

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

*

FIRE AND SINKING OF THE *CONCEPTION* *

WITH LOSS OF LIFE NEAR *

Accident No.: DCA19MM047

SANTA CRUZ ISLAND, CALIFORNIA, *

SEPTEMBER 2, 2019 *

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Interview of: CAPT MATT EDWARDS

Chief, Office of Commercial Vessel Compliance

(CG-CVC), United States Coast Guard

Thursday,
January 9, 2020

APPEARANCES:

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United States Coast Guard

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(Via Telephone)

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(Via Telephone)

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(Via Telephone)

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National Transportation Safety Board
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<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of CAPT Matt Edwards:		
By Mr. Ehlers		5
By Mr. Muise		21
By Mr. Tucker		27
By CDR [REDACTED]		47
By CAPT Neubauer		51
By Mr. Tucker		56
By CAPT Neubauer		63
By CDR [REDACTED]		64

I N T E R V I E W

(1:06 p.m.)

1
2
3 MR. TUCKER: All right. Yeah, good afternoon. The date is
4 January 9, 2020, and time is 1:06 p.m. Eastern Standard Time. My
5 name is Adam Tucker, and I'm the investigator in charge for the
6 investigation into the casualty of the fire and sinking of the
7 small-passenger vessel, *Conception*, which took place on September
8 2, 2019, resulting in 34 fatalities -- 33 passengers, and 1 crew
9 member.

10 Today, we are conducting an interview of Captain Matt Edwards
11 of the United States Coast Guard, and he is the head of the
12 Commercial Vessel Compliance at Coast Guard Headquarters. We, at
13 least the NTSB, are conducting this interview telephonically.
14 What we will do first is we will go around and introduce
15 ourselves. I will do that first, followed by Mr. Ehlers, Mr.
16 Muise, Barnum, and then we will continue with the folks in the
17 meeting room, followed by Captain Edwards.

18 My name is Adam Tucker, as mentioned, and I'm the
19 investigator in charge for the investigation into the *Conception*
20 fire and sinking.

21 MR. EHLERS: And this is Drew Ehlers. I'm a marine accident
22 investigator also with NTSB, and I'm the operations and navigation
23 lead.

24 MR. MUISE: This is Marcel Muise. I'm survival factors for
25 NTSB.

1 MR. BARNUM: Bart Barnum, NTSB, Office of Marine Safety,
2 Engineering Group chairman on the *Conception* accident.

3 CAPT NEUBAUER: Okay. Going around the room here in the
4 conference room at Coast Guard Headquarters is Captain Jason
5 Neubauer. I'm the chair of the Coast Guard's Marine Board of
6 investigation of the *Conception* accident.

7 CDR [REDACTED]: Commander [REDACTED], a traveling
8 inspection staff supporting the Marine Board for the Coast Guard.

9 MR. [REDACTED]: This is [REDACTED] [REDACTED], legal counsel for
10 the witness.

11 CAPT EDWARDS: Captain Matt Edwards, Chief of the Office of
12 Commercial Vessel Compliance.

13 CAPT NEUBAUER: And then on the -- for the Coast Guard, we
14 have one remote investigator on the line.

15 LT [REDACTED]: Hi, good morning. This is Lieutenant [REDACTED]
16 [REDACTED] from the Coast Guard Investigations National Center of
17 Expertise.

18 MR. TUCKER: Okay. And Captain Edwards, are you okay that we
19 record? Do we have your permission to record this interview?

20 CAPT EDWARDS: Yes, you have my permission.

21 MR. TUCKER: All right. Well, thank you very much, sir.

22 And to that note, I'm going to put myself on mute, and I
23 believe Mr. Andrew Ehlers is going to kick it off for us.

24 INTERVIEW OF CAPTAIN MATT EDWARDS

25 BY MR. EHLERS:

1 Q. All right. Good afternoon, Captain. This is Drew again.
2 What I'd like to do is to start out a little bit of background
3 questions. First, if you could give -- as Adam mentioned, we're
4 fairly unfamiliar with CVC and its role, and so if you could give
5 us a background on CVC, what your office does, and then also your
6 specific responsibilities.

7 A. Sure. The Office of Commercial Vessel Compliance is an
8 office within the Directorate for Inspections and Compliance.
9 Commercial Vessel Compliance executes the compliance programs for
10 domestic and foreign vessels. We have four divisions. One is a
11 Domestic Vessel Inspections Division, CVC-1. CVC-2 is our Port
12 State Control Division, so they would be -- they look at foreign
13 vessel compliance. CVC-3 is our Commercial Fishing Vessel office,
14 and they're obviously looking at commercial fishing vessels, and
15 CVC-4 is our Flag State Control Division, and they manage our
16 third-party oversight, as well as some of our U.S. flag
17 responsibilities.

18 So we're primarily an office that establishes the policy for
19 the Coast Guard and vessel inspection community, as well as
20 monitor activities within the field. In my role as chief office,
21 I'm also the final appeal authority for OCMI, for issues regarding
22 OCMI appeals within the field that come up to the headquarters
23 level.

24 Q. Okay. Do you mind giving us a little bit of your background,
25 your experience leading up to your position here?

1 A. Sure. So I'm -- I don't know. Do you want me to go all the
2 way back to my education?

3 Q. Yeah. Yeah, and you can summarize, but yeah --

4 A. Okay.

5 Q. -- please, if you could.

6 A. So I'm a Coast Guard Academy graduate. I graduated with a
7 degree in naval architecture and marine engineering. I spent 2
8 years on a Coast Guard cutter, both as an engineering watch
9 officer and a deck watch officer. I went to the University of
10 Michigan, where I got graduate degrees in naval architecture and
11 marine engineering, and aerospace engineering.

12 I -- after that, I spent an assignment at the Marine Safety
13 Center, where I was a staff engineer for small passenger vessels,
14 Subchapter K, Subchapter H passenger vessels, foreign cruise
15 ships, and some types of cargo ships. I was then a marine
16 inspector in the -- at activities in Sector Baltimore, where I was
17 the branch chief for the small passenger vessel branch, which we
18 had about 340 small passenger vessels that we inspected.

19 From there, I was a marine safety detachment supervisor on
20 the Saint Lawrence Seaway, so marine safety detachment, Massena,
21 New York. Following that, I was -- I had went back to the Coast
22 Guard Academy to be an instructor there, where I was chair of the
23 mechanical engineering department. Following that, I was assigned
24 to Seattle, Sector Puget Sound, where I was chief of the
25 prevention department there, managing inspections, investigations,

1 and our waterways management, including the vessel traffic system.

2 After that, I was assigned to the executive officer at the
3 Marine Safety Center. Again, Marine Safety Center oversees plan
4 review work for the Coast Guard. And then following that
5 assignment, I was -- in 2017, I was assigned to the Office of
6 Commercial Vessel Compliance as the office chief.

7 Q. Okay. All right. That's extensive, so thanks, I appreciate
8 that. You mentioned when you were talking about the CVC
9 responsibilities and roles, the inspectors. Can you talk a little
10 bit more about the relationship between the inspectors in the
11 field and CVC? Do they report to CVC directly or is there -- is
12 there direct oversight? How does that work?

13 A. Right. Good question. So the inspectors in the field, they
14 work directly for the officer in charge of marine inspection at
15 each sector, and the chain of the command for the inspector would
16 be the OCMI and/or the sector commander -- sometimes they're the
17 same -- the district commander, and then the area commander. So
18 at no point in there do the inspectors work directly for our
19 office.

20 Our office does provide guidance and policy to the
21 inspectors. We have a variety of outreach methods from a monthly,
22 what we call a CID note, a Chief Inspection Division note, that
23 goes out that highlights either issues we see, or changes in
24 policy, however we want to communicate. We also conduct a monthly
25 teleconference with all of the CIDs to pass information that way.

1 So we send them the information, and we answer their
2 questions, whether it's at those points or, you know, on a daily
3 basis, if they have questions. And then we do monitor the work
4 that inspectors are doing. We look at some of the activities, and
5 if we see that there are errors associated with the activities, we
6 will send a notice back down through their chain of command that
7 we, you know, we want them to look at their internal processes.

8 Q. Okay. How, specifically, do you monitor them? Is it by
9 reading reports, or how does that -- how does that work?

10 A. Yeah, that's correct. We look at a certain number of
11 activities within MISLE, but partially as a quality assurance, to
12 ensure that inspectors are appropriately documenting the condition
13 of the vessel, the deficiencies that they are issuing are correct
14 and in line with program guidance.

15 Q. Okay. And is that -- does that ensure that, I guess,
16 policies and inspections are carried out consistently across -- at
17 every port?

18 A. Well, that is a piece of that quality assurance. We --
19 within the Coast Guard, we have what's called the Mission
20 Management System, which is essentially a quality management
21 system that is used to promote consistency on how we do our work.
22 So you know, really that first line of how activities are being
23 completed is at the sector level with a review of the activities.

24 The sector staff -- someone within the sector staff, usually
25 the CID, should be reviewing all activities to ensure that they

1 meet the right, you know, from our quality review process, to
2 ensure everything is correct. So we're just sampling a very small
3 percentage of them, and it's typically the ones that we have
4 flagged, due to a -- there was a high consequence deficiency that
5 was identified, and so we want to go ahead and take another look
6 at it.

7 Q. Okay. All right. You may have said this before, and I have
8 sort a follow-up question. Do the traveling inspectors report --
9 are they in CVC, or are they a different division?

10 A. They're a different division, but we work very closely with
11 them.

12 Q. Okay. I see. Does CVC have oversight of inspector training?

13 A. So we don't have direct oversight, but we are a program
14 advocate, and we do -- we are actively involved in the training
15 program.

16 Q. Oh, okay. If you don't mind, can you describe the training
17 program for an inspector starting out, and then if there's
18 milestones as the inspector rises up through the ranks?

19 A. Sure. So I'll describe the training system that we have
20 now --

21 Q. Okay.

22 A. -- and then, I'm -- I'll briefly go into the training system
23 that is being developed, because we are in the midst of a total
24 change in how we train our marine inspectors.

