

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

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Investigation of: *
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COSCO BUSAN/BRIDGE ALLISION *
SAN FRANCISCO, CALIFORNIA * Docket No.: DCA-08-MM-004
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Interview of: COMMANDER JONATHAN E. COPLEY

Pilot Commission Office
Pier 9
San Francisco, California

Friday,
November 15, 2007

The above-captioned matter convened, pursuant to Notice.

BEFORE: LARRY D. BOWLING
National Transportation Safety Board

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MR. BOWLING: Okay. All right, it's still 15 November.

It's Larry Bowling with the NTSB. I'm here with the Operations Cell and we're also with -- with us is Crystal Thomas and the Environmental Cell, Response Cell. We are interviewing Commander Copley (ph.). Am I pronouncing it right?

MR. COPLEY: Copley (ph.).

MR. BOWLING: Copley, Commander Copley today and to my left, participating in the interview --

MR. WHEATLEY: Ross Wheatley, Senior Investigating Officer, Sector San Francisco.

MR. KING: Lieutenant Jeff King, Coast Guard Legal.

MR. COPLEY: Commander John Copley, Chief of the Command Center, Sector San Francisco.

MR. SCHAEFER: Commander Scott Schaefer, Coast Guard, District 11.

MR. HOLLY: Rick Holly, Department of Fish and Game, Office of Spill Prevention and Response.

MR. TOLEDO: Gary Toledo, Department of Fish and Game, Office of Spill and Response.

MR. MOLONEY: Pat Moloney, Board of Pilot Commissioners.

MR. SMITH: General Smith, Coast Guard Pacific Area (ph.).

MS. THOMAS: Crystal Thomas, NTSB.

MR. BOWLING: Okay. Thank you, all.

1 INTERVIEW OF JONATHAN E. COPLEY

2 BY MR. BOWLING:

3 Q. Commander, for the record, what is your first name
4 again?

5 A. Jonathan, J-o-n-a-t-h-a-n.

6 Q. Okay. And your middle initial?

7 A. E.

8 Q. All right. And you're a commander. What is your title
9 again?

10 A. I am Chief of the Command Center.

11 Q. All right, Chief of the Command Center at Sector --

12 A. San Fran.

13 Q. -- San Francisco. All right. Before we get into your
14 background, can you tell me what the position title and means or
15 implies -- what's your responsibility?

16 A. I'm responsible for oversight and management of the
17 Command Center for Sector San Francisco. That's mainly the
18 budget, the personnel, evaluations, staffing and I'm also
19 responsible to ensure the watch is properly staffed and
20 maintained.

21 Q. Okay. All right, thank you. Commander, what -- can you
22 give me a summary of your background, both outside the Coast Guard
23 and inside the Coast -- or inside with the Guard, the training and
24 qualifications, since high school?

25 A. Um-hum.

1 Q. Give a little bit of background or so.

2 A. I graduated from high school, went to the Matriculate
3 from the United States Coast Guard Academy in 1991. My first tour
4 was as a deck watch officer and boarding officer for the Coast
5 Guard Cutter Donalis (ph.) in Miami Beach. I was an executive
6 officer of a patrol boat, the Cutter Matagora (ph.), 110-foot
7 patrol boat, also in Miami Beach. From there, I went to grad
8 school for Health Care Administration. I earned my masters from
9 Baylor University. From there, I was a liaison at Travis Air
10 Force Base, did that for two years. 1998, I was stationed at the
11 Coast Guard Academy as the Clinic Administrator. 2001, I was
12 stationed at Maintenance and Logistics Command Pacific as Chief of
13 Medical Administration. And in 2005 --

14 Q. Yeah, close enough.

15 A. Stationed at -- here at Group San Francisco as the
16 Operations Officer, which became, four months later, Sector
17 San Francisco and I became Chief of Enforcement. And then last
18 year, I took over the duties and responsibilities of Chief of the
19 Command Center.

20 Q. Okay. So --

21 A. Last April.

22 Q. Last April? April of 2006?

23 A. Correct.

24 Q. Okay. Specifically related to --

25 A. 2007.

1 Q. 2007.

2 A. Yes.

3 Q. Okay, sorry. Specifically related to your role as the
4 Chief of the Command Center, what training have you undergone to
5 prepare you for that role?

6 A. I have attended Search and Rescue Mission Coordinator
7 course. I am a qualified Command Duty Officer, as well. I
8 attended the SAR (ph.) Supervisor course.

9 Q. What is that?

10 A. That is a -- I believe it's a three-day course given to
11 individuals who are responsible for SAR oversight, not the actual
12 SAR mission planning.

13 Q. Okay.

14 A. As an advisory oversight trainee.

15 Q. Okay.

16 A. I also took an online Introduction to Marine Safety.
17 It's the old course, it's an online course. I attended MLB, which
18 is Metal Life Boat, ready for operations course up in
19 Cape Disappointment.

20 Q. All right. Okay. Have you -- your background, are you
21 predominantly operational, obviously, with Cutter experience? Do
22 you have a Coast Guard-issued Merchant Mariner's license of any
23 type, a document?

24 A. No.

25 Q. Okay. Do you have any experience in the aviation

1 program on the Coast Guard?

2 A. No.

3 Q. Okay. So strictly (indiscernible) operations?

4 A. Driver and (indiscernible).

5 Q. What about the Legacy Marine Safety missions?

6 A. Up until Group San Francisco became Sector
7 San Francisco, I spent two weeks as a cadet at Marine Safety
8 Office Boston.

9 Q. Right.

10 A. That was about it.

11 Q. Okay. When did re-sectorize -- or when did --

12 A. August of 2005.

13 Q. August 2005, okay. All right. Were you present on
14 the -- were you on any operations here at the Command Center on
15 the 7th of November?

16 A. No.

17 Q. Where were you at then?

18 A. I was returning from a family funeral.

19 Q. Okay.

20 A. In Nevada.

21 Q. From Nevada?

22 A. Yes.

23 Q. All right. Who had the deck and the comm at that point
24 on --

25 A. For management of the Command Center, it goes to Senior

1 Chief Downs (ph.).

2 Q. Okay.

3 A. But --

4 Q. Were you still on cell phone or pager?

5 A. Yes.

6 Q. All right, but -- when I'm asking that question, were
7 you on formal leave?

8 A. Yes.

9 Q. Okay. All right. With that said, then we will -- if
10 the Senior Chief is available, I might want to talk to him,
11 briefly.

12 A. Want me to let him know?

13 Q. Yeah, just give him a heads up.

14 A. Just so you understand --

15 Q. Yeah.

16 A. -- the management of the operations, the actual
17 watch -- the four individuals you see out there --

18 Q. Right.

19 A. -- is not -- that's managed by the CDO.

20 Q. Right. We're -- unfortunately, he's --

21 A. So --

22 Q. -- out west or doing --

23 A. West Virginia. He's in West Virginia (indiscernible).

24 So just -- and I'll go over the --

25 Q. Okay.

1 A. -- organizational flow, chain of command --

2 Q. Right.

3 A. -- because there's kind of two.

4 Q. Yeah, we want you to do that.

5 A. Yeah.

6 Q. But we'll see how this goes, but if you want to let the
7 Senior know he might be on standby for a quick interview. Okay,
8 so you were out in Nevada, on leave --

9 A. I was en route -- yeah, coming back.

10 Q. Coming back, all right. For -- you had a family crisis
11 or a funeral, okay. All right. So from a standpoint of knowing
12 what actually happened and what happened in your command center
13 at -- on that date, the 7th, would you have any personal knowledge
14 or fact of the exchanges that were going on in there other than
15 what you pull from the logs and --

16 A. Basically, I received the notification that afternoon
17 when I returned. I received the daily OpSum (ph.).

18 Q. Okay.

19 A. Operational Summary.

20 Q. And I think I have a copy of that, don't I?

21 A. I think so, yeah.

22 Q. (indiscernible) watch log, radio log. This got passed
23 down.

24 A. I don't recall seeing it.

25 Q. Okay. We will -- do you have a copy of that daily

1 OpSum?

2 A. I can get it.

3 MR. BOWLING: Okay. We'll probably get a copy of that
4 real quick or not quick, but after we break up, please, and
5 coordinate through Ross, who's our point of contact and
6 unfortunately, for him, with all the papers. The -- so what we'll
7 do is, members of the interview, that the commander really had no
8 firsthand knowledge of the incident, so what I'd like to recommend
9 is we just focus on what exact (indiscernible) are with the watch
10 standers, because he's clearly responsible to Captain Uberti,
11 ultimately, for making sure the Watch Center functions as Captain
12 Uberti wants it to function.

13 MR. WHEATLEY: Correct.

14 THE WITNESS: And I also started, basically, the process
15 of reviewing all the logs, getting all that information for now,
16 eventually, you, but it initially was for the internal --

17 MR. BOWLING: Okay.

18 THE WITNESS: So --

19 BY MR. BOWLING:

20 Q. And way down the pecking order, I report up to an IC
21 who's on site here and our -- we have an investigator charge, but
22 with that said, Commander, for everyone, can you go ahead and just
23 walk us through the organizational structure here at your command
24 center?

25 A. Um-hum. So not the greatest chart --

1 Q. That's fine.

2 A. -- but that's the map (indiscernible).

3 Q. All right.

4 A. We have two -- there's two org charts. The first, which
5 we do have a copy of, is our organizational structure and that,
6 basically, would be Commanding Officer Captain Uberti, DCO, and
7 then on the (indiscernible) here, you would have the Sector
8 Command Center.

9 Q. Right.

10 A. You would have the Chief of Planning and Readiness,
11 CPFR. And then you would have the three main departments at
12 Sector San Francisco --

13 Q. Right.

14 A. -- Logistics, Response and Prevention.

15 Q. But for watch purposes --

16 A. For watch purposes, the organizational chart, if you
17 will, the organizational structure -- and it's more briefing
18 guidelines --

19 Q. Right.

20 A. -- (indiscernible), chain of communication. You have
21 the Commanding Officer, Deputy Commanding Officer and you have the
22 CDO.

