

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:

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National Transportation Safety Board

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U.S. Coast Guard

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TROOPER [REDACTED] [REDACTED]  
Missouri State Highway Patrol (MSHP)

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I N T E R V I E W

(10:00 a.m.)

1  
2  
3 MR. MUISE: This is Marcel Muise with the National  
4 Transportation Safety Board. It's 10:00 local. We are in  
5 Branson, Missouri interviewing Mr. Chief Warrant Officer [REDACTED]  
6 who is on the conference call from Sector Upper Mississippi River  
7 with the U.S. Coast Guard.

8 Mr. [REDACTED] can you tell us your name, your rank, your  
9 position, and spell your name for us?

10 CWO [REDACTED] Yes. My name is [REDACTED] [REDACTED] I'm a Chief  
11 Warrant Officer for, I'm a marine inspector, and my name is  
12 spelled [REDACTED], [REDACTED].

13 MR. MUISE: So, also in the room for the transcriptionist,  
14 Ms. [REDACTED] can you identify your voice there?

15 LCDR [REDACTED] Good morning, this is Lieutenant Commander  
16 [REDACTED] [REDACTED] again from the Investigations National Center of  
17 Expertise in New Orleans for the Coast Guard.

18 TROOPER [REDACTED] And [REDACTED] [REDACTED] with the Missouri State  
19 Highway Patrol Marine Division.

20 INTERVIEW OF CWO [REDACTED] [REDACTED]

21 BY MR. MUISE:

22 Q. So, Mr. [REDACTED] can you just walk us through a typical T-Boat  
23 season, Duck specific season for your sector? Annuals, COI, hull  
24 exam?

25 A. Yes. So starting, well I guess prior to our attendance, you

1 know, we'll get into MISLE and pull up the vessel history, create  
2 an activity in MISLE in which to record all of our findings in the  
3 future.

4 During our initial attendance on board the Duck, we typically  
5 arrange to meet them at the, at the water to do the waterborne  
6 portion of the exam. We would do a basic walk around of the Duck  
7 just to get a general idea of its external conditions, look for  
8 any red flags, and then take the Duck into the water.

9 The Duck is in a condition that is not like their normal  
10 operating condition in, meaning that they've removed all of the  
11 seats, and they've removed all of the floorboards so that we have  
12 access to the interior portions of the vessel so that while it's  
13 in the water, we can do a close examination of all of the  
14 penetrations and of all of the entire hull including welds and  
15 penetrations.

16 So it's during that time we look for leaks, anything that  
17 looks concerning in terms of the physical condition of the hull,  
18 and we'd also start to check other systems on the vessel that  
19 might, I mean, whether we catch other systems on the water or on  
20 the land is not as relevant, but, you know, we typically will  
21 spend a few minutes on the water just to have a good idea of how  
22 the vessel is operating in the water.

23 Now, during that portion, we're going to check the steering  
24 of course, and the propulsion both forward and the stern. We're  
25 going to check the emergency steering arrangement, and typically

1 at that point also we'll take a look at the lifesaving equipment,  
2 the life jackets that are onboard the vessel. That's not, it's  
3 not specifically it has to be done underway, but we usually like  
4 to spend a few minutes out there on the water, so it's something  
5 that we do at that point typically.

6 Once we've, once we're satisfied with the waterborne portion  
7 of the inspection, we'll have the boat removed from the water, at  
8 which point we'll return to the maintenance facility, Ride the  
9 Ducks in Branson, and we'll continue to examine the remainder of  
10 the systems that we've not looked at at that point. And the first  
11 thing that we typically do is while -- before they pull it into  
12 the garage, we'll check the operation of the bilge pumps and the  
13 bilge high level alarms, as well as any doors that have gaskets  
14 or, you know, seals against the outside of the hull.

15 So the main, the aft door that opens when the ladder's down  
16 to allow passengers to board from the aft, and then most of the  
17 Ducks also have on the port side a, another door for boarding from  
18 that side. And then some of them that are ADA compliant have a  
19 third door in the starboard portion of the stern. So we'll have  
20 those, we'll make sure that those doors are closed and we'll have  
21 them spray those doors from the outside with a hose to ensure that  
22 the gaskets are making a good seal.

23 Once we're satisfied with the bilge pump operation and the,  
24 you know, the test of the doors, we'll go ahead and have them  
25 drain out any remaining water from the hull that might have

1 collected as we, as we did those tests. Typically that's, you  
2 know, you have to put water in the bilge to pump it out, so I'm  
3 going to drain it, the bilges out and remove, excuse me, and then  
4 move the Duck into their maintenance garage at which point we  
5 complete the exam including all systems, electrical, mechanical,  
6 and hull.

7 So we would have them, at the end of the exam we have them  
8 jack the Duck up by the transaxle so that we can see the extension  
9 of the shaft tubes and check the rubber seal for those in both, in  
10 both positions. So, you know, when it's sitting flat on the  
11 ground, its suspension is compressed, and then when they raise it,  
12 the suspension is drop, you know the wheels drop out so that you  
13 can see the shaft that way as well.

