

UNITED STATES OF AMERICA
 NATIONAL TRANSPORTATION SAFETY BOARD
 OFFICE OF ADMINISTRATIVE LAW JUDGES

* * * * *

Investigation of:

*

*

COSCO BUSAN/BRIDGE ALLISION

*

SAN FRANCISCO, CALIFORNIA

*

Docket No.: DCA-08-MM-004

*

*

*

* * * * *

Interview of: LIEUTENANT JG STEPHEN BOR

San Francisco Command Center
 Conference Room
 San Francisco, California

Friday,
 November 19, 2007

The above-captioned matter convened, pursuant to Notice.

BEFORE: LARRY D. BOWLING

APPEARANCES:

LARRY D. BOWLING, Operations Group Chairman
National Transportation Safety Board
Office of Marine Safety
490 L'Enfant Plaza East
Washington, D.C. 20594
(202) 314-6491
(202-) 314-6454 (fax)

CRYSTAL THOMAS
National Transportation Safety Board

R.W. HOLLY, Captain
State of California, Department of Fish and Game
Office of Spill Prevention and Response
425G Executive Court North
Fairfield, CA 94585
(707) 864-4902
(707) 864-4910 (fax)

GARY TOLEDO, Captain
State of California, Department of Fish and Game
Office of Spill Prevention and Response
1700 K Street, Suite 250
Sacramento, CA 95814
(916) 324-6450
(916) 327-0907 (fax)

GERALD R. WHEATLEY, Senior Investigating Officer
U.S. Coast Guard, Sector San Francisco
Building 14, Coast Guard Island
Alameda, CA 94501
(510) 437-3146
(510) 437-3144 (fax)

SCOTT D. SCHAEFER, CDR, USCGR
Deputy Chief, Incident Management Branch
Eleventh Coast Guard District
Coast Guard Island
Alameda CA 94501
(510) 437-3113
(510) 437-3223 (fax)

APPEARANCES (cont.):

M.S. NAGARAJAN, General Manager
Fleet Management Limited
United 1603, 16th Floor MassMutual Tower
38 Gloucester Road
Wanchai, Hong Kong
(852) 2861-3511
(852) 2861-4513 (direct)
(852) 2528-1550 (fax)

PATRICK A. MOLONEY, Captain
Board of Pilot Commissioners
Pier 9, Suite 102
San Francisco, CA
(415) 397-2253
(415) 397-9463 (fax)

LIEUTENANT COMMANDER SMITH
United States Coast Guard

LIEUTENANT ALBINO
United States Coast Guard

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Lieutenant JG Stephen Bor:	
By Mr. Bowling	5
By Unidentified Speaker	42
By Lieutenant Commander Smith	51
By Mr. Bowling	52
By Mr. Wheatley	65
By Mr. Holly	73
By Mr. Toledo	76
By Mr. Moloney	80
By Mr. Schaefer	84
By Mr. Nagarajan	92
By Mr. Holly	93
By Mr. Bowling	97

P R O C E E D I N G S

1
2 MR. BOWLING: All right, we are recording. All right,
3 this is Larry Bowling. I'm present at the San Francisco Command
4 Center Conference Room. The members of the operation group are
5 with me and today is our interview with Lieutenant JG Bor. And
6 the members of the -- actually, the sole member of the NTSB
7 environmental group is with us, Crystal Thomas. We've already
8 done introductions and done a brief explanation of the NTSB's
9 purpose and the group's purpose, both groups' purposes, in this
10 incident. And with that said, Mr. Bor, do we have your permission
11 to run the taped interview?

12 MR. BOR: Absolutely.

13 INTERVIEW OF LIEUTENANT JG STEPHEN BOR

14 BY MR. BOWLING:

15 Q. Okay. Thank you. What we want to do today, we're going
16 to try and be as brief as we can. We've already got a good
17 picture of a lot of things that happened during the incident and
18 we've been here on site for almost a week now, thereabouts, so
19 we'll try and make it as a brief as we can. What I'd like to
20 start out with is just a little bit of background on you, for the
21 record, your full name and a contact address and a telephone, and
22 it can be a Coast Guard mailing address, if you prefer.

23 A. My name is Lieutenant JG Stephen Bor. Stephen is
24 spelled S-t-e-p-h-e-n, and Bor is spelled B-o-r.

25 Q. Okay. And the best address to get a hold of you if we

1 need to mail?

2 A. The best address to get a hold of me is Coast Guard
3 Island --

4 Q. Okay.

5 A. -- Building 14.

6 Q. All right. And that's the Alameda address?

7 A. That is Alameda. That's correct. The 94501.

8 Q. Okay. And a phone number would be your business number?

9 A. My office phone number is (510) 437-3886. However, more
10 often than not, you can find me here --

11 Q. Okay.

12 A. -- which is the (415) 399-3547, and that's the General
13 Command Center phone number.

14 Q. Right. What was that last four?

15 A. 3547.

16 Q. Okay. Thank you. Can you tell me, just from a
17 standpoint of -- I want to explore two areas before we get into
18 some detailed questions -- your training and education, both Coast
19 Guard internally and externally, and then from the civilian
20 standpoint prior to, you know, you coming into uniform, post-high
21 school. So can you give me a little bit of background, just from
22 your training and education standpoint?

23 A. I'll begin with the second question.

24 Q. Okay.

25 A. I went to Rice University in Houston, Texas.

1 Q. All right.

2 A. I graduated in 2005 with a degree majoring in sociology
3 and public policy.

4 Q. Okay. All right. And at that point did you join the
5 Coast Guard?

6 A. I actually enlisted in the Coast Guard in 2003 --

7 Q. Okay.

8 A. -- and was enlisted for two years. I went through Cape
9 May boot camp, and after graduating college, went to officer
10 candidate school.

11 Q. Okay. Now that -- that's the minority officer
12 recruitment --

13 A. That's --

14 Q. -- program?

15 A. That's deceased by the College Student Pre-Commissioning
16 Initiative.

17 Q. What's that program called that you -- where you enlist
18 and --

19 A. That's the CSPI. It's C-S-P-I.

20 Q. Okay.

21 A. College Student Pre-Commissioning Initiative.

22 Q. All right. So you graduated in 2005. And can you walk
23 me up, training-wise, from that point to where we're at today?

24 A. Training --

25 Q. Post-OCS.

1 A. Post-OCS. This is my first Coast Guard unit as an
2 officer. Immediately upon assignment to Sector San Francisco --
3 excuse me -- I was attached to the Port Safety and Security
4 Division, where I still work. At first I was in the Facility
5 Safety and Security Inspections Branch, which is the branch that
6 basically does -- enforces Coast Guard regulations from the
7 Maritime Transportation Security Act --

8 Q. Okay.

9 A. -- as well as safety provisions.

10 Q. So basically, you're going out and ensuring that all the
11 105 facilities --

12 A. 105 facilities. 105, 154, 126.

13 Q. Those are -- would you just briefly explain the
14 designators on those facilities? We're using terminology from the
15 Code of Federal Regulations. I'm a non-Coast Guard person. It's
16 basically something we don't need to explore here, but -- so
17 you're a facility inspector?

18 A. Right, a facility inspector. What these numbers stand
19 for, 105 is 33 C.F.R., Code of Federal Regulations, Part 105,
20 which is the regulations promulgated by the Maritime
21 Transportation Security Act for security regulations at waterfront
22 facilities, post-9/11, requiring them to have a facility security
23 plan, designated facility security officers, access control
24 measures, et cetera.

25 Q. But now that is -- that was your first assignment while

1 here?

2 A. That was my first assignment. I became the branch chief
3 of that branch in March of 2006. It's not limited to just
4 security, although that was a rather high priority for the San
5 Francisco Bay area, and the United States in general. We also do
6 regulate all transfer to facilities for their safety provisions,
7 insofar as their hoses, markings --

8 Q. Okay.

9 A. -- containment procedures, et cetera.

10 Q. And 155?

11 A. They're 154 facilities.

12 Q. 154. All right. What qualification letters do you
13 currently hold in your training portfolio issued by Captain Uberti
14 or the previous sector commander, or anyone in the chain of
15 command?

16 A. Right. I have the harbor safety officer qualification.

17 Q. All right.

18 A. I have facilities security qualification and facility
19 safety, which --

20 Q. All right.

21 A. -- are rolled into one.

22 Q. Right.

23 A. They're two separate PQSs.

24 Q. Okay.

25 A. I also have the operations unit -- what is now the

1 operations unit or what used to be the SAR controller
2 qualification from SAR school --

3 Q. Okay.

4 A. -- as well as the sector duty officer, now command duty
5 officer qualification.

6 Q. All right. When did you get your sector duty officer
7 qualification?

8 A. I got it in March of this year.

9 Q. All right. We'll probably want to just explore the
10 training into that in a little bit.

11 A. Sure.

12 Q. And you made lieutenant, J.G., when?

13 A. In March.

14 Q. In March. All right. So promoted J.G. in March.

15 Overall, how much time for seniority do you have with the Coast
16 Guard? Did it start back in 2003 with the -- when you entered
17 into the program or with regard to your -- if I looked at your
18 active duty pay base date, when would that start?

19 A. Active duty pay base date and not necessarily
20 seniority --

21 Q. Right, right.

22 A. -- started in May. I went to boot camp in May of 2003.

23 Q. Okay.

24 A. So that's when -- June of 2003 was when I received my
25 first Coast Guard paycheck.

1 Q. I got you. Okay. The -- and the other area I want to
2 explore briefly, before we get into detail-specific lines of
3 questioning, are just your physical and your mental state of
4 being, say, on the 5th and the 6th, leading up to the 7th. What
5 I'm looking at is, were there any medical situations in your life
6 or any lack of sleep? Did you go three days without sleep? Were
7 you well rested, those kind of things. So I know it's been a
8 while. You've probably been interviewed by a couple of people at
9 this point. But were there any situations in that little time
10 slot, say a 48-hour or better, prior to the 7th of November, that
11 you'd like to tell us about, from a standpoint of rest or
12 medications or illnesses or anything like that?

13 A. No.

14 Q. Okay.

15 A. I was OPSIS (ph.) normal.

16 Q. Okay.

17 A. I was rested plenty. I worked the day before, just as
18 usual. I did not go out and party or anything like that.

19 Q. Okay.

20 A. Go to sleep at my usual time, around ten o'clock.

21 Q. What time do you normally go to sleep at?

22 A. About ten o'clock.

23 Q. Is that about what time you went to sleep on the 6th?

24 A. I guess so.

25 Q. Okay. You had mentioned that you'd worked the day

1 before. Was it in the watch center or was it back at the
2 facility?

3 A. I'm actually no longer in the facilities branch.

4 Q. Okay.

5 A. As of June of this past year, I have been the containers
6 inspection branch chief.

7 Q. Okay.

8 A. And that's my current job and that's where I was the day
9 before.

10 Q. Okay, that's where you worked before?

11 A. Correct.

12 Q. All right. Now, one of the things we learned from
13 Commander Copley is that the CDO watch is actually manned by
14 personnel, Coast Guard personnel that have other responsibilities.
15 For example, it looks like you were running the container
16 inspection branch.

17 A. That's my primary duty.

18 Q. That's your primary duty. Can you walk me through, with
19 strictly relating to you, your responsibilities as CDO and your
20 responsibilities as the container branch chief?

21 A. Sure. So like Commander Copley had said, all of us duty
22 officers have this duty as collateral. It's not our primary
23 duties. We all have -- with the exception of the Senior Command
24 Duty Officer, for whom this may or may not be their primary duty,
25 depending on who they are, at that time.

1 Q. Right.

2 A. We stand this as collateral duty anywhere from two days
3 to seven days a month, depending on seniority, availability,
4 training, et cetera. My primary duty is as the containers
5 inspection branch chief. We are responsible for conducting
6 containers inspections for safety in the Port of Oakland,
7 Richmond, wherever there's containers. I supervise five -- no,
8 four active duty enlisted -- responsible --

9 Q. Okay.

10 A. -- for outreach to industry regarding containers,
11 regulations, safety, discrepancies, et cetera.

12 Q. Okay.

13 A. That pretty much is my primary job. We're also
14 responsible, in Sector San Francisco, for all the explosive
15 handling supervision for commercial shipments of explosives, as
16 well as military shipments when requested by the Department of
17 Defense, the Army, the Military Ocean Terminal Concord, MOTCO.

18 Q. Right. Now --

19 A. And so whenever there's shipments we're out there and we
20 coordinate that. We also coordinate outreach with our federal
21 agencies and state agencies (indiscernible) inspections.

22 Q. Are on a separate duty rotation within the branch?

23 A. I stand -- I get calls for container issues any time of
24 day, regardless of whether I am on or off duty.

25 Q. Right.

1 A. So 24/7, I'm on containers duty. That's just my job.

2 Q. All right. Well, when you're standing CDO watch, who
3 takes those calls?

4 A. We have a specified containers inspector that'll go out.

5 Q. All right. Right. Is there an assistant branch chief?

6 A. There is.

7 Q. Particularly, I want to now get into the date of the
8 incident, on the 7th. When did you assume the watch?

9 A. I think I just answered one of your two questions --

10 Q. Okay.

11 A. -- regarding the qualification process.

12 Q. Okay.

13 A. I think you asked regarding my job as a container
14 inspector --

15 Q. Right.

16 A. -- and the branch chief as well as the Command Duty
17 Officer. I think --

18 Q. Yeah, that's fine. (indiscernible).

19 A. I just realized I didn't answer that --

20 Q. Go ahead.

21 A. -- question. So as far as Command Duty Officer, did you
22 want to know about -- just to be sure that I'm clear on your
23 question, you wanted to find out what that entails?