25 Q. Okay.

1 A. So a marine -- we have certain ports throughout the country
2 that we have designated as feeder ports, and when a new inspector
3 is assigned, they should be assigned to a feeder port as an
4 apprentice marine inspector. At that point, the unit marine
5 inspector training officer, or a MITO, will sit down with them to
6 outline what their training program will be over the next 3 years,
7 and their goal over that 3-year period is to attain more vessel
8 qualification.

9 In pursuit of those qualifications, we have some formal and
10 informal training. Some of the formal training would be held at
11 Yorktown, and that might be Marine Inspector Course or the Port
12 State Control Course. So they would go there for several weeks to
13 be in classroom settings, and learn policy, and see things there.

14 At the field level, the MITO, Marine Inspector Training
15 Officer, is responsible for conducting training, and signing of
16 the PQS, the Personal Qualification Standard, that these
17 individuals have to meet as they pursue qualifications to inspect
18 vessels. Along the way, there's some other ad hoc training that
19 they may have, that is -- depends on the vessels that they may
20 have in their zone.

21 So they may attend a sail rigging course. They may attend a
22 gas (indiscernible) course, may attend a wood haul inspection
23 course, a variety of those. Additionally, the unit may spend
24 money to put their marine inspectors through local courses that
25 deal with welding, or any variety of shipboard-related item.

1 Following their apprentice marine inspector tour, they can be
2 assigned as a journeyman marine inspector, where -- probably at
3 another port, and they may receive some advanced training from
4 there. So that's, in a nutshell, what our training curriculum
5 looks like now. We are in the midst of a -- of a 2-year project
6 that is -- that is called the Marine Inspection -- Marine
7 Inspector Performance Support Architecture, or MIPSAs, M-I-P-S-A,
8 for short.

9 And so MIPSAs is reevaluating how we train our marine
10 inspectors. So what tasks do they need to learn? How is it best
11 to teach those tasks? And what is the continuum of training that
12 they should have from an apprentice marine inspector all the way
13 through as an advanced journeyman marine inspector? So apprentice
14 marine inspector, journeyman marine inspector, advance journeyman
15 marine inspector.

16 And what courses and what training interventions along the
17 line should they receive? Some of those will continue to be on-
18 the-job training, like the MITO would have at the unit. Some of
19 those will still be courses held at Yorktown or other contracted
20 courses, but there will also be some online learning, and other
21 training programs.

22 Q. Okay. What drove the restructuring of the program? Do you
23 know?

24 A. Yeah. So that was a part of the -- it had its genesis with
25 the El Faro, some of the action items that came out of that

1 investigation, that there was a need -- identified a need to have
2 a journeyman marine inspector program, and as we started looking
3 into it more and more, we looked at it and felt that it was more -
4 - it was important not just to focus on the journeyman marine
5 inspector training, but let's look at the entire training program.

6 Q. Okay. What office at Coast Guard is leading that
7 restructuring program?

8 A. So it's a joint work, FORCECOM is the primary training entity
9 for the Coast Guard. So they have a role. Our Office of Shore
10 Forces, CG-741. They participate. My office participates, and
11 the traveling marine inspectors participate.

12 Q. Okay. All right. Quick question regarding -- or maybe not a
13 quick question. We'll see. OCMI, as I understand it, generally
14 speaking, the OCMI is also the sector commander. Do they have --
15 do they complete any of the training curriculum as an inspector?

16 A. So the OCMI may or may not be the sector commander. You're
17 right. In many cases, it is. The way our sectors are
18 constructed, the sector commander does not have to be an
19 individual that went through the prevention program, so that may
20 mean they were never a marine inspector. So they would not have
21 attended -- necessarily have attended any of those courses. So
22 for example, you could have an aviator that is serving as the
23 OCMI, which they would likely not have had a marine inspector tour
24 before that.

25 Q. Okay. So they're reliant on their staffs for expertise, in

1 that case?

2 A. That is correct.

3 Q. Okay. Does your office -- and again, I've got to apologize
4 if you said this and I missed it. Do you work with regulation --
5 changes to regulation, updates to regulation? Does that -- does
6 that come from your office, or does that stem from another office?

7 A. Right. So in general, changes to and creation of regulation
8 is within 5-PS, or it's the directorate for standards.

9 Q. Okay.

10 A. And so within that directorate, you would have the office --
11 we can provide you with an org chart, but it would be the Office
12 of Engineering Design Standards, Office for Regulatory
13 Development, Merchant Mariner Credentials, Office of -- OES. So
14 Environmental -- Offshore and Environmental Standards, and -- I'm
15 trying to think if I'm missing any of the offices there. We can
16 provide you an org chart that would --

17 Q. Okay.

18 A. -- show you kind of the breakdown.

19 Q. Okay. Does your office get involved if it involves a
20 standard that affects under your purview?

21 A. Yeah. So we would be -- we would provide subject matter
22 experts in the course of the regulatory development.

23 Q. Okay. To that end, I'm going to go towards the T-boat
24 regulations, the Subchapter T regulations. The last major update
25 was in 1996, I believe. Do you know, has there been any impetus,

1 any movement to update the regulations since then, I would say
2 prior to this, with the *Conception* accident?

3 A. Well, there were some changes. There were some fire safety
4 changes that were made in around the 1999 period, and some
5 lifesaving changes in the 2001 timeframe.

6 Q. Okay. All right. Do you know, has there ever been any
7 consideration for instituting a safety management system
8 requirement in the T regs?

9 A. So that -- the implementation of a safety management system
10 would belong to the Office of Design -- or the standards
11 directorate.

12 Q. Okay.

13 A. In, you know, what are the -- they would probably be in a
14 better position as to what they've done to implement a reg for
15 standard -- for safety management systems.

16 Q. Okay. All right. The -- as I mentioned, I'm the operations
17 lead for this accident investigation, and the operations section
18 of the Subchapter T has a lot of requirements for training,
19 drills, watch standing. How does the Coast Guard, or any
20 organization, ensure compliance with -- it's very easy to ensure
21 compliance, I think, with a material condition, but a watch
22 standing or an operational condition is hard to do. How is that
23 done, or can it be done?

24 A. Right. So a marine inspector can and will review the logs
25 for the vessel to demonstrate -- to look at, when was the last

1 time, for example, there was a firefighting or a man overboard
2 exercise that was done, as well as, you know, some of the
3 maintenance and inspection of the equipment. That information
4 should be logged. A marine inspector will also witness a drill
5 and exercises, and then just as the marine inspector interacts
6 with the vessel master and crew, they can ascertain as to the
7 competence of that crew.

8 Q. Okay. You actually hit on something that I've seen. The --
9 when we were in Sector Los Angeles -- L.A. Long Beach, the
10 inspectors noted that, rarely does the same inspector inspect the
11 same vessel year on, year out. But in -- at MSD Santa Barbara,
12 where they only have two assigned inspectors because of the
13 manning, it's generally the same inspector year in, year out, at
14 least until that person rotates out. Is there a best practice as
15 far as the inspector assigned to an inspection? Because obviously
16 there's pros and cons to both --

17 A. Right.

18 Q. -- ways of doing business.

19 A. Exactly. There -- so there are pros and cons. Some of it is
20 out of necessity. So if you were at a marine safety detachment
21 where you don't have a lot of inspectors, you're going to get the
22 same inspector about every year.

23 So for example, when I was assigned to Marine Safety
24 Detachment, Massena, I was the primary inspector for all of our
25 passenger vessels. So you saw me every year, because the next

1 inspector was a 6-hour drive away. Other units, depending on how
2 they run their unit, may find some efficiencies by using the same
3 inspector so that they can kind of understand the history of the
4 vessel a little bit more, understand -- especially if we need to
5 work with a vessel to change some -- to obtain some long-term
6 compliance strategies.

7 Keeping that same person there year after year can be
8 beneficial. However, inspectors will naturally gravitate to areas
9 that they tend to maybe be a little bit more proficient in, and so
10 in some cases, if you have the same marine inspector time after
11 time, they may not look at the entire vessel the same way as
12 another inspector would.

13 Q. Sure.

14 A. But I would say that, you know, we do rotate our inspectors
15 every 3 years or so. So in the case with military personnel,
16 you're going to get a new inspector every 3 years anyhow.

17 Q. Okay.

18 A. So you know, it's case-by-case dependent, and how the unit
19 decides to run their operation.

20 Q. Okay. Fair enough. One of the regulations -- I'm going to
21 go back to the operations regulations here from Subchapter T. One
22 of the regulations, which I'm sure you're aware of, is that the
23 operator has to have a roving patrol when passengers are onboard,
24 whether underway or not.

25 Going back to my same question about how do you ensure

1 compliance with that, that regulation doesn't require logging, as
2 some of the drill and training requirements do. Is there any way,
3 really, to validate that the company is doing patrols as they
4 should?

5 A. Right, so I think that's where you have the interaction
6 between the marine inspector and the vessel master. You know, you
7 look at how many people they have onboard. You ask the master,
8 hey, on a typical voyage, what are your -- what are your crew
9 doing? How are they stationed? What are their responsibilities?
10 And then the marine inspector needs to weigh, you know, yeah, that
11 seems appropriate.

12 Like, they do have the capacity to ensure that they can have
13 a roving watch, or the marine inspector, through this
14 conversation, may figure out that the crew is fully employed in
15 the business of the vessel, such as, you know, baiting fishing
16 hooks, or attending to passenger needs, that they may not have
17 sufficient number of people to carry out that roving watch, in
18 which case the inspector would need to expand their exam, or ask
19 some more questions, and dive in deeper.

20 Q. Okay. And what kind of -- if an inspector finds a
21 discrepancy involving failing to do a drill, or a watch, or
22 whatever, what kind of recourse do they have, as far as -- can
23 they be -- can an operator be cited, or do they just need to
24 correct the issue? How is -- how is that handled?

25 A. Right. So we have a wide range of compliance tools that we

1 may use. The first one, I would say the most common one for a
2 marine inspector, is the issuance of a CG-835V to document a
3 deficiency. And in that form, would detail what the noncompliance
4 was, what the deficiency was, and when it has to be corrected.

