

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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FIRE ONBOARD *SPIRIT OF NORFOLK* *

NEAR NORFOLK NAVAL STATION, *

Accident No.: DCA22FM022

VIRGINIA ON JUNE 7, 2022 *

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Interview of: JENNIFER STOCKWELL, Captain
United States Coast Guard

Virginia Beach, Virginia

Monday,
January 30, 2023

APPEARANCES:

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I N T E R V I E W

(3:25 p.m.)

1
2
3 CDR WADDINGTON: The time is 3:25. The hearing is now in
4 session. At this time, I call Captain Jennifer Stockwell, Deputy
5 Sector Commander at the time of this incident, Sector Virginia.
6 Lieutenant [REDACTED] will administer your oath and ask you some
7 preliminary questions. Thank you.

8 LT. [REDACTED] Captain Stockwell, please stand and raise your
9 right hand. A false statement given to an Agency of the United
10 States is punishable by fine and/or imprisonment under 18 U.S.
11 Code 1001 and may also subject you to discipline under the Uniform
12 Code of Military Justice. Knowing this, do you solemnly swear
13 that the testimony you are about to give will be truth, the whole
14 truth, and nothing but the truth, so help you God?

15 CAPT. STOCKWELL: I do.

16 LT. [REDACTED] Please be seated.

INTERVIEW OF JENNIFER STOCKWELL

17
18 BY LT. [REDACTED]

19 Q. Ma'am, please state your full name and spell your last name.

20 A. Captain Jennifer Stockwell, S-T-O-C-K-W-E-L-L.

21 Q. Please identify counsel or representative if present and have
22 them state and spell their last name, as well as your firm, or
23 company relationship.

24 A. Lieutenant [REDACTED] [REDACTED] [REDACTED], Coast Guard Legal
25 Counsel.

1 Q. Please tell us what is your current employment and position.

2 A. I'm currently the Sector Commander at Sector Virginia, U.S.
3 Coast Guard.

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

5 A. I am the Sector Commander. I oversee five main authorities,
6 Captain of the Port, Officer in Charge of Marine Inspection,
7 Federal on Scene Coordinator, Federal Maritime Security
8 Coordinator, as well as the Search and Rescue Mission Coordinator.
9 So I execute all Coast Guard operations in the Commonwealth of
10 Virginia, including all the statutory missions.

11 Q. Can you very briefly tell us your relevant work history?

12 A. Absolutely. So I'm a 1998, graduate of the Coast Guard
13 Academy with a Bachelor of Science in Marine Environmental
14 Science. I was a Engineer Officer in training on the polar sea,
15 where I conducted shipboard firefighting as Gas Free Engineer.

16 I was then stationed at Marine Safety Office, Corpus Christi
17 in the Port Operations Department where I did contingency
18 planning, facility inspections, pollution response, and then
19 responded to military outloads that we conducted down there.

20 I was, went to grad school, so I have a Master's in Chemical
21 Engineering from Johns Hopkins. I did my payback at Coast Guard
22 headquarters in the Office of Hazardous Materials Standards
23 Division, where I wrote the implementing regulations and guiding
24 documents for carriage of chemicals in bulk in the United States.

25 Then I was the Chief of Inspections and Investigations at

1 Sector Southeastern New England for three years. I was also the
2 Chief of, Assistant Chief of Inspections at Sector Hampton Roads,
3 Sector Virginia.

4 I was chief of prevention at Sector San Francisco. And the
5 Chief of Inspections and Investigations at the district, the Fifth
6 District. My last tour was just the Deputy Commander for the last
7 two years, here at Sector Virginia.

8 Q. Do you hold any professional licenses or certificates related
9 to your position.

10 A. I have a lot of qualifications and certificates. I'm a
11 Marine Inspector by training. So, I have Small Passenger Vessel
12 Inspections. I have Machinery Inspector qualification. I have
13 force and control freight vessel, chem tank, chemical vessel, tank
14 vessel as well as a Marine Casualty Investigator, Facility
15 Inspector. And hold a number of ICS, or incident command system
16 qualifications including Operations Section Chief, and maritime
17 transportation recovery unit, as well, type three.

18 Q. Thank you. Mr. [REDACTED] will now have follow up questions for
19 you.

20 MR. [REDACTED] Good afternoon, Captain Stockwell. All of my
21 questions are going to be related to the lead up to June 7, 2022,
22 unless I specifically ask you, otherwise. If you'd like to take a
23 break, please let us know.

24 We've slipped with paper the exhibit binder in front of you,
25 and we'll display the exhibits on the large monitor. If you can't

1 see them or you need more time to look, please let us know. The
2 Coast Guard also uses a large number of acronyms. Please steer
3 clear. And if you slip, and use one, if you would clarify for us.

4 So, in general, we're going to talk about firefighting,
5 salvage, mass rescue, management of those events for the *Spirit of*
6 *Norfolk* that occurred on June 7th, 2022.

7 BY MR. [REDACTED]

8 Q. And if you will explain a little bit more about your
9 background and experience related to an event where you had
10 firefighting, salvage, mass rescue, just briefly.

11 A. Absolutely. The Coast Guard, in general, depending on your
12 specialty you become an apprentice, a journeyman, a master. It
13 really, it's kind of a an entry and progression. So, I have done
14 incident response my entire career, ever since I was stationed at
15 Marine Safety Office Corpus Christi, where I started out in
16 hurricane response and pollution response.

17 And it all follows kind of the same tenets, where you learn
18 from those senior to you and more experienced in how to respond.
19 And then, you apply those similar principles across other events.
20 You may not be the expert.

21 And generally, we're not the experts in, you know, specific
22 vessel types or incidents, but we rely on those subject matter
23 experts to inform our decisions as we're moving forward during it
24 event.

25 I have been involved in a number of responses from, hurricane

1 responses. I've been, I went down to Hurricane Katrina, Hurricane
2 Rita, Hurricane Gustaf. I responded to Deepwater Horizon, as
3 well. All in the Unified Command, Unified Command System.

4 I've more locally, at the Sector level, responded to numerous
5 grounded fishing vessels, sunken crane barges that were complex,
6 they were on top of a transit tunnel. So, a mass transit tunnel a
7 barge capsized and sank right on top of.

8 We've had numerous groundings here in this region regard it
9 for bulkers. Just two years ago, we had a bulker run aground just
10 off the Navy base. So, we had to do a response to that. And
11 those are just a few. And we mentioned already that the, or was
12 mentioned before the Navy aircraft crashed as well. So we did the
13 search and rescue, and response and recovery of that asset.

14 So, a lot of it is based on experience bringing in, you know,
15 using the Incident Command System, the National Incident
16 Management System, NIMS to manage those incidents in a very
17 predictable way, bringing in experts to guide the command and
18 control process.

19 So, would it be fair to say that all Coast Guard personnel
20 reserve, regular, active duty, civilians are required to have
21 Incident Command training to some level?

22 A. Yes.

23 Q. Senior leaders, like yourself, have -- would it be right to
24 say many more required training courses to take?

25 A. For operations ashore, yes.

1 Q. And do you have to recertify at periodic intervals?

2 A. I don't recall the current policy on the currency.

3 Q. So, you were here while Mr. Burkett from the Port of
4 Virginia's Marine Incident Response team was here. And he was
5 talking about a command course, and a search and rescue course.
6 Have you participated in either of those courses?

7 A. Yes, both of those.

8 Q. And was that before the June 7th date?

9 A. It was.

10 Q. In the command course, do they talk about mass rescue
11 operations?

12 A. I'm not sure this, if we talk specifically about it, no.

13 Q. And then, for senior personnel at Coast Guard Sector
14 Virginia, there a plan for mass rescue operations that, you know,
15 that you could show me that said, this is what people do in the
16 event of a mass rescue?

17 A. Yes, we have the Norfolk Mass Rescue Operations Plan that's
18 put out by District 5.

19 Q. And at that the time --

20 A. That guides all of our actions for subordinate commands.

21 Q. And at the time of the incident, do you know if that plan was
22 up to date, and like all the corrections had been applied, and so
23 forth, so that it accurately reflected the guidance of the
24 district, the Fifth District?

25 A. It had been recently updated within the last three to four

1 years.

2 Q. And does any of Coast Guard's personnel that respond to an
3 incident such as the *Spirit of Norfolk* fire, who have ready access
4 to that?

