UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *
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KRISTIN ALEXIS/BARGE *MR. ERVIN* *
ALLISION WITH THE SUNSHINE BRIDGE * Accident No.: DCA19FM003
DONALDSONVILLE, LOUISIANA *
OCTOBER 12, 2018 *
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Interview of: DAVID MILLER
LADOTD Maintenance Engineer Chief

Lamar Dixon Expo Center
Gonzales, Louisiana

Thursday,
May 9, 2019

APPEARANCES:

CDR MATTHEW MESKUN, Lead Investigating Officer
United States Coast Guard

CWO4 [redacted] [redacted] Investigating Officer
United States Coast Guard

LT [redacted] [redacted] Hearing Recorder
United States Coast Guard

MICHAEL KUCHARSKI, Investigator in Charge
National Transportation Safety Board

BOBBY MILLER, Esq.
(On behalf of Marquette Transportation)

SCOTT JENKINS, Esq.
Jones Walker, LLP
(On behalf of Cooper Consolidated)

JOSE COD, Esq.
Louisiana Department of Transportation and Development
(On behalf of Mr. Miller)

I N D E X

P R O C E E D I N G S

(8:00 a.m.)

CDR MESKUN: Good morning. This hearing will come to order. Today is Thursday, May 9th, 2019, and the time is 8 a.m. We are continuing at the Lamar Dixon Expo Center in Gonzales, Louisiana.

Convening and purpose of the investigation. I am Commander Matthew Meskun of the United States Coast Guard, Chief of Inspections and Investigations Atlantic, 541 Coast Guard Atlantic Area, Portsmouth, Virginia. I am the lead investigating officer of this formal investigation, and the presiding officer over these proceedings.

Commander, Sector New Orleans, has convened this investigation under the authority of Title 46, United States Code Section 6301, and Title 46, Code of Federal Regulations, Part 4, to investigate the circumstances surrounding the allision of the Sunshine Bridge by the *Mr. Ervin* crane barge being pushed by the towing vessel *Kristin Alexis* on October 12th, 2018 while transiting on the Mississippi River.

I'm conducting this investigation under the rules in 46 C.F.R. Part 4. The investigation will determine as closely as possible the factors that contributed to the incident, so the proper recommendation may be -- for the prevention of similar casualties may be made, whether there is evidence that any act of misconduct, inattention to duty, negligence or willful violation of law on any part of any licensed or certificated person

contributed to the casualty, and whether there is evidence that any Coast Guard personnel or any representative or employee of any government, any other government agency, or any other person caused or contributed to the casualty.

Parties in interest. I have previously determined that the following organizations or individuals are parties in interest to this investigation: Marquette Transportation, represented by Mr. David Reisman, and Cooper Consolidated, represented by Mr. Scott Jenkins.

These parties have a direct interest in the investigation and have demonstrated the potential for contributing significantly to the completeness of this investigation, or otherwise enhancing the safety of life and property at sea through their participation as a party in interest. All parties in interest have a statutory right to employ counsel to represent them, to cross-examine witnesses, and to have witnesses called on their behalf.

Witnesses. I will examine all witnesses at this formal hearing under oath or affirmation, and the witnesses will be subject to federal laws and penalties governing false official statements. Witnesses who are not parties in interest may be advised by their counsel concerning their rights. However, such counsel may not examine or cross-examine other witnesses or otherwise participate.

General information. These proceedings are open to the public and to the media. I ask for the cooperation of all persons

present to minimize any disruptive influence on the proceedings in general, and on the witnesses in particular. Please turn your cell phones or other electronic devices off, or to silent or vibrate mode. Please do not enter or depart the hearing room except during periods of recess.

Flash photography will be permitted during this opening statement and during recess periods. Members of the press are, of course welcome, and an area has been set aside for use during the proceedings. The news media may question witnesses concerning the testimony that they have given after I have released them from these proceedings. I ask that such interviews be conducted outside of this room.

Since the date of the casualty, the NTSB and Coast Guard have conducted substantial evidence collection activities, and some of that previously collected evidence will be considered during these hearings. Should any person have, or believe he or she has information not brought forward, but which might be of direct significance, that person is urged to bring that information to my attention by emailing it to accidentinfo@uscg.mil.

Opening statements from government entities. The Coast Guard relies on strong partnerships to execute its missions, and this formal investigation is no exception. The National Transportation Safety Board provided a representative for this hearing. Mr. Mike Kucharski, also seated to my left, is the investigator in charge for the NTSB investigation.

