

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

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FATAL FIRE AND SINKING OF THE *

DREDGE *WAYMON L BOYD* IN CORPUS *

Accident No.: DCA20FM026

CHRISTI, TEXAS, ON AUGUST 21, 2020 *

*

* * * * *

Interview of: RYAN GAMMONS, Director, HSE
Orion Marine Group

Via Microsoft Teams

Friday,
April 9, 2021

APPEARANCES:

LUKE WISNIEWSKI, Investigator in Charge
National Transportation Safety Board

ANDREW EHLERS, Marine Accident Investigator
National Transportation Safety Board

PAUL STANCIL, Rail and Pipeline Accident Investigator
National Transportation Safety Board

MICHAEL HOEPF, Human Performance Investigator
National Transportation Safety Board

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JEFF MORTON, Senior Director of Transportation
Compliance
Enterprise Products

NHAN TRUONG, Manager of Compliance
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GRAHAM KENYON, Vice President of Risk Management
Orion Marine Group

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(On behalf of Mr. Gammons)

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I N T E R V I E W

(12:05 a.m.)

1
2
3 MR. EHLERS: Okay, the recording has started. It's
4 approximately 12:05 p.m. Central Standard Time and on April 9th,
5 2020 [sic]. This is the interview of Mr. Ryan Gammons, and did I
6 say that correct?

7 MR. GAMMONS: Yes, sir.

8 MR. EHLERS: Okay, director of health, safety, and
9 environmental for the Orion Group. This interview is being
10 conducted in conjunction with the investigation into the explosion
11 and fire involving the dredge *Waymon L Boyd* in the Corpus Christ
12 ship channel on August 21st, 2020. The NTSB reference number for
13 this accident is DCA20FM026.

14 First, can I ask you to say and spell your last name? Say
15 your first and last name and spell your last name.

16 MR. GAMMONS: Ryan Gammons, G-a-m-m-o-n-s.

17 MR. EHLERS: Okay. And I'm going to repeat a couple things
18 that I said to you earlier and just so it's on the record. This
19 interview is being recorded. Do you consent to this recording?

20 MR. GAMMONS: I do.

21 MR. EHLERS: All right. This interview is being conducted in
22 conjunction with a safety investigation, the purpose of which is
23 to learn the facts of the accident, determine a probable cause,
24 and prevent future accidents of this nature. Having said that,
25 the NTSB cannot offer any guarantee of confidentiality or immunity

1 from legal action. Do you understand this?

2 MR. GAMMONS: I do.

3 MR. EHLERS: Okay, thank you very much. What I'm going to do
4 now is have everyone in the virtual room and the real room there
5 introduce themselves.

6 Again, my name is Drew Ehlers, my last name is spelled
7 E-h-l-e-r-s. I'm the marine accident investigator in the nautical
8 operations group for this investigation with the NTSB.

9 We'll turn it over to my colleague, Luke Wisniewski, who's
10 the investigator in charge.

11 MR. WISNIEWSKI: Good afternoon, Mr. Gammons. Yes,
12 Luke Wisniewski, W-i-s-n-i-e-w-s-k-i. I'm the investigator in
13 charge with the NTSB.

14 MR. EHLERS: Okay, Paul.

15 MR. STANCIL: Yes, I'm Paul Stancil, spelled S-t-a-n-c-i-l.
16 I am the pipeline group chairman for this investigation with the
17 NTSB.

18 MR. EHLERS: All right. And Mike.

19 MR. HOEPF: Good afternoon, I am Mike Hoepf, H-o-e-p-f. I'm
20 a human performance and assistant safety investigator with the
21 NTSB.

22 MR. EHLERS: Okay. Next, I'd like to turn it over to the
23 Coast Guard for introduction.

24 [REDACTED]: Hey, thanks, Drew. Good afternoon. [REDACTED],
25 Senior Investigating Officer here at Sector Corpus Christi. The

1 last name is [REDACTED]

2 MR. EHLERS: All right, thank you very much. And I do not
3 see another representative from Orion. Heather, do you know, is
4 Graham or Matt or anyone also going to attend?

5 MS. VON STERNBERG: Yes, Graham's sitting here with us.

6 MR. EHLERS: I see, okay. All right, thank you very much.
7 Graham, if you don't mind, go ahead and introduce yourself.

8 MR. KENYON: My name is Graham Kenyon, I'm the VP of risk
9 management for Orion. The last name Kenyon, K-e-n-y-o-n.

10 MR. EHLERS: Okay. And while we're in the room there,
11 Heather, if you would introduce yourself.

12 MS. VON STERNBERG: Sure. Heather von Sternberg. The last
13 name is spelled v-o-n S-t-e-r-n-b-e-r-g. I'm here on behalf of
14 Mr. Gammons.

15 MR. EHLERS: Okay. And is anyone else in the room there?

16 MS. VON STERNBERG: No, just the three of us.

17 MR. EHLERS: Okay, thanks very much. Okay, now I'd like to
18 turn it over to Enterprise.

19 MR. TRUONG: This is Nhan Truong. Last name is T-r-u-o-n-g.
20 And Jeff will be showing up late. Perhaps he's on a flight, so --

21 MR. EHLERS: Okay.

22 MR. TRUONG: -- I'm just giving you a heads-up, that's all.

23 MR. EHLERS: Okay. And could you explain who Jeff is, for
24 the purpose of the interview, Nhan?

25 MR. TRUONG: Yes, sir. Jeff Morton, M-o-t -- I'm sorry,

1 M-o-r-t-o-n. He's the director of transportation compliance with
2 Enterprise Products.

3 MR. EHLERS: Okay. And for the recording, he may be joining
4 later from Enterprise. All right.

5 And Mr. Perez.

6 MR. PEREZ: Good afternoon, this is Ron Perez, P-e-r-e-z.
7 I'm a regional team lead for the Railroad Commission of Texas out
8 of Region 7.

9 MR. EHLERS: Okay. And I believe I've caught everybody. Is
10 there anyone, though, that I have missed?

11 (No audible response.)

12 MR. EHLERS: Okay, Mr. Gammons, we'll get started with the
13 interview here. Again, thank you very much for agreeing to talk
14 with us and again, any questions you have before we get started?

15 MR. GAMMONS: No, sir.

16 MR. EHLERS: Okay, thanks.

17 INTERVIEW OF RYAN GAMMONS

18 BY MR. EHLERS:

19 Q. All right, to start, could you just give us a little bit
20 about your background, your education, starting with your
21 educational background and your work history?

22 A. Sure. I went to Central Washington University and received a
23 bachelor's of science of safety and health management with a
24 specialization in construction safety. I graduated in 2006 and
25 have worked in the safety profession as a certified safety

1 professional since.

2 Q. Okay. And how long have you worked for Orion?

3 A. I started with Orion in November of 2018.

4 Q. Okay. And before that, can you give us an overview of the
5 companies or types of companies you worked with?

6 A. Sure. I started my career as an intern with General
7 Construction Company in the Pacific Northwest, their subsidiary,
8 the Hewitt Corporation. They're the marine construction and
9 dredging segment of Hewitt on the West Coast, Alaska, and Hawaii.
10 I spent time with them until 2010 when I transferred Hewitt
11 regions to the Hewitt infrastructure west group and spent the next
12 6 years with them until 2016 when I left Hewitt.

13 I started with a company called Condon-Johnson & Associates,
14 they're a foundational drilling and underground engineering group
15 in the Bay Area of California. I worked with them from June of
16 '16 until November of '18 when I came on with Orion.

17 Q. All right, thanks. And what is your current position and
18 official title?

19 A. I am the director of health, safety, and environmental for
20 Orion Marine Group.

21 Q. Okay. And is that the position you've had since you started
22 with Orion?

23 A. Yes, sir.

24 Q. Okay. Do your duties extend beyond Orion Marine Group? I
25 know there's a cement construction side, or is it strictly on the

1 marine side?

2 A. I'm strictly on the marine side.

3 Q. Okay. All right, thanks. Can you describe what your duties
4 are in your position?

5 A. As the director of HSE, I direct my reports, the regional HSE
6 managers that cover our construction and dredging work from
7 basically up in Alaska all the way down to the Caribbean or
8 Central America. We have five regional offices and each has a
9 regional HSE manager that reports to me and then they all have a
10 variable number of HSE supervisors that report to them that, in
11 the end, I have responsibility for, as well, along with the HSE
12 department.

13 Q. Okay. How big would you say your organization is? Do you
14 have a ballpark figure?

15 A. The Orion Marine Group or the total Orion Group Holdings?

16 Q. Actually, the HSE group.

17 A. You're talking number of people?

18 Q. Yes.

19 A. I believe there's 17 right now.

20 Q. Okay.

21 A. Safety professionals.

22 Q. And you mentioned you had several regions. How are the
23 regions broken up? And probably specifically to Texas.

24 A. Sure. We have our Gulf Coast construction region in Texas
25 that's out of Deer Park near Houston, and then we have the Port

1 Lavaca dredging operations out of Port Lavaca, Texas, and then we
2 have the other regions across the company -- country.

3 Q. Okay. So the construction side in Texas and the dredging
4 side are two separate -- considered two separate regions?

5 A. Yes, sir.

6 Q. Okay. How many HSE folks do you have working on the dredging
7 side?

8 A. We have seven, I believe.

9 Q. Okay, all right. How are they organized? Is it one assigned
10 to each dredge or how does that work?

11 A. We have one regional HSE manager, we have an HSE coordinator
12 that's assisting to the manager, and then we have five HSE
13 supervisors that are each assigned to a vessel.

14 Q. Okay.

15 A. Dredge.

16 Q. And so who was directly assigned with HSE oversight of the
17 *Waymon L Boyd*?

18 A. We did not have somebody directly assigned to that vessel at
19 that point. We had multiple HSE supervisors in the area that were
20 lending their expertise when needed.

21 Q. Okay, all right. This is going to be a very general
22 question, but can you describe the overall safety program for
23 Orion Marine Group?

24 A. The overall safety program, I guess, yeah, that is pretty
25 general. What do you mean by that?

1 Q. Well, how are you organized? Like, for instance, do you have
2 a safety management system that you use? Do you have general
3 guidelines? How does that work?

4 A. Okay. We have our HSE policy and procedures manual that
5 we've developed through years of how to do business safely in our
6 work. We also utilize, as you mentioned, a safety management
7 system that is HCSS Safety and --

8 MS. VON STERNBERG: We have background noise, as well, here.

9 MR. GAMMONS: Little bit of background noise, there's
10 construction going on here.

11 MR. EHLERS: Oh, okay.

12 MR. GAMMONS: We have HCSS Safety that we utilize the
13 electronic format, iPads, iPhones, that sort of thing, to assist
14 our projects and our project teams with the paperwork side of
15 safety, as well, and document retention.

16 BY MR. EHLERS:

17 Q. Okay. Does that HCSS Safety program, does that utilize all
18 the way down onto the deck plate dredge level or is that for your
19 managers, your safety managers?

20 A. No, everywhere. Every job, every dredge, every construction
21 site, they are all utilized in it.

22 Q. Okay. Does the system include -- is it for reporting, is it
23 -- does it have things like procedures and stuff like that in it,
24 emergency actions, anything? What kind of things are resident in
25 HCSS?

1 A. All the above that you just mentioned. It has our procedures
2 in it for reference so our crews and leaders can access
3 information as they need. It's a point for them to document their
4 daily, weekly, monthly interactions when it comes to safety across
5 the gamut of all the things that their requirements are for their
6 job and for their vessel. And it also allows us to input site-
7 specific things into it, as well.