5 A. Yes, our Command Center has ready access to that plan.

6 Q. And if someone was out in the field, and they were told to be
7 dispatched to the event, would they be able to contact the Command
8 center and find out? Like say they had a deficit of knowledge,
9 they weren't sure what to do, what would they then do?

10 A. We probably wouldn't send that person if that's what you
11 mean. If they're, we're not going to have someone read a plan in
12 the middle of a disaster, especially for the initial actions,
13 those were, you know, we have quick response cards that guide our
14 initial actions.

15 And if we have someone sent out to the fields, we can use
16 that generally in the later stages of the response to ensure that
17 we're meeting all the requirements. But our initial response,
18 we're not going to send out a person with a 400-page plan.

19 Q. So, the people that responded to the plan during the day that
20 were tasked with carrying out the plan, they were properly
21 qualified and designated to carry out their duties?

22 A. Yes.

23 Q. Now, I know it's been some time, I'd like you to take a
24 moment, sort of gather yourself, and tell us where you were and
25 what happened with as much detail as possible about the events on

1 June 7th. And then, after we finish that, and follow up
2 questions, we'll talk briefly about the subsequent days. So, if
3 you would start about June 7?

4 A. Sure. On June 7th, it was a Tuesday. I was in the middle of
5 my relief. So my replacement, Captain Britten (ph.) was in, had
6 just reported in the day before, as I was assuming command the
7 following week. Captain Stevens was still fully in command on
8 that date.

9 So, Captain Britten and I were planning to do turnover and
10 had multiple meetings scheduled for that day with members of our
11 staff. Somewhere around 12 o'clock I had the Command Center Chief
12 walked down to my office. Captain Britten was there, as well, and
13 say, and provide the initial report that the *Spirit of Norfolk* was
14 reporting they are on fire off of the Navy base with 108 people on
15 board.

16 We then walked both, this is Captain Britten and I, walked
17 down to our Command Center to try to get additional information.
18 Specifically, making sure we knew the number of people on board,
19 what resources had been dispatched, and hearing any amplifying
20 information we could.

21 I wanted to get a sense on the watch floor for the initial
22 actions that were being taken. Right, first, in my mind was
23 passenger evacuation and accountability. That is always
24 challenging in an event, especially when we're talking a number of
25 people of this extent.

1 So, I immediately, we got to the point where, we're like,
2 okay, well, 108 people. What are we going to do with them? Right
3 off the Navy base. So I, I then called the CEO of Naval Station,
4 Norfolk, Captain Dees (ph.) and said, we have this situation going
5 on. Can I bring passengers to your facility, as like a central
6 location so we can keep accountability? The last thing we wanted
7 was to not have good accountability.

8 He happened to be walking down the pier, a neighboring pier
9 at that exact moment when I was calling him. And said, I see the
10 *Spirit on Norfolk* on fire right now. I'm in the car with my Fire
11 Chief, bring it here, bring all the people here. We're, I'm
12 coordinating the response.

13 So, I felt much better, right then in there. So, Captain
14 Dees, CEO of the Naval Station was on the pier watching the
15 scenario unfold. Standing next to his Chief, his Fire Chief, so
16 Navy Region, Mid-Atlantic.

17 Once we had, I had confirmation that we could bring people
18 there, then I went back and tried to figure out what resources we
19 were sending, or were already on scene. This was an extraordinary
20 response that was really driven by good Samaritans and maritime
21 professionals.

22 So, the Coast Guard did respond, and we did launch assets.
23 And we did issue an urgent marine information broadcast, which is
24 a notice to the maritime public that we have a disaster in a
25 certain area, and location, and asked for a request.

1 But our maritime community rallied and immediately responded.
2 This was not really directed by the Search and Rescue Mission
3 Coordinator. It was, but the specific actions of those towing
4 vessels, and the *Victory Rover* were not specifically directed.

5 So, when we found, or when I found out we had tugboats, they
6 were going, they were on scene. We then learned that the Maritime
7 Incident Response Team, specifically Bill and Tracy, were going to
8 respond. That Tracy was going to come to our sector building to
9 help with the communications.

10 I called Captain Stevens at that time. He was up at our
11 training center in Yorktown giving a presentation to provide a
12 brief on this situation, letting him know that we had a mass
13 rescue operation. And to kind of, where we were with the
14 resources.

15 We decided to close the waterway at that time, as well, to
16 ensure we could stabilize the situation and not risk anything
17 further. And too, we called our District Public Affairs
18 individuals, as well, to ensure that we had, you know, support
19 because we knew there'd be media interest, like immediately.

20 So, our primary focus right out of the gate was passenger
21 accountability and safety. We wanted to evacuate those passengers
22 and crew as safely as possible. We had gotten the report that the
23 vessel had lost all propulsion and could not maneuver.

24 And given that location and our port being right next to the
25 Navy base, there weren't many options to deal with it. That is

1 our main shipping channel that feeds almost the entire entire port
2 complex. So, any kind of negative interactions, or you know,
3 having a vessel capsized and sink in that area would be
4 detrimental for our national security, for our Navy base, as well
5 as for our economy in this region.

6 So, it was very important that we had, we stabilize that
7 situation and try to make sure we could move that vessel somewhere
8 else. But again, first and foremost, the safety of those
9 passengers was paramount.

10 We wanted to make sure we had a good, accurate count of
11 people. It doesn't matter whether they're passengers, crew, or
12 entertainment staff. We just needed to know how many folks we had
13 on board that vessel we needed to rescue.

14 At that point. We sent a very seasoned individual over to
15 the Navy base. Someone who is a Command Duty Officer, a Search
16 and Rescue Mission Coordinator, as well as, just a really a star
17 professional, just an expert.

18 So, we sent over Chief Warrant Officer Butierries to act as
19 our liaison, initially, at the Navy base to make sure we had good
20 coordination between the Command Center and the incident on scene.
21 Because what can happen in these very dynamic, challenging
22 situations is that the communication does not come back to the
23 Coast Guard, it has a tendency to stay with those entities that
24 are on scene, and then we are struggling to get accountability.

25 So, we immediately deployed someone down to the Navy base.

1 It wasn't that long later, where Captain Britten and I made the
2 decision then to also head over the Navy base, just we were, we
3 understood there was a lot of vessels.

4 The decision was made at some point to, the vessel will
5 likely be brought to the Navy base. Captain Dees called me back
6 and said we're going to bring her to, we're going to bring her to
7 the Navy base Don't worry about it. We'll figure it all out
8 later.

9 It was simple, smart solution, excuse me, that the Navy
10 accepted. They had no, they had no reason to bring that vessel
11 there except to be good neighbors. So, their authority and their
12 jurisdiction is to protect their assets, not to bring a risk to
13 their facility.

14 But Captain Dees went at risk to ensure the safety of the
15 public and all those people on board. So, again, right around
16 that time, I went to the Naval Station with Captain Britten. In
17 route I was on the phone asking a lot of questions to a lot of
18 different people.

19 Specifically, I called back to our Prevention Department and
20 wanted to get specifics on the *Spirit of Norfolk*. I wanted to
21 know what their stability -- because I knew they were a subchapter
22 K, but they were a TL, which means that they're a simplified
23 stability vessel, they're not required to have intact stability.

24 So, there was not a lot of information potentially available.
25 I wanted to know, how much of that vessel we could safely flood

1 to, until we had stability concerns knowing we had a fire on
2 board? How much water can we put on board to safely fight that
3 fire?

4 And I wanted, basically, a quick history of the vessel. And
5 I asked that team, as well, to send down some Marine Inspectors
6 who had been recent recently on that vessel, so that we could have
7 that expertise down on the pier, as well.

8 So, someone that knew that vessel and could help in the
9 firefight, direct firefighting actions, if needed. So, those were
10 sort of things that I did in route. In addition in route, I had a
11 conversation with Captain Stevens, again, multiple conversations.

12 At that point, we got word that the *Victory Rover* was heading
13 back to Town Point Park. And he and I decided that I would go to
14 the scene, the Navy base. And he would go to meet the *Victory*
15 *Rover* and the survivors.

16 We did not know what sort of situation they were going to
17 encounter when they returned to Town Point Park on the *Victory*
18 *Rover*. We wanted to ensure of their welfare. We also wanted to
19 coordinate any investigation, initial investigation activities.

20 And we didn't know if there would be a lot of media showing
21 up. So, we wanted some senior Coast Guard presence there to deal
22 with any media or any sort of questions we receive from the
23 passengers at that point. So, Captain Stevens went to Town Point
24 Park to do that.