Mr. Kucharski, would you like to make a brief statement?

MR. KUCHARSKI: Yes, please. Good morning, Commander Meskun and to all in attendance. I am Mike Kucharski, the National Transportation Safety Board investigator in charge for this investigation.

The National Transportation Safety Board is an independent federal agency, which under the Independent Safety Board Act of 1974, is required to determine the probable cause of this accident, and to issue a report of the facts, conditions and circumstances relating to the accident. The NTSB has joined this hearing to avoid duplicating the development of facts. Nevertheless, the NTSB may develop additional information separately from this proceeding if that becomes necessary.

At the conclusion of this hearing, the NTSB will analyze the facts of this accident, and determine the probable cause independently from the Coast Guard. We will issue a separate report of the findings, and if appropriate, issue recommendations to correct safety issues discovered during the investigation.

Thank you, Commander.

CDR MESKUN: Thank you. We will now hear testimony from Mr. David Miller.

Please stand. Lieutenant [redacted] will administer your oath and ask you some preliminary questions.

LT [redacted] Please stand and raise your right hand.

(Whereupon,

DAVID MILLER

was called as a witness and, after being first duly sworn, was examined and testified as follows:)

LT [redacted] Please be seated. Please state your full name and spell your last into the microphone.

THE WITNESS: Okay. David Richard Miller, M-i-l-l-e-r.

LT [redacted] Please identify counsel and confirm representation.

MR. COD: Jose Cod (ph.), Louisiana Department of Transportation and Development.

EXAMINATION

BY CDR MESKUN:

Q. Good morning, Mr. Miller. Thank you for coming today.

A. Good morning.

Q. If we ask any questions that you don't understand, please ask us to reword the question, and we'll do so, or if you don't know the answer to any of the questions that we ask, just state that you don't know. Please describe for us where you work, what you do, what your job responsibilities are, what your background experience is.

A. Okay. So I work at the Louisiana Department of Transportation and Development. I've been there almost 33 years, and probably spent most of my career in the bridge business. I was 19 years in the bridge design section, and then moved into the public works sector, and did levees and stuff like that after

Katrina. I also ran the toll facilities for the department for a couple of years, and then moved back to headquarters where I was the bridge maintenance engineer for, I guess, about 4 or 5 years, and then moved into the current position that I'm in, which is the chief maintenance engineer. Which, best way to describe that is, I have all of the headquarters maintenance sections, bridge crews, traffic signals, signs, that kind of stuff, and about 300 people that work for me right now.

Q. Great. Thank you. And do you have any direct roles or responsibilities as it pertains to the Sunshine Bridge? Does that fall under your authority, essentially?

A. Yeah. I mean, in a sense. I mean, the bridge maintenance group that works for me, the bridge maintenance section, in that section, there is the state bridge maintenance engineer, and he's the program manager for the bridge inspection program. He's one of my direct reports. And so I am still very involved in bridge-related issues, because of that. And we were actually some of the first people called when this happened.

Q. Can you describe the early morning hours of October 12th, 2018 as it pertains to this accident? What notifications did you get? What actions did the LADOTD make?

A. Okay, yeah. So, you know your day is not going to be a good day when you get a call from a bridge inspector at 4:30 in the morning. And so, I usually don't get calls at 4:30 in the morning, so I picked up the phone, and it was Steven Howze, who

runs the bridge inspection group for the local district here. And he notified me that the bridge had been hit, and I think at the time, it was still up underneath the bridge.

And so we were trying to get information -- it was dark, obviously, at that time, trying to get information on, is it closed? Do we need to close it? He didn't know how bad it was. So he's sending some photographs, and just preliminary, on the few photos we had, we pretty much came to the conclusion that it needed to be -- the -- it needed to be shut down, and no traffic on there.

So later that morning, we got to work, we came, several of us came out to the site. The bridge inspectors had been out here for, you know, since early in in the morning around 2:30. I think it occurred around, a little after 2:30. And we took a boat out to the bridge and saw it firsthand, ourselves, and agreed again that it needed to be shut down due to the nature of what had happened.

Where it got hit was probably one of the worst places it could have got hit. It was a compression member. And it was out of -- it was bent out of plane, the main compression members. It's a fracture-critical bridge, meaning that there's very little redundancy in the structure itself.

So if you -- just to give you an example, if you try and push down on a can, you probably can't push down on it. But if you put some crinkles in it, it's really easy to push down. Well that's

what happened here, is that compression member got bent. And so we were concerned about having traffic on the bridge. And there's a picture of it there.

