



NTSB Investigation No. DCA20FM026

Date of Accident: August 21, 2020

Accident Location: Corpus Christi, Texas

CERTIFICATION OF PARTY REPRESENTATIVE NTSB MARINE INVESTIGATIONS

I acknowledge that I am participating in the above-referenced marine accident or incident investigation, on behalf of my employer who has been named a party to the National Transportation Safety Board (NTSB) safety investigation, for the purpose of providing technical assistance to the NTSB's evidence documentation and fact-finding activities. I understand that as a party participant, I and my organization shall be responsive to the direction of NTSB personnel and may lose party status for conduct that is prejudicial to the investigation or inconsistent with NTSB policies or instructions. No information pertaining to the accident, or in any manner relevant to the investigation, may be withheld from the NTSB by any party or party participant.

I further acknowledge that I have familiarized myself with the attached copies of the revised NTSB Accident/Incident Investigation Procedures (49 C.F.R. Part 831) and "Information and Guidance for Parties to NTSB Accident and Incident Investigations," and will comply, and, if the party coordinator for my party, take all reasonable steps to ensure that the employees and participants of my organization comply, with these requirements. This includes, but is not limited to, the provisions of 49 C.F.R. §§ 831.61 and 831.63, which, respectively, specify certain criteria for participation in NTSB investigations and limitations on the dissemination of investigation information related to marine investigations.

No party coordinator or representative may occupy a legal position or be a person who also represents claimants or insurers. I certify that my participation is not on behalf of either claimants or insurers, and that, although factual information obtained as a result of participating in the NTSB investigation may ultimately be used in litigation (at the appropriate time, and in a manner that is not inconsistent with the provisions of 49 C.F.R. § 831.63 and 49 U.S.C. § 1154), my participation is to assist the NTSB safety investigation and not for the purposes of preparing for litigation. I also certify that, after the NTSB Investigator-in-Charge (IIC) releases the parties and party participants from the restrictions on dissemination of investigative information specified in 49 C.F.R. § 831.63, neither I nor my party's organization will in any way assert in civil litigation arising out of the accident any claim of privilege for information or records received as a result of my participation in the NTSB investigation.

X
Signature

Gerald Knisley

3/1/2021

Date

Gerald Knisley, Manager of Technology at HYPACK

Name & Title

HYPACK, a Xylem brand

Party Organization/Employer

From: [Knisley, Jerry - Xylem](#)
To: [Wisniewski Luke](#)
Subject: RE: NTSB- Office of Marine Safety: Technical Support Request
Date: Monday, March 1, 2021 9:10:14 AM
Attachments: [image004.png](#)
[SIGNED CERTIFICATION OF PARTY REPRESENTATIVE HYPACK.pdf](#)

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Hi Luke,

I spoke to my Director and we have not received direction in either way. I am sending you the signed agreement to participate as we agreed.

Sincerely,

Jerry Knisley
Technology Manager
HYPACK, A Xylem brand
56 Bradley St.
Middletown, CT 06457
O: [REDACTED] M: [REDACTED]
[REDACTED]



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From: Wisniewski Luke <[REDACTED]>
Sent: Monday, March 1, 2021 8:44 AM
To: Knisley, Jerry - Xylem <[REDACTED]>
Subject: RE: NTSB- Office of Marine Safety: Technical Support Request

Good morning Gerry,

Just want to follow up with you regarding your status on signing NTSB's party representative form. Also want to see what your schedule looks like later this week to have a follow up meeting to go over HYPACK information with a few of my colleagues? Does Thursday morning at 10:30 am EST work for you? I estimate the meeting will take 45 minutes or less. Let me know if that works for you and I will send out a MS Teams request.

I look forward to your response.

Luke

From: Wisniewski Luke

Sent: Monday, January 25, 2021 3:15 PM

To: 'Glang, Gerd - Xylem' [REDACTED]; Knisley, Jerry - Xylem
[REDACTED]

Cc: Ehlers Andrew [REDACTED]; Allen, Benjamin [REDACTED]

Subject: RE: NTSB- Office of Marine Safety: Technical Support Request

Hi Gerd,

Correct. Jerry would sign the form. Yes, please have your counsel review to form. If they have any questions please have them reach out directly to Ben Allen at [REDACTED] who I included in this response.

Thank you.

Luke

From: Glang, Gerd - Xylem [REDACTED]

Sent: Monday, January 25, 2021 3:07 PM

To: Wisniewski Luke [REDACTED]; Knisley, Jerry - Xylem

<[REDACTED]@m>

Cc: Ehlers Andrew [REDACTED] <v>

Subject: RE: NTSB- Office of Marine Safety: Technical Support Request

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Hi Luke,

Seems straight forward. I will pass it to our legal folks for their ok.

I assume you're interested in Jerry's support, so he would need to sign this certification, correct?

Thanks,

Gerd

Gerd Glang

Director of Operations

HYPACK, a Xylem Brand

56 Bradley St.

Middletown, CT 06457

O: [REDACTED]

M: [REDACTED]



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From: Glang, Gerd - Xylem <[REDACTED]>
Sent: Monday, December 7, 2020 3:06 PM
To: Wisniewski Luke <[REDACTED]>
Cc: Knisley, Jerry - Xylem <[REDACTED]>
Subject: RE: NTSB- Office of Marine Safety: Technical Support Request

[CAUTION] This email originated from outside of the organization. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Hi Luke,

I left you a quick voice message.

If you have not yet found HYPACK software, you can download it here:

[REDACTED]

To review (or demonstrate) data, HYPACK does not require an active license. Please contact Jerry Knisley (copied here) to schedule a technical support session and to help you make sense of the files. Ideally, Jerry can remotely get into your computer; we typically use TeamViewer. Best to confirm with your IT folks that they'll permit this.

Please email Jerry or myself to answer any questions.

Thanks,
Gerd

Gerd Glang
Director of Operations
HYPACK, a Xylem Brand
56 Bradley St.
Middletown, CT 06457
O: [REDACTED] M: [REDACTED]



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From: Wisniewski Luke [REDACTED]
Sent: Monday, December 07, 2020 1:52 PM
To: Boehnert, Danielle - Xylem
Cc: Ehlers Andrew
Subject: NTSB- Office of Marine Safety: Technical Support Request

Good afternoon Danielle,

Thank you for your direction and assistance. As discussed, my name is Luke Wisniewski and I am a Sr. Marine Investigator with the National Transportation Safety Board (NTSB). The NTSB is a federal agency whose purpose is to investigate accidents, determine their cause, and make recommendations to prevent future accidents. The sole focus of our efforts is improving safety.

I am the Investigator-In-Charge (IIC) from NTSB that is responsible for leading the safety investigating of the Tule Lake Channel fire incident with the cutter-suction dredge *Waymon L. Boyd* on August 21st, 2020 at approximately 0805. Request technical support and assistance to review and display the *Waymon L. Boyd's* DREDGEPACK version 2018 software using the project files for the accident location. NTSB has collected several pieces of evidence to include the hardware config settings files, project files, angle sensor, AIS CSV and KMZ files, side scan sonar and multibeam surveys, as well as approved dredge excavating drawings. Your technical expertise is great appreciated to ensure precision and thoroughness of the investigative efforts.

If you require additional information, please contact me at 202-236-8564. I look forward to your response.

Best Regards,

Luke Wisniewski

Sr. Marine Investigator
Office of Marine Safety
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, DC 20594
Office: [REDACTED]
Cell: [REDACTED]