I notice a spot where there's water
18 dripping, maybe I'll look a little bit closer at that because
19 maybe the water has got trapped up in either the metal or maybe
20 some of their coatings has kind of peeled away in a certain
21 section, and then I'll check that area to see if it's just water
22 coming out from behind the coating, or if I do actually have, you
23 know, another issue there. So --

24 Q. You mentioned saltwater. Does the Ride the Ducks rotate
25 their boats around the country? Have you seen a boat come from

1 saltwater back here?

2 A. Not that they rotate them around as much. Since Ride the
3 Ducks Branson, this was, you know, prior to Ripley's owning it
4 now, but Ride the Ducks Branson in the past, when they basically
5 had agreements with some of their franchises in Seattle, and San
6 Francisco, and Boston, and Philadelphia, I think, I don't remember
7 seeing a Boston one, because I think Boston handles all their
8 stuff, but I know sometimes Ride the Ducks would get vessels back
9 from like, some of their other franchises, and they'd send them
10 back there sometimes for repairs.

11 And then, just recently since the Philadelphia branch shut
12 down, a lot of the Philadelphia Ducks have been brought back, so
13 those are one that primarily operated in saltwater. And so some
14 of those are out of service, some Ripley's and Ride the Ducks
15 Branson has chosen to bring into service in their fleet and
16 deactivate some of their old vessels.

17 So we do look at them, but it's not typically like they're
18 rotating, like sending them here, and then sending the freshwater
19 ones out there. It's normally when they've been shutting the ones
20 down, at least, at least in my time that I've been in inspections
21 for them here, is normally when they close a branch down like in
22 San Francisco or Philadelphia and the fleet gets sent back here.
23 So --

24 Q. And the requirements for hull exams is different from
25 saltwater to freshwater, is that correct?

1 A. That's correct.

2 Q. And that would be noted on the vessel's file somewhere?

3 A. That'd be, it's notated in the vessel's actually, their
4 previous COIs that it's came from Philadelphia and operated in a
5 saltwater environment, it would, it would be documented on their
6 COI.

7 Q. Okay. The boats in Nashville, are they a franchise of Ride
8 the Ducks?

9 A. No. The ones in Chattanooga are actually independently owned
10 by, I think it's still called Chattanooga Ducks I believe.

11 Q. So, your inspection rhythm, is, was it the same in
12 Chattanooga as it here? I mean, you go down there, you do the,
13 what you can out of the water with the maintenance people, and
14 then come back and do drills with the crew, is, was it a similar
15 system in Nashville?

16 A. It was a little different in Nashville because we typically
17 only had, at any given time, I think when I first got there they
18 may have had four, and then there was some, and they were
19 basically, they were on lease from a guy who owned them. He did,
20 the guy who actually owned them didn't operate them, so he leased
21 them to Ride the Ducks, and during my time there, he decided he
22 didn't want to lease them anymore and he took them all back. And
23 then Ride the Ducks, or not Ride the Ducks, Chattanooga Ducks had
24 some of their own, and purchased some from other places. I think
25 they actually purchased an old one from Boston when Boston started

1 replacing their Truck Ducks. But they only had, like I said, new
2 normally three or four so it was a little different.

3 We did all of this, where Ride the Ducks we'll go down there
4 starting in, like I said, September, October, and inspect Ducks
5 all the way through April or May. Down there it was pretty much,
6 we'd go down there in the spring, because they pretty much shut
7 down all operations in Chattanooga. We'd go down there and
8 inspect, you know, either the whole fleet at once, or at least
9 two. And things were a little different because in Chattanooga,
10 they didn't, they didn't remove all of the floorboards, and all of
11 the seating, and of the, all of the stuff that Ride the Ducks does
12 for us.

13 They, if we were typically going out there to an annual, the
14 annual, all that stuff was left in, and we were basically removing
15 floorboard and using a flashlight to look under the floorboards,
16 and under the seats, and under everything else, where Ride the
17 Ducks, every year we go down there, they basically rip everything
18 out and let us see the entire inside of the Duck.