5 And the time could be anything from before you leave the
6 pier, before you gain passengers, to 30 days, to -- in some cases,
7 longer, if it's a -- if it's a long-term or product issue that has
8 to be taken care of on a vessel. So that's one area. Another
9 area could be to start to move into fines, notice of violations,
10 where essentially a ticket could be issued. It could be elevated
11 from there to civil penalties to the owner operator for not
12 complying, and if it is -- if it's willful enough, you know,
13 that's -- the master or the other credential mariners could be
14 referred to for suspension and revocation action.

15 Q. Okay. And is the inspector -- is that happen -- for those
16 higher-level tools he's -- I guess I'd say, does it happen onsite,
17 or does the inspector confer back with the OCMI? Or how does that
18 normally work?

19 A. Right. For those upper-level ones, one -- most of them go
20 over to our investigations divisions, because they'll need to
21 collect evidence, and process those activities. So suspension and
22 revocation, civil penalties almost always will go to
23 investigations.

24 Q. I see.

25 A. Notice of -- notice of violations, which is a ticket, will

1 typically go to an investigations division. The CG-835V, an
2 inspector almost always will issue onsite. Certain units may have
3 criteria such as before an inspector may tie up a vessel -- so in
4 other words, prevent operation of the vessel -- they have to call
5 back to the office to get permission.

6 Q. Okay. I have one last question, at least for now, and that
7 is, from your position, I said you -- I think you told me you've
8 been in that position since 2017. Have there been any consistent
9 issues among T-boat operators as far as difficulty complying with
10 regulations? Any particular issues that seem to come up more
11 often than not?

12 A. So you know, for that, I would refer you to our 2018 and 2017
13 domestic annual vessel report. And in there, we have a section on
14 Subchapter T compliance, and it'll list the top 10 deficiencies --

15 Q. Oh, okay.

16 A. -- as well as how many deficiencies have been issued. And
17 then we'll -- we will publish our 2019 report in the March
18 timeframe.

19 Q. Okay.

20 A. March-April timeframe. But that's -- I mean, I think that's
21 probably the most accurate of data sources.

22 Q. Okay. Say again the name of that report.

23 A. It's the domestic vessel inspection report, and I -- we can
24 send you the link along. It's on our website, but we'll -- I
25 don't know what the appropriate means that I can give it to you.

1 Q. Okay. We can -- we'll get that. So -- and I appreciate it.

2 UNIDENTIFIED SPEAKER: I can provide that to you.

3 MR. EHLERS: Okay, great. All right. All right. Thank
4 you, Captain. I appreciate it. I may have a few follow-up
5 questions based on my colleagues' questions, but I appreciate your
6 candid responses.

7 CAPT EDWARDS: Sure.

8 MR. EHLERS: Adam?

9 MR. TUCKER: All right. Thank you, Captain. This is Adam,
10 here. I wanted to check first and see if Marcel or Bart, do you
11 guys have any questions? Marcel?

12 BY MR. MUISE:

13 Q. Sure. This is Marcel Muise, and I'm dealing with survival
14 factors in this case, Captain. Thanks for your time. Drew
15 actually got to most of my questions already, but I did a question
16 about Part 177, the -- it's just -- it's simply about escape and
17 egress. I've got this -- a couple -- from a couple of other
18 people, without any luck, we were talking about being sufficient
19 for rapid evacuation. Do you know of any -- is there any guidance
20 or any studies out there on what would be sufficient or rapid
21 evacuation? Like, commandant guidance, or any graduate studies
22 out there, or something from your -- other peers? I haven't found
23 anything, you know, as a time-specific goal, or any of those sort
24 -- anything of the sort.

25 A. Can you -- which reg site are you citing?

1 Q. It's the new T 177.500, where it specifically says, means of
2 escape have to be sufficient for rapid evacuation. So what is
3 rapid evacuation? What would meet that criteria?

4 A. Right. Sorry, I'm just reviewing quickly. So some of that
5 is built into some of the criteria further below. So in other
6 Subchapters, there are specific exit dimensions that are required
7 based on the number of people in the space. So specifically, like
8 as you get into Subchapter H and Subchapter K, it may take the
9 total number of people onboard the space, and you have to multiply
10 it by a factor. I believe it's something like 0.33.

11 So if you take the number of people times 0.33, that gives
12 you the number of inches, and that's the number of overall inches
13 within the space that you have to have clear evacuation doors for.
14 So that's one example of a -- of a standard that's applied. You
15 know, within Subchapter T, it talks about passageways, that they
16 shouldn't be less than 34 inches. So it gives some guidelines
17 there.

18 Part of it is also going to be how the inspectors in the
19 space, and how they -- how they view the space, as far as, is
20 there a lot of obstacles in the way? Is it -- yeah. So as far
21 as, are there any studies that have been done? I would refer you
22 to the Office of Engineering and Design Standards, because they're
23 probably in a better position to provide that information.

24 Q. Okay. Thank you, Captain. Something else I came across was
25 a T-boat risk matrix. Are you familiar with that?

1 A. I am.

2 Q. Is that -- and I understand L.A. Long Beach, or at least
3 Santa Barbara was not using it. Is there any feedback from the
4 field on that program?

5 A. Right. The existing -- the existing matrix is not used
6 widely by the field. There's only three or four units that are
7 using that. Part of the challenge is it's a bit cumbersome to
8 use, a lot of calculations, and not a lot of output, or not a lot
9 of -- on the end side of it. We are -- we have undertaken another
10 project to conduct a risk assessment on passenger vessel to see if
11 we can provide the OCMI and the marine inspector an idea of a risk
12 score for a vessel.

13 Q. Okay. Thanks, Captain. Question about radios. Assuming
14 that there's digital selective calling radios out there that we've
15 found that are not programmed with MMSI numbers, or hooked up to
16 GPSs, even though -- if they're not required to have those DSC
17 radios, so an inspector would find them. Has there been any
18 effort to try to get that stuff hooked up correctly? A safety
19 alert maybe, or --

20 A. I'm trying to think if there was a safety alert. I'm not
21 aware of a safety alert. I would have to go back to our CID notes
22 to see if we have made that sort of request to the field or made
23 that as a notice to take a look at. I will say that the
24 Navigation Center, NavCen, has had a concentrated campaign on AIS
25 to ensure that vessels that are sending out an AIS signal are

1 sending out a proper AIS signal. And when they identify a vessel
2 that doesn't, they raise it to the attention of the OCMI for
3 action. But the radios, I'm not sure, and we'd have to get back
4 to you on that.

5 Q. Okay. Thank you, sir. We talked to one of your
6 predecessors, Oscar Ibarra (ph.), and he mentioned a peer-to-peer
7 audit at the -- at the marine inspector level, where people come
8 in from other offices and do an audit on your MSD. Is that still
9 something that exists out there?

10 A. That is. So there is an office within FORCECOM that is our
11 mission management office, and they will conduct an audit of a
12 certain number of units per year, and they will review -- they
13 will review the audit. So they'll review the unit with compliance
14 with a variety of Coast Guard policies.

15 Q. And that includes domestic vessel inspections?

16 A. It does. So they would -- they would be looking at not only
17 how are they conducting inspections, their policies that support
18 that, and safety of inspectors. A wide variety of items. Then
19 that information is collected, and on an annual basis, they
20 provide a brief to the assistant commandant for prevention
21 policies, so CG-5P.

22 Q. Okay. Thank you. And I have one follow-up question about
23 MIPSAs. Do MIPSAs look at balancing experience among new
24 inspectors? So like for example, engineering warrants versus deck
25 warrants, or JOAs versus MARGRADs versus civilians? Is that

1 looked at anywhere in the -- in the process now?

2 A. So if you're talking from a unit staffing perspective, that
3 is a -- that's a job function that the Office of Short Forces, CG-
4 741, takes care of. That is part of what they call the sector
5 staffing model, where they look at the workload that is -- that
6 occurred at a unit, and then assign the correct number of
7 inspectors.

8 We are working towards a system as part of that risk
9 analysis, small passenger vessel risk matrix that we're working
10 towards, that may inform the OCMI what type of inspectors should
11 they send out on a vessel. For -- so for example, if we tell the
12 OCMI that a certain vessel is a high-risk vessel, maybe they
13 should consider sending an advanced journeyman out to conduct that
14 inspection, rather than someone that had just obtained their
15 qualification.

16 So we're working in that direction to provide that level.
17 But the actual staffing, 741 -- and I will just say that there's
18 another layer that rides on that, that there's also our officer
19 assignments, or our Office of Personnel, on how they assign
20 people, will have a role in that as well.

21 Q. Okay. Does MIPSAs also have minimum sea time requirements for
22 journeymen in sectors?

23 A. We do not have minimum sea time.

24 MR. MUISE: Oh, thank you, Captain. Adam, that's all I had.
25 Oh, where's Adam? Bart, I'll pass it to you then.

1 MR. EHLERS: Sorry, I have to -- as mentioned, I had trouble
2 with the mute button here. So thanks, Marcel. Bart, do you have
3 any questions?

4 MR. BARNUM: Yeah, just a couple follow-ups. Captain
5 Edwards, thank you again. This is Bart, NTSB. Regarding the
6 training of your apprenticeship inspectors, just to clarify for
7 me, is there any chance that an apprentice inspector could be in
8 that position without having to go through school in Yorktown?

9 CAPT EDWARDS: So an apprentice marine inspector is an
10 assignment. So they want, when they show up, they're an apprentice
11 marine inspector. Sometime, usually in that first 6 months, a
12 year, period -- well, within that first year that they're assigned
13 to a unit, they would most likely go to Yorktown. However, that
14 marine inspector cannot, or should not be conducting an inspection
15 by themselves, or as a lead inspector unless they've met all of
16 the qualification requirements. And attending marine inspector --
17 the marine inspector course in Yorktown would be one of those
18 requirements.

19 MR. BARNUM: Okay, understood. So there's no chance of
20 they're receiving a qual and inspecting a vessel without first
21 having to go to Yorktown?

22 CAPT EDWARDS: They -- that is correct. They should not.

23 MR. BARNUM: Okay. So other than Yorktown classroom setting,
24 on-job, all of the training is going to be -- to receive your
25 quals is, you know, OGT training then?