23 Q. Right.

24 A. And so the operational unit, the situation unit and the
25 communications unit, all report to and work for the Command Duty

1 Officer.

2 Q. Right.

3 A. Okay? Now, the operational unit is best described as
4 responsible for operational tasking, so -- and this kind of just
5 changed because this -- three months ago, we just came out with
6 the Command Center manual, (indiscernible) did.

7 Q. Right.

8 A. And it changed the -- it -- it changed and it
9 basically --

10 Q. Modified? (indiscernible)?

11 A. It formalized.

12 Q. Okay.

13 A. It formalized the responsibilities of each position.

14 Q. Okay.

15 A. Because up to that point, before there was a Command
16 Center manual, if you went to Sector San Diego and you looked at
17 their command center, they were staffed much differently than we
18 were.

19 Q. Right.

20 A. So -- and what each position was doing --

21 Q. This was a Coast Guard-wide effort to standardize --

22 A. Correct. That's -- standardize.

23 Q. All right.

24 A. The positions. Thank you. So anyway, operational
25 tasking. So if it's Search and Rescue, they're going to be the

1 operational unit, does the search mission planning. They go into
2 the software, they do the drift analysis, come up with the search
3 pattern and then they task the asset, whether it be an air asset,
4 a surface asset; another term, agency asset, whomever.

5 Q. Okay.

6 A. The situation unit is responsible for maintaining the
7 situational unit awareness, the different cases that are taking
8 place. They're also responsible for our captain to port
9 responsibilities.

10 Q. Right.

11 A. And that would be assisting the CDO in drafting, like,
12 Letters of Deviation, Captain to Port Orders, (indiscernible)
13 report notifications. And also, that's the individual who's
14 responsible for and usually gets the phone call for and the
15 notification of the NRC reports.

16 Q. Okay.

17 A. (indiscernible). And then you have the communications
18 unit, which is responsible for maintaining the communications on
19 our VHF (indiscernible). So those three individuals report to the
20 CDO. Now, the CDO, depending on the briefing guidelines and what
21 the case is, has a different chain of command. So for Search and
22 Rescue, the CDO will notify me as well as the Chief of Response
23 for all those cases. Those are the only times -- I'll get a phone
24 call.

25 Q. Right.

1 MS. THOMAS: Can you repeat that? Sorry.

2 THE WITNESS: For Search and Rescue cases, the CDO is
3 required to brief me and the Chief of Response for all search and
4 rescue operations. So as you see, if it's law enforcement,
5 they're going to brief the Chief of Enforcement, as well as Chief
6 of Response.

7 BY MR. BOWLING:

8 Q. What we'll need to do is, we will need to get a copy of
9 the -- I have that -- a copy of the briefing guidelines, I
10 believe, are correct here.

11 A. Um-hum.

12 Q. But what -- with this new structure and what is clearly
13 delineated to the Operations Unit, the Situational Awareness Unit
14 and the Communications Unit, you said it was under new watch
15 standing guidance or (indiscernible)?

16 A. It's in the Command Center manual, commandant
17 instructions.

18 Q. Okay.

19 A. I'll get you a copy of that.

20 Q. Is that for you or is it -- obviously, it's a control
21 document?

22 A. Yeah.

23 Q. Do you -- would it be something we could get, like, and
24 look at while you're briefing us?

25 A. Yeah. Scott, can you run out there and just ask them

1 for the Command Center -- actually, see (indiscernible).

2 MR. SCHAEFER: Command Center manual?

3 THE WITNESS: Yeah.

4 MR. SCHAEFER: Okay.

5 THE WITNESS: Yeah.

6 BY MR. BOWLING:

7 Q. Because that is going to tie in to a question we'll ask
8 on your watch standers.

9 A. Now -- so that standardized the process, so if it's law
10 enforcement, you can just follow the flow (indiscernible), if it's
11 Port Waterways/Close Security, Homeland Security Mission --

12 Q. Right.

13 A. -- Response Enforcement. If it's Captain to Port
14 Orders, it's going to be Prevention Department. If it's a marine
15 casualty, it's going to be Captain Rick Wheatley, here, it's going
16 to be Ross. It's going to be -- if it's a domestic code, it'll be
17 Domestics. If it's a foreign flag vessel, then Port State Control
18 (ph.) gets briefed. And they'll get notification. And then
19 oil/hazardous material, the phone call, the notification it makes
20 is Chief of Incident Management and then also Chief of Response.

21 Q. Okay.

22 A. So obviously, there is no requirement to notify me.

23 Q. What's the top one? Commander by outside
24 (indiscernible)?

25 A. Response.

1 Q. Okay. And then below that, SEC?

2 A. SEC, correct.

3 Q. Thank you.

4 A. Now, the Situation Unit, right now, at Sector
5 San Francisco, is basically being staffed out of (indiscernible)
6 and what I mean by that is, the Coast Guard has not actually given
7 Sector San Francisco any billets to staff that position --

8 Q. And you refer to OS billets?

9 A. OS billets, correct. So we presently staff it with four
10 OS's that were taken out of (indiscernible) from the
11 Communications Unit and four members from the Prevention
12 Department, four pay officers from the Prevention Department.
13 And --

14 Q. Where were the first pay officers out of?

15 A. The Communications Unit.

16 Q. Okay.

17 A. So we're able to get enough people qualified --

18 Q. All right.

19 A. -- that we're able to get them to go through the
20 qualification process.

21 Q. Okay.

22 A. So then those notifications, if they need a certain
23 threshold, then get pushed up to the DCO or to the CO.

24 Q. Okay. Your watch rotation, again, with your Operations
25 Unit, your Situational Awareness Unit and your comm unit?

1 A. It fluctuates between either a 12-hour watch or an
2 eight-hour watch, depending on the schedules.

3 Q. Right.

4 A. But basically, it's two one, two off.

5 Q. Okay. And a combination of personnel that you're
6 running at those -- at the desk level, those three -- the ops,
7 situation and the comms, what's the total number of staff that you
8 have that are qualified in each area, do you know? Guesstimate.

9 A. Six, operational unit, are qualified.

10 Q. Six in the ops? All right. What about your
11 situation --

12 A. Eight.

13 Q. And those are -- when I say qual, they could stand watch
14 on their own?

15 A. Yes.

16 Q. All right.

17 A. Seven now because we just had one transfer. Seven.

18 Q. All right, so seven there.

19 A. CU, I want to say, that one's constantly fluctuating.
20 These are junior (indiscernible) officers. Off the top of my
21 head, I don't know.

22 Q. Okay. Do you have a guesstimate?

23 A. At least eight.

24 Q. An approximate of eight, all right?

25 A. Eight to ten.

1 Q. Eight to ten, all right. So basically, you're on a 12
2 or 8-hour watch rotation, two days on, two days off?

3 A. Two days off with sliding weekends.

4 Q. Sliding weekends, I used to remember what that was.

5 A. Basically, if I have two days -- so if I have duty
6 starting on Monday, I'll have duty Monday and Tuesday --

7 Q. All right.

8 A. -- either the day watch or the night watch.

9 Q. All right.

10 A. So 05 to -- 1700 to 05 or 05 to 1700.

11 Q. Right.

12 A. So I'll come in Monday, I'll come in Tuesday. I'll have
13 Wednesday/Thursday off and then I'll stand watch Friday, Saturday,
14 Sunday.

15 Q. I got it.

16 A. Got the following Monday/Tuesday off and then I'll have
17 that following Friday, Saturday, Sunday off, so --

18 Q. All right. Thank you.

19 A. -- kind of slides every other weekend.

20 Q. Got you. Okay, I'm sorry. Go ahead.

21 A. That's okay. So these three individuals are the only 24
22 by 7 on the watch floor.

23 Q. Okay.

24 A. So you will always have these -- the OU, the SU and the
25 CU on the watch floor 24/7.

1 Q. All right.

2 A. The CDO stands, usually -- usually relieves the watch
3 between 06 and 0630.

4 Q. Right.

5 A. And they'll be on the watch floor -- I mean, they go
6 down and give the morning brief. They're not required to be
7 chained to the -- up here on the watch floor.

8 Q. Right. So is he -- briefing up the sector and deputy
9 sector?

10 A. Of the daily -- we brief all the department heads on
11 the -- of that day's activities, planned operations.

12 Q. Okay.

13 A. So -- but generally, they're on the watch floor
14 from 0630 until approximately around 2200 at night.

15 Q. All right. Do they sleep on base --

16 A. Yes.

17 Q. -- or do they sleep off base?

18 A. On base. So 2200, 2300, they are able to go over to a
19 duty room that's a cross space --

20 Q. Right.

21 A. -- or in my case, an office, but --

22 Q. All right.

23 A. And then, basically, whenever there's a case, they get
24 woken up and then they come back to the watch floor.

25 Q. Okay.

1 A. To run the -- manage the --

2 Q. And what's that rotation with the CDOs?

3 A. Very fluctuating. Basically, there's -- it's
4 not -- it's basically about one in five. We presently have seven,
5 eight, counting myself, qualified.

6 Q. Okay. You stand on CDO watch, too?

7 A. Yes. Only commander in the Coast Guard, but
8 (indiscernible) sector, but that's all right.

9 Q. All right. Who's the next senior person in the rotation
10 other than you?

11 A. It would be Lieutenant Ajakerski (ph.).

12 Q. Okay. Is Lieutenant --

13 A. She's in Incident Management. It's a collateral duty.

14 Q. Okay.

15 A. They stand, they have their other (indiscernible) so
16 they can be --

17 Q. All right.

18 A. -- a marine inspector, they can be in the Enforcement
19 Division, so they're basically provided throughout and they're
20 junior officers.

21 Q. So at least once in that rotation, you, as the
22 responsible department head, are also carrying a duty as CDO?

23 A. Yes.

24 Q. Okay.

25 A. And required by the -- it's a search and rescue

1 requirement --

2 Q. Right.

3 A. -- that basically, to maintain your qualification, you
4 have to stand at least two proficiency watches a month. So the
5 way they define watch, it's at least 12 hours, so throughout -- I
6 do a lot of backfill. If one of the -- the CDO for that day has
7 an early inspection, then I will basically stand by for them so
8 they can do their inspection. If there's a meeting they have to
9 do, then I can stand by for them.

