

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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PIPELINE RUPTURE NEAR *

HUNTINGTON BEACH, CALIFORNIA *

Accident No.: DCA22FM001

ON OCTOBER 3, 2021 *

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Interview of: DALIBOR KRIVOKAPIC, THIRD Mate
MSC DANIT

Via telephone

Friday,
October 15, 2021

APPEARANCES:

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I N T E R V I E W

1
2 LCDR ██████: It is October 15th, 2021, and the purpose of
3 this recording is we're going to do -- we're going to look into
4 the situation or thereabouts pertaining January 25th weather
5 event. I'm going to go around the room and I'm going to have
6 people introduce themselves so that we all know who's here.

7 LT ██████: This is Lieutenant ██████ legal adviser to the
8 Coast Guard for the investigation.

9 MR. ██████: This is ██████, member of the
10 Auxiliary Coast Guard, last name ██████, first name
11 ██████.

12 MR. GREENBERG: Marc Greenberg with Tucker Ellis and we are
13 pool counsel for the crew.

14 MS. MDINARADZE: Maia Mdinardze for Tucker Ellis.

15 MR. KRIVOKAPIC: This is Third Mate Krivokapic
16 (indiscernible) of the *MSC Danit* at the time of the event.

17 MR. EHLERS: This is Andrew Ehlers; I'm a marine accident
18 investigator with the NTSB.

19 LCDR ██████: Okay, great. And that's everybody who's in the
20 room today.

21 MR. GREENBURG: If I may inquire, if he were to move back a
22 little bit, could he take off his mask, is that okay? I think
23 with the accent, it's easier for us if you can see someone's lips.
24 For some reason I find that it's easier to interpret in English.

25 LCDR ██████: Absolutely. If you're speaking, feel free

1 to --

2 MR. GREENBURG: Okay.

3 LCDR [REDACTED]: I think we're all distanced well and you can
4 take your mask off when you're speaking.

5 MR. KRIVOKAPIC: This?

6 LCDR [REDACTED]: Correct.

7 Okay. So, in that, you can take your mask off. We do have
8 an interpreter.

9 MR. KRIVOKAPIC: Okay.

10 LCDR [REDACTED]: So, if you do need him, if there's some kind of
11 questions that I'm asking that you don't quite understand, don't
12 feel -- you know, just please speak up and he can definitely
13 assist in those matters.

14 MR. KRIVOKAPIC: Okay.

15 INTERVIEW OF THIRD MATE KRIVOKAPIC

16 BY LCDR [REDACTED]:

17 Q. So, what we're doing here today is we're looking into -- I'll
18 be right up front with you, we're looking into a heavy-weather
19 event, okay, that happened back in January 25th of this year.

20 A. Yes.

21 Q. So, I understand that -- I've done some looking at it, so you
22 were a cadet on the vessel at the time?

23 A. Yes, I did that. Yeah.

24 Q. Can you tell me about that -- about your roles and
25 responsibilities at the time?

1 A. At the time, more or less, I didn't have responsibilities. I
2 was keeping -- watch keeping with the captain, so he had all the
3 responsibilities and he was assigning the watch and I was doing
4 other job, more or less, what I knew and he was checking me. But
5 he was the one that controlled everything in the end.

6 Q. Okay. And how long were you a cadet on board?

7 A. Three months.

8 Q. Three months?

9 A. Yes.

10 Q. So, when did that tour start off?

11 A. From the 5th of December last year until 1st of March this
12 year. So, December, January, and February.

13 Q. Okay. So, from the 5th of December to March timeframe you
14 were a cadet?

15 A. Yes, the 1st of March, I think, I got the contract of third
16 mate.

17 Q. And were you a cadet the entire time you were on this vessel,
18 then? You were --

19 A. No, the first three months.

20 Q. The first three months.

21 A. So, December, January, and February, from the 1st, March, I
22 am third mate.

23 Q. Okay. So, you're third mate now, right?

24 A. Yes.

25 Q. And what are your roles and responsibilities as far as being

1 a third mate now?

2 A. I'm getting the atlas navigation, I'm taking care of
3 navigation and equipment, pharmacy, or hospital -- and hospital,
4 of course, watch keeping from 8:00 to 12:00. I write the
5 logbook -- coordinate the logbook, (indiscernible) for my normal
6 station, updating, also, electronic publications from Admiralty
7 and (indiscernible).

8 Q. Okay.

9 A. That's more or less everything I remember.

10 Q. Sure. And how long have you been sailing that -- how long is
11 that -- all that together --

12 A. This is my third ship. But all together --

13 Q. Did you say third ship?

14 A. Yeah, but two ships I was cadet.

15 Q. Okay, got you.

16 A. First time around six-and-a-half, seven months, next time
17 eight-and-a-half, and this contract from 5th December.

18 Q. Okay. No, that's good. You've got some experience underway,
19 that's wonderful. Do you remember January timeframe coming into
20 port?

21 A. I'd say yes.

22 Q. You do?

23 A. We came 18 of January on anchor and it was all okay until
24 25th.

25 Q. Oh, okay, so --

1 A. 24th to 25th.

2 Q. Yeah. So, I'm a slow writer and so, you guys -- did you say
3 you came into anchor on the 18th?

4 A. Yes, on anchor position 18 January.

5 Q. 18 January, okay. And as far as being a third, what would
6 your roles and responsibilities be coming into anchorage? So,
7 you're coming into anchorage, can you walk me through what you
8 would do?

9 A. Anyway, I was a cadet back -- also, as third mate I don't
10 have responsibilities because captain is always on the bridge.

11 Q. Yeah.

12 A. Also, for that, the chief mate also, more or less, every time
13 here and that's it.

14 Q. Yeah. So, you --

15 A. After anchorage, I only -- I down -- put anchor in position
16 and the anchor watch, activating alarm, and that's it.