So, we immediately came back and put together, started to put together a team of, from bridge design, construction, and consultants that worked for both these entities, to begin to work on preparing a game plan on what, how we're going to repair it. And that's what occurred over the next week or so. I think, by the following -- that was a Friday morning. I think it was a Friday morning. I don't remember.

Early the next week we had several meetings, and there was an existing contractor that was fixing to do work on the bridge that had already been let and awarded, to do just some repair work on the rest of the structure. So the plan was to put them under construction to do the repairs for the collision. And they subsequently, we pulled in additional subs, people that had expertise in dealing with this kind of stuff.

And so, we eventually came up with a game plan on what we were going to do, how we were going to do it. Modjeski & Masters is, was essentially the main consultant that came up with the repair plans, and how to do it. It's very complicated because eventually you got to cut that thing out and replace it with a new member. And how to do that is extremely complicated. It's probably -- these kind of trusses are the most complicated structures we have in the state.

So, that's more or less how -- what happened in the very beginning. I'm not sure if I answered your questions.

Q. No, that was very detailed. Thank you. Just to make a few points, you were referring to some pictures we have up on the screen. This is IO Exhibit 52; is that correct? Fifty-two. And these are just pictures that were taken after the accident that are of the bridge. And you talked about this compression joint; is that what you called it? Or not joint, but --

A. Right, so --

Q. -- member?

A. At that location, the bridge is trying to bend this way. So the bottom part of that structure is in compression. And generally speaking, on a truss, a main compression member like that, that's been damaged, is worse than a tension member that's been damaged, because of the buckling that I told you about. Once it buckles, it -- on paper, that probably should have failed. If you ran the numbers on paper, it probably should have came down.

What happens, the load redistributed around the structure when that happened, to the deck and other components, and -- which is why it didn't fall down.

Q. Can you clarify what you mean by, come down, or fall down?

A. Actually, the bridge fall down, fail completely.

Q. Just going back through the timeline again, just to make sure that I've got all of the parts in the right spot, so to speak, what time did the bridge get shut down to vehicle traffic?

A. Yeah, it was -- according to what we've got from the State Troop radio log, it was around 2:33 a.m. It looks like the first dispatch.
Q. Okay. And how long did it stay closed down for? How long did these emergency repairs take?
A. It was -- the total time from -- let's see, I got that right here, too. Make sure I'm being accurate here. The total time it was shut down was 49 days. So on 12/10, that was day 1 when it was hit, it reopened on day 49. And it remained closed that entire time. And that was pretty fast, to do those, that level of work, and that complicated work. I mean, they worked around the clock. That was a 24/7 operation.
Q. Were there any delays due to weather or river condition?
A. Yeah. Not -- no, not river condition. I think actually, initially, in the very beginning, if I remember right, there was -- because this brought us through winter, that we did have some rain delays, especially trying to set up scaffolding and some of the stuff from the water that needed to be done. Cold fronts coming through, high winds, and cranes and boats don't mix well together. So there was times, certainly, when it was shut down, and not able to work.
Q. And so you indicated that 49-day period of time was actually relatively quick?
A. Yeah, it's very quick. For something this complicated, it was -- that was pretty -- I was amazed at how quickly it did

finish.
Q. Did you have parts off-the-shelf, so to speak, that you could just get a new compression member somewhere?
A. Absolutely not. Maybe some of the parts that made up part of that, the -- what made up the actual repair piece was fairly common parts. What was not common was some of the struts that had to be used to take the place of that member when it was removed. And some of those things were a little harder to come by, but we were able to get our hands on them, through the team, and they really didn't have hardly any delays in getting materials.
But those members -- that's a made-up member. It is not something you go to any steel mill and get it off the shelf. That's not the way it works.
Q. You just momentarily ago mentioned, was there like some temporary pieces you had to put up? What was the purpose of those temporary pieces?
A. So the way the repair worked was, it was -- this member was damaged too much to be repaired. It was bent out of plane way too much to be repaired. The basic way we fixed this was, we had to come in on either side of that member and have two compression members that would take the place of that member when we cut it out, because we eventually had to cut it out.
So those two struts were put in place. They were jacked to try and take up the compression load that that member was carrying. That member was eventually cut out. And then the very

ends, as you can see, there's a big sweep in it. The very ends, where we cut it out, we had to heat-straighten to get them back in line, so that when we brought in the new replacement member, it would all line up.