10 Q. Okay. I'm just going through your manual here.

11 A. Yeah.

12 Q. I'm listening.

13 A. So that's -- the CDO program, itself, as I said, it's
14 generally your ensigns, your lieutenant JGs make up the bulk of
15 them and then lieutenants. It'll be more your junior lieutenants
16 who are just lieutenant JGs who made lieutenant.

17 Q. Okay.

18 A. It's a qualification that's encouraged in the new
19 sector, commander command officer guidance book.

20 Q. Right.

21 A. It's (indiscernible) instruction.

22 Q. Which is what I'm looking at here.

23 A. So it's encouraged that all 01s and 02s assigned to a
24 sector, and 03s assigned to a sector, achieve this qualification.

25 Q. Okay.

1 A. Because it helps you learn about all aspects of a sector
2 operation.

3 Q. Right.

4 A. Just the shore ops, the prevention missions. So it
5 roughly takes about six months to get qualified. They have up to
6 a year to get qualified. That qualification is one of the most
7 robust in the Coast Guard or one of the few -- I think there's
8 only two other sectors in the Coast Guard that actually qualify
9 their CDOs as Search and Rescue Coordinators (indiscernible).

10 Q. What about other mission areas?

11 A. Same thing. They go to billet. The new -- the
12 Coast Guard is changing. We used to have a course called ELPOC,
13 Entry Level Port Operations Course.

14 Q. Right.

15 A. The individuals who started that, the CDOs who started
16 that process had to attend both the Entry Level Port Operations
17 Course and the Search and Rescue course.

18 Q. Okay.

19 A. Part of that qualification -- that class has been
20 stopped and now it's broken up to different prevention
21 (indiscernible) course. They need to have them re-inspected
22 (indiscernible), investigator and then they also have a pollution
23 specific course.

24 Q. Okay.

25 A. Part of that qualification process, obviously, is to

1 rotate through all departments and divisions --

2 Q. To get background (indiscernible).

3 A. -- and branches -- yes. And then the qualification
4 process, once you complete the -- here's one, just to give an
5 understanding. And we've re-updated this since we have a
6 new -- initially, I got qualified as the Operations Duty Officer
7 and then they had to do a --

8 Q. This is yours?

9 A. Yeah, this is mine.

10 Q. (indiscernible) package. We'll get a copy of your
11 signoff as a CDO.

12 A. Yeah.

13 Q. And then obviously, you have a -- are you designated, in
14 writing, as the supervisor of the Command Center?

15 A. Yeah, it's -- there's no (indiscernible) required, so
16 there's no actual --

17 Q. All right.

18 A. But anyway -- so I need also a copy of the PQS package.
19 But throughout the -- PQS requires you to do so many -- you get to
20 go out on inspection, you have to go on a container inspection, a
21 facility inspection. You have to spend time with Incident
22 Management Division --

23 Q. Okay.

24 A. -- in terms of responding to -- oil spill response. So
25 you get not only -- you have to go -- only reiterate your ability

1 and your knowledge on each department division of the sector, but
2 you also go out in the field and see firsthand what they're doing,
3 so --

4 Q. Okay.

5 A. And once you qualify that, we then take a written board
6 for the Situation Unit controller portion and the Operational Unit
7 controller portion. It used to be an oral board, it's now a
8 written board. And then you have a CDO board and the CDO board
9 comprised of myself, as the chair, and then you have each branch
10 as a representative, so the Inspections branch, Incident
11 Management, Enforcement, Waterways, Investigations.

12 Q. Okay.

13 A. They -- and that's about a three to a six-hour board,
14 depending on how well they do. They can make it in about three
15 hours if they're doing a real good job.

16 Q. Are those boards are in-house?

17 A. Yes.

18 Q. So you're not bringing anybody in from the outside?
19 It's all qualified watch standers --

20 A. It's all qualified --

21 Q. -- on the other side of the table, the training here?

22 A. It's branch chiefs.

23 Q. Branch chiefs?

24 A. It's not -- yeah, they're not -- very few of -- in fact,
25 none of them are actually qualified for --

1 Q. Okay. But they're the mission area specialists, they're
2 up in the watch standing (indiscernible).

3 A. Exactly. (indiscernible).

4 Q. All right.

5 A. Because they're ultimately responsible for the first
6 level of response, that initial response --

7 Q. Okay.

8 A. -- on the watch floor. So they have to have an
9 indication of who to brief, what to brief them.

10 Q. Right.

11 A. (indiscernible) that CDO board --

12 Q. Yeah.

13 A. -- is they get -- if they make it through it, then they
14 get -- go through what's called a command interview and the
15 command interview is simply a scenario that's given to them, the
16 member, with the CO, the DCO and the department heads present and
17 the individual, the CDO, basically simulates briefing this case to
18 the captains and the department heads and what their course of
19 action would be and then what their future recommendations would
20 be.

21 Q. Okay.

22 A. And if they do that and they pass that, then they get
23 their qualification.

24 Q. Okay. This actually is very helpful. It is a for
25 official use only document, so I want to ask you for a copy of it,

1 it doesn't have to be in color, but we will want to get a copy of
2 this --

3 A. Um-hum.

4 Q. -- and I'll make a note on our file here. But I want to
5 ask you some questions out of here because this is exactly what we
6 were looking for where -- and fortunately, one of your petty
7 officers, we kind of got some questionnaires with her that are
8 better addressed to you.

9 A. Right.

10 Q. When you got back from leave -- have you had a chance to
11 go through the documentation, the product that your shop put out
12 during the incident?

13 A. Many times.

14 Q. Okay. I thought I'd ask, stupid question. And again,
15 if you don't have fact -- what it is, you don't know. But giving
16 the combination of events that were coming and going with your
17 watch center, I mean, there were a lot of calls going to various
18 locations, various stakeholders, it was a hectic incident, but how
19 comfortable are you that this -- the expectations outlined in the
20 Command Center manual were met by your team?

21 A. Very comfortable.

22 Q. Can you explain that?

23 A. Yeah.

24 Q. What do you mean? How do you feel comfortable?

25 A. Well, the Command Center is responsible for taking

1 initial action, initial response.

2 Q. Right.

3 A. In this particular case, the -- as the incident
4 developed, we (indiscernible). VTS notifies -- now, one thing I
5 want to make note is we are not a co-located command center.

6 Q. Right.

7 A. You'll hear the term FOC (indiscernible). We are not
8 FOC. Our VTS, obviously, as you noticed yesterday, is up the
9 hill.

10 Q. Right.

11 A. Our prevention department is over on a Coast Guard
12 island, so we're not co-located. So there are certain functions
13 that you'll see written in there that we're not able to meet.

14 Q. All right.

15 A. And actually, in that manual right there, you'll also
16 notice that the Situation Unit --

17 Q. Right.

18 A. -- we're not required to staff that 24/7. If you're not
19 getting the billets for it, it basically gives you, kind of, you
20 know, the ability to say we're not staffed; we can -- we don't
21 have to fill it. So we're not required --

22 Q. What would you do to backfill it?

23 A. Well, honestly, we -- as I said, we've taken the -- took
24 bodies out of hide (ph.), so we are staffing it, so -- so the fact
25 that we took --

1 Q. Where is that --

2 A. -- initial action --

3 Q. Where is that -- can you show me where that's located in
4 the --

5 A. You see on Page 1-3, I'll hand it to you.

6 Q. You know, it does say, in the introduction, that the
7 missions and roles are a 24-hour a day, seven-day watch.

8 A. Correct, yeah.

9 Q. And if you'd show me where the Situational Awareness
10 Unit --

11 A. The Situational Unit.

12 Q. Yeah, Situational Unit. Is allowed to be, basically,
13 unmanned. And while you're looking at it, if that's the case, who
14 would pick up those responsibilities?

15 A. The CDO, the -- the Operation Unit, the CDO would pick
16 up those --

17 Q. Okay.

18 A. -- responsibilities or the responsible department or
19 branch.

20 Q. Right. Would that ever go up the hill to VTS?

21 A. VTS has a very critical role in Maritime Awareness.

22 Q. Okay.

23 A. They are a Maritime Awareness and we try to replicate a
24 watch station of those. I'm not sure if you've received a tour of
25 that command center?

1 Q. Yeah, we were up there yesterday.

2 A. No, not the VTS. Of our command center?

3 Q. No, we have not.

4 A. I'll give you that, as well.

5 Q. Okay.

6 A. In the case of -- hopefully understand, we try to
7 replicate the VTS watch station --

8 Q. Right.

9 A. -- so we can get that maritime awareness into the
10 process.

11 Q. All right. But -- the -- if VTS, would it ever
12 contribute to the Situational Unit function? I mean, could you
13 delegate up to them that -- roles outline in that manual to VTS?

14 A. The Sensor Operator. There's another position in
15 here --

16 Q. Okay.

17 A. -- called SO, Sensor Operator.

18 Q. Right.

19 A. That's really designed for the VTS.

20 Q. Okay.

21 A. Their cameras, their maritime awareness, the COP, common
22 operating picture.

23 Q. Okay. When you arrived -- keep talking.

24 A. So anyway, I'm very confident of the fact that the
25 Command Center, you know, that the notifications were made. We

1 are very fortunate in that, that day, we had a net coalition
2 meeting taking place right downstairs in the first deck.

3 Q. What is that?

4 A. That is a coalition that was started after 9/11 that I
5 am reconstituted as Chief of Enforcement --

6 Q. Right.

7 A. -- which basically is comprised of Cal Fish and Game,
8 state agencies, Department of Justice, Cal Fish and Game and all
9 the local and county entities out there that have marine units --

10 Q. Right.

11 A. -- so San Francisco Fire Department, San Francisco
12 police department --

13 Q. You have -- did you do -- well, you weren't here. Do
14 you know if whoever was representing the coalition was running
15 that sign-in log?