8 Q. Okay. And when you said procedures, is it safety procedures
9 or is this operational procedures, how to operate a piece of
10 equipment, that kind of thing?

11 A. Strictly safety policies and procedures.

12 Q. Okay, all right. Do you have an audit system for your safety
13 program, either an internal or external audit?

14 A. We do have an internal system, yeah.

15 Q. Okay. How does that work?

16 A. We have an internal audit department in the company that
17 yearly does an audit of random departments and it so happens I was
18 in one of those departments recently.

19 Q. Okay. And is that -- was that audit done -- have you had an
20 audit previously of your department since you've been at the
21 company?

22 A. No, sir.

23 Q. Okay. When was that audit, when did that take place?

24 A. I believe it was 2020. I don't remember the exact month.

25 Q. Okay. Was that prior to or after the accident?

1 A. Prior to.

2 Q. Okay, all right. So it wasn't generated as a result of the
3 accident or anything like that?

4 A. No, sir.

5 Q. Okay. What were the -- it's probably too much to ask, but
6 I'll ask it anyway. What was the outcome of that audit?

7 A. Very favorable. Very good. There were a few minor findings
8 of specific job locations of that sort that needed to have
9 improvements, but other than that it was very, very favorable for
10 the program and the policies being implemented successfully.

11 Q. Okay, all right. We were provided a couple of site-specific
12 safety plans, most notably for the Epic dock project, but also
13 some examples of other projects that had taken place with the
14 *Waymon L Boyd*. Can you tell me when a site-specific safety plan
15 is required?

16 A. Every job, every scope of work that we have, we have a
17 planning team and most of the time that would be a site-specific
18 safety plan, that would be the ideal way to plan for an upcoming
19 project. Now, there's other -- there's some projects that don't
20 need it due to size or scope of work or length of time that our --
21 you know, we're going to be out on the job, but most of our
22 dredging jobs would have it and it's also usually a requirement
23 from the client, whoever that may be, to submit some form of
24 pre-work safety plan that suffices them.

25 Q. Okay. And so of the plans that we were sent, a couple of

1 | them had what was called an accident prevention plan. Can you
2 | tell me when -- what's the difference why one job would require an
3 | accident prevention plan and another a site-specific plan?

4 | A. The client. APPs, accident prevention plans, are required by
5 | the Corps of Engineers.

6 | Q. Okay. And is that --

7 | A. (Indiscernible).

8 | Q. Okay. And is that done in lieu of a site-specific safety
9 | plan?

10 | A. Yes, sir. Just a different format. Basically the same, the
11 | same -- the same thing.

12 | Q. Okay. And then you mentioned some jobs don't require a plan
13 | because of scope or such. Do you have a set threshold in which --
14 | or a set of criteria in which it's required and not required, the
15 | safety plan?

16 | A. I do not have a set criteria. It's pretty understood by my
17 | regional HSE managers as to what my expectations are in that
18 | realm.

19 | Q. Okay, all right. And so that probably leads to the next
20 | question, which is, who's responsible for drafting the safety
21 | plans?

22 | A. It's the regional HSE teams.

23 | Q. Okay. So as a group, in other words, it's not a single
24 | person?

25 | A. No. There's certain times when a site safety supervisor or

1 HSE supervisor would do it, if they're going to be assigned to a
2 project long term and we feel that they want full ownership of all
3 documents, generating safety plans. Other times, if there's not a
4 site safety supervisor assigned to the project, a regional HSE
5 supervisor or manager would complete it or there could be a
6 combination of the two of those titles helping to assist to put
7 together one.

8 Q. Okay. Can you describe the process for building a safety
9 plan?

10 A. Yeah, looking at what the scope of work is, getting with the
11 management team or the estimating team or the bid review team,
12 understanding what the job is going to entail, and then basically
13 just taking a site-specific template and filling it out to make it
14 specific to the project that we are going forward to build.

15 Q. Okay. Does the process involve a risk assessment?

16 A. Sometimes, yes, depending on the type of work.

17 Q. And how does that work? How is a risk assessment done,
18 what's the process for that?

19 A. It's not a specific process, it's more of when -- during the
20 discovery of how the job is, or the focus of the job or the scope
21 of project, through the bid team to the estimate team and the
22 project management team, along with the safety team, to understand
23 what, you know, different aspects of the work that could be
24 abnormally risky or could be abnormally hazardous, where they
25 would then take that and build off onto the site-specific safety

1 plan in more detail on that specific hazard.

2 Q. Okay. Do you have any sort of checklist or a list of
3 potential hazards that you run through with the -- with the
4 project team for discovery?

5 A. Each regional HSE manager has their own internal expectations
6 for what their scope of work is and to be completed.

7 Q. Okay. Does the process involve a site visit prior to the
8 job?

9 A. If available, if accessible, yes, the HSE supervisors or the
10 manager of that region will always try to get to the site prior to
11 construction or dredging.

12 Q. Okay. Well, I'll ask the questions one at a time. Number
13 one, do you know, was a risk assessment done for the Epic phase 2
14 project?

15 A. I know a site-specific safety plan was put together, I know
16 there was some communication between the project management team
17 and the regional management of the safety group. I couldn't speak
18 to what sort of risk assessment was done prior to that job.

19 Q. Okay. And do you know if they did a site visit ahead of
20 time?

21 A. I'm not aware if the regional HSE team did. I know we have
22 been to that project location before for phase 1 of that project
23 so they were familiar with that location, with that site, and I
24 know there was a pre-job startup visit by the project management
25 team.

1 Q. Okay. Who's required to review the safety plan, the site-
2 specific safety plan?

3 A. Between the regional HSE manager and the project manager in
4 charge of the project.

5 Q. Okay. And then what --

6 A. Do you mean like a final review before it's --

7 Q. Yeah, yeah.

8 A. Yeah, those would be the two parties.

9 Q. Okay. And then once it's been approved, who then -- who is
10 it distributed to?

11 A. The project team.

12 Q. Okay. And that includes who?

13 A. Field supervision, top management, anybody who's involved as
14 a supervisory level of the job.

15 Q. Okay. And is it done via e-mail, a paper copy?

16 A. All of the above. It's distributed out to e-mail, it's
17 printed out and usually kept on the vessels or on the job sites in
18 trailers and, you know, each person then has it in their computer
19 files, as well, to be able to reference or communicate as needed.

20 Q. Okay. Is there any documentation to show hey, that each of
21 the key personnel has reviewed the plan prior to project start?

22 A. I don't believe so.

23 Q. Okay, all right. In the Epic dock site-specific safety plan,
24 we noted that excavation around pipelines is not one of the
25 potential hazards listed. Would this normally be included on a

1 safety plan if there is a pipe hazard, pipeline hazard?

2 A. Yes.

3 Q. Okay. Do you know why it wasn't specifically noted in this
4 report or in this plan?

5 A. I would assume that it wasn't because the pipe was not in the
6 dredge scope of work.

7 Q. Okay, all right. The SSSP mentions a supervisor accident
8 incident near miss investigation report. Can you describe the
9 purpose of that report?

10 A. An internal investigation report for us to utilize when
11 there's an incident.

12 Q. Okay. What's included in that report?

13 A. There's many -- it's a long report, it's everything from the
14 involved parties' personal information up to what transpired, what
15 we're going to do to correct it and so on.

16 Q. Okay. So it includes corrective actions?

17 A. It does.

18 Q. Okay. And then how are those corrective actions
19 accomplished?

20 A. It depends on the corrective actions. I mean, there's many
21 ways, right? Between the regional HSE team and the regional vice
22 president and the regional teams themselves, they would have
23 communications on those corrective actions, whether that's
24 physically out on the project site, an e-mail that goes out, it
25 depends. I mean, we're talking about a grand scope of incidents

1 here, everything from a small near miss or, you know --

2 Q. Sure.

3 A. -- someone needs first aid all the way up to, you know,
4 reportables of that nature. So it varies.

5 Q. Okay. Is anyone tracking completion of the corrective
6 actions?

7 A. The regional HSE teams do, yes.

8 Q. Okay. And do they do that by a database or how is that done?

9 A. They're all different, they all vary.

10 Q. Okay. Do you know, were there any reportable near misses or
11 incidents in the *Waymon L Boyd's* project? This is prior to the
12 accident.

13 A. There was a reportable accident that occurred sometime before
14 the incident. We're referencing where an employee injured his
15 finger.

16 Q. Okay. And a report was generated for that?

17 A. Yeah, that was not on the dredge, it was on a booster pump
18 down the waterway.

19 Q. Okay. But an incident was generated for that, that incident,
20 that injury?

21 A. Yes, sir.

22 Q. Okay. And were there corrective actions that came from that
23 accident?

24 A. There were.

25 Q. Okay. Do you remember what they were?

1 A. Not off the top of my head. I know it had something to do
2 with tool use.

3 Q. Okay. Hold on just a second. Do you keep data from these
4 reports? Do you keep data on accidents, like numbers and types of
5 accidents that occur over the years?

6 A. Every single one.

7 Q. Okay. And has there ever been an accident involving a
8 pipeline and an Orion dredge?

9 A. Not in my time here. Not to my knowledge, ever, to be
10 honest.

11 Q. Okay. Is that something that we could confirm?

12 A. What's that?

13 Q. Can we confirm that? You said not to your knowledge. I know
14 it's been 3 years. I assume the data goes back further.

15 A. There is not anything that has not happened while I've been
16 here. To my knowledge, I don't believe it has ever happened
17 prior.

18 Q. Okay, all right. So the next thing I'd like to talk about is
19 job safety analysis or job hazard analysis. Again, we've been
20 provided several examples of those and in fact, the JSAs that were
21 generated as part of the *Waymon L Boyd's* last project. What's the
22 purpose of a JSA?

23 A. To recognize risk and mitigate it.

24 Q. Okay. And how is it used?

25 A. Lots of different ways. We have many forms of the job hazard

1 analysis, we have paper forms, we have job hazard analyses in our
2 HCSS Safety system that we utilize, what we call mini JHAs, which
3 is just a pocket flip book for small operations or small tasks
4 that need to be completed, that we would then recognize the
5 hazards, first the steps of that task, as it's associated with
6 each step, and then the mitigating factors we would apply to
7 ensure the hazards do not create injury or incidents.

8 Q. Okay. So the JSAs I've seen is a form, but how is that
9 operationalized, let's say? How does the deck plate mate or
10 deckhand, how does that -- how does he use that or she use that?

11 A. JHAs are created with crew involvement, so they're not just
12 typed up and then put to the corner. They are utilized through
13 the life of the task or operation as a tool that can be
14 communicated and used for knowledge for all the crews and have,
15 you know, a morning meeting or a pre-shift meeting aspect to it
16 and then if there's a live document that has evolved as the scope
17 of work eventually evolves. The construction thing's the same.

18 Q. Okay. So you mentioned, I think, the pocket version and then
19 also an electronic version. For that electronic version, how is
20 that created, is it -- in other words, is it manually typed into a
21 form, is there pull-down menus where you can select different
22 hazards? How does that work?

23 A. For the electronic version, all of the above. You can
24 manually type, you can select drop-down boxes of -- you know, if
25 they're struck by hazards, they can give you some blueprints to

1 then build off of.