19 So I was kind of -- when I came back to St. Louis, the first
20 time I went down and inspected out there, I was kind of surprised
21 by that, because it wasn't an ISC or a hull exam we were doing, so
22 I asked why everything was out. And the inspectors here informed
23 me, well that's the way they're always done. And I was like, wow,
24 in Chattanooga, they only took them out at the five year, five
25 year interval for dry dock and ISC, so I thought that was quite

1 nice, because I didn't have to worry about crawling in and around
2 seats and under floorboards and stuff.

3 But everything else, as far as everything else goes, the
4 inspection, we would do a water, we would typically, we're here,
5 we do the waterborne test, and then come back and do the annual or
6 COI. In Chattanooga, we actually did the COI or annual on dry
7 land and then we went and actually did the waterborne test at the
8 end. Once again, since Chattanooga only had a handful of
9 employees, and we would only do their inspections in the spring
10 right as the season was getting ready to start, we would actually
11 get underway with the actual captains that were there, because
12 they only had like two or three I think. And one was the actual
13 owner/operator, and we would actually do the underway portion with
14 the captain that day.

15 So, here since we have such a big fleet and we do them all
16 throughout the year, that's why we typically do the captain's
17 training in April or May when the captains are all coming back.
18 So --

19 Q. Have you ever come across doubles, or epoxy, or resin being
20 used to make repairs to a hull on Ducks?

21 A. I, myself, no I have not.

22 Q. Okay. Are you familiar with the Miss Majestic incident?

23 A. Yes.

24 Q. Have you read both the Coast Guard report and the NTSB
25 reports?

1 A. I read them. It was a while ago, but yes I have read them.
2 Actually, when I first started inspecting Ducks in Chattanooga,
3 since it was the first time I was exposed to this type of vessel,
4 I'm, I read through them.

5 Q. Do you know if the crews at Ripley's are familiar with those,
6 that case?

7 A. I'm not sure exactly. I know, like I said, sometimes we'll
8 go down to do the captains training. When we're going through
9 stuff we may, we may mention something in that, but I, like I
10 said, I really can't direct recall.

11 Q. How about other cases from around the, around the world? The
12 one in Seattle, or the ones in London, or Liverpool?

13 A. Not sure. I do know when I would go down and do captains
14 training, I would a lot of times use the Philadelphia one as an
15 example because even though a lot of stuff in that specific case
16 was pointed to the barge operator, the towboat operator that was
17 pushing the barge, and his lack of eyesight, I use it as a case
18 example like you can't always expect that you are going to be seen
19 by another vessel, so in that case they went dead in the water.

20 So I'll say, hey, if you're dead in the water, and we don't
21 require our Ducks to carry flares because of where they operate, I
22 tell them, you don't have flares so you need to make sure you make
23 yourself visible and sound (indiscernible), so, you know, lay on
24 your horn, try to call on the radio. Now, we don't have as big
25 commercial traffic there, but I mean, that also applies to

1 recreational traffic, but that's probably the one activity that I
2 use the most because, you know, I've read that activity and I
3 actually really have it read it thoroughly. I've heard about,
4 like I said, I know a lot of stuff was placed upon the captain in
5 the towboat in the barge, but I think that there can be lessons
6 learned from, on the Duck side too, so I usually use that as a, as
7 a nice learning tool. So --

8 Q. And that practice is just good inspector practice on your
9 part? Or is there a formal way for, to get information from those
10 incidents to inspectors and the crews?

11 A. Just I guess probably just good inspector practice on my, I
12 mean, it's just something that I'm, like I said, I've just kind of
13 used immediately when the Philadelphia one happened, I was down in
14 Chattanooga when that one happened, and the very next time I went
15 out and inspected, I just shared that information with the captain
16 like, hey, you know, you guys, once again, you operate in an area,
17 and in Chattanooga, they were in a river system where there was
18 some other passenger vessels, and an occasional barge and tow went
19 through there.

