

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*
*
*
*
*
*
*

FIRE AND GROUNDING OF THE
RO-RO P/V *CARIBBEAN FANTASY* OFF
SAN JUAN PUERTO RICO AT 0744
ON AUGUST 17, 2016

Accident No.: DCA16FM052

* * * * *

Interview of: NICHOLAS HERNDON

Via Telephone

Thursday,
October 27, 2016

APPEARANCES:

LARRY D. BOWLING, Senior Marine Accident Investigator
National Transportation Safety Board

ADAM TUCKER, Investigator-in-Charge
National Transportation Safety Board

CARRIE BELL, Human Factors Specialist
National Transportation Safety Board

CDR MIKE CAPELLI, Lead Investigator
Cruise Ship National Center of Expertise (CSNCOE)
U.S. Coast Guard

LTJG CARLOS DIAZ-COLON
United States Coast Guard

JASON YETS
Cruise Ship National Center of Expertise (CSNCOE)
United States Coast Guard

LCDR FRANCES JOHNSON-GILLIAN
District 7 Legal
United States Coast Guard

ANDRES PICO, Esq.
P&I Counsel
(On behalf of *Caribbean Fantasy*)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Nicholas Herndon:		
By Mr. Bowling		5
By CDR Capelli		30
By Mr. Yets		31
By Mr. Tucker		39
By Ms. Bell		53
By Mr. Bowling		58
By Mr. Tucker		60

I N T E R V I E W

(9:00 a.m.)

MR. BOWLING: All right. We are digitally recording.

It is October 27th, at 9:00. This is Larry Bowling, with the National Transportation Safety Board, Office of Marine Safety. We're gathered -- a group of investigators has gathered at the Cruise Ship Center of Expertise, here in Fort Lauderdale, Florida. Participating in the interview -- we're going to be interviewing Mister -- or, Lieutenant Nicholas Herndon, who is the commanding officer of the *Joseph Tezanos*. Participating in the interview from Fort Lauderdale, and the lead investigator for the Coast Guard --

CDR CAPELLI: Commander Mike Capelli, U.S. Coast Guard.

MR. BOWLING: And that is Commander Mike Capelli. He's having some voice issues today, so bear with him. He's getting a little bit of a cold. The lead investigator for the NTSB, Mr. Adam Tucker.

MR. TUCKER: Yeah. Adam Tucker, NTSB.

MR. BOWLING: And participating in the interview from Fort Lauderdale, for the Center of Expertise?

MR. YETS: Jason Yets, United States Coast Guard.

MR. BOWLING: And for the NTSB, human factors specialist.

MS. BELL: Carrie Bell.

MR. BOWLING: Participating from San Juan.

LTJG DIAZ-COLON: Lieutenant Junior Grade Carlos Diaz, U.S.

1 Coast Guard.

2 MR. BOWLING: Okay. And for the witness, Lieutenant Herndon,
3 for the record state your name and spell your last name, please.

4 LT HERNDON: Yes. First name is Nicholas. Last name is
5 Herndon. Spelled phonetically, Hotel Echo Romeo November Delta
6 Oscar November.

7 MR. BOWLING: Thank you. And from district legal?

8 LCDR JOHNSON-GILLIAN: Lieutenant Commander Frances Johnson-
9 Gillian.

10 MR. BOWLING: Thank you. And parties in interest that are
11 participating.

12 MR. PICO: Andres Pico, P&I counsel for the vessel.

13 MR. BOWLING: Thank you. All right, Lieutenant, we'll get
14 started.

15 INTERVIEW OF NICHOLAS HERNDON

16 BY MR. BOWLING:

17 Q. Can you tell me a little bit about your background and how
18 you became the commanding officer on the *Joseph Tezanos*?

19 A. Yes. So, I graduated Coast Guard Academy 2011. First
20 assignment was on cutter *Tahoma* in Kittery, Maine, as a deck watch
21 officer and assistant navigator. I did two years on the *Tahoma*.
22 Then, in 2013 I went to the *Munro* in Kodiak, Alaska, as a weapons
23 officer, department head. Spent two years on the *Munro*, and then
24 in July 2015 reported to San Juan as part of the pre-commissioning
25 detachment for *Joseph Tezanos*, as the commanding officer.

1 Q. All right. And with regard to taking a command afloat, is
2 there -- tell me about -- is there a screening process? And if
3 so, tell me about that.

4 A. There is a screening process for my particular job that I was
5 going in for. There was called a junior command screening panel,
6 to be passed. It convenes in October and then pushes the results
7 out in November of each year. So, it's -- a lot of it is
8 dependent on your evaluation and performance as an afloat officer,
9 and then it requires a pretty strong endorsement from your
10 commanding officer to be considered for command afloat.

11 Q. Okay. And do you hold a -- when I say a merchant mariner's
12 credential, do you hold a Coast Guard issued merchant mariner's
13 credential of any type?

14 A. Negative, sir.

15 Q. Okay. Tell me a little bit about the cutter *Joseph Tezanos*,
16 with regard to -- again, what you can tell me. I don't want to
17 get in any of the secret squirrel stuff. But just configuration,
18 characteristics and how the vessel is outfitted.

19 A. Absolutely. So, *Joseph Tezanos* is the 18th cutter in the
20 class of the newest sentinel class of fast response cutters. We
21 are the sixth home ported here in San Juan, Puerto Rico. We have
22 a 24 member crew. That's 4 officers, 20 enlisted. So, as an O-3
23 lieutenant I'm the CO. The XO is an O-2 lieutenant junior grade
24 and then two ensigns -- first two ensigns as my other department
25 heads. We have 154 length overall. We're about 24 feet wide and

1 our mean draft is 9'6". We're quite a bit -- a patrol craft, so
2 we have a lot of power and speed at our advantage. And we have a
3 -- quite a few weapon systems on board.

4 We have a small boat that's stern launched. That's unique to
5 this class of patrol class. It's a pursuit capable boat, so it's
6 pretty fast, and it has a specially trained law enforcement team
7 from the ship that can go, you know, chase bad guys. This class
8 patrol boat boasts a very robust command control suite we call it
9 the C4ISR it's command, control, computers, communications,
10 intelligence, surveillance and reconnaissance suite. And we're
11 able to take a variety of radio, cell phone frequencies and then
12 kind of talk to them all at once, and then we can even patch some
13 together, if need be, if they're able to communicate. So, we have
14 a lot of capability, which is kind of the selling point on this
15 particular class of cutter and why the Coast Guard is moving
16 towards it.

17 Q. Okay. And with regard to -- before we get into the specifics
18 on the 17th of August, tell me about the freeboard on the vessel
19 from, just say, midships aft. Where are the -- what's the lowest
20 freeboard you have on that cutter?

21 A. The lowest freeboard -- I'm trying to get an estimation on
22 the actual height. I don't know it -- you know, the book answer
23 on it. But, it would be about -- midship to the stern is about
24 the same plane of freeboard as you would, you know -- that's the
25 same point of freeboard. Once you get around midships forward, it

1 starts -- the freeboard starts increasing and it's not really
2 ideal for embarkation.

3 Q. Okay.

4 A. We do have two embarkation points, port and starboard side,
5 midships and aft on either side. We kind of prefer the aft
6 embarkation point, just because it's easier to maneuver a ship
7 along that area. But the height above the water line -- probably
8 roughly around under 6 feet.

9 Q. Okay. All right. Lieutenant, tell me how your morning
10 started out on the August the 17th.

11 A. Actually, so that week our cutter was going through -- just
12 was going through -- we call it RFO. It's a readiness for
13 operations inspection, and that's done on an annual basis by the
14 district, and it's facilitated by a sector team. And that's just
15 assessing the cutter's readiness to do certain drills and
16 exercises for emergency situations, like, you know, a fire on
17 board the cutter or, you know, launching a small boat, doing some
18 navigation drills. So, we were doing all the shore side drills
19 the days leading up to the 17th. And the 17th was supposed to be
20 our underway day. So, we were, again, making preparations to be
21 underway that morning. We were supposed to be underway at 0815.

22 We had the RFO team on board. Commander Kelly, my boss, was
23 on board. She makes it a habit of going on board the cutters
24 during their inspection day, underway. Just so she can get a
25 taste of what the cutter is about, and get a feel for how they act

1 as a crew. So, we had her on board.

2 And then right when we were about to take in mooring lines --
3 we finished our navigation brief, we were about to take in lines -
4 - Commander Kelly noticed she had a missed call and -- or, she
5 either noticed she had a missed call or was told that she had a
6 call from the command center. She took a call up to the pilot
7 house, and she was told that there was this ferry boat on fire
8 just off San Juan. And then she kind of filled me in. She took
9 the call. I don't remember exactly what went on there. But, it
10 kind of paused the mooring evolution and -- or, the underway
11 evolution there.

12 She had to make some quick decisions. I told her, ma'am,
13 *Tezanos* we're ready to go. We're at mooring stations. We can get
14 underway in a matter of moments, and head out to the ship and
15 assume the OSC, if you want us to do that. Commander Kelly had
16 ridden with our crew before. She did about two and a half days
17 with us from Key West to San Juan. I think she kind of knew what
18 we were about, and how we act as a crew. And I think that kind of
19 helped secure her confidence that we were able to do that job.

20 Q. Okay.

21 A. But they did have to ask permission through San Juan to
22 district, for concurrence, since we were in a precommissioning
23 status. Our actual commissioning date wasn't until the following
24 week, on August 26th. So, we were in a -- kind of
25 precommissioning. So, it was -- you know, we're -- weren't in

1 full active service. We were in, I guess, special status.