14 We do a thorough examination of the underside of the hull  
15 just like we did on the inside of the hull while we were underway.  
16 We'll get on a creeper, and we'll go underneath the vessel looking  
17 for any concerns in terms of corrosion of the steel or physical  
18 damage that might have occurred. We're taking a look at all of  
19 the hull penetrations. For instance, where the, where the keel  
20 cores enter the hull, and of course the drive shafts and the  
21 propulsion shaft. We're looking at the rudder, and the propeller,  
22 and shaft arrangement as well.

23 So that is, it's more or less the exam. I didn't, I didn't  
24 specifically mention all of the, all of the systems that we look  
25 at individually. I'm not sure if that's, if you want that.

1 Q. No, that's okay. I'll have some specific questions about  
2 systems, but that's fine. I was, I was just, to get started, I  
3 just was curious about the overall program for Ducks as opposed to  
4 a typical T-boat.

5 A. Okay.

6 Q. So do you give them credit for a hull exam every year?

7 A. No we don't. We do, we do not give them a hull, a credit for  
8 hull exam every year. We do that based on the five year  
9 requirements.

10 Q. Is there anything different you would do from this annual  
11 routine when the hull exam was due?

12 A. No.

13 Q. Okay. Were you the, did you do the last annual exam on the  
14 Stretch Duck 7?

15 A. That was Mr. [REDACTED]

16 Q. Mr. [REDACTED] Okay. How about the last COI?

17 A. I did.

18 Q. You did? Okay. That was two years ago?

19 A. That would, that would have been actually January of 2017,  
20 and then Mr. [REDACTED] did the annual in November of 2017, so that  
21 would be the annual that is for 2018, you know, there's a three  
22 month window on either set of the anniversary date in which you  
23 can conduct the annual exam.

24 Q. Right.

25 A. So --

1 Q. In addition to NVIC 101, is there any district or OCMI  
2 guidance specific to Ducks?

3 A. In, no. We do have a basic checklist that we use. It's just  
4 kind of a guide through the exam because the 840 books obviously  
5 contain a significant amount of information beyond what's  
6 applicable to the Ducks.

7 Q. Okay. Is that checklist just an informal for your shop?

8 A. I'm sorry?

9 Q. Is that checklist just an informal checklist that you've  
10 developed in house?

11 A. Yes.

12 Q. Is it scanned and uploaded to MISLE which, with each case?

13 A. No.

14 Q. Okay.

15 A. There is really no information recorded on that, on that  
16 checklist. It's just more of a guide to, you know, keep you on  
17 track.

18 Q. Okay. Are there any other informal worklist, if there was,  
19 for example, if there were any deficiencies that you had to  
20 document, do you, are there any informal worklists in addition to  
21 an 835 or in lieu of an 835 that you use?

22 A. No. All deficiencies are recorded on an 835.

23 Q. Okay. And those are also entered into MISLE?

24 A. Yes.

25 Q. Okay. Do you have access to the approved drawings for these

1 boats there?

2 A. Yeah. I do.

3 Q. Okay. How about the, my understanding is Stretch Ducks 1  
4 through 12 were all given a credit for an inclining experiment  
5 that was done on Stretch Duck 1, is that correct?

6 A. I don't know. I, that would require research.

7 Q. Has, have you ever partnered with NHTSA or the State DOT in  
8 any of these inspections or check-rights?

9 A. No.

10 Q. How about plan review? Do you do plan review in house? Or  
11 is that done at MSC?

12 A. We do a combination. There are, there are plans that are,  
13 that have been and are approved locally depending on, I guess, the  
14 level of impact, perceived impact on civility and/or complication  
15 and our, you know, workload at the time.

16 Q. Okay. Do you have access there to the War Department  
17 Technical Manual specifically for Ducks?

18 A. I would have to look. I, I'm not sure.

19 Q. Are you familiar with the Miss Majestic incident from 1999?

20 A. I am.

21 Q. Both the Coast Guard and the NTSB reports?

22 A. I'm, I am. I have read them, but I don't have them, I don't  
23 have them readily available.

24 Q. Are you familiar with the incidents involving Wacker Quacker  
25 1, Wacker Quacker 4, or Cleopatra? Those are in the UK in 2013.

1 A. Not specifically, no. I, I've heard that there were  
2 incidents, but I don't, I don't know of them in detail.

3 Q. So of all of those incidents, do you know if the operator  
4 shares the lessons learned from those cases with their operators,  
5 with their crews? Do they review them as part of their --

6 A. Can you --

7 Q. I'm curious to --

8 A. Can you repeat the question?

9 Q. I'm curious, when an incident like those happen, for example,  
10 2013, do, does the safety information that, safety lessons from  
11 those incidents get disseminated to the crews both with Ride the  
12 Ducks as a nationwide organization or with what's now called  
13 Ripley's locally?

