

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of:

*
*
*
*
*
*
*

FIRE AND SINKING OF THE CONCEPTION
WITH LOSS OF LIFE NEAR
SANTA CRUZ ISLAND, CALIFORNIA,
SEPTEMBER 2, 2019

Accident No.: DCA19MM047

* * * * *

Interview of: CULLEN MOLITOR
Second Captain, *Conception*

Wednesday,
September 4, 2019

APPEARANCES:

MARCEL MUISE, Marine Accident Investigator
National Transportation Safety Board

ANDREW EHLERS, Marine Accident Investigator
National Transportation Safety Board

BARTON BARNUM, Marine Accident Investigator
National Transportation Safety Board

CDR [REDACTED] [REDACTED] Investigator
11th District
United States Coast Guard

LT [REDACTED] [REDACTED] Investigator
Marine Safety Detachment Santa Barbara
United States Coast Guard

LT [REDACTED] [REDACTED] Investigator
U.S. Coast Guard National Centers of Expertise

[REDACTED] [REDACTED] Investigator
U.S. Coast Guard National Center of Expertise

[REDACTED] [REDACTED] Investigator
U.S. Coast Guard National Center of Expertise

CAPT. JAMES SNODGRASS
Santa Barbara County Fire Department

DET. MATT BANKS
Santa Barbara County Sheriff's Office

GLEN FRITZLER, Owner
Truth Aquatics

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of Cullen Molitor:		
By Mr. Ehlers		6
By Mr. Muise		32
By Mr. Barnum		34
By LT [REDACTED]		39
By LT [REDACTED]		41
By Mr. [REDACTED]		47
By Capt. Snodgrass		48
By Mr. [REDACTED]		55
By CDR [REDACTED]		60
By Mr. Ehlers		61
By Mr. Muise		63
By Mr. Barnum		64
By Capt. Snodgrass		69

I N T E R V I E W

1
2 MR. EHLERS: Good afternoon. This is Andrew Ehlers. I am
3 the NTSB Marine Accident Investigator. We are conducting an
4 interview with Mr. Cullen Molitor. Did I pronounce that
5 correctly?

6 MR. MOLITOR: Yes.

7 MR. EHLERS: Okay. And in conjunction with the investigation
8 into the accident involving the vessel, the dive vessel
9 *Conception*. Could you please spell your name, sir. Your last
10 name?

11 MR. MOLITOR: My last name is Molitor, M-O-L-I-T-O-R.

12 MR. EHLERS: Okay. What I'm going to now is, well first, I'm
13 going to again state that the purpose of this investigation is
14 safety. Our aim is to prevent accidents such as this from
15 happening in the future.

16 However, having said that, NTSB cannot offer confidentiality
17 or immunity. Do you understand that this interview is voluntary?

18 MR. MOLITOR: Yes.

19 MR. EHLERS: Okay. We are recording this interview and a
20 transcript of the interview will be generated and will become part
21 of the public record. Do you understand that this is a recorded
22 interview?

23 MR. MOLITOR: Yes.

24 MR. EHLERS: Okay. All right. I'll, what I'll do now is
25 I'll let everyone else in the room introduce themselves.

1 MR. MUISE: Marcel Muise from the NTSB also.

2 MR. BARNUM: Hi. I'm Bart Barnum. I'm with NTSB.

3 LT [REDACTED] Lieutenant [REDACTED] Coast Guard,
4 MSD Santa Barbara.

5 LT [REDACTED] Lieutenant [REDACTED] [REDACTED] from the Coast Guard
6 Investigations National Center of Expertise.

7 MR. [REDACTED] [REDACTED] [REDACTED] from the Coast Guard
8 Investigations National Center of Expertise.

9 DET. [REDACTED] [REDACTED] [REDACTED] with Santa Barbara Sheriff's
10 Department.

11 CAPT. SNODGRASS: Captain Jay Snodgrass with Santa Barbara
12 County Fire. I'm a fire investigator.

13 MR. EHLERS: Glen?

14 MR. FRITZLER: Glen Fritzler, owner of vessel, *Conception*.

15 MR. [REDACTED] Good afternoon. [REDACTED] [REDACTED] Coast Guard
16 Investigations National Center of Expertise.

17 CDR [REDACTED] Hi. My name's Commander [REDACTED] [REDACTED] I'm
18 from the 11th Coast Guard District which has the oversight of
19 vessel inspections and marine casualties for Utah, Arizona, Nevada
20 and California.

21 MR. EHLERS: At sometime during the interview, Mr. Adam
22 Tucker, who you may have met, he's our investigator in charge, he
23 may step in. He'll sit behind you but -- if you hear someone come
24 in. Also, the deputy investigator in charge, Brian Young, may
25 also step in.

1 I will not have them introduce themselves but if they ask
2 questions, they'll introduce themselves at that point.

3 MR. MOLITOR: Okay.

4 MR. EHLERS: Okay. All right.

5 INTERVIEW OF CULLEN MOLITOR

6 BY MR. EHLERS:

7 Q. Let me start by asking you, what's your experience operating
8 boats?

9 A. I got my captain's license this year. And my first job as a
10 captain was with Truth Aquatics aboard the *Conception* as a second
11 captain. I grew up near boats. My grandparents had a house in
12 Michigan with speed boats and stuff like that, sailing small
13 single-person sailboats.

14 I've been a crew member on several boats, including the
15 Spector dive boat out of Ventura. And I work off of the National
16 Park Service dive boat called the Sea Ranger as a diver. Not as
17 crew necessarily, but we're kind of deckhands at the same time.

18 But of my experience operating boats has been small craft and
19 then with Truth Aquatics, with the captain, Jerry.

20 Q. Okay. You mentioned that you recently got your license.
21 When was that?

22 A. I don't remember the exact date. I sent in the application
23 in early January and then the government shutdown so it kind of
24 was in limbo for a while. But I believe I received it in March or
25 April. I just don't remember the exact --

1 Q. Of this year?

2 A. Of this year, 2019.

3 Q. Okay. Okay. And you mentioned you had experience as a
4 deckhand previous to that. How many years would you say you had
5 as a deckhand?

6 A. I started with the Spector dive boat in 2017. And worked on
7 a kind of part-time, just as a side job throughout the summers,
8 2017 and 2018, and 2019 as well.

9 Q. Okay. And I think you said it, when did you sign on with
10 Truth?

11 A. In July was -- right? Yeah. I'm sorry. It was either the
12 very end of June or in July. But yeah.

13 Q. Okay. Once again, this year, correct?

14 A. This year, 2019. Yes.

15 Q. Okay. Okay. Can you tell me a little bit about your duties
16 as second captain? What does that entail?

17 A. So, starting out, you know, there's, a lot of the duties
18 starting out tend to be more deck-related, so that I could learn
19 the vessel better. So not as much driving as later. So, it was
20 more like helping with anchoring on deck.

21 Helping launch the skiff and get that in the water and
22 situated on the side of the vessel. You know, helping with all
23 the other operations of the boat, bilges and stuff like that. At
24 the end of the trips it was a lot of cleaning and that sort of
25 stuff.

1 Jerry, the captain, had me stand watch for some driving. You
2 know, he showed me how to use everything and made sure that for
3 like long distance drives so that he could rest, basically. And
4 so, I started to do more and more of that.

5 And more of the maneuvering just on this last trip. He was
6 there with me to just kind of play with the boat and maneuver it.
7 He's kind of, you know, a master at maneuvering that vessel and so
8 it's really nice to have him show me that stuff.

9 Q. Okay. The, your license, 100-ton license, is that correct?

10 A. Yes. It's 100 ton near coastal license with a towing
11 endorsement.

12 Q. Okay. All right. You mentioned you did more driving this
13 last voyage?

14 A. Yeah, more. So, I've done plenty of driving on the longer
15 hauls where it's more of a straight shot. This trip I was doing
16 more simple maneuvering, not directly anchoring or doing anything
17 like that.

18 But when we'd finish anchoring, you know, he would have me
19 pull out and go around and move to the next dive site. And so, it
20 was just kind of incrementally getting more experience maneuvering
21 the boat closer to the island and things like that.

22 Q. Okay. When you were in transit say from your home port here
23 out to a site or your initial site, did you have a watch that you
24 stood or was it just as the captain needed?

25 A. Yeah. So, we would take shifts essentially for driving,

1 especially when it was through the night where it would be kind of
2 designated, I would drive for 2 hours. And then I would wake up
3 the captain and he would take over for the next 2 hours, and or
4 something like that. So, there was always, it was always kind of
5 planned.

6 Q. Okay. All right. Now what I'd like to do is ask you to tell
7 us about the accident voyage. And I'd like you to start from the
8 time you boarded the vessel here in Santa Barbara, I assume here
9 in Santa Barbara and all the way up to the accident.

10 You can kind of summarize the days before and then as we get
11 to the morning of the accident, I'd like you to give us as much
12 detail as possible. And the reason for that is obviously any
13 little detail may help us point to the cause.

14 Take as much time as you need. If you need a break at any
15 time, let me know and we can do that. But if you will please?

16 A. Yeah. So, the morning of departure, the plan was to leave at
17 4 a.m., which means that we start work at 3:30 preparing the boat,
18 doing engine checks, making sure that everything has appropriate
19 oil, that the batteries get switched on.

20 We start the generator, we check the compressor oil for the
21 dive compressors. We visually inspect all the bilges to just kind
22 of see what's going on there and know what to expect. And during
23 that time, we fire up the main engines.

24 And Jerry will test, the main captain will test the engines
25 and then come 4 o'clock we untie the vessel and depart. Jerry was

1 taking the boat out of the harbor while I was checking the release
2 forms and the manifest.

3 And we have a, basically a white slate that we write all of
4 the names on. And that's something that we use to check divers in
5 and out of the water with so we can keep track of them. And it's,
6 you know, obviously waterproof and all of that.

7 So, we go through the manifest and match names on the
8 manifest to the paperwork and then write it on the board in
9 alphabetical order so that it's easy to track people down because
10 we do roll call at the end of every dive.

11 After we count all the tanks and make sure that, okay, all
12 the tanks are here, then we go physically find people and use that
13 whiteboard to mark them in, visually see them, confirm that
14 they're there and check them in.

15 So, I was working on that whiteboard while we were leaving
16 Santa Barbara Harbor. When I was done with that, I came to check
17 in with Jerry. And at that point, he wasn't exactly sure he
18 wanted to go based on weather.

19 San Miguel and Santa Rosa were kind of out of the question.
20 It was too windy. So, he was deciding whether he wanted to go to
21 the back side of Santa Cruz Island or the front side. And so, he
22 told me that he'll, he'll do the first shift driving and he'll
23 wake me up, you know, when he had decided and knew where to go.

24 So, I went to bed on the crossing out. And I woke up on the
25 backside of the island. He came around the east end of Santa

1 Cruz. And Jerry continued to drive and I, well, I think I might
2 have taken a small shift so that he could use the bathroom and
3 gets some coffee and relax a bit.