2 Q. Okay. As --

3 A. So, the decision was made from the district level that, yes,
4 we had -- *Tezanos* was good. The nearest aspect -- nearest fast
5 response cutter that would be able to get on scene was the *Richard*
6 *Dixon*, which is in the Mona Passage. So, that would be, like, at
7 least four hours for them to transit over before they can get on
8 scene. So, we were the closest large cutter to the *Caribbean*
9 *Fantasy*. So, once we were underway, then we were on, we were on
10 scene with *Caribbean Fantasy* in a matter of moments. It was just
11 maybe 25 minutes or so from when we put in lines until we were on
12 scene with the *Caribbean Fantasy*. When we first saw them, we were
13 lining up on the outbound channel leading out from El Morro. And,
14 I mean, you could see the *Caribbean Fantasy* with smoke billowing,
15 just -- probably just a mile off of El Morro, in the middle of the
16 channel.

17 Q. Okay.

18 A. So, it was -- I mean, they were very close to us, which
19 helped us get on scene very quickly.

20 Q. Okay.

21 A. On the way out, we did notice that a couple lifeboats -- I
22 think there were two lifeboats. I don't know how many people were
23 on board, but two lifeboats were making their approach into the
24 entrance of San Juan, as we were out bound to sea.

25 Q. All right. Are you still there, Lieutenant?

1 A. Yes.

2 Q. Okay. Yeah.

3 A. I didn't know if you wanted to --

4 Q. Oh, yeah. No. Keep -- walk, walk me through the whole
5 evolution that day. Then we'll go back and follow up with some
6 questions. So --

7 A. Okay. Great. I didn't want to just keep rambling on and --

8 Q. No, no, no. That's what we got you on the phone for. We
9 want to hear the story.

10 A. Okay. Great. So, yeah, we were upon to sea. Noticed about
11 -- I think it was two lifeboats from the *Caribbean Fantasy* making
12 their approach in. Again, I don't know how many people were on
13 board. This whole time when we were heading out, I did notice,
14 Coast Guard small boats from the station were responding.
15 Tugboats -- a lot of tugboats were making their way out. There
16 were a lot of people already on scene. PRPD assets -- that's
17 Puerto Rican police department -- PRFD assets -- PRFD -- Puerto
18 Rican fire department assets were already on scene. A lot of
19 pilot boats -- San Juan pilots -- were either going out to sea or
20 already on scene when we arrived. And then tugboats. I mean,
21 there's a lot of good Sams -- good Samaritans. Like the Hatteras
22 style cabin cruiser fishing boats -- the ones you see for charter
23 fishing, like in Key West, those style, were -- a couple of them
24 were already on scene. And then later on, more of them showed up.
25 So, once we got on scene, I kind of broke our ships into

1 sections. You know, our bridge was our command and control area.
2 I had dedicated radio watch standers. I had someone on every
3 single frequency we can work. So, the Coast Guard working
4 frequency was 113 -- CG113 and that's kind of unique to Coast
5 Guard and DHS. So, I had a dedicated radio talker on that, for
6 the encrypted side. And then later, when the Puerto Rican aids to
7 navigation team - the ANT, when they showed up with their 55, they
8 were unable to encrypt it. So, I had another person dedicate to
9 going talking to them on the unencrypted side of that radio net.
10 Then I had a dedicated radio talker on 16 -- VHF 16. I had
11 another dedicated radio talker on UHF 409, and they were talking
12 with one of the helicopters -- when the Coast Guard helicopter
13 showed up, and they were kind of talking with them. And then I
14 also had my executive officer making 15 minute calls into the
15 incident command post that was being stood up at sector. He was
16 calling directly to the command post, and kind of giving them an
17 update on what was going on and what we were doing.

18 But I -- my first priority when we got on scene was kind of
19 just to make a quick assessment. Okay, what's happening now, what
20 do we, what do we have working for us and what's -- what can we
21 use to work with us. And then -- I mean, there was a lot of
22 smoke. I had -- one of my technicians, I had him -- we have a
23 ship service video system call it the SIRVSS. It's like a ship
24 service camera. It has an infrared video camera that's mounted in
25 the mast, and records continuously. So, I had him dedicated to

1 keeping that camera on the ship and the rescue efforts. And I
2 believe we turned all that footage over to you guys, but it was
3 maybe about five or six hours of footage. But, his full job was
4 just to make sure that camera was always pointing at the ship or
5 at the rescue efforts so that later on, we --, Coast Guard and
6 NTSB can go in and take a look at what's going on. But -- so, he
7 was, he was there recording the whole process.

8 And then given the amount of smoke that we saw billowing --
9 without really knowing what was going on inside the ship, it was
10 pretty obvious that things were kind of going from bad to worse.
11 Because we heard that somehow on the radio 16, the -- I think it
12 was the master, saying, that they've ordered abandon ship. And,
13 you know, we already saw two lifeboats leaving. And then we saw
14 more life rafts in the water. So, then, my priority shifted from
15 the assessment phase to, all right, let's just get everybody off
16 the *Caribbean Fantasy*.

17 And 113 -- on CG113, we made the announcement that we --,
18 *Joseph Tezanos* has arrived on scene. We were taking the on-scene
19 coordinator. I did not make that announcement on 16. Not for any
20 particular reason -- -- I just didn't think to do it. I wasn't
21 trying to avoid saying that on 16. It just kind of didn't occur
22 to me at the time to make that announcement on 16. So, I think a
23 lot of assets kind of understood that -- the tugs, the pilots, the
24 good Sams. They kind of knew that we were coordinating the show.

25 I didn't really have comms with the Puerto Rican fire

1 department - comms were very intermittent. A couple of times I
2 was able to communicate with them, but they -- I didn't really
3 know -- there was no way I really could control what they were
4 trying to do. I had no idea until we were well into the rescue
5 that there were firefighters on board, and I didn't know how they
6 got there. It wasn't until later that I realized that they were,
7 put in by helicopter. Because was the same way they came out.
8 But -- and then the Puerto Rican police department, I had zero
9 communication with them. The only way I could communicate with
10 the Puerto Rican police was with hand signals or diverting one of
11 my small boats over to talk to them in person. So, I wasn't able
12 to coordinate with Puerto Rican fire and Puerto Rican police as
13 well as I would have liked. But with the good Sams, tugs and the
14 pilots and all the Coast Guard assets, it was pretty much flawless
15 communication once we had comms with the good Sams.

16 Q. Okay.

17 A. But, the -- my initial effort was just, okay, now let's just
18 get everybody off the ship. So, you know, I started having the
19 Coast Guard small boats pluck people from the slide and start
20 moving them to me on the ship. Because we can hold a fair amount
21 of people. And we ended up taking, I think, around 67 survivors
22 or so, onboard *Tezanos*. But then we found that, as the OSC, I
23 don't really need to be the middleman and taking survivors.
24 That's kind of taking me away from the job of coordinating the
25 response, if I'm the one that's a holding platform.

1 So, we did a couple of evolutions of that and then we decided
2 that, we can find these tugs that are better suited for that, and
3 that way we can keep our focus solely on the rescue effort and
4 coordinating, than just holding survivors. So, once after the sea
5 setting we embarked, we -- instead of taking more on, we kept them
6 on our ship until, we were able to ensure that everyone else was
7 off the *Caribbean Fantasy*. Then, any other survivors that were
8 taken off *Caribbean Fantasy* were put on tugs and pilot boats, and
9 then ran to shore.

10 So, my tactic was to use the Coast Guard as primary because I
11 had flawless communications with Coast Guard assets. My tactic
12 was to use the Coast Guard assets to move the survivors from
13 either the sinking life rafts or the slide to tugs or pilots or
14 another holding platform, before they were transferred to shore.
15 I didn't -- with some exception, I didn't want Coast Guard assets
16 making the long run from *Caribbean Fantasy* back to shore, because
17 that would get them out of the game longer. To me, speed was
18 critical, since I didn't really know what was happening inside the
19 *Caribbean Fantasy*.

20 I did have communications with the master of the *Caribbean*
21 *Fantasy* on 16, and when we had comms with him it was really good.
22 And, you know, he was very helpful in providing information we had
23 -- or, providing information that we were requesting of him. But,
24 we did have some issues that when we did ask him to check on
25 something or, hey, you know, what's the status of this and he went

1 go check on it, or his attention was diverted otherwise, it was
2 unknown to us when we were going to hear from him again. Because
3 he was absorbed with, dealing with the response on his side of the
4 ship.

5 Q. Right.

6 A. I -- in the moment -- in the fog of what was going on, I
7 didn't think to move him. Because I was worried -- like, move him
8 to a different frequency. Because I was worried that if I tried
9 to move him for some reason I might not have gotten him back.
10 When we did ask him to look into something, or if he had to divert
11 his attention away, again, we didn't know when we were going to
12 hear from him again. Because he was so -- you know, he was
13 saturated with what was going on with his ship. So, I didn't
14 think to move him to another channel that day.

15 Q. Okay.

16 A. I would have liked to have moved, like, the good Samaritans,
17 the pilot boats, and the tugs to some other channel besides 16,
18 because that would have cleared up a lot congestion on channel 16.
19 But, there was some language barrier between some of the local
20 assets in Spanish and English. And, they're not following proper
21 radio etiquette and protocol. It was just -- it would have been
22 really hard to manage them to go to another channel. So, we -- I
23 mean, not preferred, but we kept them on 16 as well, and kind of
24 navigated that zoo that was quickly getting congested.

25 So, the -- yeah, we had the -- the master, he was very

1 helpful. So, he kept telling us how many people were on board.
2 It wasn't a hundred percent accurate, because, you know, a couple
3 of times we would be like how many people left, how many people
4 left, and he'd tell us the number and then, we would obviously see
5 people leave the ship, and then we'd ask again and then it would
6 be the same number. So, we knew to some level that the
7 information that we were getting was not entirely accurate, but it
8 was the best you could do.

9 Q. Yeah. Roger that. We listened to some of the VHF -- we got
10 through most of it, through the week. And we heard a lot of that
11 as well. Let me go and ask you -- we're going to step back in the
12 timeline a little bit, from where you -- we just stopped. Where I
13 interrupted you, I should say. The XO -- you said you had your XO
14 set up on a 15 minute comms schedule with sector.