24 Q. That's correct.

25 A. On a month-to-month basis or the training process?

1 Q. Well, basically on a month-to-month basis, if we can go
2 there first.

3 A. Basically, I have been, since March, on five to six-day
4 a month rotation in the command center. What that means is a
5 typical day of watch begins -- we changed policies such that the
6 oncoming duty officer actually relieves the off-going and does the
7 morning brief.

8 Q. All right.

9 A. So I typically come into the command center at about --
10 arrive here at about 6:00 to 6:15.

11 Q. Keep that thought. Let me interrupt you real quick.
12 The oncoming duty officer does the morning brief?

13 A. That's correct.

14 Q. So the off-going duty officer briefs the oncoming CDO --

15 A. Prior.

16 Q. -- to basically --

17 A. Prior to the brief.

18 Q. Prior to the brief. Okay. Right.

19 A. So I get to watch typically around 6:00 to 6:15. I get
20 here. The responsibility of the off-going Command Duty Officer is
21 to fill out the daily OPSUM (ph.), which I have for the 7th, for
22 the day that I had watch. And they essentially capture, in this
23 daily OPSUM, a summary of all the cases that happen throughout the
24 day. This information gets sent to the district and then pushed
25 up to headquarters as the district sees fit. I don't know the

1 district's requirements or specific requirements as far as pushing
2 it past themselves. The pass-down occurs whenever the oncoming
3 CDO arrives to the point at which both CDOs feel that they are
4 comfortable all the information, all the operational statuses, all
5 the command status, regarding personnel cases and equipment. And
6 usually they stay behind, the off-going stays behind so that we
7 can review the morning brief, PowerPoint, before that happens.
8 And so --

9 Q. Okay.

10 A. So I get here between 6:00 and 6:15 on a typical day of
11 watch. We leave at -- between 7:30 and 8:00, conduct the morning
12 brief for the command cadre at 8:00.

13 Q. Okay. You talk faster than I do, actually. The first
14 person I've met. And so start with the 0600 to 0615. You
15 basically arrive on the watch.

16 A. Pretty much between whenever the CDO arrives --

17 Q. Right.

18 A. -- and 8:00 is the pass-down period.

19 Q. Okay, got you. So walk me through what goes on during
20 the pass-down period, because you said 06 to 6:15 is normal
21 arrival.

22 A. Right.

23 Q. And then there were a couple other things that were
24 going on in that timeframe.

25 A. Right. There are two main things that happen --

1 Q. Um-hum.

2 A. -- that are documented.

3 Q. Right.

4 A. The first of which is daily the OPSUM. It's the off-
5 going CDO's responsibility to populate this again with the case
6 summaries, as thorough as need be --

7 Q. Right.

8 A. -- for district. That, as Sector San Francisco policy
9 requires, is to be submitted to district by 7:30 and that's
10 done --

11 Q. Okay.

12 A. -- electronically. The CDOs, both of them, will go
13 through it and -- the off-going will give the oncoming a snapshot
14 of what happened --

15 Q. District 11 requires the OPSUM by 7:30?

16 A. Sector San Francisco.

17 Q. Oh, okay.

18 A. District, I think, doesn't require it until ten o'clock
19 in the morning.

20 Q. Okay.

21 A. We sent it out by 7:30, because that OPSUM gets read by
22 individual members within the command, so that they are
23 pre-briefed prior to the morning brief.

24 Q. Okay.

25 A. In case they weren't already briefed throughout the

1 night.

2 Q. Got you.

3 A. That's the first documented item. The second documented
4 item is the morning brief itself. It's just a PowerPoint. It
5 gives a snapshot of the command status, so personnel who's here
6 and who's not.

7 Q. Right.

8 A. Equipment status, boats, what boats we have, which ones
9 are working and which ones are not.

10 Q. Right. And that's just something that's put together --

11 A. Right.

12 Q. -- for the command internally with the sector, correct,
13 Captain Uberti --

14 A. That's correct.

15 Q. -- Captain Swatland and whoever may be running the
16 show --

17 A. Right.

18 Q. -- or in command at that point. Okay.

19 A. So the CDOs will review that for accuracy as well. So
20 on that is equipment status and personnel status and --

21 Q. Okay.

22 A. -- case status.

23 Q. When did you -- now we're going to kind of get into the
24 specific day of the watch, the 7th, the incident, the day of the
25 incident. When did you arrive that particular day here at the ops

1 or the command center?

2 A. 6:15.

3 Q. 6:15. Okay. And did you complete the -- basically, the
4 outbound CDO provided you with the OPSUM at that point?

5 A. Ensign Shutty (ph.) was the one that was doing the
6 OPSUM, right.

7 Q. Okay. So you went through that.

8 A. Right.

9 Q. And as far as the PowerPoint presentation, that was your
10 responsibility?

11 A. Right. And I went to -- I went over that with John
12 Shutty, as well.

13 Q. Okay. All right. So at what time was the close-out, if
14 I can use that term, of the previous watch completed with in
15 Sector San Francisco? You said it's normally -- the OPSUM is
16 provided at 0730, it goes outbound. When was that PowerPoint
17 presentation provided to the commanders?

18 A. It's always provided at eight o'clock.

19 Q. Okay.

20 A. And then we do the morning brief. And so the official
21 relief time is eight o'clock --

22 Q. All right.

23 A. -- when the morning brief begins.

24 Q. Okay, were you -- did you -- were you there for that
25 morning brief?

1 A. Yes, I conducted the morning brief.

2 Q. All right. Because you perform the morning brief,
3 right?

4 A. That's correct.

5 Q. All right. So at the morning brief, who is present,
6 either virtually or physically, on the 7th, do you recall?

7 A. Not off the top of my head.

8 Q. And again, if you don't know, you don't know. Tell me
9 who you know.

10 A. Captain Uberti was there and Captain Swatland was there.
11 As far as the rest of the command cadre, Commander DeQuattro (ph.)
12 was there, Commander Copley was not there. I remember being
13 passed down -- it was in the pass-down. It should be in the pass-
14 down (indiscernible) --

15 Q. Okay.

16 A. -- Commander Copley.

17 Q. He was on leave at that time?

18 A. Right, he was -- he wasn't there. Aside from that, I do
19 not remember.

20 Q. Okay. So Captain Uberti was here, Captain Swatland was
21 here, and Commander DeQuattro?

22 A. Right.

23 Q. And then --

24 A. There were other people. I don't remember --

25 Q. Other members of the watch?

1 A. Other members of the duty sections.

2 Q. Okay.

3 A. Divisions.

4 Q. Okay. What time did the morning brief get over?

5 A. I don't know.

6 Q. Guesstimate?

7 A. It usually takes me four to five minutes, actually, to
8 do the PowerPoint presentation itself. Thereafter, each division
9 reports to the captain --

10 Q. Okay.

11 A. -- and says, that is what we have going on for today.
12 Typically it'll last 10, 15 minutes.

13 Q. Okay. So you're passing significant events?

14 A. Right.

15 Q. Okay. Once the morning brief broke up, kind of get me
16 into the timeline at that point, because then you're starting to
17 really get into the daily routine of the watch.

18 A. Right.

19 Q. The morning brief breaks up --

20 A. In general? For that specific day?

21 Q. Yes, for the 7th. And if you need notes, again, let me
22 know what you need.

23 A. Right. That specific day, after I came back, there were
24 a couple of other items. Let me see. I -- let me see. Yeah,
25 this is the case log. I do not remember an OPSUM, too.

1 Q. Right.

2 A. I do not remember if we had any other ongoing search and
3 rescue cases --

4 Q. Okay.

5 A. -- or anything like that. I believe -- let's see.
6 Well, that was the night of -- I don't have the, I don't have the
7 log for the day before in front of me.

8 Q. Okay.

9 A. At any rate, it was relatively quiet when I took the
10 watch --

11 Q. Okay.

12 A. -- and came back into the command center. That is the
13 OPSUM --

14 Q. Right.

15 A. -- capturing the 24-hour period between eight o'clock in
16 the morning -- if there were any ongoing cases they would be on
17 there as well, as ongoing cases -- from eight o'clock in the
18 morning when I took the watch until eight o'clock in the
19 morning --

20 Q. Okay.

21 A. Or whenever I was relieved. And so I sent this out
22 prior to 7:30 the following day.

23 Q. Okay.

24 A. At about 8:30 we received a call, and by we I mean
25 Petty Officer Bidowski received a call from VTS, indicating that a

1 container ship had brushed, or some term akin to that, the Bay
2 Bridge.

3 Q. Okay. All right, that was at --

4 A. That was around 8:30.

5 Q. Around 8:30? Okay. And what -- well, go ahead, walk me
6 through the timeline --

7 A. Okay.

8 Q. -- they're your actions and --

9 A. So immediately upon notification of that, we go through
10 our notifications internally before a response.

11 Q. Okay.

12 A. So immediately we notified our investigations officer.
13 We notified our small boat station to brief them for launch to get
14 out there.

15 Q. Okay.

16 A. We notified our pollution investigation team.

17 Q. Pollution investigators. So we got an investigator,
18 small boat station --

19 A. Right.

20 Q. -- pollution investigator.

21 A. We also notified our Port State Control branch --

22 Q. Okay.

23 A. -- because it was a foreign flag vessel.

24 Q. Right.

25 A. (indiscernible) the incident and from that point on --

1 let's see. Excuse me. So from what we understood in the command
2 center, VTS took the initial call from the pilot of the ship.
3 I'll just say the ship, because I don't know whether it was the
4 captain or the pilot had made the call. Captain Uberti himself
5 walked into the command center, I don't remember specifically what
6 time, minutes after the incident, and said that the pilot had
7 called him in his office phone as well, or a pilot had called him
8 in his office phone as well, and said to me that the pilot told
9 him that there was some oil that was spilling into the water.
10 This pretty much all happened simultaneously --

11 Q. Right.

12 A. -- just within the span of minutes, in other words.

13 Q. Okay.

14 A. And that's, you know -- and that group of people, whose
15 divisions I listed, were the ones that we'd notified.

16 Q. Okay.

17 A. We also called -- excuse me -- Dave Suloff (ph.), who is
18 the District 11 bridges guy, to let him know what's going on. I
19 instructed the watch standers to brief district as well. And so
20 the initial, I'd say, a half hour we were doing two things. One,
21 we were trying to get as much information as possible, in order to
22 direct the best response possible. I remember specifically that I
23 was on the phone with the relief pilot for a good few minutes
24 directly after we sent out our initial response. We initially
25 notified our other staff teams.

1 Q. Okay, that was Captain Hoburg you're referring to?

2 A. Frank Hoburg, that's correct.

3 Q. Right. Okay.

4 A. I tried to get as much information from him as possible,
5 just about describing the incident, and I tried over the phone to
6 get him to tell me as much as he knew about what happened. He
7 wasn't the actual pilot that was driving the ship and so he had a
8 limited amount of information. I don't remember the specifics of
9 what he told me. I do remember asking him to kind of give him --
10 to give me his estimate of how much oil was spilled, how much
11 damage was done to the vessel, what the condition of the vessel
12 was, what the condition -- you know, just a general overview of
13 what that snapshot was. We took this information and then it was
14 at that point that I started briefing my command cadre. So
15 there's the -- the initial action was gather information and then
16 brief our response teams to go out.

17 Q. Right.

18 A. Directly after that I started briefing the commands.

19 Q. Okay.

20 A. So I briefed Commander Wood, who is the chief of
21 prevention.

22 Q. This was what you referred to as a virtual brief?

23 A. No.

24 Q. No? How did you -- go ahead.

25 A. I made a few phone calls from my desk, the CDO desk, to

1 specific individual members of the command, in our chain of
2 command. So I briefed the prevention department chief, I briefed
3 Commander DeQuattro and the captains by walking over to their
4 offices and letting them know --

5 Q. Okay.

6 A. -- hey, this is what's going on. The captain obviously
7 knew about it.

8 Q. Right.

9 A. He also came in and gave certain information. I just
10 wanted to ensure that everybody was notified. The virtual brief
11 that is noted at 9:30 --

12 Q. Um-hum.

13 A. -- what happened was, at about 9:20, 9:15 to 9:20 --

14 Q. Before we go there, I don't want to get too far down the
15 timeline. I want to go back to at least some of the -- just this
16 initial notification period. And then we'll pick up there, if you
17 don't mind, with regard to the virtual brief and then we'll
18 explore that a little bit. The call came in from VTS and you were
19 using the terminology, we.

20 A. We started making notifications.

21 Q. And when you say we, who are you referring to?

22 A. So everybody present on the watch floor that -- command
23 center personnel, in other words.

24 Q. Right.

25 A. So watch standers as well as day workers.

1 Q. Okay. So we have watch standers involved and day
2 workers.

3 A. Correct.

4 Q. Just -- can you just give me the positions of the day
5 workers? So who was helping with the notifications?

6 A. So we had -- well, I'll just explain.

7 Q. We're familiar with the watch standers.

8 A. Right, right, right. So there was the situation unit
9 controller, the operations unit controller, as well as the
10 communications controller.