1 CAPT EDWARDS: Correct. That's for the --

2 MR. BARNUM: Okay.

3 CAPT EDWARDS: -- for minimally -- from the minimum
4 qualifications.

5 MR. BARNUM: Right. Understood. Yep. No, those are --
6 those were my two questions I had about follow-up, just sort of my
7 clarification. Thanks again.

8 BY MR. TUCKER:

9 Q. All right, thanks, Bart. Captain, this is Adam Tucker here
10 again, and I do have a couple of follow-ups, and as most of the
11 team knows, probably a couple of follow-ups after that as well.
12 Number one, first and foremost, a big thank you for speaking with
13 us, and your time. Let's see. So I'm going to cut right to it.
14 So I understand, Captain, CVC, there's a division within CVC which
15 is specific to domestic vessel inspections, CVC-1.

16 So with respect to the COIs, one of our -- one of the things
17 we've observed is with the COIs that have been issued to small
18 passenger vessels, P-boats similar to the *Conception*, is that it
19 is pretty much called out on their COI that they must comply with
20 the roving watch onboard when passengers are in their berths, or
21 there are a few other different verbiages.

22 I'm wondering, Captain, do you know why that is specifically
23 called out on the COI, and historically, I understand you've only
24 -- you've been in this role for 3 years, but historically, has
25 that always been the case, that the roving watch has been called

1 out on the -- on COIs?

2 A. So historically, I'd have a hard time addressing that, but
3 let's talk first about the comments that are on a COI. So those
4 are generally reserved for instances that the OCMI wants to bring
5 special attention to the vessel master and crew to. Right? So in
6 the end, the master is responsible for knowing the regulations,
7 understanding them, and following them. So we want to balance
8 what's in the regulations with the masters understanding, with
9 filling up a COI with many, many pages of just reiterating the
10 regulations.

11 So there are certain -- there are certain regulations that an
12 OCMI would put on -- put on that COI, just to stress those points.
13 So for example, following our concentrated focused inspection on
14 small passenger vessels, we directed that all small passenger
15 vessels, carrying over 9 passengers, should ensure that that note
16 is included on the vessel's COI. So from here going forward,
17 we've tried to provide some more consistency on a national
18 standpoint.

19 Q. Okay. And so that -- when that direction was given, just to
20 clarify, that was post-*Conception*?

21 A. Yep.

22 Q. Is that correct?

23 A. That's correct.

24 Q. Okay. So pre-*Conception*, was it as standardized, or you
25 know, how does -- I guess, how does someone at the sector level

1 determine what material does go on the COI, on that particular
2 COI, and the verbiage that is used?

3 A. Right. So some of it is just what has been on that COI in
4 the past. So the COI is regenerated every 5 years, and they just
5 bring the information forward. Some if it, the unit may have
6 special direction, special policy within their own unit as to what
7 will and will not be on the COI.

8 So for example, if we go back to one of your earlier
9 questions on, you know, how do we determine whether the vessel is
10 in compliance with the regulation, if inspectors routinely find
11 that the fleet in their zone is not complying with a specific
12 regulation, and they have to consistently write a regulation, that
13 might lead them to just include that on the COI to draw the
14 attention.

15 So yeah, I think the best answer is, you know, we give our --
16 we work within a regulatory scheme where we decentralized our
17 inspection authority to the OCMI level, and it's the OCMI's
18 discretion, based upon the risk and the vessels in their zone, as
19 to what should go on the COI.

20 Q. Okay. Thank you. And so that leads me to another question.
21 So within the regulatory scheme, and the decentralization, and
22 that going to the OCMI, has that historically always been that
23 way, or has this decentralization taken place recently?

24 A. No, that has historically been that way.

25 Q. Okay. Because the reason I ask is because we've heard from

1 other interviews that, historically -- I'm going to get the
2 verbiage -- the acronym probably mixed up, but before, there were,
3 at a certain point with the Coast Guard, there were MSOs. Is that
4 correct?

5 A. That's correct.

6 Q. Marine safety officers that --

7 A. Yep.

8 Q. -- they have specific safety roles and inspection roles
9 different from the multiple roles that an OCMI would have. Were
10 you --

11 A. Correct.

12 Q. Do you know anything about that?

13 A. Yeah. So we -- the Coast Guard reorganized into sectors
14 around the -- around 2000. Maybe a little bit before that. We
15 started to move into sectors, where we combined what were called
16 groups, and marine safety offices. And the groups were primarily
17 responsible for law enforcement, search and rescue, and the marine
18 safety officers were primarily responsible for vessel inspection,
19 port operations, and pollution response.

20 So in the creation of sectors, we combined those, along with
21 some other functions, into a single command, which promotes
22 efficiencies of some mission coordination. So you have all of the
23 Coast Guard missions that are being carried out in a -- in a
24 geographic area, reporting to a single Coast Guard officer, which
25 is great for efficiencies.

1 I think a challenge that we've had since then is that single
2 Coast Guard officer that's in charge may no -- may not be, and in
3 many cases, is not, a marine safety officer or prevention officer.
4 So their background on their knowledge of marine safety mission
5 may not be as great.

6 And I think what we have seen because of that is more
7 questions are floated to the headquarters level for our variety of
8 offices, whether it's Office of Commercial Vessel Compliance,
9 Office of Investigation Analysis, Office of Stabilities, for us to
10 assist in some of those more complicated policies, as well as
11 other Coast Guard offices. Not just here. We also have our
12 National Centers of Expertise, traveling marine inspectors. I
13 think there's -- what we've seen over the last decade, plus, is a
14 little bit more reach back to headquarters for questions.

15 Q. Okay. And to that point, Captain, do you -- so we mentioned
16 this kind of single point, and single command, multi mission, and
17 noting one of the challenges that that command may not have that
18 specific background in marine safety or prevention, or anything
19 like that. So does that person, if they do not have that
20 background or qualification or anything, do they have to go and do
21 any specialized training in order to fill -- fulfil that command
22 role?

23 And my second question would be, if not, are there any
24 measures to mitigate or to ensure that -- again, I'm not from the
25 Coast Guard -- that second in command, or third in command, or

1 somebody else there is strong enough to support that person,
2 should the questions arise, or issues?

3 A. Right. So your first question, sector commanders, they go
4 through a 2-week sector commander course. Three days of that
5 sector commander course is on marine safety missions. The second
6 part of your question, regarding a second in command, so the way
7 the sector construct works, there's a sector commander, and
8 there's a deputy sector commander.

9 In some cases, the deputy sector commander may be a
10 prevention officer, so number two may be a prevention officer, but
11 again, not in all cases. The first person in the chain of command
12 that would be a prevention officer would be the prevention
13 department head, so that would be a -- in most cases, a commander,
14 who works directly for the sector commander and the deputy sector
15 commander.

16 Our -- to be assigned to a prevention department head, an
17 individual would have had both a marine inspections tour, as well
18 as a tour in one of the other focused areas of the prevention
19 community, whether that is a tour as a facility inspector,
20 investigating officer, a waterways manager, or a marine safety
21 engineer.

22 Q. Okay. Understood. I'm going to step backwards a bit now.
23 So I understand that a lot of the -- well, when the inspections
24 take place, we learned -- and this has been a big learning
25 experience for me, personally -- that takes place at the inspector

1 level. They do the entry into MISLE, that goes through reviews,
2 checks, and balances at the sector level, and at least for the
3 domestic passenger vessels, if there are no issues, they pretty
4 much stay at the OCMI level as a sector commander. So that's
5 understood.

6 So just wondering if you can give me an example of things
7 that do make it to your desk. You mentioned that some of the more
8 complex or complicated either interpretations of policies or
9 vessels need interpretation, they do make it to your desk.
10 Wondering if you have a few examples of what they might be.

11 A. Sure. So the staff, within the appropriate divisions within
12 CVC, review all vessel detention activities. So a couple of years
13 ago, we introduced -- we harmonized the domestic vessel inspection
14 control actions with the port state control, control actions. And
15 we -- anytime a marine inspector issues a deficiency, they can --
16 they can pick a certain number of codes that would define when
17 that activity has to be completed.

18 One item that we introduced was a detention. So for years,
19 we had detained a foreign vessel. It was in a US port, and it was
20 in a substandard condition. We have begun to do that with US
21 vessels. If we find a serious safety deficiency, and the owner or
22 operator of the vessel has not proactively managed the safety of
23 that vessel, or that -- or the vessel has a safety management
24 system, and that vessel -- and that deficiency is related to a
25 safety management system, the OCMI would detain the vessel. All

1 of those detentions are reviewed by my office.

2 Q. Okay. And is it -- this is a curiosity, but --

3 A. Yep.

4 Q. -- do you guys maintain metrics, and do you -- do you see a
5 lot of detentions --

6 A. So --

7 Q. -- for domestic passenger vessels?

8 A. Right. So I'll -- you know, again, I'll refer you to our
9 domestic vessel inspection -- annual inspection report. But I
10 will say that we are seeing -- as the field is understanding how
11 the -- how they should be using this tool, and as we've been
12 providing more oversight for the program level, we have seen more
13 detentions that are being issued. You know, and we made it
14 closely related to the detention, or what we call a Code 30 on a -
15 - on an 835V form, is another code that says, prior to departure,
16 or Code 17.

17 And while on its -- on its face, it may seem like those are
18 the same thing, that you're detained versus you can't depart, but
19 the difference is the detention demonstrates that the owner or the
20 operator, that they just were not taking care of their ship like
21 they should. And now that we've introduced that to the field, and
22 they've been able to use it, we're going to use that as a -- as a
23 big marker going forward on our risk-based inspections. So
24 vessels that may have had a detention in the past, we probably
25 need to look at -- look at those a little bit closer.

1 Q. Understood. Okay. And so that was another question I had on
2 my list, so I'll ask it now. So you mentioned risk-based, and
3 vessels that have had previous issues. At the CVC level, at your
4 level, do you guys maintain any type of -- I don't even know what
5 to call it -- a database, a matrix of, hey, you know, there are
6 these vessels out there who are higher risk versus other vessels?
7 Do you -- do you maintain anything like that?

8 A. We have a -- we maintain what's called a Fleet Risk Index,
9 which is aimed at those vessels that are enrolled in our alternate
10 compliance program, or our marine -- maritime security program.
11 So those are like deep draft vessels. So at this time, we don't
12 have a similar structure for small passenger vessels, however,
13 that is what we're working on.