15 A. That is correct.

16 Q. What --

17 A. Via cell phone.

18 Q. How were you doing that, again?

19 A. It was on cell phone. He was using his government work
20 phone.

21 Q. Okay. And so basically, those were -- that's how the coms
22 were going from the vessel, as the on-scene coordinator, into the
23 sector command center.

24 A. Negative. Not to the command center, but the incident
25 command post. So, that's where Commander Kelly and Captain Warren

1 were set up, as the incident command post. We had separate comms
2 with the command center on 409 -- UHF 409.

3 Q. Roger that. So --

4 A. And they were also on 113.

5 Q. So, using the ship's government cell was being -- I heard
6 Commander Kelly, and who else?

7 A. He was talking to Commander Kelly and Captain Warren.

8 Q. Okay.

9 A. He was calling in 15 minutes to tell them where they were at,
10 and he'd talk to either one of them.

11 Q. Roger that.

12 A. On a 15 minute com schedule.

13 Q. All right. The Puerto Rican fire department and the Puerto
14 Rican police department, with regard to their assets, do you know
15 what type of communications they were on when they were out there?
16 And if you don't, it's okay.

17 A. Negative, sir. I mean, we did have some comms with the fire
18 assets on 16. You know, they had one -- it was a little rec boat,
19 like a rec center console fishing boat that was converted for fire
20 use. They did have some coms with them. It was very
21 intermittent, and, I -- most times we tried to hail out to them
22 they wouldn't respond. A small little, like, Zodiac style rigid
23 hull inflatable did come out on scene with a small little outboard
24 and two Puerto Rican firefighters on board. They call themselves
25 BRB, the bomberos rescue boat.

1 Q. Okay.

2 A. They were awesome. When they came out on scene, these -- I
3 was surprised they were out there. But, we were glad to have
4 them. Because they were very much reliable communication, and we
5 talked to them. They would always answer back to us, these guys.
6 And they were instrumental to plucking some of these people off
7 the sinking life rafts, because they didn't really have prop
8 entanglement. They were very maneuverable. They were awesome, to
9 have those guys from the fire team.

10 But, the police boats I had zero communications on the radio
11 with them. They had -- it was all hand signals and sending over
12 another Coast Guard small boat to talk to them, say, hey, can you
13 do this, can you do that, can you move back, can you do this.
14 There -- some of the -- there's the police boats. There's like
15 the normal Puerto Rican police department, which is kind of their
16 Commonwealth -- I'm thinking like a state trooper. The -- it's
17 like a Commonwealth police. They had some, like -- almost like
18 custom style midnight express type boats, like large, center
19 consoles.

20 But they also had these, FURA fastboats, that are more for
21 chasing bad guys. So, they had some of those on-scene. And those
22 weren't necessarily suited for taking survivors. But, these guys
23 were just kind of like hanging out in the congested area. Kind of
24 clogging up some of the sea room that we had for the rescue
25 efforts. So, it was kind of frustrating a little bit, but I

1 wasn't able to communicate with them and have them move back or
2 establish a security zone, which is what I wanted. So, it was --
3 you know, we kind of made it work the best we could, but we
4 eventually got them to kind of move out of the area so that way we
5 can get more rescue boats on scene to kind of take people off
6 sinking life rafts, or the slide.

7 Q. Roger that.

8 A. Yeah.

9 Q. The -- kind of -- not related to this particular incident,
10 but, tell me, have you ever participated in a -- what do you -- if
11 I use the term mass rescue operation, or MRO, have you heard that
12 term prior to August 17th?

13 A. I have. And I have not ever participated in a mass rescue.
14 I've gone through the different ships I've been on other types of
15 search and rescue type scenarios, but nothing of this nature.

16 Q. Okay.

17 A. Or more magnitude, really.

18 Q. Now, somewhere in the timeline here -- we're listening to the
19 VHF here, as the investigative team. There were some concerns
20 over the -- whoever was manning -- or, piped out over VHF16 about
21 the *Joseph Tezanos* -- they used the term top heavy. And I -- we
22 assumed it was because of passengers on the vessel, because you
23 were trying to get them off the vessel onto tugs at that point.
24 Were there ever concerns in your mind as the CO on there that you
25 were -- had too many people on the vessel?

1 A. You mean too many people onboard *Joseph Tezanos*?

2 Q. Yes.

3 A. Negative, sir. I think at the most we ever had at one point
4 -- I don't think we had the full 67 onboard at once. We might
5 have had up to, like, 40, 50.

6 Q. Okay.

7 A. As the maximum of survivors. And that's not -- we can take a
8 lot more until we're supersaturated. But, I wasn't concerned with
9 having too many survivors on board at that point.

10 Q. Okay. Who was the individual assigned to channel 16VHF? If
11 you recall.

12 A. That was my electronics technician he was my electronics
13 technician. His name is ET2, Electronics Technician second class,
14 Oscar Lucin.

15 Q. Okay.

16 A. L U C I N.

17 Q. L U -- say it again.

18 A. Lima Uniform Charlie India November.

19 Q. Thank you. And the dedicated radio watchstander on 113?

20 A. So, for 113 it was boatsmate first class Larry Pennington.
21 Poppa Echo November November India November Golf Tango Oscar
22 November.

23 Q. All right. And then on 409?

24 A. The 409 was my first lieutenant. It was ensign Matt McCammon
25 -- or, Matthew McCammon. Mike Charlie Charlie Alpha Mike Mike

1 Oscar November.

2 Q. All right. Thank you. And I have saw the -- I've seen the
3 cutter from the external -- I've never been on the cutter, but --
4 so, tell me -- lay me out a visual picture of the navigation
5 bridge. Because I am under the assumption -- I don't know, I hope
6 this is correct, but all this was going on on your navigation
7 bridge. With the --

8 A. That's correct. So, I mean, everyone was in arm's reach of
9 each other. I mean, the bridge is very spacious as far as bridges
10 go.

11 Q. Okay.

12 A. In patrol craft. But, I mean, the bridge offers 360 degree
13 viewing around the ship. So, there's -- I had my 16 -- radio 16
14 watchstander. He was on the portside forward part of the
15 pilothouse. Like just left of where the -- you know, outboard of
16 where the conning officer would be. And then the conning officer
17 was in the middle. And then immediately behind the conning
18 officer is where I had BM1 Pennington on channel 113. So, kind of
19 the midships, just after the conning officer but forward -- part
20 of the pilot house. And then the starboard side of the pilot
21 house was where I had my 409 watchstander, and that was ensign
22 McCammon. So, he was on 409. And then when I had to have other
23 radio watchstanders -- like the 113 unencrypted our unsecured --
24 when a handboat came out -- that was, you know, that was stationed
25 on a secure handheld. Or one of our, you know, law enforcement

1 handheld radios that -- and he was kind of roving on the aft part
2 of the pilot house, to kind of keep out of the way.

3 Q. Okay.

4 A. And the aft part of the pilot house is also where I had my
5 quartermaster of the watch. They're responsible for maintaining
6 the navigation -- you know, keeping a plot of where the ship's
7 position is, and then as well as keeping the logs; that person was
8 keeping a rough log of the counts of how many people we brought on
9 board, or who those -- who was aware, as far as our rescue
10 efforts. You know, who arrived on scene. We had a -- pretty
11 much, just all the windows as a rough log -- we had a lot of the
12 dry erase markers, just kind of writing all over the pilot house.
13 Who -- you know, what boats did we have. So, the starboard side
14 of the bridge was really a lot of the writing on what boats were
15 where. The port side of the bridge we had, like, you know, what
16 frequencies we were working and who was on that. But -- so, we'd
17 keep track of, like, all the tugs that were on scene, all the
18 pilot boats, all the rescue assets and their call signs. And then
19 we kind of crossed them off if they left and bring them back when
20 they arrived back on scene. So, we kind of maximized the bridge.

21 My deck officer, he was roving. Mostly external to the pilot
22 house, since I was on the bridge. I was just kind of be-bopping
23 between the whole thing, kind of asking questions of all the radio
24 watchstanders and giving them directions. But, my deck officer
25 was mostly concerned with the embarkation and debarkation of any

1 survivors, and then, kind of, their placement on board the ship,
2 whether they were positioning aft of the pilot house, or -- when
3 we got -- when we had more people coming on board, we moved them
4 forward to the pilot house.

5 Q. Okay.

6 A. He was kind of concerned with making sure that, you know --
7 and then he was also taking accountability for who they were.
8 Like, got their names, their ages, you know, and that sort of
9 thing, so we can put them in the log.

10 Q. Roger that. Now, the -- and your response, just a second
11 ago, addressed this, but I want to bring it out on the record.
12 The asset -- search and rescue asset tracking, walk me through how
13 you were doing that again. With regard to the afloat assets and
14 the air assets.

15 A. So, we used -- it's just kind of a, you know, a cutterman's
16 trick. I don't know if we call them a trick, but -- on the bridge
17 on all ships you always keep dry erase markers, because it's just
18 kind of something you can write on the windows real quick. It's
19 the best whiteboard, you know -- using the windows on a ship. So,
20 we use -- we always have what -- these dry erase markers scattered
21 throughout the ship, and we use these to write on the windows of
22 the pilot house. You know, keeping track. It would have, you
23 know, tug *Brooklyn* on scene, and we'd have pilot boat number 1.
24 We'd have, you know, Coast Guard 33169. We'd have, you know,
25 other small boats. So, we kept track of who was on scene, to the

1 best of our ability. And then as new people came on scene, we
2 would write their numbers or call sign or whatever they called
3 themselves -- we wrote that down. We weren't able to do this with
4 the good Sams. You know, we didn't really know who they were or
5 what they called themselves. But, we kept track of all -- like,
6 the commercial vessels or the pilots or the, you know, the blue
7 forces -- like the Coast Guard or government rescue assets. So,
8 we weren't able to keep track of the good Sams.