11 Q. So situation unit --

12 A. Right.

13 Q. -- ops and comms.

14 A. Right. Those are the three -- aside from the CDO
15 position, those are the three on --

16 Q. All right.

17 A. -- watch.

18 Q. And then you had day workers.

19 A. Right. In addition to the day workers, we had break-ins
20 at the operational unit controller position. So what that means
21 is there's an unqualified person standing in that watch, under the
22 supervision of a qualified person for that.

23 Q. Okay. And that's who you're referring to when you say
24 we? You started making --

25 A. Right. So I directed because I couldn't make all the

1 notifications --

2 Q. Okay.

3 A. -- myself. I directed my watch standers to begin. I
4 divided up, essentially. Hey, you call this person and you call
5 prevention and you call PI and you call the IOs, et cetera.

6 Q. How were you delegating -- how were you delegating and
7 directing that down to the watch standers? What were you using to
8 ensure that all the required notifications were being made?

9 A. What was I using to ensure that the --

10 Q. Yeah. How were you managing who was making one call
11 and --

12 A. Essentially --

13 Q. -- ensuring --

14 A. -- at the command center, when you tell somebody to do
15 something, they better do it. And the responsibility of the
16 Command Duty Officer is -- as the supervisor -- is to take the
17 information from a situation --

18 Q. Um-hum.

19 A. -- and then delegate -- well, delegate, you know, who
20 should be doing what.

21 Q. Right.

22 A. Obviously the watch standers should know their own jobs
23 well enough to know that they should be making calls, but --

24 Q. Okay.

25 A. -- you know, we just verbally -- obviously, I'm just at

1 my desk and verbally --

2 Q. Right.

3 A. -- direct the watch standers to make notification.

4 Q. Okay.

5 A. That day we had a break-in at the operational unit
6 controller position, like I mentioned earlier, as well as a couple
7 extra day workers. So Petty Officer Loboluski (ph.) was here and
8 he was helping out as well.

9 Q. Okay.

10 A. He was day working that day.

11 Q. Was anyone -- were any of the members in this -- or the
12 persons you were delegating these responsibilities to make these
13 notifications down to, was anybody tracking who was contacted,
14 when they were contacted, in a uniform fashion? I know there were
15 several logs going on at the time. But how were you ensuring
16 that, as a CDO, all these notifications were made to your
17 expectations?

18 UNIDENTIFIED SPEAKER: Do you understand the question?

19 THE WITNESS: Yes, I understand the question. So the
20 question, just so that I'm clear on it, how does the CDO ensure
21 that the watch standers are making the notifications that they're
22 supposed to notify?

23 BY MR. BOWLING:

24 Q. Yes.

25 A. At that time, the watch standers are responsible for

1 keeping their own logs. I was not monitoring the watch standers
2 filling out their logs, behind their back or anything like that.
3 I was gathering as much information as I could on my end and
4 making as many notifications as I could. So I was not necessarily
5 monitoring them, you know, standing behind them as they typed at
6 their desk.

7 Q. Right.

8 A. That is another one of those -- in other words, watch
9 standers, I have trusted them, in other words, to make sure that
10 they are keeping track of what they're doing in their logs.
11 That's their job.

12 Q. I understand.

13 UNIDENTIFIED SPEAKER: In your normal course, if a watch
14 stander is unable to notify someone, do they not generally call
15 you back or let you know --

16 THE WITNESS: Right.

17 UNIDENTIFIED SPEAKER: -- I can't --

18 THE WITNESS: No, the watch standers, if they, if they
19 can't get a hold of somebody, they'll tell me, hey, this was going
20 on. It's a relationship. When they've been notified, usually
21 they tell me. When they haven't, they also tell me things like
22 that. It was, suffice it to say, a little bit hectic that
23 morning. There were quite a few people, additional people in the
24 command center.

25 BY MR. BOWLING:

1 Q. Okay. Well, at any time during the initial phase, the
2 initial -- once the command center became aware of the allision --

3 A. Um-hum.

4 Q. -- did you as CDO direct VTS to make any notifications
5 to anyone?

6 A. I did.

7 Q. What directions did you put out to VTS?

8 A. I spoke with somebody at VTS. I do not remember who.

9 Q. Okay.

10 A. I asked them -- and this was pretty near immediate
11 notification afterwards. It was just a few minutes afterwards.

12 Q. Okay.

13 A. From what I can remember, I requested that they notify
14 other vessels in the area. I requested that --

15 Q. Okay.

16 A. -- they help out with the broadcast notice to mariners,
17 regarding the, regarding the -- a safety zone.

18 Q. All right. At any time, did you direct them to contact
19 the Army Corps of Engineers vessel, known, I guess, as the
20 Grizzly, to pick debris up or anything to that extent? Do you
21 recall any direction at that level? Okay.

22 A. We saw them being involved, the Army Corps of Engineers
23 being involved starting in the mid-afternoon.

24 Q. When -- back in the early stages of this situation, this
25 incident, did -- when Captain Uberti walked in, do you recall what

1 he stated to you with regard to his communications with the pilot?

2 A. Other than what I already said, no.

3 Q. Hoburg? No. All right.

4 A. I don't know who he spoke -- he said he had spoke with a
5 pilot. I don't know which one he spoke with --

6 Q. Okay.

7 A. -- whether it was Captain Cota --

8 Q. All right.

9 A. -- or Frank Hoburg.

10 Q. But what did he say to you when he came in?

11 A. He said that he received a call from the pilot, that
12 they had a run-in with one of the -- a run-in with the Bay Bridge.

13 Q. Okay.

14 A. And that some oil was in the water.

15 Q. Okay. And did he -- at any time, did he tell you how
16 much oil was in the water? Did he say anything to that --

17 A. (indiscernible).

18 Q. There was oil in the water. What -- with regard to the
19 sector command center QRSs, which QRS were you using during the
20 incident? Do you recall what notification tree you'd start off?

21 A. I was not using a -- as a CDO, I was not using a
22 specific QRS. We usually have the watch standers break out the
23 QRSs and go through them. So as far as the initial notification,
24 we were just briefing the command, essentially doing what's in the
25 QRS, but briefing the command and getting our response units to

1 get out there and get on the scene --

2 Q. Okay.

3 A. -- as soon as possible to get information.

4 Q. Well, basically with regard to the check-off here and
5 the marine casualty, allision, collision, grounding and sinking --

6 A. Um-hum.

7 Q. -- as a CDO, you don't have to refer to the list? I
8 mean, you know these notifications requirements, where you
9 wouldn't have to use the list is what you're saying?

10 A. Again, usually we have the watch standers break out --

11 Q. Okay.

12 A. -- because they're the ones running with the case. Then
13 they brief us as CDOs. Hey, this is what's going on.

14 Q. Okay.

15 A. It is the watch standers -- it is usually the watch
16 standers, again --

17 Q. All right.

18 A. -- using that. So --

19 Q. But with regard to the check-offs down -- at least I
20 think that --

21 A. Right. So -- so all of this happened, so the operations
22 controller was notified. They were here. We got the vessel
23 protocol profile from MSSL (ph.), yes. We notified the duty IO,
24 police and team leader and the duty marine inspector. Let me see
25 what else on there. We notified domestic inspection division

1 chief and Port State Control division chief. I already mentioned
2 that.

3 Q. And for the rest of membership, he's reading down the
4 list of the allision, collision, grounding and sinking --

5 A. Right.

6 Q. -- QRS.

7 A. We notified the vessel agent.

8 Q. Okay.

9 A. We briefed essentially this line here.

10 Q. Right.

11 A. It's a command cadre.

12 Q. Okay.

13 A. And so we briefed the command cadre. VTS was the one
14 that notified us. I directed my watch standers to notify the D-11
15 watch -- D-11 --

16 Q. Before we go any further than that, while we're on there
17 I want to -- when you -- did you -- who did you direct to contact
18 District 11 OPSN (ph.), because that's what the QRS says, correct?

19 A. Correct.

20 Q. Who did you direct to contact District 11 OPSN, do you
21 recall?

22 A. I don't remember the specific watch stander that I
23 directed that to.

24 Q. Do you know when they contacted the OPSN?

25 A. I directed them to contact the district OPSN prior to

1 the command -- when I got the command together at 9:30.

2 Q. Okay. How --

3 A. I just --

4 Q. Go ahead.

5 A. Go ahead.

6 Q. Did you direct someone on the -- in the team, with the
7 situational unit, ops unit, comm. units and the day working group,
8 to contact District 11 Bridge Recourses?

9 A. Yes.

10 Q. Okay.

11 A. Bridge, meaning Dave Suloff?

12 Q. Yes.

13 A. Right.

14 Q. Who did you direct to make that call?

15 A. I don't remember.

16 Q. Okay. Okay. But -- so at least from the checklist
17 here, the -- at least what I think that is employed here. I want
18 to focus here for a minute. It says, notify VTS and D-11 ops
19 center.

20 A. Um-hum.

21 Q. So did someone follow up, because what we're getting
22 from a timeline is that it went up to District 11 Bridge Resources
23 from Sector San Francisco.

24 A. Okay.

25 Q. And then it went from the preventions department at D-11

1 to the D-11 Command Center. Then they called back in down here.

2 Is that incorrect or is that correct?

3 A. I don't know what happened at district.

4 Q. Yeah. Do you know when District 11 Command Center
5 called in to the command center here to ask what was the
6 situation?

7 A. I do not remember.

8 Q. Okay. All right, going back on the notes here on the --
9 what else was completed, in your recollection?

10 A. Create a port safety file, a case file. That was done.

11 Q. Yeah.

12 A. Create -- and again, usually the CDOs aren't the ones
13 filling out the QRS, or the QRSE, themselves. It's usually the
14 watch standers whose responsibility is to do that.

15 Q. Okay.

16 A. Create MSSL notification, and that was done. For
17 collisions and grounding, have vessel sound its tanks. Later on,
18 it wasn't until we got information from on-scene response team
19 that we found out that the tanks' sounding tubes or the sounding
20 equipment had been crushed. That was later on in the afternoon,
21 after we got -- heard back from our response teams.

22 Q. What was the bullet you just read there?

23 A. For collisions and groundings, have vessel sound its
24 tanks.

25 Q. Okay.

1 A. And for groundings -- well, obviously it wasn't a
2 grounding. So ANT was notified. They actually called us.

3 Q. Aid to navigation team?

4 A. Right, aid to navigation team called us in the command
5 center. I think it was -- I don't remember specifically who.
6 Somebody from ANT notified the command center that they had
7 checked to see if all the aids were still on station or were on
8 station to ensure that they were where they were supposed to be.

9 Q. All right.

10 A. Maintain good notes and logs for (indiscernible)
11 information. Logs were logs. And notify NRC and California early
12 if pollution or potential for pollution is involved.

13 Q. Do you know who contacted NRC and the Office of
14 Environmental -- Emergency Services?

15 A. Oh, yes.

16 Q. Right.

17 A. I do not specifically remember which watch stander
18 contacted --

19 Q. Did you direct that at any time?

20 A. I remember actually being briefed that OES was being
21 contacted. I do not remember what time, specifically. I don't
22 actually have that -- unless it's, unless it's mentioned in here.

23 Q. In here is your -- yeah, I think there's a pass-down log
24 too, that would help.

25 A. Right. I remember capturing most -- all the information

1 I had in here and I don't remember that specifically.

2 Q. Okay.

3 MS. THOMAS: Is that the QRSE that you would've used or
4 would you have used the oil spill QRSE?

5 THE WITNESS: Say again.

6 MS. THOMAS: Would you have used that particular QRSE or
7 would you have used the oil spill QRSE?

8 THE WITNESS: Again, the watch standers usually use the
9 QRSEs, but it would've been both, simply because it was an
10 allision and there was an oil spill. So it would've been --

11 BY MR. BOWLING:

12 Q. What we'll do is we'll just keep the questions. We'll
13 start -- we'll go this way and around that way and we'll keep --
14 we're confusing the witness and getting all the membership hitting
15 him with questions at one time, if we can. The -- regarding the
16 situation here with notifications on the sounding tanks, there's a
17 comment up there that says, give this information to the duty MI,
18 which is a marine inspector. You said you -- we notified IOs, we
19 notified the small boat station, the pollution investigators, and
20 Port State Control. Did you also notify the duty inspector?

21 A. Yes, we -- well, it was a foreign flag vessel. Marine
22 inspectors, the duty marine inspectors is a term that refers to
23 domestic vessel inspections. And so what we did was we briefed
24 vessel inspections on Coast Guard Island.

25 Q. Okay.

1 A. And what they did, they took that information and
2 assembled a team of vessel inspectors as well as --

3 Q. Okay.

4 A. But we did notify the Port State Control inspector,
5 obviously because it's a foreign flag vessel.

6 Q. Right.

7 A. And --

8 Q. Right.

9 A. -- they -- I think it was Chief Brown,
10 Commander Achenbach (ph.), and the duty IOs. There were a number
11 of them on the first day. They got together and went over to the
12 vessel via (indiscernible) small boats.