14 A. I do not know if they share that information.

15 Q. Okay. Some material condition questions. The bilge pumps,  
16 do they have switches to go from automatic to manual? Or are they  
17 always automatic?

18 A. The, there are, there is a, one of the pumps I believe, some  
19 of the Duck, well the Ducks have a variety of arrangements for one  
20 thing.

21 Q. Sure.

22 A. So most electrical submersible bilge pumps do have both  
23 automatic and manual functions. There is one pump on some of the  
24 Ducks that operates only in automatic position I believe it is.

25 Q. Have you ever noticed issues specifically with the V-struts

1 on the shafts? Wastage or cracks? Fractures?

2 A. On which component?

3 Q. There's a V-strut that holds up the shaft.

4 A. Okay. So on the V-strut itself?

5 Q. Yes, or where it connects to the hull.

6 A. I don't believe I've encountered significant issues with  
7 corrosion or damage to the V-struts.

8 Q. Is there a critical area that you always look at that you  
9 find typical problems with corrosion and, or a weld fracture?

10 A. On the V-struts we would look at the attachment points to the  
11 hull and the attachment points to the bearing shell, and the  
12 general condition of all of the steel that can, you know, that  
13 makes up the strut itself.

14 Q. About the whole, the entire hull. Is there a problem area  
15 that you tend to focus on for either wastage or weld failure?

16 A. You know, I don't, I don't give any specific area more  
17 attention, but we do a very thorough inspection of the entire  
18 hull. The wheel wells, I know are, there's some mention in NVIC  
19 about them being susceptible to, you know, corrosion based on  
20 things that would be kicked up from the road. Of course we look at  
21 that stuff. Any areas in the hull where there are tight spaces  
22 that are hard to see, for instance, you know, inside the boat  
23 where the wheel wells meet the hull, there can be some kind of  
24 tight spots that might be inclined to trap moisture or water.  
25 Those would be prone to corrosion, so we would take a close look

1 at those. In, but that, you know, we've, we look at the hull in  
2 its entirety. So we don't favor any specific area.

3 Q. What's an acceptable percentage of wastage on the hull?

4 A. General guidance is 20 percent.

5 Q. Have you ever noticed issues, specifically on the forward  
6 bulkhead of that propeller tunnel? So the --

7 A. Forward bulkhead of the propeller tunnel?

8 Q. The shaft is, the shaft --

9 A. I, yeah. I don't recall.

10 Q. Okay. How about, is it common, or have you ever seen them  
11 use epoxy or resin to make temporary repairs?

12 A. For, I mean, typically when we see the vessel, any temporary  
13 repairs would not be in place. They should be, they should've  
14 been permanently repaired at that point. So I don't believe I've  
15 ever visited a Duck when it had a temporary epoxy repair.

16 Q. How about doublers? Have you seen them use doublers?

17 A. I do not believe so, no.

18 Q. have you ever seen them use foam inside or below the main  
19 deck for extra buoyancy or as a coating?

20 A. No.

21 Q. Specifically to Ripley's, is there any problems usually with  
22 coatings on the inside or housekeeping issues in the bilge?

23 A. I would not say it's specific to Ripley's. The condition of  
24 housekeeping from boat to boat will vary depending on how recently  
25 it's been through repairs or been in the shop for repainting.

1 Q. And have you ever noticed water draining or leaking from the  
2 boots after a check ride?

3 A. The boots that attach to the shaft housings for the  
4 driveshafts?

5 Q. Yes, sir.

6 A. No.

7 Q. Okay. A few lifesaving questions. Can you describe the,  
8 what are the requirements for PFDs, both children and adult?

9 A. Well, they have to be Type I.

10 Q. Okay.

11 A. They have to be, you know, we check for condition, we check  
12 for, you know, condition of the vest itself, the material as well  
13 as the retro reflecting material, and that they're approved Type  
14 Is, they're marked with the name of the vessel, you know, the --

15 Q. What's the percentage for, required for children?

16 A. The required percentage is ten, however typically they have,  
17 you know, enough for a full complement.

18 Q. How about infants?

19 A. There is no requirement percentage-wise for infants, but they  
20 do carry infant life jackets on board.

21 Q. Are you familiar with Missouri State law regarding what age  
22 children have to wear life jackets?

23 A. I'm not certain.

24 Q. How about the, have you actually witnessed the safety brief  
25 that the captains use before they launch?

1 A. I have.

2 Q. And what do they typically talk about for, when it comes to  
3 life jackets?

4 A. They typically demonstrate the, well I say typically, they do  
5 demonstrate, in my experience, the donning of the life jacket, and  
6 point out the location of the donning placard, and where the life  
7 jackets are stored, and say that life jackets will be, you know,  
8 only be worn, or they don't, they would only need to be worn when  
9 directed by the captain in the case of an emergency or something  
10 along those lines.

11 Q. Do they demonstrate donning a PFD?

12 A. Yes.

13 Q. Are there boats that have two, a couple different types of  
14 PFDs onboard? Or different manufactures I mean, like a horse  
15 collar versus a jacket style?