2 Q. Okay. Is a pipeline hazard one of the drop-down menus that
3 you know of?

4 A. I don't know.

5 Q. Okay.

6 A. (Indiscernible) in general would be, but I don't know if
7 pipeline is on there.

8 Q. Okay, all right. Let's see here. So the JSAs that we were
9 provided were, I believe, all from the morning meetings. Are JSAs
10 required for that morning meeting? I shouldn't say morning
11 meeting, the shift start meeting, so there's also one in the
12 evening that we had JSAs, as well.

13 A. JHAs are required for each operation and each task to be
14 completed. It doesn't necessarily have to be a pre-shift meeting,
15 it could be a midday meeting, it could be, you know, at any time
16 when a task changes or evolves.

17 Q. Okay. Is a JHA/JSA required for the pre-shift meeting?

18 A. No. Again, the pre-shift meeting is the pre-shift meeting
19 and a JHA can be used as a tool to communicate during that pre-
20 shift meeting, but it can also be utilized throughout the day.

21 Q. Okay, all right. The crew, when we interviewed them, they
22 referred to that pre-shift meeting as a safety meeting. Are there
23 safety requirements in the pre-shift meeting?

24 A. Simple requirements, communicate safety and have a stretch
25 and flex pre-shift.

1 Q. Okay, all right. But it's not a -- there's not a set safety
2 curriculum or safety subject matter areas that have to be done
3 during the pre-shift meeting?

4 A. We utilize what we call our target zero reports that go out
5 Orion Marine Group-wide, so all the regions, all the projects,
6 that give them a base plate to start off of, but then they can
7 tailor that to their specific work, tasks, job, whatever they are
8 doing. If it does not apply, they can use it. If they want to
9 build off of that. The important thing is to communicate and
10 discuss hazards that are associated with your work.

11 Q. Okay, all right. So I'd like to shift gears again here and
12 talk about training. How is training on safety matters conducted
13 at the company?

14 A. There's training expectations set by myself and our policy
15 manuals and then the regional HSE managers and departments can
16 address what training needs they have specific to their work,
17 specific to their employees, what training needs are due to lapse
18 of, you know, time and then it's negotiated at that regional level
19 to ensure that the training is kept up and appropriate for the
20 work being performed.

21 Q. Okay. How about pre-employment or immediate employment
22 training, what kind of safety training do folks get when they get
23 hired by Orion?

24 A. There's a new hire training focus that, on day 1, the
25 employees go with the safety team, HR has their portion of the new

1 hire day and then the safety group, one of the many people in that
2 group will sit down and go through some expectations set and
3 different -- you know, how a JHA is constructed, what to look for
4 while on the job, what specific hazards to their work, that
5 nature.

6 Q. Okay. We know several of the crew members spoke limited
7 English. Are the training materials done -- are they bilingual?

8 A. The training materials and the person doing the training
9 would be available to speak the employee's preferred language.

10 Q. Okay, all right. Is there a stop work authority policy for
11 the company?

12 A. There is, yes.

13 Q. Okay. And does that extend to all employees?

14 A. A hundred percent of us, yes.

15 Q. Okay. And how are folks trained in stop work authority?

16 A. That's part of their new hire orientation, but it's also an
17 expectation that's constantly set by all management and
18 supervision, that everybody has the right to speak up, stop work,
19 communicate unsafe or potentially unsafe work or even just to ask
20 questions.

21 Q. Okay. I'm getting off on a tangent from training and I'm
22 sorry, but I wanted to ask this question. If a stop work happens
23 on a job site, is anyone in the safety organization notified?

24 A. It depends. There could be a stop work for something minor
25 that is just addressed through the person's supervisor and then

1 maybe communicated to those that are in immediate need to know.
2 Or it could be something that could be taken as a near miss or
3 maybe a lessons learned that then might be communicated throughout
4 the entire company.

5 Q. Okay. Is there any kind of trip wires for when something is
6 raised to a higher level?

7 A. That's the responsibility of the supervisor or the
8 supervision to identify things that could be potentially good to
9 communicate upwards or outwards.

10 Q. Okay. So when you say the supervisor on a dredge, would that
11 be, for instance, the dredge captain?

12 A. Yes, captain, deck captain. Yeah.

13 Q. Okay, all right. All right, back to training. Sorry for
14 jumping off the rails just a bit there. I noted in one of the
15 accident prevention plans or actually a couple accident prevention
16 plans, a year-long weekly training plan. It looked like every
17 week was a different subject. Is there a weekly training
18 requirement?

19 A. There's not. Certain jobs do certain things to keep the
20 topics fresh for their employees. Certain regions do certain
21 things. Like I said, we utilize the target zero report to get it
22 out to everybody and then the jobs can focus in on the specific
23 nature to their work, as well.

24 Q. Okay. So the training listed in that APP, that's not
25 required training?

1 A. Not by myself, no.

2 Q. Okay.

3 A. It may be by the specific job safety or the regional safety,
4 but that's an expectation I set.

5 Q. Okay. For those training topics in that list, who develops
6 the curriculum or who develops the training materials for that?

7 A. I would have to see what you're referring to, I don't have
8 that in front of me.

9 Q. Okay. After some folks -- after I turn it over, I'll try and
10 bring it up and I can show you what I'm referring to and we can go
11 into that further.

12 A. Okay.

13 Q. Is there a company -- maybe I should say company-wide
14 tracking system for ensuring a certain training is done on a
15 repeating basis?

16 A. We track our trainings on HCSS and each regional safety
17 manager or HSE manager has their own way of tracking trainings, as
18 well. Some of them use Excel spreadsheets, some strictly use
19 HCSS, some use both.

20 Q. Okay. Okay. Hold on a second. All right, I have a couple
21 more questions and again, then I'll turn it over to my colleagues
22 and I'll probably come back for more. So once again, taking a
23 different track here, the Council for Dredging and Marine
24 Construction Safety, are you familiar with this organization?

25 A. I am.

1 Q. Okay. And can you describe what its purpose is and what
2 Orion's involvement is with that group?

3 A. We're a member and they are a safety organization to assist
4 regulation and compliance of marine construction groups and
5 dredging groups.

6 Q. Okay. And when you say Orion is a member, is it like a
7 monthly meeting type of thing or is it -- maybe you can explain a
8 little bit more.

9 A. Before COVID, they did have meetings in Washington, D.C.
10 After COVID, I think it's strictly all teleconferencing and quite
11 a few of my safety team call in to that, whether it's, you know,
12 to hear about the latest of COVID, updates for the construction
13 industry or talk about a certain hazard or identification that
14 they want to discuss and communicate.

15 Q. Okay. So we're familiar with the Council's Pipeline Task
16 Force and in January of 2020 they issued a report on best
17 practices. Are you familiar with that report on pipeline --

18 A. Yeah, I believe --

19 Q. Go ahead.

20 A. Yeah, I believe so.

21 Q. One of the things they said in that report is -- it talked
22 about tolerant zones around pipelines and essentially what it said
23 is every company is different, but 75 feet seems to be the
24 standard or the no-go distance. Does Orion have a standard
25 tolerant zone around pipelines or excavating around pipelines?

1 A. We work with the pipeline owner to establish a safe distance
2 and we like to stay at least 20 feet away, but sometimes greater
3 than that.

4 Q. Okay. Is that documented anywhere, the 20 feet, or is that a
5 thumb rule?

6 A. Thumb rule.

7 Q. Okay, all right. The task force also put out a checklist.
8 Does Orion use that checklist?

9 A. Orion has our own internal methods for a best practice on how
10 to negotiate around pipelines.

11 Q. Okay. And again, is that a written document?

12 A. No, it's a standard best practice that we've utilized
13 throughout the company.

14 Q. Okay. I mean, what does that include?

15 A. Well, a lot of things. One is like an 811 call to pre-
16 identify any and all potential underground or underwater
17 utilities, you know, and then taking it from there if there are
18 any and marking it appropriately, identifying and communicating to
19 the appropriate people and so on.

20 Q. Okay. And just to be clear, you don't use the pipeline task
21 force checklist currently?

22 A. It's very similar, they're very similar. It's just standard
23 throughout the industry.

24 Q. Okay, all right. But you don't have a similar document that
25 lists the various measures taken kind of in a single place?

1 A. No.

2 MR. EHLERS: Okay, all right. Okay, I need to look up
3 that training plan that I was telling you about and so what I'm
4 going to do is I'm going to turn it over to my colleague,
5 Mr. Wisniewski. Thank you.

6 BY MR. WISNIEWSKI:

7 Q. Hi, this is Luke Wisniewski, NTSB. I'm going to pull up the
8 site safety plan that we received. Let me know when you can see
9 it.

10 A. Okay, it's up.

11 Q. So in there, on page 4, and so this is the one we received,
12 it's called (indiscernible) Safety Plan CHST, then you have the
13 year, which -- 2020 and the month, I believe, which is '06 and
14 then the date 20 -- June of 20 -- I'm sorry, June 26th. Is that
15 the correct one for this project?

16 A. I believe so, yeah.

17 Q. Because I'm trying to, you know, from a document control
18 standpoint, I'm trying to -- a lot of these are very similar, I
19 think we received a couple different copies, so I'm just trying to
20 make sure we're using the correct one. I was looking for like an
21 issue date or somewhere on the document. Is there supposed to be
22 one or is this just how --

23 A. No. No, there's not.

24 Q. Okay. Okay, I'll go down then to the page I was on, page 4,
25 it talks about the incident and accident investigation reporting

1 system and as you were speaking earlier, the supervisor accident
2 and incident near miss reporting and just again, what database or
3 what system does that go into? These reports.

4 A. We utilize an internal drive for our company.

5 Q. Is there a certain name to it?

6 A. No.

7 Q. Is it an Excel file or like an Access database?

8 A. It's an Access database, a drive or like an iDrive or
9 something to that nature. Every region has their own.

10 Q. Okay, but every regional safety manager can access it and
11 input it, as well as the project managers?

12 A. They access their own. And the project managers do not, no.

13 Q. Okay, so it's just your safety folks, the 17 individuals you
14 identified, is that correct?

15 A. Yes, sir.

16 Q. Okay. And how far back, again, does this database go, this
17 Access database?

18 A. Since I've been here, so November 2018 we started it.

19 Q. Oh, okay, so it was just started. Was there any database
20 before then?

21 A. They utilized paper and file folders and that sort of thing.

22 Q. And with this system, when you refer to an internal audit
23 like for review, is this solely for safety or is this an internal
24 review process throughout the whole company, for Orion Marine
25 Group?

1 A. Throughout the whole company.

2 Q. Orion Marine Group or the larger --

3 A. Orion Group Holdings.

4 Q. Orion Group Holdings, okay. Now, in this internal audit, are
5 they like certified auditors? Do they have any type of training?
6 Like, are you familiar with like ISO 90001 quality management
7 systems, basic --

8 A. They are. They are, they are, yes.

9 Q. I'm sorry, say that again.

10 A. They are auditors.

11 Q. They are auditors, like certified auditors?

12 A. Yes.

13 Q. Okay. And you talked about an internal program. Is there
14 any external group that looks at your reports?

15 A. Not my --

16 Q. Do you have a third party that looks at them?

17 A. Not my reports.

18 Q. And so when these auditors come and they indicate -- you
19 indicated that they performed the safety evaluation on your
20 department, what were the findings? Is that report -- you said
21 you got good marks on it, was there any observations or
22 nonconformities that they wrote up in that?

23 A. There were a few observations that we quickly corrected.

24 Q. Can you identify a few of those for us?

25 A. To be honest, I don't remember.

1 Q. Okay. And how about any nonconformities?

2 A. No, none.

3 Q. Okay. And I'll ask for a copy of that. And so asking for
4 that document correctly, how will I request that? A name.