So while the jacks were being put in place, the other, the permanent new repair piece was being fabricated and brought onsite. And it was -- just to give you a feel for how much force was in there -- now this is getting technical, but it was 1.7 million pounds of force in that member.

So, maybe to put it in layman terms, that would be 142 elephants, the weight of 142 elephants, 12,000 -- assuming an elephant weighs around 12,000 pounds. So it was an extreme amount of force that had to be taken up by these struts. So they had to be connected to the structure, and then eventually we were able to get enough force in those struts to remove the damaged piece.

Q. Just to clarify for me, that 1.7 million pounds of force you're referring to, that's the static weight of the bridge pressing on that member?

A. Correct.

Q. Can you please open up Exhibit 71? This a repair summary that was provided to us by the Department of Transportation.

A. Okay.

Q. Can you just take a moment to review that? And tell me, is that the document that you guys produced, to summarize the cost and repairs?

A. Yeah. So Tim Thomas put this together. He's the contractor with GPI, who was essentially overseeing -- he was going to -- they were already onboard to oversee the construction product that was going to occur. So they were a contractor doing inspection, construction inspection for the, on behalf of the department.

And so he became the field guy for the department, the contractor field guy for the department. And he's an engineer. So yeah, I'm familiar with this document.

Q. Okay. Does that accurately summarize some of the repair costs?

A. Yes.

Q. If you move down to page 5, maybe a about a quarter of the way down the page it has three different bullets, with somewhat of a breakdown of the costs?

A. Correct. Those are the construction costs.

Q. Can you --

A. At the time this was prepared. There's still, I think -- I think there's still one more invoice to come in, but it's a small amount.

Q. Okay. Is that what's indicated there on the third bullet down, the estimated repair costs?

A. Yes, sir.

Q. And roughly $200,000, is that what it says?

A. That -- yeah. That's what we think. I mean, that's still a guess. We don't have it in yet. That was an approximation.

Q. In the -- how much was the line item on the first bullet there?
A. $3,214,972.16.
Q. And is that -- what does that detail? Is that like the cost of labor and materials, or --
A. Yes. Yes, sir. So it would be any of the labor, materials, equipment. It would include the barge, the crane, the thing -- anything that was out there needed to do the repairs. It also included, I think it included the heat straightener. Yeah. So, there were several companies involved in the construction and repair side of it.
Q. And then the second bullet down, what is the, that cost indicating?
A. The $625,000 number?
Q. Yes, yes.
A. It's the same. It's some of -- wait. This is the police. So it's still additional construction costs. It's just that they hadn't, at that time, been finalized yet.
Q. Okay. You just indicated something about the police? What was that?
A. There was police presence that was needed to keep people off the bridge and control, so there -- that was part of the cost.
Q. Okay.
A. And that's normal on a closure.
Q. Okay.

MR. COD: Commander, if I may ask, if you would like to get more details on the repairs, we certainly can provide that. We understood that we would not be very providing a very detailed set of invoices and presentation. For that matter, Mr. Thomas would be really the right person to discuss any of the details associated with the repairs.

What we intended to do with this document was to provide a summary, an overview of the process and the repairs, as of the time the summary was prepared. But we are perfectly happy to supplement the record, if you will, with any additional -- once all the invoices are reviewed, once all the figures are finalized, we can submit that to the Board. It can submit any additional documentation that you may need.

CDR MESKUN: Okay, thank you. I understand this is a very technical and complex --

MR. COD: Yes.

CDR MESKUN: -- repair process, with numerous companies involved. For the, today's purpose, just the, what we have is sufficient. But --

MR. COD: Thank you.

CDR MESKUN: -- whatever details you have is --

MR. COD: Sure.

CDR MESKUN: -- welcome as well.

Do you have any questions before I move on?

MR. KUCHARSKI: Good morning, Mr. Miller.

THE WITNESS: Good morning.
MR. KUCHARSKI: Counselor?
MR. COD: Good morning, sir.
BY MR. KUCHARSKI:
Q. Can you tell us if temperature had any play on the sag of the bridge, for this accident?
A. I'm not sure what you mean by that. I mean --
Q. Does the bridge sag in, if the temperature's warmer, colder? Does it increase -- does it increase if the temperature's warmer?
A. All structures move due to temperature. Every single bridge we have. During a hotter day, it's going to expand, and during a colder day it's going to shrink. Now, would it -- as far as sag, it depends on where you are in the structure, what's happening. And you would have to run a detailed analysis of what the temperature change was, and what all was happening. But certainly --
Q. Do you know if that was run in the, any of these engineering studies that were done?
A. Not that I know of.
Q. Okay. You said earlier, failed, you know, would have failed, you know, and the failure, you said would have come down; is that correct?
A. Correct.
Q. So I'm clear on that, do you mean that that section would have either fallen down, or come -- dropped to where the roadway