20 And so I just kind of used it as a, you know, hey, and I
21 think -- I don't think our Ducks in Chattanooga were carrying
22 flares at the time, and I think they may have put them on after I,
23 or I think I at least made the recommendation that, you know,
24 maybe they do that even though they weren't required to carry it.
25 That way, you know, because I said, if you're getting ready to be

1 run over by a tow boat, maybe you could, you know, fire a flare
2 off and it'll land, or do whatever you can to make yourself
3 visible. So, it's in no formal thing, just something that I like
4 to share with lessons learned when I redo some of these things.

5 So --

6 Q. Have you, do you have access to the War Department Technical
7 Manual in your office?

8 A. I've, if we do, I haven't, I haven't looked at it.

9 Q. Is there any OCMI or district policy in addition to the NVIC
10 101 available for Ducks?

11 A. We just have the Duck, the Duck (indiscernible) 101 is what
12 we use, what we have here.

13 Q. How about in Nashville? Was there OCMI specific manual for
14 Ducks?

15 A. No, we didn't have any in Nashville other than the Duck NVIC.

16 Q. The --

17 A. I mean, no written policy.

18 Q. The drills, is there, do you have a way of capturing who was
19 there when you did drills and training? Like which captains,
20 which deckhands?

21 A. No. I mean, we, I've never written them down.

22 Q. And one final question. Are you familiar with the
23 requirements to get, or how to get a Duck endorsement on your
24 merchant mariner credential for the captains to get their license?

25 A. No.

1 MR. MUISE: That's all I have actually. Commander, do you
2 have any?

3 BY LCDR [REDACTED]

4 Q. Good morning, Mr. [REDACTED]

5 A. Yes.

6 Q. Lieutenant Commander [REDACTED] just a couple of follow up
7 questions for you. Do, I understand that there was a checklist
8 used at Sector Upper Mississippi River with regards to the Ducks.
9 Is that a requirement for all inspectors who go out on Duck
10 inspections?

11 A. We don't require it, it's just something that since I've been
12 here we all use when we make up the folder to go down there. We
13 usually, you know, we schedule an inspection, we'll print out that
14 inspection, that then becomes our coversheet, and the person
15 that's printing it out may, you know, write little notes down on
16 there or whatever, I, at least I do. And then what's kept inside
17 there is if it's a COI, there's a COI application, we'll put that
18 inside there. If there's no COI application, then we'll just put
19 a copy of the Duck inspection checklist in there.

20 And usually we bring a copy of the previous issued COI just
21 so that we have it for reference so we're not, you know, fiddling
22 around with it once we're out there, because they keep the
23 originals at the office, so we just happen to have that.

24 But to my knowledge since I've been here, most of us, the
25 inspectors just use it. And nobody's ever told me it's a

1 requirement to use it, it's just a good handy reference to have
2 when you're going out there --

3 Q. Understood.

4 A. -- so they are a little different than our normal Subchapter
5 T-vessel.

6 Q. All right. And a little bit of a housekeeping, has that
7 checklist been sent to the Sector email address set up with regard
8 to this response?

9 A. The MMC one, yes it has.

10 Q. Thank you very much. I appreciate that.

11 A. You're welcome. You're welcome.

12 Q. How receptive is Ride the Ducks Branson to discussions of
13 deficiencies prior to issuance, after issuance in getting them
14 resolved? Are they receptive to those things in your experience?

15 A. Yes. I would say in most, my experience with most of this
16 stuff, like I said, a lot of times when we're down there, we're
17 doing several other inspections, and typically they're, maybe one
18 of the first day or two that we do, so typically a lot of the
19 stuff they can get rectified before we even depart on, and that's
20 why we always kind of leave an extra day at the end, because it is
21 a long drive. We usually leave whatever our last day is, that
22 morning, to go by to any of our vessels, but since Ride the Ducks
23 has a lot of vessels, we will typically leave that open to go
24 follow up if anybody has a deficiency that they can clear prior to
25 us leaving.