9 Q. Okay. And I have just a couple of questions, and I'll turn
10 the floor over to Commander Mike Capelli. But, all these -- the
11 next couple of questions I have for you, Lieutenant, are based on
12 some communications we heard over 16VHF. And I just wanted to get
13 your understanding of what the master was asking the cutter crew
14 to perform. There were several calls we heard where the master
15 had went out and requested assistance, and he was using the term
16 close -- to close the lifeboats. Or life rafts, I should say. Do
17 you recall those, and if so what was your understanding of what he
18 was asking the cutter to perform? If you don't recall it, that's
19 fine as well.

20 A. No, I don't recall. I -- because I was -- kind of rode in
21 between all the radios, and I really rely on my radio watchstander
22 and my radio talker to kind of relay the pertinent part of the
23 transmission to me that requires a decision to be made. So, I
24 didn't -- you know, there would be times I'd listen into certain
25 transmissions, but, you know, with all the radios going off, I

1 relied on just the talker to kind of, hey, Captain, this is what
2 this guy wants to know, or what do we want to do about this.

3 Q. Okay.

4 A. I didn't -- I don't recall the master saying that.

5 Q. Yeah. Roger that. And same line of questions, the -- tell
6 me what you recall about the -- at some point in time, there was
7 still a situation where there were individuals on the ship that
8 were trying to get down the marine evacuation system, but there
9 was also some activity going on with regard to the towing vessel
10 that had put a line over to keep the cruise ship from going
11 aground. Do you recall any of the communications going between
12 the *Caribbean Fantasy* and the cutter at that point?

13 A. So, I recall -- the *Caribbean Fantasy* was drifting. I
14 couldn't tell you the drift rate. I just know it was drifting to
15 the west pretty fast. When we first rolled up on them, they were,
16 you know, again, just about a mile off El Morro, middle of the
17 channel San Juan, and then where they went aground was, you know,
18 Punta Salinas or, you know, some distance there off of it. So, I
19 mean, they drifted to the west at a good clip. And then, you
20 know, we asked -- and that -- the north shore of Puerto Rico is --
21 you know, there's the Puerto Rican trench. So, it goes really
22 deep to pretty shallow very fast. So, it's one of those -- you
23 know, you can't really use your anchor until you're really
24 shallow, or close to shore.

25 So, we saw that they were drifting. Then, there were

1 communications with the master about, you know, letting go of his
2 anchor. He was fearing going ashore. And then, so we asked him
3 to drop his anchor and he did. And then it was sometime
4 thereafter, I don't remember how long, but that's when another
5 tugboat kinda started hooking up with the *Caribbean Fantasy* to
6 keep him from further going ashore. As far as the -- I'm going to
7 call it the slide. I think you call them a marine evacuation
8 system, but I'm just going to say the slide. But, the slide was
9 on the windward side of the *Caribbean Fantasy*, which was good
10 because then it kept all the smoke and heat blown off of the
11 survivors. But, the problem with the slide being on the windward
12 side was that it gets pushed up against the side of the ship and
13 it would be like a sheer drop, instead of like, you know, like an
14 angle drop -- or, an angle slide down.

15 Q. Right.

16 A. So, at one point we had a survivor go down the slide and then
17 it was reported that, you know, they sustained -- I can't remember
18 if it was like broken ankle -- some sort of injuries to their
19 ankle, and I was like whoa, we can't keep doing this. So, we had
20 another small boat - Coast Guard small boat arrived on scene
21 sometime before, that was from one of the other ships in port.
22 It's the same small boat that we have. It's a -- it's jet drive,
23 center console pursuit boat, and it's -- they're very capable.
24 And being a jet drive, I knew that there was no danger of
25 propeller entanglement, which we had sustained a couple of cases

1 of propeller entanglement during -- with the other Coast Guard
2 assets from the station, you know, when they were -- went to some
3 of the life rafts, they got entangled and they had to free
4 themselves. But, this jet drive boat -- and then I knew that -- I
5 had no worry about that.

6 I told them that they were to tie off to the slide, and all
7 they -- their sole job from then was just to pull the slide out.
8 Keep it at an angle, so that way there would be no more cases of
9 survivors going down and breaking their ankles or, you know, other
10 injuries of that nature.

11 Q. What --

12 A. So, we tied them off to the slide and just had them back down
13 the whole time. I can't remember if it was the Coast Guard
14 cutter *Hernandez's* small boat, or if it was the Coast Guard cutter
15 *Horsley's* small boat. But, it was one of the two of them. Call
16 sign would either be Eddie or Spitfire.

17 Q. Okay.

18 A. But, I don't know which one was which.

19 Q. We'll pull up the --

20 A. But we had them --

21 Q. -- AIS data --

22 A. All right.

23 Q. We'll pull up the AIS data and confirm which vessel it was
24 there. I don't recall seeing that actually, now that I'm thinking
25 about it. But go ahead. I'm sorry.

1 A. Okay. So, we had them tie off to the slide. So, that way
2 they could pull it out if the wind was pushing it against the side
3 of the ship. And, you know, there was a point when it prevented
4 people from going down the slide, because of that.

5 Q. Roger that.

6 A. We facilitated more people going down the slide, because the
7 -- then we had the boat tie off to it. And then we were able to
8 get more -- you know, Coast Guard assets at the bottom of the
9 slide, to help pull people off since they were running out of life
10 rafts to put people on. And, we were getting people off life
11 rafts to begin with, since all of them were sinking. The
12 lifeboats were good when they worked, but the life rafts were
13 sinking, which wasn't good. Later on, we ran into an issue that
14 once we got all the survivors off life rafts we still had all
15 these life rafts, but it was, you know, kind of confusing for a
16 little bit on were these empty or were these not empty. So, you
17 know, we kept having boats go check on them and that was kind of
18 becoming a distraction. So, once we confirmed that a boat was
19 empty we had a good Samaritan kind of tie off to it and kind of
20 pull it away, or a police boat pull it away as best as possible --
21 or a tug. Just so we can confirm, okay, this boat is empty, we
22 don't have to keep worrying about this boat -- or, that life raft.
23 Excuse me. That life raft was empty. We don't have to keep
24 worrying about those life rafts. So, we can get it out of here,
25 so we can, you know, get on with the rest of the effort.

1 Q. Roger that. Lieutenant, how are you doing there? We've had
2 -- I've had the floor for 40 minutes. Let me turn it over to
3 Commander Capelli. But, are you okay to keep going?

4 A. Yeah, let's go.

5 MR. BOWLING: Roger that. Commander Capelli, the floor is
6 yours.

7 BY CDR CAPELLI:

8 Q. Yes. Good morning. Thank you for your time. While the
9 evacuation was going on, was it what you expected or did it not go
10 as you would have expected it to go?

11 A. Sir, well -- to be honest, I don't know what I was expecting.
12 We were just kind of doing things to the best of our ability. And
13 I think it -- it went as well as we probably could have hoped for.
14 The armchair quarterbacking is, you know, that evening and a day
15 later there's always things I wish that we could have done
16 different. I wish we could have had better comms with the, you
17 know, Puerto Rican assets, like the fire and police. That would
18 have helped out. But, as far as in the moment, I think things
19 were working for us. There was some frustrating things, like, you
20 know, no comms with the police boats and the fire boats, to the
21 degree I would have preferred.

22 Another kind of frustrating point was Customs, their -- some
23 of their boats came out on scene to help out, which was great --
24 really awesome. They were there to, you know, pick survivors off
25 the life rafts or off the slide and then run them shore. But, I

1 had zero communications with them, except for when they wanted to
2 talk to me. And that was kind of frustrating. So, I wish that
3 would have been a lot better. I mean, they're, you know, another
4 federal agency -- a DHS partner agency. You know, they have the
5 ability to communicate with us on the 113, which is what we would
6 have worked them on. We tried to do that, but they didn't really
7 play with -- play ball with us that way. Neither -- it was good
8 to have them out there, but, I mean, that was frustrating. I wish
9 that could have been better. Because we probably could have
10 gotten people off that ship a lot sooner. I don't know what --
11 how much sooner, but sooner than it did, if we were able to
12 coordinate that part better.

13 CDR CAPELLI: All right. Thank you very much. I'm going to
14 let Jason do the talking from now on.

15 MR. BOWLING: Yes. And bear with us, Lieutenant. Jason
16 Yets, one of the experts here at the Cruise Ship Center of
17 Expertise, the floor is yours.

18 BY MR. YETS:

19 Q. Good morning, how are you?

20 A. Doing well, sir.

21 Q. So, just very quickly, you said that the life rafts were
22 sinking.

23 A. Yes, sir.

24 Q. And how --

25 A. So, the -- like, you know, the inflatable -- the self-

1 inflating type life rafts. All the ones that -- to my
2 recollection, the ones that were in the water, you know, we'd have
3 Coast Guard small boats coming alongside and there -- you know,
4 people were saying hey, this thing is sinking, it's deflating, you
5 know, get us out of this thing. So, we, we -- you know, we then
6 would focus on removing all the survivors from the life rafts and
7 then putting them on the Coast Guard boats, or tugs or some other
8 holding platform, to get them off the life raft.

9 Q. Okay. So, the reason that you guys -- and when I say you
10 guys, I mean the crew, the staff, the officers of the *Joseph*
11 *Tezanos*, were made aware that the life rafts were sinking is
12 because the people that were in the life rafts were informing you
13 of that. Is that correct?

14 A. Yes, sir. They would, they would inform -- I mean, they had
15 no direct -- the survivors had no direct communication with the
16 *Tezanos*. They would relay, you know, by voice to, you know, a
17 Coast Guard small boat that would come alongside. And they would
18 say hey, this thing is sinking, we're -- it's deflating, we need
19 to get out of here. And then the Coast Guard small boat then
20 relayed back to us that that was being -- like, yeah, let's get
21 these people off that life raft and onto a more stable platform.