would have been a more serious hazard to vehicular traffic?
A. Yeah. If you ran the numbers on what happened and you put it into a computer model, it would show that it failed. That far out of plane, it would have, it just would have showed that it failed. Now what happens, and we -- any structure, there's internal redundancies that we don't -- it's almost impossible to take into account. Thank goodness, because this happens with a lot of our structures. You run numbers on it, and you come back and you say well, that bridge has got to be closed. Well, the day before, trucks were driving on it and it didn't fail. But the numbers say that it should have failed. So that's what I mean by that.
Q. Well, thank you. The bridge is over 50 years old, correct?
A. Yes, sir.
Q. Are sections of the bridge periodically tested by non-destructive methods?
A. Yes, sir. Different -- some different things that go on. There's, there are pins on this structure, that we use different non-destructive evaluation to determine if there's anomalies, or corrosion, or anything like that. We also use thickness testing devices, that can detect the remaining thickness of steel. We haven't used GPR on the deck on this one, but we probably will be, ground penetrating radar, just to determine anomalies in the deck. But yeah, we use those regularly on all of our -- especially all of our main, big structures like this.
Q. Thank you. So more specifically, the area where the failure

occurred, okay, where the strike was, was that checked by non-destructive methods, to see if it, you know, if there was any fatigue or anything in that metal, prior to, you know, or at the time, that wasn't caused by the actual strike? Does that make sense?

A. Yeah. I understand. I couldn't answer specifically if that area had had any NDE done to it. If there was some corrosion in there, there likely would have been some sort of thickness test done on that. But in general, I mean, this is a fracture-critical bridge, so every piece of this bridge is inspected. And I think this bridge is actually on a one-year cycle. So it gets a very in-depth inspection every year, and it includes NDE where it's needed. If it's not needed, they're not going to do NDE on an entire structure. It's too cost-prohibitive.

Q. So that annual inspection then is a visual, and if you see something, then you would have the NDE?

A. Correct.

Q. Okay. Could we look at Exhibit 72, please?

MR. COD: While we're doing that, may I just ask for the record that we have provided copies of the actual inspection reports, relative to the bridge, and made them available to counsel as well. They're rather significant reports, that contain -- they're rather significant reports that contain photographs, all the analysis that is done.

The inspections are performed pursuant to criteria that is

put forward by the Federal Highway Administration.

(Off microphone comment.)

MR. COD: Yeah, so if you would explain that, actually that would be helpful.

THE WITNESS: So, there's actually several kinds of inspection that go on, on this bridge. There's a typical routine inspection, which I referred to, which on this bridge, occurs once a year. Because it's a fracture-critical bridge, every tension member has to -- the federal regulations essentially require that you have to be able to touch that. So it's all rope access. There's -- we have manlifts, Reachalls out there, all kinds of equipment to be able to reach every piece of the structure.

In addition to doing the routine, we do an underwater, required underwater inspection every 5 years. That really didn't have anything to do with this, but it's just worth noting. In addition to that, we do a, what we call an in-depth inspection on all of our complex structures every 8 years, which is even more detailed. And on top of that, we do -- we have an NDE contract that comes in and does the pin and hangers and any of those really critical components about every 8 years. But NDE can also be included, and is included in the routine inspection.

BY MR. KUCHARSKI:

Q. Great. Thank you for that detail. Thank you. Clear. Okay, so Exhibit 72, page 5, please. Take your time. I want you to -- let me know when you're ready to go.

A. I'm ready.
Q. Okay. At the top of that drawing, where it says, "Detail A," do you see that?
A. Detail, yes.
Q. It says, "Detail A"?
A. Yes.
Q. Yes? And you see the impact location?
A. Yes, sir.
Q. Yes. And then, a little bit further down, I believe the vertical height is there, for the impact location; is that correct?
A. Yes, sir.
Q. Could you tell us what that vertical height is, the impact location?
A. Boy, this is a small font. 133.03 feet.
Q. Okay. Were you asked to -- I know it's not here, but were you asked to calculate -- or your engineers, to calculate the vertical clearance, the distance, the air gap, whatever you want to call it, from the green light, the centerline of that span?
A. Yeah. Yeah, the -- yeah. Not initially, but yes. We -- our consultant, Joey Coco, with Forte & Tablada, who did our -- this company did our vertical, horizontal, all of our survey control for this repair -- just briefly to describe why that's very important is, when the structure got hit, things moved around. Like I said, the load redistributed, and so other members were

bent, and shortened, lengthened, depending on where they were in the structure. And so we had to have a very clear picture of where everything was, especially as we went into jacking the bridge and trying to move things back to where they should be. So that's what this company did.

