

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

FIRE ONBOARD *SPIRIT OF NORFOLK* *
NEAR NORFOLK NAVAL STATION, *
VIRGINIA ON JUNE 7, 2022 *

Accident No.: DCA22FM022

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Interview of: JUSTIN WAGNER, Passenger
Victory Rover

Virginia Beach, Virginia

Saturday,
January 28, 2023

APPEARANCES:

CDR RANDY WADDINGTON, Lead Investigating Officer
Chief of Analysis and Compliance Division
United States Coast Guard

LCDR [REDACTED] [REDACTED] Staff Member
Fifth Coast Guard's District Inspections
United States Coast Guard

LCDR [REDACTED] [REDACTED] Inspections & Investigations
Oversight
United States Coast Guard

CDR ERIC ROY, Technical Advisor
Chief of Response Training
Coast Guard Training Center Yorktown

MICHAEL KARR, Safety Program Manager
National Transportation Safety Board

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I N T E R V I E W

(12:40 p.m.)

1
2
3 CDR WADDINGTON: The time is 12:40. The hearing is now in
4 session. At this time, I call Mr. Justin Wagner, Passenger,
5 Victory Rover. LT [REDACTED] will you administer your oath. And he
6 will ask you some preliminary questions.

7 LCDR [REDACTED] Mr. Wagner, please stand and raise your right
8 hand. A false statement given to an agency of the United States
9 is punishable by fine and/or imprisonment under 18 U.S.C. 1001.
10 Knowing this, do you solemnly swear or affirm that the testimony
11 you are about to give shall be the truth, the whole truth, and
12 nothing but the truth, so help you God?

13 MR. WAGNER: Yes, sir.

14 LCDR [REDACTED] Please be seated.

INTERVIEW OF JUSTIN WAGNER

15
16 BY LCDR [REDACTED]

17 Q. Sir, please state your full name and spell your last name.

18 A. Justin Wagner, W-a-g-n-e-r.

19 Q. And are you represented by counsel today?

20 A. No.

21 Q. What is your current employment, and position?

22 A. I'm a Chief Product Manager for Raytheon Intelligence.

23 Q. What are your general responsibilities in that job?

24 A. So I am the Chief Product Manager for a program called JPSS,
25 which is the Joint Polar Satellite System. And I manage a team of

1 about 200 engineers.

2 Q. Please tell us your relevant work history.

3 A. I was in the Air Force from -- for seven-and-a-half years,
4 stationed at Hickam Air Force Base Hawaii. Went to -- worked for
5 Raytheon in 2010 as an intelligence instructor. And from there
6 moved to the DFW area where I became a systems engineer and moved
7 to the product management role.

8 Q. What is your education related to your position?

9 A. So I was a intelligence analyst for the Air Force and that's
10 -- that's where I got my background.

11 Q. Do you hold any professional licenses or certificates related
12 to your position?

13 A. No.

14 Q. Thank you. CDR Roy will now have follow-up questions for
15 you.

16 BY CDR ROY:

17 Q. And good morning, sir. Can you mind moving a little closer
18 to the microphone?

19 A. No.

20 Q. Yeah, thank you.

21 A. Sorry.

22 Q. First of all, thank you for being here. We really appreciate
23 you coming. There is a binder next to you that is an exhibit
24 binder. If we put up an exhibit you can look through that. We'll
25 also project them up on the screens as you've seen earlier today.

1 Sir, where were you on June 7th of 2022? Were you a passenger, of
2 what vessel?

3 A. The Victory Rover.

4 Q. And why were you there that day?

5 A. My wife and I were in Norfolk, because my daughter was at the
6 Naval Academy STEM, so we were there taking a tour of the Naval
7 base. I've done it. That's my third trip, my wife's first.

8 Q. And were you onboard when the Victory Rover was diverted to
9 assist the Spirit of Norfolk?

10 A. Yes.

11 Q. And can you talk about how you were notified, how you found
12 out that the Spirit of Norfolk had a fire and what the Victory
13 Rover was going to do?

14 A. Absolutely. So we were toward the end of the Norfolk cruise,
15 or the first half I should say, before we turned around. We got
16 notification that there was a ship in distress, and we were going
17 to go around and help get the passengers off the Spirit of
18 Norfolk.

19 Q. And how would -- how did you know that?

20 A. I think it was an announcement over the -- the PA system on
21 the ship.

22 CDR WADDINGTON: Mr. [REDACTED] can you go to Coast Guard
23 Exhibit 073?

24 (Video displayed from 00:05:00-00:08:45.)

25 MR. WAGNER: -- (audio outside to help get the passengers

1 off. I was like, I need to get this because the Victory Rover's
2 crew is doing an amazing thing here that people need to see, so
3 that was why I did that. And then while I was taking a video of
4 the back, you don't see it but when the -- in the fire starts
5 shooting out of it. I was shooting towards the back and it goes
6 boof, and blew out. So I was like, and that's when -- got that on
7 there also.