22 Q. Okay. So, they basically were just calling out to you guys
23 saying hey, this life raft is deflating, it's losing air. Do you
24 remember exactly what they said?

25 A. Negative, sir. Again, it was -- whatever the survivors said,

1 I just know that -- and, again, I don't know exactly what was
2 passed to the cutter from the small boats that reported it. I
3 just know that my watchstander -- my radio watchstander was
4 telling me, you know, these life rafts are sinking. You know, we
5 need to -- they want to get these people off, can we do this. And
6 I said yes, let's get them off those life rafts.

7 Q. Okay. So, I just want to establish for the record your role
8 as the commanding officer of the *Joseph Tezanos* as the on-scene
9 coordinator. You were also responsible for managing the other
10 Coast Guard assets, as well as the civilian assets that were on
11 scene at the *Caribbean Fantasy*. Is that correct?

12 A. That's affirmative, sir.

13 Q. Okay. Do you remember the *Caribbean Fantasy* asking for
14 assistance for the release of the lifeboats? Do you remember them
15 making calls to say, you know, Coast Guard help us -- we need help
16 releasing our lifeboats. We can't get our lifeboats to release.
17 Do you recall that?

18 A. I remember there was one particular lifeboat that had people
19 on board. It was deployed most of the way, but it was suspended
20 about 10 feet off the water line. I remember -- I can't remember
21 if that was the one they were asking for us to help release. But,
22 I mean, there was no way I could help release that boat, aside
23 from just removing the survivors from that.

24 Q. Okay.

25 A. At the time, I had no surface assets that was able to remove

1 them, until the Puerto Rican aids to navigation team -- their ANT
2 -- we call them ANT, aids to navigation team --

3 Q. Uh-huh.

4 A. -- the ANT 55 was able to show up. So, that 55 foot boat --
5 once that got on scene, I knew that was the asset I had to commit
6 to solely removing people from that suspended life raft, since
7 they were the one with the -- their main deck was tall enough
8 where they could extract these people. It wasn't easy for them,
9 but it was -- they could do it -- it was possible for them, where
10 it would have been impossible for any of my other Coast Guard
11 small boats to do it. I mean, there was a -- it would have been
12 an impossible hoist, in my opinion, for my helicopter, given the -
13 - it would have been very difficult, and near impossible for them,
14 given the length of the hoist and the proximity to, like, the
15 superstructure of the ship.

16 Q. Uh-huh.

17 A. I knew the ANT 55 was the most feasible asset to use. And
18 they did a good job. It took them a while to get everybody off
19 that life raft, but -- or, lifeboat. Excuse me.

20 Q. Uh-huh.

21 A. But they did it. But that was the only one I recall them
22 saying hey, we need help deploying our lifeboats.

23 Q. Okay. So, the, the inability of the Coast Guard to help them
24 release the hooks was only as a result of the -- all the things
25 that were in play. The sea state, the freeboard on the ship, the

1 number of assets, the number of personnel -- do you feel or do you
2 know if it had anything to do with anything other than that? Was
3 it, you know, perhaps that they could have got somebody onto the
4 boat but there wasn't the competency to know how the hooks
5 operated to help them release? Or was it strictly --

6 A. Sir, I --

7 Q. -- just because of inability, because of the environment?

8 A. I'm sure if I would have put a crew member on board they
9 could have figured it out. I just -- at no point did I want to
10 put any of my crewmen -- and by my crew, I also mean my rescue
11 assets.

12 Q. Yeah.

13 A. At no point was I going to let them get on that life raft to
14 deploy it. I -- that's -- I didn't, you know -- to me, that thing
15 was failed. I didn't, I didn't know what -- how it was going to
16 be once it got in the water. I knew that the best bet in my
17 opinion was just to get those people off that boat and put them on
18 the Coast Guard boat, because I knew the Coast Guard boat was good
19 to go.

20 Q. Yeah. Okay.

21 A. So, I didn't want to put any of my people on the *Caribbean*
22 *Fantasy* or on any of their rafts or boats. I didn't know to what
23 level those were maintained, or their ability. You know, by this
24 point I had seen lots of sinking life rafts. I saw, you know,
25 boats that didn't -- you know, one of their lifeboats that didn't

1 deploy. So, I was like, well, I'm not going to bet on *Caribbean*
2 *Fantasy's* rescue equipment.

3 Q. Okay.

4 A. So, I didn't -- you know, I didn't even entertain the idea of
5 putting one of my members on that boat.

6 Q. Okay. Do you remember when the *Caribbean Fantasy* was
7 requesting assistance to bring the platform for the MES slide
8 closer to the ship, or to straighten it out?

9 A. Sorry, sir, say that again. The -- I'm not sure what you
10 were talking about there. MES platform? The --

11 Q. Yeah. So, on the MES you have the slide. You know, the
12 slide comes off the ship. And then the slide goes --

13 A. Oh, okay. Yeah.

14 Q. -- and the slide goes down onto the platform which was, you
15 know, the big -- we'll just call it the big raft at the bottom of
16 the slide.

17 A. Yes, sir. Yeah. Yeah.

18 Q. And they were asking for assistance to -- I believe the
19 terminology they used was to make the platform close to the ship.

20 MR. BOWLING: And just -- Lieutenant, for the record, this is
21 Larry Bowling, for the -- Jason would be -- or, the question he's
22 asking would have come across 16VHF, from the *Caribbean Fantasy* to
23 the cutter.

24 LT HERNDON: Okay. I remember -- I don't remember them
25 requesting to move the platform closer to the ship. I think by

1 this point we probably tied off our small boat to it, so we can
2 extend the slide out, since it was pushed up against the side
3 because it was on the windward side. But, I don't recall on 16 if
4 they asked us to move it closer to the side of the ship.

5 BY MR. YETS:

6 Q. Okay. So, at no time during the rescue effort do you
7 remember them asking for assistance to, I guess for lack of a
8 better term, stretch out the slide or to bring the platform closer
9 to the ship? That was something that --

10 A. I don't remember -- I -- sorry? Go ahead.

11 Q. Go ahead. Go ahead with what you were going to say.

12 A. I just said I don't remember them asking to bring the slide
13 closer to the ship. I know that it was an issue for us to get
14 survivors down when it was not stretched out, since it became more
15 of a sheer drop.

16 Q. Okay.

17 A. Also, next to the slide -- I don't know if you had the
18 opportunity to look at the photos yet, but next to the slide was
19 also where -- just forward of where the slide was, on that
20 starboard side, was where a lot of the -- parts of the ship were
21 coming off. We saw a couple times just pieces of the ship, you
22 know, from the fire kind of falling in the water. I don't know if
23 it would have been wise at that point to move the slide closer to
24 the ship, because of that.

25 Q. Okay. Do you or the crew have any detailed or in-depth

1 knowledge about those marine evacuation systems, or was this your
2 first time encountering such a system?

3 A. First time for me. I can't speak to all my crew, but I've
4 venture a guess that it's probably the first time for them. To
5 me, it means -- it looks very much like one of those airport
6 slides you, you know, you see in the pamphlets when you fly. But,
7 other than that, I've never interacted with one or, you know, seen
8 anything about it. So --

9 Q. Okay. So, do you, do you know if the, if the platform at the
10 bottom of the slide was supposed to be perpendicular to the ship,
11 parallel to the ship, coming off the ship on an angle -- or, in
12 your experience that day, was it just more just trying to make the
13 slide -- or, reduce the angle in which the slide was allowing
14 people to descend?

15 A. I have no idea if it was supposed to be perpendicular or at
16 an angle. If I was to guess, I would say it had to be
17 perpendicular, to allow the survivors to get away from the ship --
18 you know, further away from whatever is going on in the ship.
19 But, I mean, I can't -- I don't know for certain. We were just
20 trying to make the slide work.

21 Q. Right.

22 A. Being on the windward side, it got pushed up to the side of
23 the ship and -- what I mean by pushed up to the side, like the --
24 instead of being at an angle, the slide was kind of almost
25 straight up and down.

1 Q. Right.

2 A. So, that didn't really facilitate people sliding down safely.
3 So, that's when we pulled it out and then -- I mean, I'm sure my
4 boat crew was -- you know, the boat crew that was doing that
5 assumed the same thing, like, hey, it's just got to be
6 perpendicular. So, I mean, they, they probably just pulled it out
7 perpendicular. And that's maybe what they were asking me, with
8 the closer. But I don't know for sure.

9 Q. Okay. All right.

10 MR. BOWLING: All right, Lieutenant, bear with us. We'll go
11 over to Mr. Adam Tucker, the investigator in charge for the NTSB.
12 Mr. Tucker.

13 BY MR. TUCKER:

14 Q. Hi, Lieutenant. Good morning. My name is Adam Tucker, with
15 the NTSB. Thank you, first of all, for speaking with us. I do
16 have a couple follow on questions. I'll try to keep it short.
17 The first question I have -- you made a little bit of reference to
18 it earlier but I was wondering if you can share with us what you
19 remember of the weather that day. In particular, I would be
20 interested to know maybe you have some kind of electronic device
21 that has it, and if so that would good, but the wind speeds, wind
22 directions, maybe some wave heights, where the swell was coming
23 from. Anything at all that you remember -- visibility of course,
24 too.

25 A. Yes, sir. So, I -- we have a log that we maintain for the

1 weather. However, that day we'd have the -- we had like early
2 morning weather, before we left the pier, and then during the
3 rescue efforts, you know, my quartermaster -- which would normally
4 maintain that log, was kind of, you know, absorbed with
5 maintaining a rough log of the efforts. That, you know, the
6 weather wasn't one of those captured. And I wish we had, but it
7 just didn't happen that day. But, it wasn't until once we secured
8 from being on the team coordinator and had passed off that duty to
9 another ship that we were able to get a weather reading down.
10 But, the winds, I know, for sure, were out of -- were heading to
11 the west out of the east. I don't know what speed they were.
12 Seas were about 3 to 4 feet, also out of the east. Visibility was
13 pretty good -- it was probably around 8 plus miles, a day.