4 And then he came back up and then I went on deck to start
5 filling tanks that had tags on them. That was kind of the whole
6 morning going out there. We found a dive site on the backside.
7 I'm having trouble remembering the name of our first site.

8 And then, yeah, we were on the backside and dove all day.
9 That night we decided to stay at Smuggler's Cove, which is on the
10 backside, east end of Santa Cruz Island. And so, we anchored
11 there for the night.

12 I'm sorry. I'm having a hard time remembering --

13 Q. That's okay.

14 A. -- details of the first day.

15 Q. This is, details aren't as important, just kind of basic
16 maneuvering is fine.

17 A. Oh okay. Yeah. So, I can't remember if we did a night dive
18 the first night or where that was. But the second day we picked
19 up anchor and motored around to the front side of the island and
20 headed towards Painted Cave area where there's several dive sites
21 along that coastline.

22 I drove for part of that and when we got closer to Painted
23 Cave, it was a little bit rougher than we had expected. And so
24 rather than going to it, I think the plan was Emerald Cove, we
25 turned around and went back to Quail Rock, which we had passed on

1 the way and it looked nice and protected.

2 And it's a really nice place to dive. So, we went back to
3 Quail Rock and anchored up where we spent all morning and into the
4 early afternoon, I believe of the second day of the trip because
5 people really liked it. They really wanted to stay.

6 We picked up anchor so that we could dump the head. It was
7 filling up. So, we motored out to sea. There was some, it was,
8 it had overflowed a little bit into the bilge I believe and so
9 Milton had to spend a little bit longer than we had planned to
10 kind of clean that up.

11 And I don't know, I wasn't down there with him. I don't know
12 exactly what had happened. And when we went to Cueva Valdez, is
13 in the, is that, yeah. Cueva Valdez is another dive site further
14 east from Quail Rock. It's another anchorage site.

15 So, we went there and dove for the afternoon and we were
16 there until around dinner time. People had really liked Quail
17 Rock and they wanted to do a night dive there. And we always try
18 to choose a site that divers had been do that day for a night dive
19 so that they're already familiar with it because there's obvious
20 troubles with navigation at night dives.

21 So, if they're a little bit more familiar with it, it's
22 better. So, we, rather than staying at Cueva, which the
23 visibility wasn't as good as Quail, we picked up anchor and moved
24 back to Quail Rock, conducted a night dive at Quail.

25 When that was done, we picked up anchor again. It was dark

1 at this point. We motored back over to, towards Platt's Harbor
2 where we ended up staying. Along the way I was in the wheelhouse
3 with Jerry.

4 There was a call for a sailing vessel called the Solution
5 that they thought was at Scorpion Anchorage and Jerry had
6 responded by calling some member of the Coast Guard and offering
7 help, saying if you need us, we can go over and search for this
8 vessel.

9 And they, at that point weren't very worried because it was
10 Labor Day weekend and the family thought that they might just be
11 staying the extra day. And so, they, I believe the end result was
12 that we did not go searching for them.

13 But he did make several calls on the Channel 16, on the radio
14 to, you know, because we're just, we were closer so we were hoping
15 that they would hear us after the Coast Guard had already been
16 calling them a little bit.

17 So, he made several calls trying to help find that boat. And
18 then we decided to anchor at Platt's Harbor, which is, which is
19 where we --

20 Q. Take your time.

21 A. Mm-hmm.

22 Q. We can always take, we can always take a break.

23 A. So, where we spent the night. I only remember seeing the one
24 other vessel in the anchorage, which turned out to be the *Grape*
25 *Escape*, which was the boat that ended up helping us later. After

1 anchoring, at that point it was getting late and so I went to bed.

2 I think all the engine room checks and everything were done.
3 I wasn't a part of that. But yeah, so I woke up to the second
4 galley operator, Mikey in the middle of the night. I had no idea
5 what time it was, but he had woken up alerting the crew that there
6 was fire.

7 And so, I heard that, and my bunk is on the top, near the,
8 there's like the wheel itself, and then there's kind of two
9 benches on the side behind it. My bunk is underneath one of those
10 benches on the starboard side.

11 And there's a curtain that draws across, so I opened the
12 curtain and I immediately saw that there was an orange glow in the
13 wheelhouse. And so, I stuck my head out and I looked around
14 towards the sundeck, aft of the wheelhouse and saw flames coming
15 from the staircase, which is the exit down from the top deck.

16 And just, Mikey had, after he alerted us, he had went on the
17 back on the sundeck to try to get down. He came back and told us
18 that it's impassible. He exited the wheelhouse through the wing
19 station.

20 It, I believe he was the first one to go down and I was soon
21 after. I'm not sure what the order was. I exited off of the port
22 wing station and jumped over the rail and lowered myself down to
23 the main deck of the boat.

24 And when I looked back on the port side, there's a kind of
25 catwalk going down the side. And it was, at that point it was

1 already impassible with flames coming from the galley. It was
2 just a lot of smoke and fire billowing out the side walls and
3 windows.

4 So, I, the first thing that I did was to open the bow
5 gate, which is a gate on the port side that we can let divers off
6 of. So, I opened that, and I turned and looked and Milton was
7 down.

8 He was trying to open the forward galley window. And the
9 hope was that, that is a close point to the staircases that lead
10 down to the bunkroom. And so, our hope was that if people were
11 coming out, that they could exit through that forward galley
12 window.

13 And then there would be a bow gate open for them to more
14 easily go overboard because you couldn't walk down the side. At
15 this point, Jerry was in the wheelhouse. He stayed the longest.

16 He was making a mayday call, trying to get help. The flames
17 very quickly grew from the galley walls up and pretty quickly
18 engulfed the wheelhouse. And there was already smoke when I was
19 in there.

20 That was the first thing I remember when I woke up was
21 actually tasting, just burnt something. I don't know. And then I
22 saw the glow and all of that. And so anyways, the next thing that
23 I heard was Jerry yelling and I looked up and he had jumped off
24 the starboard side wing station.

25 And I looked up and I had just seen fire on the side of the

1 wheelhouse. And I saw him jump and just smoke had followed him
2 all the way down to the water. He had cleared the main deck and
3 went straight into the ocean.

4 At that point, I had thought that he had caught fire
5 actually. And so, I immediately ran and jumped over the starboard
6 rail to go help him. I dove in headfirst and came up next to him.
7 And I, he appeared to be okay.

8 The only thing he was saying, as he was looking back towards
9 the boat was, it's just all those people. And, you know, you
10 could just see the whole galley was fully engulfed. And he wasn't
11 sure if anyone had gotten out. None of us were at that point.

12 And so, I swam past him after seeing that he was okay. And I
13 swam to the back of the boat. Climbed out on the swim step and
14 when I got up onto the back, I saw, I went towards the galley and
15 I could just see the staircase was fully on fire.

16 The bathrooms were engulfed and the, I could see, it just
17 feels like a wall of fire on the entrance. And you could just see
18 the ceiling dripping flames down. I could see the aft escape
19 hatch to the bunkroom was fully engulfed in flames.

20 There was just no way in, at that point. And so, I had
21 opened the engine room hatch and there was no way to go down.
22 There was smoke coming out. And my only thought was that, we need
23 to get the skiff in the water at this point so that at least we
24 could search for -- we had no idea if anyone had been out at that
25 point, if they jumped in the water or anything.

1 So, I went to the back to the transom of the boat and at this
2 point there was still power on the back. And so, I turned on the
3 winch pump for the swim step and with the swim step, it has the
4 cradle for the skiff on it.

5 And so, hit hinges up and pulls the skiff on top of it. And
6 then to kind of lock it in place, we hook a chain onto the swim
7 step itself. And so, when you try to release it, you have to pull
8 up first.

9 And then I ran down to the platform on the, on the back of
10 the boat and unclipped it so that I could go back up and lower the
11 swim step into the water. At night and for long transits, we tie
12 the bow and the stern of the skiff to the swim step to keep it in
13 place.

14 And it's also clipped in on two D-rings on a little bit more
15 towards the center. And so, once I got it in, I had unclipped the
16 two main clips and I jumped into lower the motor to get that
17 started.

18 And I -- Jerry had swam to the back of the boat and I helped
19 him get into the skiff. I remember Milton at some point had
20 followed me up on the swim step. I don't know how long he had
21 been up there, but he had also, I saw him next to the engine room
22 hatch and next to the galley and it was, and I just remember him
23 saying that he couldn't get in.

24 And which was the same experience I had. At some point he
25 had cut the bowline of the skiff off and it was too dark to untie

1 the knots, so he had just cut it clean off. He had come back into
2 the skiff and I had the motor going and we were going to drive
3 away.

4 But the stern line was still attached. So, we both jumped
5 back onboard. I had started to untie it and Milton had went to go
6 search for that knife. And he cut the lines as I was unable to
7 untie it. We both jumped back in.

8 But as we started to drive away, a piece of line fell into
9 the prop and stalled the motor and so I had also not put the plug
10 in on the inflatable. And so, the, it started to fill up with
11 some water.

12 I had also brought in a small hand pump, which we keep in one
13 of the deep wells in the back of the boat. So, I had pulled that
14 out before freeing the skiff and threw it in while I was lowering
15 it. And I don't know why I didn't think of the plug.

16 It's normally something that we put in before lowering it.
17 And I started pumping water out after putting the plug in, while
18 Milton was trying to free the line. And then I gave up pumping
19 because it wasn't that much water in it.

20 It wasn't that big of a deal. And the plug was in. And so,
21 I decided to start paddling towards -- me and Jerry both grabbed
22 paddles and started paddling towards Ryan, who, when he exited the
23 wheelhouse, had broken his leg.

24 I didn't see it happen, but I did hear him scream. I don't
25 know how he got in the water, but I think other crew members,

1 maybe Mikey helped him into the water out of the bow gate that I'd
2 opened earlier.

3 And about halfway towards paddling to Ryan, Milton had gotten
4 the motor running again and the line out of the prop. And so, we
5 did the rest of that towards him on motor. And when we got to
6 him, we pulled him into the boat.

7 He was just screaming about his leg and he, after that, we
8 picked up Mikey, who was also in the water. And realizing that we
9 didn't have a radio, we went to the closest vessel in the
10 anchorage.

11 And came up to the back of their boat and started yelling and
12 banging on the transom. And Milton had jumped out and started
13 banging on the door, which I think was locked. I don't, I don't
14 know.

15 But they eventually came out and saw that the *Conception* was
16 engulfed in flames and immediately went up to the top of the boat
17 to hail the Coast Guard. Jerry had gotten onboard to assist with
18 that call.

19 And Mikey had opened the back gate of the *Grape Escape* to
20 help Ryan into the boat. So, he helped Ryan in. Milton found
21 two, he found a flashlight. And at this point I was pumping water
22 out of the skiff.

23 And Milton jumped back in and we went to go look for any
24 survivors. And we didn't find anybody. So, after a short while,
25 we decided to go back to the *Grape Escape* and ask for handheld

1 radios, which they had two of.

2 So, we took both of them and put one on Channel 16 and one on
3 22-alpha, so that we could talk with the other, the Coast Guard,
4 with the *Grape Escape* or anybody else in the area. And then we
5 continued searching the water around the boat.