25 So, I arrived on scene I think somewhere around 13:30.

1 Everything kind of goes together. So, when I arrived on scene,
2 the *Spirit of Norfolk* was alongside. They were flowing
3 firefighting water. We had naval, we had Navy Region -
4 Mid-Atlantic fire assets, and Norfolk fire assets on scene.

5 There were two command posts setup. Each had their suburban
6 with a tailgate dropped, had a command post flag, and two Fire
7 Chiefs, both wearing Incident Commander vests. So, just a minute.

8 So, I went up to where there was a group of folks and
9 introduced myself to the Fire Chiefs. Let them know that I was
10 there as really a vessel expert to them, a representative of the
11 Captain of Port, and the Coast Guard, and that I was there to help
12 facilitate the safety of this vessel and the response actions.

13 They had the fire control plan laid out at the time. And I
14 said, again, I said, look, I have people coming that can you
15 interpret this. I have, I'll get, you'll have -- I should have a
16 phone call any minute to determine the stability and any concerns
17 we have regarding firefighting.

18 I then shortly got the call back from the prevention team
19 that said we could completely flood the engine room and still
20 maintain stability of this vessel. So, I was like, great. I then
21 walked over to the Fire Chiefs.

22 And I'm not exactly sure who I talked to. I know I talked to
23 Navy and Norfolk at the same time. I said, you can, you can flood
24 the engine room and maintain stability. That's all I can
25 guarantee until we can get some more stability calculations on it.

1 They said great, thanks. I told Mr. Burkett the same thing.
2 Hey, simplified stability. Because again, when we're dealing with
3 firefighting, when the, you know, maritime, marine firefighting,
4 that is the main difference between when we have our shore side
5 responders go to a maritime events, they are, they can flood --
6 I've seen it happen before.

7 They expend too much water on the vessel, and then they sink
8 it, or capsizes. So, that's the last thing we wanted in this
9 case, was to sink the vessel, or capsized the vessel at a Navy
10 pier that was then going to impact national security, or the port
11 complex.

12 Shortly thereafter, I remember talking to Captain Ryan a few
13 times, as well. You know, my first, you know, when I arrived on
14 scene, I wanted confirmation three times that we had everybody
15 off. You know, I got it from Captain Ryan. I got it from
16 Mr. Burkett. And I got it from the Fire Chiefs, as well.

17 They were all confident that we had everybody off that
18 vessel. And at that moment, I know I, I breathed the sigh of
19 relief. Because I walked up, and this vessel was on fire. And it
20 was a, it's an, it's a T-boat (ph.), subchapter K. I'm sorry,
21 subchapter K, but there's a lot of grandfathering, and to the old
22 subject are TL, which means it did not have the fire protection
23 systems that other ones.

24 And because of its route, they're primary life saving was
25 life jackets. You know, this, this entire event could have been

1 an absolute disaster. This entire time I'm going through this
2 response, I'm telling everybody, we don't have to talk to families
3 about loss of life.

4 So, at that point, when we got confirmation that we had
5 everybody off, it was, it was a win. It was a win for the port
6 because it was out of the main shipping channel at that moment.
7 And we had at that moment lost no lives and had no major injuries.

8 As we progressed, after I mentioned about stability concerns,
9 turned, and went, and started talking to some of the firefighters.
10 I spoke to the individuals in charge of the tugboats that were
11 providing firewater, over to the *Spirit of Norfolk*, as well. They
12 were being controlled by a navy docking pilot. So, we started
13 talking about, and we're watching the draft marks, as well, and
14 watching the vessel take on water.

15 At some point, I knew they were going to make entry into the
16 vessel because the plan, as I understood it, was they were going
17 to access the hatch in the main deck, and they bring a foam line,
18 and drop a phone line in there.

19 That was the plan that, as I understood it entire day. You
20 know, up and through when it did not go, until we had the Mayday
21 event. The plan, as it was articulated to me, was access the
22 hatch, drop a foam line. And then, we'll put foam down there to
23 suppress the fire.

24 I remember watching the teams go on board to do the
25 reconnaissance. I remember watching Chesapeake Fire Department

1 come was with the foam and setting up the foam. I remember
2 waiting patiently for everything to be in place for that final
3 attack, the second team to go on board to then access that hatch.

4 Again, it was my understanding and it still is until today,
5 that, that second team was going on to access the hatch.
6 Somewhere in there -- let me back up for just a second. Somewhere
7 in there, I remember going up to Captain Ryan and saying, can you
8 please show the fire teams, the firefighters were that hatch is,
9 generally, on the vessel? Not just on the fire plan that's on the
10 back of the suburban, but on the side of the vessel.

11 And he walked a firefighter over to the starboard side of the
12 vessel and pointed that that's where the hatch should be. So,
13 again, you use your experts to your best advantage. He knows his
14 vessel best. So, when they went to make the second entry, I'm
15 standing on the pier.

16 I'm standing on an elevated platform right stern, next to
17 Mr. Burkett. I'm next to Chief Brooks from Norfolk Fire. And I'm
18 next to the the Navy docking pilot who's controlling the tugs.
19 And we're waiting, and we're waiting, and we're waiting.

20 And we're all wondering, we said it aloud. Why is it taking
21 so long to go to the hatch? Then there was a loud noise and a
22 vessel listed to starboard, or to port, immediately listed to
23 port.

24 At that moment, I leaned over to Chief Brooks, and said get
25 them off. I didn't know -- but I also knew we didn't have a lot

1 of stability to work with in this vessel given how how much
2 freeboard it had and the draft. I was very concerned about those
3 firefighters.

4 And for the next five to ten minutes, I was having
5 conversations with Mr. Burkett about where we can get dive teams
6 because I thought we're going to have to pull firefighters out of
7 a capsized vessel.

8 I cannot express enough how dire that situation was. And I
9 understand that, again, the plan up until that point, as I
10 understood it was to access the hatch. But it would become very
11 obvious that it wasn't.

12 As soon as they came off that vessel on the Mayday, we all
13 knew it was articulated that they had opened the watertight door
14 on the galley deck, and it had been left open. So at that point,
15 we knew that we had no fire control. We had no more watertight
16 integrity with the the engine room either. So, we did not know
17 what the stability of that vessel was at that moment.

18 As soon as the Mayday had been properly recovered, we had
19 recovered all of our firefighters, we immediately huddled as
20 leadership. And that leadership was Navy Region - Mid Atlantic,
21 Norfolk Fire, myself, the base CEO. And I know there were other
22 people there because it was larger circle than just the four of
23 us.

24 But we went around. Chief Brooks from Navy, or from Norfolk
25 Fire led it. And said, we're not going back on. Does anyone have

1 any problems with that. It went around to everybody. And we
2 said, nope, right now, the plan is not to send anybody back on
3 board. We're going to cool. We're going to do boundary cooling.
4 And that was the plan.

5 For me, that was the moment the formal Unified Command was
6 established. The incident, up until that moment, it was an
7 incident. Right at that moment, we formalized and became a
8 Unified Command because we were all bringing our our authority and
9 jurisdiction to bear for the safety, security of that vessel, and
10 the port.

11 So, when that happened, it was very clear, out of that, for
12 me, out of that discussion, that we were not going back on board
13 because we had a lot of concerns about the stability of the vessel
14 that we could not answer.

15 A little while later, about a half an hour later, we then
16 made a decision to put foam into the engine room via the
17 ventilation ducts, which we then executed. And then, later, later
18 that day, a little while later then representatives from Don John
19 (ph.), the responsible parties, salvage team came on.

20 Mr. Edgar showed up. He said he was a Naval Architect. I
21 was very thankful that we had a Naval Architect then on scene. I
22 said, great. What? What? You know, how are we on stability?
23 He's like, and then, he said, we're going to go back on. And he
24 started talking to Navy Region - Mid Atlantic, about going back on
25 board.

1 And that's when I intervened. I said, look, until you can
2 provide some sort of stability calculations. We're not going back
3 on board. He's like, I've done -- I know what I'm doing. I've
4 got a lot of experience. And I'm like, great, show me the
5 information.

6 To me, we lacked comprehensive stability information to risk
7 the lives of responders for, for the vessel. At that point, was,
8 you know, still on fire. We, again, we had made a decision on the
9 command team and the responsible party's representative, Don John,
10 was going outside this Unified Command process that we had
11 established and decision we had established.