14 Q. Okay. And are you aware, like, do the sectors maintain that?
15 I mean, some of these sectors have like a lot of -- lot of T-
16 boats, a lot of small passenger vessels, a lot may be K or H even.
17 Do you know if that's maintained at a sector level?

18 A. In general, no, but I would say, at the sector level -- and
19 this is where, you know, a good OCMI should have an understanding
20 of the vessels that are operating within his or her zone, and know
21 which one of those vessels either are a higher risk operation, or
22 they know -- they understand that the owner or operator may be
23 underperforming. So while there may not be a quantitative
24 analysis of that, there is, in almost all cases, a qualitative
25 analysis where the OCMI and his or her staff know which vessels

1 they probably need to pay closer attention to.

2 Q. Okay. Thank you. So you mentioned this tool. So -- and
3 this was a point of confusion I had with the -- with the previous
4 interview. So you kind of going in the more -- correct me if I'm
5 wrong -- the control actions are more in line with the port state
6 control, control actions now.

7 So activities that weren't detention are serious safety
8 deficiencies. So we had heard before, the use of the word no-
9 sail. Is that an old word? Does that exist anymore, or is it the
10 same as a detention?

11 A. Right. So we -- this is one of the -- this is one of the
12 legacy words that we're trying to move out of our vocabulary,
13 because there's a variety of codes that would lead to a, quote,
14 "no-sail". So before we issued these -- this guidance to use the
15 Code 30s or the Code 17s, typically, if a marine inspector found a
16 serious deficiency onboard a passenger vessel, they would write,
17 prior to carrying passengers, complete the following. And that
18 was commonly referred to as a no-sail.

19 The vessel can't go anywhere until they complete it. The
20 point we want to make is, we want to provide a severity index to
21 that quote/unquote, "no-sail", so that we can -- we can determine,
22 from a -- from a longer data range, you know, we understand things
23 break on a ship, but we want to ensure that when things break on a
24 ship that the owner or operator is proactively fixing them, and we
25 are confident that when we leave the ship, that they're going to

1 ensure that the vessel is compliant with the regulations.

2 Q. Understood. Okay. And that tool that's used, is that like a
3 -- is it a publication? Is it a policy? Is it a letter? What
4 exactly is that tool?

5 A. Yes. So you're -- there is a CVC policy that tells marine
6 inspectors what codes to use and how to use them.

7 Q. Okay. Is -- curiosity, is that something that's accessible
8 on the public domain, or is that -- CVC policy is something that
9 we have to request specifically?

10 A. That one is -- I believe that one, currently, is for internal
11 use. So if you needed to request it for part of the
12 investigation, we'd have to go through whatever rules we have for
13 that.

14 Q. Okay. And you also mentioned there's a lot of guidance out
15 there. You mentioned CID notes, for example. Are -- is the
16 guidance that is put out there, from your office, is that
17 communicated in email or letters, or is it still embedded within
18 the policies?

19 A. Right. So I will say one of the biggest challenges of being
20 a marine inspector is not only knowing the regulations, but more
21 importantly, knowing where the regulations -- where the
22 regulations and policies are. And we have policies and guidance
23 that are scattered through a variety of sources, whether they're
24 navigation and vessel inspection circulars, whether they're policy
25 letters issued by headquarters offices, district officers, OCMI's,

1 whether it's a marine safety manual that's on the order of 1,500
2 pages, it's extremely complicated to find some of this
3 information.

4 CID notes, as we discussed, those are -- those are emailed
5 out, and then they're stored in our directory, but they aren't
6 really categorized. So if you want to know something, you have to
7 open up years' worth of these, with one being issued every month.
8 So one of the initiatives that our office has is to try to
9 streamline this program to get rid of outdated policy, and to make
10 it easier for the marine inspector to have the policy at their
11 fingertips.

12 One breakthrough that we've had is to issue iPads to our
13 marine inspectors so that they have, you know, electronically,
14 they can carry all of this in a single iPad, rather than several
15 thousands of pages with them, and it's searchable. So if they
16 want to put in a keyword, they can go across and search through a
17 variety of policies.

18 Q. All right. Thank you very much. I do remember that. It
19 sounds like a good initiative, because I've had the opportunity in
20 my past, like, to do an ICVE course through the Coast Guard, and I
21 saw those Coast Guard inspectors that -- carrying on the backpacks
22 full and full and full of books. So -- yeah. Let's see. I'm
23 just going through a couple of questions here, by the way. I
24 apologize for the pause. My colleagues have asked some of these
25 already.

1 So we talked about the -- I believe your office does a
2 quality control -- a review store of the MISLE activities at the
3 CVC level. And so just curious, if you -- if a problem comes to
4 the surface, hey, this is not being done correctly, or the MISLE
5 activity is not being filled out properly, or just seeing this
6 problem repeat itself in this particular sector, OCMI area, what
7 kind of actions does your office take? For example, do you give
8 the travelling inspectors a call and say, get out there and sort
9 this out or -- again, just in general, what activities, what
10 actions do you take?

11 A. Right. So we -- I would say, you know, it's a spectrum
12 depending on the severity that we're seeing. When we do see an
13 error within a MISLE activity, we expand our review of the unit's
14 activities, of similar type of activities around the same timeline
15 to see if this is something that is being repeated, or was this
16 just a, kind of a one-time mistake.

17 If it's a one-time mistake, there's an informal communication
18 between typically someone within my office and the middle
19 management, like the CID at a unit to say, hey, we looked at this
20 activity. We noted X, Y, and Z. You need to -- you need to
21 follow this policy, or change incoming line, and that sort of
22 thing.

23 The next higher level up is if we do review several
24 activities and we note that a unit is not following a policy,
25 recently we have implemented, through the mission management

1 system, corrective action requests. So these are requests that
2 can be made either from the field to headquarters, or from a
3 headquarters down to the field, and the idea is if we see that
4 there is a breakdown in a process, we want to draw that to the
5 appropriate unit or office's attention, and ask them to look for
6 the root cause of that breakdown, and then take a corrective
7 action.

8 So we have issued CARs, corrective action requests, to units
9 to say, we've noticed this. Here is the -- here is the
10 appropriate policy that should be followed. Please, you know,
11 please take action, and then they will -- they'll conduct a root
12 cause analysis, take action, and then respond back through our
13 mission management office at FORCECOM.

14 Q. Okay. And just curiosity, are these CARs, are they like
15 database-driven, web-based, or email Excel spreadsheets? What are
16 the --

17 A. So there is a -- there is a form. It's a -- it's a form,
18 depending on whether the -- which direction the CAR is going,
19 whether it's coming up or going down, that you would fill out, and
20 then it is emailed, and then a copy of that form is kept within
21 the Coast Guard system.

22 Q. Okay. And the -- and the Coast Guard system is MISLE?

23 A. So in this case, it's a -- it's a repository held by the
24 mission management staff within FORCECOM.

25 Q. Okay.

1 A. So I would say that this is a fairly new process. We're only
2 a couple of years into it, and in the future, there may be larger
3 IT enterprises that provide some assistance with that.

4 Q. Understood. And to that point, so mission management system,
5 you said that is the responsibility of FORCECOM. Is that -- is
6 that like a software database, or --

7 A. So the mission management system, you can think of that as
8 kind of like an ISO-9001 --

9 Q. Okay.

10 A. -- activity. So you know, the Coast Guard inspects, for
11 example, a deep draft vessel. We expect that they implement a
12 safety management system that directs not only how they operate
13 onboard a vessel, but how the company operates. We expect our
14 recognized organizations and third parties acting on our behalf to
15 implement a quality management system that outline how they
16 operate. The mission management system is basically the Coast
17 Guard version of that. It dictates how we should operate. It
18 would, you know, what's our processes? Those items.

19 Q. Okay. And back to like the verbiage of the COIs. You said
20 more standardized now than historically. Is that where you would
21 find this material within the mission management system, or is
22 that still CVC policy?

23 A. That would still -- so the policies would still belong to the
24 office. The mission management system is a process that we would
25 use to maintain those policies. So for example, the challenge

1 we've had with some of our Coast Guard policy is that we issue it,
2 but we don't check back on a periodic basis to see if it's still
3 accurate, if it needs to be updated, or it needs to be cancelled.

4 So under a mission management system, we should identify, and
5 we have started to identify periodic reviews of our policies, or
6 how we review our material to ensure that we're being consistent.
7 So it's a process -- it's a process at which we should be
8 conducting our business.

9 Q. Okay. Thank you. And I'm going to shift gears just a little
10 bit. This goes back to earlier, looking for a couple
11 clarifications on some questions that had already been asked. We
12 spoke of the inspectors, the marine inspectors. We spoke of the
13 course, the training that they go through, the qualifications that
14 they have to get. And going to their -- the feeder ports, having
15 some time with the MITO, and fulfilling all the, I believe, the
16 work qualifications that they have to get.

17 A. Correct, a minimum of four.

18 Q. Okay, minimum of four. So back to that, we understood now
19 that after the *Conception*, that the MSD, they do not have a lot of
20 inspectors, and it's pretty much only -- and even as you've noted,
21 during your history, only one or two. But my question
22 specifically is, when choosing a marine inspector, is there a
23 certain pool that you -- or background, or experience that the
24 inspector pool comes from?

25 A. I'm not sure I understand your question.

1 Q. So is there -- is there like a qualification or an experience
2 or background level for marine inspectors to enter the marine
3 inspector program?

4 A. Got it. Okay. So our -- I would say our marine inspectors
5 come in three different categories, a civilian marine inspector, a
6 warrant officer marine inspector, and a commissioned officer
7 that's a marine inspector. Now, they may all be, at some point in
8 time, an apprentice marine inspector, a journeyman marine
9 inspector, or advanced journeyman marine inspector, but the way
10 that our workforce is set up, each one of those categories
11 compliments our system.