16 A. I don't recall. Most of the vests that I've seen on board  
17 the boats recently have been the horse collar style.

18 Q. Has the, have you ever heard the, has the public ever  
19 reported a complaint to you about lighthearted safety briefs?

20 A. I've not, I've never been approached by the public about  
21 anything to do with the Ducks.

22 Q. And are there any Ducks, either near AOR or anywhere in the  
23 country you know of that have primary lifesavings, so IBAs or life  
24 floats?

25 A. Not that I know of.

1 Q. And these ones are certified for, just for rivers, is that  
2 correct?

3 A. Yeah. Their route is rivers. I have a COI here, I could  
4 check the specific wording. Let's see. So, their route is rivers  
5 and under their conditions, they're limited to Table Rock Lake and  
6 Lake Taneycomo, not more than 1,000 feet from shore, and, but that  
7 has to do with the radio requirements. But, so yeah. Rivers  
8 route for Table Rock Lake and Lake Taneycomo.

9 Q. So, what radio equipment would they need to go beyond 1,000  
10 feet from shore?

11 A. Just a VHF marine band radio. That's a, it's a typical  
12 condition that we put on a lot of the small passenger vessel COIs  
13 just based on the requirements for radio carriage. They're not  
14 required to have a VHF radio onboard if they strictly within 1,000  
15 feet of shore, however they do have the radios. It's kind of a,  
16 just a general condition that we put on the Certificate of  
17 Inspection.

18 Q. Okay. So they're, my understanding, they're not required to  
19 have a radio, they typically do. Do you test that radio during  
20 your inspection?

21 A. We do.

22 Q. Do you do a radio check with the Sector?

23 A. Not, well no. These are just VHF radios, so it's, you know,  
24 we'll need line of sight communication.

25 Q. Okay. A few safety management questions. The operations

1 manual, is that a requirement that the Coast Guard has placed on  
2 them?

3 A. There, no. There's no, there, the Coast Guard Sector Upper  
4 has no requirement for Ride the Ducks to have, to operate with an  
5 operations manual or anything like that. That would be on the  
6 Certificate of Inspection if it were.

7 Q. Have you reviewed it or read it?

8 A. I have not. You mean, that, an in house manual at Ride the  
9 Ducks?

10 Q. Yes, sir.

11 A. I have not.

12 Q. Okay. Do you know if the crew has access to that War  
13 Department Technical Manual?

14 A. I do not know that.

15 Q. Okay. Do you know, do they do, or are you aware of any  
16 internal audits that they do on their own operations manual?  
17 Similar to a--

18 A. I do not know --

19 Q. Similar to a audit.

20 A. I do not know that specifically. I have heard Frank English  
21 talk about external audits, but I don't know that that's  
22 specifically for that operations manual.

23 Q. Okay.

24 A. I don't know what aspects those audits cover.

25 Q. Are there any other operators besides Ripley's that operate

1 Ducks in your AOR?

2 A. No.

3 Q. And how involved do you get with Ride the Ducks as an  
4 organization that are building or refurbishing Ducks here to  
5 operate elsewhere in the country?

6 A. That, our shop would be, would provide all regulatory  
7 oversight for any activities done onboard a certificated Duck boat  
8 that's go, that's being worked on here. So whether that Duck was  
9 intended to operate locally or ultimately be shipped to a  
10 different zone, it would be us that would be providing any  
11 required regulatory oversight.

12 Q. And, so deficiencies that you, what are some typical  
13 deficiencies that you find either on a hull exam or a COI? Is  
14 there like, a top three that you have in --

15 A. I would have to consult my notes on previous, on previous  
16 examinations. I don't, there's nothing that stands out to me in  
17 particular, no.

18 Q. So, as an operator, is Ripley's pretty cooperative when it  
19 comes to correcting deficiencies?

20 A. They are cooperative, yes.

21 Q. Do you know how they document preventive maintenance or  
22 corrective maintenance? Is there a database? Or is it a paper  
23 system? Or do they have anything at all?

24 A. I do not know.

25 Q. Okay. Just a few housekeeping questions then, Mr. [REDACTED]

1 How long have you been in the Coast Guard?

2 A. Twenty-six years.

3 Q. And your prior enlisted rating?

4 A. Electricians Mate.

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

6 A. Since 2007, so 11 years.

7 Q. And how long have you been assigned to Upper Mississippi?

8 A. Four years.

9 Q. What were your prior tours as, in inspections?

10 A. Prior to coming to Sector Upper, I did a tour at Activities  
11 Europe, and preceding that at Sector New Orleans.

12 Q. Did you inspect Ducks when you were at New Orleans?

13 A. No.

14 Q. When were you in Europe?

15 A. 2011 to 2014.

16 Q. Did your shop at Activities Europe get involved with the  
17 incidents in the UK?

18 A. With the Ducks? No.

19 Q. Can you talk briefly about training for marine inspectors  
20 now? I know it's evolved over the years. How do you get from, or  
21 how does a new inspector get qualified up to T-boats?