12 And that's when I went up to him and said, you're not going
13 back on board. And the Navy agreed. After I explained my
14 reasoning, the Navy agreed. Navy Region - Mid Atlantic is used to
15 responding to fires on combatant vessels.

16 Combatant vessels are built to different standards than
17 commercial vessels, especially the *Spirit of Norfolk*. The *Spirit*
18 *in Norfolk* is not built to, again, intact stability in multiple
19 subdivision. It was a lake space and sounds (ph.) route, no more
20 than one mile from shore. That means it has a limited stability.
21 And it's again, not built to the same standards.

22 The Navy did heroic actions. But they do not understand
23 commercial vessel standards. And that's where I came in to
24 clearly explain that we had, we were, we had incomplete
25 information for stability to make these sorts of decisions. At

1 that point, they agreed.

2 I then went over to Captain Stevens who had arrived on scene
3 a little while before that, and told him that I basically stopped
4 the second entry attempt. At that point he, we decided we needed
5 to have a formal, a more formalized Unified Command meeting.

6 And that's the 20:00 meeting in the command that, you know,
7 we call PAC 1, the command post, the command bus. That's when we
8 brought in the major players from all the agencies that were
9 there.

10 And it included the responsible party. Ms. Thompson Price
11 was there. And Mr. Smith was on the phone. It was the the Naval
12 Station CEO. It was Navy Region - Mid Atlantic Chief, the Chief
13 of the Fire. It was Norfolk Fire, Fire Chief. And it was the
14 Coast Guard. We had the Department of Environmental Quality on
15 scene, excuse me, on the phone as well.

16 And that's when we went around and talked about what our
17 objective, priorities and objectives were for, for this response.
18 It was life safety, number one. It was protecting the port and
19 the environment.

20 Our priority was maintaining stability of that vessel. The
21 last thing we wanted to do was to change the stability of that
22 vessel to where we had a new problem to deal with, specifically
23 capsizing or sinking at a Navy pier when we were moored adjacent
24 to, again, warfighting vessels.

25 It was very dynamic. The two mooring lines that were

1 attached to the *Spirit of Norfolk*, were from the *Spirit of*
2 *Norfolk*, and were subjected to the heat of the fire from the
3 *Spirit of Norfolk*. So, we were very concerned on maintaining
4 stability of the situation.

5 Again, priority was life and safety, the safety of our
6 responders, and maintaining stability of that vessel, and
7 protecting kind of the equipment around it, as well as the
8 environment. So that was the 20:00 meeting of that day.

9 Shortly thereafter, unfortunately, the fire rapidly
10 progressed through the *Spirit of Norfolk*. So, somewhere around
11 20:30 you could see the fire progressed throughout the main deck
12 of the *Spirit*. And then, the windows let loose on the main deck.

13 So, we knew at that point, unfortunately, that it was, we
14 were there to manage the situation to make sure we didn't put too
15 much water on the vessel, and to try to protect the infrastructure
16 around it.

17 We had requested multiple times stability information. We
18 wanted to know what is the max drafts we could get to before we
19 had significant stability concerns. When would it capsize? What
20 do we need to be very careful with?

21 The direction for the overnight period was boundary cooling
22 and minimizing water onto the vessel. That was our direction to
23 the fire teams was to boundary cool and minimize water on board
24 that vessel. So, we were trying to just, we were just trying to
25 keep it afloat at that point.

1 So, that was -- and we had a lot of communication up and down
2 the chain of command. And there was a press conference as well
3 during that that day, which I participated in. So, I'll stop
4 there.

5 Q. A couple of follow up questions. When you initially called
6 the Sector Commander who was a Yorktown, Yorktown can be 45
7 minutes, or two or three hours away by car. What did he tell you?

8 A. He said he's, he'll be right there. So, he said he was
9 wrapping up what he was doing. And he would had right down. But
10 he had full trust and confidence in our team.

11 Q. So there's been talk about a Coast Guard Investigator on the
12 dock at Navy Pier 4. Did you interact with that Investigator?

13 A. At Navy Pier 4 or down at the Town Point Park?

14 Q. No. At that at the Navy Pier 4. He was reported to have on
15 several occasions, had Captain Ryan, the Captain of the *Spirit of*
16 *Norfolk* step away and answer incident investigation questions
17 during the response phase. Were you aware of that?

18 A. I don't recall, no.

19 Q. Could you expand on, you mentioned grandfather, a lot. So,
20 you talked about concerns for intact stability. Does that also
21 apply to life rafts and buoyant apparatus, as it relates to the
22 *Spirit of Norfolk*?

23 A. I'm not 100 percent sure on what regulations would be
24 applicable to a newer vessel, specifically life saving. I don't
25 want to get that one wrong. But I definitely know the fire

1 detection and fixed fire suppression systems were not required
2 based on the build date of this vessel.

3 Q. And very briefly, the term grandfather is like slang for,
4 would I be correct if I said because of its age construction, or
5 the time the regulations were put in place, the vessel was
6 actually exempted from certain regulations?

7 A. Correct. I like to use the analogy of a car. Right? You
8 build, or you buy a 1984 Jeep, just I have one, you know. But
9 newer cars are required to have airbags. My '84 Jeep is not
10 required to go back. It's grandfathered. So it's because it's
11 it's older. The newer models require that, and older vessels do
12 not.

13 There are certain regulations we, we say we grandfather, we
14 allow exemption. They don't, the new regulations do not apply.
15 And there are certain regulations that all vessels, regardless of
16 build date then have to apply. So, we say those that don't have
17 to are grandfathered, meaning they can continue to exist without,
18 or with their current equipment.

19 Q. Is there another exemption? When we showed the Coast Guard
20 Exhibit 001, which is the general characteristics of the vessel,
21 it may be odd that the vessel is classed at 11,152 international
22 tons. And then, at the same time, the vessel has 99 gross tons
23 regulatory. Can you explain the disparity in the numbers and what
24 that may mean to the regulations that affect the vessel?

25 A. So, the Coast Guard uses regulatory tonnage for our

1 certificates of inspection on non-international voyages. So,
2 that's how we determine compliance. Then there's the
3 international tonnage convention, which it measures tonnage
4 differently. So, we have very different numbers for our
5 regulatory, U.S. regulatory, and then, the international.

6 Q. I want to clarify, you mentioned the Navy docking pilot and
7 the tugs that were out there providing assistance. Based on your
8 knowledge was Mr. Burkett communicating with the tugboats? And
9 then, out on the waterway, the Navy docking pilot was doing
10 something with the tugs? I was under the impression that for
11 example, Mr. Burkett was communicating from that incident command
12 post and directing the operation of the tugs?

13 A. At some point there was a transition. So, the Navy docking
14 pilots have a contract with Moran (ph.). So, they're, the Navy
15 actually. The Navy has a contract with Moran towing vessels for
16 explicit use and sole use for the Navy. They're controlled by
17 Navy docking pilots.

18 So, I'm not, I don't want to talk for Mr. Burkett. But I
19 what I saw, when I was there, was the head of the docking pilots
20 was standing on the pier with me relaying communications to the
21 Moran tugs.

22 There was a transition. We had McAlister tugs, and we had
23 Moran tags. We had other tugs, as well. There was a transition
24 to solely Moran tugs. And McAllister left and Moran stayed. And
25 again the Navy docking pilot was communicating actions.

1 And it was a lot of information. They, the Moran tugs would
2 relay back the draft meetings on the port side. Or, when the, if
3 a fire chief wanted to change the location of the water spray that
4 would get relayed through through the Navy docking pilots.

5 I think what happened was that, maybe -- this is a little bit
6 conjecture, so I apologize. But that Navy docking pilot wasn't on
7 scene initially. So, at some point, there was a transition from
8 what Mr. Burkett did to the Navy docking pilots. Because I know
9 at some point, the Navy docking pilots were the sole ones talking
10 to Moran.

11 Q. So, for the benefit of the public, Coast Guard Exhibit 003,
12 which I'm not going to ask to be displayed contains all the logs
13 and assist tug information that includes draft readings and so
14 forth. So, I'm not going to reference those. But I just want the
15 public to understand that.

16 You directed, or you had a conversation with the Captain of
17 the *Spirit of Norfolk*, and you suggested that he help the
18 firefighters understand where the emergency escape hatch? Would
19 that be correct?

20 A. Yes.

21 Q. Did you see any conversation that maybe the Captain of the
22 *Spirit of Norfolk* had, and a firefighter, or Incident Commanders,
23 or anything like that, where they were talking about hinges or any
24 problems that might be encountered with the emergency escape
25 hatch?