6 We came in for a couple kind of closer passes and there was a
7 couple of explosions. I don't know what they were. I don't even
8 remember how big they were. I just remember them echoing through
9 the anchorage.

10 And one thing we never heard was any screams or banging or
11 anything from the boat, both while we were on it and when we were
12 close nearby. It was just flames. I never heard any alarms go
13 off.

14 If Mikey hadn't woken us up, the wheelhouse was on fire very
15 shortly after that. I don't think we would have made it. The
16 smoke was already getting kind of thick when I had woken up. I
17 don't know how long it had been going on for.

18 I just kept searching. I saw sea lions jumping and kept
19 seeing splashes, so we'd just go and check things out, but nobody.
20 I don't know how much time had passed but a Coast Guard vessel had
21 showed up and at some point, they started firefighting operation.

22 And a helicopter showed up after that, I think. And they
23 were searching. At some point we decided to go look closer to the
24 island, thinking maybe someone got off early and swam there. So,
25 we search the wash rocks near Platts and closer to that and then

1 the cove a little bit. There wasn't anybody there.

2 And with all the Coast Guard boats and the firefighting boat
3 that showed up or whatever it was, we decided to go back to the
4 *Grape Escape* and, I don't know how long that had been, but we
5 talked to the Coast Guard there.

6 We relayed some information about Ryan, just his name and
7 date of birth and things like that. And they told us to basically
8 stay on the *Grape Escape*. They had to agreed to tow in the skiff
9 and we left the area aboard that boat with Bob and Shirley.

10 They had given us clothing and towels. And Ryan stayed
11 aboard and, I don't know. I guess that's kind of, as far --

12 MR. EHLERS: Okay. Okay. I'm going to ask you some follow
13 up questions just to sort of clarify for me again what you told
14 me. And as I said, the folks here will ask you questions but do
15 you want to take 5 minutes? Let's do that. It's now 3:10. We'll
16 come back. We'll give 10 minutes. We'll come back at 3:20.

17 All right. We're starting the recording again. It is now
18 3:21. As I said, I'm going to just ask you some follow up
19 questions to help clarify for me here.

20 BY MR. EHLERS:

21 Q. You're talking about when you got onboard, you did a number
22 of things before you got underway to get the vessel ready to go,
23 get the -- and do you have a checklist you follow or how, all the
24 things you do, is that just -- can you tell me about that?

25 A. Well we have logs for a lot of things. Like, for hours and

1 things like that, like how things, how long things have been
2 running. Logs for like filters and whatever it is.

3 So, like when you check the oil on something, there's a
4 logbook for that. And so, you check it and if you added some, you
5 go log. Like I added, you know, whatever, one cup of oil, or
6 something like that. And so those are kept down in the engine
7 room.

8 And you just kind of keep track of it that way. I'm not
9 aware of any checklist that you go down and physical do, but it's
10 kind of just a step by step. You know, you start with the
11 generator and just kind of work your way around.

12 And then before leaving, you check in with Jerry and he'll
13 usually ask, you know, did you do this, did you do that. You
14 know, and some of the like, just random things that, you know,
15 could have been forgotten.

16 And so, then you kind of just confirm it. Usually you have
17 two people kind of doing it together. At least that's been my
18 experience as somebody who doesn't know their way around as well
19 as the deckhands who've been working there longer.

20 So, when I was, I would always go down and, you know, they
21 would be there with me doing it and kind of just, you know, so get
22 the whole process down.

23 Q. Okay.

24 A. But not checklist.

25 Q. Prior to this voyage, how many trips had you made on the, on

1 the conception?

2 A. I would have to check but I did a couple of single days. I
3 did out to San Miguel Island, I did one 5-day trip that was a
4 Southern Channel Island and we went out to Cortez Bank for a day.
5 And I did maybe one or two other trips but I'm not exactly sure.
6 I'd have to look at some records back.

7 Q. Okay. On your trip out around the island, did you have any
8 issues with the machinery, the engines, the generator or anything
9 like that, that came up?

10 A. Not on the trip out. The only problem that they'd been
11 having was managing heat on the generator when we're filling
12 nitrox. And so, you had to check in with the galley to make sure
13 that they weren't using a lot of electricity or, you know, using
14 the stove or whatever it was.

15 So, we'd check in with them to make sure that we could turn
16 the nitrox on and then we would go check the temperature on the
17 readout, digital readout when we started it up. And then a couple
18 minutes after, we'd go down and see how much it had changed.

19 And then a couple minutes later again, while we're filling,
20 we'd look at it just to make sure that we're keeping the generator
21 happy. But on the way out, there was no problems.

22 Q. Okay. Were you onboard when they had previous problems with
23 the generator overheating?

24 A. No. I was not onboard for that.

25 Q. Okay. So, when you were onboard, you were doing the

1 procedure to ensure that it didn't overheat?

2 A. Yeah. Yeah. That was, they took the lessons from that and
3 that's what I was participating in, was making sure that didn't
4 happen again.

5 Q. Okay. At any time during this voyage or the previous voyages
6 that were you on, did any electrical breakers ever trip throughout
7 the vessel that you know of?

8 A. No.

9 Q. Okay. When you anchored the night before the fire, do you
10 remember what time you anchored, about what time?

11 A. I believe the night dive started maybe sometime between 8 and
12 8:30. So we probably pulled anchor probably 9:30 or so. I'm not
13 really sure exactly. And then when we motored over and dropped
14 anchor it was probably after 10 p.m.

15 A better way to know would be if there was a record of Jerry
16 talking to the Coast Guard about that sailing vessel and because
17 it was not long after that, that we anchored up at Platts.

18 Q. Okay.

19 A. Yeah.

20 Q. Okay. We can also talk to the Coast Guard about that sailing
21 vessel as well. So that's very helpful. And then after you
22 anchored, I think, I think you said that you went to bed at
23 sometime, after it was, right after you anchored or --

24 A. Yeah. I think I went down and used the bathroom and, yeah,
25 at that point of the trip I had been with Jerry because he wanted

1 me to observe how they anchor from the wheelhouse perspective,
2 versus before it was more how to do it from the deck perspective.

3 So that way I'd have better knowledge of both. And so, I was
4 just kind of his shadow during the anchoring process. And yeah,
5 so I don't know what time it was or anything. But I went and used
6 the bathroom. There was still a number of people up.

7 I believe that we had put a squid light out at some point
8 when we anchored and it's just a way for people to look at the
9 critters that come and are attracted to the light. And so, there
10 was some people around that and including a friend of mine,
11 Kendra, who I knew previously to this trip.

12 She's a biologist so she's very interested in that stuff and
13 she was talking to other people about the animals there. So, I,
14 you know, was talking to them for a small amount of time and then
15 I went up and went to bed.

16 Q. Okay. Backing up to the anchorage, you put one anchor out,
17 two anchors?

18 A. We put just the one anchor out at nighttime, and then we put
19 chaffing gear on the anchor line where it goes over the roller so
20 that it doesn't put any excess wear on the anchor line.

21 Q. Okay. And then before you went to sleep or before any of the
22 crew, did anyone make a walk through of the *Conception*?

23 A. Yes. Because when they're done anchoring, you start at the
24 bow and you make sure everything's tidy up there. Often times, we
25 put away safety gear, like for diving operations, it's like a

1 boogey board and a toss line.

2 So that way it's not on deck in the middle of the night and
3 you're not worried about like a boogey board flying overboard if
4 the wind picks up or something like that. So, we kind of stow
5 those things.

6 And walk back to the back deck, kind of visually check
7 everything on deck, making sure there's no tripping hazards
8 because often times people come up in the middle of the night to
9 use the bathroom and they like to step outside and maybe stargaze
10 or whatever it is.

11 And so, we kind of make sure the deck is tidy. And the
12 galley, I know Mikey likes to keep a pretty clean galley and so he
13 kind of does a walk through and makes sure that the breakers are
14 in check, which I had done with him as well before anchoring.

15 You make sure that the stove top breaker is off and that the
16 AC breakers are on. And that everything looks good. I don't know
17 much about the breakers or the electrical. I was just there to
18 observe Mikey, and it was actually the first time I had looked at
19 them. But --

20 Q. So that --

21 A. -- he kind of pointed everything out to me as he did it.

22 Q. The stove breaker was off that night?

23 A. Definitely.

24 Q. Okay.

25 A. Yeah. He went through each breaker and kind of just told me

1 what they were, and I think it was like 5 and 8 are AC, and so he
2 turned those ones on. And he's like, this one's the stove. You
3 turn that one off, you know. Or it was already off, but he just,
4 you know, confirmed all of that.

5 Q. Do you remember at all if any of the other breakers were off?

6 A. Well I don't remember what each breaker does. I just, I
7 remember those ones. Yeah.

8 Q. Okay. You mentioned the squid light. Where is that set up?

9 A. That was on the starboard, the starboard rail. Basically
10 midship, hanging off the starboard rail, I believe.

11 Q. Okay. And where does it plug in?

12 A. I've never plugged it in. I know the --

13 MR. MOLITOR: Glen, do you know where the plug for that is?

14 MR. FRITZLER: Mm-hmm. Should, it's on the starboard side as
15 well.

16 MR. MOLITOR: Yeah.

17 MR. FRITZLER: In the side of the cabin.

18 MR. EHLERS: Okay. All right.

19 MR. MOLITOR: Yeah.

20 BY MR. EHLERS:

21 Q. I think you mentioned there were a number of people awake as
22 you were proceeding up to your bunk. Do you remember about how
23 many folks were awake at the time?

24 A. I think there was maybe five people looking over the rail at
25 the squid light. Milton and Allie were still up in the galley.

1 And several customers maybe, maybe three or four other people.

2 It's hard to say because some people are milling about or
3 using the bathroom or, you know, brushing their teeth or whatever.
4 So, I would say a rough estimate, 10 people, 10 to 12 people. But
5 --

6 Q. Okay.

7 A. -- hard to know.

8 Q. In the, in the galley, was there any equipment plugged into
9 the receptacles, anything?

10 A. Yes. The aft part of the galley, there's an outlet on either
11 side that many people use to charge electronics. We had, we had
12 done a night dive that night, where I believe like 17 people went
13 night diving.

14 A lot of those flashlights are rechargeable. So, I believe
15 some people are charging flashlights. There was also, I don't
16 know, maybe 10 people who had camera setups, which a lot of them
17 include flashlights or strobes for lighting.

18 So, people were charging cameras, strobes, flashlights, those
19 sorts of things, many of which had, you know, come out of the
20 water, so they were, they were wet. I could not tell you how many
21 things. I didn't count or inventory them.

22 Q. Was there anything else back there, cell phones, computers,
23 any kind of electronics also plugged in back there?

24 A. Definitely some cell phones, I believe. Most people don't
25 get service out there and so their batteries drain rather fast, if

1 they don't put on airplane mode. And so, I can't say for certain
2 that there was, but that's a very common thing that people leave
3 them to charge overnight in the galley.