16 A. They do have a sign-in log and I know that, like,
17 Rob Roberts --

18 Q. Right.

19 A. -- Cal Fish and Game was here.

20 Q. All right, we would --

21 A. Daniel Lopez (ph.) was here.

22 Q. -- like to get our hands on that.

23 A. Cal Merkins was here.

24 Q. All right.

25 A. So basically what happened was, if you think about it,

1 all the responsible -- all of our notifications, as far as local
2 agencies and responsibilities, were getting the information the
3 same time we were. They got notified of the incident, they were
4 on-scene here, so they were getting the same notification --

5 Q. Well, do you know that as fact or --

6 A. No, that is fact.

7 Q. How do you know this is fact? You were coming back from
8 Nevada.

9 A. Because, as I was reviewing this and having to fact down
10 some of the timeline, I spoke with Lieutenant Roberts, because --

11 Q. He's with California --

12 A. Fish and Game.

13 Q. All right. Go ahead.

14 A. I was amazed when I was going through the timeline, how
15 quickly they set up a Unified Command.

16 Q. Okay.

17 A. Given the traffic of the area, the time of day, the
18 ability to get to YBI.

19 Q. Okay.

20 A. And so I spoke with him. He was here. I spoke with
21 San Francisco Fire Department because I was tasked with finding
22 out whether or not --

23 Q. When you got back or when you --

24 A. No, when I got back.

25 Q. Okay.

1 A. This is like --

2 Q. When did you get back?

3 A. I got back on Wednesday and reported to work on
4 Thursday. So Thursday, the 8th. Day after the incident.

5 Q. All right. All right, so -- just for your notes, Ross,
6 I got to (indiscernible).

7 A. So there was a press report saying that the Coast Guard
8 denied services to San Francisco Fire. There was a boat, a fire
9 department boat, on the scene --

10 Q. Well, (indiscernible).

11 A. (indiscernible). Right.

12 Q. (indiscernible) ports. The ports are --

13 A. But anyway, because of those, I was tasked with finding
14 out is there -- is that true?

15 Q. Okay.

16 A. Did a phone call come in to the Command Center --

17 Q. right.

18 A. -- from San Francisco Fire Department and did we tell
19 them no, you know, and so I spoke with the watch stander who took
20 the phone call and the answer was yes, they had called. The
21 individual was on his way, San Francisco Fire Department was on
22 his way to the meeting and heard about the incident and asked if
23 there was any search and rescue --

24 Q. Okay.

25 A. -- concerns. The answer was no. So because of that,

1 the notifications were made. I felt very confident that our
2 command center --

3 Q. Met your obligation.

4 A. Met the requirements per initial response.

5 Q. With that said and while you're still looking for that,
6 I'd like to see where that Situational Unit --

7 A. Yeah.

8 Q. -- had relief, not being 24 and seven. The -- and
9 if -- actually, Commander, if you -- are you familiar with the
10 document? Do you know where it's at? (indiscernible) let him
11 focus on (indiscernible). The -- upon this review you've done --

12 A. Um-hum.

13 Q. -- so we'll focus just on fact again, so --

14 A. Yeah.

15 Q. -- don't speculate. When, in your opinion -- or -- and
16 when, in your determination, was the first notification to
17 District 11 that there was anything going on?

18 A. Regardless of whether it was a large oil spill, a small
19 oil spill or a bridge strike, the bridge allision notification, I
20 believe, was made to District -- off the top of my head, I can't
21 -- I know it was maybe 8:35.

22 Q. Well, I don't want off the top of your head.

23 A. Well --

24 Q. What would you need to recall it?

25 A. The actual --

1 MS. THOMAS: D11, 8:40.

2 BY MR. BOWLING:

3 Q. 8:40. Do you agree with that?

4 A. Yes.

5 MS. THOMAS: (indiscernible) regarding bridge
6 (indiscernible).

7 BY MR. BOWLING:

8 Q. Need those to look at? Those are --

9 A. Yeah. Yeah.

10 MR. BOWLING: Is Commander Schaefer, clarification, you
11 say in D-11, but --

12 MR. SCHAEFER: The Command Center, District 11.

13 MR. BOWLING: That's the bridge section.

14 MR. SCHAEFER: Of District 11.

15 MR. BOWLING: Okay.

16 THE WITNESS: It's part of our notification
17 requirements.

18 BY MR. BOWLING:

19 Q. Okay. When was the District 11 Command Center notified?
20 Because if I'm not mistaken, the District 11 bridge branch doesn't
21 have reporting requirements up the chain, correct?

22 A. No, it's a district.

23 Q. Well, what do your QRCs call -- who do your QRCs call to
24 report --

25 A. Dave Seloff (ph.) at District 11.

1 Q. Okay. And he is the bridge --

2 A. Bridge guy.

3 MR. SCHAEFER: Bridge Administrator.

4 THE WITNESS: Bridge Administrator.

5 MR. BOWLING: All right, Bridge Administrator. Okay.

6 BY MR. BOWLING:

7 Q. And that was the first notification to any individual
8 representative of the Coast Guard at District 11?

9 A. I believe so, yes.

10 Q. All right. Do you know when the Command Center -- was
11 the Command Center ever contacted by anybody with your staff that
12 you have -- become aware of as you went through the records?

13 A. They were. I'm trying to get the time and day.

14 Q. Okay.

15 A. Or the date.

16 Q. I'll give you a second there. And that was from the
17 Sector Command Center, correct?

18 A. Correct.

19 Q. Sector Command Center contacted the bridge, the
20 administration branch?

21 A. (indiscernible).

22 Q. At 8:40.

23 A. And then at 1741, so that would've been --

24 Q. And you're talking about Zulu?

25 A. Again, Zulu. So 0941 --

1 Q. Zero nine forty-one.

2 A. -- District 11 notified us.

3 Q. District 11 notified --

4 A. Us.

5 Q. You say District 11, what -- who in District 11?

6 A. That would be the Command Center.

7 Q. All right, Command Center. Back to Sector?

8 A. Yeah. Then we briefed the Command Center again at 1819
9 Zulu, which would've been --

10 Q. Hold on, hold on. So the first outbound from your
11 command center went to District Bridge Administrator at 8:40?

12 A. Correct.

13 Q. Okay. Sector outbound to -- all right. And then the
14 next comms flow from the 11, regardless of where it came from,
15 came from the Command Center back into the Sector at 9:41?

16 A. Correct.

17 Q. And the extent of that was --

18 A. It doesn't say in the log.

19 Q. Okay. Now, the -- again, I'm -- these QRCs --

20 A. Um-hum.

21 Q. -- are used by your watch standers for what purpose?

22 A. Well, the QRCs are basically there so that we simplify
23 and ensure that all notifications are made.

24 Q. Okay.

25 A. So basically, each watch stander, whether it be the

1 Operational Unit, the Situational Unit or Search and Rescue to
2 Comms Unit, when they get an incident, they're supposed to break
3 out the appropriate QRC.

4 Q. Okay.

5 A. And that way, when all hell is breaking loose, the
6 phones ringing, people are coming in and out of the Command
7 Center, they're able to basically say --

8 Q. Sure, it's a tool.

9 A. -- this, this and this. Yes.

10 Q. The least, initially -- and again, correct me if I'm
11 wrong, but we've been working off of this point that around that
12 time, the oil spill, it really wasn't known the magnitude or even
13 known.

14 A. Right.

15 Q. So the team here, the Situational Unit, was working off
16 the allision, collision and grounding and sinking QRC?

17 A. They were working off of the allision, collision -- but
18 they never broke out a QRC.

19 Q. Okay. Well, I just -- this one here, I have, I'm trying
20 to follow it --

21 A. Right.

22 Q. -- I don't see -- here I see that -- I see, at least, an
23 action checklist.

24 A. Right.

25 Q. And I'm trying to, again -- because I have to go back

1 and explain this to people that, you know (indiscernible).

2 A. (indiscernible).

3 Q. I do see a notification of VTS up the hill and I see a
4 notification to D11 ops (indiscernible).

5 A. Um-hum.

6 Q. Where is it identified that the Sector Command Center
7 here notifies the bridge section rather than the ops
8 (indiscernible)?

9 A. It's not in there. It's not in there.

10 Q. Why was it -- do you know why they went straight to the
11 bridge department or the bridge sector rather than --

12 A. Because our training is that whenever there's an
13 allision with any bridge in District 11's AOR, we have to notify
14 Mr. Seloff.

15 Q. Okay. And where's that spelled out at?

16 A. I'll have to look because I'm not certain where it's
17 spelled out.

18 Q. Okay.

19 A. I think it might be in the District 11 briefing,
20 thresholds.

21 Q. Right, okay. We have that. Critical incidents -- a lot
22 going on with the reporting requirements. I know they're -- and
23 again, I'm just trying to track down the required comms flow.
24 Okay, major -- major marine safety incident. I'll pass this to
25 one of my teammates here. If any bridge allisions, drawbridge

1 failure that affects navigation (indiscernible) bridge -- that's
2 not it. You take a look at that.

3 A. Is that the latest?

4 Q. That's the one that was provided to me.

5 A. Okay. Because they have changed it slightly, but
6 anyway, the (indiscernible), if you look at baseline watch --

7 Q. Okay.

8 A. -- the very first one, it says all command centers will
9 need a CDO and a -- the operational unit.

10 Q. Okay. So basically, then, you can -- if operations
11 allow, you can basically pull -- have a watch standing seat empty
12 in a situational unit and --

13 A. We're not required. Per that document, we're not
14 required to actually staff --

15 Q. Okay.

16 A. -- a situation unit.

17 Q. All right, okay. So -- but you are in the operations
18 and communications?

19 A. Correct.

20 Q. Okay. So if you can, just to facilitate resources or
21 save resources, you can --

22 A. If we -- basically, if our captain didn't feel it was
23 important to staff that situation unit --

24 Q. Yeah.

25 A. -- you would say I'm not taking the (indiscernible) from

1 prevention department and we're not going to take the OS
2 (indiscernible) from the communications watch to staff the
3 position.