17 Q. Okay. So, you do an anchor watch?

18 A. Yes.

19 Q. Okay.

20 A. On position where we drop anchor, I make a point of anchor
21 watch.

22 Q. Okay. So, the anchor watch -- so, you guys came in January
23 18th?

24 A. 18, yes.

25 Q. And you actually came into anchorage, right?

1 A. Yeah.

2 Q. Okay.

3 A. On anchor position given by VTS.

4 Q. Okay. And can you just -- you know, I know we talked about
5 you're kind of being oversaw by the captain for various watches,
6 but you did mention you do an anchor watch. Can you walk me, just
7 briefly, through what an anchor watch does as a cadet?

8 A. You make a point -- or center of the circle where you drop
9 anchor and you make usually 0.3, 0.5 in nautical miles from that
10 center you make circle.

11 Q. Okay.

12 A. And then if the anchor -- if the ship, by any case, leave the
13 anchor, it will sound an alarm.

14 Q. Do you sound the alarm or do you hear the alarm?

15 A. No, it's automatic -- the rig will automatically sound the
16 alarm.

17 Q. Okay. So, you're -- so, at that -- so, for a cadet on an
18 anchoring evolution, you're watching ECDIS, the points are set,
19 right, and so ECDIS is kind of keeping you in the buffer zone,
20 right? Is that --

21 A. I'm not sure buffer zone --

22 Q. You're watching ECDIS, though, that's your responsibility?

23 A. Yeah, I activate the anchor watch position. I activate the
24 circle around the ship with the train and if ship goes outside the
25 (indiscernible), this automatically sounds the alarm.

1 Q. Okay. And so, what do you -- what does a cadet do if the
2 alarm goes off?

3 A. I was doing job of third mate just kept checking everything.
4 I mean, I was doing full job of third mate.

5 Q. Yeah, okay. And so, what --

6 A. But -- and like any other officer, we stay on bridge keeping
7 check on radar of distance of other ships, keeping check of
8 position of anchor, and writing down in anchor watch book every
9 hour of position, and position and the heading of the ship.

10 Q. Oh, and you -- that gets logged every hour?

11 A. Yeah, every hour we write down position and time -- position
12 and heading of the ship.

13 Q. Is that deck logged, you say?

14 A. No, anchor watch book.

15 Q. Anchor, okay.

16 MR. GREENBURG: Sorry, anchor watch log?

17 MR. KRIVOKAPIC: Yes, I think I'm just not sure -- anchor
18 watch. I am not sure exactly what is the name of this.

19 MR. GREENBURG: And is it -- if I may, is it hard copy or
20 electronic, the anchor watch?

21 MR. KRIVOKAPIC: No, hard copy on the paper, we just write
22 down by hand the position.

23 LCDR [REDACTED]: Okay.

24 MR. KRIVOKAPIC: Your colleagues from the Coast Guard, they
25 made pictures 25th and I don't know -- on the bridge.

1 LCDR [REDACTED]: Okay.

2 MR. KRIVOKAPIC: They made pictures of it.

3 BY LCDR [REDACTED]:

4 Q. Okay. So, if we had an alarm -- if you had an alarm, it
5 would get logged in -- maybe in that anchor log?

6 A. No, I don't think so, just sounds.

7 Q. Just sounds?

8 A. Yeah.

9 Q. Would you physically write down an alarm went off?

10 A. Yeah, there is an opened, small window near this that ship
11 out of anchorage area -- anchor watch area.

12 Q. Okay. And maybe eventually, here we could look at it or
13 something just so I can --

14 A. No, first I need to check -- if the alarm sounded, I need to
15 check the position of the ship and everything. If the ship leaves
16 the circle, it's probably dragging anchor or something like that.

17 Q. Yeah.

18 A. Or intentionally leaving the zone before you turn it off.

19 Q. Right, okay. So, do you remember the heavy-weather event?

20 So, you guys were anchored the 18th --

21 A. Let's say I do, but I wasn't present most of the time. I can
22 tell you what I know when I was present and maybe when they told
23 me some small briefing -- some small information when I came in
24 the morning.

25 Q. Yeah, okay. So, right -- so, let's talk about the 25th as

1 far as were you on the bridge starting the evolution of -- what
2 time did you come to the bridge on the 25th?

3 A. No, 8:00 --

4 MR. EHLERS: Hey, [REDACTED]?

5 LCDR [REDACTED]: Yes?

6 MR. EHLERS: Can we stop for just a second?

7 LCDR [REDACTED]: Absolutely.

8 MR. MAWSON: Sorry, I'm Jock Mawson, I'm with Collier, Walsh,
9 and Nakazawa and Joe Walsh -- I don't know where Joe is right now.

10 MR. GREENBURG: Joe is -- I don't know where Joe is.

11 MR. EHLERS: Why don't you -- so, [REDACTED] --

12 Oh, you're looking for him?

13 MR. MAWSON: I was just doing -- yeah, I am.

14 MR. EHLERS: Okay.

15 MR. MAWSON: I wanted to see what he's up to.

16 LCDR [REDACTED]: Okay.

17 MR. MAWSON: Sorry to interrupt like that.

18 LCDR [REDACTED]: So, is this your colleague?

19 MR. GREENBURG: He's Joe Walsh's colleague.

20 LCDR [REDACTED]: Okay.

21 MR. EHLERS: I'm going to pause the recording.

22 (Off the record)

23 (On the record)

24 LCDR [REDACTED]: Restarting recording.

25 MR. KRIVOKAPIC: So, on the watch -- I was on the watch 24

1 from 8:00 to 12:00 p.m.