4 Q. And the equipment, the diving equipment and the cell phones,
5 were they all being recharged in the same area?

6 A. Most people put things on the two aft galley tables to
7 recharge. So, they're, you know, all kind of right next to each
8 other, but on two separate tables.

9 Q. Okay. You went up to the, your bunk. When you went up
10 there, was, where was, do you remember where the rest of the crew
11 was? I know you did mention that Milton and Allie were in the
12 galley.

13 Do you know where the rest of the crew was at that time?

14 A. I believe Ryan had went to bed. And Mikey, it's, I'm not
15 sure, but he was either in bed or in the galley. I just don't
16 remember seeing him. So, I just remember seeing Milton and Allie
17 still up when I went to bed. And Jerry had been up in the
18 wheelhouse. And I think he probably went to bed shortly after I
19 did.

20 Q. Okay. You said you woke up and you looked back and you saw
21 flames in the vicinity of the staircase. This is the staircase at
22 the back of the sundeck?

23 A. Yeah. At the back of the sundeck on the starboard side, it
24 kind of leans towards the starboard side, like down.

25 Q. Okay. Was the flames concentrated in that area or had, were

1 they spread? Can you describe what you saw?

2 A. So, when I came out of my bunk, and I saw that, I could just
3 them on the back and coming off the staircase. And then I had put
4 on my glasses and walked, which I sleep right next to them, so I
5 put them on and started walking that direction towards the
6 sundeck.

7 And the closer I got to the door to the wheelhouse, I just
8 saw more and more on kind of the sides, on the periphery. But
9 Mikey was already coming back that direction and was still yelling
10 fire. And he said, that it's impassible.

11 So, I didn't go any further because I could already see that
12 it wasn't without walking all the way over. And yeah.

13 Q. So, am I correct in saying, you saw flames coming up along
14 the sides of the sundeck as well?

15 A. Well I just remembered on the corners really. I didn't
16 really make it far enough to see out on the sides.

17 Q. Okay.

18 A. But when I made it down off of the wing station, which was
19 very shortly after that, I could see that they were in the galley
20 on the sides. So --

21 Q. Okay. And that's actually where I wanted to ask you about.
22 You said, coming out of the galley. Was it forward, aft, every
23 window?

24 A. Every window had smoke and flames coming out.

25 Q. Even the forward most windows?

1 A. Oh no, not the, not on the forward part.

2 Q. Okay.

3 A. Those were black with just soot, so you couldn't really see
4 through them. And they weren't hot enough yet for Milton to try
5 to open them. I think Milton and Mikey were both trying to open
6 it. And I never touched it, so I don't know how hot it was.

7 But I don't think they burned themselves or anything so.

8 Q. Was the forward most side windows, the ones that are marked I
9 believe with escape, were those, was there flames coming out of
10 the there, do you remember, or smoke?

11 A. Honestly for what I remember it was just seeing that they
12 were going kind of over the rail. I don't know how far forward
13 really, they had come up. Just that you couldn't make it back. I
14 know that, if this helps, when I jumped from the wing station,
15 it's kind of on the side of like the actual galley where people
16 cook, and there was no flames right there.

17 Q. Right where you jumped down?

18 A. Yeah. I'm having a hard time exactly imagine where those
19 forward windows are that you're mentioning. So, I'm not sure how,
20 what point they're at. But where I jumped down, it was clear.
21 And looking back down the port side of the boat, there's flames
22 down there.

23 Q. Yeah. You said the front windows were covered in soot.
24 Could, where you looking?

25 A. It was just black.

1 Q. Just black.

2 A. It was just coated black. I'm, you couldn't see through them

3 --

4 Q. Okay.

5 A. -- at all.

6 Q. All right. Fast forward now, and you said that when you had
7 gone back and were searching for survivors, there were explosions.

8 Did you see where the explosions were on board the *Conception*?

9 You just heard them? Okay. All right. All right.

10 A. There was one that was louder than the others early on. And
11 then throughout the rest of the time where was several, I don't
12 really have any gauge for how big they were, but they were smaller
13 than the first one that I really heard. So, it was kind of one
14 big one and then smaller ones after.

15 MR. EHLERS: Okay. All right. All right. That's all I have
16 for now. I may have a few questions in a few minutes, once my
17 colleagues have a chance to ask questions. So, I'm going to turn
18 it over to Marcel.

19 MR. MUISE: Well, again, I'm Marcel with the NTSB.

20 BY MR. MUISE:

21 Q. The skiff, is there anyway to launch that without power?

22 A. It would be muscle power. You would cut the lines on the
23 forward and aft part and probably cut the lines on the, that
24 attach to the, like the clip into the, these D-rings on the swim
25 step. So, if you cut all of those, I've never tried it, but I

1 imagine me, and Milton could have pushed it off of its cradle.

2 I don't know how much it weighs. But I would like to think
3 that we could. I've never tried. I don't know.

4 Q. So, you wouldn't have to worry about the chain that's solely
5 holding the dive platform? Is that right?

6 A. At that point you wouldn't have to because you'd just push it
7 off it's cradle.

8 Q. Push it off. Okay.

9 A. Has anyone tried -- no, I don't know if that's, if that's
10 possible.

11 Q. All of you went ashore on the *Grape Escape*?

12 A. Jerry had stayed behind with the Coast Guard. On, I don't
13 know what boat, but on one of the boats and the people on the
14 Coast Guard boat told us that they have enough people that,
15 because me and Milton, I think had both said, if you want us to
16 stay, we'll stay. And they said, no, you should go on the *Grape*
17 *Escape*.

18 Q. So, Ryan went ashore with you on the same?

19 A. Yeah. It was me, Milton, Ryan and Mike, Mikey.

20 Q. Did the fireboats or the Coast Guard offer any medical
21 assistance?

22 A. I wasn't there. Me and Milton didn't need any. And when we
23 were searching, that's when one of the Coast Guard boats
24 approached the *Grape Escape* and I, it's unclear to me what they
25 did with Ryan, if they boarded the boat or anything. I'm, I

1 wasn't there.

2 Q. He wasn't, do you know if he's on any kind of medication that
3 they gave him or pain meds or --

4 A. I have no idea.

5 Q. And where'd you guys come ashore?

6 A. Channel Island's harbor in Oxnard.

7 Q. And the ambulance was waiting for you there?

8 A. Yes. There was an ambulance and the Coast Guard, and I think
9 the Ventura Sheriffs were there and yeah.

10 MR. MUISE: All right. That's all I have.

11 MR. EHLERS: Okay.

12 MR. BARNUM: Bart Barnum with NTSB.

13 BY MR. BARNUM:

14 Q. You were saying you went to sleep, and Milton and Allie were
15 still in the galley. Is it, is it normal that the entire crew
16 goes to sleep at night, or do you have someone that remains awake
17 throughout the night while at anchor?

18 A. While at anchor it's normal for the crew to go to sleep. We
19 sleep in the wheelhouse with anchor alarms on, and, you know,
20 ready to respond to slipped anchors and things. That's why the
21 bunks are, the second captain's bunk and the main deckhand are so
22 close to the, to the wheel, to be able to quickly respond to a
23 situation.

24 Q. I think most of us have not been on the vessel, but Milton
25 drew a picture of the bunk arrangements. I don't know if you

1 could look at it and just verify the layout with us. I'll
2 describe it to you.

3 Here's the bow here. Here's the wheelhouse. Here's the
4 dashboard, the wheel. And then he said, his bunk was here. Your
5 bunk, the captain's bunk and galley bunks.

6 A. And then a shower here, yeah. That's correct. And then
7 there's a door back here with the sundeck.

8 Q. Yeah, thanks. So, you also mentioned the, then that you do
9 the checks. That night, who did the checks of the engine room?
10 Do you remember?

11 A. It would have been mostly likely Milton and Allie because she
12 was relatively new as a deckhand and was trying to learn
13 everything that she could. And so, my guess is that both of them
14 did it, but I was not present for that.

15 Q. And they report back to Jerry or yourself?

16 A. They usually report back to Jerry before going to bed. I
17 think at that point I was probably already asleep because I don't
18 remember it happening. But yeah. Or it might have happened even
19 before I went to sleep, and I also wasn't present for it. But I'm
20 not sure.

21 Q. I'll ask you a couple of questions about the squid light we
22 keep hearing about. Was it pretty standard operation to allow the
23 guests to use the squid light? Would they turn it on and off or
24 was a crew member responsible for that?

25 A. Usually the crew is responsible for it. We take it out of

1 the further back compartment on the boat on the way bottom.
2 There's a, that's where people are putting their wetsuits and
3 several other things.

4 So, we take it out of there at night. Not every night but if
5 someone requests it, we definitely will. Or if there's just a lot
6 of people up, we'll put it out and it's just kind of a nice thing
7 to do. But I don't remember any customers ever turning it on or
8 off.

9 Q. How long does it usually stay on for? Is it on all night?

10 A. I think it's usually on for maybe an hour to 2 hours, because
11 people kind of lose interest in it over time. And we had it out
12 during the night dive and then we put it away and then put it back
13 out when we anchored at Platts again because people wanted to see
14 more stuff. So, yeah.

15 Q. So that night, who was responsible for securing that light?

16 A. I'm not sure.

17 Q. You said you exited the port side bridge wing, and when you
18 saw the captain the starboard side, you jumped in after him.

19 A. Yeah.

20 Q. And while you swam down the starboard side, did you observe
21 the squid light being on? Do you remember that?

22 A. No. Oh, so I don't, I didn't observe it then, but I do
23 remember seeing intact while we were searching on the skiff. It
24 was one of the items that came across. It was just floating. I
25 think the bulb was what was keeping it afloat because it was kind

1 of like upright at an angle and you could see the bulb there.

2 And we came directly to it because we just saw an object. We
3 didn't know what it was. And yeah, it appeared intact over the
4 side, pretty far away from the boat, too. I don't know how far
5 but --

6 Q. You said you had opened the hatch at one point to look down
7 in the engine room. Is that correct? Did you see any flames when
8 you did that, in the engine room?

9 A. I don't remember seeing any flames. Just smoke.

10 Q. Just smoke? Do you remember the color of that smoke?

11 A. Black.

12 Q. Black smoke. Was there any lights on in the engine room?

13 A. I don't remember.

14 Q. Okay.

15 A. I don't. There was lights on in the aft room below because
16 that's how I knew to, the anchor winch would work. Or not the
17 anchor winch, I'm sorry. The swim step winch. I don't remember.

18 Q. Is there anyway to communicate with the boat from the bridge?
19 Is there a PA system or a --

20 A. Mm-hmm.

21 Q. There is? Was that, did anyone attempt to use that when the
22 --

23 A. I don't think there was time. No one attempted to use it.
24 But Jerry immediately began giving a mayday signal and while we
25 were jumping off and so I don't, I don't think that there was

1 time. I don't think he was even able to finish his distress call
2 before having to exit the wheelhouse.

3 Q. Where are there, where are there speakers for that PA system?

4 A. Forward and aft. There's one kind of in front of the galley,
5 that kind of points at where the anchors are, just below the
6 wheelhouse. And then I'm not actually sure where the aft one is
7 but I think it just points on the back deck.