4 Q. Then he would normally delegate that responsibility
5 to --

6 A. Someone's got to (indiscernible).

7 Q. -- pick it up?

8 A. Yeah. Someone's going to have to -- yeah.

9 Q. So it would just go down to the desk?

10 A. The responsibility -- yeah, exactly. It's not that the
11 mission goes away.

12 Q. Yeah. Yeah, I understand. All right. So back on
13 the --

14 A. (indiscernible) staffing.

15 Q. Back on the QRCs --

16 A. Correct.

17 Q. -- with regard to the notification, where would I find
18 that that is a requirement of this -- the Sector Command Center to
19 go straight to the bridge grant (ph.)?

20 A. As I said, I'm not certain where it's written. That's
21 the way we're trained.

22 Q. Okay.

23 A. And so it could be, seriously, a pass-down of
24 information.

25 Q. Okay.

1 A. A written requirement -- a requirement based on
2 experience.

3 Q. Okay.

4 A. Such as we call the Command Center and the Command
5 Center says give Mr. Seloff a call.

6 Q. Right.

7 A. If he (indiscernible).

8 Q. In your experience, are you confident that all your
9 watch standers know that?

10 A. To call Mr. Seloff?

11 Q. No. No, no. With the Situational Awareness Unit, that
12 the -- with the qualified watch standers?

13 A. The qualified watch standers know that they're supposed
14 to use the QRC.

15 Q. On the timeline of events, you had a chance to go
16 through and look at this.

17 A. Yes.

18 Q. Did the Sector San Francisco team that you manage meet
19 the District 11 --

20 A. Briefing?

21 Q. -- communications requirements?

22 A. I would probably say no.

23 Q. Why would you say that?

24 A. Because the Command Center never received a phone call.

25 Q. Do you know when the Command Center actually did get a

1 phone call?

2 A. I told you --

3 Q. They called back?

4 A. Yes.

5 MS. THOMAS: What was that?

6 UNIDENTIFIED SPEAKER: Mr. Seloff called at 9:27.

7 MR. BOWLING: Seloff called back in here at --

8 THE WITNESS: No, no. He called the District.

9 UNIDENTIFIED SPEAKER: District 11.

10 BY MR. BOWLING:

11 Q. Okay, 9:27. At least we know that 9:27 we had an
12 outbound call from Sector Command and that's fine. If something
13 like that --

14 A. Well, (indiscernible) was on leave.

15 MS. THOMAS: No, no.

16 BY MR. BOWLING:

17 Q. And at 8:40 you had an outbound to the District 11
18 bridge manager --

19 A. Right.

20 Q. -- and at 9:20, the District 11 bridge manager called
21 the Command Center, the District 11.

22 MS. THOMAS: Eleven.

23 UNIDENTIFIED SPEAKER: District 11 Command Center.

24 MS. THOMAS: Command Center.

25 MR. BOWLING: Okay.

1 UNIDENTIFIED SPEAKER: It was a roundabout delivery
2 (indiscernible).

3 THE WITNESS: Right. Oh, by the way --

4 BY MR. BOWLING:

5 Q. Okay, let's go over this again.

6 A. Yeah.

7 Q. Sector Command Center, 0840, to the bridge, Bridge
8 Administrator.

9 A. Right, at District 11.

10 Q. All right. 9:41 --

11 MS. THOMAS: 9:27.

12 THE WITNESS: 9:27, District Bridge Administrator to
13 District 11 Command Center.

14 MR. BOWLING: Okay.

15 THE WITNESS: And then at 9:41, District 11 Command
16 Center --

17 MR. BOWLING: I got you.

18 THE WITNESS: -- into Sector Command Center.

19 BY MR. BOWLING:

20 Q. The 11 bridge at 9:27 to the 11 Command Center?

21 A. Yes.

22 Q. There we go. All right. And then a couple minutes
23 after that, the 11 Command Center came back in to the Sector
24 Command Center at 9:41 and said the -- and again, in the log
25 there, they said is there a bridge allision? It -- is

1 it -- what's the entry?

2 A. It just said received call from District 11.

3 Q. Okay.

4 A. Didn't say to the (indiscernible).

5 Q. Did -- at that point, was there any record of an
6 exchange of the communications other than your telephone
7 recordings that --

8 A. (indiscernible).

9 Q. Okay. There was a virtual brief --

10 A. Brief, correct.

11 Q. -- conducted and that was conducted (indiscernible)
12 9:30?

13 A. (indiscernible), correct.

14 Q. Okay.

15 A. (indiscernible).

16 Q. So on this virtual brief, was the 11 included in that,
17 the Command Center?

18 A. No. The virtual brief is an internal and it's based on
19 this --

20 Q. Right.

21 A. -- chain of command right here.

22 Q. Right.

23 A. So basically, we utilized our conference line and the
24 CDO will get their case ready and they should have the QRC to go
25 out, so when they give their brief -- and that's when they notify

1 the DCO, the CO and then whatever responsible department head
2 branch chief needs to be on that line, that phone call.

3 Q. Okay. So basically, that virtual brief was
4 Captain Uberti and the command structure below him?

5 A. Correct. Correct.

6 Q. Were any of the outside stakeholders included in that,
7 Cal Trans --

8 A. That I don't know.

9 Q. -- OSVR (ph.)? Any records of who intended the virtual
10 brief that your watch standers would keep?

11 A. They -- well, it's nowhere in the log where it says had
12 they, but I could ask them. I could ask Lieutenant J.G. Bor.

13 Q. Okay. We were going to actually talk to him, so
14 we'll -- rather than us --

15 A. Right.

16 Q. -- (indiscernible), let him recall what he has --

17 A. Not a problem.

18 Q. I'm deaf and I sometimes talk real loud. Not deaf, but
19 I'm going deaf.

20 A. It's okay.

21 Q. So don't -- I just -- I get loud. All right, so we
22 will -- as a group, we'll make a note to follow up on who attended
23 the virtual brief, okay? All right, so --

24 A. But I believe that was just internal.

25 Q. Okay.

1 A. So --

2 Q. From those records and all the review you've done, do
3 you have an idea of when the first time the command structure,
4 either the deputy sector command or Captain Uberti had a brief of
5 any type with the District 11 commander or (indiscernible) area
6 command center?

7 A. Let's see.

8 Q. Or Captain Uberti to the District 11 Command Center?

9 A. That would be in the -- (indiscernible) to the District
10 11 Command Center, but --

11 Q. Or a senior deputy or senior department head?

12 A. The -- I don't have that in any of our logs --

13 Q. Okay.

14 A. -- whether he made a phone call or not --

15 Q. Right.

16 A. -- (indiscernible) himself, by himself, but I can look
17 through the running log of the CDO, which is kind of confusing if
18 you look at it from a log.

19 Q. No.

20 A. That's not it.

21 Q. No. Last time -- I'm sorry.

22 A. We had it there.

23 Q. All right, here?

24 A. Yes.

25 Q. Yeah, that's very confusing.

1 A. Yeah, this is a pass-down log and I think I had to
2 explain this already, but every time you hit this update entry --

3 Q. Um-hum.

4 A. And this is on the pack area, what page --

5 Q. Right.

6 A. -- it has (indiscernible). As a CDO, every time you hit
7 that update entry, it changes those times.

8 Q. Okay.

9 A. So sometimes when you look at it, it appears that all
10 the data from the 7th to the 8th to the 9th --

11 Q. Okay.

12 A. -- disappeared. It's in there, you have to read through
13 the text. It's just that -- it was the last time it was updated.
14 So if I -- for example, when I stood watch on last Monday, this
15 previous Monday, and we had something that happened on that case,
16 I'd go to that entry and I'd do update entry.

17 Q. Right.

18 A. The -- all that. The information doesn't go away, but
19 the data on the side does, so --

20 Q. All right. Well, you know we were talking about your
21 team at -- here at sector base --

22 A. Um-hum.

23 Q. -- including the Command Center notifying the 11 bridge
24 management group or the bridge manager. Did they make any similar
25 calls directly to the environmental response side of the house --

1 A. Yes.

2 Q. -- and preventions?

3 A. Yes.

4 Q. Who did they contact?

5 A. Contact and brief Ensign Hopper (indiscernible) 37.
6 0850.

7 Q. Zero eight fifty?

8 A. Brief Incident Management Division, MST (ph.) to
9 Anderson.

10 Q. Okay, at 0850?

11 A. Correct.

12 Q. So that was District 11?

13 A. No, no, no. That's internal.

14 Q. Oh, internal. What about the -- did they make any calls
15 prior to the command centers linking up, to the -- any
16 Environmental Response people at District -- in the Preventions
17 Office?

18 A. No, because our District 11 does not have -- their
19 command center --

20 Q. Yeah.

21 A. -- is -- it's different than ours. They don't have an
22 in-house prevention --

23 Q. Okay.

24 A. -- mission responsible watch (indiscernible).

25 Q. All right. So that the bridge resource -- or bridge

1 management group is actually in the watch center of the
2 District --

3 A. No, no, no.

4 Q. It's another department (indiscernible).

5 A. Unlike District --

6 Q. Yeah.

7 A. -- and Sector, our command center is all mission.

8 Q. Right.

9 A. As I said, we do every one of those mission areas that
10 we're responsible for.

11 Q. Right.

12 A. There's a watch stander in here --

13 Q. Okay.

14 A. -- who has the responsibility --

15 Q. I got you.

16 A. -- (indiscernible) notification. At our district, they
17 do not have that inherent prevention expertise in the watch floor.

18 Q. Okay.

19 A. So if I were to call over there with an oil spill, it
20 would be notification only; there would be no one actually in that
21 watch center who could probably speak --

22 Q. Response.

23 A. Respond to it.

24 Q. Okay. Did they --

25 A. And they're not -- they're (indiscernible) operate the

1 unit, ether.

2 Q. But District 11 does have a -- and this is a question to
3 you, sir, or maybe, Commander, you might know, or a retiree, do
4 we -- does District 11 have a preventions department?

5 A. Yes.

6 Q. That handles response?

7 A. Yes.

8 Q. Okay.

9 MR. SCHAEFER: You said a prevention department handles
10 response, no.

11 THE WITNESS: Well, just the mission for the
12 Coast -- for the District 11.

13 MR. SCHAEFER: Yeah. Now, oil, you see -- oil
14 is -- it's a response. It's (indiscernible) response. It's not
15 prevention.