22 A. So a new inspector would be given, you know, a, there's a PQS  
23 package, and forgive me if I've not that familiar with the new  
24 package, but we've not had anybody that's gotten qualified with  
25 that. And, you know, I, by T-boat qual is ten years old, so it's,

1 you know, definitely a majority of my experience with the  
2 qualification is with the old system. But regardless of whether  
3 the old or the new, it's done through a performance of practical  
4 factors that are detailed in whatever is the current relevant  
5 qualification package. You know, and then once you have the, you  
6 know, the PQS signed off, which includes knowledge and performance  
7 based factors, then you would sit for an oral board at your unit.

8 Q. How about formal course, formal residential training?

9 A. There is the marine inspector's course in Yorktown that is a  
10 requirement, it is one of the practical factors for T-boat, having  
11 attended that course.

12 Q. Okay. How long is that course now?

13 A. I don't know what the course duration is now.

14 Q. Do you know if it --

15 A. It's --

16 Q. -- includes the T-boat specific?

17 A. It does include T-boat specific information, yes.

18 Q. And how does one go get qualified in aluminum versus steel  
19 versus wood hulls?

20 A. Those, the different hull materials are addressed through  
21 different practical factors in the PQS. There's no specific  
22 course that I'm aware of for, that's T-boat specific for dealing  
23 with one material versus the other with the exception of wood  
24 boats. Wood boats, there was a regular established wood boat  
25 course that ended sometime around ten years ago, and since then

1 they've had various versions of a wood boat school, but that's the  
2 only material specific school that covers wood and FRP for  
3 T-boats. Beyond that, steel and aluminum are just covered by the  
4 PQS.

5 MR. MUISE: Okay, Mr. [REDACTED] That's all I have for you.  
6 I'll open it up to Commander [REDACTED]

7 LCDR [REDACTED] Good morning, Mr. [REDACTED] Thank you for  
8 sitting down with us. I also just have a few housekeeping items  
9 until I'll then move over into just some follow-up questions.

10 BY LCDR [REDACTED]

11 Q. You mentioned that the checklist that you use with, that is a  
12 local checklist in association with exams. Is that just for  
13 annuals? Is it specific for COIs? Can you just discuss the way  
14 it is functionally used?

15 A. Sure. So the checklist is used for both annual and/or COI  
16 exams at the inspector's discretion. It's not, it's not required.  
17 It's not an official checklist. It's purely a guide to reference  
18 and take any notes on about problems that you may come across  
19 during the conduct of your exam. It's not intended, nor is it  
20 comprehensive to every item that you might want to check. We  
21 still rely on the application of the Subchapter T and the NVIC as  
22 well as the 840 book for the, you know, general conduct and  
23 execution of the exam. This is just something handy to kind of  
24 take notes on that would be, you know, found typically on a Duck.  
25 So, it could be used for either annual or COI exam.

1 Q. Were the --

2 A. And I don't --

3 Q. Go ahead. Go ahead, sir.

4 A. Oh, I don't know, was there a second part to that question?  
5 I'm sorry.

6 Q. I, my first, the intent of the question was to determine if  
7 it, the checklist had a specific usage, if it was for annuals and  
8 then you would switch to something else for another checklist, or  
9 another addendum to the checklist for COIs.

10 A. No. It's, like I said, it's, it can be used for either.

11 Q. Understood. And its length, is, how, does it correlate  
12 directly to an 840 book? Is it shorter? Is it longer in the  
13 items that would be checked? Is it, can you speak to the  
14 difference?

15 A. It is, it's much shorter than in the 840 book. It isn't,  
16 yeah, it doesn't give references, it doesn't give expanded  
17 inspection details or anything. It's more or less a list of the  
18 systems and various items with room to write next to it any  
19 remarks that you might have if you have found deficiencies or  
20 anything like that. It, yeah, it's, for instance, it would take  
21 place of just maybe writing notes in a notebook if you found  
22 problems. That's kind of the way we use it is just as a way to  
23 record any issues that we might have found on that specific Duck.

24 When we attend, when we conduct exams on the Ducks, we are  
25 typically going to do exams on two or three vessels on the same

1 day. So this just gives us a way to, we'll write the name of the  
2 Duck along the top of it, and then we'll kind of keep notes on the  
3 things that we found on that Duck, if anything, so that we can,  
4 you know, keep a differentiation between one Duck versus the  
5 other. It's not intended to be a comprehensive inspection guide.

6 Q. And for the sake of the interview, can you just discuss  
7 generally what the, what an 840 book is?

8 A. Yeah. An 840 book is a vessel specific book produced by the  
9 Coast Guard to guide the conduct of an exam on the specific vessel  
10 type. It lists the, by system it lists the regulations per se,  
11 and a general summary of what the requirements would be. And you  
12 use the guide to go through, based on the, you know, the vessel  
13 that you're inspecting, you would look for the applicable  
14 sections, and those would be the items, it gives you kind of,  
15 gives you the specific regulatory site in which you would look for  
16 closer details about what the actual requirement is.