13 Q. Okay. At any time as a CDO, did you direct any of the
14 response team going out to sound the tanks?

15 A. I did not specifically say that myself, no.

16 Q. Okay. All right. I had interrupted you. You were
17 talking the beginning end of the virtual brief, further down the
18 timeline here --

19 A. Right.

20 Q. -- and we were going in there. So walk me through where
21 we left off at that point with the virtual brief.

22 A. Right. A step back regarding the whole tank sounding.

23 Q. Okay.

24 A. That information was briefed back to us by the team that
25 was on the vessel itself. Regarding the virtual brief, what I did

1 was, at about -- between 9:15 and 9:20, I called all the members
2 of the command cadre.

3 Q. Do you recall specifically --

4 A. So --

5 Q. -- the command cadre, name-wise? Captain Uberti,
6 Captain Swatland?

7 A. Captain Uberti, Captain Swatland and Commander DeQuattro
8 was in there.

9 Q. Okay.

10 A. Commander Avani (ph.) was also there.

11 Q. I don't -- that's the first I've heard that name. Who
12 is he?

13 A. Commander Avani is the incident management division
14 chief. He's -- he's the guy in charge of the division that
15 handles all the pollution.

16 Q. All right. All right.

17 A. We called him and he called in via his cell phone.

18 Q. Okay.

19 A. We also called waterways. Somebody from waterways was
20 on the line. I know I had called Commander Wood as well.

21 Q. Okay.

22 A. So the prevention department was also there.
23 Essentially it was just a collection of the different division
24 heads and department heads.

25 Q. Okay. Do you realize -- do you know where -- how you

1 got a hold of Commander Wood at that point? Do you know where he
2 was at when you contacted him?

3 A. I remember when I called him he told my immediate
4 supervisor. They were both on the bridge at the toll-way --

5 Q. Okay.

6 A. -- when I initially briefed him of the situation.

7 Q. All right, on the bridge at the toll-way. All right, at
8 any time, did he tell you he had observed the -- at least the
9 vessel from binoculars at the pilot station, Pier 9,
10 Commander Wood, when you interacted with him?

11 A. I don't remember, no.

12 Q. Okay. All right. So the virtual brief.

13 A. Right. Essentially I got the command together in this
14 room here, Captain Swatland, Captain Uberti, Commander DeQuattro,
15 the public affairs officer, Sandasia Enya Hunter (ph.). There
16 might have been several other personnel in the room, the watch
17 standers or day workers. Ensign John Shutty was in here and we
18 had everybody else who had called on the virtual brief
19 teleconference line. At that point, I re-briefed the entire
20 situation, which I previous briefed to each member individually,
21 explained our initial actions, made some recommendations as far as
22 safety zones, and gave the command as much information as the
23 command center had gathered at that point.

24 MR. BOWLING: Okay. What I'll do is the operations. We
25 have a single member of the response cell and the rest of us are

1 operations and we have some overlap. Oh, Janelle's (ph.) here.
2 I'm sorry. Janelle, I didn't even know you were back there. What
3 I'd like to do is we'll at least -- if I haven't covered anything
4 from a response team point, let the response team question -- put
5 some questions on the table, because, personally, you had to get
6 somewhere to do some paperwork, didn't you? Do you want to hit
7 that?

8 UNIDENTIFIED SPEAKER: Correct.

9 MR. BOWLING: Do you want to hit it and if you want to,
10 we can take a break and then we can pick up with just the
11 operations side of it?

12 BY UNIDENTIFIED SPEAKER:

13 Q. Sure. Continue with the brief. What was all discussed
14 during the brief?

15 A. So during the brief I gave, again, the initial snapshot
16 of what happened, the best information we knew at the time. And
17 so we essentially briefed that, hey, this is the vessel, what flag
18 it was, what it was carrying, the length of the vessel and things
19 like that. We briefed that -- and again, I just now remembered.
20 By this time we had been in touch with Caltrans and they had
21 notified us that the structural -- there was not structural damage
22 to the bridge itself, which was pretty much one of the main
23 focuses or the main focus at the time, just because of the
24 implications that would've caused. So our initial -- a lot of our
25 initial response was to find out if the bridge itself had been

1 damaged. At that time, I think the initial information we
2 received, that it was just a fendering system that was, that was
3 affected and not the bridge itself.

4 MR. BOWLING: Okay.

5 THE WITNESS: So to backtrack a little bit, a lot of --
6 that was what a lot of our initial response was centered on, that
7 kind of information that we were attempting to gather at that
8 point, in addition to everything else, of course. At that brief,
9 aside from that, we made -- you know, briefed the captains and the
10 command. This is what we've done so far, these are the units that
11 are on their way, and these are the units that are on scene
12 already. At 9:30 the small boat from the station at San
13 Francisco, with the pollution investigating team, was on the
14 scene. And the investigating officer, investigations officer, the
15 vessel inspectors as well as -- yeah.

16 So that -- those teams from Coast Guard Island were
17 preparing to head out. They had already been briefed and were
18 about ready to go out. And at that time, the captains came up
19 with their -- after I gave my brief and recommendations, the
20 captains gave their, their input and said that, yes, we can go
21 ahead with the safety zone around the vessel and this is what we
22 need to do. We discussed launching air station as soon as the fog
23 lifted, to get kind of a picture. The weather that day was a
24 significant factor in delaying the air station launch, simply
25 because the visibility was so incredibly low that it wouldn't have

1 done any good to have a helicopter in the air. So -- but that was
2 discussed at the initial brief as well.

3 BY UNIDENTIFIED SPEAKER:

4 Q. Okay. Now let's -- 9:45 there was a critical
5 information call?

6 A. Correct, directly up to --

7 Q. Were you involved in the call?

8 A. I directed John Shutty to make that call.

9 Q. He was the outgoing CDO?

10 A. He was the off-going CDO. He was pretty much helping
11 out.

12 Q. He was still around?

13 A. Yeah, he was still around. Usually when we, when we
14 have duty and we are the off-going, we go back to work. We don't
15 go home or anything like that. So it's -- he was here to work as
16 usual and -- yeah. So he was up here helping out and he was also
17 in that brief at 9:30 and taking the information from that brief
18 and briefed that to USESE (ph.) up. While he was doing that --
19 this was kind of a decision that was made during the brief. While
20 he was doing that, I was briefing the watch standers on what our
21 actions were essentially and what the directions from the captain
22 and the command cadre were at that point forward, in terms of
23 response and what else needed to be done. So we were kind of
24 operating as a two-headed Command Duty Officer at that point.
25 (indiscernible).

1 Q. So the decision to make the CIC call was made during the
2 virtual brief?

3 A. Correct.

4 Q. And Shuttly made the call?

5 A. That's --

6 Q. So you weren't present for the call?

7 A. I was in the command center. I was not on the line.

8 Q. Is there a recording of that call, a transcript of that
9 call available? Are you aware of that?

10 A. I don't know.

11 Q. Did he explain what was discussed during the call when
12 they made the decision?

13 A. I've been gone all last week, but there should've been a
14 recording.

15 MR. SCHAEFER: This is Commander Schaefer. It's
16 recorded and District 11 has that.

17 BY UNIDENTIFIED SPEAKER:

18 Q. We'll get a copy of that? So did he explain what was
19 discussed during that call? They made the decision. Let me look
20 at my timeline. The call was denied and downgraded to an info
21 call due to it being a local issue. What was discussed that made
22 them determine it to be a local issue?

23 A. Again, I was not on the line for that. That was just
24 information that he passed to me once he got off the line.

25 Q. Okay. I have another entry following that at 10:31.

1 O'Brien's group notified SEC and specifically they had your name.

2 Do you remember what was discussed during that call?

3 A. Yes. O'Brien's -- there were a number of people that
4 were calling from them. Barry McFarland, being one of them, said
5 he was not in the area himself, but basically, he gave me the
6 information on -- well, first of all, he told us that he was the
7 qualified individual, essentially the -- his company would be
8 responsible for the commercial contract to clean up the spill. He
9 told me what assets were on the scene already and he told me which
10 assets were on their way, and he told me which personnel he had
11 working on the case and where they were located and their contact
12 information.

13 Q. Okay, let's go back a little bit. When
14 Petty Officer Anderson made the call back to here, he was on the
15 pollution investigation team, correct?

16 A. Correct.

17 Q. When he made the phone call back, reporting the .4
18 metric tons, were you involved in that call?

19 A. I was not.

20 Q. Okay.

21 A. I -- what I did was I was working with Commander
22 DeQuattro and Commander DeQuattro and I went downstairs. We had
23 some information. I don't remember specifically what information
24 it was. We had some information to brief the captain. We briefed
25 the captain on the information. He was in the galley. That was

1 around lunchtime. And I walked over to the incident management
2 division office where Petty Officer Anderson and the PI team had
3 just recently arrived back from being on the scene. I asked him,
4 hey, do you have information regarding, you know, how much oil was
5 spilled, et cetera? And the people there, it was Roy Mather (ph.)
6 from Fish and Game; it was the staff at the incident management
7 division, so Chief Mosely (ph.), Jeff Snyder. Who else was there?
8 There was a gaggle of people there. They basically gave me their
9 information that, hey, the ship told them that it was .4 metric
10 tons. They had converted it to a hundred and forty-six gallons.

11 Q. What did you do with that figure when he told you that?

12 A. With that information I went to -- went back to the
13 galley. I told the captain, hey, this is what IMD has come up
14 with, with that number; then went back to the command center I
15 remember being on the phone with somebody at district, telling
16 them, this is the initial number that we have received, and I
17 remember being very explicit that it was an uncertain number and
18 not to tell the press about it, because we're not sure about it.
19 And that's all I remember as far as giving that information out.
20 So the captain and then the district.

21 Q. And where did all of this uncertainty come in the
22 figure?

23 A. From the teams themselves saying that, you know, this is
24 the number we were given. It's the best information we had at the
25 time, from being on the scene, and we don't know honest -- you

1 know, we didn't know specifically. We weren't the ones who were
2 on the scene, so we didn't know whether that was accurate or not.
3 Later in the afternoon, the vessel inspections personnel called in
4 and said hey, the sounding tubes are broken. We can't actually
5 confirm, you know, because the sounding tubes were broken and
6 other -- whatever other obstacles they had on the scene was the
7 cause in the delay for getting the actual information.

8 Q. Do you recall the time of the Port State Control call?

9 A. Which Port State --

10 Q. The call to Port State Control. You said you notified.

11 A. I do not. We notified them in the morning.

12 Q. I want to go back and talk about the QRSEs a little bit.

13 A. Sure.

14 Q. What is the procedure for using it when an incident
15 occurs that would require a QRSE to be used? Is it the CDO's job
16 to tell the watch standers, pull up the QRSE and get going with
17 this, or how does that work?

18 A. It should be implicit in the watch standers' training to
19 use QRSEs. It's not something that CDOs typically have to remind
20 the watch standers to do.

21 Q. Did you tell anybody to use a QRSE on the day of the
22 accident?

23 A. I don't remember telling them.

24 Q. And as far as which QRSE should've been used, should it
25 have been the marine casualty division one or the oil spill one,

1 or another one, or both.

2 A. Both.

3 Q. Both?

4 A. All the ones that apply to the incident should be the
5 ones that were used.

6 Q. The oil spill QRSE said (indiscernible), NRC and OES had
7 been called. Notify NRC. Notify OES. Are you aware if any of
8 the watch standers notified NRC or OES?

9 A. No, I don't remember.

10 Q. What time did you hear that there was the oil spill,
11 fuel in the water?

12 A. The first time I heard was when the captain came into
13 the command center and said the pilot called him and said there
14 was fuel in the water.

15 Q. When you heard there was fuel in the water, did you ask
16 if anybody had contacted the National Response Center?

17 A. No.

18 Q. Would that be something that would normally happen if
19 you hear there's oil or some sort of substance in the water?

20 A. Yes. Usually it's the reporting party or responsible
21 party that's required to make that call to the NRC.

22 Q. Is it standard practice to ask the QI or the reporting
23 party if they had made that call to NRC?

24 A. Yes.

25 Q. And the same with OES?

1 A. Correct. NRC more than OES.

2 Q. Okay. I'm almost done. So when an incident happens, is
3 it the situation unit controller, is it their job to pull up the
4 QRSE and make the notification?

5 A. Correct.

6 Q. You indicated that you were making the notifications
7 personally?

8 A. Say it again.

9 Q. Did you --

10 A. I was briefing the command.

11 Q. Okay.

12 A. When you say notifications --

13 Q. Okay, the briefing.

14 A. -- what are you, what are you referring?

15 Q. Specifically the notifications on the QRSE.

16 A. Right, it is the watch standers.

17 Q. Okay. Specifically just one person, generally?

18 A. Generally speaking, correct.

19 Q. And the person is the situation unit --

20 A. That is correct. That's their responsibility.

21 Q. And on the day of the accident several people were
22 making notifications. Why was that?

23 A. Say again.

24 Q. On the day of the accident --

25 A. Um-hum.

1 Q. -- several people were making notifications. Why was
2 that?

3 A. For timeliness of issue. The number of notifications
4 that the case required, we wanted to make as many notifications as
5 possible. Or we needed to make all the notifications, rather, and
6 in order to make that happened, we utilized all the people we had
7 available to use to make those notifications.