16 MR. BOWLING: I'm a retired Legacy M (ph.) guy. That's
17 all I've done.

18 THE WITNESS: Right.

19 MR. BOWLING: Since 1980. Let me --

20 THE WITNESS: What I mean is that mission area --

21 MR. BOWLING: Yeah.

22 THE WITNESS: -- the oil? It changed. It's under
23 response now.

24 MR. BOWLING: I understand that.

25 THE WITNESS: Okay.

1 BY MR. BOWLING:

2 Q. Did anybody from your shop contact anybody --

3 A. (indiscernible).

4 Q. -- (indiscernible) response mission?

5 A. No, no. We're not required to.

6 Q. So the first time that that arm of the Coast Guard got
7 involved is when your command center and the District 11 Command
8 Center linked up --

9 A. Correct.

10 Q. -- when the call came back in from District 11 Command
11 Center --

12 A. Right.

13 Q. -- to your command center?

14 A. Yeah. We didn't -- right. We didn't notify anyone at
15 -- we're not required to notify anyone at District 11 Prevention.

16 Q. Right. Okay.

17 A. Okay, we're responsible to notify the command center --

18 Q. All right.

19 A. -- and the command center will make sure that the
20 individuals in prevention or response will be notified.

21 Q. All right, I'm old school, but I know that the mission
22 hasn't gone away.

23 MR. SCHAEFER: I'd correct that slightly because the
24 bridge administration at District 11 is part of the prevention
25 branch.

1 THE WITNESS: That's true.

2 MR. BOWLING: So they are?

3 MR. SCHAEFER: So that is their -- that's their, you
4 know, who they're required to notify for an allision like this
5 would be the bridge section, the responsible part of the
6 (indiscernible).

7 MR. BOWLING: (indiscernible) District 11 management to
8 see if he notified anybody on the pollution side of the house or
9 (indiscernible)?

10 THE WITNESS: And the pollution response side is the
11 response side.

12 MR. BOWLING: Right.

13 THE WITNESS: So that would be Captain Cullen.

14 BY MR. BOWLING:

15 Q. Captain who?

16 A. Cullen.

17 Q. Cullen.

18 A. C-u-l-l-e-n.

19 Q. C-u-l-l-e-n? All right. And he's at District 11.

20 MS. THOMAS: Who is he?

21 THE WITNESS: He's the Chief of Response.

22 MR. SCHAEFER: Yeah, Captain Cullen is the Chief of
23 Response. Captain Kaup, K-a-u-p, is the Chief of Incident
24 Management and we have a lieutenant commander who's taking the
25 Marine Environmental Response for District -- they come in to the

1 Command Center and the Command Center would notify whoever's got
2 the Marine Environmental Response duty.

3 MR. BOWLING: Okay. Again, my frustration is not with
4 you, Commander. I can't keep up with the acronyms and I'm not
5 that recent of a retiree. Any change at the speed of light, it
6 seems like, you know, I guess I just can't keep up with
7 everything --

8 THE WITNESS: Still are.

9 BY MR. BOWLING:

10 Q. So bridge is -- the function for bridge management
11 within District 11 is now in the preventions realm, its ownership?

12 A. Because it falls in the waterways.

13 Q. All right. Okay. Again, I know you're going from the
14 log --

15 A. Right.

16 Q. -- so if you don't have the answer, don't feel bad. Do
17 you expect -- when do you expect to get the completed -- or do you
18 ever look at completed check-off sheets? Or how do you ensure
19 that your team's doing the job?

20 A. How do I ensure they're doing the job?

21 Q. Yeah. How do you know all the notifications are made,
22 in any incident, not this incident, but just in general? Let's
23 say -- let's talk about something outside this incident.

24 A. Right.

25 Q. A minor allision, not one like we're talking about, just

1 a small bump and go with one of the ferries, minimal damage to the
2 ferry. How do you ensure that all the bases are covered for your
3 watch?

4 A. I trust -- I didn't verify.

5 Q. Right.

6 A. So on the operations side --

7 Q. Right.

8 A. -- I review and the CDO is responsible for reviewing all
9 case packages.

10 Q. Okay.

11 A. All right?

12 Q. In this case, for on the 7th, it would be
13 Lieutenant J.G. Bor?

14 A. Would be Lieutenant J.G. Bor.

15 Q. All right.

16 A. But that's once the case is closed.

17 Q. All right.

18 A. So this case, obviously, is still not closed.

19 Q. All right.

20 A. So no one would have reviewed it, yet. So until the
21 case is closed -- and that's for Law Enforcement and Search and
22 Rescue.

23 Q. Right.

24 A. So a little bit different on account of the port, like a
25 Letter of Deviation.

1 Q. All right.

2 A. There's not a case folder -- the case folder's actually
3 maintained with the responsible prevention department.

4 Q. I got you.

5 A. So we open up the missile case, we're going to look at
6 the missile case.

7 Q. All right.

8 A. The actual hard copy case folder --

9 Q. All right.

10 A. -- is with the Prevention Department.

11 Q. So from a quality assurance standpoint, if, for example,
12 Fish and Game, there was a need for them --

13 A. Um-hum.

14 Q. -- you know, again, outside this incident. Just trying
15 to get a handle on how you manage the shop here. If we had an oil
16 spill of say, 500 gallons, and you were watch in here, how would
17 you ensure that the -- you know, the items in this action check
18 list which seem to be at least a good tool for watch standers to
19 check, how would you ensure that the Coast Guard had met its
20 responsibility, or you and your watch center to notify and
21 complete these --

22 A. When I stand watch, the minute we have a call, before
23 that, I would ask (indiscernible) to brief me. I ask them for the
24 QRC.

25 Q. Okay.

1 A. That's what I do, as a watch stander.

2 Q. Okay.

3 A. It's not a -- well, it is now a requirement.

4 Q. You say it is now a requirement?

5 A. Yeah, three weeks ago, Captain Swatland --

6 Q. All right.

7 A. -- we had a safety stand-down for the Command Center --

8 Q. All right.

9 A. -- which basically had all individuals, except those on

10 watch --

11 Q. Right.

12 A. -- attend it.

13 Q. Right.

14 A. And the reason we had that safety stand-down was because

15 there were a few cases in which not all notifications were made to

16 District.

17 Q. Okay.

18 A. Or in some case, even to our own command.

19 Q. And Captain Swatland, how do you spell his name?

20 A. S-w-a --

21 Q. Um-hum.

22 A. -- t-l-a-n-d.

23 Q. S-w-a --

24 A. T-l-a-n-d. Swatland.

25 Q. Oh, okay. I'm sorry. All right. So basically, there

1 were some -- what type of cases were they?

2 A. We had a captain to port case where we had a detention,
3 I believe, on a vessel that left the Port of San Francisco.

4 Q. Right.

5 A. That they never got notified on and District never got
6 notified on.

7 Q. Right.

8 A. Which they were supposed to. We also had a case with a
9 possible underwater explosive device on one of our tankers, at
10 (indiscernible).

11 Q. All right.

12 A. During that case, we had a medical mishap on one of our
13 Coasties (ph.).

14 Q. All right, in-house Coast Guard injury?

15 A. In-house Coast Guard injury.

16 Q. Right.

17 A. And the -- once again, the District was not notified,
18 the Command Center was not notified.

19 Q. All right. Okay. And --

20 A. So --

21 Q. -- Captain Swatland is --

22 A. He's deputy.

23 Q. Okay, he's -- he's the Deputy Commander?

24 A. Correct. And he's my direct supervisor.

25 Q. Right. Okay. So basically, he got everybody together

1 on a safety stand-down, in here, right?

2 A. Yeah. Yes, not in here, but downstairs.

3 Q. Okay. Right. And what was his direction at that time?

4 A. It was my direction and then his direction, which was
5 any time there's a case, break out the QRC, no matter how, you
6 know, minor the case may seem. When we get notification of a
7 case, you break out the QRC and then the CDO, when they brief, are
8 to basically have that QRC with them when they do the virtual
9 briefing.

10 Q. Okay.

11 A. And --

12 Q. I'm sorry.

13 A. It makes for a much easier and smoother brief.

14 Q. Right.

15 A. Because you're able to go right off it and that's kind
16 of the way we situate -- set up those (indiscernible).

17 Q. Right. All right. And was that handed down in guidance
18 via memo or e-mail or verbally to your staff?

19 A. All three.

20 Q. All three?

21 A. We did it via e-mail, not memo, but e-mail.
22 (indiscernible) and then verbally, several times.

23 Q. Well, (indiscernible) -- e-mail, verbally, I don't care.
24 I want the memo, please, and the e-mail.

25 A. Wasn't a memo, it was an e-mail by --

1 Q. E-mail, okay.

2 A. Written.

3 Q. All right. All right, so your direction to your staff
4 was to utilize those tools to effectively perform the watch and
5 prevent further non-notification incidents?

6 A. Correct.

7 Q. Okay. So was Captain Swatland, he was present at this
8 stand-down with your team and you?

9 A. Yeah, he delivered the message.

10 Q. He delivered that?

11 A. Yes.

12 Q. Okay. All right.

13 A. I delivered it and then he came and delivered it.

14 Q. Okay. All right, what -- walk me from -- when we were
15 last back on the incident here, with the -- your review of the
16 case, were there -- give me the top five successes, in your
17 opinion -- not your -- give me the top five successes after you
18 reviewed this, were you felt the Sector Command Center had been
19 the strongest thing that could be done for what limited resource
20 you have.

21 A. We had all agencies notified, aware of that, and we
22 briefed the Incident Management Division, got them on the scene.
23 We got the station underway within 20 minutes --

24 Q. Okay, slow down. When you say you got all agencies
25 notified, that's because you had then down below stair, or below

1 deck?

2 A. Correct, yes.

3 Q. Okay. All right. And then you basically got --

4 A. The thing I'm most impressed with --

5 Q. Yeah.

6 A. -- honestly, is that we got an assay underway with the
7 Pollution Incident Team off our station (indiscernible) within 20
8 minutes.