2 LCDR ██████: Okay.

3 MR. KRIVOKAPIC: In that time, we were receiving the
4 warnings -- the messages from the U.S. Coast Guard that there will
5 be probably strong wind from the shore side.

6 BY LCDR ██████:

7 Q. This is the VTS Coast Guard, right?

8 A. Yes -- VTS, yes.

9 Q. So, you received some kind of weather --

10 A. Yes, we had warnings about upcoming strong wind.

11 Q. Okay.

12 A. But we stood on position I think -- as I remember, VTS said
13 for now to stand by, to be ready to heave up the anchor -- always
14 to be ready to heave up the anchor, to prepare the engine, to be
15 ready, stand by, and we keep the watch anchor position all the
16 time. And about -- during the watch, if it's important, the
17 ship's name, but I will tell you and you can check later, I don't
18 know. The one smaller tanker, around 200 meters, came in front of
19 us and anchored about 0.4 nautical miles from us. I think the
20 name was *Ocean Spirit*, but I'm not sure now.

21 Q. And you said he was also anchored --

22 A. He was relatively close to us, on 0.4 nautical miles. We
23 called VTS that maybe he's too close and VTS responds that it is
24 chartered anchorage position and that they assigned that position
25 for that vessel.

1 Q. And you said it was uncharted, that was not a --

2 A. No, VTS said that is chartered for them -- anchored position
3 and that they assigned that position for that vessel.

4 Q. Oh, got you, okay.

5 A. And he stood on 0.4 nautical miles from us.

6 Q. Okay.

7 A. And after that, I went to my cabin, I finished my watch --

8 Q. That was about, what?

9 A. At midnight.

10 Q. At midnight? So, you finished your watch at midnight?

11 A. Yes.

12 Q. No -- had any alarms gone off as far as anchor dragging at
13 that point?

14 A. No, everything was okay, yeah. Everything was okay when I
15 went to my cabin. Then when I came back at 8:00 to start my watch
16 in the morning, we were already almost finished giving up the
17 anchor and went drifting.

18 Q. Okay. So -- okay, so you come on watch on the 25th at 8:00?

19 A. Yes, 8:00 a.m.

20 Q. And when you come up, the anchor --

21 A. It was almost heaved up.

22 Q. Okay.

23 A. Almost in position.

24 Q. So, let me back up a little bit, what anchor was down when
25 you guys anchored originally on the 18th?

1 A. Port side anchor. As I remember, the bell book, it was
2 (indiscernible).

3 Q. And it was just one anchor, right?

4 A. Yes.

5 Q. Okay. So, your -- so, 0800, the 25th, what did the weather
6 look like when you got up to your watch station?

7 A. Well, it was windy, but it was okay at 12:00.

8 Q. Do you remember the knots or anything?

9 A. Not at the moment. Maybe about 20-something-knots. I'm not
10 sure now.

11 Q. But you can -- did you consider it maybe windy or so?

12 A. What?

13 Q. Did you consider it windy, heavy weather?

14 A. No, it wasn't heavy when I went at midnight. It started
15 later and all the 25th -- I know when I was watch on 25th, it was
16 almost nine buffers, so over 40 knots wind.

17 Q. Over 40 knots?

18 A. Maybe it was drifting, that was later during the day. It
19 started to be stronger and stronger during the night.

20 Q. Oh, okay, got you. Okay, so I don't want to stop you, so you
21 got on watch and then what happened after that? So, you come on
22 at 8:00 on the 25th --

23 A. Yes, we were already heaving -- almost heaved up the anchor
24 and we went drifting. That is what I know when I was present.

25 And you --

1 A. I can --

2 Q. Okay. So, you --

3 A. I can only tell you what kept and briefly for me what
4 happened during the past few hours. But I don't know, I wasn't
5 present to see all that. But I can tell you because he said I'm
6 not sure now which vessel, but (indiscernible) was on the port
7 side of us or more or less south of us as I remember, and that
8 *Ocean Spirit* was in front. I know he told me that one vessel was
9 dangerously closing up on us. I don't know, maybe dragging
10 anchor, I think. He also said that he called the VTS to say that
11 one vessel -- I don't know which one of them that is dragging the
12 anchor. And so, I think he -- as I understood, he released two
13 more, or something like that, shackles in the water to avoid
14 collision with that vessel, and after that, we continued to heave
15 up. Also, that vessel on the port side, *The Beijing*, I know he
16 told me he called VTS that they had problems with the heaving up
17 with the anchor. I don't know what reason. *The Beijing*.

18 Q. Oh, so, *The Beijing*?

19 A. Yeah.

20 Q. You heard over the VTS that *Beijing* maybe had some trouble?

21 A. Yes, they called VTS to say problem to heave up the anchor.
22 I don't know exactly why. It's what captain told me. But after
23 we went drifting, I was looking on the radar, *The Beijing* was
24 there, I don't know, one, two, hours after that tour they still
25 didn't move from the anchorage.

1 Q. So, let me just be clear, you say you heard it over the VTS
2 radio --

3 A. No, captain told me, yeah, that *The Beijing* called that they
4 had problem with the heaving up the anchor.

5 Q. Okay. So, captain notified you guys?

6 A. Yeah. And after we went drifting, I saw the *Beijing* was
7 still there sometimes on the anchorage. They didn't yet move and
8 that's everything I know.

9 Q. Okay. And so, you were up -- so, we were talking about, you
10 know, 0800 to about noon. So, you did mention that --

11 UNIDENTIFIED SPEAKER: Commander, I think you need to pull
12 the recorder from out of the paper.

13 LCDR [REDACTED]: Thank you.

14 BY LCDR [REDACTED]:

15 Q. So, you did mention that you guys were drifting?

16 A. Yes, after that until (indiscernible).

17 Q. Okay.

18 A. About two days.

19 Q. Okay.

20 A. Or one, I don't know.

21 Q. So, you began to drift outside of the anchor space?

22 A. We started to drift more or less east, northeast of the Santa
23 Catalina Island, close to while on port, something like that if I
24 remember good.