Q. Okay. And so this calculation for the green lights, okay, which have been talked about, the navigation lights, could you tell us what that, your engineers now have calculated that height to be?

A. The height at the green light in the west channel -- I don't think we -- we don't have the height of the green light in the center channel. But the height of the green light in the western channel, which is the channel we're talking about, is 140.84 feet. And that's to the light.

Q. To the light.

A. Which is slightly lower than the structure itself, I think about a foot. And it --

Q. And you are aware that the air draft -- have you been -- anywhere in this study, the air draft of the barge was about 135, just a little bit under 136 feet.

A. Yes. I thought it was a -- yeah. I'd have to look through my notes. I have it somewhere in my notes.

Q. And maybe, maybe we could ask for that calculation, or that drawing, this drawing to be updated, so that -- so, I mean --

A. We can certainly add that to this drawing. We would -- it

would need to --
Q. Appreciate it. So --
A. The Detail A would have to get larger, because I think the green light is not actually on the, wouldn't be on this diagram.
Q. So as an engineer here, and I -- 136 foot, 135 foot, you have 140, almost 141 foot of clearance, if they had been on the centerline there, they should have cleared the bridge?
A. They may have. I mean, I don't know how wide the barge is, and so it's not just a point going through it. The barge has width, so I don't know what the width of the barge was.
Q. Right. Right. Okay. But as far as height goes, the -- I think we've looked at the -- the highest point is sort of a circular staff that sticks up. Okay. Thank you.
A. Correct.
Q. Thank you.
BY CDR MESKUN:
Q. For the drawing that we just referred to, Exhibit Number 72, can you discuss some of the river gauge and river stage information that was calculated, or accounted for, during the information?
A. Well, maybe generally. What I believe they did, in order to find out what the -- I mean, we needed to know what the water height was at that day. So I'm sure that Joey used the, probably the Donaldson river gauge, which is the closest one, which is actually north of this location, and generally speaking, reads a

little higher than this location. We don't have a gauge here, so you'd have to interpolate between Donaldsonville and Reserve, I think is the next one down.

Q. If you look at the drawing that's up, Exhibit 172, it indicates Donaldsonville gauge at 18.37. Do you think that's an accurate representation of the numbers that were used?

A. I would think so. I mean, I wasn't involved in putting those numbers together, but yes.

Q. Okay. Do you get notified -- you got notified when this accident occurred. Is that normal? Would you always get notified when an accident hits -- or a bridge is hit in an accident?

A. Almost always, yes. Myself, I sort of have the responsibility of letting the administration know, our secretary, and my boss, when a vessel or anything hits our bridges. Yeah, I am almost always notified.

Q. How long --

A. At some point.

Q. I'm sorry. Go ahead.

A. At some point. Maybe I'm not -- I'm not the first point of contact, though. It depends on where the -- where it occurred. Generally it's the bridge people in the district where it occurs are the persons notified, because they have the inspectors. They're going to go out and look at it, first.

Q. Do you know how often the Sunshine Bridge gets hit?

A. Historically, if you go back, it was hit five times prior to

this incident we're talking about. All five of those were some sort of collision with a pier, a substructure, the fenders, which is part of the substructure.

Q. Is it possible that the bridge could be hit and you don't get notified?

A. Yes. I mean, if no one else is notified, it's possible. It's certainly possible.

Q. You just -- just to back up one second. You just said the bridge was hit five times, by your records. How far back does that information date?

A. We went back to 2008, and from 2008 forward, there were five.

Q. Okay. I would like to open IO Exhibit Number 73. You've probably not seen this before, but this has been shared with the parties. This was produced by the Coast Guard, out of our database. Basically, any marine casualty that gets reported goes in, that gets investigated.

Please, if you have an opportunity, just take a look at this document and see if these accidents are similar to the information you have. I think there's about 10, less than a dozen accidents that we have on record.