8 And I'm not actually aware if there's one in the galley or
9 not. Maybe Glen would know what the PA system -- I'm not exactly
10 sure of the placement of everything.

11 MR. FRITZLER: As far as I remember there was one in the
12 galley as well for announcement.

13 MR. MOLITOR: Yeah. Yeah.

14 BY MR. BARNUM:

15 Q. Are there any in the bunk house, in berthing?

16 A. No. Because sometimes people nap and do things during the
17 day, and if they're not going dive, we don't want to disturb them
18 I believe would be the reasoning for not having one there but to
19 be perfectly honest, I'm not sure.

20 Q. Are you aware if the vessel was equipped with a general alarm
21 or a bell that could be rung in the event of an emergency?

22 A. Sorry. All I can think about is the diver recall alarm.

23 MR. MOLITOR: Glen, do you, can you help me out here?

24 MR. FRITZLER: Yeah. It's in -- Glen Fritzler, owner of the
25 *Conception*. The general alarm would be the PA system.

1 MR. BARNUM: Okay.

2 MR. FRITZLER: It's a both listening and hailing system.

3 MR. BARNUM: Okay. Thank you. That's all I have.

4 LT [REDACTED] Lieutenant [REDACTED] Coast Guard
5 MSC Santa Barbara.

6 BY LT [REDACTED]

7 Q. Are there procedures that you would train on aboard the
8 vessel for what you're supposed to do in emergencies?

9 A. Oh yeah, definitely. Jerry is very thorough about that. He
10 does, yeah, he does a lot of drills. Not necessarily like, you
11 know, like a surprise thing.

12 It's more like when we've got time on deck, he'll take one of
13 the deckhands down and just go over the valves down there and, you
14 know, talk about the fire pumps and talk all about all of the
15 stuff.

16 And just making sure that they know where everything is, get
17 hands on all of the important stuff and it's not just a one-off
18 thing. It's, I don't know if he has a schedule for it, but he
19 just kind of does it all the time, I think.

20 And they run the fire pumps pretty regularly because I
21 remember being surprised by why there is a ton of water going
22 overboard at one point. And I was like, I looked over and I was
23 like, what is that? And it was, I think on one of my first trips.

24 And Hunter said, oh their running the fire pump. And so
25 yeah, Jerry's very thorough about all of that.

1 Q. Okay. In your short time aboard, since you were still kind
2 of in training it sounds like, had you been through how to work
3 the fire pumps and the --

4 A. Yeah. Again, I was more of a shadow. He was going through
5 it with a previous deckhand, Hunter. And I was there to observe
6 because, you know, kind of the first over of everything. There's
7 a lot of valves and a lot of things going on.

8 And so, Jerry was careful to make sure that I could see what
9 was happening and to go over it. And but, you know, really, he
10 was there making, because Hunter was the main deckhand at the time
11 and, you know, going over it with him and, yeah.

12 Q. You mentioned earlier that you didn't really hear any alarms
13 that you remember. Is that correct? Okay. Do you, to the best
14 of your knowledge, were there alarms that you would have expected
15 to hear on the bridge?

16 A. Well I would have expected a fire alarm. And whether I slept
17 through it and didn't hear it, or if it had been brief because it
18 had been overcome by flames or whatever it was, I don't know. But
19 I just never heard it. But that's what I would have expected for
20 sure.

21 Q. Okay. Thank you. I think I have one last question. You
22 mentioned that you at one point looked into that, the galley from
23 the doorway, I believe. And you said that you could see the
24 escape hatch for the berthing engulfed in flames.

25 Was it opened or closed at that point or could you tell?

1 A. Could not tell, but there was so much flames coming from near
2 the bathrooms and the back of the galley that it was kind of
3 obscured but that was kind of the center thing like when you look
4 in and so you could tell that there was flames coming from that
5 area.

6 With the smoke and the flames, I couldn't see back to the, to
7 the staircase.

8 LT [REDACTED] Stairwell. Yeah. Okay. All right.
9 That's all I had. Thank you.

10 LT [REDACTED] Lieutenant [REDACTED] [REDACTED] Coast Guard
11 Investigation, National Center for Expertise.

12 BY LT [REDACTED]

13 Q. Clarify for me, how did you come to work for this company
14 and, you know, the boats?

15 A. Yeah. So, I was working for the National Park Service and
16 one of the captains of the vessel Ocean Ranger that operates as
17 like park transportation, she had worked at Truth Aquatics, I
18 believe in the '90s, maybe even late '80s.

19 And she knows Glen Fritzler and several other people who work
20 there. I think that there was somebody named Dwight, who I'm not
21 aware of. I don't know who that is but had spoken to Diane and
22 mentioned that Truth was looking for second captains.

23 And at the time I was looking for experience on those vessels
24 and so I reached out to the office. I sent an email and then I
25 think they put me in touch with Glen, who basically offered to

1 have me out at the end of that week even. Or, it was, it was a
2 very short amount of time.

3 And so, I got all the paperwork together and started working
4 for them. As kind of a side note, I found out later that working
5 for the National Park Service, you need prior approval to taking
6 outside employment. No one had ever told me that.

7 But so, I was told I just need to speak to an ethics
8 counselor with the National Park Service. And I reached out to
9 him and within the same day, he responded and gave me a list of
10 guidelines and some paperwork to fill out. And he said, no
11 problem.

12 The jobs you're doing are totally separate. There's no
13 conflict and then I was able to continue working for both them and
14 the Spector dive boat, which I hadn't been working on recently
15 really and haven't since worked on.

16 Q. Are you currently have, do you currently have any other jobs
17 outside of the Aquatics?

18 A. No. I mean if Spector called me and I had a free day and
19 they needed someone, I could jump on. But I don't think that
20 then, you know, I'm not the first call right now because I'm
21 pretty busy with the park and Truth, so.

22 Q. Okay. Tell me a little bit about the work environment
23 onboard, the atmosphere?

24 A. Well so there's kind of different aspects. With, overall,
25 it's a very friendly and relaxed environment because of the people

1 who come out on the boats are usually there year after year. It's
2 like the same groups charter.

3 And so, kind of everyone knows everyone, I mean especially
4 Jerry because he's been there the longest. They all know Jerry.
5 You know, we get people who have never been onboard, just like any
6 other boat.

7 But it's always super friendly and we kind of gauge the group
8 to and try to match up the dive sites and the length of time that
9 we stay at those sites with the group. I've never been on during
10 lobster season, but I understand that they pick up and move a lot
11 and try to get a lot of the different sites.

12 And versus what I've experienced has been more anchor up in
13 the morning, you know, everyone has breakfast and just kind of
14 slowly gets ready. And it's been very relaxed and easy going and
15 the, yeah.

16 And then there's kind of the other side of it when they're,
17 when most people are in the water, that's when we like to do
18 things like check on the bathrooms and clean and do things that we
19 won't interfere with the customers.

20 And so and then there's the kind of the other side where I'm
21 driving and, you know, just kind of up there either by myself or
22 Jerry is kind of doing something or he's checking in and out or,
23 you know, we kind of give each other relief breaks to go the
24 bathroom and stuff like that.

25 So, but overall, it's, it seems pretty structured, like, you

1 know, they adapt to the group that they have. But overall, I was
2 really struck with just how clean the boats are and how seriously
3 Jerry takes, like safety and customer service.

4 And just, you know, it's all about them, and it's all about
5 making sure that we're at a site that's safe for them, make sure
6 that everything's checked, and double checked. And yeah, I hope
7 that answers --

8 Q. Okay. Nope. Yes, absolutely. Thank you. Have you, so as
9 the second master, who have you trained under predominantly?

10 A. Jerry and I worked a single day trip aboard the Truth --

11 Q. Okay.

12 A. -- with Captain Craig. I don't know his last name. But he
13 was also interested in giving me a little bit of stick time to
14 maneuver the boat, and you know, was just kind of like here, play
15 with it. You know, we're going to turn them around and go out and
16 so I got a little bit of that from Craig as well with him kind of
17 standing over watching. So, but those are the only two.

18 Q. At any point during your training and your break in on either
19 vessel, have you discussed with either Jerry or the other captain,
20 either their roles during an emergency or yours?

21 A. Yeah. So that's something that we talk about every, the
22 first month of every trip with the group, of the group of people.
23 So, we give a very thorough safety briefing which all the crew are
24 present for.

25 And everyone's role is kind of discussed, you know, where the

1 assembly point is, where the life rafts are, where the life vests
2 are, how many we have, all of that stuff. And so, you know,
3 everyone's introduced and what their role is on the boat. And
4 yeah.

5 Q. What's your, what would you say your role is during, like say
6 a fire?

7 A. Well just from the recent experience, my role was to attempt
8 to start the fire pumps and because I was the first on deck, on
9 the back deck. Well, besides Mikey, who had, I'm not 100 percent
10 sure on this but I believe that he had jumped out first and ran to
11 the back, saw that it was impassible and then went to the front to
12 try to open the window.

13 And so, I believe that's what happened. And so, I was the
14 first after that on the back deck. And then after that my focus
15 because to get the skiff in the water. I think in those
16 situations, especially in the middle of the night with people
17 hurt, it's just whatever you can do.

18 Q. Okay. Thank you. Have you ever participated in a drill, an
19 emergency drill onboard?

20 A. Not like a formal, full on drill, not with passengers
21 involved. But I was brought down in the engine room and shown
22 where the appropriate --

23 Q. Did you do one of the drills when the Coast Guard was onboard
24 for an inspection? Did you participate in any of those?

25 A. I was too recent to be a part of any inspections.

1 Q. Okay. Have you ever -- so I know you haven't participated in
2 any drills, but have you ever either operated the fire hose or a
3 fire extinguisher before?

4 A. I've had training in fire extinguishers at the National Park
5 Service when they go to, like renew them and refill them, they
6 just have everyone come through and use them because might as
7 well.

8 And so, I think they have the fire department over there.
9 They start small fires and then have us all do that, so I've done
10 that several times with them in a formal setting. But I have not
11 used a fire extinguisher onboard before.

12 Q. Okay. Thank you. Have you ever heard or tested the smoke
13 alarms or the fire alarm onboard?

14 A. I have not. It's my understanding that Jerry recently had.

15 Q. All right. Thank you. As the passengers were on board
16 during your time on this specific trip, did you notice any
17 passengers with any item that you would consider flammable,
18 incense, candles, fireworks, anything of that nature?

19 A. No. Not of that nature. But just lithium batteries, I heard
20 can be dangerous. Yeah.

21 Q. Did you note any of the passengers that either vaped or
22 smoked?

23 A. On this trip, I don't believe so. No.

24 LT [REDACTED] Okay. Thank you very much. That's all I have
25 for now.

1 MR. [REDACTED] [REDACTED] [REDACTED] with the Investigation's
2 National Center for Expertise. Only got two questions.

3 BY MR. [REDACTED]

4 Q. You noted that a lot of the passengers were plugging up their
5 computers, phones, cameras, rechargeable batteries on those back
6 two tables. Did you notice any power strips that were there?