12 So the civilian marine inspector, when we hire that person,
13 there's a position description that goes along with that. We're
14 looking for someone that has certain -- either a prior survey
15 inspection criteria, or prior sea time. Something of that nature.
16 And we're looking for that person to provide the continuity within
17 the fork. If they're not going to -- they're a civilian assigned
18 to government, or working for the government, the chances are,
19 they're not going to transfer around to different ports.

20 So although that's an option, we look for the civilians to be
21 that continuity. Our warrant officers, they come from the
22 enlisted ranks, where they all -- where, as an enlisted member,
23 they are a technical specialist in a variety of Coast Guard
24 functions, whether they are a prior engineer on a -- on a cutter,
25 a marine science technician that has been at a sector, a damage

1 controlman, which has experience in welding, an electrician, what
2 have you. They already come with a technical experience.

3 We look for them to be really strong Coast Guard technical
4 experts that we shipped around from port to port, but we expect
5 them to stay in the Coast Guard as a marine inspector for an
6 extended period of time. And then that third type of marine
7 inspector is a commissioned officer. Our commissioned officers,
8 we expect them to be qualified as a marine inspector, but we also
9 recognize that, for continued promotability and to ensure the
10 health of the prevention program, that we need to move them
11 around, not only to different sectors, but through different staff
12 assignments.

13 So we're -- we want our -- we want officers that are managing
14 our marine inspector program, or any of our prevention programs,
15 to have experience working at different sized ports, working
16 within different staff offices within the Coast Guard, perhaps
17 having some technical background so that we have a well-rounded
18 officer core to manage the program. So each one of those is going
19 to come from different assessment sources with different
20 backgrounds that they're going to bring.

21 Q. Understood. Okay. Thank you. And to that note, you touched
22 on earlier, so -- and I completely identify with this. So for
23 example, I'm a deck officer, and if I were an inspector, the
24 likelihood of me running to the bridge or the wheelhouse first
25 would be -- compared to the engine room, would be pretty high.

1 Are there any mitigation measures or guidance or policy that
2 is in place in order to reduce the risk of -- or not -- risk is
3 not the correct word -- reduce the chance of an inspector kind of
4 gravitating to their area of comfort, their area of expertise?
5 I'll draw an example. I'm not an electrician.

6 A. Right.

7 Q. So me inspecting anything electrical, forget it.

8 A. Right. So is there a formal mechanism in place? No.
9 However, again, that's where supervisors at a unit should
10 understand the strengths of their marine inspectors, understand
11 the risk of the vessel that needs to be inspected, and ensuring
12 that the right inspection team is being assigned.

13 Typically, we're not -- you know, if we can -- if we can use
14 more than one marine inspector for a vessel, that's ideal, and so
15 you would want to kind of mix up that group of inspectors. So you
16 would have maybe someone who is a little bit stronger on the
17 engineering side, or you know, occasionally, maybe you want to
18 send an officer that has a strong technical background so that
19 they can ensure that the stability -- you know, they may be
20 looking at the stability of the vessel a bit closer. So also,
21 because we are rotating, at least for the warrant officers and the
22 commissioned officers, rotating them every 3 to 4 years, changes
23 are you're going to get a different flavor of person looking at
24 the vessel.

25 Q. Understood. Okay. Let's see. So we learned along the way

1 too, this -- and as mentioned, it's been a steep learning curve
2 for me -- is there's this 840 book that is out there, I guess,
3 from -- for the marine inspectors to use, or at least reference.
4 Is the content within that -- who owns and who maintains that?

5 A. Right. So we have job aids. We call them 840 books. I
6 think our FORCECOM brethren have asked us to refer to them as job
7 aids, but for older marine inspectors, they're 840 books. That
8 material is compiled by FORCECOM, based on the qualification tasks
9 required for an inspection, and they are approved by CVC.

10 Q. Okay. And so that goes through an approval. So curiosity --
11 no, sorry. Not curiosity, but the question is, has there been any
12 corrections to the job aid books since the *Conception*?

13 A. Right. So the use of job aids is currently not a mandate.
14 It's provided to OCMIIs as a tool. What you would find right now,
15 in many OCMI zones, they have tailored the job aids, in some cases
16 because they have a specific fleet, and you want to ensure that
17 they concentrate on certain areas.

18 We currently have a task force that, one of their jobs -- one
19 of their tasks is to reevaluate the job aids and come up with a
20 new standardized version that all OCMIIs should be using, that
21 hopefully will correspond with the risk-based matrix. So those
22 vessels that may present the higher risk, we want to ensure that
23 we hit more areas in certain portions of the exam.

24 Q. Okay. Was that task force established pre-*Conception* or
25 post-*Conception*?

1 A. *Post-Conception*.

2 Q. *Post-Conception*, okay. I used that word a lot now, *post-*
3 *Conception*.

4 A. Right.

5 MR. TUCKER: All right, Captain. I do have a couple more.
6 I've got to catch up on my notes, and I'm sure you're tired of
7 hearing me talk, so I'm going to turn it over. I think that's the
8 end of the NTSB questioning, at least for this round. So Captain
9 Neubauer, do you want to take it from your side?

10 CAPT NEUBAUER: Okay. Thank you, Adam. Captain Edwards,
11 we've been going for about an hour and a half. Do you want to
12 keep going or take a quick break, or --

13 CAPT EDWARDS: I can keep going.

14 CAPT NEUBAUER: Okay. All right.

15 CAPT EDWARDS: Yep.

16 CAPT NEUBAUER: We'll keep going. I'm going to go on the
17 line to Lieutenant [REDACTED]. Do you have any questions?

18 LT [REDACTED]: Good afternoon, Captain. This is Lieutenant
19 [REDACTED] from the Investigations NCOE. I do not have any questions
20 for the Captain. Thank you very much for your time, sir.

21 CAPT EDWARDS: Sure.

22 CAPT NEUBAUER: Okay, thank you. Then we'll go to Commander
23 [REDACTED] here at headquarters.

24 BY CDR [REDACTED]:

25 Q. Captain Edwards, good afternoon. Once again, this is

1 Commander [REDACTED] from the travelling inspection staff. I'm
2 going to go to the risk-based decision-making tool for just a
3 quick question. Have you reviewed the last annual inspection for
4 the *Conception*, sir?

5 A. I did. It has been a while since I've looked at it.

6 Q. When reviewing the risk-based decision making policy, CVC
7 policy letter 16-05 change 1, it mentions in there that, if you do
8 use this new risk-based decision making tool, that you should use
9 a special note, if you remember that. I did not see a special
10 note in there for *Conception*. However, when reviewing the
11 activity for the *Conception*, dated 13 February 2019, the scope of
12 the inspection looks similar to a Tier 2 review scope inspection
13 in the policy. Is that something you noticed as well?

14 A. So I will say that, you know, Subchapter T does outline for
15 the -- for the non-COI exam that it can be of a reduced scope. So
16 it's not uncommon for a marine inspector to vary the scope of the
17 exam from gear to gear. And that can be done independently of a
18 formal risk program.

19 Q. Okay. So go over the specifics of the 2019 activity. It
20 mentions the scope to include documentation, lifesaving,
21 firefighting, and drills. It does not mention machinery or
22 electrical items.

23 So -- and based on what you just said, Captain, is that
24 something that, if CVC reviewed this activity, they would find
25 that acceptable for the annual, given that it was the fourth

1 annual, or would it be something that would provide an issue?

2 A. So again, those items -- what we would look for is we would
3 look for a comment to say, its engineering system was not
4 inspected because of, and a reason it was -- and a reason why. In
5 the portion of MISLE where you check if it was inspected
6 satisfactory, or what the item is, we would expect to see that the
7 -- if they didn't inspect it, that they put no, that they didn't
8 inspect it.

9 So we look for a mismatch in those regards. But again,
10 irrespective of what the risk-based program says, it's within the
11 OCMI authority to reduce the scope. Yeah. So we're looking more
12 -- at this point, we're looking at a mismatch of what they said
13 they did, and what the results look like.

14 Q. Thank you, Captain. And another part for that activity, at
15 the end of the activity summary report for that activity, it
16 includes a log which logs the actions taken on that activity by
17 the unit. This particular log lists the marine inspector for all
18 actions up to closure of the activity. Is that within alignment
19 with CVC policy?

20 A. There's currently not a policy that prohibits that. That
21 scenario that we're looking at as one of our focused work
22 instruction.

23 Q. Okay. Captain, you mentioned the small passenger vessel
24 safety task force that was formed at Coast Guard Headquarters
25 post-*Conception*. Can you elaborate on who is included on this

1 task force, and the specific tasking of the charter?

2 A. Sure. So it's representatives from Office of Engineering
3 Design Standards, Marine Safety Center, traveling marine
4 inspectors, CVC office of -- and Office of Offshore and
5 Environmental Standards. I'm trying to think if I've missed
6 anybody. So it has a breadth of people onboard representing
7 different offices, different experiences with a few -- a few lines
8 of effort.

9 One is conduct a data analysis of small passenger vessels to
10 look back on the data to asses what the fleet looks like and
11 establish a -- essentially a dashboard that we can assess the
12 health of a small passenger vessel fleet, use that data to develop
13 a risk-based inspection product that, you know, again, would
14 assess where that vessel is on the spectrum of risk, develop some
15 -- develop criteria of what to do with that risk.

16 So whether that is a -- the type of inspection, the frequency
17 of inspection, of who reviews that inspection. Evaluate job aids,
18 and provide new job aids as appropriate, and then provide a
19 recommendation regarding safety management systems.

20 Q. Sure. Thank you. And have there been any deliverables from
21 the taskforce in the recent months related to that tasking, sir?

22 A. So we've conducted briefs, internal briefs on it.

23 Q. Sir, in the follow-up to the *Conception* fire, there's been a
24 Coast Guard-wide effort to address certain risk areas on small
25 passenger vessels with overnight passenger accommodations. Has

1 CVC gathered any observations or deficiencies that you've noted
2 amongst the fleet that's been examined by our OCMIIs?

3 A. We have. So we looked at the deficiencies that were issued,
4 and we categorized them by code. I don't have them with me right
5 now, but you know, they -- because we told -- in general, because
6 we told our inspectors, go look at escape paths, general
7 electrical housekeeping, and fire safety, we saw a lot of
8 deficiencies associated with those areas.