A. I mean, these appear to be consistent with what was given to me from the bridge inspection folks. You know, we're not going to know what we're not going to know. If it's not reported to us -- I say we wouldn't know. We should see something during the inspection, the bridge inspection, when that occurs, but they're

not -- if it's not significant -- I mean, they'll note it in the bridge inspection, that there appears to have been some sort of rubbing against the fender system or pier, whatever. So yeah, certainly, the -- obviously it's possible that vessels hit or rub against our structures and we don't always know about it.

Q. And you may not know the answer not this question, and that's fine, but I want to ask anyway. In relation to other bridges over the Mississippi River, is this bridge hit a lot, or a little, in comparison?

A. I would be guessing if I told you that. They all seem to take their turn, especially during a high-water event we seem to have more of them, more that occur. A few weeks back we had five in 7 days, all of them minor, but still five, that we knew about. May have been more. I don't know.

CDR MESKUN: Do you guys have any questions on what we've just discussed?

MR. COD: Commander, if I may add, relative to your questions regarding the survey performed by Forte & Tablada, Mr. Coco, we have certainly, are pleased or would be happy to make him available, if you wish to discuss with him details about the survey, different, you know, factors that were considered for the survey, the information, how he computed it and so forth. We -- again, we didn't think he would be one of the witnesses coming today, but he's certainly available. We would have no problem making him available to you for your investigation.

CDR MESKUN: Thank you.

Do you guys have any further questions?

Cooper, Mr. Jenkins?

MR. JENKINS: Good morning, Mr. Miller. My name is Scott Jenkins. I represent Cooper Consolidated. I just have a, just a couple of follow-up questions for you.

Lieutenant [redacted] can you please pull up Exhibit 72? Page 19.

BY MR. JENKINS:

Q. Before I ask you about that one, Mr. Miller, I just want to quickly follow up. You had given the vertical height of the impact location at 133 feet, and at the green light it was 140.84 feet. And again, I just want to -- but do you know what the river stage level was that they used? I think you suspected they may have used Donaldsonville or LaPlace? Or Reserve? Where did you say? You said Reserve.

A. Let me look at my notes. It was -- no, it was the Donaldsonville gauge that they used.

Q. And what was that number, 18.37?

A. I believe that's what was on that drawing. It's not on these notes that I have.

Q. Who actually prepared those calculations?

A. These calculations or the ones --

Q. The ones in front of you that I'm asking about now.

A. Joey Coco, with Forte & Tablada.

Q. Now, with respect to the exhibit that's on the screen now, you said that it's a review from downriver, and with the section that depicts the western span, there's a number of 124. And that looks like it's just a -- it's -- that's -- you're calling that at point 14. But I believe if we look at the impact zone, was -- didn't he impact at point 15?

A. Yeah. And what you're looking at essentially doesn't have anything to do with what happened during the collision. What you're looking at here is a survey effort that we did with an other company, a little different survey method where we were providing, at the request of the Coast Guard and NOAA, clearance information for four structures. This is one of four that we provided.

You don't really have enough information on this page to make any good conclusions, because it's not telling you where -- you can see visually that there's a 124, but you don't know where that 124 really is. When you -- if you look at the data, and we can certainly make this data available, these are not in the same locations that Joey took his information.

These are -- in fact, these are a few random points that Moffatt and Nichol did. There's multiple points along this structure where we took a profile to determine air gap information to provide it to -- again, to -- it was -- at the time it was David Frank, with the Coast Guard, and I think Tim Osborn with NOAA. And the information that we provided here, I don't think

ever got implemented because there was no non-federal sponsor available to go along with the federal program to put that into play.

So these numbers, without a location, don't mean anything. We have the location information, it's just not on this sheet. Certainly provide that.

Q. So the number, for example, of 124, even though the arrow matches up with that particular point, that's not necessarily indicative of what the height is at that point?

A. No, because it's just a visual of where that is. You would have to look at the exact X,Y coordinates. Or just to give you an example, point 1 and point 14 are on, appear to be on the same point on the structure, one on the north side and one on the south side. They are not at the same point. There's about 10, 12 foot difference between those two points, if you were crossing the road. Which is why, if you look at the elevation information, there's about, I'd say about 0.8 something difference between those two, because they're not in the same location on the structure. That is not evident by the numbers that are shown here. You have to have the X,Y coordinates to go with it.

Q. And again, how far those distances are over from say the green center navigational light, you can't tell, looking at this?

A. No.

Q. Do you know how far over the point of impact was from the green center light?

A. Roughly 260 feet. And the reason the heights or clearances are different is because the bridge is in a vertical curve. So you're actually going uphill, sort of.