1 And normally, in my experience, a lot of those are usually
2 cleared either the day, the day we do the inspection, or
3 definitely by our last day there. Some of the lingering ones,
4 and, you know, and it also depends upon the timeframe. Some of
5 the lingering ones, they're usually pretty good about getting back
6 to us on them. The only one that we had a little issue with this
7 year was when they had the Ducks that they were bringing from
8 Philadelphia and bringing them back online, they have to, we want
9 to know all the plans, and especially if it's coming from
10 Philadelphia, we went over, we want to know all the plans and
11 reviews, review letters and stuff that applied to that one, and we
12 also require them to do a weigh ticket to make sure that the
13 weight doesn't change drastically, and they have a spreadsheet for
14 that to determine that they're still within their limits.

15 And this year took a little longer. Now, they weren't using
16 those Ducks, and then when push came to shove, it was getting
17 ready to be Memorial Day weekend, they asked if they could use
18 them, and the captain of the port said, no. You know, these
19 requirements have been out there, so you need to have that done
20 before you can, before you can use them. And they got them,
21 within 48 hours they got it to us.

22 And so typically the, yeah, most of the stuff is followed up
23 in a timely manner. I would say probably, once again, comparing
24 them to some of the other T-boat operators, probably better than
25 most because some of our T-boat operators, we're calling them as

1 we're getting close to, like say we gave them 14 days or 30 days,
2 we're calling near the deadline to remind them. The Ducks, we
3 typically don't have to. I'm not saying we never have to, but we
4 typically don't. Usually they're pretty good about getting on it
5 and getting it back to us. So --

6 Q. Thank you. The concept, or I'm sorry. One follow up to
7 that. I understand you were present on the last inspection
8 regardless of annual or COI on Stretch Duck 07, is that correct?

9 A. Yes. I did the annual back in November.

10 Q. And there was no difference in company receptivity on any
11 issued deficiencies or discussion of anything that sounded like a
12 deficiency?

13 A. No. In the Stretch Duck 7, you know, looking back through
14 the narrative, there actually was no deficiencies --

15 Q. Okay.

16 A. -- on Stretch Duck 7 when I did the annual back in November.

17 Q. Okay. And you also mentioned recent requirement to weigh
18 Ducks coming into operation. What is the reason for that with
19 regards to ranges that you, that you mentioned? Can you, can you
20 elaborate?

21 A. All of Ducks here except for Stretch Duck, I believe it's 4,
22 but don't quote me on that, have incline stability. So
23 calculations were used, not simplified, Stretch Duck 4 was still a
24 simplified, and I believe that's no longer in service.

25 But anyway, so because of them having the stability based

1 upon calculations, they had weighed the Duck, and we usually make
2 them weigh it every COI to ensure that it's still, it remains
3 within the two percent of the weight so that no re-stability has
4 to be done. So that's a requirement that apparently has been
5 placed on them before I ever got here, and so it's just at every
6 COI we make them do a weight ticket.

7 Now, if they were going to do drastic changes that were going
8 to, you know, that we knew just from the actual work that they
9 were going to do was going to increase the weight significantly,
10 we'd have it done right away. But we're talking about, you know,
11 maybe switching from one bilge pump to another bilge pump, or I'm
12 trying to think. They added, they took off a seat and added
13 narrator seat, a jump seat for the narrator, there used to be a
14 two-person seat and they added a seat.