9 Q. At this point in time, Captain, do you anticipate any policy
10 or regulatory solutions to the trends found by that study?

11 A. So that information will be shared with our Marine Inspector
12 Performance Support Architecture. So if we see areas that marine
13 inspectors have missed, we'll look at it to see, does there need
14 to be a change in job aid, or a change in our training program to
15 correct that?

16 CDR [REDACTED]: Thank you, Captain. That's all the
17 questions I have.

18 BY CAPT NEUBAUER:

19 Q. Thank you. This is Captain Neubauer. I just have a couple
20 of follow-up questions. Captain, does your office ever monitor
21 individual inspector performance from the headquarters level, and
22 is there a system of accountability?

23 A. So we do not target by the inspectors themselves, but again,
24 it's a -- if it's an issue that -- if it's a detention, for
25 example, yes, we're going to review it. If it is a -- if we

1 conduct a cursory data analysis, and we determine that there was a
2 mismatch between the data that's presented and inadequate data
3 review, then we'll dig into the file.

4 For example, if we conduct an analysis -- we pull a data pool
5 of deficiencies issued, and we see a lot of deficiencies coded as
6 701, prior to carrying passengers, we're going to dig into that
7 activity to see, was it really a deficiency that was associated
8 because it was passenger-related, or was it a deficiency related
9 to the -- to a vessel's safety?

10 We don't want to see, for example, a prior to carrying
11 passengers deficiency issued if it was a fire pump that
12 malfunctioned. The fire pump contributes to the safety of the
13 vessel as a whole. The correct code would've been 17, 30, or 60.
14 So we would dig into that activity to see why that happened,
15 especially if there were several 701 deficiencies. So that's just
16 one.

17 Q. Okay. Thank you. And kind of along the same lines of codes,
18 and what inspectors can use, I don't think you mentioned worklist
19 items as one of the options that we -- my question is, by policy,
20 can inspectors ever issue worklist items to small passenger
21 vessels without using the 835 form?

22 A. So our policy is that the 835 form should be used, and there
23 is a worklist item that's associated with that, and they should
24 check the worklist check box, and it should be entered into MISLE
25 and checked as a worklist item. So the difference is it doesn't

1 show on the vessel record, or on the vessel's external facing
2 record that this was an item that could be checked as a worklist,
3 but it needs to be reoccurring.

4 Q. Is that a recent MISLE upgrade, that it doesn't show up and
5 can be used on the 835?

6 A. About a year and a half -- when we introduced the new 835V,
7 we introduced not only the codes and the action codes, but we
8 introduced a box to say, was it safety management system-related,
9 was it a worklist item, or was it self-reported? And so if it was
10 self-reported, we also want to collect that data that there was
11 something wrong with the vessel, but we want to eventually, in
12 some future risk program, reward those vessel owners and operators
13 that have said, I have a problem, I'm correcting it, I have it for
14 action.

15 Q. And just in your experience from review, has the field
16 adapted -- are they staying away from keeping worklist items out
17 of the system altogether?

18 A. So we're still working with the worklist items. So it's a --
19 there's some inspector discretion. They may include worklist
20 items within MISLE, and the intent of those are more of a -- when
21 a vessel is under construction, these are the areas that we need
22 to go back and check.

23 But once a vessel is already built and it's operating, and
24 unless it's in a yard, we really should not be using the worklist
25 within the MISLE activity itself. It should be -- these

1 deficiencies are supposed to be listed on an 835 and entered into
2 the MISLE.

3 Q. Thank you. And my last question is something I think a
4 little more complicated for the marine inspectors to figure out,
5 and I want to go back to the -- to the example regulation that was
6 quoted for egress. It's -- could be discretionary, from the point
7 of view of the inspector of adequacy and rapid egress.

8 I think you've seen the configuration on the *Conception* for
9 the egress route. An inspector who encountered that and had
10 concerns with the regulation, and if an inspector had concerns,
11 what would -- how would that requirement be written? Or we have
12 to consult with his CID -- his or her CID?

13 A. Right. So that would be -- I would say that, yes, that
14 inspector should consult with his or her CID. One, the first step
15 would be, was that -- was that an arrangement that was previously
16 accepted by the Coast Guard, and under what circumstances was that
17 accepted? You know, two, were there any changes that have
18 occurred that would violate some of those underlying assumptions
19 on why we accepted it at the time? So we need to look there.

20 The third is, if they're going to take action that's really
21 going to change how a vessel is operated historically, that's a
22 discussion -- that is a decision that the OCMI should make. But
23 it's the obligation of the marine inspector to identify that and
24 bring that to the OCMI.

25 Q. Have you seen that process occurring during the CIC campaign

1 after *Conception*?

2 A. I -- to some extent. I'm not sure -- we saw some
3 deficiencies issued for, for example, rack size, where there were
4 two individuals per rack, which was not permitted by regulation.
5 So we saw that deficiency entered into MISLE. I'm not sure if
6 that was a discussion between the marine inspector and the OCMI,
7 or what the task was. But --

8 Q. And just to clarify, is there a regulation prohibiting two-
9 deep racks?

10 A. It would be a -- it would be an egress for the person that
11 was inside. It would be hindering their egress.

12 Q. That would be a -- is that more of a discretionary --

13 A. I'd have to double-check, and --

14 Q. Okay.

15 A. -- I think -- I would have to -- I'll have to go back and
16 check, but I also think it's one person. I think --

17 Q. Okay.

18 A. -- two are prohibitive. But I --

19 CAPT NEUBAUER: So the only reason I ask is the *Conception*
20 did have two-deep racks that could hinder egression. So we -- if
21 you don't mind, that would be a good -- if you could get that for
22 us, and then -- but that's the last question I have. I'd like to
23 go back to the NTSB at this time.

24 MR. TUCKER: Okay. Thank you, Captain Neubauer. Well, we'll
25 do another round, and we'll start off in the same sequence. So

1 Drew, do you have any follow-ups?

2 MR. EHLERS: I do not have any follow-up questions. Thank
3 you.

4 MR. TUCKER: Okay, thank you. And Marcel?

5 MR. MUISE: Thanks, I just have one question. Captain, does
6 your office have oversight of six-pack, as well as those that did
7 the post-*Conception* special campaign identifying six-packs that
8 had overnight accommodations?

9 CAPT EDWARDS: Our -- we -- no, we do not. My office is not
10 responsible for uninspected passenger vessels, and --

11 MR. MUISE: Okay.

12 CAPT EDWARDS: -- our post-*Conception* inspection focus only
13 applied to inspected vessels.

14 MR. MUISE: Okay, thank you, Captain. That's all I had.

15 MR. TUCKER: Bart?

16 MR. BARNUM: Bart Barnum, NTSB. I have no further questions.
17 Thank you, Captain.

18 BY MR. TUCKER:

19 Q. All right. Captain, I've had the opportunity to catch up
20 with some of my notes, so I do have a few follow-ups. Number one,
21 is -- I need to paint the picture. So an inspector goes onboard a
22 vessel. He's conducting an inspection of a boat, and it -- he
23 sees something that bothers him, but he can't cite it as being an
24 item of noncompliance or a deficiency.

25 We'll use the example of the *Conception*. You know, there

1 were no smoke detectors in the main salon, however, there was a
2 heat detector in the galley. So say for example, a person saw
3 this and went, oh, there's no detectors here. Can't cite a reg
4 because the regs don't require it, or at least for that year of
5 build of vessel.

6 My question is, is there any type of system or repository
7 database process that he can go back to, I guess, his office and
8 his chain of command and say, hey, I saw something I don't like,
9 and I can't cite a reg on it, but I still don't like it? Is there
10 anything like that?

11 A. So the means that we see that in is a -- the OCMI would send
12 a memo through their district command to CVC to raise that as an
13 issue, you know, for our -- for our awareness.

14 Q. Okay.

15 A. And we have -- on occasion, we've received those sort of
16 memos from the field. The -- this is what we see. In many cases,
17 it's requesting clarification. You know, should we take action on
18 this or not? But currently, is there repository of these? I
19 would say no.

20 Our closest to that would be, following a casualty -- a
21 reportable marine casualty where there is an investigation done,
22 there may be a safety recommendation associated with that, that's
23 within the Office of Investigation analysis, and we would -- we
24 would consult with them.

25 Q. Yeah. Yeah, I guess for lack of better words, I was -- the

1 short version would be like a suggestion box of, hey, this would
2 make things safer. So -- but understood. So we spoke of SMS --

3 A. Oh, I'm sorry. I'm sorry. Just to go back to --

4 Q. Yep.

5 A. -- one item that you said. You know, in some cases, if the
6 OCMI feels strongly enough about that, they would be able --
7 there's -- I suspect that you could find suspicion verbiage within
8 the regulations for an OCMI to write a deficiency for that. That
9 would give the owner or operator the ability to either appeal that
10 decision or comply with that decision.

11 So if the owner or operator complies with that, and they say,
12 yes, we agree, then that's kind of resolved. If the owner or
13 operator disagrees and there's an appeal that goes through, that
14 appeal eventually lands in our office, and while we might grant
15 the owner or operator the appeal, we do have that information as
16 something that may be needed for future regulatory work.

17 Q. Okay. Thank you. We spoke of safety management systems, and
18 we learned that there's no requirement, and very few T-boats that
19 have safety management systems. In the line of work that we do,
20 we've discovered that boats that are -- carry way less people --
21 for example, tow boats on the -- on the western rivers. I guess
22 Subchapter M is what it's called now. They are required to have a
23 towing vessel safety management system, at least for their next
24 inspection.

25 Have there been any discussions within -- and maybe you're

1 the wrong person to ask -- within the Coast Guard, within your
2 department, of any type of requirement to have safety management
3 systems on small passenger vessels?

4 A. Right. So going back to your first point, not all towing
5 vessels are required to have a safety management system. That's
6 something that they have the option to implement, and they may
7 implement that if they choose a third part function. They may use
8 -- let me back up. They may us -- for Subchapter M, there's two
9 compliance regimes.

10 There's either the Coast Guard option, where we treat that
11 vessel as a typical Coast Guard-inspected vessel. We can come out
12 once a year, and we do our normal process. Or the towing vessel
13 may choose what's called the TSMS, towing and safety management
14 system option, and under that option, they have to have a safety
15 management system, and a third-party organization that is
16 providing oversight of that.