14 Q. Okay. Do you remember, like, was there any type of current?
15 Anything setting your vessel, besides the wind?

16 A. I couldn't even -- I don't recall if there was current. We
17 have the ability to know if there is any of that going on with our
18 ship's navigation systems. But, I don't remember, like, glancing
19 at that. Where our set and drift was.

20 Q. Okay. That's fine. I know you guys were very busy out
21 there, so the -- but, that was the next question I had, actually.
22 We did see the logs from the *Tezanos*, and I was wondering if you
23 can -- you touched on it. You mentioned the person responsible to
24 maintain the log is the quartermaster. Is that correct?

25 A. That is correct. So, the quartermaster will normally

1 maintain, like, the navigation log. They'll plot the ship's
2 position ever -- some frequency, depending on how far out to sea
3 where we are. They'll take the weather once an hour when we're
4 underway, it's once an hour. They'll keep a smooth log, you know,
5 what goes on in the watch. But, that day we also had the rough
6 log of all the rescue efforts. So, they -- we added this other
7 log that they were doing. And that kind of took priority over,
8 like, the weather log. And then we were able to transfer the --
9 eventually, the rough log into our smooth log. So, they -- you
10 know, they were doing that. They were also still plotting the
11 position of the ship. So, we were -- you know, we saw that the
12 *Caribbean Fantasy* went aground. We didn't want to repeat that, as
13 well. So, we were watching our depth beneath the keel
14 religiously.

15 Q. Okay. And just to clarify -- I'm sorry. I'm not from the
16 Coast Guard. But, so, I think I understand your point. The
17 smooth log is the one that is typed out and kind of cleaned up and
18 -- cleaned up is probably a bad word. But, that's the one that is
19 typed up after the fact. Is it?

20 A. Yes, sir. Affirmative. The smooth log will be -- you know,
21 it's like a record of the ship. It's an official record once I
22 sign it.

23 Q. Okay.

24 A. The one that's typed up.

25 Q. And the rough log is the one -- it's just kind of handwritten

1 notes that are later transferred to the smooth log.

2 A. Affirmative. Yes, sir.

3 Q. Okay. Just wanted to make sure I understood. In the log
4 that you have on board the vessel, how are times referenced? Is
5 it -- you know, these days we all look at our iPhones to reference
6 time. But is there a certain time system that you use on board
7 the vessel to make --

8 A. Yes, sir. We use -- all times, sir, are on the 24 hour
9 clock. So, you know, like 0830 to, you know -- 1:30 in the
10 afternoon would be 1330. So, we use the 24 hour clock. And it --
11 we use local time as well. So, we use whatever time zone we're
12 observing. So, for Puerto Rico it's plus 4 Quebec, is what we
13 call it. So, it's four hours behind Greenwich mean time.

14 Q. And with respect to the times, though, is there like a
15 central clock that there -- people are required to use? Or is it
16 -- or are people --

17 A. Yes, sir. So, we use -- the -- we have -- our navigation
18 system has a lot of inputs, and one of the inputs is a dedicated
19 GPS receiver that has a time input to it from some sort of
20 navigation satellite that we use for our ship system. So, that is
21 our -- kind of our central time. Before we get underway every day
22 -- you know, every time we get underway, there's a checklist that
23 we follow to -- you know, preparations for getting underway, do
24 this, this and this. And one of them is a time tick. So, like,
25 you know, we, we do a time tick and everyone kind of -- supposed

1 to synchronize their -- whatever means of timekeeping they're
2 using to the ship's clock, and the -- it's all based off of the
3 time on the navigation system, that's taken directly from this --
4 you know, direct input from this satellite.

5 Q. Understood. So, for logging purposes the time reference is
6 from the nav system?

7 A. Yes, sir.

8 Q. Okay. You mentioned checklists. And I'm curious. Is there
9 -- again, I'm not from Coast Guard. So, I apologize that I don't
10 know the answers to these questions. But, you mentioned
11 checklists. Is there -- see, there's a checklist to getting
12 underway. I'm sure there's many other checklists. Is there a
13 specific checklist for assumption of duties as on-scene
14 coordinator?

15 A. I do not have one, sir. No.

16 Q. Okay. Is there a document or, like, a Coast Guard policy for
17 assumption of duties for on-scene coordinator? If you don't know,
18 that's --

19 A. There is a -- I mean, I don't -- if there is, I haven't
20 referenced it or I'm not familiar with it. I know there is a
21 Coast Guard addition to the SAR, addendum to the -- you know, U.S.
22 SAR policy or, you know, SAR manual. But, I'm not as versed in
23 that as I probably should be. But, if that has any sort of
24 checklist on how to be the OSC -- I was just kind of going by what
25 made sense at the time. So, I didn't have any sort of checklist

1 on how to be the OSC.

2 Q. Okay. Thank you. I just wanted to verify. I understand the
3 people that you had manning certain radios. Is the cutter or the
4 FRC -- does it have a designated radio officer on board, or is it
5 just another crew member with another task?

6 A. It's -- so, my operations officer -- he kind of has dual hats
7 with a lot of things. But one of them is kind of a communications
8 plan, as well. Underneath the operations officer, there is, you
9 know, his -- a chief that works with him -- a chief petty officer
10 that works with him, that's kind of responsible for the bridge.
11 And then he is making sure that each of our radios is set to the
12 right, channel we're supposed to monitor, in accordance with
13 whatever communications plan we're following. But, as far as,
14 like, making sure radios are coded the -- you know, have the right
15 code in them or the right sort of encryption, or whatever it is,
16 that would fall on our electronics technician. So, he actually --
17 he's actually the one that is manipulating the radios. Like, the
18 actual hardware for the radio. But, as far as monitoring which
19 frequency is which or what plan is what, that would be the
20 operations officer. Dual hatting as the communications officer.

21 Q. Okay. Another question I had. You mentioned you had -- on
22 board the *Tezanos* itself there was a RIB inflatable or rescue
23 vessel. Was that used during this mission?

24 A. Yes, sir. So, at first we didn't use it, because I needed
25 all hands to kind of -- this is -- so, at first, when we were

1 still embarking survivors, I needed all hands on board. And then
2 when we decided that wasn't the best plan for us to embark
3 survivors, as a holding platform -- you know, and we would just
4 hold the people we had. And then we're like, okay, we're -- it
5 would be better suited for us to launch our boat, get another
6 rescue effort on scene, and then, you know, we'll eventually get
7 the survivors that are onboard *Tezanos* off to another boat. But,
8 we did eventually launch our small boat to assist with the on-
9 scene efforts.

10 Q. Okay.

11 A. I forget what time it was that that happened, but it -- I do
12 know that it was captured in the smooth log.

13 Q. Okay. The -- you mentioned helicopter assets, in
14 communicating UHF channel 409. We understood, looking at videos
15 and all that, that there were more than just Coast Guard helo
16 assets available. Did you have coms with the other -- I don't
17 even know if they were civilian or police helicopters. Did you
18 have coms with them as well?

19 A. Negative, sir. I only had coms with the Coast Guard
20 helicopters. We were only coordinating with them. But, as far as
21 the other assets that were -- air assets were Puerto Rican police
22 and then, I think, like a news helicopter was out there as well.
23 But, I don't know if the news helicopter was there for sure. But,
24 it definitely congested the air space. And kind of -- I left it
25 up to the helicopter -- the Coast Guard helicopters to kind of be

1 in the air space with the other assets. I don't know what -- how
2 they did that, or if that actually did happen. But, I had no way
3 of communicating with the Puerto Rican police helicopters. It
4 would have been nice. But, again, I mean, we didn't have an
5 ability.

6 Q. Okay. Do you roughly remember what other -- how many birds
7 you saw in the air at one time?

8 A. So, the -- we had two Coast Guard MH-65s. And I believe
9 there were either two or three of the Puerto Rican police
10 department helicopters. And again, there might have been a fourth
11 news -- civilian helicopter. So, at one time there might have
12 been up to, you know, six or seven helicopters circling the
13 *Caribbean Fantasy*.

14 Q. Okay. And I know these things make a lot of noise. So, was
15 -- do you recall that being an issue at all?

16 A. Yes, sir. So, we were -- we had trouble communicating with
17 the master of the *Caribbean Fantasy* at one point, because we were
18 hoisting -- this is when we had the Coast Guard 65 hoisting people
19 off the top deck of the *Caribbean Fantasy*, and it must have been
20 in -- I can't remember if the master said he was on a handheld
21 radio or if he just has the bridge's -- the doors to the pilot
22 house open, and noise was coming in that way and reducing a fixed
23 system. But, he said that it was too loud. He couldn't really
24 understand us because the helicopter was, you know, making a lot
25 of noise and he wanted us to wave the helicopter off so he could

1 hear us. And we told him, we're not going to wave the helicopter
2 because we need to get people off the boat. If there was some
3 other place he could move away from the helicopter. But, that did
4 pose an issue at that point, because we weren't able to but, he
5 wasn't able to effectively hear us over the radio.

6 Q. Thank you. There was -- when we reviewed some of the VHF,
7 there was mention of VHF 22 Alpha. Do you recall that frequency
8 being used at all from your vessel?

9 A. I don't recall we used it. We might have tried to shift
10 somebody there, and it didn't work. But, yeah, I think, I think
11 we might have tried to shift somebody on 22 Alpha, without any
12 success. And then probably resorted back to 16.