17 Q. Is there an 840 book --

18 A. And that covers all --

19 Q. I'm sorry.

20 A. That would cover all aspects of inspections onboard that  
21 specific vessel type.

22 Q. Is there an 840 book specific to Duck boats?

23 A. There is not.

24 Q. And you used the checklist, and you mentioned earlier that  
25 you do not place the checklist into MISLE or scan it and upload

1 it. How does the information on the checklist, is it, how is it  
2 retained for longer?

3 A. So the only, the only thing of value that would, so, well  
4 okay. So the only thing of value that would remain from the  
5 checklist would be deficiencies found, and those are dealt with by  
6 issuing an 835 requirement.

7 Q. Understood. We talked about the company, how receptive they  
8 were with regards to when deficiencies were issues, and your, you  
9 related generally positive or placating demeanor. Is there any  
10 difference at all, no matter how slight, between deficiencies  
11 issued during an annual or a COI?

12 A. No.

13 Q. Okay. And on the last visit to the vessel prior to the  
14 incident in question, how, were they receptive, were there any  
15 deficiencies issues?

16 A. I was not on that exam.

17 Q. I see. My apologies. Are you familiar with the concept of  
18 weight creep?

19 A. I'm sorry, could you say that again?

20 Q. Weight creep with regards to stability?

21 A. Yes.

22 Q. For this purpose of the interview, can you discuss a little  
23 bit with regards to how perhaps that might have been, played a  
24 part with the Ducks?

25 A. Well, so any weight that's added, moved, or removed from a

1 vessel, it, those movements have to be tracked for the purpose of  
2 assessing it's affect on stability. And once you cross a  
3 threshold that has to be, the stability has to be assessed by the  
4 Marine Safety Center. And it's, if the results are found, well,  
5 yeah. They assess it to ensure that it's still in compliance with  
6 the stability requirements for that vessel type.

7 Q. Okay. When you made announcement, I'm sorry. When you were  
8 conducting drills, you discussed some announcements done with  
9 regards to life jackets, life vests. Were there any other  
10 announcements that, during your waterside inspections, that were  
11 practiced or done by captains present for the inspection?

12 A. I'm having a bit of a hard time hearing.

13 Q. Sorry. We're going to move the phone.

14 A. You're breaking up a little bit.

15 Q. We're moving the phone. Can you hear me a little better now?

16 A. I can, yes. Thank you.

17 Q. Okay. Apologies. So the question was, again, for the sake  
18 of the recording, we discussed waterside drills and the  
19 announcements that were made, and there was some discussion of  
20 life jackets, and the donning, and location. Were there any other  
21 announcements that were practiced as part of the drills waterside?

22 A. So, we have the, we have the captains give their safety, the  
23 passenger's safety orientation, which includes the information  
24 about life jackets, but it also includes information about  
25 emergency egress, the firefighting capabilities of the vessel.

1 I'd have to, I'd have to check the requirements to, if, to make  
2 sure I've covered them all, but we always ensure that their safety  
3 orientation is covering all of the required points that are  
4 specified in Subchapter T.

5 Q. Understood. I, and I apologize. I'm going to go back one  
6 step to the checklist. You discussed that the checklist was  
7 basically, if there were any deficiencies found, that that would  
8 create the 835. For the sake of the investigation, can you just  
9 describe what an 835 is?

10 A. An 835 is the official Coast Guard form number for a record  
11 of deficiency to a vessel or facility. And would there be any  
12 other written documentation anywhere in addition to the 835 of the  
13 visit to the vessel?

14 A. No. The, with the, not written. I mean, the only, the only  
15 record that we keep of the examination would be the narrative that  
16 is put into MISLE. Any notes that the inspector, so, okay, let me  
17 kind of refresh my line of thought here.

18 So when we, when we schedule an exam, we prepare a folder for  
19 that vessel, for each vessel that's being inspected, and, excuse  
20 me, that folder, on the front of it, we typically would attach an  
21 activity summary, just gives us the basic details about the type  
22 of exam being conducted, the time and date, the vessel, and those  
23 types of details.

24 On the inside, we might put any relevant documents, for  
25 instance, a copy of the Certificate of Inspection, or any other

1 details that we might have found while researching the vessel  
2 history in MISLE. Anything that would be appropriate to the exam  
3 that needed to be referenced would be printed and put into that  
4 folder. And those folders are used by the inspector to make  
5 notes, to, you know, transport any documents or that type of  
6 thing. So those folders, you know, and that might include the  
7 checklist that we use, those would come back with us to the  
8 office, at which point we would use the notes that we had as well  
9 as carbon copies of the 835s to reconstruct our exam for the  
10 purpose of entering our MISLE narrative. And any deficiencies  
11 that were issued, and any required follow-up, all that information  
12 would, it would go into MISLE.