25 Q. Okay.

1 MR. GREENBURG: And that's because VTS had said --

2 MR. KRIVOKAPIC: VTS called every ship to heave up the anchor
3 and to go drifting because there were strong winds and not safe in
4 the anchorage.

5 BY LCDR [REDACTED]:

6 Q. How -- okay. Now, just to go back just a tiny bit, have you
7 ever anchored here before the 18th?

8 A. Before, no. I embarked in December and ship was already in
9 the port. We left for China and after we returned it was first
10 anchorage that I was in Long Beach.

11 Q. Okay. And so, this would be the first time that you've
12 anchored here in this port, is there any documentation that you
13 fill out being a cadet before arrival? Is there any documentation
14 or prep work that you do for coming into port that you'd be
15 assigned?

16 A. I'm not sure what kind of documentation.

17 Q. Like prearrival stuff, notifying folks, looking at charts, is
18 there anything that you would do before anchoring?

19 A. No, I finished training online for (indiscernible) and this
20 ship is similar trainings.

21 Q. Okay.

22 A. And also, I finished all certifications and I had already
23 finished the exams for -- how do you say -- officer of the watch
24 certificate. I had already finished before I came to the ship.

25 Q. Is there anything specific to coming into port that you would

1 do that would be different?

2 A. No, I go -- they organize the boarding -- or the crew
3 disembarking and embarking. I go to my agency and sign the
4 contract, they organize flight, we came here, it was two, three
5 days in the hotel, and then we board the ship on the 5th of
6 December, I think.

7 Q. Okay. So, I have some AIS data here that I've looked at a
8 couple times and just kind of looking at *The Danit* and how it
9 acted that morning. You said you did begin to drift, when did you
10 start to drift?

11 A. I'm not exactly sure what time, maybe around 11:00, I don't
12 know. But we started maneuvering, we heaved up the anchor I think
13 -- as I saw in the bell book today when your colleague was
14 looking, I think I can make a copy or something, I think we heaved
15 up anchor at 8:20. So, we started to maneuver at 8:20 from the
16 anchorage to east, northeast to Santa Catalina Island.

17 Q. So, 8:20 you guys left the anchorage?

18 A. Yeah, but the bell book.

19 Q. Port anchor was up at that point?

20 A. Yeah, anchor was up by 8:20.

21 Q. Okay.

22 MR. GREENBURG: If it helps, I think you notice that they
23 started pulling it up at 5:50.

24 MR. KRIVOKAPIC: Yeah, 5:50 -- we started heaving up anchor
25 at 5:50 probably -- I don't know. Then VTS called all ships to

1 heave up the anchors. But I am not sure about it.

2 BY LCDR [REDACTED]:

3 Q. Okay. So, let me just go a little further, so your watch
4 ends at noon?

5 A. Yes.

6 Q. And then you go back to do ship duties -- or what did you do
7 after that?

8 A. More or less lunch and then I was free until 8:00 in the
9 morning -- evening.

10 Q. Did you hear any anchor alarms go off after you had been
11 relieved of your watch?

12 A. No.

13 Q. Would you have heard them if you were --

14 A. In my cabin?

15 Q. You would've heard them?

16 A. No.

17 Q. No, you wouldn't have heard them?

18 A. No, only on bridge. Officer on the watch can hear.

19 Q. Okay. And you were never called back to the bridge?

20 A. No. In that anchor watch log, I think last position it was
21 written down it was 5:00. So, until 5:00 probably -- not
22 probably, for sure ship didn't move anymore by position entered in
23 the anchor watch log.

24 Q. Okay. And then you returned -- I would imagine you returned
25 back at 8:00 at night?

1 A. Yes. I came regularly for my watch at 8:00, captain was on
2 the bridge. First mate, of course, was heaving up the anchor.

3 Q. They were heaving up the anchor at 8:00 at night?

4 A. Yeah -- no, in the --

5 Q. Oh.

6 A. You're asking later?

7 Q. Yeah, later.

8 A. I came later and continued my watch until midnight.

9 Q. Okay. When you got back on at 8:00, were you guys at that --

10 A. Same drifting. We ended anchorage and east, northeast of
11 Santa Cataline. We were drifting there 25th and 26th, we got
12 there 27th in the morning. So that two days, I don't know exact
13 position. When current moved us, we started the engine again and
14 make safe distance from the shore and the other vessels.

15 Q. Okay. So, you come back at 8:00 that night, did you guys
16 ever drop anchor again?

17 A. No -- after that, no. We were drifting two days and go
18 directly to the port.

19 Q. So, you drifted for two days?

20 A. Yes.

21 Q. Until the 27th?

22 A. Except as you can see in the bell book.

23 Q. And then you guys have a survey, right, done in Long Beach
24 soon after this, Class came on board?

25 A. Yes. Class came, but I'm not sure now which call -- what

1 date was --

2 Q. I think it was the 28th they came.

3 A. Yes, maybe -- yes, I think -- yeah.

4 Q. Okay. And so, what were your duties during that -- the Class
5 survey?

6 A. I think if they ask me, I just show them the -- my
7 responsibilities that is ECDIS, the radar, electronic
8 publications, and that's it.

9 Q. Okay. Were you assigned any kind of task or any kind of
10 duties when they were on board?

11 A. No.

12 Q. No?

13 A. Same as Coast Guard. When Coast Guard came (indiscernible),
14 they just asked me for my duties -- my responsibilities. I don't
15 (indiscernible) with second mate for safety, which you've made for
16 the other things -- everyone with their responsibilities.