13 Q. Okay. We also spoke about cameras, and -- so, in particular,
14 you had one person manning that camera, which I think was a -- was
15 great that you did that. That's really going to help us. Are
16 there any other cameras that are monitoring, you know, maybe the
17 aft of the -- of the *Tezanos*, or the vessel's side? Any other
18 type of CCTV systems on board that record?

19 A. Yes, sir. So, we have a lot of CCTV on board the ship. I
20 don't know if that footage -- I'll have to check when I go to
21 work, but I don't know if that footage is still on our systems.
22 Because after a time, it writes over itself. I can't recall -- I
23 think it has a lot of memory, so I can't recall if it would have
24 written over stuff, because that was two months ago. But, I can
25 look into that. But, we definitely have footage -- or, cameras

1 that look at all parts of the ship. There are a lot of cameras in
2 the mast that look at, you know, different sides of the ship, as
3 well as internal and external cameras that look at different parts
4 of the ship. I did put my go camera on the small boat, to do a
5 360 of the *Caribbean Fantasy* to take shots of the leeward side of
6 the *Caribbean Fantasy*, since we weren't able to get the ship over
7 there with the -- take pictures with the ship service camera. So,
8 we did put the small boat in the water to take, you know, a 360
9 around the *Caribbean fantasy* in the waterline.

10 Q. Okay. And that was -- just to clarify, that was the boat's
11 camera that you put on your small boat and they did a 360 around
12 the *Caribbean Fantasy*. Is that correct?

13 A. That's correct, sir. It was like, you know, like a Canon or
14 Nikon or -- you know, something like that, that we put in the
15 small boat. Digital camera.

16 Q. Okay.

17 A. That they were able to go around the waterline of the
18 *Caribbean Fantasy*.

19 Q. Thank you. Do you have any -- back to communication again,
20 and -- do you have any Spanish speaking crew on board your vessel?
21 Did you -- sorry, did you have any Spanish speaking crew on board
22 your vessel that day?

23 A. Yes, sir. About a third of my crew is native to Puerto Rico.

24 Q. Okay. So, in communications with Spanish you always had
25 someone available to help you with that. Is that correct?

1 A. Yes, sir. So, when we deployed our small boat one of our
2 boat crewman -- he was a Spanish speaker, but he was able to
3 communicate with any survivors that he interacted with, as well as
4 the local police assets, when we had to send a boat over to talk
5 to them. The remaining Spanish speakers we got kind of on deck,
6 to talk with the survivors, kind of -- you know, get the
7 information from them, you know, to put into a log, as far as who
8 they were, as well as kind of keep them calm during that event.
9 Kind of comfort them. We did have one Spanish speaker that was
10 kind of our go-to if we needed him to get on the radio. I can't
11 remember how much we used him, in that role or not. But, when we
12 talked to the tugs they -- you know, the tugs were all in English.
13 Or had the ability to speak in English. Same with the pilot
14 boats. Some of the others, we had -- like, the good Sams we had
15 trouble with the language barriers.

16 Q. Okay. The -- with -- in keeping -- not the good Sam vessels,
17 but the other state or federal assets out there, any language
18 issues, do you remember, there?

19 A. Yes, sir. We had just a general communications issue with
20 some of the Commonwealth assets, like the fire department and
21 police. Just communicating on the radio wasn't -- for the police,
22 it was nonexistent. With fire, it was unreliable. When we were
23 talking with fire, they had the ability to speak in English. But,
24 they probably would have preferred to keep it all in Spanish. So,
25 with police we had to use, like, again, the hand signals or

1 sending over a messenger boat to relay a message to them, and that
2 would all be in Spanish. You know, again, we had a Spanish
3 speaker on our small boat that was able to do that for us. But,
4 with the other federal assets, like the Customs -- it was English,
5 no problem. When they did want to communicate with us. I'm
6 trying to think who else was out there. The small little fire
7 boat -- the little Zodiac, they had no problem communicating with
8 us in English. They were very reliable. Okay. It was just
9 mostly the police boat that we had zero comms with, and then it --
10 that was -- the comms that were -- that we did have were in
11 Spanish.

12 Q. Okay. Just because we talked about the passengers -- and
13 this is a general question. I don't expect an answer for
14 everything. But, once the passengers were on board, what was your
15 general feeling of how they were? Were they, they all calm? They
16 all -- were they panicked? Were they frantic, in tears? And did
17 you note any injuries of the people that you had on board? What's
18 your -- again, it's a general remark. I don't expect you to know
19 for everybody. But what were your thoughts?

20 A. Yes, sir. So, we embarked about 67 survivors in total -- not
21 all at once. We didn't have all them on board at one time. But,
22 we did have a good number on -- about 20 or so at one point, and
23 we had all sorts. They covered the whole spectrum of what you'd
24 expect from survivors from some sort of traumatic event. Some
25 were very, you know, quiet -- probably still a little in shock of

1 what actually was going -- was happening. Some people were very
2 vocal and concerned.

3 One guy, I remember, pulled me aside as I was back and forth
4 on the -- you know, both sides of the bridge. He pulled me aside
5 and said, you know, we're -- there are people sinking in these
6 life rafts, you need to get them out of the life raft -- like,
7 very irrational. Like, you know, we had -- I knew that we had
8 already taken everyone off that life raft. But he was still, like
9 -- we weren't able to communicate to him, like, no, there's no one
10 on that life raft. He was still very adamant about there might be
11 people on this life raft and you need to get them out or they're
12 going to die. It was, it was very dramatic, for him. But, we
13 were able to kind of calm him down.

14 We were able to give water to all the survivors. I pulled
15 out some, you know, blankets for them to lay on. We had some food
16 available to them, to kind of calm people. We found, you know --
17 based on the experience we have with dealing with, you know,
18 migrants or things like that -- when they go through these
19 traumatic events -- we find that just giving people some water,
20 some food -- it's kind of calming things. Something to do besides
21 think about what they just went through.

22 But, injuries -- any serious injuries that we -- we didn't
23 bring those on board the cutter. We would send those on a small
24 boat directly to shore. Like in the case of the person with the
25 broken ankles, we didn't even bother sending him on the ship. We

1 sent them -- they kept them on the small boat and we ran them
2 ashore right away.

3 At one point there was a pregnant lady that was having some
4 sort of shortness of breath or anxiety attack -- or, some sort of
5 event -- and we didn't want to even bother bringing her on the
6 boat. We just sent her directly to shore.

7 We did have somebody on board -- a female. She was wearing -
8 - I mean, I don't know the word, like some sort of a strapless
9 shirt of sorts. And when she went down the slide she sustained
10 kind of some burns on the -- on her back. Friction burns from the
11 slide. So, she, she -- I mean, she was probably uncomfortable,
12 but she didn't express that she had great concern over it. She
13 was probably just more, you know, still in shock about what was
14 happening. But, I mean, that was the -- the friction burns from
15 that one female was probably the more significant injury that we
16 had on board the *Tezanos*. Again, anyone that had anything more
17 serious than that we didn't even bother bringing them on the ship.
18 We just ran them to shore.

19 We did have some elderly folks on board, and some children.
20 They had some difficulty getting -- embarking on the cutter from
21 the small boat. But, we had a lot of people available to help
22 them with that. So -- but any other was just, just difficulty in
23 the sense that it was, you know, two moving boats alongside,
24 transferring across a gunnel. But, we were able to overcome that.
25 Q. Okay. Thank you. The last question I have -- I may have one

1 on the back end. I usually do. But, in the conversations with
2 the crew -- that I understand you weren't on the radio, but in
3 overhearing that, do you remember any challenges with language, or
4 were their communications understandable to you or your crew?

5 A. I don't recall any challenges with language between the
6 *Caribbean Fantasy* and *Tezanos*. We were communicating with the --
7 to my knowledge, we were communicating with the captain -- the
8 master, the whole time. So -- and he -- and I remember hearing
9 him in English every time he was talking to us. But I don't
10 recall any language barriers between the *Caribbean Fantasy* and
11 *Tezanos*.

12 MR. TUCKER: All right. Lieutenant, thank you very much. I
13 appreciate you taking the time to talk to us.

14 MR. BOWLING: Lieutenant, this is Larry Bowling. I'm
15 facilitating the interview here. Are you okay to keep going, or
16 do you need a break? We're getting close to the end.

17 LT HERNDON: No, let's keep going.

18 MR. BOWLING: All right. The last direct up here will be
19 Carrie Bell, our human factors investigator with the NTSB.
20 Carrie, the floor is yours.

21 MS. BELL: Thank you.

22 BY MS. BELL:

23 Q. Good morning. I just have a few questions, just follow up
24 from what's already been discussed. My first question, do you
25 recall when the last passengers were disembarked from lifeboat

1 number 3?

2 A. I mean, I don't know the time. It would probably be captured
3 in the smooth log, or on our CCTV -- or, our video footage with
4 the time stamp. But, I mean, I don't, I don't recall the time
5 that that happened.

6 Q. Okay.

7 A. I -- that day was kind of a whirlwind. I don't remember
8 specific times at all. I just know kind of the whole day as an
9 event. But I don't know, you know, at noon this happened or at
10 1300 this happened.

11 Q. That's fine. That's fine. I just -- when we listened to the
12 radio communications, it seemed like there were still people on
13 that lifeboat up toward the end. So, I was just curious. But, we
14 can find that. So, you said that, you know, you had passengers on
15 board. Did you have people -- crew designated to attend to those
16 passengers? Specific crew members.

17 A. Yes, ma'am.

18 Q. Who -- can you tell us who they were?

19 A. I was -- quite a few of them.

20 Q. Oh, okay. Well, I -- just so we -- we might want to talk to
21 a couple of them, just to hear a little bit more about their
22 interaction with the passengers. So, maybe just one or two of
23 them.

24 A. Okay. Yes, the -- one of the people to talk to would be the
25 deck in-charge. He was a machinery technician first class.