8 UNIDENTIFIED SPEAKER: That's all the questions I have.

9 MR. BOWLING: Okay. Lieutenant Commander Smith?

10 BY MR. SMITH:

11 Q. One quick question. This is Lieutenant Commander Smith.
12 (indiscernible) incident management. The PI team. Did at any
13 point they call back in and describe what they were seeing out in
14 the water?

15 A. I don't remember if it was the PI team or the station,
16 but somebody who was on scene called and described the hole in the
17 vessel and also described that there was oil in the water, yes.

18 Q. Did they describe how much and what it was in the water,
19 their best description of it?

20 A. What it was meaning color --

21 Q. Dimensions, anything like that.

22 A. -- sheen -- yes, I do remember getting briefed that
23 information. Initially what it was, was I remember somebody
24 writing it down, but it was the sheen of the oil in the water was
25 seen from the, from the Bay Bridge, from the -- I think it was the

1 Delta span and to the vessel itself, where it was at Anchorage 7,
2 just west of Treasure Island. That's, that's where they reported
3 it. This was pretty immediate information that that's where it
4 was, yeah. Aside from that, being from the Bay Bridge to the
5 vessel itself, further descriptors I do not remember.

6 Q. Okay.

7 A. But yeah, somebody did call with that information.

8 MR. BOWLING: Any more questions?

9 MR. SMITH: No.

10 BY MR. BOWLING:

11 Q. Okay. Then, if the (indiscernible). I know Crystal had
12 indicated that she had some things to do, but if you two would
13 like to stay, we're going to get into some operational stuff. We
14 may go into some more of the use of the QRSEs, but we appreciate
15 you working with us. The two-person team here, they've got some
16 stuff going on, but again, if you folks want to stay here, please
17 stay here. I want to get back on to the -- and we'll try and
18 shorten this up as much as we can. Have you the guidance here for
19 the command center manuals, as far as the -- what your
20 expectations are as a CDO, at least outlined by the commandant?

21 A. I've read through it.

22 Q. Was that part of your on-the-job training?

23 A. Yes.

24 Q. Okay. Do you keep a -- is there a copy of this anywhere
25 in the command center for ready reference?

1 A. There's an electronic copy.

2 Q. And electronic copy?

3 A. There is, there is -- there's a hard copy.

4 Q. Okay. Did -- do you recall the last time you've been
5 into the document? And when referring to the document, I'm
6 referring to you to Commandant Instruction M3120.20, the May 2007
7 version. It is a FOIA document, by the way. But do you recall
8 the last time you've been in there looking around?

9 A. It's been a while.

10 Q. It's been a while? The -- I'm referring to Table 3-3, 3
11 tack 1, command center objectives in support of every mission
12 area, and it goes down through and basically says, proactively
13 monitor, evaluate and assess all maritime activity within an AOR,
14 utilizing available sensors, databases, intel, and identify the
15 terrorism response, potential threats or hazards. But then it
16 gets into a bunch of other, at least, criteria that need to take
17 place in the command center, including use of quick response
18 cards, risk management tools, positive comms flow, ensure
19 commander's critical information requirements are met. With what
20 you described as going on that day --

21 A. Um-hum.

22 Q. -- do you feel, as a CDO, you have a grasp? I mean, did
23 you feel like you were meeting the mandates of Commander Copley?

24 A. Yes.

25 Q. And what he expected of you? Okay. There was a

1 situation that came to our -- the group's attention during
2 previous interviews, that the Sector San Francisco had a safety
3 stand-down. Have you heard of the term safety stand-down?

4 A. Yes.

5 Q. Did you participate in the most recent safety stand-
6 down, approximately a week and a half, two weeks prior to the
7 incident?

8 A. I was there.

9 Q. Can you tell me a little about what took place at that
10 safety stand-down?

11 A. The safety stand-down involved Commander Copley and
12 Captain Swatland and it was basically a meeting that had all the
13 command center personnel there to review and reinforce briefing
14 thresholds, briefing requirements, as well as from -- you know,
15 the main points that I remember from it were to go over the
16 requirements for -- to reinforce, essentially, the importance of,
17 you know, positive communications and briefings.

18 Q. Okay. Were -- who all was present at this meeting,
19 again?

20 A. Command center, watch standers, personnel --

21 Q. Okay.

22 A. -- and Command Duty Officers.

23 Q. Okay. And basically, how was direction handed down to
24 the group at that point, was it via e-mail, was it via a meeting
25 memorandum? How did the points that Commander Copley and

1 Captain Swatland, that they wanted to pass to the group, how was
2 that, how was that information disseminated?

3 A. It was verbally passed during the actual safety stand-
4 down.

5 Q. Okay. When you left that meeting, that safety stand-
6 down, what was your understanding of the message that was conveyed
7 from the commander and the captain to the team that are managing
8 the sector command center?

9 A. The main point was to maintain vigilance and
10 communications and briefings, ensuring that we give a clear as
11 possible picture of what's going on. That's as best as I can
12 remember it.

13 Q. Okay. Do you recall any time whether Commander Copley
14 or Captain Swatland had indicated that they wanted QRSEs followed
15 during an incident?

16 A. Yes.

17 Q. Do you recall --

18 A. It was a general training. The command center has its
19 own monthly or whenever they happen to have their own command
20 center all-hands meetings.

21 Q. Okay. I understand that at some point during the day of
22 the 7th, you participated in interviews of the crew on the
23 Cosco Busan, is that correct?

24 A. The 7th? Wednesday?

25 Q. Or post-incident?

1 A. I was on watch from the 7th until I was relieved in the
2 command center at eleven o'clock on the 8th, which was Thursday.

3 Q. Okay.

4 A. At eleven o'clock I went over to the vessel, so it was
5 the 8th when I actually got to the vessel.

6 Q. All right. Why did you go over to the vessel?

7 A. To serve as an interpreter. It was brought to my
8 attention on the 7th that the crew was from Hong Kong or from
9 China.

10 Q. All right.

11 A. And I speak conversational Mandarin and they had
12 requested that I go and provide some clarifications on their
13 interviews from --

14 Q. Okay.

15 A. -- the first day.

16 Q. Okay. And when you say conversational Mandarin, how
17 fluent are you in Mandarin?

18 A. It's my first language.

19 Q. Okay.

20 A. I speak it with my parents at home. I am fluent.

21 Q. Good. The -- during the interviews, particularly -- I
22 guess, did you participate in the interview with the master?

23 A. I did.

24 Q. During that interview, did you -- through the course or
25 exchange of questions between the Coast Guard investigative team

1 and the master, did you get the impression that -- well, were you
2 interpreting at that point, relaying questions in native --

3 A. Yes.

4 Q. -- tongue to --

5 A. Yes.

6 Q. -- the master?

7 A. I was.

8 Q. Okay. Did the master at any time ask you to convey into
9 English or basically take -- I assume he was speaking in his
10 native tongue as well?

11 A. He was.

12 Q. And you were translating it into English?

13 A. Right. He was speaking in English as much as he could.
14 I mean, he couldn't explain himself as well as he wanted. He
15 turned to me and explained it to me in Chinese and then --

16 Q. Okay.

17 A. -- I would interpret it.

18 Q. Okay. Did -- at any time during that interview, did the
19 master, whether the Coast Guard investigators asked a question or
20 did not ask questions, do you recall the master indicating that he
21 had any kind of communication error on the -- or communication
22 shortcomings with the pilot?

23 A. With the pilot?

24 Q. With the pilot.

25 A. No. We asked -- the investigating officer asked

1 specifically, the master, whether or not he understood the
2 commands given by the pilot, and he was very adamant, in both
3 languages, that he understood the navigational commands --

4 Q. Okay.

5 A. -- (indiscernible) that he didn't have any
6 communications difficulties.

7 Q. Okay. Before we go any further, I want to just -- I
8 want to get this on the record, and this made the attorneys stop
9 me from going on here. It may be an opinion, but I'm going to try
10 and word it so that it isn't. With your communication, your
11 communication ability --

12 A. Um-hum.

13 Q. -- did you get a feeling or an assessment that the
14 captain was fluent enough in English to effectively communicate?
15 Because you said he was talking to you in English and then when it
16 was uncomfortable, he'd go back to Chinese.

17 A. So the question is?

18 UNIDENTIFIED SPEAKER: It is a bit of an opinionated
19 question, but what he's asking simply is for -- he is asking your
20 opinion on what the master's English capabilities were.

21 BY MR. BOWLING:

22 Q. And we can -- I can rephrase that to basically, if you
23 can explain, because you said, when he felt uncomfortable, or
24 something to that effect --

25 A. Um-hum.

1 Q. -- speaking in English, he would turn to you and go back
2 into Mandarin. So you can give me where that threshold was?
3 Where did he become where he felt uncomfortable and he'd try and
4 go to speak to you in Chinese?

5 UNIDENTIFIED SPEAKER: Was it on nautical terms? Was it
6 on, you know, different technical terms that he didn't know the
7 English word for, so then he would turn to you and say it in
8 Mandarin?

9 THE WITNESS: Okay. So --

10 UNIDENTIFIED SPEAKER: When did he get --

11 THE WITNESS: Again, this is a vague --

12 UNIDENTIFIED SPEAKER: Yeah.

13 THE WITNESS: -- target, right?

14 MR. BOWLING: I understand.

15 THE WITNESS: And so -- and I mean --

16 UNIDENTIFIED SPEAKER: Do you recall any specific
17 moments when he turned to you and spoke to you in Chinese? What
18 was it that he had to ask you in Chinese --

19 THE WITNESS: Right.

20 UNIDENTIFIED SPEAKER: -- (indiscernible)?

21 THE WITNESS: So what happened, as best as I can give --

22 MR. BOWLING: Sure.

23 THE WITNESS: -- which again is my own personal opinion.
24 I don't know whether --

25 BY MR. BOWLING:

1 Q. Well, the question now is specifically related to --

2 A. Right.

3 Q. -- you talking -- you interpreting the master and
4 helping the Coast Guard interview team --

5 A. Right.

6 Q. -- or investigative team during the interviews. So
7 we're beyond the opinion and now we're to fact.

8 A. Right.

9 UNIDENTIFIED SPEAKER: Facts.

10 MR. BOWLING: Yeah.

11 THE WITNESS: What he did was he would explain something
12 in English and he would -- he was not at a loss for the
13 navigational terms. He could -- his English is -- he has the
14 grasp of the language, a solid grasp of the language. He could --
15 anything he said in Chinese he could say it in English. It was
16 due to the fact that his accent was so heavy that the -- the
17 investigating officers were having difficulty understanding him.
18 And then he would repeat himself in Chinese. It was more of a
19 phraseology thing, that when he -- he could say it in English and
20 that was fine. Maybe it took a few times for him to repeat --

21 MR. BOWLING: Right.

22 THE WITNESS: -- himself the same way and he would
23 repeat himself in Chinese, more of just to confirm that we were
24 recording the right thing.

25 MR. BOWLING: Okay.

1 THE WITNESS: So it wasn't, it wasn't so much of a
2 deficiency in language, but he wanted to make sure that he got the
3 right point across, that we were --

4 MR. BOWLING: Okay.

5 THE WITNESS: -- writing specifically what he was
6 saying.

7 MR. BOWLING: Right.

8 UNIDENTIFIED SPEAKER: Did -- (indiscernible) a quick
9 follow up based on that. The investigating officers are asking
10 him questions and --

11 MR. BOWLING: Right.

12 UNIDENTIFIED SPEAKER: -- he's attempting to respond to
13 them. Did he ask you at any point for clarification on their
14 questions?

15 THE WITNESS: The investigating officers asked me to ask
16 him if he understood the question completely on one occasion. And
17 so I asked him, at the request of the investigation officers, did
18 you understand the previous question that they just asked you?

19 MR. BOWLING: Okay.

20 THE WITNESS: And he said no, not completely, in
21 Chinese.

22 UNIDENTIFIED SPEAKER: What was the context of that
23 question, if you recall?

24 THE WITNESS: I don't remember the specifics.

25 BY MR. BOWLING:

1 Q. Okay. Do you recall participating in the interviews of
2 either the third officer or the second officer on the bridge at
3 the time?

4 A. I only stayed for the interview with the master.
5 Thereafter I went with the chief engineer to discuss the specifics
6 of how much oil was actually in each -- there was an extended
7 process by which they had to get that information. It wasn't
8 verified until the afternoon of the second day, about exactly how
9 much fuel had left the vessel, whether it was by them burning
10 through just running the auxiliary systems or actually gone into
11 the bay.

12 Q. Okay.

13 A. So --

14 Q. So when was that -- when were you interacting with the
15 chief engineer on the vessel, approximately?

16 A. Directly after the first interviews. That was -- we got
17 on to the vessel. I left watch at 11:00. We got on to the vessel
18 maybe between 12:30 and 1:00 and interviewed with the master for
19 maybe 45 minutes or so. And then after that I went with
20 Roy Mather, the OSPR guy, to talk to the chief engineer.

21 MR. BOWLING: Okay. What I will probably do,
22 Captain Aga, let me start over here today and I'll let the rest of
23 the team, if anybody wants to explore the interaction with
24 Lieutenant Bor and the chief engineer, with regard to just trying
25 to figure out when we finally got our hands around the actual

1 amount of spill, and that way I have some time to regroup. Are
2 you okay to do another 10 minutes?