17 Q. Okay. I've got one last little thing and then I might turn
18 it over to Drew here for some questions as well. When -- you did
19 hear an anchor alarm go off on the morning of the 25th?

20 A. No, I was in my cabin anyway, sleeping until 8:00.

21 Q. Until 8:00? So, from 8:00 to 12:00, what time did that alarm
22 go off, do you know -- when you were on watch?

23 A. No, it wasn't on -- that alarm, we was standing in the anchor
24 watch -- all my watch in the evening.

25 Q. In your whole watch it never went off?

1 A. Yeah -- no, never.

2 Q. Okay.

3 A. And usually ship never go outside of that anchor in an anchor
4 watch.

5 LCDR ██████: Okay. And so, I'm going to hand it over to the
6 NTSB. They do have some questions for you too and then I'll
7 probably have a little bit more for you in a second.

8 MR. KRIVOKAPIC: Okay.

9 LCDR ██████: Drew?

10 BY MR. EHLERS:

11 Q. Good morning, again, and first of all congratulations on
12 third mate.

13 A. Thank you.

14 Q. I know it's a long process, so congratulations. So, my
15 questions will be all over the place, so I apologize for that.

16 A. Okay, no problem if I know how to respond.

17 Q. Okay. So, you -- the night before -- the 24th, the night
18 before the wind, you stood the 8:00 to 12:00 watch with the
19 captain, correct?

20 A. Yes.

21 Q. Okay. Do you remember what the status of the engine was that
22 night?

23 A. It's always standby.

24 Q. Standby?

25 A. Yeah, always someone in the engine room 24 hours, ready to

1 start the engine and start moving if necessary.

2 Q. Okay. So, when at anchorage, you never went to finish with
3 engines?

4 A. We stopped the engine, but there is always someone down there
5 ready to start in 10, 15 minutes.

6 Q. Okay. 10, 15, that was my next question, so thank you.

7 A. I -- that's what I know, but maybe that is better questions
8 for them.

9 Q. Sure.

10 A. Because I never had the need to start the engine until now.
11 I hope I never do.

12 Q. Sure. And you said the anchor was at seven shackles?

13 A. Yeah, and that's all written in the bell book.

14 Q. Okay. And you began to get weather warnings that night, is
15 that correct?

16 A. More or less, I think, all day it was coming, warning about
17 upcoming strong winds.

18 Q. Okay. Did --

19 MR. GREENBURG: If I may?

20 MR. EHLERS: Yes, sir.

21 MR. GREENBURG: I think -- can we go over the shackles again
22 because I think you might've misunderstood. I thought he added it
23 to --

24 MR. KRIVOKAPIC: Yeah, later when captain ordered more
25 shackles when the ship started to move toward -- I don't know

1 which one or dragging anchor or --

2 BY MR. EHLERS:

3 Q. That was -- well, after you had gotten off watch?

4 A. Yeah, after.

5 Q. But before you came back on?

6 A. No, it was seven we shackled -- we anchored at seven
7 shackles.

8 Q. Okay.

9 A. At three, four days' worth.

10 Q. Okay. So, what we'll off on -- so, when you said he let out
11 more shackles -- so, I think you said two, so --

12 A. I don't know exactly, it's what he said. But what I
13 said -- he said he let go of more shackles because that ship -- I
14 don't know if it was *Beijing* or that one in front of us, that
15 *Ocean Spirit* that was dangerously closing up on us and he let go
16 more shackles to go a bit back to avoid collision.

17 Q. I see. So, after -- it would've been more than seven
18 shackles though?

19 A. Yeah, probably eight or nine or something like that.

20 Q. Okay. So, originally when you anchored, it was seven
21 shackles?

22 A. Yes.

23 Q. At some point during the night, the captain ordered to have a
24 couple more shackles?

25 A. Yeah, to avoid.

1 Q. To avoid the collision?

2 A. It was necessary -- I think necessary in that situation to
3 avoid collision with the ship closing up.

4 Q. Okay, I understand. The night before -- again, your watch
5 the night before, did the captain take any additional precautions
6 because of the weather? Did he change the status of the anchor,
7 or the engines, or anything like that?

8 A. I don't know. I mean, he was on bridge, he said to call him
9 if the wind gets stronger than 35 knots. He was listening with
10 his warnings, so --

11 Q. Okay.

12 A. With the -- we turned to 14 channel in case they tell us to
13 heave up the anchor like we did later.

14 Q. Yeah. So, he left instructions if the wind got above 35
15 knots?

16 A. Yeah, but I think he was -- most of the time that night I
17 think he was on bridge.

18 Q. Was he? Okay.

19 A. He just said that to everyone. But he probably stayed most
20 of the time on the bridge.

21 Q. Okay.

22 A. He also knew to sleep on the sofa there.

23 Q. Oh, okay. So, that instruction for 35 knots was verbal? In
24 other words --

25 A. Also written in the bridge logbook.

1 Q. Okay, it was?

2 A. Yeah.

3 Q. And that was the night before -- or at least before the 25th?

4 A. Yeah.

5 Q. Okay. All right, so when you came back up for your morning
6 watch on the 25th, you said it was 8:00?

7 A. Yeah.

8 Q. Is that when you come up is at 8:00 or do you come up earlier
9 to --

10 A. Two, three minutes maybe before I go to (indiscernible).

11 Q. Two, three minutes, okay. So, right around 8:00 is when you
12 go up there? Okay. All right, and the captain was there on the
13 bridge?

14 A. Yes, of course. Captain was heaving up -- once it was
15 forward, they were heaving up the anchor.

16 Q. Okay. Who was the officer of the watch at that time?

17 A. Chief mate.

18 Q. Chief mate? Okay.

19 A. Yes, he's on 428.

20 Q. Okay. So, that was his standard watch and then you had the
21 opposite watch?

22 A. Yeah.

23 Q. Okay. All right, so you said that it was -- they were nearly
24 complete heaving up the anchor?

25 A. Yeah, as I saw in the bell book, it was -- heave up anchor

1 fully, anchor was in position 8:20.