MR. JENKINS: No further questions. Thank you.

CDR MESKUN: Mr. Miller?

MR. MILLER: Yes, thank you, Commander.

BY MR. MILLER:

Q. Mr. Miller, I'm Bobby Miller. I'm one of the attorneys for Marquette. I've just got a few questions for you. Who do you report to at LADOTD?

A. My boss is Vincent Latino. He's the assistant secretary for operations.

Q. And who does he report to?

A. He reports to Sean Wilson, who's the Secretary of the Department of Transportation and Development.

MR. MILLER: I'd like you to put Exhibit 71 back on.

BY MR. MILLER:

Q. Sir, I'd like you to turn to page, I guess, 3 of Exhibit 71.

A. Okay. I'm there.

Q. And look at the last paragraph on that page, where it starts, "Repair crews and equipment began mobilizing to the bridge site on October 20th, 2018." And then it goes on down to say that, "On Saturday, December 1st, repairs had progressed to safely permit single-lane two-way traffic to cross the westbound lanes of the bridge while remaining repairs continued." So the 49-day period

you talked about ran from the date of the incident until December the 1st; am I correct in that?
A. Yes. There were still some other minor, less critical repairs to be made, going forward.
Q. Then it goes on down to say that, "All identified structural impending repairs associated with the allision were completed on March 19th, and the eastbound lanes of the bridge were completely reopened to traffic on Friday, March 22nd, 2019." Is that accurate?
A. Yes, sir.
Q. Okay. So anything else that's been going on, on the bridge since that time is unrelated to the allision, correct?
A. As far as I know of. I mean, like I said, this bridge was under construction -- or was -- a construction project had started before this collision occurred.
Q. Well thanks for mentioning that because that's what I wanted to go into next, to talk about that construction project that was already planned. What was the name of the bridge contractor that was doing that project?
A. Make sure I get it right, Coastal Bridge Company.
Q. Tell me about Coastal Bridge Company. Is that a contractor that regularly does work for LADOTD?
A. I wouldn't know. I mean, they do some work for the department.
Q. What work had they been contracted to perform prior to the

allision?
A. I only know vaguely what they were doing. There was a multiple-phase approach to doing repairs to this structure. As you mentioned, it -- as somebody mentioned, it was built, you know, 60, 70 years ago, so the design loads that it was designed for back then don't meet the current load. So in order -- a lot of the work that was being done was to strengthen, repair cracks and things that occur on all of our structures, similar to all of our structures.
Q. Would you have any knowledge of whether or not any of the work that had been planned to be performed by Coastal Bridge prior to the allision, was actually performed as part of the repairs that were made to the bridge because of the allision?
A. No. None -- nothing related to the construction project was done to -- during -- with or during the repairs.
Q. Okay. So you have personal knowledge that that was the case?
A. That's what I've been told. We did a, what's called a forced account, which means you essentially segregate anything related to that forced account from the contract work. It's the quickest way to get a repair done. If you have a contractor onsite, it's a lot quicker than having to go procure and get a contractor.
MR. COD: As a point of order, I just -- I appreciate the line of questioning, but to the extent that we're going to stray from the purpose of this investigation, I have to object. The issue of the specific repairs, the companies that were involved,

the extent, the scope, I don't see that as relevant to your investigation, if I may say, respectfully. And so I'm happy to accommodate the questioning, but I just want to make that observation for the record.

CDR MESKUN: I see the point. I see where he's going. Your objection is sustained, and we can move on to the next line of questioning.

MR. MILLER: Okay. I think at that point I have no further questions. Thank you very much.

CDR MESKUN: Mr. Miller, thank you. You are now released as a witness from this formal marine casualty investigation. Thank you for your testimony and cooperation. If I later determine that this joint investigation team needs additional information from you, I will contact you through your counsel. If you have any questions about the investigation, you may contact the recorder, LT [redacted]

The time is now 8:55. We'll take a 15-minute recess, and we are off the record.

MR. MILLER: Thank you.

MR. COD: Thank you.

(Whereupon, at 8:55 p.m., the testimony was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:	*KRISTIN ALEXIS*/BARGE *MR. ERVIN* ALLISION WITH THE SUNSHINE BRIDGE DONALDSONVILLE, LOUISIANA OCTOBER 12, 2018 Interview of David Miller
ACCIDENT NO.:	DCA19FM003
PLACE:	Gonzales, Louisiana
DATE:	May 9, 2019

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]

Pamela C. Jacobson
Transcriber