3 THE WITNESS: Yeah, that's fine.

4 MR. BOWLING: Ten, fifteen minutes, do you think,
5 gentlemen, or more?

6 THE WITNESS: There was a note that I wanted to bring up
7 and I don't know --

8 MR. BOWLING: Okay.

9 THE WITNESS: Just in terms of communications on the
10 morning of, I wanted to bring up the fact that prior to the brief
11 at 9:30 with the command was when the press had already been
12 notified. And walking into the command I remember seeing, seeing
13 a picture of the Bay Bridge and the news scrolling across the
14 screen. That's when we saw it. Maybe 10, 15 minutes prior to
15 that, the press calls had started coming into the command center.
16 One thing I thought was interesting of note was that, I can't say
17 for sure, but for -- for every one call that we made out to either
18 notifying other partners or our own resources that were on the
19 scene or gathering information, there were an equal, it seemed,
20 number of calls from the press, asking for information. And it
21 was not a small number of calls essentially is what I'm saying, so
22 that kind of tied up our personnel for a good amount -- we
23 obviously passed them to --

24 MR. BOWLING: Sure.

25 THE WITNESS: -- the public affairs officer. But if

1 they were unable to get a hold of the public affairs officer, they
2 would call back. So it was slightly frustrating, if you can
3 imagine, for the watch standers who were trying to prosecute a
4 case (indiscernible).

5 MR. BOWLING: I am retired Coast Guard. I know exactly
6 what you're dealing with.

7 THE WITNESS: And it was -- obviously, when the press
8 asked questions, I try to tell my watch standers to just pass it
9 to the public affairs officer.

10 BY MR. BOWLING:

11 Q. I'm going to floor over to Ross, but before we do that,
12 were those calls in bound from the press, derailing the function
13 of the command center?

14 A. I -- my personal opinion?

15 Q. Well, not opinion. Were they, were they derailing from
16 -- were they taking away watch standers?

17 UNIDENTIFIED SPEAKER: You can state it in terms of a
18 fact.

19 THE WITNESS: Right.

20 UNIDENTIFIED SPEAKER: If you had to take, you know, 20
21 calls from the press, that's 20 calls from the press which would
22 in fact take some time away from somebody else doing some other
23 jobs. So not opinion-based, but if you had a calls, you had a lot
24 of calls.

25 THE WITNESS: Yes, I think we should -- I mean, I know

1 that they'd taken the DVL recordings of all the phone lines. It
2 was taking away from the time that the watch standers could have
3 been using to actually prosecute the case.

4 BY MR. BOWLING:

5 Q. To manage the case, right?

6 A. To manage the case, right. And -- yes.

7 MR. BOWLING: Okay, let me turn this over to Ross and
8 we'll work to the captain. We'll come back around to Captain Aga,
9 because I'm sure he'll have a bunch of questions.

10 MR. WHEATLEY: We've been going almost two hours. Do we
11 want to take a brief break here, just to give everybody a chance
12 to kind of regroup before? Because I can't say -- I do have
13 issues that I would like --

14 MR. BOWLING: Okay.

15 MR. WHEATLEY: -- to try to cover and it may take more
16 than a few minutes.

17 MR. BOWLING: All right.

18 (Off the record.)

19 (On the record.)

20 MR. BOWLING: All right, we're back on the record. We
21 did have the environmental response team depart and we're back on
22 the record with Lieutenant JG Bor. And one of the counsel has
23 also departed, but we're resuming the interview post-lunch. And
24 with that I will start with questions to my left. Ross?

25 BY MR. WHEATLEY:

1 Q. Ross Wheatley, Coast Guard Sector San Francisco,
2 Investigations. Mr. Bor, I want to go back to some of your
3 conversations involving translation for the master. Could you
4 briefly summarize, to the best of your recollection, the substance
5 of those question and answers between the investigators and the
6 master?

7 A. When we got on to the vessel and sat down with the
8 master, the investigating officers asked the master to describe a
9 brief chronology, beginning from when the vessel was at berth to
10 the time of the incident and beyond, basically what happened, to
11 verify what the information they had collected the day before.
12 Along the way there were checkpoints in which the investigating
13 officer would ask what the equipment status was at each point. So
14 you want me to go over what the vessel actually did, when they
15 left the estuary?

16 Q. To the best that you can recall, please.

17 A. Sure. So when asked that, the captain began describing
18 that morning, beginning with the weather. The weather --
19 visibility was extremely limited at best and the captain described
20 that, while they were in port, you know, the fog had lifted to a
21 degree in the Oakland estuary, where the pilot felt it was safe to
22 transit. He described small craft vessels passing the -- excuse
23 me -- passing the container ship while they were at berth, the
24 position of the tug that helped them get underway. We discussed
25 equipment status when they got underway. The captain asserted

1 that there was nothing wrong with any of the radar, any of the
2 equipment on board. None of the alarms had gone off, none of the
3 indicators that said that anything was wrong was flashing or had
4 gone off. Then the captain proceeded to describe the vessel's
5 course of -- the vessel's course at it left the estuary, saying
6 that he broke up a piece of paper and pretty much drew the estuary
7 and pointed out what the pilot's commands were at each point,
8 saying that the pilot had ordered the vessel to go hard to port
9 pretty much immediately out of the estuary itself.

10 The captain expressed some doubt as to whether or not
11 that was the best course of action, but said that he didn't say
12 anything, because the pilot -- he was listening to the pilot. The
13 next thing the captain talked about was a discussion he had with
14 the pilot regarding the pilot had asked the captain a question
15 regarding marking and lights on the Bay Bridge itself and where it
16 was on the radar, where it was on the charts, and where it
17 actually was. He discussed that for a little bit and then the
18 captain mentioned that the pilot told him to go hard to starboard.
19 There was some further clarifications on this point. I don't
20 remember specific discussions of where the vessel was at what
21 time. I do remember -- yeah, it was just clarifying, you know,
22 how the vessel actually took the fender, et cetera.

23 Q. Well -- excuse me. Let me back up for just a minute
24 again. You indicated that the master, in his responses, had
25 indicated that basically all the equipment were operating

1 satisfactory --

2 A. Right.

3 Q. -- is that correct? Okay. Was there any discussion
4 between -- by the master, about working with the pilot to adjust
5 the radar before they left?

6 A. No, there was not. At least not while I was there. Jim
7 might have touched on that.

8 Q. Was there any discussions that you're aware of where the
9 master indicated he talked to the pilot about any other of the
10 operational aspects of the bridge equipment?

11 A. I don't remember. We did talk about whether the master
12 talked to the pilot regarding -- or whether there was a
13 conversation between --

14 Q. Right.

15 A. -- the pilot and the master --

16 Q. Um-hum.

17 A. -- regarding the operational status of equipment. I
18 don't remember asking that question or that being a point of
19 discussion while I was there at the interview.

20 Q. You earlier had indicated that the pilot felt that the
21 weather had improved, the visibility, sufficiently to where he was
22 comfortable getting the vessel underway. Do you recall if the
23 master expressed any agreement or concurrence with that decision
24 or did he express reservations?

25 A. I think he did express reservations. He was a little

1 bit concerned at the outset, when he began describing the whole
2 situation.

3 Q. Did the master indicate -- was he asked any questions
4 concerning about when he had first observed the bridge come into
5 view?

6 A. He did. He was describing the incident and maybe not
7 necessarily into view, because the fog was so heavy, but the
8 master did express some concern. Not some concern. He was, he
9 was pretty alarmed, he said, because he had the feeling that they
10 were headed straight on towards the Delta span. And he was
11 describing one of his men, I don't remember which position, but
12 one of his men who was acting as a watch, astern, running forward
13 because that person felt like they were going to run into the
14 bridge, running forward and trying to get the attention of the
15 bridge.

16 Q. Do you recall where that person was that he was
17 referring to?

18 A. I don't remember specifically.

19 Q. Okay.

20 MR. MOLONEY: Could I ask for a clarification there?

21 MR. BOWLING: On the record, who is it?

22 MR. MOLONEY: Oh, I'm Pat Moloney, Board of Pilot
23 Commissioners. You said someone was running forward to the
24 bridge, concerned about --

25 THE WITNESS: Someone was running forward, not

1 necessarily -- just running forward from the stern of the vessel.
2 Whether they actually made it on to the bridge was not discussed,
3 but they were running forward. Yes, the captain did mention that.

4 MR. MOLONEY: It seems peculiar that seamen --

5 MR. BOWLING: Well, let Ross finish it up.

6 MR. MOLONEY: I'm sorry.

7 MR. BOWLING: Yeah.

8 MR. MOLONEY: Okay.

9 BY MR. WHEATLEY:

10 Q. Do you recall, was there any discussions or questions
11 asked of the master, relative to the speed of the vessel during
12 the transit?

13 A. Yes.

14 Q. Do you recall whether or not he expressed any views or
15 opinions concerning that?

16 A. No, he didn't express any opinions about it. When we
17 asked him, what was your speed at this point, he gave that speed
18 and that was -- he just pretty much answered the question as we
19 asked it.

20 Q. To the best of your recollection, do you recall what
21 those speeds were?

22 A. The captain said that after leaving the estuary, that
23 they were ordered to go half a head. So he said in the
24 whereabouts -- and my numbers may be off -- a half a head to the
25 whereabouts of 12 to 15, 10 to 15 knots, or they were coming up to

1 that.

2 Q. During the questioning of the master, do you recall, was
3 there any questions asked of him, relative to the plotting of the
4 transit of the vessel by one of the mates?

5 A. Yes.

6 Q. What do you recall was discussed?

7 A. The investigating officer had asked whether or not
8 somebody was taking fixes, and I honestly do not recall the answer
9 from the master at this point. I remember the investigating
10 officers, prior to meeting with the master, had discussed with me
11 some of the questions that they were going to ask and this is one
12 of the ones that they had, they had focused on. I may not
13 necessarily have been there, again, during this conversation,
14 because the interview with the master was split between myself and
15 Jim.

16 Q. Um-hum.

17 A. So I know that was a question that they had planned to
18 ask and I'm pretty sure that they would've asked it. I do not
19 remember whether they asked it while I was there or whether I had
20 left, but I know that they were trying to ask that question.

21 Q. Do you recall, while you were on the bridge, talking to
22 the master? Did you have an opportunity to view any navigational
23 charts that may have been out?

24 A. I did not. We actually met in the -- we met in the
25 galley area. We weren't on the bridge itself. Jacob Hopper was

1 actually on the bridge reviewing all the, all the charts and the
2 nav. equipment.

3 Q. Okay, what I'd like to do at this point is going to
4 shift to your meeting and discussions with the chief engineer. Do
5 you recall, in the exchanges with the chief engineer and the
6 investigator, was there any discussion about casualties in the
7 engine room during the transit? And that can include everything
8 from alarm bells to nonfunctioning equipment, anything like that.

9 A. During the transit?

10 Q. Right. Basically at the time they got underway, was
11 there any identified existing casualties? Let's start there.

12 A. Whether there were any existing casualties to the
13 vessel, we did talk about that and we did not -- they said there
14 were not any.

15 Q. Was there any discussion about any type of other
16 equipment failures of any type?

17 A. No.

18 Q. Specifically during the transit, did the chief engineer
19 provide any information relative to whether or not he was aware of
20 any type of casualty during the actual transit itself?

21 A. That discussion did not come up.

22 Q. Okay.

23 A. The main item that -- when we did talk to the chief
24 engineer, the main focus of that discussion was to revalidate the
25 specific amount of oil or fuel that had gone into the water, and

1 not so much the investigating officers. So when I was with the
2 chief engineer, it was myself and Roy and the engineer himself and
3 some other ship's representatives. There was not another Coast
4 Guard investigating officer with me at that time.

5 Q. Okay. Do you recall, while you were in the engine room
6 with the chief engineer, did you have an occasion to look at
7 what's commonly referred to as the engine room casualty log?

8 A. I didn't take a look at it, no.

9 MR. WHEATLEY: I don't have any further questions.

10 BY MR. HOLLY:

11 Q. Okay, Rick Holly, OSPR. I just have a few and it's
12 mostly clarification. If you could recall back to the incident,
13 about 8:30 on the 7th of November, and I'm taking it from that
14 timeframe forward. And my specific focus is on the initial report
15 that you had of some type of oil. Let me tell you what I had in
16 my notes and just either confirm or deny it or add to it. The
17 first indication you had of oil was from Captain Uberti,
18 indicating that he had received something from a pilot.

19 A. Correct.

20 Q. Okay. No quantification but just oil on the water?

21 A. No quantification.

22 Q. The second notification, I believe, was -- and I'm
23 quoting some of your -- what I thought you said -- was from
24 Hoburg, a pilot?

25 A. Right, Frank Hoburg.

1 Q. And he gave you some kind of an estimate or --

2 A. I asked him to estimate the amount of oil that --

3 Q. Okay. Do you recall what he said?

4 A. First he says he had no idea.

5 Q. Um-hum.

6 A. And then I pressed him further for any kind of amount
7 and I do not specifically recall the exact number he gave me and I
8 can give you a whereabouts of that. He said, I think, somewhere
9 in the vicinity of a hundred barrels.