1 A. No, I witnessed it from afar. So, I saw Captain Ryan talking
2 to a firefighter, and from afar. So, I was at a distance. They
3 were pointing and they were talking. I don't know what that
4 conversation was.

5 Q. And the time that the Unified Command was stood up after the
6 Mayday call, can you approximate what time that was?

7 A. The informal stand up meeting?

8 Q. Yes.

9 A. Probably 15 or 20 minutes after that. So, like I said, when
10 we got all the firefighters off, when we had assessed the
11 situation, and ensured we had no major injuries from those
12 firefighters, that's when we had the command huddle. And as I
13 believe, that was the formal, formalization of the Unified
14 Command. The first sit down meeting was at 21:00.

15 MR. [REDACTED] Briefly, Lieutenant [REDACTED] can you pull up
16 Coast Guard 093? These are a set of photos. And ma'am, you'll
17 see them up here. I don't think you need to look at them,
18 exactly. But Coast Guard photos taken on June 7th.

19 BY MR. [REDACTED]

20 Q. If you'll pull up page 1? Do you know where that photograph
21 came from?

22 A. I either took it or somebody provided it to me. It looks
23 very familiar. That was the back of the, one of the fire teams.
24 That was one of the command vehicles. So, that was one of the
25 incident command posts from one of the Fire Departments.

1 Q. Looking at that, would you be able to recollect if that was
2 after the Mayday call, and firefighters are coming back to the
3 command post?

4 A. Do you have the metadata on that?

5 Q. I probably do. I just was wondering if you recollected?

6 A. I think it was before. It looks like it was much earlier in
7 the day, because around 16:00 is when we had the Mayday. And it
8 was very bright through the majority that the first part. But
9 again, the metadata would tell us what time that was.

10 Q. And what, what I think I'm seeing there in the redacted image
11 on the right, there's a orange vest Incident Commander. And then,
12 over there behind the two firefighters on the left, there appears
13 to be another Incident Commander, is that what you witnessed?

14 A. Yes. I saw two people with Incident Commander vests on,
15 correct.

16 Q. In your training for these type of events, have you seen
17 instances where there are two Incident Commanders?

18 A. So, in Unified Command, you can have multiple Incident
19 Commanders because each Incident Commander represents their
20 Agency, but you're acting in a Unified Command. In this case, I
21 haven't seen this specific. Two separate agencies show up with
22 two separate Incident Commanders. That was, it was confusing.

23 Q. So, was there like a standby plan that you were aware of that
24 if the, putting the foam in to the engine room escape hatch wasn't
25 accomplished, they would, you know, when the firefighters got off,

1 they would immediately begin foaming the engine vents on either
2 side of the vessel, particularly on the starboard side, the side
3 against the dock or pier?

4 A. No, that was not the initial plan. So, it wasn't discussed
5 as part of the initial plan. The initial plan was, we access the
6 hatch, drop the foam line, spray foam, stop, let it work. We
7 didn't decide to use foam on the vents until after the Mayday
8 event.

9 Q. At any time on June 7th would you characterize that you were
10 in charge or directing firefighting activities?

11 A. Is that the complete sentence? I'm sorry?

12 Q. Yes.

13 A. Or the question?

14 Q. Yes.

15 A. Did I feel like I was in charge? Yes. Not directing
16 firefighting actions. The only time where I reached over to the
17 Fire Chief and said get them off is when the vessel violently
18 leaned to port, and there was the loud noise, which we thought was
19 the over flash.

20 So, that was the only time I made a safety call for
21 firefighting actions. But I was not directing the firefighting
22 actions. I was providing information to the firefighters, so that
23 they could best utilize it.

24 Q. Is there any procedure or policy that would give you the
25 authority to make a safety call under the situation of a moored

1 vessel?

2 A. Absolutely. As Officer in Charge of Marine Inspection, as a
3 commercial U.S. flagged vessel, I am ultimately responsible for
4 the safety, security of the port, of the vessel, and the
5 environment. So, as you know, Officer in Charge of Marine
6 Inspection, as Captain of the Port, and Federal on Scene
7 Coordinator, those all go together.

8 Again, it comes down to -- and Search and Rescue Mission
9 Coordinator. That was on a vessel moored at a facility, and those
10 actions could have then resulted in another search and rescue
11 case.

12 Q. And did you have full delegated authority to make those
13 decisions?

14 A. Yes. So as a Deputy and a Sector Commander, and part of it,
15 too, is just the authority that comes with being on scene and
16 representing the Sector. So, while I wasn't the Sector Commander
17 at that time, I was a senior person present. And you have to make
18 those immediate calls for life or death. I cannot call back.
19 That's not how our organization works.

20 Our organization has always been strong because of our
21 trained initiative. I am trained in my job. I am the alternate
22 in all of those authorities. And I can execute them. So, if
23 Captain Stevens wasn't there, and it needed to be a judgment call
24 that minute, and it was, I had to make it. And I would do it
25 again in a heartbeat.

1 MR. [REDACTED] So, Lieutenant [REDACTED] please bring up Coast
2 Guard 085. This is a exhibit showing all the draft readings that
3 the Coast Guard had access to. And it shows the stability
4 condition of the vessel based on what they call Rhino computer
5 modeling. And I don't know what the acronym means. I'm not a
6 Naval Architect. He's going to run it.

7 And what I want you to take a look at while it runs is, in
8 the initial beginning of the animation, you'll see the vessel
9 lurch. Not physically lurch, but the stability will change to
10 port. And I just want to see if that's what you witnessed that
11 day.

12 You can stop there, Lieutenant. These, these readings here,
13 as we move, we're moving into the 8th of June. So, we'll run it.
14 And then, I'm going to use that so that we can shift into the
15 activities that you carried out on the 8th of June. Will you
16 finish it, sir? Thank you, sir.

17 BY MR. [REDACTED]
18 Q. So, starting with some granularity of detail about the role
19 and function you performed on the 8th of June, would you walk us
20 through that? And then, you know, flush out the 8th of June. And
21 then, briefly take us through the remaining days that you were
22 involved. If you weren't involved, please don't explain. For the
23 *Spirit of Norfolk* and what activities you directed or were
24 involved with.

25 A. Okay, great. So, on Wednesday -- just to quickly go back.

1 So, Tuesday night, had a conversation with Senior Coast Guard
2 personnel. So Captain Stevens, myself, Captain Britten, and our
3 Response Chief Commander Elfguinn, we said we all can't be here.

4 We have to figure out how to move forward because we had
5 other, we have other incidents to plan, we have other
6 responsibilities to cover. So, it was it was determined that I
7 was going to be the Incident Commander or Deputy Incident
8 Commander. That we'd, that Captain Stevens and I were going to
9 share that role.

10 So, I was the Deputy he was the Incident Commander. But what
11 that means, in essence, is whoever is there is the Coast Guard's
12 Incident Commander. We are a part of the Unified Command. And
13 each Agency has their own Incident Commander.

14 So, I running that role. So, on Wednesday morning, I show up
15 around 05:30. I had just departed, I think the previous evening
16 around 23:00. When I arrived there was light smoke that was
17 visible from the vessel. And there was, they were, the
18 firefighters were using infrared to look for hotspots. And they
19 had said they had identified one hotspot and they were cooling it
20 externally.

21 We had made the decision, or request, that we have a slow
22 speed, no wake through that area because the vessel was continuing
23 to take on water, and we wanted to minimize any wake effect from
24 passing commercial vessels.

25 Again, that was the main ship channel, and all of our large

1 commercial vessels transit that area. And that is a very narrow
2 area. So, the hydrodynamics of vessels passing can cause vessels
3 to be pulled away from their moorings if the vessels are passing
4 too fast.

5 We had a Unified Command meeting sometime that morning around
6 08:00. At which time, we then received information from the
7 responsible parties, salvage team on the water on board, and max
8 draft readings for stability.

9 So, at that point we received more information on -- once we,
10 you know, it was these are the max drafts that the port,
11 starboard, bow, and stern that we could have to ensure stability
12 of the vessel.

13 Those numbers were verified by the Coast Guard Salvage,
14 Engineering and Response team at the Marine Safety Center. So, we
15 were confident we had good numbers for stability from the Naval
16 Architect, from the responsible party, as well as the Coast
17 Guard's Naval Architect professionals.