7 A. I believe that there was one power strip. There was, because
8 I remember sitting at, to eat dinner on that table and looking up
9 and it had red, in Sharpe written on the side, mine, not yours.

10 And I just, I don't know why I remember that. But --

11 Q. Okay. So, you didn't see any like power strip plugged into a
12 power strip, you know?

13 A. No. It was just --

14 Q. Kind of six --

15 A. -- the one that I remember on the, that was on the port side
16 on -- yeah.

17 Q. Okay. All right. Had you ever seen anybody onboard do
18 maintenance on the hood vents in the galley?

19 A. I never participated or saw anyone do that. I understand a
20 lot of maintenance is done at dock and I was a part-time employee
21 who generally, well I didn't participate in any maintenance
22 onshore, other than the typical cleaning at the end of a trip, and
23 maybe refueling on two occasions. Yeah.

24 MR. [REDACTED] And that's all I got. Thank you.

25 MR. EHLERS: Okay. [REDACTED]

1 DET. BANKS: Thank you. Matt Banks with the Sheriff's. I
2 have no questions.

3 MR. EHLERS: Okay. Jay?

4 CAPT. SNODGRASS: Jay Snodgrass with the fire department.
5 I've got a couple of questions here.

6 BY CAPT. SNODGRASS:

7 Q. During your, any time during your checks or during the trip,
8 did you guys have anything abnormal occur with anything on the
9 boat?

10 A. No. There was a -- not with mechanical, but there was a
11 passenger, I forgot to mention, who had fainted during the safety
12 briefing, which was unusual. The guy said it had never happened.
13 He was healthy, appeared healthy.

14 One of the passengers was a nurse and he assisted us, and he
15 had his own blood pressure cuff and he took blood pressure
16 readings. He had him lay down. He did blood pressure readings
17 laying down and then after he started to feel better, he had him
18 sit up in a chair and then he redid it, and then standing.

19 Again later, all the while he was feeling better. He was
20 also profusely sweating, and he complained that he was nauseous
21 but, yeah, sorry, I forgot to mention that earlier. But he ended
22 up being okay, I think.

23 Q. Okay. So, nothing mechanical, electrical, nothing like that,
24 that you can recall?

25 A. No. Nothing mechanical.

1 Q. Okay. Then that sort of answers my next question, too. I
2 was going to ask about the safety briefing. I don't remember
3 hearing you talk about that. But so, you were present during the
4 safety briefing?

5 A. Mm-hmm.

6 Q. And did that interruption end the safety briefing or --

7 A. We were, I would say 90 percent through with the safety
8 briefing and the last 10 percent is usually more about the dive
9 site briefing. And because, you know, typically we'll give a dive
10 site briefing later on in the trip across the PA.

11 But that first one, everyone's together and we're already
12 talking to them, and so we give the site briefing at the end. As
13 far as I know, I don't remember exactly where we had kind of
14 ended, but we ended up helping that customer.

15 And then we ended up taking the morning a little bit slower
16 and once he was kind of okay, we got everyone back together and
17 kind of finished everything. And then we made sure that he had
18 somebody watching him in the bunkroom, because he said he wanted
19 to lay down and sleep.

20 And so, there was somebody who was checking on every 15 or 30
21 minutes or so. And we finished the site briefing and then opened
22 up the gates and let everyone else go diving at that site.

23 Q. Okay. Good. Let's see. So, you said your bunk there was
24 just covered by a curtain, so you didn't have like a door or
25 anything?

1 A. No. No door. It's about maybe half the length of the bunk
2 is curtained because it sticks out behind the starboard wing
3 station. So, it looks like a rather small bunk because of the
4 bench, but the foot part of it goes into that wing station, like
5 behind it.

6 It's got a wall and everything. And so half of it has got a
7 wall and then the other half is the curtain that you can draw
8 back.

9 Q. So then with the curtain there, you didn't hear any alarms
10 and then when you got out of your bunk, did you see anything lit
11 up in the wheelhouse at all?

12 A. Not in the wheelhouse. Just behind it. But after jumping
13 out and looking back up, there was flames on the sides going up
14 the wheelhouse.

15 Q. Okay. What about any sort of lights or anything, like in the
16 wheelhouse, like alert lights, alarm lights, anything like that?

17 A. I mean I remember the radio lights were glowing still and no,
18 I don't, I don't think any, I mean I don't recall anything else.

19 Q. Okay. Where does Mikey sleep?

20 A. He sleeps in these, in the galley bunks. There's kind of one
21 on top of another. It's kind of its own little room across from
22 the captain's quarters.

23 Q. Okay.

24 A. So, there're kind bunkbed there.

25 Q. Okay. And so, when you got up, Mikey was, where was he at?

1 A. When I woken up, Mikey was in the hallway between the two,
2 I'll just call them staterooms, for lack of a better word, up in
3 the top deck. And I saw him walking towards the stairs, yelling
4 fire. And then I saw him coming back. Same thing.

5 Q. Okay. So, I wanted to clarify the forward window when you
6 were with Milton, I think it was. Did you ever try to open up
7 that window?

8 A. No. I had opened up the bow gate and I saw that Mikey and
9 Milton were both trying to get the window open. And it just
10 seemed like shortly after that, that's when Jerry went over. And
11 so, I just ran and leaped over the side, headfirst into the water
12 after Jerry.

13 Q. Okay. Did you try to look through any of the windows? I
14 know you said it was dark, but did you look through any of the
15 windows?

16 A. The ones on the side that I remember just had flames coming
17 out and the front windows were just black, couldn't see into them
18 from there.

19 Q. From the --

20 A. From the, from the outside by, yeah, on the forward deck.

21 Q. So, from the forward windows, were you able to see any glow,
22 any flames, anything from those windows?

23 A. I just remember it being black. I don't necessarily remember
24 a glow or anything.

25 Q. Okay. Let's see. The engine room hatch, I know you said you

1 saw smoke in there when you opened it up. Did you feel heat?

2 Like was it hot?

3 A. Well the, yeah, the smoke, I mean I just remember opening it
4 and having to kind of turn away. Yeah. I wasn't able to like
5 really look into it.

6 Q. Yeah. Maybe heat just coming out of there? Do you remember,
7 recall heat coming at you when you opened that door?

8 A. I mean the smoke I think was warm. I don't remember it being
9 particularly hot. Like it wasn't like an oven when I opened up.
10 You know, when you open an oven and you get blasted. It wasn't
11 quite like that.

12 Q. Okay. Was the set up with everybody charging stuff on those
13 tables, was that pretty much the same each night or was it
14 different on the night of the fire?

15 A. It's pretty much the same. There might have been more people
16 charging flashlights. I know those, you know, batteries hold
17 their charge for a while, so maybe there was less people charging
18 the first night then the second. But I didn't count or anything.
19 I mean I don't, I don't exactly.

20 Q. Did you see the tables that night prior to the fire? Did you
21 walk in there and see all the stuff charging?

22 A. Mm-hmm.

23 Q. Okay. So, you remember seeing lights on in there and stuff
24 like that, things were like charging?

25 A. Yeah. Things were charging, yeah.

1 Q. How many items do you think were in there charging? Like,
2 just rough ballpark, 10, 20, 50, 100?

3 A. I mean I would say somewhere between, I mean on each table
4 had its own, I think the port side probably had more and I think
5 it was maybe 10 to 20 items. I don't know. I didn't count.

6 Q. On each table or total?

7 A. On the port side for sure. I think there was more on that
8 one and the starboard, there was definitely stuff on the starboard
9 table, somewhere between 5 and 15. I mean I just don't really
10 know.

11 Q. And then from the stuff that you saw, it sounds like you were
12 pretty close to that port side, what items do you remember seeing
13 there?

14 A. Well several cameras with, you know, the housings for the
15 cameras were like open. And they have, some of them had two
16 strobes. Some of them just had a single flashlight or a single
17 strobe.

18 Yeah. I remember seeing flashlights. Yeah. I don't --

19 Q. Did any of it look damaged or did it all look -- what was the
20 condition of everything?

21 A. Not damaged but certainly some of it was wet from being used.

22 Q. And then about what time did you see those items? When was
23 the last time you were in that galley area?

24 A. Well I just remember eating dinner on that table, on the port
25 side in the back because you know, we just kind of pushed some of

1 the cameras aside so that the customers can kind of eat in their
2 own tables.

3 And yeah, that's how I saw like the power strip with little
4 phrase on it and stuff. And then I was in the galley later after
5 anchoring at Platts. I just don't remember looking specifically
6 at it. I just know there was still a lot of stuff there.

7 You know, it was just, it was just part of the table at that
8 point.

9 Q. Okay. Did you notice anything else unusual in the galley at
10 that point when you were last in there? Like anything else
11 charging on any other tables or anything unusual?

12 A. Not unusual, no.

13 Q. Okay. Does anybody on the crew smoke or vape?

14 A. Jerry smokes cigarettes. I think 100 percent of the time
15 it's up on the wing stations. I've never seen him smoke anywhere
16 else at least. And he usually has a cup filled with water that he
17 puts between the throttles on one of the wing stations that,
18 there's two of them so.

19 And they have balls on the end, and you can kind of stick a
20 cup in there. And then he fills it with water and that's where he
21 puts his cigarette butts when he done. And yeah, he usually
22 leaves a pack of cigarettes and a lighter up on the dashboard in
23 the wheelhouse, just kind of sitting next to the station.

24 Q. Okay. Does anybody other than Mikey use the galley
25 equipment?

1 A. Well Ryan uses the galley equipment. As the first galley,
2 you know, he cooks and and stuff.

3 Q. Okay.

4 A. Yeah. Other than that, customers get themselves coffee and
5 use the microwave maybe. But that's about it.

6 Q. But they don't make the coffee or anything?

7 A. No.

8 Q. That's all made by crew?

9 A. No. That's made by crew, yeah.

10 CAPT. SNODGRASS: Okay. Let's see if I have any other
11 questions I didn't cover and nobody else did.

12 MR. EHLERS: Jay, if you want, we can hit you on the next
13 round.

14 CAPT. SNODGRASS: Yeah. I think I'm, yeah, I think, I'm
15 good.

16 MR. EHLERS: Okay. Glen?

17 MR. FRITZLER: No questions.

18 MR. EHLERS: [REDACTED]

19 MR. [REDACTED] Yes. This is [REDACTED] [REDACTED] with the Coast
20 Guard. I just have some follow up questions. Some of them I'm a
21 little confused on. Some of the questions that were just asked,
22 the answers or response.

23 BY MR. [REDACTED]

24 Q. We're talking power strips and equipment that you saw their
25 lights and other items that were plugged in. I may have heard it

1 wrong, but I'd like to kind of get an answer again from you. You
2 had mentioned on the port side there was quite a few items. I
3 think you even mentioned somewhere in the 10 to 15 area. And then
4 you had mentioned you had seen one power strip.

5 A. On the port side as well.

6 Q. On the port side. Of all those items, were they all plugged
7 in somewhere or were they just, because on the power strip itself,
8 how many, how many outlets are on the power strip?