10 Q. Okay.

11 A. And then he qualified that by saying he really has no
12 idea.

13 Q. Okay. When was the first time you put out some kind of
14 a figure, from this center, on a quantity or an estimate of
15 quantity? And to whom did you --

16 A. To the best of my knowledge, the first time I put out
17 any information regarding quantity was when I received information
18 from IMD, just after noon. When I walked over to the incident
19 management division, they gave me that figure, a hundred and
20 forty-six gallons. I remember, again, like I said earlier,
21 briefing Captain Uberti on that. Commander DeQuattro was with
22 Captain Uberti, if that's of any note. And then calling district
23 once I got back here to the command center, briefing them on that
24 and saying, hey, this is a number that we're not certain about,
25 but this is the best information we had at that time. From that

1 point on, in terms of quantity, we received no further updates
2 here in the command center. That -- as far as the incident
3 response, the unified command was stood up shortly after noon.

4 Q. Um-hum.

5 A. So any further information would've gone to the unified
6 command, to the command cadre there, and been passed along through
7 there.

8 Q. Okay. One item for my clarification. You said you
9 received the hundred and forty-six from IMD?

10 A. Incident management division.

11 Q. And they were people that --

12 A. Were on the scene. They were there.

13 Q. They were on the scene?

14 A. They were the Coast Guard -- the pollution team that was
15 on the scene.

16 Q. Okay.

17 A. It falls under the incident management division.

18 Q. Was there anybody else with them?

19 A. Station San Francisco personnel were the ones that took
20 the small boat out there.

21 Q. Were there any other agencies with them? You mentioned
22 Roy.

23 A. As far as I can remember --

24 Q. You mentioned Roy. Was he there?

25 A. Roy Mather arrived on the scene later.

1 Q. Okay.

2 A. He didn't -- because he was here. I saw -- I saw him in
3 the office and so -- and I know he went out later in the
4 afternoon. So no, I do not believe -- I'm not deducing that
5 information.

6 Q. Okay.

7 A. I do not believe anybody else was out there with them.
8 It was just Coast Guard personnel.

9 Q. Okay. So the Coast Guard IMD, from being on the scene,
10 got the hundred and forty-two gallons --

11 A. Right.

12 Q. -- that you got? Then you briefed people and then the
13 incident command system was set up and that shifted control of the
14 incident to them?

15 A. Correct.

16 Q. Got it. Thank you.

17 A. You're welcome.

18 BY MR. TOLEDO:

19 Q. Gary Toledo, OSPR. Good afternoon, Lieutenant JG Bor.
20 I have just a couple questions for you.

21 A. Sure.

22 Q. I'm going to refer back to a question that Mr. Holly
23 asked you about Mr. Hoburg, or Captain Hoburg's -- the
24 conversation you had had with him. Now, did he call you on the
25 cell phone or was that -- how was the communication?

1 A. He called into the command center.

2 Q. He called into the command center?

3 A. Correct.

4 Q. You had mentioned that you -- at first he gave you --
5 his response was, when you asked him about the amount of oil
6 spilled, at first he had said he had no idea and --

7 A. Right.

8 Q. -- you were pressing him for more information.

9 A. Correct.

10 Q. And then he mentioned somewhere in the vicinity of a
11 hundred barrels --

12 A. Correct.

13 Q. -- is that correct? And then he qualified that by
14 saying that he had no idea?

15 A. Right.

16 Q. When you passed on your briefing to Mr. Wood,
17 Mr. DeQuattro and the other captains, was there ever any mention
18 of a hundred barrels or was -- how did you treat that?

19 A. From when I talked to Mr. Hoburg, he said that he really
20 did not feel comfortable, again, with that information.

21 Q. Okay.

22 A. And so because I essentially took that information as
23 well, we don't know that for sure until we have an on-scene
24 amount. So when I briefed the captains and the command regarding
25 the situation, I did not mention the hundred barrels at that time.

1 Q. Okay. And that was because of the uncertainty?

2 A. Correct.

3 Q. Okay. Will you take a few minutes to reflect back on
4 your -- when you were translating for the interview for the master
5 of the Cosco Busan?

6 A. Right.

7 Q. You had mentioned that the master expressed doubts on
8 the initial maneuver report as the vessel left the estuary?

9 A. Yes.

10 Q. Do you recall, were there any other instances where he
11 recalled to you that he expressed doubt during that transit?

12 A. Not so much doubt. He expressed a lot of concern when
13 the pilot had made the command to go hard to starboard or
14 thereabouts, which you can take however --

15 Q. So he --

16 A. He was, he was uncertain about the pilot's -- he was
17 very clear that he understood the pilot's commands, but he was
18 uncertain as to why. Yeah, that's as much as I can, I can recall.

19 Q. And you had mentioned, and correct me if I'm wrong here,
20 that -- that at some point when he expressed his -- I think you
21 said, in reference to his expressing his alarm, that he had a
22 sense that he was going -- you had mentioned going for the --

23 A. The Delta span.

24 Q. The Delta span. Well --

25 A. Or the bridge.

1 Q. -- did you mean the Delta tower?

2 A. Right.

3 Q. Okay. How -- did he mention how he -- why he had that
4 alarm and why they would be headed for the tower? Did he express
5 that to you?

6 A. Can you rephrase that question? So --

7 Q. You mentioned that the captain had a sense of alarm --

8 A. Right.

9 Q. -- that the ship was headed in the direction of the
10 Delta tower, correct?

11 A. Right.

12 Q. What prompted him to have that alarm, did he say? Was
13 there anything that gave him an indication that that's where the
14 ship might be going?

15 A. I'm sure he said something to that effect. I do not
16 remember specifically what -- of why he had the alarm. He -- he
17 discussed it and I don't remember the specifics, but I remember
18 him saying that he felt that they were awfully close and I
19 remember him -- I remember him saying that he told the pilot that,
20 you know, he felt like -- he told the pilot that he felt that they
21 were going to hit the tower and -- or shortly after it actually
22 happened, that it did happen, when we talked about it.

23 Q. Okay.

24 A. Yeah.

25 Q. But clearly, you remember -- do you recall, in your

1 conversation, that the master was alarmed that they were -- that
2 the ship was headed in the direction of Delta tower prior to them
3 striking the tower?

4 A. Yes, that was in our conversation.

5 MR. TOLEDO: Okay. No further questions.

6 MR. BOWLING: Good stuff. Thank you, Gary. Pat?

7 BY MR. MOLONEY:

8 Q. Did Captain Sun make any comments that led you to
9 believe or get any feeling as to his familiarity with the ship's
10 electronic instruments?

11 A. Whether he knew whether they were working or not?

12 Q. Not so much the working or not. You said that he --

13 A. What they were?

14 Q. -- he felt -- you said that he told you that they
15 worked, the instruments were working okay.

16 A. Um-hum.

17 Q. Did you get a feel for his familiarity with
18 (indiscernible)?

19 A. I couldn't gauge it myself, no, meaning that I don't
20 have a good gauge on how comfortable he was with those
21 instruments.

22 Q. I understand, but --

23 A. Right.

24 Q. -- it's a stretch.

25 A. Yeah.

1 Q. Were you aware that Captain Sun had been in command of
2 the vessel for two weeks?

3 A. I was not.

4 MR. BOWLING: Larry Bowling here, with the NTSB. I want
5 to make sure that you understand. The team members know that this
6 is after the incident and you were acting in the role of an
7 interpreter.

8 THE WITNESS: Right.

9 MR. BOWLING: So that basically the other -- you weren't
10 doing the investigation yourself.

11 THE WITNESS: No, I was not.

12 MR. BOWLING: You were basically asking questions --

13 THE WITNESS: To facilitate --

14 MR. BOWLING: -- on behalf of either the Port State
15 Control team that was on board or the investigative team that was
16 aboard or the IMD team.

17 THE WITNESS: Or the --

18 MR. BOWLING: That was your role --

19 THE WITNESS: Right. Roy from --

20 MR. BOWLING: -- to facilitate communications. So we
21 know that.

22 BY MR. BOWLING:

23 Q. Yes. And --

24 A. Right.

25 Q. -- I understand that. I'm just casting things out in

1 hopes that, as you were talking with him, he may have drop
2 something conversationally that would augment what we know. Was
3 -- did he mention in your discussions or give you any indication
4 how long he had been sailing as master?

5 A. No.

6 Q. Was he looking at the radar at the time they hit?

7 MR. BOWLING: Larry Bowling with the NTSB. Do you
8 recall any conversations that you had --

9 THE WITNESS: Right.

10 MR. BOWLING: -- during the exchange of translation
11 where the master indicated or implied or, you know, feed back to
12 you that, at some time prior to the allision, he was monitoring at
13 the radar?

14 THE WITNESS: Looking at the radar, yeah.

15 MR. BOWLING: You did mention a fix, I think, that Pat
16 had brought up or Rick, Captain Rick had brought up.

17 THE WITNESS: Right. That question had been asked and I
18 didn't specifically recall the answer to that, whether it was
19 asked when I was there or when Jim was there. Regarding whether
20 the captain was looking at the radar or not, I remember that they
21 a discussion about the radar and I remember, at some point, that
22 the pilot had -- the captain said to the pilot and asked him a
23 question regarding a light or a point on a chart or something
24 prior to all of this happening on the bridge, and that was as much
25 as that discussion -- that was as far as that discussion went, as

1 far as when I was there. So I don't know specifically whether or
2 not the captain was looking at the radar prior to.

3 BY MR. MOLONEY:

4 Q. In relationship to that comment, was there anything that
5 would give you a hint as to the timing of that question or
6 comment? Was it prior to getting underway? Was it on the
7 approach --

8 A. It was after they had --

9 Q. -- to the bridge?

10 A. Right. So you're asking, when was that question
11 asked --

12 Q. Yes.

13 A. -- from the pilot to the captain? And the captain had
14 said that question was asked after they left the estuary and prior
15 to getting to the Bay Bridge.

16 Q. Okay. Did Captain Sun give you any indication to his
17 physical proximity to the pilot as events were unfolding?

18 A. No.

19 Q. Did he give any indication of the pilot's behavior after
20 striking the bridge?

21 A. He did. The crew of the ship notified the captain that,
22 hey, that they had allided with the bridge and informed the pilot,
23 and the captain mimicked the pilot at that point in the interview
24 and said, you know, basically swore and -- and reacted, you know,
25 in that manner. Afterwards, it was -- so he did and it was only

1 up to that point where that happened. He didn't go any further
2 than that.

3 Q. So it's the fact that he swore?

4 A. The fact that he swore.

5 Q. And we've seen --

6 A. Right.

7 Q. -- the quotes.

8 A. Right.

9 MR. MOLONEY: Succinct. That's all I have.

10 BY MR. SCHAEFER:

11 Q. Commander Scott Schaefer, Coast Guard District 11. The
12 first couple questions will be about your role as an interpreter.
13 Did the captain talk at all about his interaction with the third
14 mate during the navigation of the vessel on the transit out?

15 A. I wasn't there for that part.

16 Q. And you were talking about somebody running. Did the
17 captain mention a radio call that he got just prior to the
18 allision?

19 A. I think he did mention something about that. I don't
20 remember specifically what, but I think that that does ring a
21 bell.

22 Q. I'm trying to get at did he mention if it was the chief
23 mate, second mate, (indiscernible) or one of the deck hands or --

24 A. I think what I remember of the interview was that the
25 captain was describing that he did get a radio call of somebody

1 who was running forward from someplace astern, that, you know,
2 they were afraid that they were going to hit. So they were more
3 afraid for their own safety. As to who it was that made that
4 radio call, I do not remember.

5 Q. And the last one for this portion is, did the master
6 talk anything about having the tug astern during this whole event,
7 while you were interpreter?

8 A. Yes, he actually drew it on a piece of paper. Hopefully
9 we still have those notes. He -- this is while they were still in
10 the estuary and he said that the tug had shifted from being -- I
11 forget whether it's port side or starboard side, but had shifted
12 from being on one of the sides of the vessel to going to the stern
13 of the vessel, in the estuary.

14 Q. Okay, let's shift to your duties as a Command Duty
15 Officer. What phone lines are recorded or not recorded in the
16 sector command center?

17 A. All the phone lines that are hooked up to the Vesta
18 systems are recorded.

19 Q. Does that include the CDO line now?

20 A. It does.

21 Q. Is that recent?

22 A. It is. It wasn't hooked up until earlier this summer, I
23 believe.

24 Q. Okay, you were talking about notifications and that
25 there were several people in the command center making phone calls

1 and doing notifications. On the source side of things, search and
2 rescue, the Command Duty Officer typically notifies the sector
3 chain of command, while the controller handles other
4 notifications. Is that -- was that the same in this case?

5 A. In terms of the CDO making all the notifying?

6 Q. What I'm trying to get at is --

7 A. What are you --

8 Q. -- that you had talked about several people making phone
9 calls.

10 A. Correct.

11 Q. What I'm trying to get at, if -- would you have been the
12 only one to call the sector commander or the deputy sector
13 commander?

14 A. For all calls to the captains, for the most part, it is
15 the CDO. If not, the division chiefs or other -- for instance,
16 Lieutenant JG Snyder, from incident management, was also -- she
17 was obviously not on duty that day, but she was working with the
18 incident and briefing as well. But for calls to the CO and to the
19 deputy, it is the Command Duty Officer's responsibility to make
20 all of those calls.

21 Q. You mentioned that Captain Uberti came into the command
22 center after getting a call from one of the pilots?
23 (indiscernible) was he in here?