5 A. Through Graham. There's an internal audit findings for the
6 HSE department in 2020.

7 Q. All right, thank you. Scrolling down to the next page of
8 your site-specific safety plan for Epic dock. In there, on page
9 5, it has a Mr. Nathan Hathaway -- Hawthorne.

10 A. Hawthorne. Yes, sir.

11 Q. As the HSE manager for the region and, I would assume, is
12 that for Port Lavaca?

13 A. That is.

14 Q. Okay. And then the project manager is also listed there,
15 Mr. Jacob Bures. You indicated that there wasn't someone
16 specifically assigned from your HSE department for the *Waymon L*
17 *Boyd*.

18 A. That's right.

19 Q. And was this a vacancy, was it just an opening or why wasn't
20 there someone assigned to this vessel?

21 A. We didn't have the amount of HSE supervisors for all the
22 jobs that we had going on at that time and certain jobs have
23 requirements for an HSE supervisor due to the client and this was
24 not one of them.

25 Q. Okay, so you're saying, in this contract with Epic, you did

1 not have to provide one because it wasn't spelled out in the
2 contract, correct?

3 A. That's one of the reason that there wasn't one, yes.

4 Q. Is normally one assigned to the boat or is it just based on
5 projects?

6 A. Based on the project need and necessity.

7 Q. I will go down to -- let's see, it's page 7. That lists
8 everyone there, as far as something -- you know, if something was
9 to happen in the work, who you report it to and the points of
10 contact. And so there are several safety supervisors that are
11 listed on page 7. So even though they're not assigned, are these
12 people in that region, from Port Lavaca, that could help?

13 A. Yes, that's correct.

14 Q. Okay. And so I see also you have the superintendents and the
15 dredge captain listed here on that page. Do they have the ability
16 to report near misses or access your database or how do they --
17 take me through that again, once again real quick, how they report
18 a near miss up through the safety department.

19 A. The supervisor in charge of the work would be notified of the
20 -- you know, the person that's on the site would be notified of
21 any incident that occurs. That person's responsibility is to then
22 contact the safety department and notify them as well as their
23 direct report, which could be a superintendent or a project
24 manager or so on and the communication continues up all the way to
25 me for every single incident and others also, my boss and other

1 managers throughout the company.

2 Q. So is one method the iPad, the iPhone, could they report near
3 misses in that system, in that application?

4 A. They could. We do not use that application for that, though.

5 Q. Oh, it's not used for that.

6 A. It's not.

7 Q. Okay. And looking at this one, this plan here, this site-
8 specific plan deals directly with the dredging work and I know we
9 received several of like the project plans that showed a bulkhead
10 was scheduled to be put in as part of this construction package.
11 What's your interaction with the construction side of the house?

12 A. They, as well, each of the construction regions report to
13 myself, as well.

14 Q. Oh, so the construction -- was there a site-specific safety
15 plan developed for the construction aspect of this work?

16 A. There would've been prior to the construction work
17 commencing.

18 Q. Do you know why there was a delay in not putting in that
19 bulkhead or that portion of the work? Are you aware of any of
20 that?

21 A. I've heard things, but no, not positive.

22 Q. But obviously you would write and you would develop your plan
23 prior to that work commencing, so did you have a draft or anything
24 for that yet or --

25 A. We were not to that point yet. The construction group was

1 not ready to go down there to work.

2 Q. Okay. And then the target zero report that you speak about,
3 does this encapsule the near-miss incidents? You know, I assume
4 you're relaying them to all the dredge groups, all the crews. Can
5 you take us through like what would be listed in one of these
6 target zero reports that you share?

7 A. So this target zero report is sent out to all of the regions'
8 construction and dredging, so it needs to be broad and safety
9 communicative that can be used by all groups. There will be, you
10 know, a page or so on company expectations or what's going on
11 around the company, maybe a job highlight or an outstanding safety
12 performance that was recognized. There could also be some
13 information in there about a near miss or a lessons learned that
14 would be applicable for the whole company.

15 There's always a training or two in there and then a back
16 sheet of just a checklist of kind of reminders of what's going on
17 in this time frame, you know, is there any training that we're
18 doing nationwide, what's your expectations, and then we have what
19 we call our focus for target zero, which is kind of seven steps to
20 a successful safety program, identified in there as well for
21 everybody to communicate and know.

22 Q. Okay, thank you for that. And with that, have you ever had a
23 near miss or anything to talk about pipeline safety laid out?

24 A. No.

25 Q. And how far do these target zero reports go back? Was that

1 implemented with your position?

2 A. Yes, sir. Yeah, shortly after I came on board, I think early
3 2019 was when we started those.

4 Q. Okay. I think that's really all I have right now at this
5 point in time. There was just one other -- two more questions
6 that revolve around these and it's listed in here, as far as this
7 hazard control reporting observation program. In there it talks
8 about these hazard hunts that the crew is supposed to go around
9 and perform on a weekly basis. Really at their lunch period, it
10 sounds like. Was there any of those -- are those reported up into
11 your -- this hazard control reporting observation program?

12 A. That was an old program that I inherited when I got here. We
13 have since moved away from it. Port Lavaca's dredging group has
14 utilized it more than any other of the regions and during this,
15 when we looked at the safety plan, they were still utilizing it.
16 We have since moved on to a better program that is an
17 observational safety program.

18 Q. Are these hazard hunts reported anywhere or recorded
19 anywhere?

20 A. Internally in the region, they are. The new system is
21 basically an improvement due to the fact of better reporting and
22 tracking.

23 Q. And who would have those? Is that Mr. Hawthorne?

24 A. He may.

25 Q. Who would be the hazard control reporting observation program

1 manager for Port Lavaca, then, at this time? Mr. Hawthorne?

2 A. It would be Mr. Hawthorne.

3 Q. Okay. And also, I guess, would be in there, the
4 documentation or anything of a stop work? Would that be listed in
5 -- right, because this program was in place at the time?

6 A. Yes.

7 Q. Would that also be documented in this?

8 A. Yes.

9 MR. WISNIEWSKI: Okay, thank you for that. That's all I have
10 at this time. I'll pass it over to my colleagues.

11 MR. EHLERS: Okay, Mr. Stancil.

12 BY MR. STANCIL:

13 Q. Yes, good afternoon, Mr. Gammons. I do have a couple of
14 follow-up questions. You told us about your membership in the
15 Council for Dredging and Marine Construction Safety. What is your
16 involvement in the organization?

17 A. We've just kind of been getting into it a little bit more
18 since I have been on board here. I wasn't necessarily familiar
19 with it before I worked for this company. We started to get
20 involved in it in 2019 and then 2020, with COVID, it kind of put
21 the brakes on it for a while and then since probably the last 2
22 months or so we've been back involved and participating in their
23 calls or their meetings.

24 Q. Is it just you or are there other representatives from the
25 company involved?

1 A. I'm rarely involved. Excuse me, my regional HSE managers
2 that have the time to get on that call, and then I talk to them
3 and find out what's transpired during that call.

4 Q. So do they participate in any committees to draft fact
5 finding, best practices, anything like that?

6 A. We have not at this time, not yet.

7 Q. Okay. All right, tell us about any other best practices that
8 Orion incorporates in its operations. You mentioned that a lot of
9 it is an unwritten procedure, is that correct?

10 A. By a lot of it, what do you mean?

11 Q. Well, you mentioned that you did not have a written procedure
12 for dredging best practices in the area of the pipelines.

13 A. Yes.

14 Q. Is there any other -- correct?

15 A. That's right, yes.

16 Q. Yeah. So is there any other organization's best practices
17 that you've used or incorporated into your procedures?

18 A. We have a very stout safety program and procedures and we
19 utilize our own internals for pretty much everything.

20 Q. But there's no other outside organization such as the Common
21 Ground or some of the guidance that FMSA puts out, for instance,
22 is there anything like that that you refer to?

23 A. We pay attention to the industry. You know, if the
24 Associated General Contractors release something we take a look at
25 it, such as -- you know, the American Society of Safety

1 Professionals, also. There's many industry organizations that we
2 try to keep a pulse of.

3 Q. Okay. Now, are you members -- do you have membership in any
4 of those organizations?

5 A. Both of them.

6 Q. Okay. You said that pipeline hazards are not included in the
7 site-specific safety plan because the pipeline was located outside
8 of the scope of the work area. Who made that determination?

9 A. That would've been the project team.

10 Q. The project team, meaning the health, safety, and environment
11 team or the management team?

12 A. The management team, the project management team.

13 Q. Okay. Was that made prior to the development of the site
14 safety plan?

15 A. I can't answer that question, I wouldn't know.

16 Q. Okay. Was there any consideration given to inviting the
17 pipeline company to the pre-construction planning?

18 A. I don't know that. That would be a question for the project
19 management team.

20 Q. Okay. How about, well, in case you might know, how about
21 having pipeline company representatives present on the job site
22 while work is going on near the pipelines, anything to your
23 knowledge on that?

24 A. We always invite our pipeline companies to any pipeline in
25 conflict or that we would be crossing or working near, to be a

1 part of pre-construction and whenever we're passing over or near
2 with the dredge, those lines. I believe in this case Epic chose
3 not to.

4 Q. There would have been --

5 A. (Indiscernible), excuse me.

6 Q. -- a decision, it would have been Epic's decision to invite
7 the pipeline company or would it have been yours?

8 A. No, I believe the project management team did invite the
9 pipeline company and they did not participate.

10 Q. Okay. Is there any documentation of that?

11 A. That would be a question for the project management team.

12 Q. Okay. Nothing that you were copied on?

13 A. No, sir.

14 Q. Okay. Who were the specific HSE team members involved in
15 drafting the site safety plan, was it the Port Lavaca team under
16 Nathan Hawthorne?

17 A. Yes, sir.

18 Q. Okay. And are they under your supervision?

19 A. Nathan is under my supervision. His team is under his
20 supervision with obvious association to me.

21 Q. Okay. And are you in the loop as far as reviewing the plan
22 prior to the project?

23 A. I am not.

24 Q. All right, what else here? Going on to some training, a
25 training question that I have. Among the best practices

1 identified by the Council of Dredging and Marine Construction
2 Safety are recommendations for training such as having the crew
3 recognize signs of pipeline leaks. Are you aware of any training
4 given to the crews in that regard?

5 A. I'm aware of one specific training the dredge captain gave to
6 his crew. That would've been his responsibility.

7 Q. Is anything under your responsibility concerning hazard
8 awareness to the crew members?

9 A. Well, hazard awareness is everybody in the company's
10 responsibility, we all have responsibility there. But the
11 supervisor in charge of his crew or her crew has responsibility to
12 continue training and continue good communication of hazards
13 associated with the day-to-day operations.

14 Q. Okay. So regarding those best practices, those unwritten
15 best practices, is there anything that addresses shutting down
16 equipment or isolating emission sources following an incident?

17 A. I couldn't speak to that, I wouldn't know.

18 Q. Okay. I think my last question for now, regarding that
19 bulkhead that was supposed to have been constructed, was that
20 supposed to have been installed prior to the dredging, originally?