18 So, during that day, we talked extensively about dewatering.
19 We knew we had to get the water off. We were, we were adding
20 water just through cooling action, and needed to get water off to
21 increase the stability, and really give us, we were eventually
22 trying to just dewater, so we can go on board to overhaul, and
23 fight the fire.

24 So, dewatering was discussed extensively that morning. The
25 responsible party was contracting different methods to remove it,

1 including, they're called Frac tanks. And I'm trying to find the
2 acronym. Let me figure it out. It's basically mobile tanks. So,
3 think of a container on wheels. And those were, they bought
4 brought two of them to the to on scene.

5 So, two of these large tanks, they were brought to the scene
6 to start dewatering the *Spirit of Norfolk* to by us time because
7 they were bringing a barge on scene to provide more capacity to
8 dewater.

9 The timeframe for the barge arriving on scene kept delaying,
10 extensively delaying. There were multiple delays in receiving
11 that barge to transfer into. When we started dewatering -- so,
12 the Unified Command approved the dewatering plan around 14:20 that
13 day. And we commenced dewatering at 16:00 into those portable,
14 portable tanks.

15 We quickly ran out of space within, within an hour. Part of
16 it was the FFF, the fire fighting foam that that was used, used a
17 lot of that capacity of that tank. So, we were not able to use
18 this full volumetric part for water.

19 We had to stop at that point. And again, we kept waiting for
20 the tanks to arrive, or for the tank barge to arrive. The tank
21 barge eventually showed up around midnight that night. And we
22 were waiting for the tanker man, which is a certification, a Coast
23 Guard credential to have to ensure we had a proper and safe
24 transfer.

25 So, we had pumps that were rigged on board the *Spirit of*

1 Norfolk that we're going to transfer. Actually, I'm sorry, that's
2 not correct. We were going to use the installed equipment on the
3 tank barge to then dewater the spirit of Norfolk.

4 And we were waiting for the person in charge, the tanker man
5 to arrive. That person was not set to arrive until 4 o'clock in
6 the morning. And we, the Naval Engineer had told us he thought we
7 would be good through the evening to continue as we were.

8 So, we were honestly in a crossing fingers plan, which is
9 never a great plan to ensure we had enough freeboard left until
10 the tanker man could arrive to dewater. And so, that was
11 Wednesday. Between Wednesday night and Thursday morning was very
12 dynamic. You want me to go into that?

13 Q. What I'd like you to do is just truncate, and very briefly,
14 as briefly as possible, just go through those subsequent days.

15 A. So, that next morning, Thursday morning. The Coast Guard
16 senior person on scene called Captain Stevens direct, and said
17 we're going to lose the vessel.

18 The port quarter, the port stern is awash. We need to start
19 the dewatering now. Captain Stevens gave the approval to do what
20 we call an over the top transfer, which means we were pumping
21 straight out of the *Spirit of Norfolk* into the manhole covers of
22 the tank barge, not using the installed system, and without the
23 tanker man on scene yet.

24 Because we needed to get water off the *Spirit of Norfolk*, or
25 it would capsize. So, Captain Stevens made that decision to do

1 that. *Norfolk* -- so, long story short, we finally made positive
2 grounds over a couple hours. But it was because of a lot of
3 effort on the Navy side, and the salvors had to bring in multiple
4 different pumps.

5 We brought the Marine Chemist in later that day. The Marine
6 Chemist is there to do an evaluation of the atmosphere that was on
7 board, because we know what sort of protective equipment
8 requirements we are going to have to mandate to work on board this
9 vessel.

10 And then, we started working on the overhaul activities.
11 Making sure we did a systematic overhaul to ensure that the fire
12 was out. And, and agreeing on what the definition of overhaul
13 was. We then also began the tow plan that day as well.

14 Thursday night we wrote formal standing orders following,
15 kind of, a miscommunication the night before. So, it was three
16 signatures on a page that listed exactly what we expected the
17 responsible party salvors to be doing that evening. And anytime
18 they should call, the lead salver, myself, and the Navy -- so, it
19 was basically very, very specific times when they should call us.

20 Next day was Friday, we were refining the tow plan. We got
21 the dive plan approved because we needed to. For the tow, we were
22 going to close up all the through-hole fittings, and lock the
23 rudder.

24 Around 11 o'clock we are received our Endangered Species Act
25 consultation. We submitted it to the Fish and Wildlife Service.

1 Sorry, or we submitted it to the National Oceanic and Atmospheric
2 Administration and the Federal Wildlife. I'm sorry, I can't do
3 acronyms right now. I apologize. So, we submitted our, the Coast
4 Guard's, formal Endangered Species Act consultation because of our
5 Federal actions to our required State, or Federal partners.

6 So that was Friday. So, Friday, we were working towards
7 approved tow vessel plan approval. We were working on overhaul,
8 again, and they were diving. On Saturday, at 09:59 the fire was
9 declared out by the Navy Region -Mid Atlantic and Don John, the
10 responsible party's salvor. And at 15:00, we sent the final tow
11 plan for approval and review.

12 And then, we worked on updating the Captain of the Port
13 order, which was allowing the vessel to move for Sunday morning.
14 Sunday morning, we had a safety brief for all involved, first
15 thing. I believe it was around 04:30.

16 And at 05:47, the *Spirit of Norfolk* was underway from Naval
17 Station Norfolk en route to Kiwanis. And it arrived there around
18 07:45. And we demobilized our incident command post, Unified
19 Command at 10:30 that day.

20 Q. Thank you, Captain. Do you know when the Salvage Emergency
21 Response Team was called and notified to stand up and support this
22 effort?

23 A. On the 7th, the evening of the 7th?

24 Q. And when did you become aware of the situation on board the
25 *Spar Lyra*, the loaded bulk carrier that was northbound in the

1 Elizabeth River, and lost propulsion steering and electrical
2 power?

3 A. I was standing at the pier. I was standing at the pier on
4 the Navy base. So, 14:00 timeframe. It was, I got a call from
5 the Virginia State pilots letting me know about the situation.
6 And then, I called back to our command center who had already
7 managed that, who was already managing that incident. So, it was
8 well past me at that point.

9 Q. My final question, Coast Guard Exhibit 71, which is the
10 combined transcripts of all the preliminary interviews, including
11 your own, we interviewed Mr. Edgar, who's the salvage
12 representative. He said that he was --

13 We asked him if he'd witnessed the catastrophic capsizing of
14 a vessel. And he said, yes, he had. And then, he said he never
15 thought the vessel was in danger of capsizing. Did he ever
16 communicate that? Like, based on his opinion, the vessel is not
17 in danger of a sudden and catastrophic capsizing? Did he
18 communicate that within the Unified Command structure?

19 A. So, not within the Unified Command structure, not the 20:00
20 meeting. On the pier when he and I were having a conversation,
21 and he said, he's done this many times before.

22 And I said, can you show me your stability calculations or
23 give me, any show me any sorts of information to again, verify
24 that the vessel is in a non-compromised stability state? He could
25 not articulate. It said, it's just based on my experience. And

1 at that point, after having a Mayday with four firefighters, we
2 needed more definitive information than someone saying, it looks
3 fine.

4 MR. [REDACTED] Thank you. I just I just want to say for the
5 record that Coast Guard 048 are the notes of Mr. Edgar that
6 contained his field calculations, and so forth. We asked him to
7 provide that. So, thank you, very much, Captain. That's all I
8 have.

9 CDR WADDINGTON: It seems like a good time for a break. The
10 time is 4:26. We'll reconvene at 4:35. Thank you.

11 (Off the record at 4:26 p.m.)

12 (On the record at 4:35 p.m.)

13 CDR WADDINGTON: Time is 4:35. This hearing is back in
14 session. Commander Roy, do you have a few questions for this
15 witness?

16 CDR ROY: Just a couple of questions, sir. Good afternoon,
17 Captain. Just a couple of follow on questions from some of your
18 testimony today.

19 BY CDR ROY:

20 Q. When you were telling, when you were testifying about
21 Catherine Nadeau showing the firefighter, and you said you were,
22 obviously, you weren't standing there, but you were at a distance.
23 Do you remember what Department that firefighter was from? Was it
24 an officer, or was it just a firefighter? Do you have any of
25 those details?

1 A. I do not recall, no.

2 Q. And when he testified about the, right after the Mayday call,
3 and you, I think you described it, and again, if I'm wrong, let me
4 know. That was kind of the first unified meeting when you guys
5 all got together. Do you remember seeing anybody from City
6 Cruises or *Spirit of Norfolk* as part of that group?