15 So any kind of, you know, just changes like that are, that
16 are, you know, where they give us, they give us the amounts, the
17 weights, and if it's, if it's not, if we know it's not going to,
18 you know, tip the scales, then at the COI, like I said, they'll
19 have it, they'll have them go run it across a certified scale and
20 then provide us a weight ticket. And then that's compared to
21 their spreadsheet on what the parent weight for the, for the
22 incline that was done on that particular Duck or that parent Duck,
23 and it's compared to that. And with, if it's within two percent,
24 then there's no need to do another incline. So --

25 Q. Then, that requirement to do the weight at the COI, is that

1 common for all Ducks nationwide? Is that a Coast Guard wide
2 requirement?

3 A. I don't know. I can only tell you what we do here. I know
4 in Nashville, it wasn't. All their Ducks were based on a
5 simplified stability. So I just know here because, like I said,
6 all of ours except for the one were based on incline. That's what
7 we did here. So that's what we do here.

8 Q. Is it common for other vessels to weigh them at the COI Coast
9 Guard wide or requires --

10 A. No.

11 Q. -- some kind of --

12 A. Whatever, just because other --

13 Q. -- equipment?

14 A. Because other vessels aren't Ducks, so they can't drive onto
15 a certified scale.

16 Q. Right.

17 A. So what happens with other Ducks is we keep a log of weights
18 that come off and weight that's gone on, and it's like our big
19 Duck, like the, or not big Duck, our big vessels like the Showboat
20 *Branson Belle* for instance, they keep records of that and then we
21 basically when it, when it looks like into a threshold, we
22 basically tell them, you know, listen, you need to basically prove
23 to us through having another naval architect or engineer come out
24 and do the calculations to prove that you guys are still within.
25 Because we're talking on there, they're adding, once again, a lot

1 of weight when you're talking about the Showboat *Branson Belle*,
2 but when they're adding like big commercial size dishwashers and
3 maybe taking off that generator and, you know, replacing a
4 generator, or anything they're doing on site there, that's stuff
5 that's kept in a log over there, and it's not really the COI, it's
6 when the OCMI and the inspector determines that it's time for a
7 new one. So --

8 Q. I see.

9 A. -- but since the Ducks can be driven on a scale every, you
10 know, any day, but definitely every five years, it's just easier
11 to do them by weight where, like I said, the other vessels you can
12 get, you can't pull them out and put them on a scale.

13 Q. So weighing, sir, if I understand correctly, you're weighing
14 the Ducks on a scale at a COI only, is it only because essentially
15 they can, they can be weighed and so you have the ticket? Or is
16 there a specific reason why they're being weighed at the COI?

17 A. Two reasons. One because they can, so it's like I said, it
18 just makes it easier than having them go out and do another
19 deadweight survey or an incline or whatever on it, so that's the
20 option is they can go on and actually have their actual weight
21 taken. And two, like I said, it's just, once again, it's just
22 checks and balances to make sure that we're not out of, out of
23 whack from where their original weight was. So --

24 Q. And the law that you mentioned on the *Branson Belle* vessel,
25 that has no connection to Duck boats, but --

1 A. Yeah.

2 Q. -- do you require that of other vessels in the, in other
3 inspected vessels that are not Duck boats, a log to basically
4 track potential weight change over time?

5 A. Yes.

6 Q. Understood.

7 A. Like any vessels, that's going to be based upon, like a said,
8 like a deadweight survey or a, or a, or an incline or something
9 where it's specific calculations related to weight. And then
10 vessels can have simplified stability tests, we can at any time
11 make them redo a simplified stability test. So --

12 Q. Understood. The, I'm going shift gears on you and just go to
13 drills.

14 A. Okay.

15 Q. What I understand is that the drills are done for the
16 captains. There's a waterside inspection of the vessels where a
17 drill is conducted on an annual and a COI, but then in addition,
18 there is a collective drill event for the captains. Is that
19 correct?