21 A. I don't believe so.

22 Q. Okay. And was there some reason why the bulkhead was
23 delayed?

24 A. I understood there was -- I don't know the answer to that.

25 Q. You don't.

1 A. That would be a question for the construction team.

2 MR. STANCIL: Okay, understood. All right, I think that's it
3 for me at the moment and I'll pass it on to my colleagues or the
4 next --

5 MS. VON STERNBERG: Can we take a small restroom break?
6 Because we've been going about an hour.

7 MR. EHLERS: Sure, we'll do that. It's 8 minutes past the
8 hour and we'll start at quarter past.

9 MS. VON STERNBERG: Sounds good, thanks.

10 MR. EHLERS: Yeah.

11 (Off the record.)

12 (On the record.)

13 MR. EHLERS: Okay, Mr. Gammons, you ready?

14 MR. GAMMONS: Yes, sir.

15 MR. EHLERS: All right. I'm going to turn it over to my
16 colleague, Mike Hoepf.

17 MR. HOEPF: Thank you, Drew.

18 BY MR. HOEPF:

19 Q. Good afternoon, Mr. Gammons. Again, my name is Mike. I
20 appreciate you taking the time to talk with us today.

21 A. No problem.

22 Q. I do want to apologize if any of these questions come across
23 as redundant, we really covered the waterfront on this interview,
24 so I just kind of wanted to clarify a couple of things, maybe a
25 couple of new questions, but mostly topics we've already

1 discussed. So just in terms of me trying to scope out my
2 questions to make sure that they're not, you know, outside of your
3 area of knowledge for this, we've talked a bit about the site-
4 specific safety plan for the Epic dock. I do want to talk a
5 little bit more about that. But I think you said -- you indicated
6 that you were not very familiar with that specific plan or had you
7 reviewed it in much detail at any point in the wake of the
8 accident?

9 A. I have looked at it, yeah, since the accident.

10 Q. Okay, okay. So you're aware of some of it. You said it was
11 -- so it was Nathan Hawthorne, then, was the gentleman who
12 developed the plan or --

13 A. He's the regional HSE manager over the Port Lavaca dredging
14 division.

15 Q. Okay. And then, so would you have expected that he
16 physically would have drafted that up or perhaps one of his
17 subordinates or you're not sure?

18 A. I would probably say -- well, I'm not a hundred percent sure
19 who did, but it was either him or his subordinates and him, a
20 mixture of the two.

21 Q. Okay. Okay, great. And like I said, if you're -- if you're
22 not sure about something, that's great, we can try to ask the
23 appropriate, you know, person those questions. So just generally,
24 when we're talking about these site-specific safety plans, what
25 information is typically site specific in those?

1 A. I mean, it could be anything related to the construction
2 project or the dredging site, dredging project, that we're
3 embarking on. It could be specific to, in this case, utility
4 locates, it could be overhead, underground, you know, it could be
5 crane setups, what temporary structures are going to be utilized,
6 what kind of equipment is going to be utilized, you know. I mean,
7 it's everything that's related to hazards or specifics of a job
8 site.

9 Q. Okay. Yeah, because I know that there's, you know, some
10 discussion that's kind of -- I mean, it has to be expected there's
11 some kind of, you know, general discussion about, you know, this
12 is what our, you know, program is and, you know, I saw that there
13 was some information, certainly the change in some math and things
14 like that. Just for clarification, can you confirm that there is
15 or there is not a risk assessment in the site-specific safety plan
16 for the Epic dock?

17 A. Define risk assessment.

18 Q. Actually, maybe you can define risk assessment. How does
19 Orion define a risk assessment?

20 A. Orion defines a risk assessment by communicating any and all
21 risks that are perceived or obvious on a job site. I mean, that
22 would be the best definition I can give you.

23 Q. Yeah, I know. I mean, risk assessment kind of means a little
24 bit different things to different people and I didn't really want
25 to lead you, so let me -- I'll define what I think of risk

1 assessment, but I mean just generally, as you defined it, is there
2 a risk assessment in there?

3 A. There is a -- when the plans are developed, the HSE
4 supervisor or manager performs a knowledge base, knowledge
5 starting point of the project, whether that's through meetings or
6 communications with the project team or the bid team or the
7 estimating team, to understand what the scope of work is. They
8 can look at a number of documents, have meetings to talk through
9 things, whatever it may be, and then at that point their own
10 internal safety professional risk assessment is what is generated
11 and geared towards developing the plan.

12 Q. Okay. And again, I want to just emphasize that if you're not
13 sure about something, that's perfectly fine for you to say so.
14 But in your opinion, is that -- would you say that it does contain
15 a risk assessment or it does not contain a risk assessment or
16 you're not sure?

17 A. I would say yes.

18 Q. Okay, okay. So when I'm talking about a risk assessment, I'm
19 kind of picturing the sea of risk matrix and some discussion about
20 the specific risk to be encountered with, you know, specific to
21 the site.

22 A. Well, that's a -- a matrix is different than just an
23 assessment, so --

24 Q. Sure, yeah. I understand what you're saying, yeah. So I
25 didn't see that in there and so I was just wondering if that was

1 something that was, you know, typically, you know, in a site-
2 specific safety plan or, you know, I'm just trying to get a feel
3 for, you know, generally how you guys approach this. That's
4 really all I'm trying to clarify there. So that's helpful for me.

5 So let me ask you this, sir, I'm just reviewing my notes
6 here. Yeah, so we're talking about risk assessments and we talked
7 with some of the employees, you know, involved with this in the
8 project and it sounds like they told us that they did do a risk
9 assessment. You know, they said that they got on a boat, they
10 went out, you know, they went out to the site and, you know, they
11 took a look, they were looking for hazards, but that, as far as I
12 can tell -- and what they told us is that they didn't document
13 that anywhere and I'm wondering why that information wouldn't be
14 documented in the site-specific safety plan. Again, not a
15 criticism, but I'm just trying to understand what your -- you
16 know, what your processes, you know, are.

17 Is there a reason why, you know -- you know, they would go
18 out there and kind of do -- maybe you want to -- maybe we'll call
19 it informal risk assessment, but they went out there and they did
20 a risk assessment, but then that wasn't documented in this plan.
21 So what is your perspective, you know, coming from, you know, kind
22 of a high-ranking safety department official, is that -- would you
23 like to see those kind of informal risk assessments, you know,
24 documented in a document like this or is that just kind of the
25 usual process? Am I looking at that wrong?

1 A. Well, I guess I'd start by saying who is they? You said they
2 went out and did a risk assessment. Are we talking about the
3 project management team or the surveyors or who are we discussing?

4 Q. I want to say the -- gosh, now my memory's failing me. I
5 want to say the crew, actually, I'm going to say the captain had
6 told us that. Don't quote me on that, though. The managers, the
7 project management team might have went out there as well, but I'm
8 just -- but just anyway, just generally speaking, you know -- you
9 know, what's your take on that?

10 A. Well, the site-specific safety plan is developed by the
11 safety department prior to the job commencing. If the crew or the
12 captain did a risk assessment on the site, yes, it would've been
13 great for them to communicate that, whatever their findings were,
14 to the safety department to add on or expand on the site-specific
15 safety plan, if there was anything to add on to it, and I'm not
16 hearing -- was there anything that they felt there was more needed
17 in the site-specific safety plan, is that what you're saying?

18 Q. No, no. I don't recall the site-specific safety plan coming
19 up in any of our, you know, discussions, you know, with the
20 dredge, you know, captains or anything like that. Again, I'm just
21 kind of trying to understand, you know, what your processes are in
22 general. Let me ask you this. You know, for a typical site-
23 specific safety plan, you know, I know that you indicated that for
24 the Epic dock, you'd expect, you know, Nathan Hawthorne and his
25 team to kind of be a part of that. Would you expect them to work

1 with the project management team? Is the project management team,
2 you know, consulting -- working with the HSE team specifically or
3 is it -- does the HS -- sorry. Does your team, you know, work
4 independently?

5 A. No, we're all one team, you know, we all try to make sure
6 that the communication is flowing all ways. So to work with the
7 project management team, yeah, absolutely, they need to know
8 what's being built, they need to know what the scope of work is,
9 you know, whether it's, you know, a dredge job or a construction
10 job, we're working hand in hand with each other, you know, just
11 like they're leaning on us for things and we're leaning on them
12 for things such as knowledge.

13 Q. Okay. And do you ever consult with -- you know, with Epic or
14 Enterprise, be it part of the site-specific safety plan
15 development or is it more of an internal kind of document?

16 A. It's an internal document. There are certain occasions where
17 the client dictates certain aspects of the site-specific safety
18 plan that they want to see or we may have a partnership to develop
19 -- to ensure that everything is understood and communicated both
20 ways. Yeah, it varies from job to job.

21 Q. Okay, okay. And so I promise you, I'm almost done with this
22 topic here, but you know, really -- so really, this is the last
23 thing I just kind of want to understand, you know, is there -- are
24 there situations where -- it appears, you know, for the Epic dock
25 that there's not really discussion about the risks specific to the

1 site and I'm just trying to understand, is that -- is that a
2 typical -- you know, is that a typical site-specific safety plan?
3 Because to me, that's what I'm thinking of when I think of a site-
4 specific safety plan, is I'm thinking about a discussion about
5 site-specific risks. So to me, that was -- I was kind of
6 surprised to not see that in there. Now, my personal opinion, you
7 know, isn't important here, but I'm just wondering, you know,
8 what's your perspective on, you know, is that a typical -- is that
9 typical of the site-specific safety plans that you have? Or is
10 that atypical?

11 A. I would say that is a typical plan for our dredging group.
12 What you're referring to is more of a hazard analysis, a job
13 hazard analysis for the actual task or operations that are going
14 on in the field. Putting together a site-specific safety plan has
15 its usefulness and that's why we do it, right? But when it comes
16 to communicating risk with the crew and identifying what the work
17 processes are in the field while the work is actually performing,
18 the site-specific safety plan was developed far before that ever
19 takes place.

20 So once they're out on site, that's where we rely on job
21 hazard analyses, all the different forms and formats of that, and
22 our communication efforts between the leadership and the crew to
23 ensure that hazards and the safety is mitigated and communicated,
24 right? I mean, that's -- I guess that's what I'm -- if I'm
25 hearing your question right, that's where I would see that step

1 at, not necessarily an up-front document developed in the office
2 before they even get out on site.

3 Q. Yeah. So I think we're kind of getting to the meat and the
4 potatoes of, you know -- I think you're kind of getting to, you
5 know, exactly what I'm trying to get at. You know, I'm trying to
6 understand what are -- you know, what are your processes and, you
7 know, when I read the site-specific safety plan, to me, it looks
8 like a lot of general discussion about, you know, safety processes
9 and things, but it doesn't really seem to be specific to the site.

10 And so it sounds like what you're telling me, if I'm
11 interpreting you correctly, so please correct me if I'm wrong, but
12 it sounds like what you're telling me is that that hazard
13 identification and mitigation planning is done further down the
14 road at a different, you know, phase in the project. Now, is that
15 an accurate characterization or am I hearing you wrong?

16 A. No, it's done as the project goes forward, when we're
17 actually on site. You can't mitigate for hazards until you're
18 actually on the project identifying what the hazards are. You
19 can, you know, put a plan together in the office, but construction
20 and dredging are in the field and that's where we actually need to
21 be boots on the ground before we can identify what the hazards are
22 that we need to keep our crews safe from.