8 BY LCDR ROY:

9 Q. How many times did you see fire coming out of the vent? Do
10 you know?

11 A. It was just that one time, but then it got -- then it was
12 just fire coming out of that until somebody put water on it, one
13 of the ships.

14 Q. Did you have any interaction with any of the passengers that
15 day from the Spirit of Norfolk?

16 A. I did not. They were downstairs and we were upstairs on the
17 top deck of the Rover.

18 Q. Any interaction with any of the Spirit of Norfolk crew?

19 A. When we were on our way back we were -- there were some crew
20 on the front that were -- as we were trying to dry off from the
21 water.

22 Q. Any conversations or anything that you heard?

23 A. No. No conversations that I heard.

24 Q. Any interactions by and of the Spirit -- Victory Rover crew?

25 A. I just told them good job on there, as we were getting off

1 the ship.

2 Q. When you're filming the transfer of people from the Spirit of
3 Norfolk to the Victory Rover, how did that look to you as far as
4 the process, the crews interacting? Do you have any observations
5 that you want to share with us?

6 A. It looked like they'd -- looked like they'd been trained on
7 how to do that before. And then we know, you know. We knew there
8 was a tug pushing us up against. Because when we would hit waves
9 and stuff that we'd get further apart, they had that tug push us
10 up against it. It -- the Victory Rover crew and, from what I
11 could tell, the Norfolk crew, and they did a pretty good job of
12 getting their passengers from one ship to the other.

13 Q. Did you experience or witness the accountability of the
14 passengers and crew that came off the Spirit of Norfolk?

15 A. I did not. So we were at the top when we got everybody off.
16 And we went back to the -- the dock. They let the Victory Rover
17 passengers off and they kept the Norfolk passengers on, I would
18 assume for accountability to make sure. We did hear them talk to
19 the -- talking back and forth to the Captain saying hey, we got
20 everybody accounted for, but that was all I heard.

21 Q. Do you recall some of the public announcements that the
22 Captain of the Victory Rover made?

23 A. Some of them. I remember him saying, we got to turn around.
24 After I heard it I knew I heard it on the PA. So then I just
25 heard them talking back and forth. But my wife was there and we

1 were kind of talking back and forth, so.

2 Q. So based on your experience and what you witnessed that day,
3 is there any suggestions or thought you want to share? Any
4 suggestions for either crew's company or the Coast Guard that
5 might improve safety or operations?

6 A. The only thing that I thought would have been a need to have
7 is something maybe on the side of the Victory Rover or another
8 ship that would allow, instead of having to climb over a rail,
9 they could remove that part of the rail to help the transfer of
10 passengers back and forth.

11 Q. Thank you, sir. That's all the questions I have, sir.

12 MR. WADDINGTON: LCDR [REDACTED]

13 BY MS. [REDACTED]

14 Q. Hi, Mr. Wagner. Thanks for being here.

15 A. Yes, ma'am.

16 Q. Have you yourself, you said you've -- that was your third
17 time on the Victory Rover?

18 A. Yes.

19 Q. Have you ever been on the Spirit of Norfolk?

20 A. I have never been on the Spirit of Norfolk. I had been on
21 the Spirit of Honolulu, if that's the same company, out of Hawaii.
22 It had -- the ships looked very similar.

23 Q. And at any time on -- as a passenger on the Victory Rover,
24 did you ever feel like unsafe or anything like that?

25 A. No, never unsafe. That's -- yeah.

1 Q. And since you were taking that video that we just saw there,
2 and you had an up-close view of the evacuation and the passengers.
3 Did you ever notice if there were any crew members or wait staff
4 that had got off before all the passengers had got off?

5 A. I don't know if any crew members got off before. I remember
6 seeing the crew members come off, but I thought it was after
7 everybody else.

8 Q. Okay, that's all I --

9 MR. WADDINGTON: NTSB, do you have any questions?

10 MR. KARR: No questions.

11 CDR WADDINGTON: Bay Diesel, do you have any questions?

12 UNKNOWN SPEAKER/BAY DIESEL: No, man (ph.).

13 CDR WADDINGTON: City Cruises, do you have any questions?

14 UNIDENTIFIED SPEAKER: No, Commander.

15 CDR WADDINGTON: Okay.

16 Mr. Wagner, you are now released as a witness at this formal
17 hearing. Thank you for your testimony and cooperation. If I
18 later determine that this team needs additional information from
19 you, I will contact you through your counsel. If you have any
20 questions about this investigation, you may contact the
21 investigation recorder, LT [REDACTED] [REDACTED] The time is 12:53. We
22 will reconvene at 1:05. Thank you.

23 MR. WAGNER: Thank you so much.

24 (Whereupon, the interview was concluded.)

CERTIFICATE

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

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NEAR NORFOLK NAVAL STATION, VIRGINIA
ON JUNE 7, 2022
Interview of Justin Wagner

ACCIDENT NO.: DCA22FM022

DATE: January 28, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Suzanne Ventura
Transcriber