20 A. No.

21 Q. No?

22 A. No it's not correct. When we go down and do their COIs or
23 annuals, we are with a mechanic from Ride the Ducks back --

24 Q. I see.

25 A. -- at the mechanic shop. They're the ones that are getting

1 underway with us, because at that point, like I said, the Duck's
2 basically gutted. So there's no -- it's not outfitted the way
3 it's going to be when a captain's onboard. So we're on there
4 basically just doing the waterborne test for basically hull
5 integrity and to make sure, you know, all the bells, and whistles,
6 and gauges are reading properly and stuff like that. So we're
7 specifically inspecting the vessel when we do an annual or COI as
8 far as with the mechanics.

9 And then what we offer to Ride the Ducks, because like I
10 said, their captains aren't around year round, what we do for them
11 is when their, when their captains are hired back, usually like I
12 said, March, April, May, we will offer a day to come out there and
13 do whatever captain's training, or do captain's training for
14 whatever captains they send out to us. So --

15 Q. So, two points to follow on that, and I will be able to pass
16 it on. But the, so captains are not necessarily present or see
17 the Coast Guard outlining any issues or deficiencies with regards
18 to the hull or mechanical operation of the vessels because they're
19 not present for those inspections, is that correct?

20 A. That's correct. I, there's been, every once in a blue moon
21 I've had a captain like show up so he can see what we do, but for
22 the most part, no, the captains are not present when we're doing
23 any actual COI or annual inspection of the vessel, nor when we
24 read the deficiencies, that's correct.

25 Q. And is possible for a captain within the full complement of

1 captains within Ride the Ducks Branson to not have a Coast Guard
2 member present while, like not have anyone listen to his
3 announcements, is, they can basically not show up for the, what,
4 I'm sorry, for the lack of a, what do you call the drill day for
5 the captains? The water, is it called the waterside inspection?

6 A. We do the captain drills training.

7 Q. Captain drills training.

8 A. Yeah.

9 Q. Is that a requirement?

10 A. Is it a requirement? No. It's something that, like I said,
11 we've, since we don't, since our typical other examinations for
12 other inspected T-vessels and K-vessels we're out there doing an
13 annual inspection, and whatever captain shows up to do that
14 inspection that day, I'm not talking about Ducks, I'm talking
15 about the other boats, whatever captain shows up to do that
16 inspection for the day, that's the captain that we'll run through
17 the drill, and that would give us a safety orientation, and
18 everything that that captain has to do.

19 So since Ride the Ducks, we don't have, we don't do that
20 because we're not, they're not attending the annual ones, we offer
21 that, like I said, for them. And then Ride the Ducks basically
22 puts it out there and has the captain show up. So, yes, there, in
23 any given, and I, and I don't know how many captains they employ,
24 but typically I, based upon the numbers that are showing up, we're
25 not doing the entire full complement of, you know 20-something

1 captains if that's what they have. We're doing, you know, maybe
2 half of that that show up on the day that we're out there to do
3 the training. So --

4 Q. So it is possible that the --

5 A. So --

6 Q. -- to have a conflict every time that there's on a Coast
7 Guard waterside captain's drill, and as a captain, and not be
8 present for it, and not see any kind of, I guess I should say
9 reason why that would be seen as a fault or a concern by the
10 company's side or by the Coast Guard's side. It's not a
11 requirement for a captain who works for Ride the Ducks Branson to
12 do a Coast Guard observed drill waterside?

13 A. No. And all, and all the, and the regulations say is that,
14 you know, we're required to basically, you know, we're not
15 required to. The regulations don't say we're required to. When
16 we go out there, typically we go out, do our inspections as the
17 regulations say we're required to, but we do witness drills. And
18 then, and of course that's when we're out there that one time
19 during that whole operating season. And then, you know, then
20 they're required in the regulations is that the captains and
21 operators are doing their own training for firefighting, life, man
22 overboard, abandon ship, they're supposed to be doing their own
23 drills.