13       Once that information is entered into MISLE, any personal  
14 notes or, you know, anything that was written by the inspector  
15 during the exam would typically be disposed of because it serves  
16 no further purpose.

17 Q.    Right. Why does it serve no further purpose?

18 A.    Because all of the information that you have written has been  
19 entered into MISLE, into the database.

20 Q.    Thank you very much. I, one last question for you. The  
21 operation on Lake Taneycomo, was that consistent?

22 A.    Do you mean was it an operation that happened all the time?  
23 Is that what you mean by consistent?

24 Q.    Correct. I understand, you know, we're here because of an  
25 incident that occurred on Table Rock Lake.

1 A. Yeah.

2 Q. Just curious if you have any information about the company's  
3 schedule, you know, went one day on Table Rock Lake, and then came  
4 out, and then went in Taneycomo the next day. Is that the  
5 lifespan, or the typical rotation of a, of a boat? Did half the  
6 fleet serve on Lake Taneycomo and the other half on Table Rock  
7 Lake?

8 A. I do not have that information. I, they're authorized to  
9 operate on either lake, and that's the extent of my knowledge  
10 about that.

11 LCDR [REDACTED] Understood. Thank you for your time.

12 I'll --

13 CWO [REDACTED] Of course.

14 LCDR [REDACTED] -- pass it on.

15 MR. MUISE: Trooper [REDACTED]

16 BY TROOPER [REDACTED]

17 Q. Yeah. Trooper [REDACTED] with the State Highway Patrol.

18 Mr. [REDACTED] how are you, sir?

19 A. I'm well, thank you.

20 Q. I, you'll have to forgive my ignorance. I'm not familiar  
21 with all of the Coast Guard things, but you talked about the 835  
22 deficiency, how you'd record it there, and then a required follow-  
23 up, I heard you say that. Is there a schedule to when that  
24 required follow-up happens? Or how do you, how do you manage  
25 that?

1 A. Each deficiency is given a condition based on what the  
2 deficiency is. Some 835s, if they're deemed to be not safety  
3 related, the default timeframe for correction would be 30 days.  
4 If it's safety related, it very well might be a, an item that  
5 would have to be corrected prior to operating with passengers for  
6 hire. So it varies.

7 Q. Okay. So on either of those, and you mentioned the, you  
8 know, it may be, half to be fixed immediately, is there a  
9 timeframe on something like that? Or do you just, the Ducks just  
10 fix it and re-contact you when it's ready for inspection? On one  
11 that --

12 A. If it is a, if it -- go ahead.

13 Q. On a deficiency that would have deemed it not worthy of  
14 operation.

15 A. Right. If a deficiency is issued to not operate until, or  
16 not carry passengers for hire until the deficiency is satisfied,  
17 there is no additional timeframe placed on that. They just simply  
18 cannot operate that vessel for commercial purposes.

19 Q. Understood. And in regards to the safety release on the side  
20 curtains, is that part of the annual inspection and do you guys  
21 check those?

22 A. We do.

23 Q. Okay, thank you.

24 A. So, yes.

25 TROOPER [REDACTED] Thank you.

1 CWO [REDACTED] You're welcome.

2 BY MR. MUISE:

3 Q. Mr. [REDACTED] this is Marcel Muise again. I just have three  
4 follow-up questions. Regarding the drills that you do and the  
5 annual training, how do you account to make sure all of the  
6 deckhands and captains have been through that training?

7 A. We do not.

8 Q. Do you know if the operator does that?

9 A. The operator is required to conduct training for the  
10 captains, yes. They're required to do that.

11 Q. Okay.

12 A. Now we do, we do our internal, the, so we attend, once a year  
13 we set up a date to attend and conduct drills with the captains.  
14 And the captains that are available on that date as arranged by  
15 Ride the Ducks would come down and then we would put them through  
16 drills there, and yeah.

17 Q. Does your case file have a list of who, what captains were  
18 there for your training?

19 A. Typically it's not recorded because we, there's not specific  
20 requirement that we've, that we do, you know, 100 percent, or that  
21 we do these captains or those captains. When I attended in April  
22 of this year, we ran drills on a number of the captains, and the  
23 first boat that I took out, I did record the two captains that I  
24 had with me.

25 Q. Do you know if either the captain or the deckhand of the

1 Stretch Duck 7 participated this year in that training?

2 A. Let me grab my book, and then I'll have to have names.

3 Q. That's fine. You can get it to us later. One other --

4 A. No, I have it. I have it right here.

5 Q. I don't know their names honestly.

6 A. Okay. I can tell you the names of the two captains that I  
7 did --

8 LCDR [REDACTED] May I?

9 A. -- that I did certainly conduct drills with. We did a number  
10 of captains aside from these, but more were done by the other  
11 inspector, and then, and as I did, as I did more Ducks, I just  
12 stopped recording them. As I said, it really serves no purpose  
13 for us to have the names. I just happen to have written them down  
14 the first time, and the two names were Roderick Ore, I believe is  
15 the last name. It's kind of hard to tell with my chicken scratch  
16 because we were under way, and then the second name is Scott  
17 McKee.