17 And in return, they have a little it more of a flexibility in
18 their inspection regime and what they can do, but it's not a
19 requirement. Regarding the passenger vessel safety management
20 system requirements, I would refer you to the standards
21 directorate to ask -- to ask them.

22 Q. Okay.

23 A. Does that make sense? They -- so the regulations, they
24 originate from the standards folks.

25 Q. Yes, okay. The standards directorate.

1 A. Yes.

2 Q. Okay. All right. Just throwing that out there in case the -
3 - again, we're very unfamiliar with your office, and we're only
4 learning about it now, so thank you. So also, and I'm getting --
5 I'm getting down to the end of the line here, so the -- we spoke
6 of the concentrated inspection campaign. Was that driven from
7 your office?

8 A. Yes.

9 Q. Okay. And the -- I guess the scope of the concentrated
10 inspection campaign was not to conduct a regular inspection. It
11 was to take a deeper dive into the condition of these vessels. Is
12 that correct?

13 A. So the scope was -- so following the *Conception*, you know,
14 you all, NTSB and Coast Guard investigators, identified some very
15 preliminary data. Preliminary issues. So we wanted to conduct a
16 quick inspection of existing vessels to ensure that those same
17 conditions didn't exist throughout the rest of the fleet. So it
18 was really focused on a handful of items.

19 So we did issue an MSIB post-*Conception*, that talked about
20 some general areas that we wanted the industry to take a look at
21 themselves on, and you would see that our internal or concentrated
22 inspection program followed those same lines of effort.

23 Q. Okay. And just -- because what -- and maybe I read this
24 wrong, because what -- one thing that we've seen is -- and I'm
25 wondering if this comes to your desk, is, for example, when the

1 *Conception* was -- during the -- sorry. The sister vessel, the
2 *Vision*, because the *Conception* doesn't exist anymore, when the
3 sister vessel, the *Vision*, was inspected in 2018, there were 3
4 noted deficiencies, but then again, fast-forward to October of
5 2019, post-*Conception*, there were 40. Would that usually raise
6 flags or alarms within CVC, if you see 1 year, there's 3
7 deficiencies, and the next year, there's 40?

8 A. So I would say yes, that would raise an alarm, however, we
9 don't have an IT system that really provides an easy way to see
10 the changes on a single inspection from year to year. If we had
11 something that was built into the system that would flag that,
12 definitely. But at the local unit, that should -- that should
13 ring a little bit more clear for them, because the number of
14 vessels, you know, the -- our office is responsible for roughly
15 18,000 commercial -- domestic commercial vessels, and another
16 18,000 port state control inspections per year.

17 So for us to be able to have that granularity on a vessel-by-
18 vessel basis would be extremely difficult. But at a unit level,
19 where you have a much fewer number of vessels, and they should be
20 much more familiar with it, then that should raise some concerns.

21 Q. Okay. Thank you. So yeah, you mentioned those software. So
22 sounds like this has to be kind of mined versus automatically or
23 scripted.

24 A. So even when it comes to mining, unfortunately, our data
25 systems are still very challenging to work with in the information

1 that we collect, and how we collect it. So even --

2 Q. Okay.

3 A. -- even when we have the data to mine it, it can be very,
4 very challenging to do so.

5 Q. Okay. Understood. And there's one --

6 A. Sure.

7 Q. -- another -- one more, and this is a note that I just went
8 back on here, and I missed it. Is -- we've heard that there's an
9 EK guide. Does that come out of your office, or is that from a
10 different office?

11 A. So what -- so I am aware that the Passenger Vessel
12 Association published a EK guide at about the time that -- or
13 shortly after, or around when the news of chapter T came about,
14 that basically provided a crosswalk and an explanation between
15 what T was pre-1996 and what T was post-1996. So I'm not sure if
16 that's the guide that you're talking about.

17 Q. It might be. And I apologize. So you know, that --

18 A. Yep.

19 Q. -- that might be it.

20 A. That's fine. And it's a very -- I -- you know, I've seen
21 copies of it. It's a really good publication, but that's from
22 Passenger Vessel Association.

23 Q. Understood. Okay. Well, to that note, Captain, I will have
24 one follow-up, but I am finished for now, so I will turn it over
25 to Captain Neubauer.

1 BY CAPT NEUBAUER:

2 Q. Okay, thank you. One follow-up for the record. Who is
3 leading the small passenger vessel taskforce we discussed earlier?

4 A. I am.

5 Q. And then, one follow-up from this latest round is, does
6 anything prevent the marine inspector from making recommendations
7 to a vessel owner or master?

8 A. No. A marine inspector, you know, quite frequently, they
9 would say, you know, this is still in compliance with the
10 regulations, however, you know, urgent seamanship or design, it
11 would be a good idea to do the following. And in fact, there's
12 nothing stopping an OCMI from articulating that in a letter as
13 well, voluntarily.

14 Q. And do you see that frequently occurring?

15 A. You know, at the inspector level, I think you do. I think
16 you see a lot of informal, as you're walking around the vessel,
17 hey, you know, this probably isn't the best. Because marine
18 inspectors are on a lot of different vessels, they pick up good
19 ideas from vessel to vessel, but they aren't a regulatory
20 requirement. So marine inspectors are willing to provide that
21 input, and it's up to the vessel.

22 Q. And then a follow-up to the vessel that had 40 deficiencies.
23 You know, from your experience in prevention department and
24 others, would an exam with 40 deficiencies on an existing T-boat
25 raise concerns regardless of the record of the vessel?

1 A. Yes.

2 Q. So that would really be your opinion, a local unit CID or
3 prevention department that holds that red flag?

4 A. It should be.

5 CAPT NEUBAUER: Those are the follow-ups that I had. I'm
6 going to Commander [REDACTED].

7 BY CDR [REDACTED]:

8 Q. Okay. Captain, this is Commander [REDACTED] again, and I
9 just wanted to do one quick follow-up to something that the NTSB
10 and Captain Neubauer just mentioned, just to try to help the NTSB
11 a little bit. But when they were asking about unsafe practices in
12 general, and how inspectors can deal with them, could you take a
13 look at 176-830 and 176-840 in Subchapter T? It should be unsafe
14 practices and additional tests and inspections.

15 A. Yep.

16 Q. Could an inspector use these regulations to deal with unsafe
17 practices that they observe on a Subchapter T vessel, and also ask
18 for tests or inspections that might not be required elsewhere?

19 A. Right. There -- yes. There is the ability to expand that.
20 You know, so for example, Coast Guard inspectors are not
21 necessarily experts in sail rigging, but if a marine inspector
22 does see something that makes them question how -- the condition
23 of the sail rigging, they may require another -- a survey report
24 to come in to test that condition. So that's not -- that's not
25 something that is spelled out in regulations, but it something

1 that we may require an extra test.

2 CDR [REDACTED]: Thank you, Captain. That's all I have.

3 CAPT NEUBAUER: Okay, I'll go to the line. Lieutenant
4 [REDACTED], any final questions?

5 LT [REDACTED]: No, Captain, nothing from me. Lots of good
6 questions and a lot of very helpful answers. Thank you very much
7 for your time, sir.

8 CAPT EDWARDS: Okay.

9 CAPT NEUBAUER: Okay, that's it from the Coast Guard side.
10 Mr. Tucker?

11 MR. TUCKER: Yes, sir. Any follow-ups from any of my NTSB
12 colleagues?

13 MR. BARNUM: No, thank you, Adam.

14 MR. TUCKER: All right. Sounds like there's -- we gave ample
15 time for the mute button, so no. And Captain, I only have one
16 follow-up, and it's very open-ended, but the question is, is there
17 anything that we have not asked you that you feel might be worthy
18 of asking and sharing with us related to this investigation, and
19 kind of putting all of this together?

20 CAPT EDWARDS: No, there isn't, but you know, I look -- I
21 look forward to the outcome of the investigation, and the Marine
22 Board, and what they come up with.

23 MR. TUCKER: All right, sir. Well, a big thank you. I speak
24 on behalf of the team. We really appreciate your wisdom, your
25 feedback, your experience, and your time with us today. So to

1 that note, we will end the recording of this interview. The time
2 is 2:56 p.m. Eastern Standard Time, January 9th.

3 (Whereupon, 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 AND SINKING OF THE CONCEPTION
WITH LOSS OF LIFE NEAR
SANTA CRUZ ISLAND, CALIFORNIA
SEPTEMBER 2, 2019
Interview of CAPT Matt Edwards

ACCIDENT NO.: DCA19MM047

PLACE:

DATE: January 9, 2020

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.



Wendi N. La Belle
Transcriber

Errata

Interview of CAPT Matthew Edwards

<u>Page & Line</u>	<u>Correction</u>
Page 11, line 22:	“gas (indiscernible) course” to “gas carrier course”
Page 11, line 22:	“wood haul inspection” to “wood hull inspection”
Page 14, line 14:	“Offshore and Environmental Standards,” to “ Operating and Environmental Standards,”
Page 15, line 13:	“the implementation of a safety management system” to “the development of a safety management system”
Page 15, line 10:	“would belong to the Office of Design” to “would belong to the Office of Operating and Environmental Standards ”
Page 19, line 6:	“before you gain passengers” to “before you carry passengers”
Page 24, line 23:	“MIPSA. Do MIPSAs look” to “ MI s. Do MI s look”
Page 25, line 3:	“Office of Short Forces” change to “Office of Shore Forces”
Page 25, Line 21:	“Does MIPSAs” change to “Do MI ’s”
Page 26, line 25:	“ OGT training then?” to “ OJT training then?”
Page 27, line 18:	“ P -boats similar to the” to “ T -boats similar to the”
Page 28, line 15:	“Over 9 passengers” change to “overnight passengers”
Page 31, line 9:	“Office of Stabilities ” to “Office of Engineering and Design Standards ”
Page 50, line 4:	“Office of Offshore and Environmental Standards” change to “Office of Operating and Environmental Standards”
Page 62, line 9:	“EK guide” change to “TK guide”
Page 62, line 12:	“EK guide” change to “TK guide”