9 Q. And that was the Kern (ph.)?

10 A. No, that was the 41 (indiscernible) station San
11 Francisco.

12 Q. Okay. What was that timeline you got the
13 (indiscernible) underway with basically --

14 A. They're on the scene at 0915 and got underway
15 there -- notified at -- got to find it here.

16 MS. THOMAS: They were briefed at 8:46.

17 THE WITNESS: 8:46.

18 MS. THOMAS: And they --

19 THE WITNESS: Launched 0905 and I think they're --

20 MR. BOWLING: Okay.

21 THE WITNESS: -- on the scene.

22 MS. THOMAS: They're on-scene at 9:13 -- oh, they're
23 en route at 9:03.

24 THE WITNESS: Yeah, and on the scene at 9:15.

25 MS. THOMAS: On-scene, 9:13.

1 BY MR. BOWLING:

2 Q. Okay. And that was -- I mean, that was -- there were a
3 lot of success stories, but -- no whispering from the attorney.

4 A. Yeah, that's -- no.

5 Q. Put it on the record if you want it on the record. I
6 have no problem with communication, but please just minimize the
7 sidebars, but go ahead, I'm sorry. If you have something to ask.

8 A. I'll basically --

9 Q. Okay.

10 A. What I was saying was that what's impressive about that
11 is our Pollution Investigation Team, they don't have,
12 like -- they're standby.

13 Q. Yeah.

14 A. They don't have, like -- they're not like a
15 (indiscernible) zero.

16 Q. Right.

17 A. They have to be able to deploy within five, ten, fifteen
18 minutes.

19 Q. Right.

20 A. So to be able to get them down at station, ready to go
21 on-scene -- I don't think we've had a case to (indiscernible),
22 honestly.

23 MR. BOWLING: And before -- actually, I'm almost done
24 with my question line and actually, I am. I want to get to the
25 timeline. I mean, we've gotten a lot of data. You're going by

1 the same -- what we are, so --

2 THE WITNESS: Right.

3 MR. BOWLING: -- timelines, you really can't contribute
4 to much further, but I want to say that I know -- I don't know how
5 much my counterpart -- she specializes in some other areas, but I
6 know you are resource constrained with your workload here. Most
7 sectors are, whether it's watch standing or response, so I'm not
8 throwing any rocks, don't take me wrong. I'm just trying to get
9 an idea of where we're at here. Crystal, from a response thing,
10 do you have any questions?

11 MS. THOMAS: I don't really have any questions.

12 MR. BOWLING: Okay, let's go to -- go your direction.
13 We'll go to the Coast Guard, Mr. -- General Smith.

14 MR. SMITH: I'm good for now.

15 MR. BOWLING: Okay.

16 MR. TOLEDO: I have one question, Gary Toledo from OSPR.

17 MR. BOWLING: Um-hum.

18 BY MR. TOLEDO:

19 Q. Commander Copley, you had mentioned, in reference to the
20 Command Center manual that there's no requirement to have the
21 (indiscernible) staff.

22 A. Correct.

23 Q. Okay. My -- I'm not familiar with this manual, but I
24 flipped over the page and I noticed that -- and you've stated
25 already that you fill the position --

1 A. Correct.

2 Q. -- regardless. But I do know that the manual does have
3 an allowance for enhanced staff, meaning that enhanced CC staffing
4 may be added at the direction of the area/district/sector
5 commander or the CC supervisor to meet the unique demands of a
6 specified AOR.

7 A. Correct. Which we do.

8 Q. (indiscernible) staffing it?

9 A. Yeah.

10 Q. So even though it doesn't say that it has to be staffed,
11 you have the ability to say you're going to staff it?

12 A. Right. Which is what we do.

13 Q. Okay. Just wanted to make sure that's clear.

14 A. No problem.

15 BY MR. BOWLING:

16 Q. It's at your discretion --

17 A. Correct.

18 Q. -- with regard to your assessment of need, right?

19 A. Right.

20 Q. Okay. You make that decision or is it made outside your
21 level?

22 A. Yeah, that's the captain's decision.

23 Q. Okay.

24 A. Because I -- disagree, but --

25 Q. All right. He's the O-6, right?

1 A. Correct.

2 MR. BOWLING: Okay, thank you. I don't want to take
3 custody/control of that, so somebody give me a copy and I don't
4 know if it's mine or yours, but that's a lot of FOIA. I won't
5 grab it at this point.

6 THE WITNESS: The -- I'm sorry.

7 BY MR. HOLLY:

8 Q. This is Rick Holly, Fish and Game, OSPR.

9 A. Um-hum.

10 Q. Could you just repeat again the top five successes? I
11 didn't --

12 A. I don't have five successes.

13 Q. Oh, okay.

14 A. I don't. I just --

15 Q. All agencies notified and then the 41-footer --

16 A. I was -- I'm -- what I'm impressed with, from Sector
17 Command Center, is the fact that we had a bridge allision that
18 eventually became obviously apparent that oil spilled and we had,
19 within -- I think our -- once again, my opinion, but we had a
20 pollution team on-scene within 25 minutes. We had a hired
21 contractor on-scene with assets in under two hours.

22 Q. Which contractor was that?

23 A. O'Brien Group.

24 Q. Were they on the -- I'm sorry.

25 A. I believe they -- there was four skimmers and some

1 support boats.

2 BY MR. KING:

3 Q. I'd like to clarify that. This is Lieutenant King.
4 When you say we had hired skimmers on --

5 A. The incident, the Unified Command. That's the other
6 thing I'm impressed is that we had a Unified Command within two
7 hours.

8 Q. So I want to be clear --

9 A. Coast Guard, correct. Correct.

10 Q. -- that the Coast Guard or the Command Center didn't --

11 A. No. That's what I'm most impressed with. From the
12 Command Center perspective, what am I most disappointed in?

13 Q. Sure.

14 A. They didn't use the QRC and (indiscernible).

15 Q. I just have one other question. Do you recall or from
16 your log, when was the first time -- two questions. What was the
17 initial estimate, by your logs and things like that, of what the
18 spill was, if you have that logged somewhere? And then, when did
19 somebody here, I guess, know that it was a little bit bigger than
20 that or bigger than that?

21 A. The second question I can't answer.

22 Q. Okay.

23 A. The first question, based on -- saw in my review of the
24 logs and the incident, was the pollution investigator had .4
25 metric tons. He took that information back here to the Incident

1 Management Department where they did their calculations and I
2 believe that estimate was 140, a hundred something
3 (indiscernible), general.

4 Q. Okay. Thank you.

5 A. So --

6 MR. BOWLING: Commander, I know you have a question.

7 BY MR. SCHAEFER:

8 Q. Okay. Yeah. Scott Schaefer, Coast Guard, District 11.
9 The Neptune Coalition Meeting --

10 A. Um-hum.

11 Q. -- what position or person was present from
12 (indiscernible) San Francisco?

13 A. Daniel Lopez, from the police department, marine unit,
14 and Cal Merkins, from the San Francisco Fire Department marine
15 unit.

16 Q. Okay, Cal Merkins?

17 A. Merkins.

18 Q. Do you know -- spell his last name for me?

19 A. Yeah, I have his -- it's M-e-r-k-i-n-s. I have his
20 business card down --

21 Q. Okay. So San Francisco PD.

22 A. Fire department, fire department. Fire department.

23 Q. All right. Now, if they were at that Neptune Coalition
24 meeting, there was -- was there a general announcement that there
25 was an oil spill going on or how -- how -- I'm trying to get from

1 them being present to knowing about the spill.

2 A. Cal Merkins heard the -- because we did a -- the Command
3 Center got an urgent marine information broadcast out.

4 Q. Um-hum.

5 A. I think that was at 8:40.

6 MS. THOMAS: It's at --

7 THE WITNESS: Probably sooner than that, actually. I
8 think we have a copy of it.

9 MS. THOMAS: 8:59.

10 THE WITNESS: Okay. So he -- we got that, we got that
11 -- sent that out. He heard that. He called in on his way in to
12 the meeting. And I believe Daniel Lopez also heard that on his
13 way in to the meeting, which was scheduled for ten o'clock.

14 BY MR. SCHAEFER:

15 Q. Okay. And then were you aware that people at the
16 Neptune Coalition meeting were talking about the --

17 A. Yes. Because Rob Roberts, who's our OSPR, was there and
18 I -- and he was the -- one of the first to represent us, I
19 believe, for the (indiscernible) command.

20 Q. I thought he was the IC from --

21 A. Yeah.

22 BY MR. BOWLING:

23 Q. Okay, you've got the Situation Unit leader, is that the
24 right --

25 A. It's actually the Situation Unit Controller.

1 Q. Situation Unit Controller.

2 A. Right, Situation Unit.

3 Q. And you got four OSs and four people from prevention.

4 A. And (indiscernible).

5 Q. If the person is on watch and it starts feeling
6 overwhelmed, what --

7 A. Great question.

8 Q. What do they -- since they're on a different island from
9 the rest of their staff or they're rotating, do they have
10 anybody --

11 A. No, no. They're chopped (ph.) to us. So basically, the
12 Prevention Department says you can have this petty officer for the
13 next year. We get them trained, it takes roughly two to three
14 months to get that individual trained. I do their evaluations on
15 the part of the Command Center. If they get overwhelmed on watch,
16 so right now if Petty Officer Bidowski, who is in there standing
17 watch, is overwhelmed, then it's the CDO's responsibility to make
18 two notifications; notify Senior Chief Doms (ph.) and notify
19 myself. Say I need another watch stander in here to assist. The
20 other thing that we have as a second instruction is we have this
21 case. Initially starts off as a bridge allision then becomes
22 readily apparent that there's an oil spill and now Unified Command
23 is stood up. The purpose -- we have a sector ICS instruction,
24 Inside Command System, that basically takes that case out of the
25 Command Center so that the Command Center is no longer managing

1 that case. We'll send up an ICP, Incident Command Post, to manage
2 that incident, so that the Command Center can then focus on search
3 and rescue and all the other cases, any other bridge allisions
4 that may occur, any other oil spills that may occur.