2 Q. 8:20? Okay.

3 A. Yeah, so a couple minutes more or less after I came.

4 Q. Okay.

5 A. But when I came, I don't know. I can say, as I remember, the
6 situation was clear because *The Beijing* was port side of us.

7 He -- as they said, he couldn't heave up the anchor and I think he
8 couldn't because he stood in that position for a few more hours
9 after and we just heave up our anchor and continue maneuvering
10 until drifting position, east, northeast of Santa Catalina.

11 Q. Okay. Do you know what the normal speed is for heaving in
12 the anchor, like, how long it takes to get one shackle on deck?

13 A. I'm not sure now.

14 Q. You're not sure?

15 A. No, I don't know.

16 Q. Okay. And you mentioned *The Beijing* had trouble heaving in
17 their anchor?

18 A. Yeah, as they called VTS, they kept toward me like this, but
19 I also saw them more or less down, and his ship not moving. He
20 was there with the anchor in the water and after we went drifting,
21 I was looking (indiscernible) he was still there. I'm not sure
22 how many hours after.

23 Q. Okay. And so, the captain -- or you didn't witness
24 any -- again *The Beijing* had trouble raising their anchor, did
25 you -- did anyone on this ship say they had trouble raising the

1 anchor?

2 A. No, we didn't have any problem.

3 Q. No trouble?

4 A. No.

5 Q. Okay.

6 A. We just took time because we release two or three more
7 shackles, I don't know how many, to avoid that ship and then we
8 continued to heaving up.

9 Q. Okay.

10 A. But didn't have any problems with heaving up.

11 Q. Okay. When you came up at 8:00, was *The Danit* -- was this
12 ship still its anchorage location or had it moved?

13 A. And that's -- I don't know. I really did pay attention of
14 ship position of that moment.

15 Q. Okay, so you don't know if it was outside that anchorage at
16 all?

17 A. No.

18 Q. Okay. Was there any -- as they were heaving in the anchor,
19 the last bit of chain, was there any discussion from the captain
20 or other crew members concerned for the pipeline -- the subsea
21 pipeline?

22 A. No. I mean, he was more for the heaving up.

23 Q. Okay, yeah. Was the ship -- you said the ship was moving
24 forward, was -- who was -- who had the com, was it the chief mate
25 or the captain?

1 A. I don't know, probably captain.

2 Q. Probably captain. Was he using engines to move forward or
3 was the ship moving forward just based on --

4 A. Yeah, I think engine.

5 Q. He was using engines?

6 A. I am saying again is I remember the hesitation because
7 we -- no one of us saw, like, some incident or some problem.

8 Q. Sure.

9 A. At that moment, we was just doing our routine job, heaving up
10 the anchor and moving to drifting. So, I didn't really pay
11 attention to every detail. But probably using engine for while
12 they were heaving up anchor.

13 Q. Okay. I'm going to back up a little bit to -- you mentioned
14 that the captain said that he had let out a few more shackles to
15 avoid collision from another vessel that was dragging, correct?

16 A. Yeah.

17 Q. Before that happened, did he say that *The Danit* was dragging
18 anchor at all?

19 A. I don't know.

20 MR. EHLERS: You don't know? Okay. All right.

21 MR. GREENBURG: I want to be clear, what he asked you is did
22 the captain tell you --

23 MR. KRIVOKAPIC: Yeah, I don't recall that he told me
24 anything like this. He only said we needed to release more
25 shackles to go back. It was just some briefly talking in the

1 morning that we were heaving, that we were going because we got
2 strong wind. It's nothing like a briefing. He just told me in a
3 few seconds what is happening.

4 BY MR. EHLERS:

5 Q. Okay. All right, and Lieutenant Commander ██████ mentioned
6 the Class came on board a couple days later, do you know why they
7 were on board?

8 A. I think it was regular.

9 Q. Regular surveys?

10 A. Yeah, a regular survey.

11 Q. Okay. All right, now I'm going to back way up. Can you tell
12 us a little bit about your training? How did you get from
13 being -- to starting your training as a mariner to being a third
14 mate?

15 A. I finished nautical high school, I also started some college,
16 but I didn't finish. After I did one year of navigation as the
17 trainee, I went home, I did exam -- all exams that is needed for
18 the officer of the watch certificate, everything else,
19 firefighting, medical care, (indiscernible). When I got those
20 papers I applied again in the company. After two or three months,
21 they called me again, I signed contract, and I embarked on ship.

22 Q. Okay. And you signed a contract as a cadet?

23 A. Yes, the cadet.

24 Q. Okay. And --

25 A. Later, I signed new contract from the first (indiscernible).

1 Q. Okay. And did the company have a minimum requirement for you
2 to be a cadet before you could sign a contract as a third mate, do
3 you --

4 A. Yeah, I needed one year of navigation.

5 Q. One year just on board a ship?

6 A. Yeah, I'd hit more than that.

7 Q. Okay. All right, had you ever worked with the captain
8 before?

9 A. No, this is my third ship, so first time.

10 Q. Okay. All right --

11 A. But I can say that if my opinion is my important, he is
12 really a serious and responsible person. As I said, when it's
13 high traffic or something, he's sleeping on bridge just to be
14 ready to react in the same moment if some unusual situation comes.
15 That's what I can say about him.

16 Q. Okay. At the time you were on board as a cadet, there was a
17 chief mate, the captain, what other officers were on board?