23 Q. Okay. Yeah, I mean, I see that. But the next thing I want
24 to talk about is the JSAs or JHAs, you know, whatever -- you know,
25 whatever you want to call them. And so, you know, those are -- it

1 seems to me kind of being that, you know, hazard discussion, you
2 know, when you get things like PPE and pinch points and all that.
3 But I guess -- and again, this is me asking, you know, it seems
4 like sort of these macro-level hazards where you've got a
5 pipeline, you know, in the area, I guess I just -- I guess I was
6 assuming that I would've seen some of that discussion in the site-
7 specific safety plan. I'm just wondering, is there -- you know,
8 is there another document that we should be looking for that would
9 contain documentation about that hazard?

10 You know, it's not in the site-specific safety plan. You
11 know, I'm not being critical of that or anything like that, but is
12 there another -- is there another document where we would expect
13 to find that hazard? And I know you said it's outside the
14 template, but is there, you know -- you know, if it was within the
15 template, you know, what document would I expect to find that in?

16 You know, let's say that this project -- so this is another,
17 you know, similar project, just hypothetical project, and let's
18 say the pipeline was going to be within the template, where would
19 I expect to find that discussion about the pipeline?

20 A. The site-specific safety plan, the JHAs, the daily
21 communication, that would all be all of the above, right?

22 Q. Okay. So if the pipeline had been in the template, then you
23 would have expected it probably would have been in the site-
24 specific safety plan and the job safety analysis.

25 A. Yes.

1 Q. Okay, okay. Okay, all right, that clarifies a lot. Thank
2 you, I appreciate that. Okay, so the JSAs, we've already talked
3 about those, I don't want to get too much more into the weeds on
4 that. So the JSAs that we were provided, a lot of them looked,
5 you know, pretty similar. It was, you know, okay, these are --
6 you know, the discussion of the PPE was the same and obviously
7 that's understandable, you're working in the same kind of
8 environment.

9 But I was just trying to clarify, you said that these JSAs
10 are effectively completed by those in the field and so should I
11 understand that, you know, the examples that we were provided were
12 completed by employees during the safety briefing and this is like
13 their transcription of that or -- and you probably don't -- maybe
14 you don't know what we were provided, but I was thinking what to
15 me it looked like was, it looked like -- my understanding was that
16 this was material that was developed by the safety department and
17 then it was reviewed during those morning safety meetings. Can
18 you just kind of help me understand how that works?

19 A. Well, I'll say to your part one, I don't know what you were
20 provided. But two, the majority of the JHAs were not recovered
21 from the incident scene, so due to the nature of the incident, we
22 couldn't get to them. So I'd like to see them just as well as you
23 would.

24 Q. Got you. No, I understand that. Sorry, I wasn't being
25 clear. I just meant generally speaking, you know, not necessarily

1 specific to what we were provided, but can you just help me
2 understand how that process works? You know, so there's a morning
3 safety meeting. You know, my understanding of this, and correct
4 me or just cut me off and just correct me or explain how this
5 really works, but my understanding is that the captain would pull
6 out a tablet and then he would have the materials that were
7 prepared by the safety department and then he would kind of review
8 those, you know, based on what was applicable, you know, to the
9 team.

10 But I think what I thought I heard you say earlier, you know,
11 in our discussion today was what actually happens is that the JSA
12 is completed by the crew, but maybe I heard you incorrectly, so
13 can you just --

14 A. No, you're right. Both. The captain has JHAs in his tablet
15 that he has developed or his team has developed. The captain is
16 also responsible for developing task-specific JHAs throughout the
17 life of the project. If there's something that changes, then they
18 need to redraft the JHA and adjust it.

19 If it's an ongoing operation that is not going to change, it
20 doesn't have any variations to the work, then the captain is
21 required to review that JHA at least every 2 weeks. Now, if he
22 chooses to review it every morning, that's great, you know, more
23 is always better. But there's more to the morning meeting than
24 just the JHA.

25 Q. Okay. So yeah, so while we're on that topic, what else

1 happens at the morning meeting, then?

2 A. Stretch and flex, safety communication. It depends on the
3 day, I mean, what's going on on the job, what's the captain --
4 it's up to the captain or the deck captain to lead that meeting
5 and ensure that the right amount of information is communicated to
6 his or her crew.

7 Q. Okay, I got you. So again, I'm just going to ask this
8 generally. I understand we don't have the specific JSAs, you
9 know, for this incident. The examples that we were provided cover
10 a lot of tasks but they didn't cover anything for the levermen.
11 Do JSAs typically cover the levermen tasks?

12 A. I think that would be -- yeah, sometimes. It depends on what
13 the -- I guess I would need more specifics.

14 Q. Yeah, so you know --

15 A. Do you mean like only levers in the -- sitting in the seat,
16 like should they have a JHA for that?

17 Q. Well, you know, specifically in this incident I'm thinking
18 about, you know, there's some -- let's say you're maneuvering
19 around an obstacle, you know, it doesn't matter what it is,
20 whether it's a pipeline or, you know, whatever. You know, some
21 steps that you might take to be careful to, you know, prevent the
22 cutter head from impacting structure or something like that, I'm
23 just -- would that be discussed in a JSA or is there -- would the
24 leverman's task be covered in some other kind of safety process?

25 A. No, I think it should be discussed in the JHA. If there is

1 mitigating steps to be taken to prevent a hazard, then yeah, it
2 should be put in a JHA.

3 Q. Okay, okay, I got you. All right, sounds good. So is it
4 acceptable for a leverman to work through a safety meeting?

5 A. I don't have the answer to that. What are you referring to?

6 Q. So would it be acceptable for a leverman to continue swinging
7 the dredge while a safety meeting is going on or would he be
8 required to stop work and participate in a safety meeting?

9 A. The leverman should participate in a safety meeting.

10 Q. Okay. So he should stop swinging the dredge while he's
11 participating in the safety meeting, he or she?

12 A. We need all hands to be participating in the safety meetings.
13 Everybody.

14 Q. Right. But can you simultaneously participate in a safety
15 meeting and swing the dredge?

16 A. I don't think so.

17 Q. Okay. All right. And let me talk a little bit about do you
18 guys have requirements from the safety department for drills?

19 A. You're talking like emergency drills?

20 Q. Yeah, fire drills, that kind of thing.

21 A. Yeah.

22 Q. Can you talk about what those are?

23 A. Monthly requirements for multiple drills per the Coast Guard.

24 MR. HOEPF: Okay, great. Thank you so much, Mr. Gammons.

25 That's all the questions I have for right now. I'll turn it back

1 over to Drew.

2 MR. EHLERS: Okay, thanks again. I'm going to go ahead and
3 turn it over to the Coast Guard. [REDACTED]

4 [REDACTED]: Thanks, Drew.

5 BY [REDACTED]:

6 Q. Good afternoon, sir, thanks for being here.

7 A. Good afternoon.

8 Q. So you mentioned earlier about -- you know, I think we were
9 talking about the pipelines being included maybe in the JHA or the
10 site safety plan, I'm not sure where those questions were coming
11 from, but we got down to a 20-foot kind of zone. You know,
12 outside of 20 feet, we usually don't put them in. Does your
13 department typically verify that 20 feet, if it's known? If it's
14 a hazard that's been, you know, reported, do you guys check that
15 20 feet?

16 A. We do not.

17 Q. Have you guys ever checked that in the past just to make sure
18 that, you know, the project manager or whomever's bringing that
19 hazard to your attention, that that 20 -- that distance is
20 accurate?

21 A. We like to be involved as much as possible, but with the
22 amount of projects and the amount of work being performed and how
23 many, you know, of these types of hazards are associated with the
24 work, it would be infeasible for the safety team to check every
25 single one of those. We rely a lot on the captains and the

1 project management teams and the on-site teams to trust but verify
2 their markings.

3 Q. Would you say, based on your experience in the industry, is
4 that kind of a common practice, if you can't -- you only have a
5 shop of 17 relying on the people who are kind of at the deck plate
6 level to give you that information, is that normal in the
7 industry?

8 A. Safety is absolutely everyone's job. You know, it's not just
9 the safety person at our company, everybody has the responsibility
10 to look out for each other and look out for the work processes and
11 identify hazards and follow the plans and procedures that have
12 been put together.

13 Q. Yes, sir. Okay, and we just mentioned drills. Do you know,
14 as part of the monthly drills, do you know which drills are
15 conducted?

16 A. There's a few. I don't have them in front of me right now,
17 no. And I know prior to --

18 Q. (Indiscernible). Okay, is abandon ship one of those?

19 A. I believe so.

20 Q. Do you have any document that says here's how the abandon
21 ship drill will go, here are the duties of everyone, do you have
22 anything like that?

23 A. Not in front of me. I'd have to find it.

24 Q. Okay. So Orion has some sort of a policy or a best practice,
25 SOP, when it comes to how drills are conducted and the

1 responsibilities of the crew?

2 A. The dredging group has something, yes.

3 Q. Okay. And I'll get with NTSB, we can get that, if we don't
4 have it already, just to see kind of what you guys are doing on
5 the drills. Do you know if any of the drills include any sort of
6 -- like hitting an all-stop button to make sure all machinery is
7 de-energized?

8 A. I do not know the answer to that.

9 [REDACTED]: Okay. All right. Sorry, I'm just looking
10 through this. There's so many people that went before me, it's a
11 little disjointed. We covered most of what -- for right now,
12 that's all I have. Thank you, sir, appreciate it.

13 MR. GAMMONS: Yes, sir.

14 MR. EHLERS: Okay, thank you very much. Graham, do you want
15 to go ahead and ask questions?

16 MR. KENYON: Sure, I've just got a couple of clarifying
17 questions.

18 BY MR. KENYON:

19 Q. In relation to the actual safety protocols that we're talking
20 about in relation to this project, is it your understanding,
21 Mr. Gammons, that this project was a dredging project purely?

22 A. Yes.

23 Q. So the other portion of the project which everyone keeps
24 talking about, which is the construction of the dock, is an actual
25 separate project and was actually going to be run by a separate

1 element of the Orion Group?

2 A. Yes, it was going to be run out of our Deer Park construction
3 office and I believe it was a separate contract, as well.

4 Q. So that would have required a separate safety --

5 A. A separate safety team, a separate division, the regional
6 safety manager would have been different and the site-specific
7 safety supervisor would have been different, as well.

8 Q. Okay. And that part of the project hadn't begun or been
9 fully awarded at that time, correct?

10 A. That is correct.

11 MR. KENYON: Okay, no further questions.

12 MR. EHLERS: Okay, thank you very much. Nhan, for
13 Enterprise.

14 MR. TRUONG: I don't have any questions, Drew.

15 MR. EHLERS: Okay, thanks very much. Mr. Perez.

16 MR. PEREZ: Thank you, sir, thank you for time. We don't
17 have any questions at this point.

18 MR. EHLERS: Okay.

19 MR. GAMMONS: Thank you.

20 BY MR. EHLERS:

21 Q. All right, it's back to me here. How are you doing? Do you
22 need any --

23 A. Great.

24 Q. Okay. We'll go another 30 minutes if we need to and then
25 make sure we take a break before that happens. But all right, I

1 promised you this training plan that I was referring to, I'd show
2 you what I was referring to. So I'm going to bring it up on my
3 screen here. Please let me know when you can see it.

4 A. I can see it.

5 Q. Okay, so this is the accident prevention plan for the
6 dredging of Morgan's Point to Exxon Barbours Cut Terminal. This
7 is a project that was done by the *Waymon L Boyd*, I believe,
8 earlier in 2020 prior to the accident. This plan was provided or
9 prepared by Mr. Hawthorne, who we've discussed.

10 So what I was referring to on page 21 of this document --
11 stand by while I get there. I can do it faster than that. There
12 we go. Yeah, it's a weekly training and a list of training
13 topics, safety training topics for every week. Is this something
14 that's generated from your office or would that be Mr. Hawthorne's
15 office that's generated this?