24 A. How long was he in --

25 Q. In the command center after -- did he come in and tell

1 you and leave and come in and stay for a while and see how it was
2 going?

3 A. He came me and told me and stayed for maybe a few
4 minutes. Then he, then he left and then he came back in when I
5 called that virtual brief.

6 Q. Was Commander DeQuattro in here during this event?

7 A. He was. After the, after the 9:30 brief he stayed until
8 lunchtime.

9 Q. Was he directing the incident at that point or what was
10 his role?

11 A. I remember that he was sitting at the desk with the VTS
12 feed and he was taking notes, keeping, from what it seemed like to
13 me, I didn't ask him specifically, but it seemed like he was
14 keeping a log and he was -- I was making notifications and on the
15 phone for the most part, but he was giving recommendations. It
16 didn't seem -- he wasn't on the phone or anything like that. He
17 was, he was just kind of taking notes and making a log, from what
18 I saw.

19 Q. Okay, regarding notifications and Rick Holly covered a
20 lot of this with you. VTS called you or called the sector command
21 center after the allision?

22 A. Correct.

23 Q. And then you had gotten a call from Captain Hoburg.
24 Were you aware that a VTS phone call was at your command center
25 regarding the oil spill coming up? This was somewhere between

1 8:48 and 8:55. And during that phone call they described oil as
2 pumping out of the vessel.

3 A. I do not recall this phone call. When I was on the
4 phone with Frank Hoburg, he mentioned that oil -- the estimate was
5 that oil was leaving the -- had left the vessel for about 20 to 25
6 minutes and that they had secured it or they had -- what they had
7 done was they had pumped the oil that was in those tanks to other
8 tanks, whatever remaining oil.

9 Q. And did you passed that information from Captain Hoburg
10 on to anybody?

11 A. Which information?

12 Q. The -- that oil had left the vessel and was coming out
13 for 20, 25 minutes.

14 A. Yes.

15 Q. And who would you have passed that --

16 A. That I passed to the command, the command cadre, during
17 the, during the brief.

18 Q. Did you -- were you aware of a report back from the
19 pollution investigator that -- it was an estimate, but they saw
20 oil three to five feet wide trailing for a mile, approximately a
21 mile and a half? Had that information made it back to the command
22 center?

23 A. That information did. That was when I was talking about
24 the -- I believe what you're referring to is the information we
25 received that the oil was from the Delta tower of the Bay Bridge

1 to where the vessel was. That information was reported back to
2 the command center.

3 Q. And then who was that passed on to?

4 A. That was also passed on to the command during the
5 command brief at 9:30.

6 Q. I'm trying to get a handle on the command center's
7 responsibility for a spill response and I understand you use a
8 notification, is that correct?

9 A. Correct.

10 Q. And then you talked about the incident command being set
11 up shortly after noon. Was the -- was your watch handling it
12 until then or at some point did -- was that JG Snyder or somebody
13 from incident management say, we got it?

14 A. Typically for oil spill cases, we take as much
15 information as we can and pass it to the incident management
16 division. If it's during work hours, that's usually how it
17 happens, where we are the communications.

18 MR. BOWLING: Somebody's getting the note over here. Do
19 you want us to go around the table?

20 MR. SCHAEFER: I'm almost done, so (indiscernible).

21 THE WITNESS: So usually what we do is we gather as much
22 information as possible and then we give it to the incident
23 management division and they run with it. In this particular case
24 it was kind of symbiotic between the two, the command center and
25 incident management division, because they wrapped up their

1 entire, in division, to work on this pretty much since we notified
2 them, but we were still coordinating a lot as far as the phone
3 calls to the units, to our small boat units that were out there,
4 seeing where they were and gathering information so that I could
5 brief the command. There was information going, in other words,
6 from the on-scene personnel back to incident management, as well
7 as information going from the on-scene personnel back to the
8 command center. And so at certain points in time, both the
9 incident management division and the command center were working
10 this case. There was not a point at which it was solely one or
11 the other.

12 BY MR. SCHAEFER:

13 Q. And who was running the incident management division
14 that day, was it Lieutenant JG Snyder or the most senior person
15 you were working with that day?

16 A. The most senior person in the incident management
17 division that day was Lieutenant JG Snyder, so that's why I keep
18 on referring to her.

19 Q. Was Lieutenant Cursi (ph.) the incident manager or did
20 she get transferred?

21 A. She is in incident management and she was not there that
22 day. She was on leave.

23 Q. And --

24 A. Commander Avani?

25 Q. -- Commander Avani?

1 A. He is also still in it. He's the chief of IMD and he
2 was also gone, I believe. I don't know whether he was on leave or
3 TDY.

4 Q. So the two senior people from incident management were
5 both gone?

6 A. And Lieutenant Mike Lunosin (ph.), I believe, is going.
7 He's senior to Lieutenant Cursi.

8 Q. Lieutenant who?

9 A. Mike -- Michael Lunosin. I believe he still is in the
10 incident management division.

11 Q. And was he there that day?

12 A. No.

13 Q. I'm almost done. Were you aware of any helicopter delay
14 in trying to do an over-flight?

15 A. Yes.

16 Q. And what was the reason for the delay?

17 A. The weather, the visibility.

18 Q. And once the visibility improved, were you aware of any
19 further delay?

20 A. Yes. What happened was we had briefed the air station
21 for launch. Well, we just told them to stand by for launch once
22 visibility cleared up. That didn't happen until later on in the
23 afternoon when the fog had burned off, and when they did launch,
24 we had coordinated for them to originally come to sector to pick
25 up Captain Uberti, as well as another incident management division

1 team member, to conduct the over-flight. However, on their way
2 here, they experienced a casualty and had to return back to air
3 station, at which point we launched an IMD team member or we sent
4 an IMD team member down to the air station to do the over-flight.

5 Q. So they had -- was it the same (indiscernible) that went
6 later on? Which (indiscernible) is that? You've got another one
7 right here.

8 A. I don't know which one.

9 Q. And lastly, can you explain the roles of an agent and a
10 qualified individual?

11 A. So the qualified individual is the person responsible
12 for coordinating the oil spill response and contacting the OSRO
13 (ph.), essentially, and making that happen. The agent is
14 basically the person that works for the vessel, that we basically
15 coordinate all of our matters of deviation and capping the
16 portholes and things like that, information, anything we need to
17 know about the vessel itself, its whereabouts, its crew. Things
18 like that we coordinate through the agent. They are the ones that
19 are available 24/7 and we work with them for that.

20 MR. SCHAEFER: Okay. Thank you.

21 MR. BOWLING: Captain Aga. Then we'll come back to
22 counsel, if you have anything and we'll --

23 BY MR. NAGARAJAN:

24 Q. Okay, Nagarajan, Fleet Management. I have a couple of
25 questions for you, Lieutenant Bor. Are these interviews that you

1 had with the master, were they recorded by the Coast Guard?

2 A. They were not.

3 Q. They were not. You said the master's phraseology was
4 the problem, as well as understanding his concern, but he had a
5 good grasp of the language, am I correct?

6 A. He had a good grasp of the English language. His accent
7 was heavy enough to make it a significant barrier in
8 understanding. He also mentioned when I asked him, did you
9 understand all the questions that we're asking you now, he also
10 mentioned that he did not completely understand the questions that
11 were asked him by the investigations officer.

12 Q. Was that for all the questions or for some?

13 A. For some of the questions.

14 MR. NAGARAJAN: Thank you. I have no other questions.

15 MR. BOWLING: I don't think -- I think I've got to get a
16 picture of everything we're dealing with at this point, from my
17 standpoint. I'll turn around the table. Rick?

18 BY MR. HOLLY:

19 Q. Just one question that concerns the incident management
20 division and the sector command center. I'm trying to get a grasp
21 on that the sector center here initially handles incidents,
22 correct?

23 A. Correct. We are the, we are the first place that
24 information --

25 Q. Right.

1 A. -- comes to.

2 Q. Okay. When you get ready to turn over this incident to,
3 say, an incident command system setting up, is this the group, the
4 incident management division, that takes over that so they would
5 become the federal on-scene commander, or be representing the
6 federal --

7 A. When you say the federal -- right, the captain is the
8 federal --

9 Q. He is the federal --

10 A. Right. And --

11 Q. But they would be his staff?

12 A. Right, among other divisions. They would be more on the
13 -- in the operations side of the --

14 Q. Right.

15 A. -- (indiscernible) structure.

16 Q. Right.

17 A. Planning obviously --

18 Q. Okay.

19 A. Planning -- the planning division within the sector
20 fills the planning --

21 Q. Sure, sure.

22 A. -- and ICS.

23 MR. BOWLING: Larry Bowling here. We actually have --
24 there's doctrine, written doctrine, which is in our possession.
25 When we get back, we can review it. It's in the document box and

1 we need to take a look at that. I'd like for you to go through it
2 and give me an assessment of that. But we do have that. We got
3 it during Commander Copley's interview.

4 MR. HOLLY: Okay. So I was -- I'm sorry.

5 MR. BOWLING: No, no, that's fine.

6 BY MR. HOLLY:

7 Q. I was just -- what I was leading up to, did you turn
8 over or did you have recorded in your log, in other words, when
9 you're handing an incident over --

10 A. Um-hum.

11 Q. -- to somebody else, what did you turn over? And did
12 you follow any kind of a check-off list like --

13 A. What did I turn over, meaning?

14 Q. Who did you brief that would be running the incident
15 operations, incident command system? Any person in particular?

16 A. I guess I'm --

17 Q. Okay.

18 A. I'm not quite sure.

19 Q. Let me try it again.

20 MR. BOWLING: Let me help, let me help. Larry Bowling
21 here, with the NTSB. The -- during the discussions with
22 Commander Copley -- that's the correct pronunciation of his last
23 name. I keep getting those names confused. But we explored those
24 areas and once the -- Captain Uberti makes the decision to stand
25 up an incident command or a unified command --

1 THE WITNESS: Right.

2 MR. BOWLING: -- structure, the incident is taken from
3 the sector command center and brought over and managed by the
4 unified command or the incident command --

5 THE WITNESS: Right.

6 MR. BOWLING: -- structure that's set up. And there is
7 a guidance that has been -- I think it's a sector memo or it's
8 some kind of guidance --

9 THE WITNESS: Right.

10 MR. BOWLING: -- that I've seen that says how that's
11 supposed to happen. I think what Rick is asking you is --

12 THE WITNESS: How did that happen?

13 MR. BOWLING: Yeah, what was your role in getting that
14 -- this incident out of the sector command center and into the
15 hands of the IMD or whoever was standing up the unified command?

16 THE WITNESS: So IMD had been working the case
17 throughout and had already been, had already been taken for action
18 items that were passed to them regarding the case. When the
19 captain said, we're standing up the unified command, incident
20 command structure, we did -- as far as the command center, what we
21 did was we essentially briefed all the information we had, up to
22 that point, to the command cadre and to the incident management
23 division. So I briefed, personally, Lieutenant JG Snyder, who was
24 in charge of the incident management division that day, of our all
25 our actions and hey, this is where we're at, this is what our

1 outlook is for the afternoon. And then I also did the same for
2 the captains, who -- basically, we were continuously briefing the
3 captains and the command cadre.

4 BY MR. HOLLY:

5 Q. Okay. So it was more of a slower transition, but --

6 A. Right.

7 Q. -- the same people were just shifting over?

8 A. Right, right.

9 MR. HOLLY: That's all.

10 BY MR. BOWLING:

11 Q. Okay, one final question from me. Then I will promise
12 you that we'll let you out of here. The -- with Rick's question
13 and Mike, kind of jump in the middle to kind of help get that
14 answered. Do you recall ever seeing that procedure or that
15 document? And again, I don't know whether it's a Coast Guard memo
16 or a standing order here in the SCC, but there is a document that
17 basically tells the watch -- at least the CDO, how to -- what is
18 expected of you and how to get this incident over to the unified
19 command or the incident command system and get it out of the
20 sector command center. Have you seen that document through your
21 training or any of your tenure here?

22 A. I believe so, but I'm not sure. I'm pretty sure that I
23 have read some instructions relating to that. It may have
24 contained other things, but -- but yeah.

25 Q. Okay.

1 A. That's the best that I have right now.

2 MR. BOWLING: Commander, do you have any final
3 questions? We were just talking about some procedural -- going
4 from -- where an incident goes from the sector command center over
5 to the unified command and that document that governs how it's
6 supposed to happen, so we went there, but that's about it. Any
7 final questions? The rest of the team members are done.

8 MR. SCHAEFER: No, nothing else.

9 MR. BOWLING: All right. We'll end the interview at
10 this point, gentlemen. Let me put on my glasses. And counsel?

11 UNIDENTIFIED SPEAKER: No questions.

12 MR. BOWLING: No questions.

13 MR. ALBINO: Lieutenant Albino (ph.). I have no
14 questions.

15 MR. BOWLING: Okay.

16 (Whereupon, the interview in the above-entitled matter
17 was concluded.)

18

19

20

21

22

23

24

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: The Investigation of the Cosco
 Busan/Bridge Allision
 San Francisco, California
 Interview of Lieutenant JG Stephen Bor

DOCKET NUMBER: DCA-08-MM-004

PLACE: San Francisco, California

DATE: November 19, 2007

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.

David Martini
Transcriber