18 A. Second mate, of course.

19 Q. Second mate?

20 A. Yeah.

21 Q. So, there was no third mate, that's why the captain was
22 standing watch?

23 A. No -- yeah, captain was keeping watch with me.

24 Q. Okay. All right, so you getting promoted allowed the captain
25 to get for once?

1 A. Yeah.

2 Q. That's good. Okay. All right, in the -- do you know, in the
3 nights before you had to get underway and go drift, did the
4 captain sleep on the bridge those nights or was he able to go to
5 his cabin?

6 A. No, he was in cabin during anchor because it was calm
7 weather.

8 Q. Okay. Up until the 24th?

9 A. Yeah, 25th, I don't know if he came along when strong wind
10 came or some of the officers called him. I'm not sure about that.

11 Q. Okay. So --

12 A. But he was in his cabin, of course, sleeping during the
13 day -- how many -- five, six days of the anchorage.

14 Q. Okay. So, you think other than that exact night or early
15 morning, you think he got sufficient sleep?

16 A. Yeah, of course.

17 Q. Okay. And when you left the night before at midnight, did
18 the captain also leave the bridge?

19 A. Yes, I think -- yes, and second mate came.

20 Q. Okay. Because conditions were still --

21 A. Yeah.

22 Q. Okay. And the second mate is who relieved you?

23 A. Yeah, second mate relieved me at midnight.

24 MR. EHLERS: Okay. All right, thank you.

25 That's all I have for now.

1 LCDR [REDACTED]:

2 Q. I just have a couple -- I have some follow-on questions. I
3 just want to make sure I'm clear with -- I should be by now, but I
4 don't think I am with your watch rotation. Okay, so I'm going
5 to -- I just want to make sure I'm good with it. So, I'm going to
6 go to the 24th, you were on from 08 to 12:00?

7 A. From -- yes.

8 Q. Okay. And then you came on the 24th?

9 A. I came 1900 until 24.

10 Q. Right, okay. I just want to make sure.

11 A. Yeah, and that's my regular watch. That is rotation.

12 Q. Yep. And the 25th, the same business?

13 A. Same. Yeah, same.

14 Q. Okay.

15 A. So, that event -- most of that event, I wasn't present. So,
16 I can only say what they told me and what I saw.

17 Q. Yeah. So, you saw the -- you -- were you there when the
18 anchor was -- I think I've asked this before, but I want to be
19 real clear about it, were you there when the anchor was heaved up?

20 A. Only 20 minutes before it was heaved up in position.

21 Q. So, it was heaved up before 8:00?

22 A. Yeah, they start at 5:50 as I saw in the bell book.

23 Q. On the 25th?

24 A. Yes, 25th, 5:50 a.m. they started heaving up.

25 Q. Stated?

1 A. Yeah.

2 Q. You were already on watch on the 25th at 5:50 or you're
3 seeing it in the anchor --

4 A. No, I saw in the bell book.

5 Q. Okay. You saw that it came up on -- at 5:50?

6 A. Yeah, they wrote down in the bell book 5:50 started heaving
7 up at --

8 Q. So, you come on watch, anchors heaved up and --

9 A. Almost.

10 Q. Almost?

11 A. Yeah.

12 Q. But during your watch it's actually heaved up?

13 A. Yeah, still.

14 Q. And then you drift outside of the anchorage?

15 A. We was maneuvering -- I don't know how many -- 20 miles,
16 maybe, from the anchor position in Santa Catalina. I can see
17 position when we start drifting if you want in the bridge logbook.

18 Q. Okay. Yeah, that's good. So, you drifted from --

19 A. I think around 11:00, 25th a.m. to I don't know when maybe
20 26 -- 27 early in the morning -- early night, and then we probably
21 hit there probably about 4:00 a.m. 27. It's usually 4:00, but
22 there is all the time stuff, events, it's in the bell book.

23 Q. Yeah. And then the 25th, at what time did you guys make way?

24 A. Make?

25 Q. To depart. Did you depart --

1 A. Not 25th, no, 27.

2 Q. 27?

3 A. Yeah.

4 Q. You departed and you were on watch for that?

5 A. I don't know now because beating wasn't in my watch, but I
6 was maneuvering forward -- my maneuvering station is forward for
7 beating. As I saw, again, in the bell book, we beat at 27, early
8 in the morning. Probably because pilot is more or less 4:00 a.m.,
9 so we were probably beating around 5:00, 5:30.

10 Q. Yeah.

11 A. And I don't know exactly now how much time we needed from the
12 drifting position to pilot's station.

13 Q. Okay.

14 A. Probably around 1, 2 hours.

15 Q. Okay. Let me just back up a little bit more, the 24th, 8:00
16 to 12:00, was it getting windy then?

17 A. There was wind, but not so strong. I'm not sure now how
18 strong. We were listening to channel 14 of the San Pedro traffic
19 to -- for the warning because they -- I think -- as I remember,
20 always wanted to be ready to leave the anchorage if it's
21 necessary. But we were standing there and following instruction.

22 Q. And captain had slept on the bridge that night?

23 A. Yeah. And that 8:00 to 12:00 watch you stood that night,
24 just so I'm clear, the anchor was down -- portside anchor was
25 down?

1 A. Yeah. They started heaving up 5:50, so until then --

2 Q. Portside anchor down that night and you had not left your
3 anchorage?

4 A. No.

5 Q. And had not left the anchorage?

6 MR. GREENBURG: Before you go on, I just --

7 LCDR ██████: Yes?

8 MR. GREENBURG: For the recording, state that Mr. Walsh is
9 here.

10 MR. WALSH: I'm sorry, I just was checking on the other
11 group. I didn't realize you guys were recording. I didn't mean
12 to do that. Is the other group down below us, ██████, do you know?