16 A. That would be Mr. Hawthorne's office and I believe that has
17 been superseded by the target zero report, so I don't believe that
18 is still in effect.

19 Q. Okay. Some of these lessons have numbers next to them,
20 almost looks like a lesson plan number, for instance, personal
21 protective equipment says HS4660. Does that number mean anything
22 to you?

23 A. Unfortunately, it does not.

24 Q. Okay, all right. Okay. There's a couple of -- I'll ask two
25 more questions and I believe you may be the wrong person to ask,

1 but I'll ask. There's a couple of training topics on this list
2 and I'm going to expand it if I can here. One is in May,
3 excavation and trenching and another in June, which is pipeline
4 utility digging safety. Do you have standard training materials
5 for these two topics? I'll try and highlight them here. Or is
6 this, again, something that maybe Mr. Hawthorne or his group would
7 have produced?

8 A. Yeah, I don't -- I have standard training materials for a
9 number of those things. I don't know what is being referred to in
10 this, like with that HS4330 for trench and excavation, that seems
11 to be pretty specific, but pipeline utility digging safety from
12 June, I don't -- I have not seen anything that would be standard
13 training material for that.

14 Q. Okay. So to make sure, from your -- the materials that you
15 have, you don't have anything for these two subjects?

16 A. I have training materials for excavation and trenching, but
17 it would not be that HS4330.

18 Q. I got you, okay. All right, I promise I'll stop asking
19 questions about this topic. A follow-up on the internal audit.
20 Did the internal audit, was that focused at your level or did it
21 reach down to the regions, as well?

22 A. Regions, as well.

23 Q. Okay. All right. And then bouncing again to JHAs and JSAs,
24 you mentioned, and I think this is the first I had heard it, that
25 there were a lot of JSAs or JHAs that were lost during the

1 accident in the fire. Okay, the copies that we have are
2 electronic copies. Would those be the ones that are in the HCSS
3 system?

4 A. I don't know what you've been provided, but I would assume
5 so.

6 Q. Okay. And the ones that were lost, would those be paper
7 copies or are there other systems that JSAs and JHAs are resident
8 on?

9 A. No, there wouldn't have been any of the paper copies or the
10 mini-JHAs or anything to that nature that was produced by the crew
11 out in the field.

12 Q. Okay. Had the dredge not been involved in the accident,
13 what's done with those documents, are they eventually collected up
14 or are they -- how are they -- how are they treated?

15 A. They are not eventually collected up.

16 Q. Okay, so they stay on the vessel?

17 A. That's correct. Yeah, like I said, they're a tool to be
18 used, they benefit the crew and they keep the crew safe. To be
19 collected up wouldn't have a whole lot of purpose to it. They're
20 old, they were specific to that operation, to that hazard, and to
21 make them, you know, reused again for a future operation wouldn't
22 make sense because they wouldn't be the same operation.

23 Q. Okay. So they're eventually just destroyed after they've
24 been used?

25 A. Yeah, I think -- well, I don't know what they're done with.

1 Q. Okay, all right. The last question I have for now is has
2 there been any changes in procedures, safety procedures or
3 policies, since the accident?

4 A. No.

5 MR. EHLERS: Okay, all right. Okay, thank you very much. I
6 will have a last question, I always get the -- I have the right of
7 the last question, but I'll turn it over to my colleagues here.

8 BY MR. WISNIEWSKI:

9 Q. Yes, this is Luke Wisniewski again, NTSB. You indicated in
10 the -- well, on the site safety plan it indicates that the site --
11 the safety supervisor goes out weekly to the vessels. Can you
12 find for us the last time that an individual was out on the
13 *Waymon L Boyd* from your office or from the Port Lavaca office?

14 A. It would've been somebody from the Port Lavaca office and I
15 could locate that information, I don't have it with me.

16 Q. Is that recorded in some database or is that -- you keep logs
17 on how often they attend?

18 A. I do not keep logs and it's not recorded unless they've
19 identified something of an unsafe nature that then they maybe
20 wrote an observation for or something to that nature, but I don't
21 believe that was the case.

22 Q. Now, is that also spelled out in the -- we didn't receive a
23 full copy of it and we only received one area of the HSSC program
24 manual from 2019, but is that spelled out, how often they will be
25 out there as well, as part of their job description?

1 A. No, sir.

2 Q. And the second portion of the site safety plan, in the back,
3 all the way to -- I'll pull it up and show you, it's on page 24.
4 It lists all the point of contacts for like Orion, even Coast
5 Guard and Sector Houston, everyone that's there. But on there
6 they have listed also like the port captain, Chris Boyd; the
7 operations manager, it looks like Tim McCoy. How do those two
8 individuals play into reviewing the site safety plan, the -- how
9 is that interaction with those individuals and what you put
10 together for these vessels?

11 A. You're talking about Tim McCoy and Chris Boyd?

12 Q. Correct. Yeah, the port captain, you know, would definitely
13 have knowledge of what's going on on board all of those dredges
14 and he could provide insight. So how do you incorporate him into
15 the site safety plan or the safety program in general?

16 A. Well, that's two different questions. The site safety plan,
17 they don't have a lot of interaction at all. That's more of the
18 project management team of -- let me look through there. You
19 know, Glen Kurtz, the operations manager. You know, you have
20 operations as Tim McCoy. He's more of an equipment operations.
21 The operations manager is Glen Kurtz and he would have a lot of
22 input when Nathan is developing this plan along with Jacob. Yeah,
23 you're going away from it there. Jacob Bures is the project
24 manager. Tim McCoy is the equipment operations, so he wouldn't
25 have a whole lot to do with it, and the port captain, that would

1 be more of a question for somebody else. I don't know what the
2 interactions there would be.

3 Q. Okay. Yeah, so I'm trying to understand like feedback for
4 the site safety plan. So your safety region is putting these
5 together, but you don't have any input or oversight on what's
6 being developed in there, correct?

7 A. I have oversight of the process. To be completely blunt, I
8 don't have time to review every safety plan that we develop for
9 every project from the North Slope of Alaska to Central America.
10 So no, I'm not looking at every one of them. You know, I have
11 regional HSE managers that their responsibility is to ensure that
12 a proper safety plan is developed with good involvement from
13 project management teams and a focus on the operations that are
14 going to be undertaken to complete the job.

15 Q. Thank you for that. So to clarify, then the regional
16 manager, is that in his requirements, job requirements, to oversee
17 the site safety plan?

18 A. Yes.

19 Q. How about the JSA?

20 A. That is the responsibility of the crew and the field
21 supervision.

22 Q. And how about the job hazard analysis, the job safety
23 analysis?

24 A. The same thing.

25 Q. And so that is all pushed down to the region and to the

1 safety supervisors that are in that regional office?

2 A. No, not the safety supervisors, the crew leadership. So the
3 captain in this case would be responsible for ensuring that a job
4 has an analysis developed for every operation and task.

5 Q. But I'm trying to understand as far as how that oversight,
6 how do you monitor that these are being looked at and performed,
7 who's looking at that?

8 A. The safety department will spot check JHAs when they're out
9 on the vessel or out on the project site, you know, as well as the
10 general superintendents. The field superintendents are expected
11 to do that, as well. The project management, when they're on
12 site, would look at that. The operations manager, if he goes out,
13 he would look at that. When I tour projects or vessels, I always
14 ask to see the JHA, that's one of the first things I want to do,
15 so that way I know what the hazards are when I'm on that site or
16 that vessel. It's one of the first things any of us do.

17 Q. And any of these internal checks, are they recorded anywhere
18 or is this just a spot check?

19 A. No, we sign off on the JHA, we'll sign the JHA if it's a
20 paper copy or we can sign in HCSS if it's an electronic document,
21 that we were there and we reviewed it. And the safety team does
22 that, as well, any time they're there.

23 Q. And how often -- I'll go back, how often are you going out?
24 It says weekly, but --

25 A. It varies.

1 Q. It just varies.

2 A. Are you asking how often am I going out?

3 Q. No, no, how often is someone going out from the safety
4 office, from the HSE office to the vessel?

5 A. It varies.

6 Q. And that's based on their availability?

7 A. Yeah, the availability, the risks, the location, the hazards,
8 the, you know, leading and lagging indicators we've seen on that
9 project. Many things.

10 Q. And so that's why I wanted to go into when you identify
11 discrepancies or observations, so you record those for that
12 vessel, for that crew. How is that captured in this database?

13 A. Yeah, there's an observational recording program in the HCSS.

14 Q. And I'm trying to ask you now to compare without having these
15 numbers in front of you, but where does the *Orion Waymon L Boyd*
16 dredging vessel compare to the other seven cutter head suction
17 dredges? Because I know, you know, they're not necessarily in the
18 same class, but they are cutter suction dredges, so how do you
19 internally, like ranking them based on these observations, these
20 findings, can you go through where *Waymon L Boyd*, that vessel sat
21 in this program?

22 A. They were all -- they're all about the same, I mean, they're
23 all the kind of same scope of work, they all have challenges, they
24 all have extremely good safety cultures. We were doing good
25 things on that vessel. Other than that, like I previously

1 mentioned, the pickup we had with the finger injury there in
2 previous months.

3 Q. And so looking at these trends, looking at these benchmarks
4 that you identified, what areas, let's say over the last 2 years
5 since you've been there, have you focused on or you had your team
6 focus on?

7 A. Define areas, I guess.

8 Q. Let's say if you had a foot trip and a fall on, let's say, a
9 certain vessel, do you go out and target that? Is that painting
10 the yellow --

11 A. Sure.

12 Q. -- highlight yellow on the ladders, is that highlighting
13 them, putting some kind of reflective markers?

14 A. Okay. So the big areas of focus have been -- number one is
15 hand injuries. It's a huge focus for the whole industry. I mean,
16 you know, that's our number one tool is our hands. Choosing the
17 protection, whether that's gloves or engineering out the hazard or
18 using a tool instead of your hands. We focused a lot on hand
19 injuries lately.

20 Focused a lot on incident reporting to ensure that the minor
21 stuff, the perceived minor stuff, whether it's a near miss or
22 little lessons learned or a scratch or a scrape or a bump, you
23 know, those things are being reported because we can't know about
24 them and learn from them unless they're being communicated up and
25 reported. That's been another focus. And then the focus for

1 target zero, which is, you know, plan our work, identify and
2 having a plan, following the plan, setting our expectations,
3 holding people accountable, communicating safety efforts. So
4 there's a couple of our major focuses over the last few years.

5 Q. And I'll go into a little round with like emergency
6 procedures. Have you had any incidents where like a spill, a
7 hazardous release, that you focused on at all or have been there
8 incidents within the marine group?

9 A. We've had spills. Nothing hazardous as of, you know -- I
10 guess fuel, right, that we've been able to refocus our
11 environmental side of things on.

12 Q. Okay, so I just want to drill down on that a little bit more.
13 Okay, so you had a couple spills. Is that contained to the vessel
14 or is that going over the side?

15 A. Over the side.

16 Q. Okay, so over the side. You've identified what the measures
17 to -- I didn't see in your site safety specific plan like a -- I
18 see your emergency like for hazardous spills, but it looks like
19 it's all in the water, but just a general overarching -- if I'm a
20 crew member on board, how do I know what I should be reporting?
21 So let's say a spill went over the side, how do I know what I need
22 to report as a crew member? How is that being checked?