24 So, like I said, typically even with our other T-boat
25 inspections, if they have three or four captains employed, and the

1 day we're out there doing the inspection, one, only one's
2 available, that's the only one that we're going to actually
3 witness that year doing the whole thing. There's no requirement,
4 like I said, that we witness all four captains do it if that's
5 what they have employed for any particular company.

6 Q. Understood.

7 A. At least in the regulations, so --

8 Q. And there's no requirement for captains to be aware of active
9 835s that are on the vessels that they're driving? Say that, say
10 they've got like a repair within 15 days on the Duck that they're
11 taking out that day, they might not even know that they have an
12 835 for, or associated with the Duck that they're driving, is that
13 possible?

14 A. That's possible. Not unless, not unless the company were to
15 notify them.

16 LCDR [REDACTED] Understood. Thank you.

17 CWO [REDACTED] No problem.

18 LCDR [REDACTED] I'm going to pass you on.

19 MR. MUISE: Trooper [REDACTED]

20 BY TROOPER [REDACTED]

21 Q. Yeah, [REDACTED] [REDACTED] with the Missouri State Highway Patrol.
22 And just to clarify, so you were on the annual inspection for the
23 SD7 this last time, is that correct?

24 A. That's correct.

25 Q. And what was the date of that again? Month and year is fine.

1 A. It was in November.

2 Q. Of '17?

3 A. November 2017, correct.

4 Q. Okay. And as part of that annual inspection, do you guys
5 also check as part of the, I don't know, my terminology is
6 probably a little off, but the, is it a safety part of that
7 inspection to check the side curtains to make sure that they
8 raise, lower, and deploy as needed?

9 A. Yes.

10 Q. Okay.

11 A. Yes. When we get back to the shop on every single annual and
12 COI, when we get back to the shop, they actually have these arms
13 that they'll outfit the sides of the vessels, and, that way they
14 don't drop to the floor of the shop or hit anybody in the head,
15 that, these arms, we have them lower it down to its position, and
16 then yes, we have them show that they can be pushed out.

17 Q. Very good. Thank you.

18 A. Yes.

19 TROOPER [REDACTED] No further.

20 MR. MUISE: Hey, Mr. [REDACTED] this is Marcel Muise with the
21 NTSB again. I do have a couple of follow-up, or a few follow-up
22 questions.

23 CWO [REDACTED] Okay.

24 BY MR. MUISE:

25 Q. Are you familiar with the difference between a Truck Duck, a

1 Fleet Duck, and a Stretch Duck?

2 A. I believe that there's differences, yes.

3 Q. Do you have any of, other than the Stretch Ducks, are there
4 any other of those types in your AOR?

5 A. We have Truck Ducks and Stretch Ducks here.

6 Q. How about in Chattanooga?

7 A. The ones in --

8 Q. Go ahead.

9 A. Chattanooga were Fleet Ducks. They were the original World
10 War II Fleet Ducks

11 Q. Okay. On PFDs, what is your understanding of Missouri State
12 law regarding children?

13 A. I know on recreational vessels, they're required to have them
14 on, I can't quote the exact age. I want to say ten and under
15 maybe. And on commercial vessels, and once again, I think it's
16 based upon size, they're not required to have them on, they're
17 required to have them available. Everybody's required to, for our
18 purposes, for, inspected vessels are required to have a PFD
19 onboard for everybody onboard.

20 Q. Is there any discussion about the State Law when you inspect
21 a Duck given what happened on the Majestic?

22 A. No.

23 Q. Okay. The, Ripley's has an operations manual. Are you
24 familiar with that?

25 A. I heard they have one, and I know they have one, but I

1 haven't seen it.

2 Q. Okay. The approved drawings, are they available in your
3 shop?

4 A. I, they're available in the, I've got them electronically,
5 yes.

6 Q. Yeah, are they CAD files or are they PDF files?

7 A. Most of them are all PDF files. Electronically we do have,
8 we have hard copies of them back in our system too.

9 Q. Okay. How about the incline experiment? I believe it was on
10 Stretch Duck 1, which is a sister, is that available there?