18 Q. Okay. Thank you, sir. My other question was about their  
19 credential, are you familiar with the requirements to get a Duck  
20 endorsement on your merchant mariner credential?

21 A. I mean, I don't, I don't, I don't know them explicitly. I do  
22 know that they have a local, a specific local route endorsement  
23 that they achieved through, you know, whatever the approved  
24 program is. I don't know the ins and outs of it.

25 Q. Okay. And my last question was about the curtains. Are they

1 discussed during the safety brief, the side curtains?

2 A. Yes, because they're required to talk about emergency egress.

3 Q. Can you describe that egress for us, that procedure?

4 A. Can I describe the procedure? Or --

5 Q. How would I as a passenger get out if the curtains were down?

6 A. I can't say with any certainty that I can, that I recall the  
7 terms in which the captains speak about the curtains and their  
8 role in emergency egress, but the general, the general message is  
9 that, you know, in the event that they would have to abandon ship  
10 that it would be over the side, and that the captain would either  
11 raise or jettison the side curtains.

12 MR. MUISE: Okay. Thank you, sir. Commander, do you have  
13 any follow-up?

14 BY LCDR [REDACTED]

15 Q. Just one follow-up. Apologies for that delay. The water  
16 side of the inspections, and then the vessel would be brought  
17 ashore, and the hull would be inspected. Who from the company was  
18 the lead representative for those (indiscernible)? Does it  
19 change?

20 A. It does change. We have, during the, during the exams with  
21 the vessel, since they're largely technical, and we have the Ducks  
22 disassembled a fair degree, we're typically dealing with the  
23 maintenance staff, the mechanics. They have a number of  
24 mechanics, and, you know, some of them have changed over the  
25 years. But, you know, we, typically they'll send a couple Ducks

1 down to the water with two or three of their, two or three people  
2 from their mechanics staff, and they'll drive the boats out, and  
3 we do our exams, and then come back up. Typically, the role of  
4 the mechanics beyond that point is to, is to assist us in the  
5 conduct of our exam by operating whatever equipment it is that  
6 we're trying to examine. But it just would, there's no specific  
7 single mechanic that is consistent to the exams.

8 Q. Was there ever any bleed over mechanics on water side  
9 inspection or captains looking at hull and/or internal  
10 compartments as far as personnel? Did a captain stay for the  
11 second half of an inspection? Did a mechanic ever --

12 A. So --

13 Q. -- watch what a captain did?

14 A. So we, actually, during our normal inspections on the boats,  
15 we're not dealing with the captains. We're dealing specifically  
16 with people from the mechanic staff. We only encounter the  
17 captains during our visits to conduct drills. Yeah, the Ducks are  
18 in a condition to where they're not, they're not operable for  
19 carrying passengers, so it's strictly a, you know, our annuals and  
20 COIs are strictly looking at systems and hull. But, so yeah. I  
21 mean, I don't think I've answered your question. The mechanics  
22 that conduct the underway portion of the exam with us are among  
23 the same people that we conduct the remainder of the exam back at  
24 the facility with.

25 LCDR [REDACTED] Thank you very much. You have answered my

1 question. I have no --

2 CWO [REDACTED] Okay.

3 LCDR [REDACTED] -- nothing further for you.

4 MR. MUISE: Trooper [REDACTED] any follow-up?

5 TROOPER [REDACTED] No further.

6 MR. MUISE: Mr. [REDACTED] thank you for your time this morning.

7 Is there anything you'd like to add before we conclude this?

8 CWO [REDACTED] I, there is nothing, no. Thank you.

9 MR. MUISE: Okay, yeah. Appreciate your time. Do you want  
10 to take a few minutes? Or --

11 LCDR [REDACTED] Is Mr. [REDACTED] nearby?

12 CWO [REDACTED] I can get a hold of him. He's --

13 LCDR [REDACTED] Well, let --

14 CWO [REDACTED] He's left the office so that, so that I could  
15 have privacy, but he's just around the corner.

16 LCDR [REDACTED] I apologize. I need to make a call.

17 MR. MUISE: Okay. We're going to take, if you would, ask  
18 Mr. [REDACTED] to call me in about five minutes.

19 CWO [REDACTED] In five minutes?

20 MR. MUISE: Yes, sir. For, more? Is that okay?

21 CWO [REDACTED] Will do. I'll have him do that.

22 LCDR [REDACTED] That's good. Thank you.

23 MR. MUISE: Okay. Again, Mr. [REDACTED] thank you for your  
24 time. And we'll go off the record.

25 CWO [REDACTED] You're welcome.

1

MR. MUISE: It's 11:00.

2

CWO [REDACTED] Thank you. Bye.

3

(Whereupon, 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 SIGNATURE]

Christy Wilson  
Transcriber