7 A. I don't remember, again. I distinctly remember the Norfolk
8 Fire Chief, the Navy Fire Chief, myself, the base CEO, and Bill.
9 But I cannot recall. There were other people there, though. I
10 cannot recall whether anyone else was there from the responsible
11 party.

12 Q. All right, thank you. Just want to ask one last question.
13 When you told the Chief to, you know, get them off. Do you
14 remember what Chief that was? And what Department they were from?

15 A. That was Chief Brooks from Norfolk fire.

16 Q. And was Chief Brooks acting as an IC, or was he just acting
17 as a senior person from his Department? Do you know?

18 A. He was acting as a senior person. So, he was the Battalion
19 Chief, not the incident, the designated Incident Commander from
20 Norfolk.

21 Q. Captain, could you just turn around real quick and look in
22 the back room. And Ms. Price-Parker?

23 LT. ██████████ Thompson.

24 CDR ROY: Thompson, sorry.

25 BY CDR ROY:

1 Q. Does she look familiar to you? Do you remember seeing her at
2 any of those meetings that day?

3 A. Oh, I remember her, very much. She's extraordinary because
4 she responded, right away. Great, very willing to help. I cannot
5 recall if she was in that meeting. I just, I do not know if that
6 stand up Unified Command meeting, I do not remember everyone that
7 was there. But I do remember Ms. Price-Thompson, or I'm sorry,
8 Jolene, your name.

9 Q. Thank you.

10 A. Thank you.

11 Q. That's all I have.

12 CDR WADDINGTON: NTSB, do you have any questions of this
13 witness?

14 MR. KARR: I'm Mike Karr with the NTSB. Captain, I've got a
15 few follow up questions.

16 BY MR. KARR:

17 Q. Where were you when you, where were you located? Who were
18 you with when you were briefed, or you got the understanding of
19 how the fire was going to be attacked through the hatch?

20 A. I was on the pier. And well, how do I? I was, I know
21 exactly where it was. I don't know how to describe it. So, I was
22 standing next to some of the fire rigs. And it was on the, I was
23 on the southern pier side. So, the same --

24 Q. Could you move closer to microphone, please?

25 A. Sure. I was on the pier, on the southern pier. So, on the

1 same side of the Navy Pier that the *Spirit of Norfolk* was moored?
2 And I'm standing next to some of the fire equipment. And it was
3 it -- and again, there were so many firefighters there. I don't,
4 I cannot clearly delineate a majority of time which Agency they
5 were with.

6 There was a conversation between the Fire Departments,
7 myself, and Mr. Burkett. And they were basically telling us what
8 the plan was. And they were saying, we're going to attack via the
9 hatch on the main deck. And we're like, smart. Like, we all were
10 like, that's a good plan from our perspective. So, that, I was
11 standing next to the fire equipment on the pier, aft of the *Spirit*
12 *of Norfolk*.

13 Q. And who told you about this plan? Was it the Incident
14 Commander?

15 A. I don't remember exactly who it was.

16 Q. Was it? Was it someone below the rank of Battalion
17 Commander? Or --

18 A. It was hard to tell ranks because everyone had turnout gear
19 on, and helmets. And I, I'm not, I don't know.

20 Q. All right. And about what? When you were told that, about
21 how many minutes, or what time was that before the Mayday call?

22 A. It was at least an hour before the Mayday call because we had
23 done, they had done the first entry to do the reconnaissance. And
24 then, they were setting up the foam line. And that process, the
25 reconnaissance and establishing the foam took a least an hour.

1 Q. One moment. Can you explain to me how you did not get
2 briefed on the results of that recon mission?

3 A. I think they just, the shore-based firefighters don't always
4 comprehend our role, the Coast Guard's role in these sorts of
5 events. So, I think during this part, there was a little bit
6 confusion on my side personally, and, and their side.

7 So, they don't, they didn't quite understand why. Why we
8 fully needed to be integrated into the decision-making process.
9 And I was, to me, it made sense. So it, to me, no news was also
10 good news.

11 So, if the plan was going to change, then the conversation
12 would be had. So, again, an assumption made on my part. But
13 again, the plan up until after the Mayday, as I understood it, was
14 to access the hatch.

15 Q. All right. And were you in the incident? Were you by the
16 Incident Commanders? Or --

17 A. Yes.

18 Q. -- a distance away?

19 A. No, right near them. So, we were all standing aft of the
20 *Spirit of Norfolk*. There's a ledge on the side of the pier. Next
21 to us, there's the fire rig, and they're doing communication out
22 of that fire rig into the fire team.

23 So, I'm standing in the area, with all of the leadership.
24 So, we're all in a, not a very tight area. And it's, but it's
25 loud. There is equipment running. All those fire trucks have

1 their generators going and there's pumps on board. It was, it's
2 not quiet. So, it's not like you can just overhear a
3 conversation. It has to be a very active participation and
4 engagement to have conversations on the pier.

5 Q. You mentioned Chief Brooks was with you when you found out
6 that they'd open the watertight door, rather than the hatch. Was
7 the Navy Regional Chief with you too, at that time?

8 A. No, he was not. But the only, there was, it was only by
9 happenstance that Chief Brooks was there. It wasn't like we had
10 planned to stand next to each other. We were standing in a very
11 good vantage point to watch the entry.

12 Because the entry had to be made from the O-1 level, off of a
13 ladder that was that was spanning across the pier. They crawled
14 across the ladder to get to the O-1 deck. And then, had to go
15 down to the main deck. That's how they made entry onto this
16 vessel.

17 So, we were all standing at the stern of the vessel. And we
18 had a very good vantage point from where we were standing. So,
19 that's why we were there. Again, it wasn't deliberate by, you
20 know, it wasn't conscious. But it just ended up that way.

21 Q. Was the Navy Regional firefighter who was wearing the
22 Incident Command vest, was he very communicative with you?

23 A. When I went up to him, yes. When I went to ask him
24 questions, yes.

25 Q. All right. And so, and from what you've told me, last time

1 you heard from him -- no, I take that, forget my question.

2 UNIDENTIFIED SPEAKER: Captain, I appreciate you coming in
3 here and answering all our questions for this fire on board the
4 *Spirit of Norfolk*.

5 BY UNIDENTIFIED SPEAKER:

6 Q. I just want to clarify, were you the Coast Guard's Incident
7 Commander?

8 A. I became the Incident Commander as the event evolved.

9 Q. But when you initially showed up?

10 A. I, yes. I'll take that role, yes.

11 Q. Okay. How many personnel, Coast Guard personnel were on the
12 scene at the time?

13 A. It evolved. So, we probably started out with four to five,
14 and then probably had a dozen. I'm estimating. And then, by the
15 next day, we had probably a dozen each day. So, depending on what
16 phase that we were in.

17 Q. Prior to the boarding by the Suppression Team, do you recall
18 how many Coast Guard personnel were there?

19 A. Probably around ten. That's very estimating, guessing.
20 There were a number of folks that came, like Captain Britten came
21 with me, Mr. Butierries was already on scene. We had some of our
22 inspectors starting to show up. So, there were a few, a few
23 number.

24 Q. And when the new Coast Guard personnel showed up, were they
25 reporting to you, or to someone else?

1 A. To Captain Britten and I. She was helping to coordinate, and
2 we were we wanted to make sure we were providing information, so
3 that other people didn't have to continue to get them up to speed.

4 Q. Okay. And how often, just so, for clarification. How often
5 will you briefing Captain Stevens?

6 A. Gosh, frequently. I mean, we were texting back and forth.
7 We were calling. He, it was very frequently. He went down to
8 Town Point Park. Then quickly came over to the Naval Station
9 after all of the passengers had disembarked and then departed and
10 we didn't need his presence there. So it was, gosh, we
11 communicated a lot. And then, he came on scene, after the Mayday.

12 Q. All right. And did the Coast Guard personnel that responded
13 with you, initially, prior to the Suppression Team going on board,
14 how did they communicate amongst each other? Did they have radios
15 similar to the Fire Departments?

16 A. The Coast Guard? I'm sorry?

17 Q. The Coast Guard personnel who are on the pier with you, how
18 are they communicating amongst each other?

19 A. We just talked. We went down the pier where was quieter, and
20 we would communicate that way.

21 Q. All right. And what were the roles of the, if you can
22 recall, the general roles of the personnel that were, obviously,
23 you had the your replacement there. She was helping you. What
24 were the other roles of the Coast Guard personnel who were there?