9 A. Right.

10 Q. How large are these power strips?

11 A. So, I only remember seeing the one power strip. There might
12 have been more than that. And perhaps some of the items on the
13 table weren't actively plugged in. And I think that there's only,
14 there's like an outlet with two plugs on each side.

15 MR. MOLITOR: Is that right, Glen?

16 MR. FRITZLER: I think so.

17 MR. MOLITOR: And so there, yeah, I think that there is one
18 power strip and I don't know how many outlets were on it. There
19 might have been a second. I just remember the one because of the
20 writing and I just looked at it during dinner.

21 BY MR. [REDACTED]

22 Q. Since you're, do you or the crew ever provide power strips
23 for --

24 A. Not that I'm aware of.

25 Q. Do you guys have power strips yourselves on the vessel even

1 when there's no passengers onboard? Do you guys have power
2 strips?

3 A. I don't, I don't actually know. I'm assuming that they have
4 like extension cords for like maintenance and things, but I don't
5 really know the answer to that.

6 Q. When I have a couple of other follow up questions with the
7 safety brief. Who gave the safety brief on this trip?

8 A. I believe that was Milton. It's typically the first deckhand
9 will start the briefing and introduce everybody. And then they
10 hand it over to the first galley operator, who talks about, you
11 know, just standard boat protocol for the galley and what to do
12 with scrap food and, you know, garbage.

13 And, you know, where to put plates and where to get cups, and
14 that sort of thing. And then after that, it went, it goes back to
15 Milton, I believe this time. And he talks more about, then he
16 goes more into like the boat safety, the life jackets, the life
17 rafts, the fire extinguishers, you know, all of, all of that
18 typical boat safety briefing.

19 And then, and then they talk about like other things, you
20 know, letting us know if there's any medications that anyone has
21 that we can assist them with, you know, make them known to us or,
22 you know, stuff that we could help people with, things of that
23 nature.

24 So that way it's not tucked away in someone's bag in the
25 bunkroom when they need it, that it's, you know, available with

1 their name on it and obvious. And then they talk about, you know,
2 if you see something that's dirty or whatever, you know, just let
3 us know and we'll clean it up or things like that.

4 I've never given the briefing. I'm just kind of going from
5 memory.

6 Q. During the safety brief, is there any discussion about the
7 emergency exit from the bunkroom?

8 A. Yes. They have actually a list that they follow through and
9 they talk about everything in step based on that list. And so,
10 there's talking points for everything. And that is one of the
11 major talking points is --

12 Q. So, there's actually a list. Who provides you that list?

13 A. It's a laminated list that, I'm not sure who made it, but it
14 is, yeah, I don't really know. And on the tables, there is also
15 a, I think these might have been new or maybe they were just newly
16 printed because they looked nice and new, with things about the
17 boat.

18 So that people, as they're sitting there, they can read about
19 safety gear and protocols and things like that. I didn't read it
20 very thoroughly myself, with those ones on the table. But maybe
21 Glen would know more about those things.

22 Q. During that last trip, that safety brief, going back to that
23 emergency exit, when it was given did, they show the passengers
24 where the emergency exit was?

25 A. Yeah. Milton is actually, usually, everyone's in the galley,

1 and where Milton is, is standing directly in front of it. And so,
2 you know, he points it out and says, this is where it is. And
3 then he talks about how to access it in the bunkroom.

4 You know, so it's pretty clear, I think, what it is and where
5 it is and where it leads to.

6 Q. You say a lot of the people have been on there before, while
7 you're doing the safety brief, I take it they've probably heard
8 the safety brief before, so does everybody, during this trip, were
9 they all focused in on what was passed on?

10 A. Certainly no one's talking. I'm, I'm not really sure how to
11 answer that.

12 Q. Going back with the emergency exit, did anybody ever make a
13 comment about the emergency exit, it's location or did anybody
14 ever say anything about the emergency exit itself?

15 A. Like customers?

16 Q. Yes.

17 A. I don't, I don't recall that. No.

18 Q. Okay. During that trip, did you, did you ever go into the
19 bunkroom during that trip?

20 A. I went into the shower room, which is forward of the bunkroom
21 to help Milton clean it because we clean it every day. And I
22 don't think I did go in the bunkroom that trip. Normally, the
23 second captain, when they get back to the harbor, that's one of
24 their responsibilities is to clean and fold the blankets and pull
25 the pillowcases off.

1 So that's what I'm used to doing. Other than maintenance or,
2 you know, the bilges or anything, I didn't do any of that this
3 trip.

4 Q. Okay.

5 A. But I have on previous trips, like replacing the filters for
6 the AC and stuff. I helped Hunter do that on one of the trips but
7 --

8 Q. Okay. But on this one, you didn't go down there?

9 A. No.

10 MR. [REDACTED] Okay. Thank you very much.

11 MR. EHLERS: Kev?

12 CDR [REDACTED] Hi. My name's Commander [REDACTED] [REDACTED] with the
13 11th Coast Guard District. I only have one major question with
14 maybe some sub questions, too.

15 BY CDR [REDACTED]

16 Q. How are passengers assigned bunking?

17 A. It's my understanding that it's up to the person in charge of
18 the charter. So, there's a, basically a sheet that has all of the
19 bunks listed out on it. And those bunks are assigned by the, I
20 think charter master, is what they call them.

21 Yeah, the charter master. And then that list is hung above
22 the sign in sheet, so that as they sign in there's like a welcome
23 aboard thing and tells them what to fill out and how. And then if
24 they look up there's the bunk assignments that are kind of stuck
25 right up on there, as well.

1 And each bunk is numbered. And so, as they go down, they can
2 see the number and find their bunk.

3 Q. Do you know if that charter has any special considerations
4 when they do that assignments?

5 A. There are several bunks that are considered doubles, so if
6 there's a couple, you know, a husband and wife, or boyfriend,
7 girlfriend, often times those get shared because they're wider.
8 Other than that, I've never been apart of the process myself of
9 assigning bunks or choosing bunks. And so, I'm not really sure.

10 CDR ██████████ Okay. Thank you.

11 MR. EHLERS: So, I have just a couple quick follow ups
12 myself.

13 BY MR. EHLERS:

14 Q. You mentioned the anchor alarm that's set up when everyone's
15 asleep. Can you tell exactly how that -- or not exactly, but
16 briefly how that works?

17 A. I think, well, I think -- I've never done it myself. But
18 Jerry sets it up and it's based on, I believe it's based on either
19 GPS or AIS.

20 MR. MOLITOR: Or is both?

21 MR. FRITZLER: GPS.

22 MR. MOLITOR: GPS. Yeah. And like I said, I've never set
23 that. But I have woken up to it before and what had actually
24 happened was during the afternoon it had been very windy, and the
25 anchor was stretched really tight.

1 And then during the night, the wind had died down and so we
2 didn't actually slip anchor at all. We had just moved forward on
3 the slack and the alarm had went off. And so, I've experienced
4 that before.

5 And so, I know it's a regular thing that they do. But I've
6 never set the alarm myself. So --

7 BY MR. EHLERS:

8 Q. Okay. You just mentioned, I think sheets and pillowcases.
9 Are those provided by the company?

10 A. Yeah. There's no sheets but there is one blanket and one
11 pillow provided for every person aboard. So, all the double bunks
12 have two pillows and two blankets. All the singles have one
13 pillow, one blanket.

14 All of the pillows are labeled with *Conception* on them
15 because you see it every time you take them off and put a new one
16 on at the end of every trip. Yeah. And then people bring their
17 own bedding sometimes.

18 Q. Okay. That was my follow-on question. So okay. And then my
19 last question, did you see anyone, any of the passengers drinking
20 onboard alcohol?

21 A. Yeah. There was several bottles of wine and I believe a few
22 beers drank both nights that we were out.

23 Q. Okay. Anything what you would consider excess?

24 A. No.

25 Q. Okay. Did the crew drink alcohol at all?

1 A. No.

2 MR. EHLERS: Okay.

3 BY MR. MUISE:

4 Q. Can you list for me as many smoke detectors that you can
5 remember, where they were?

6 A. There's two in the bunkroom, one on either side. Two in the
7 galley, one forward and one aft. And the wheelhouse, I'm not sure
8 in the staterooms if there's, if there's one in -- no. Yeah. I'm
9 not, I don't think there's any in those.

10 MR. MOLITOR: And is there one in the wheelhouse, Glen?

11 MR. FRITZLER: No.

12 MR. MOLITOR: No? Okay. There's not one in the wheelhouse.

13 BY MR. MUISE:

14 Q. Oh, there's none? Is there any on that deck at all?

15 A. Not that I'm aware of, no.

16 Q. So, are all of those independent detectors or are they wired
17 together? Do you know?

18 A. I know that they're wired into the electric systems and that
19 they also have battery backups.

20 Q. Okay.

21 A. I don't know if they're wired together so that if one sounds,
22 they all sound. But I don't, I don't know.

23 MR. MOLITOR: Do you know, Glen?

24 MR. FRITZLER: I believe they're independent.

25 MR. MOLITOR: They're independent. Okay.

1 BY MR. MUISE:

2 Q. From where you were sleeping, would you expect to hear them,
3 from the galley ones or the bunkrooms?

4 A. Yeah. We're right on top of the galley. I can't imagine not
5 hearing it.

6 MR. MUISE: Okay. That's all I have.

7 MR. EHLERS: Bart.

8 MR. BARNUM: Bart Barnum, NTSB.

9 BY MR. BARNUM:

10 Q. Do you recall seeing a rebreather apparatus of O2 cylinders
11 that one of the --

12 A. Yeah.

13 Q. -- passengers was using?

14 A. There was one passenger, he was there with his wife and
15 daughter and the friend of her daughter's. He was diving a KISS
16 Spirit Rebreather, which a single oxygen tank mounted on the unit,
17 with a secondary bottle that he used to refill the small bottle.

18 And he also had a Haskel mini-booster pump to help boost the
19 O2 pressure in from the larger bottle into the small bottle that
20 he took diving with him. And he stored the larger bottle
21 underneath the wet suits in the, in the aft room down below.

22 Q. The Lazarette?

23 A. Yeah. Yeah.

24 Q. Well how, what was the volume of that larger bottle? Do you
25 know?

1 A. It looked to me to be a standard scuba cylinder that was
2 probably, I think it was a steel bottle. It was white and it was
3 labeled oxygen. And my guess would be that it would, if it was a
4 high-pressure steel, it would have been an 80 cubic foot cylinder.

5 But he probably would not have filled it to that pressure.
6 Probably just to 3,000 PSI, which would make it closer to maybe a
7 72 cubic foot bottle. If it was a low-pressure steel, it could
8 have been an 80 or an 86 cubic foot bottle.

9 But I'm not aware of the exact size of it, the internal
10 volume.

11 Q. Where were the smaller bottles stored?

12 A. There was one bottle that he left on the rebreather itself,
13 which is mounted horizontally underneath the scrubber canisters,
14 which on that unit has two scrubber canisters side by side and
15 then the bottle on the bottom of the plate that mounts them. And
16 yeah.