5 Q. And what time that day did the ICP take over for the
6 Command Center?

7 A. That I don't know. I know it's -- I want to say Unified
8 Command was set up at 10:00, right around that timeframe.

9 MR. BOWLING: She's actually got a good timeline for the
10 response (indiscernible).

11 THE WITNESS: Right.

12 BY MR. BOWLING:

13 Q. So when that happens, then the petty officer here may
14 still be doing some notification, but actual responsibility shifts
15 over?

16 A. Correct, correct. And that way that individual can then
17 staff the actual position for the other daily activities.

18 Q. In reviewing the information that you've seen about the
19 incident, are you aware of mechanical problems that Air Station
20 San Francisco had that day in --

21 A. No. I knew there was obviously low days, so their asset
22 wouldn't be much (indiscernible). And I was not aware
23 (indiscernible).

24 Q. The amount of oil spilled, we've seen diverging theories
25 on where it came from and how much, you explained the four metric

1 tons from your -- from the pollution person on-scene. We've also
2 heard a figure of around 10 barrels that was discussed on the
3 watch floor. Do you have, in your look at records, do you see
4 anywhere where that came from?

5 A. I'm not certain where the 10 barrels came from. I did
6 come across that in -- I believe it was the SU log. I know
7 barrels like 30 in one minute, so even the math (indiscernible).

8 Q. Let's see. Next question is I got the CDO to turn
9 out 60 pages of the pass-down log for us and in going through
10 here, I found four pages where the allision and spill of
11 reference. What I can't find -- there -- it all appears to be
12 several days afterward, so if --

13 A. Right. You know, during this (indiscernible) you can go
14 through and find it, but -- and based on my review and Larry's
15 review, it looks like we're missing a couple things and this is
16 what I reiterated on several occasions. When you get the update
17 entry --

18 Q. Right.

19 A. -- tab, this time stamp here, which puts the date and
20 the time stamp, updates to that most recent, so you won't -- the
21 information from -- that had been entered on that case does not go
22 away. It's just that's the most -- most recent time it was
23 updated.

24 Q. Well, here -- I understand that, but I've read through
25 the text of the 60 pages --

1 A. Okay.

2 Q. -- and I can only find four small entries regarding this
3 case, so if we can go through that afterwards, if you can find
4 some more for us.

5 A. Yeah. Secondly, the pass-down log is just that, it's a
6 pass-down log.

7 Q. Right.

8 A. It's basically a reminder for the CDO to say, to his
9 relief, we got this case going on, this case going on, this case
10 going on. There's no requirement for the CDO to maintain a
11 written log. The only log that we're actually required to
12 maintain in the Command Center --

13 Q. Right.

14 A. -- is the CU log that you would normally see, like, on a
15 ship, which says 0800 (indiscernible), you know, launched air
16 stay, 0815 comms check.

17 Q. The CU log --

18 A. It's the communications to radio, the radio
19 (indiscernible).

20 Q. So in review of the documents early on, did you see
21 several pages regarding the incident from (indiscernible)?

22 A. I didn't see several pages. I saw -- basically, when I
23 read -- because I stood watch on Monday and I made a couple of
24 entries to the updates to that, and so as I read through it and
25 said okay. Now, the other thing is that because it's an online

1 thing, you can see where it says expires 11/22, that's a week. So
2 information that was entered the week prior will automatically
3 drop off, as well. So -- and that's just the way the system is,
4 it's a pack area.

5 Q. Are there any other printed copies of this around?

6 A. There are numerous -- we gave three copies already to
7 NTSB. I'm not sure which NTSB, but we gave a printed copy to the
8 Unified Command documentation unit.

9 Q. I think that's our -- going to be our copy now. Mine
10 was pretty narrow. We got the whole thing here, we'll take a look
11 at it. Thank you. This is Larry Bowling, by the way.

12 A. Okay. (indiscernible) questions, please.

13 MR. BOWLING: Thank you, Commander. Mr. King, you want
14 to -- anybody? All right.

15 MR. HOLLY: Yes. One more. Rick Holly, Fish and Game.

16 BY MR. HOLLY:

17 Q. Is there any -- I'm going back to the Sector and what
18 they do and then the Incident Command System.

19 A. Um-hum.

20 Q. And I'm looking at -- because I do the test -- and I'm
21 looking at when the Sector was managing the incident and then
22 there's a mechanism where you're notified that the Incident
23 Command System is set up. Is there any turnover that you have
24 with the --

25 A. With the Incident Command?

1 Q. Yeah.

2 A. Generally, the way it's set up, in practice, would be
3 the individual, the CDO, would call me up and say sir, we've got
4 this going on, it's starting -- we're going -- I'm recommending we
5 go to ICS. At that point, if I wasn't already here, I'd be on my
6 way in and I would be the first -- (indiscernible) stand up,
7 either the Operations Section Chief.

8 Q. Oh, you would be --

9 A. I would be, and I --

10 Q. You would be the --

11 A. I'm -- one of the training I do have is I was pack area
12 IMAT, Incident Management Assist Team.

13 Q. Okay.

14 A. Did that for two years.

15 Q. So then --

16 A. (indiscernible) instruction.

17 Q. Okay. So then you would, in fact --

18 A. Or another CDO. If I'm not here --

19 Q. Yeah, okay.

20 A. -- it would be another CDO.

21 Q. Okay. So the function of the Sector, when you're
22 recommending standing up the Incident Command System, you're
23 really retaining it --

24 A. Internally.

25 Q. -- in here.

1 A. Correct. It's not --

2 Q. So somebody else --

3 A. -- (indiscernible) Unified Command.

4 Q. We got you.

5 A. Exactly, exactly. It's an internal Sector San Francisco
6 instruction. So we get for, like, our well ops up in the Delta.

7 BY MR. SCHAEFER:

8 Q. Commander Schaefer. So when you set up the Initial
9 Incident Command or Unified Command, where, physically, is that?

10 A. Generally --

11 UNIDENTIFIED SPEAKER: Right here.

12 THE WITNESS: -- according to our instruction, it's
13 probably going to be right here, initially.

14 BY MR. SCHAEFER:

15 Q. And that's what they did?

16 A. Not in this case, no.

17 Q. Where did they set up, initially?

18 A. Downstairs in the downstairs conference room.

19 BY MR. BOWLING:

20 Q. That was where the ICS -- Larry Bowling -- where the ICS
21 was initially set up?

22 A. I believe the Unified Command initially stood up
23 downstairs in that lower conference room.

24 Q. Okay.

25 A. I wasn't here, so I can't say --

1 Q. That's fine.

2 A. -- they stood up in this other building and then -- I
3 believe it was --

4 Q. The last question is so you're coming back from leave on
5 the 7th and were at work on the 8th. At what time did you either
6 call in or check in, say hey, I'm back, I'm taking calls?

7 A. Right around four o'clock on Wednesday.

8 Q. 1600?

9 A. 1600.

10 Q. Thank you.

11 A. Um-hum.

12 Q. One final question from me. When you -- once this
13 incident, regardless of what it is -- and let's just focus on the
14 allision here -- was put into an ICS -- put over into the
15 (indiscernible) Command System -- was put into the Unified
16 Command, I should say. The management for the incident is then
17 chopped over. Did you say you operate as the Operation Cell
18 Chief?

19 A. I do, yes, for our Incident Commands, yes.

20 Q. Okay.

21 A. Wasn't for this, no.

22 Q. Not for this because you were still on leave.

23 A. Well, (indiscernible) had it.

24 Q. Okay, okay.

25 A. The full time. And he's Chief of Response.

1 Q. He's Chief of Response?

2 A. Yeah.

3 Q. The -- I looked through the quick response sheets you
4 gave me when we started the interview. I don't have a copy of
5 that guideline that tells -- directs you how to set that up and
6 shift those operations over.

7 A. (indiscernible). I'll get that, Sector Instruction.

8 Q. Sector Instruction, okay.

9 A. Yeah.

10 Q. If we can get a copy of that, that would help, too.

11 A. Sector Instruction (indiscernible), yes. Um-hum.

12 MR. BOWLING: Final question, the lady --

13 MS. THOMAS: I have --

14 MR. BOWLING: Um-hum.

15 BY MS. THOMAS:

16 Q. I just have a question. In the (indiscernible). How do
17 they know which QRC to use? We were told that initially they use
18 the QRC for the -- for an allision. How do they make the
19 determination on which to use?

20 A. What the incident is. The first initial response phone
21 call that came from DTS down to the Command Center --

22 Q. Um-hum.

23 A. -- said we had a boat, the Cosco Busan, touch the Delta
24 stand of the Bay Bridge.

25 Q. Okay. And then --

1 A. So our first initial actions now, which should've been
2 to break out the allision QRC. And if you read the allision QRC,
3 I think it's eight steps down there, eventually gets to NRC and
4 possibility or potential for an oil spill.

5 Q. Okay. Because I have an 8:46 -- I believe around 8:46
6 they were notified that there was oil in the water. Would they
7 have then switched or just added the other -- went to the other
8 QRC? How would they handle that?

9 A. Well, what they should have done is on the allision
10 checklist there is pollution/oil and once you get to that, you
11 check that. What they should have then done was break out the oil
12 spill QRC --

13 Q. Okay.

14 A. -- added that to it.

15 Q. Okay.

16 A. And then go off that, as well, because the allision QRC,
17 although it docs about the potential for pollution and
18 notification of NRC, it doesn't get as specific, obviously, as the
19 oil spill QRC.

20 Q. Okay.

21 A. So good question. They should have, which they did not.

22 MS. THOMAS: Thanks.

23 MR. BOWLING: Okay. Commander, thank you very much.

24 MR. COPLEY: Thank you.

25 MR. BOWLING: We'll go off the record here at this point

1 and I appreciate --

2 (Whereupon, the interview in the above-entitled matter
3 was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: The Investigation of the Cosco
 Busan/Bridge Allision
 San Francisco, California
 Interview of Commander Jonathan E. Copley

DOCKET NUMBER: DCA-08-MM-004

PLACE: San Francisco, California

DATE: November 15, 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.

Karen D. Martini
Transcriber