11 A. The incline experiment? No. That would be maintained by
12 Marine Safety Center.

13 Q. And the weights that we were talking about earlier, are those
14 tracked in MSIS, or I'm sorry, MISLE, or in the vessel's paper
15 file there?

16 A. They're tracked in the vessel's paper file.

17 Q. They're, so they're not in your activity summary if I were to
18 go to MISLE?

19 A. It depends on what the individual inspector did on the day of
20 the, for that particular inspection. Some inspectors may scan it
21 in in the documents. There's no requirement that scan 835s, or
22 tickets, or stuff like that, and it really depends on what they
23 put into the actual file. We do keep electronic files, but what
24 they scan into MISLE is dependent upon probably the inspector.

25 Q. Okay. And one final question. Is there any change in the

1 way you did business with Ride the Ducks after Ripley took over?

2 A. No.

3 Q. And same with their, how they dealt with deficiencies? There
4 was no difference in --

5 A. No, because we were still basically dealing with the same
6 people we always deal, dealt with on our level. I had no
7 interaction with anybody from Ripley's.

8 MR. MUISE: Commander, any follow-ups?

9 CWO [REDACTED] Pardon?

10 BY LCDR [REDACTED]

11 Q. Sorry, just one follow-up. Are you familiar with how Ride
12 the Ducks Branson decides operations occurring on Lake Taneycomo
13 as opposed to Table Rock Lake? Do certain Ducks in the fleets
14 ride Taneycomo and other Ducks ride Table Rock Lake? Is it based
15 on number? Is it based on the day and what's not in maintenance?

16 A. No, I'm not sure. All, for the most part, all the Ducks, I
17 can't think of any Duck that's not COIed for both, so I don't, as
18 long as it's COIed for both, they can use it on whichever, Lake
19 Taneycomo or Table Rock Lake they want to.

20 And as far as I'm aware, all the ones that I've seen are for
21 both, so I don't, I don't know how they divvy out who goes where.
22 I do know up until, when I go down there (indiscernible) whatever
23 and ask them about it, they never operated on Taneycomo for I
24 don't know how many years. I think maybe they just recently
25 started, but I don't know when they started up again.

1 Q. Okay. And if they were to be operating on Lake Taneycomo and
2 Table Rock Lake, is it possible that they would be doing both at
3 the same time?

4 A. I, it could be possible, sure. Because they got a whole
5 fleet of Ducks, so they could have some, you know, some Ducks on
6 one, some Ducks on the other. I don't know if they're operations
7 manual prohibits doing them both at the same time. I don't know
8 about that.

9 Q. And any knowledge whatsoever if the company, let's say has
10 maybe a second dispatcher working at the time to assist, any
11 discussion along those lines or anything?

12 I understand that this is getting outside of your, what
13 you're aware of. But if you're aware of the separate, the company
14 operation, do they have a, like a dispatch position that was
15 support for maybe multiple boats, or if there were more than five
16 in operation, did, was someone supporting the individual who is
17 the point of contact back in the office?

18 A. I don't know, I don't know whether they have a dispatcher or
19 not.

20 LCDR [REDACTED] Thank you. No further questions.

21 MR. MUISE: Trooper [REDACTED] Nothing?

22 TROOPER [REDACTED] No further.

23 MR. MUISE: Mr. [REDACTED] I want to thank you for your time
24 this morning. Do you have anything else you'd like to share with
25 us?

1 CWO [REDACTED] Not that I can think of, no.

2 MR. MUISE: Okay. Again, thank you for your time. And with
3 that, we'll end our interview. It's 11:53.

4 (Whereupon, at 11:53 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 CWO [REDACTED] [REDACTED]

ACCIDENT NO.: DCA18MM028

PLACE: Via telephone

DATE: July 24, 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.

[REDACTED]

Christy Wilson
Transcriber