1 Alexis Colon. It's Alpha Lima Echo X-ray India Sierra. Last name
2 is Colon -- Charlie Oscar Lima Oscar November. He was kind of my
3 deck in charge for bringing, the small boats alongside and
4 embarking the passengers. He was the one coordinating kind of the
5 boat deck, to -- you know, the -- you know, who is coming on,
6 when, timing the two boat movements. He was kind in charge for
7 that.

8 Q. Okay.

9 A. Then I could also give you someone who was tending to the
10 survivors, once they were on board -- the people.

11 Q. Sure. Both would be great.

12 A. Okay. So, someone that was tending to survivors would be MK2
13 -- which is machine technician, second class, Almibec Apolinaris.
14 It's kind of a difficult name. I'm probably going to get the
15 first name spelled wrong. But it's Alpha Lima Mike India Bravo
16 Echo Charlie. Last name is Apolinaris, Alpha Pappa Oscar Lima
17 India November Alpha Romeo India Sierra. But, he was kind of --
18 both of those are Spanish speakers. So, they were able to talk
19 with the survivors, you know, in Spanish. And then Apolinaris, he
20 was one of those that kind of takes the survivors from the boat
21 deck -- from the embarkation point, and moving them to -- either
22 aft of the pilot house or forward of the pilot house, to kind of
23 calm down. He was one -- the one that one survivor was -- pulled
24 me aside and got very concerned. He -- actually, MK2 was there
25 with me. He was the one that, okay, you know -- he's the one that

1 calmed down that survivor, and kind of take him to where, you
2 know, we were kind of corralling the survivors. So, he was there
3 for that as well.

4 Q. Okay. So, the information from -- just in terms of
5 accountability -- so, you have all the passengers on board when
6 they move on. Who is passing on the number -- the count, the
7 names or whatever to the next person? How does -- how did that
8 work, in terms of accountability?

9 A. So, my deck officer -- so, we have a -- like a structure on
10 the ship. So, you know, there's a deck officer who is like in
11 charge for basically the whole ship, in terms of, you know, the --
12 routine operations. Obviously, in this rescue it's a special
13 event and I was, I was kind of corralling -- you know,
14 coordinating things from the pilot house. But, my deck officer --
15 he was the one that day kind of responsible for coordinating the
16 embarkations and the data gathering from the -- of the names, and
17 what survivors went where. You know, we put this many here, we
18 put this many here sort of thing. He was the one responsible for
19 that. Hey, let's get these people, you know, the blankets and the
20 food and the water. He was doing that. So, he was getting the
21 rough numbers and then sending them to the quartermaster to put
22 into a log, as maintaining the log.

23 Q. Okay. And one other question. You mentioned that one of the
24 frustrations was not having communications with the police. Why
25 was that, and did you -- was there anything you did to try to get

1 them to communicate with you?

2 A. Yes, ma'am. We sent over, you know, like a messenger boat.
3 Like, one of -- at one point, it was my small boat. Another
4 point, it was another Coast Guard small boat. To kind of -- a
5 couple of times, to try to get them -- different police boats, to
6 try to get them to come up on a radio. And that didn't happen.
7 And then we'd try to tell them, all right, well, you know, move
8 out this way and move this way. Because they were just kind of
9 hanging out, on the, you know, the response side of the *Caribbean*
10 *Fantasy*, which was the upwind side. Which is kind of where we
11 were moving boats into position to get survivors or transfer
12 survivors or what have you. But, their boats were just kind --
13 but, it doesn't sound like it, but they were kind of in the way.
14 Kind of already a congested sea space, and they were just kind of
15 another person that was blocking the available sea room.

16 Q. Uh-huh.

17 A. And --

18 Q. So, so, did --

19 A. -- I would have preferred to have had comms with them, and
20 then have them establish a security zone around the boat. Which
21 we eventually did with another Coast Guard small boat, since I
22 knew I could talk with them reliably. I was able to use that
23 other Coast Guard small boat from the Richard Dixon to -- from the
24 cutter Richard Dixon to, you know, kind of keep onlookers away,
25 and kind of back people away that weren't actively involved in the

1 rescue efforts. So, that way it had made, you know, more sea
2 room.

3 MS. BELL: Okay. That's all I've got. Thank you. I
4 appreciate it.

5 MR. BOWLING: All right. Lieutenant, bear with us. Let me
6 go to Sector San Juan. Carlos, any question for the witness?

7 MR. DIAZ-COLON: I do not have any questions. No.

8 MR. BOWLING: All right. How about P&I? Mr. Pico?

9 CDR CAPELLI: No questions.

10 MR. BOWLING: All right. District legal?

11 MS. JOHNSON-GILLIAN: No questions.

12 MR. BOWLING: All right, Lieutenant, we're really close to
13 wrapping it up. I just -- a couple of quick follow-ups from my
14 standpoint.

15 BY MR. BOWLING:

16 Q. Do you have -- did you actually see numbers on the lifeboats,
17 the rigid lifeboats? One of the interviewers asked you a question
18 about lifeboat number 3. Were you able to identify which lifeboat
19 was number 1, which was number 2, which was number 3?

20 A. No, sir. I just assumed that -- because she was asking about
21 lifeboat 3, I kind of processed that as the one that was
22 suspended. I don't know for sure that that was the one. I just
23 kind of used some deductive reasoning on that question. But, I
24 assumed 1 and 2 were probably the ones that made it into San Juan.
25 I don't know how many others were on board *Caribbean Fantasy*, but

1 -- but negative, sir.

2 Q. Okay.

3 A. I didn't see numbers.

4 Q. Roger that. And a second follow-up I have is the security
5 zone. When did you -- or, when do you think, roughly, you
6 actually got that security zone established around the perimeter
7 of the *Caribbean Fantasy*? Ballpark.

8 A. It was towards the, it was towards the end of the effort. I
9 -- we had -- I think we already had everyone off the boat at this
10 point -- the *Caribbean Fantasy*. Those -- not long before we
11 transitioned the OSC to the *Richard Dixon*. They -- once they had
12 the OSC, they were really the ones to establish and maintain
13 security. We were just kind of getting it started. I would have
14 liked to have done it a lot sooner, but, again, it was -- the
15 focus was more on getting people off the ship.

16 Q. Okay.

17 A. It wasn't until the very end we actually got the security
18 zone. I couldn't even begin to tell you a time, but it wasn't
19 until the end of the effort.

20 Q. Roger that. And, again, it's okay not to have an answer.
21 But, you know, these, these local police and fire -- waterborne
22 assets that you were having difficulty establishing coms with, did
23 any of your crew members or anybody fleet back up information to
24 your level as to what frequencies they were working, or whether
25 they were using VHF or UHF or --

1 A. No, sir. We didn't have any -- no information made it to my
2 level, if they did have radios and what they were working.

3 MR. BOWLING: Roger that. All right. Let me see if there's
4 any final questions. I think Mr. Adam Tucker may have a few, and
5 then we'll close up. Mr. Tucker?

6 BY MR. TUCKER:

7 Q. Adam Tucker again. Just -- I forgot to ask you one question.
8 And you mentioned by the time you got underway and got out there
9 you saw the two lifeboats from the *Caribbean Fantasy* making their
10 way in. I just want to clarify, when you saw them on their way in
11 were they being towed? Were they under their own power? And were
12 they -- what do you remember of, like, people? Was it -- were
13 they full of people? Were they half empty?

14 A. Sir, I -- to the best of my memory, they were operating under
15 their own power. But, I don't know with a hundred percent
16 certainty. But, I think I remember seeing them under their own
17 power. And I can't even -- I don't know how many were on board.
18 I don't -- I have no idea.

19 MR. TUCKER: Okay. That's all the questions I have. Thank
20 you again, Lieutenant.

21 MR. BOWLING: All right. Bear with us, Lieutenant. From the
22 interviewers, any questions for the Lieutenant at this point, from
23 anyone?

24 All right. Hearing none, Lieutenant, you didn't win the
25 lotto. But, we're like an hour and 23 minutes we've been asking

1 questions to you. There was one witness, I think, that went a
2 little longer. But you're up there in the high time period. But,
3 do we -- did we fail to ask anything of relevance that you need to
4 get on the record, or do you have any questions for us before we
5 close the interview down?

6 LT HERNDON: No. I mean, I just want to say that, you know,
7 I knew this was going to be something that was going to be looked
8 into, obviously. It was a very significant event. So, I made
9 sure that we had that footage rolling early, and then we had the
10 pictures and the logs and that turned over really -- you know,
11 very expeditiously, to the command center. You know, we want to
12 try to avoid these things in the future. But, I was very
13 impressed with the response -- like, the amount of good Sams that
14 turned out, the tugs and the pilot boats and the local ferry boats
15 that came out. I mean, it shows that there is still a special
16 bond amongst mariners, which is good to see. It's something to
17 know that if, you know -- while we might not interact with each
18 other on a regular basis, as mariners we -- when something happens
19 like this, everyone is kind of -- they know that, you know, this
20 -- going to sea is tough, and they know that they should respond.
21 So, it was good to see the turnout that was out there, and
22 willingness to help. So, that was a good positive note.

23 MR. BOWLING: Roger that, and point well made, Lieutenant.
24 Anything else?

25 LT HERNDON: No, sir. If -- please feel free to reach out

1 again, if there's anything else that comes up that you'd like to
2 clarify with me. But I have nothing further.

3 MR. BOWLING: Roger that. Let me secure the --

4 (Whereupon, the interview was concluded.)

5

6

7

8

9

10

11

12

13

14

15

16

17

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FIRE AND GROUNDING OF THE
RO-RO P/V *CARIBBEAN FANTASY* OFF
SAN JUAN PUERTO RICO AT 0744
ON AUGUST 17, 2016
Interview of Nicholas Herndon

DOCKET NUMBER: DCA16FM052

PLACE: Via Telephone

DATE: October 27, 2016

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.



Jane W. Gilliam
Transcriber