25 A. So, when we first first got there, Mr. Butierries was our, he

1 was our liaison back to the Command Center, and continued to do
2 that. So, he was continuing to keep the Command Center updated on
3 what the situation was, as it was evolving, as well as managing
4 this *Spar Lyra*. We had other folks --

5 Q. I'm sorry. Was he relaying -- after you arrived, was he
6 relaying the information that was generated from you? Or was he
7 generating that independently?

8 A. A little bit of both. So, he would, you know, as the
9 situation evolved, as he witnessed it. And we were communicating,
10 you know, we were trying to stay synchronized. He would
11 communicate that back to the Command Center.

12 Q. And the other people, I know, there was the Marine
13 Inspectors. Did, were they ever utilized, prior to the boarding
14 of the Suppression Team?

15 A. I don't believe they were.

16 Q. Al right.

17 A. We asked, they verified the fire control plan, making sure we
18 were using the, you know, most up-to-date information and the fire
19 control plan was accurate. So, they verified that. But I don't
20 recall if we had them do anything else. We had them sort of on
21 standby.

22 Q. Okay. And the other personnel that were there?

23 A. We had our Public Affairs staff come over, I believe. I'd
24 have to go through, we also had our Chief of Response show up.
25 She's very strong in the Incident Command System, as well as

1 Response.

2 Because again, we didn't quite know what we had to go on,
3 what sort of environmental threat we were going to have to
4 mitigate next. So, we were really bringing people in to continue
5 to manage an evolving incident.

6 Q. Okay. The information that you got from the Prevention
7 Department concerning the stability of the vessel, could you
8 expand on what that was based off of?

9 A. I have to ask them. So, I called back to Dr. Zahorski (ph.)
10 our Chief of Inspections, as well as our Chief of Prevention,
11 Lieutenant Commander Lawrence. I'm sorry, it was
12 Commander Meskun. And at the time and ask them to get me
13 stability information on this vessel. So, they did. Where they
14 got that from, it's likely the vessel files.

15 Q. Okay. Was the vessel from your understanding, it's a
16 Subchapter K, or currently /TL. Did it have what was called a one
17 compartment subdivision survivability?

18 A. That was what they told me. So, they said they, like I
19 don't, I asked specifically what the stability would be with a
20 fire on the engine room. They said you can flood the engine room
21 and keep stability. They said, that's all we can, that's all we
22 can guarantee. So, that was the information that was passed
23 verbally to me on the phone.

24 Q. Okay. And then, when you passed that information to the Fire
25 Chiefs, was it to both them at the same time? Or were you having

1 to brief one, and brief the other?

2 A. I brief one, then the other.

3 Q. Okay. Did, essentially, your command post was you working
4 with the other Fire Departments? You didn't have -- the Coast
5 Guard never established it's own command post on scene?

6 A. That's not how Incident Command works. You have one command
7 post.

8 Q. Well, that's --

9 A. So, that's why it's a little confusing.

10 Q. -- right now, each like, each Fire Department seemed to have
11 like to have their own little command post?

12 A. Yes. So, no, we did not. We were trying to integrate.

13 Q. Okay.

14 A. We're trying to obtain information and understand the plans
15 as they evolved.

16 Q. And just to clarify, were you present when the recon team
17 went on board? Or did you arrive after that?

18 A. I was there when they, I was present.

19 Q. And were you? And you? Were you there with the other Fire
20 Department Chiefs who were ICs for their individual departments
21 when they gave the brief?

22 A. No.

23 Q. Okay. And then, this is just from your professional
24 experience, and experience on the scene, if they had told you that
25 they had not found the hatch, how do you think you would have

1 proceeded differently?

2 A. From trying to find more information, so they can find the
3 hatch. The the risks were greater for accessing the watertight
4 door on the galley deck. So, we could have used technology to
5 help facilitate that.

6 We could have gotten, again, the Master there. Or, again, my
7 Marine Inspectors were on standby. We weren't going to go onto
8 the onto the vessel. But we could have, you know, tried to
9 provide additional information to find that, spot that hatch.

10 Q. Do you know why is the Fire Department proceeded to spray
11 water directly into the engine room with such a high volume of
12 water?

13 A. To continue to cool. Because we, I mean, structural fire
14 protection, A60 (ph.) is only meant to contain a fire for 60
15 minutes. At this point, we were three hours into the fire. We
16 had no idea what was going to happen.

17 So, our best bet was to cool it as much as we could. So,
18 again, structural fire protection has limits, you know, the
19 penetrations. And again, we're were not playing and what could
20 have happened. We were trying to mitigate risk with on scene
21 initiative. And that included cooling into the vents because
22 that's what we had access to. And it was safe for the
23 firefighters on scene.

24 Q. So, at any time was anyone trying to determine from the draft
25 marks, if maybe, potentially, there are the -- right now, you're

1 you're concerned about the A60 bulkheads. But did you have
2 confirmation that the engine room was watertight? That there may
3 not have been any other sources, which would have allowed water to
4 flow within the vessel?

5 A. We had no confirmation. We were were talking about that.
6 What, what are the other sources of water ingress? What could
7 they be? Could we have lost a sea valve, a sea chest, so there
8 was you know, a constant flow into the engine room space? There
9 was a lot of unknowns.

10 But well, again, we were trying to manage the fire risk at
11 that point. And again, given the limited amount of stability
12 information that we had on hands, we made that decision to
13 continue to flow water.

14 UNIDENTIFIED SPEAKER: All right, thank you.

15 CDR WADDINGTON: Bay Diesel, do you have any questions of
16 this witness?

17 MR. ABELL: No, sir.

18 CDR WADDINGTON: City Cruises, do you have any questions of
19 this witness?

20 MR. DENLEY: I do, Commander, just a couple. Good afternoon,
21 Captain. I just have two questions. I think I'll be brief. And
22 I do really appreciate your time today.

23 BY MR. DENLEY:

24 Q. You comment about about the, you were talking about the
25 stability on the *Spirit of Norfolk*. I just I just want to confirm

1 that the *Spirit of Norfolk* does have, or did have a stability
2 letter issued by the Coast Guard is that correct?

3 A. Correct, a simplified stability letter.

4 Q. And based on your knowledge, at the time of the incident, the
5 *Spirit of Norfolk* was in compliance with that stability letter, is
6 that true?

7 A. At the time the letter was issued and at the time of the COI,
8 at the inspection. You know, it's ultimately the masters and
9 vessel owners responsibility to ensure continued compliance.

10 Q. But you don't have any information, or you're not aware of
11 any information that the the vessel was not in compliance with its
12 stability letter, do you?

13 A. I don't have any information, no.

14 Q. Okay. And then, finally, and again, this question is not
15 about your authorities. You provided excellent testimony and
16 summarize your authority. So, my question is not about your
17 authorities.

18 But isn't it true that once the *Spirit of Norfolk* was moored
19 at the Navy base, so at that point in time, isn't it true that
20 based on applicable policy, the Navy was the lead Agency, and all
21 other agencies would have been supporting at that point?

22 A. That's not correct.

23 Q. Okay.

24 A. So, the vessel is a U.S. flagged commercial vessel on a
25 Federally navigable waterway, with multiple, you know, in an

1 environmentally sensitive area. So, there are multiple Coast
2 Guard jurisdictions and authorities that are at play, concurrent
3 with Navy jurisdiction.

4 MR. DENLEY: I have no further questions.

5 CDR WADDINGTON: Captain Stockwell, I respectfully request
6 copies of any notes or references you have in front of you,
7 hopefully to secure sometime in the near future. You are now
8 released as a witness at this formal hearing. Thank you for your
9 testimony and cooperation.

10 If I later determined that this team needs additional
11 information from you, I will contact you through your counsel. If
12 you have any questions about this investigation, you may contact
13 the Investigation Recorder, Lieutenant [REDACTED] [REDACTED] The time is
14 4:56. We will reconvene tomorrow at 08:00. Thank you.

15 (Whereupon, at 4:56 p.m., the interview 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: FIRE ONBOARD *SPIRIT OF NORFOLK*
NEAR NORFOLK NAVAL STATION, VIRGINIA
ON JUNE 7, 2022
Interview of Captain Jennifer Stockwell

ACCIDENT NO.: DCA22FM022

PLACE: Virginia Beach, Virginia

DATE: January 30, 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.



Margaret C. Boardman
Transcriber