17 Q. Yeah. And where was that stored?

18 A. Oh, on deck, on the starboard side, there's like a box that
19 comes up and that's where the hatch is to go down below. And on
20 the sides of those boxes on the starboard and port side there's
21 tank racks essentially that have bungies, and little cut out
22 areas. He's was all the way forward, maybe one or two spots back
23 on the starboard side. Does that make sense?

24 Q. Yep.

25 A. Okay.

1 Q. So, none of that equipment was stored inside the saloon?

2 A. No.

3 Q. Okay. Who was the -- there was a former deckhand named
4 Hunter? Is that correct?

5 A. That's correct.

6 Q. Do you know his last name?

7 A. I don't know.

8 Q. Did you work with him previously?

9 A. Yeah. I worked him on all of the other trips, except for the
10 one that I was on the Truth boat.

11 Q. What were the circumstances of his departure? Did he leave
12 recently?

13 A. Yeah. So, I was on the trip before his departure and it was
14 a 5-day trip out to the southern Channel Islands. And then
15 immediately coming back from that, they refueled, cleaned the boat
16 and that night departed for a 6-day photography workshop.

17 And so, it was essentially 11 days in a row that they were
18 out. One on of the days towards the end of that 6-day trip, what
19 I heard, I was not present, was that Jerry talked to them about
20 maybe performance or attitude.

21 I think it was more attitude or something. And, you know,
22 asked like, you know, do you want to work here was the question
23 that was asked. And I heard that Hunter kind of thought about it
24 for a while and then decided that he didn't and let Jerry know.

25 And then he continued to work the rest of the trip, including

1 back at dock when they cleaned up and he even let Jerry know that
2 he would, you know, if he ever needed someone to cover, you know,
3 he would be available. And that's all just from what I was told.

4 I think Milton was present. Yeah.

5 Q. Okay. Do you recall the passenger capacity? How many people
6 could the *Conception* hold?

7 A. I believe that the very max capacity, the bunks is 41. I
8 know that there's 103 life vests on board and I think that the
9 life rafts also can hold 103 people. But I think that the
10 overnight capacity is 41, but I could be off on that number. Do
11 you know, if I'm right?

12 Q. That's okay. That's okay.

13 A. Maybe, sorry.

14 Q. The boat was not at capacity?

15 A. No. There was 33 passengers onboard.

16 MR. BARNUM: Thank you.

17 LT [REDACTED] Lieutenant [REDACTED] Coast Guard
18 MSD Santa Barbara. I just have one question. Are you aware of
19 any electrical outlets in the passenger berthing?

20 MR. MOLITOR: There is an electrical outlet by the staircase,
21 I think. Because that's where I plug the vacuum in. It's up on
22 the ceiling. So, when I'm cleaning, that's the one I use. I
23 don't, I don't know about other ones. Certainly, there's a light
24 in every bunk and there maybe more outlets.

25 LT [REDACTED] Okay. Do you know if individuals will use

1 that to charge their phones and equipment as well, or --

2 MR. MOLITOR: If they were there, they probably would. But I
3 can't speak to whether they're there or not.

4 LT [REDACTED] Okay.

5 MR. MOLITOR: I've just never used them.

6 LT [REDACTED] Okay. Thank you. That's all I have, thank
7 you.

8 LT [REDACTED] Lieutenant [REDACTED] [REDACTED] Coast Guard
9 Investigations National Center of Expertise. One final thing. I
10 know you described it a few times, so I just want to make sure I
11 have the picture clear in my head.

12 I have a diagram of the salon/galley area. Can you show me
13 on the diagram like the table that had the electronic equipment?
14 Like where you ate dinner, et cetera.

15 MR. MOLITOR: Yeah. So --

16 LT [REDACTED] So, we've got bow, stern.

17 MR. MOLITOR: Yeah. So, when you walk in, this would be the
18 table and there's an outlet on this bulkhead right here.

19 LT [REDACTED] Okay. Okay.

20 MR. MOLITOR: And a lot of things kind of stretch, like the
21 cords will stretch across onto this table right here. Yeah. And
22 it would be the same thing over here. I know that sometimes for
23 photography trips, they actually reserve those two tables by
24 putting a larger cover on top of it, that has a thing that they
25 can actually strap cameras down to and it gives more room.

1 But there wasn't that present for this trip. But yeah, it's
2 these two tables and the outlets are, you know --

3 LT [REDACTED] Okay. Awesome. Thank you very much.

4 MR. MOLITOR: Okay.

5 MR. EHLERS: [REDACTED]

6 MR. [REDACTED] No questions.

7 MR. EHLERS: [REDACTED]

8 DET. BANKS: No questions.

9 MR. EHLERS: Jay?

10 CAPT. SNODGRASS: It's two quick questions. Again, Jay
11 Snodgrass, County Fire.

12 BY CAPT. SNODGRASS:

13 Q. So, I've never seen a squid light thing before. I just want
14 a little bit more information. Can you describe what the squid
15 light looks like and how it attaches to the boat?

16 A. So, there is a bar, with a large hood, and I would, I don't
17 know the diameter of the opening of that, with a, just a large
18 bulb. I don't know what kind of bulb it is. And so, the arm has
19 a mount that fits into, I think it's a, like a metal peg.

20 And then on the rail, there's a small piece of metal with an
21 opening that it fits into to. And that, yeah, and that's how it
22 mounts on to that. It just sticks right into that hole. And then
23 the arm hangs overboard with the bulb way out so that it shines
24 directly down on to the water.

25 Q. So that sits a ways out from the boat? Like how far out from

1 the boat does that arm extend?

2 A. Somewhere in the ballpark of 4 feet.

3 Q. Okay.

4 A. I don't, I don't know exactly. But --

5 Q. Okay.

6 A. -- it could be a little less or maybe a little more. But
7 it's a pretty good distance.

8 Q. Is there anyway for that light to come loose and actually
9 make contact with the boat or does that arm keep it rigid and out,
10 extended?

11 A. I've only ever seen it rigid and out and extended. I don't
12 know if it can swivel and that. I've never seen it. I do know
13 that the bulb and hood were intact when we drove passed it later.
14 Yeah.

15 Q. And my last question is, the wing station exit, so it's
16 multi-part, but you said, you went out the port side. Why did you
17 go out the port side versus starboard side? Was there any reason?
18 Was there --

19 A. Well no. There wasn't --

20 Q. Okay.

21 A. -- any reason, I don't think. I just, I don't know. I don't
22 know.

23 Q. Okay. And then when you exited there, do you go straight
24 down, or did you go forward or how did that work?

25 A. I hung off of the side pretty much directly up the middle of

1 the wing station, lowered myself as far as I could and then let go
2 to drop.

3 CAPT. SNODGRASS: Thank you. That's all I have.

4 MR. EHLERS: Glen?

5 MR. FRITZLER: Yeah. Glen Fritzler, owner of the *Conception*.
6 I can shed a little light on the squid light configuration for
7 you. It is a metal rod and he's totally correct in what he's
8 saying. How it works is there's a stainless-steel pad with a pipe
9 in it.

10 And then it's got another little rod across it. And then
11 there's a reciprocating notch in the rod of the squid light
12 itself. So, as that light goes down, the notch goes into that
13 slot, so it's not able to turn side to side.

14 MR. EHLERS: Okay. Okay. Is there a, is the same setup on
15 the Vision?

16 MR. FRITZLER: Yes.

17 MR. EHLERS: Let me take a look at that sometime.

18 MR. FRITZLER: Absolutely.

19 MR. EHLERS: Okay. Thank you. Anything else, Glen?

20 MR. FRITZLER: No. No other comments.

21 MR. EHLERS: [REDACTED] [REDACTED]

22 CDR [REDACTED] One last question. Do you have an idea from
23 the time you saw smoke and fire and soon, to the point of which
24 you abandoned ship? Do you have like an estimate of time?

25 MR. MOLITOR: I would say that I was out of the wheelhouse

1 within somewhere between 15 to 30 seconds. And I was on deck for
2 likely 30 to 45 seconds, maybe over a minute. And it kind of felt
3 like shorter than that though, because Jerry was making the mayday
4 call, so I don't know how long that lasted. It could have been as
5 little as 15 seconds on deck before I jumped overboard to check on
6 Jerry. Yeah. I would say anywhere between 30 seconds and 2
7 minutes.

8 CDR [REDACTED] And then in that time, do you have like in your
9 mind how much change in the spread of fire took place, or was it
10 just too much panic to recognize that?

11 MR. MOLITOR: The only thing that I really remember as
12 growing was watching it climb up the wheelhouse, off the side of
13 the wheelhouse. From the time that I jumped and looked back, you
14 know, there was smoke coming out of the wheelhouse but not really
15 fire yet. And then when I looked back to see Jerry, there was
16 fire coming up the side then. And --

17 CDR [REDACTED] Thank you.

18 MR. MOLITOR: Yeah.

19 MR. EHLERS: Anything else, Kev? Does anyone else have any
20 follow up questions? Bart?

21 MR. BARNUM: Yes, sir. One, just one last question. Bart
22 Barnum, NTSB. We were on the Vision yesterday. Looking at this
23 diagram of the salon, and you were mentioning the outlets again on
24 the port and starboard side.

25 MR. MOLITOR: Mm-hmm.

1 MR. BARNUM: The Vision had outlets also on the seating, on
2 the bench seating on both sides leading forward. Do you recall if
3 the *Conception* had those same outlets --

4 MR. MOLITOR: I've never --

5 MR. BARNUM: -- on the bench seating?

6 MR. MOLITOR: I've never noticed.

7 MR. BARNUM: There's actually, I took a photo the other day
8 of the Vision. This is just a photo of the receptacles on the
9 bench seating leaning forward.

10 MR. MOLITOR: Yeah. Yeah. I've never really spent time
11 sitting at those tables necessarily. I mean, other than like
12 cleaning them. And I just don't recall seeing them. Perhaps Glen
13 would know more about where those outlets are or if there is any.

14 MR. BARNUM: Sir, do you recall?

15 MR. FRITZLER: Yes.

16 MR. BARNUM: There was similar configuration on the
17 *Conception*?

18 MR. MOLITOR: Okay.

19 MR. BARNUM: Thank you. That's all.

20 MR. EHLERS: Okay. Anyone else? Okay. All right. We're
21 all done. What I wanted to say to you is, I know how -- I don't
22 know quite frankly how difficult this must be. I can only
23 imagine. But I sincerely appreciate the fact that you've talked
24 to us and helped us understand what happened so that hopefully we
25 can figure out how to prevent this ever again. So, for that I'm

1 very thankful to you. Thank you very much.

2 MR. MOLITOR: Thank you.

3 MR. EHLERS: All right. I'm going to stop the recording. It
4 is now approximately 4:47.

5 (Whereupon, the interview was concluded.)

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 Cullen Molitor

ACCIDENT NO.: DCA19MM047

PLACE:

DATE: September 4, 2019

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.



Romona Phillips
Transcriber