13 LCDR ██████: I don't know.

14 MR. WALSH: Okay, I apologize. But I didn't realize you guys
15 were --

16 LCDR ██████: Thank you.

17 MR. WALSH: I'm leaving now.

18 BY LCDR ██████:

19 Q. Okay. So, I just want to go over that so I make sure I make
20 my notes correct. The 24th, some wind, captain sleeps on the
21 bridge, right?

22 A. Yes.

23 Q. That's your watch from 8:00 to 12:00?

24 A. Yes.

25 Q. Portside anchor is down?

1 A. Ship is inside anchorage area.

2 Q. Ship is in its anchorage and no alarms have been sounded at
3 that point?

4 A. But moving on, changing position only to decimals of the
5 minute, so we have all positions there every hour, writing down in
6 anchor watch log every hour and position on the ship so you can
7 check.

8 Q. Okay. And then you depart, and go to bed, and by the time
9 you get on watch, the anchor's been heaved?

10 A. Yeah, almost heaved up, almost in position.

11 Q. And so, you assume your watch with anchor heaved up and you
12 begin to drift?

13 A. Yeah, almost. First maneuvering until good position and then
14 I think around 11:00, we start to drift.

15 MR. GREENBURG: Commander, just for my own edification?

16 LCDR [REDACTED]: Sure.

17 MR. GREENBURG: Can you tell me approximately when the wind
18 event actually kicked in?

19 LCDR [REDACTED]: I can't give you the exact details of the
20 weather and when it occurred.

21 MR. GREENBURG: But it was the 25th that --

22 LCDR [REDACTED]: Early the 25th.

23 MR. GREENBURG: Okay.

24 LCDR [REDACTED]: Very early.

25 BY LCDR [REDACTED]:

1 Q. Because the 25th when you came on, the anchor was up, and it
2 was windy?

3 A. Yeah.

4 Q. You were experiencing --

5 A. On drifting, it was more than 40 knots of the winds.

6 Q. Did captain stay on the bridge at that point then throughout
7 the day?

8 A. Yeah, he was keeping watch.

9 Q. How long did captain stay on the bridge on the 25th?

10 A. I don't know until when, but he's keeping watch with me
11 probably until second mate come -- until 12:00.

12 Q. So, captain stood the 8:00 to 12:00 with you?

13 A. Yeah.

14 Q. He was awake, coherent -- he was awake?

15 A. Yeah.

16 Q. Who else was on watch?

17 A. He's working time is usually --

18 Q. No, who else is on watch with you and the captain?

19 A. AB.

20 Q. So, it's -- okay, so on the 25th, when you take over in the
21 morning, you've got the AB, yourself -- at that time you were a
22 cadet, right?

23 A. Yes.

24 Q. And then the master standing watch?

25 A. Yeah. Chief mate was there, but relieving the watch.

1 Q. Okay. And then no alarms during that watch you mentioned,
2 right?

3 A. No, we already left the guard watch position, so --

4 Q. You're heaved up at that point, no alarms should be sounding
5 from 8:00 to 12:00?

6 A. No, because anchor watch was off, and because we left the
7 anchor position, and we was maneuvering to drifting position.

8 Q. Got you. Then you began to drive, and were you there when
9 you guys left that area after your drift? So, you're drifting,
10 and then ship decides they're going to get underway, and they
11 depart, you weren't on watch at that point?

12 A. Sorry, I didn't understand.

13 Q. So, you're drifting, right -- you're doing your drift?

14 A. After we heave up the anchor, we're first maneuvering to
15 drifting position, and then start drifting, and then we drift
16 about one-and-a-half, two days, and then when we get information
17 about pilot boarding time, we continue moving to pilot
18 station -- maneuvering into pilot station, and that did the
19 maneuvering, and that's it.

20 Q. Got you.

21 A. Pilot is usually 4:00 and probably also that date on 27,
22 January.

23 Q. 4:00 is usually pilot station?

24 A. Yeah, from mate -- 20 when we left more or less anchorage
25 until -- I don't know, 5:00 on 27 or before leaving 27 to pilot

1 station, we were drifting.

2 Q. Okay.

3 A. So, one-and-a-half, two days I can exactly in the book.

4 Q. Yeah, the -- by the 27th is pilot station and --

5 A. Yeah, 4:00 a.m. probably.

6 Q. 4:00 a.m.?

7 A. Yeah, usually -- always pilot is 4:00 a.m., so we started the
8 maneuvering probably one, two hours before from the drifting
9 position to pilot station.

10 Q. Okay. Is that a typical -- have -- so, you mentioned you
11 anchored here before?

12 A. No.

13 Q. You haven't?

14 A. Before, no. After.

15 Q. Okay.

16 A. But we didn't do nothing different that we did also next
17 times. We come, we check by VTS on 25 miles before Point Fermin,
18 they tell us if we have anchor position or not, one time maybe we
19 were drifting also north of Santa Catalina Island.

20 LCDR ██████: Okay. No, that's very helpful, thank you.

21 Drew, did you --

22 MR. EHLERS: I don't have any follow-up questions, thank you.

23 Thank you.

24 LCDR ██████: Well, for now, I appreciate your time. That
25 was very helpful and I appreciate you answering my questions in

1 such detail. So, for now, I'm going to end the recording and then
2 we're going to see what we're going to do next, okay?

3 MR. KRIVOKAPIC: Okay.

4 LCDR [REDACTED]: Thank you for your time. I really appreciate
5 it.

6 MR. KRIVOKAPIC: Okay, thank you.

7 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: PIPELINE RUPTURE NEAR
HUNTINGTON BEACH, CALIFORNIA
ON OCTOBER 3, 2021
Interview of Dalibor Krivokapic

ACCIDENT NO.: DCA22FM001

PLACE: Via telephone

DATE: October 15, 2021

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.




Carolyn Hanna
Transcriber