23 A. It's being communicated via your new hire orientation of
24 what's expected to be reported, and it's also being communicated
25 to you by your leadership, your captain, or your superintendent or

1 your foreman, deck captain, whoever that may be that your direct
2 leadership is, needs to be helping to help you understand what the
3 expectations are for your job title and your participation in the
4 safety culture.

5 Q. Okay. So then I just report to my supervisor hey, I see a
6 spill or I spilled something that's -- that's how I'm going to
7 report it up, is that --

8 A. That's right. And then your supervisor needs to be also
9 knowing his or her expectations to -- as of who needs to be
10 reported from there, which they all do.

11 Q. Okay. Yeah, so I'll go back then to a lot of this discussion
12 we've had so far about this internal non-written procedure policy
13 while working around pipelines. We talked about the different
14 memberships and programs that are out there and the recommended
15 corridors and safety standoff distances, and you indicated that in
16 this non-written procedure a best practice within the company is
17 that you're supposed to stay 20 feet away from pipelines.

18 How is that verified or communicated down to the levermen,
19 the dredge captain, and verified? Is that something that -- from
20 a safety director or manager, that you would want to make sure
21 that gets communicated to the crew? How do you check that?

22 A. I apologize, you asked like three questions there. Could you
23 clarify your question?

24 Q. Yeah. So we talked about a non-written procedure on how far
25 -- a best practice to stay away from a pipe and you indicated 20

1 feet --

2 A. Right.

3 Q. -- as a best practice.

4 A. Well, 20 feet or what's recommended to you by your utility
5 owner.

6 Q. And whatever the corridor or safety standoff under the
7 utility provider request, understood. So how does the safety
8 office verify that the crew members know, they know that distance?
9 Is that something that you're looking at?

10 A. It's something that the safety office is looking at when they
11 identified that there's a pipeline or a utility in the area. That
12 would be the project management team, the safety office, the
13 captain, they would all need to communicate that and because the
14 crew works for the captain, it would be on the captain to ensure
15 that the communication is put forth.

16 Q. Who would ensure that the captain is communicating that
17 effectively to the crew?

18 A. The safety and the project management teams.

19 Q. And so who specifically from the safety or project management
20 teams, is that the project manager?

21 A. The project manager is responsible for his project, yes.

22 Q. And on the same level, would that also be the safety
23 supervisor or a regional manager?

24 A. If there's a safety supervisor --

25 Q. Assigned?

1 A. -- dedicated to that job, that would be part of their
2 responsibility, as well, to communicate any hazards in the area
3 and to, you know, continue to work with the captain to communicate
4 anything, as well. If there's not, then it's -- like I said
5 before, safety is everybody's job, so the captain and the deck
6 captain need to be held responsible for that.

7 Q. So I'm just looking for, okay, who kind of validates or
8 checks that the dredge captain and the deck captain are
9 effectively communicating. You're saying that's the project
10 manager and the safety?

11 A. There's general superintendents that are involved with the
12 captains' day-to-day jobs. They report directly to the general
13 superintendents. The safety managers or safety supervisors, when
14 they're on site, would -- would look for those things, as well.
15 And the project management and/or the operations manager, when
16 they're on site, would be looking for those things.

17 Q. Okay. And the last set of questions I have goes back to
18 Graham's follow-up on the construction portion of the project.

19 A. Yeah.

20 Q. You indicated that it would be a separate contract, separate
21 team.

22 A. Yeah.

23 Q. Who would be heading up that HSE team from your -- from the
24 region?

25 A. Who, specifically, by name?

1 Q. Yes, who would've been involved with that?

2 A. That would've been Chris Villalobos. He's our regional HSE
3 manager out of Deer Park for the Gulf Coast construction.

4 Q. And they report to you, as well?

5 A. That's correct.

6 Q. And then who would be the next one down from him, if there
7 was someone specifically? I would imagine the structure is the
8 same where you'd have a safety supervisor attached to it, if you
9 had one on the contract.

10 A. Yes. And we hadn't assigned somebody yet because we hadn't
11 started to mobilize for the work. We hadn't gotten there yet.

12 MR. WISNIEWSKI: Understood, thank you. That's all I have.

13 MR. EHLERS: All right, Mr. Stancil.

14 BY MR. STANCIL:

15 Q. Yes, just a couple of follow-ups. Did Orion maintain any
16 safety data about the pipeline, such as the products that they
17 carried, locations of the lines, operating pressure, emergency
18 contacts or safety data sheets, anything like that?

19 A. I believe the project management team did, yes.

20 Q. And where would that material have been stored?

21 A. I don't know, you'd have to ask them.

22 Q. Okay. Do you know who would have had access to the material?
23 Would it have just been the management team or was it something
24 the crew would have access to?

25 A. The captain would've had access to it and I believe the deck

1 captain and again, you'd have to talk to them. I don't know where
2 they would have stored it, if they would have stored it.

3 Q. Do you think they would have kept it on board the vessel or
4 somewhere else?

5 A. Again, you'd have to talk to them.

6 MR. STANCIL: Okay, fair enough. All right, that's all I
7 have. Thank you.

8 MR. GAMMONS: Yes, sir.

9 MR. EHLERS: Okay, Mr. Hoepf.

10 MR. HOEPF: Thank you, Drew.

11 BY MR. HOEPF:

12 Q. And thank you again, Mr. Gammons, for being with this long
13 interview this afternoon. I just have a couple of quick
14 clarifying questions. The same topics as we were discussing
15 before. Like I said, it should be -- it should be pretty quick.
16 So Mr. Kenyon had brought up a point that I just wanted to
17 clarify. We've been talking about the site-specific safety plan.
18 Are there two site-specific safety plans, one for construction and
19 one for dredging, or is there just one?

20 A. You're talking in this specific case?

21 Q. Yeah, in this specific case.

22 A. So they would have been two separate contracts, they would
23 have been two separate divisions working on them, so the dredging
24 division does not perform construction work and vice versa. So
25 the construction group would have developed a site-specific safety

1 plan for that work prior to mobilizing to the job site and
2 beginning their operations.

3 Q. Okay, okay. So there would have been a separate site-
4 specific safety plan for construction. So this is the site-
5 specific safety plan for the dredging. Okay.

6 A. Just dredging.

7 Q. Just dredging, okay. All right, thank you. So just a kind
8 of quick check-off. We know that JSAs were lost. Are there any
9 other safety documents that would be available for us to look at?
10 Just from what you would expect, you know, generally from your,
11 you know, knowledge in the safety department, is there any other,
12 you know, documentation of safety hazards, anything else we could
13 look at?

14 A. No.

15 Q. Okay. Then my only last question would just be we
16 potentially might have a small follow-up document request for this
17 interview and I'm wondering -- so do you ever have a risk matrix
18 built into your site-specific safety plans?

19 A. No.

20 Q. Okay, okay. So --

21 A. Unless they're required by the client.

22 Q. I'm sorry, I didn't hear that last part. Unless it was
23 required by the client?

24 A. Correct.

25 Q. Okay. And so to your knowledge, the client had never --

1 never required that?

2 A. I don't know if they ever have. I know this client did not.

3 Q. Okay, okay. So if we were to have a document request for a
4 site-specific safety plan with a risk matrix in it, that would not
5 be something you'd be able to provide because, to your knowledge,
6 the site-specific safety plans have never included a risk matrix,
7 is that accurate?

8 A. To my knowledge.

9 MR. HOEPF: Okay, all right. That is all the questions.
10 Thank you very much for your time, Mr. Gammons.

11 Back to you, Drew.

12 MR. EHLERS: Okay, thanks very much. [REDACTED].

13 [REDACTED]: Thanks, Drew.

14 [REDACTED]:

15 Q. Yes, sir. So just a very short question. So I'm thinking of
16 some lessons learned, and I know there was an explosion on the
17 *Jonathon King Boyd* in 2018. Do you know if there was any sort of
18 lessons learned put out or any policies or procedures kind of
19 incorporating what happened in that incident, kind of put out to
20 the fleet by Orion?

21 A. What are you referring to? I'm not familiar with that
22 dredge.

23 Q. There was a dredge explosion in 2018 on the *Jonathon King*
24 *Boyd* and there was some kind of lessons learned coming out of
25 that. I just didn't know if you had seen anything, if anything

1 was briefed to any of the crew members.

2 MR. KENYON: Sorry. [REDACTED] this is Graham.

3 [REDACTED]: Yes.

4 MR. KENYON: I believe that that's not one of our dredges.
5 That's a different --

6 [REDACTED]: I know that, but it's the lessons learned from
7 somebody else in the industry where --

8 MR. KENYON: Okay, I see what you're saying, but --

9 [REDACTED] Yeah.

10 MR. KENYON: -- Ryan's getting confused.

11 MR. GAMMONS: Yeah, I'm not -- that's not our dredge.

12 [REDACTED]: Yeah.

13 MR. GAMMONS: That's not our dredge, so --

14 [REDACTED]:

15 Q. Sorry, Ryan. Yeah, yeah. So not the dredge but something
16 similar in the industry that an explosion happened, that they hit
17 pipeline, and I was just wondering if any of that, kind of the
18 takeaways were ever incorporated in any sort of training, any
19 procedures, anything like that.

20 A. I actually don't know about that incident.

21 Q. Okay. All right, fair enough. And then one other thing
22 about looking at the site safety plan, I think you covered it, I
23 just want to make sure. It says in there on page 4 that the
24 safety department makes regular daily and weekly safety visits.
25 Do you know if any of those visits were conducted?

1 A. I know that the regional HSE manager, Nathan Hawthorne, had
2 gone out to that project multiple times. Yeah, does that answer
3 your question?

4 [REDACTED] Yeah, so we have to talk to Nathan, then, and ask
5 him. Okay, that's all the questions I had. Thank you, sir,
6 appreciate it.

7 MR. GAMMONS: Yes, sir.

8 MR. EHLERS: Okay, Mr. Kenyon.

9 MR. KENYON: Yeah, nothing from me. Thank you.

10 MR. EHLERS: All right, thank you very much. Mr. Truong.

11 MR. TRUONG: Nothing from me, as well, thank you.

12 MR. EHLERS: Okay. And Mr. Perez.

13 MR. PEREZ: No questions from me, thank you.

14 MR. EHLERS: Okay, thank you. Okay, one more from my NTSB
15 team. Any follow-on questions?

16 (No audible response.)

17 MR. EHLERS: Okay. So my last question is this. We've asked
18 you a lot of questions today. Is there anything we haven't asked
19 you that we should have knowledge of that would be important to
20 our investigation that you think is important for us to know?

21 MR. GAMMONS: No, sir, I can't think of anything.

22 MR. EHLERS: Okay, all right. Fair enough. If you do think
23 of something, obviously, please get in touch with us through
24 Mr. Kenyon or Ms. von Sternberg. So thanks.

25 MR. GAMMONS: Absolutely, will do.

1 MR. EHLERS: All right. Again, thank you much for your time
2 and appreciate it and it sounds like it's a good time to stop. So
3 all right, I'm stopping the recording now. Thank you very much.

4 (Whereupon, the interview concluded.)
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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: FATAL FIRE AND SINKING OF THE
DREDGE *WAYMON L BOYD* IN CORPUS
CHRISTI, TEXAS, ON AUGUST 21, 2020
Interview of Ryan Gammons

ACCIDENT NO.: DCA20FM026

PLACE: Via Microsoft Teams

DATE: April 9, 2021

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.



David A. Martini
Transcriber



National Transportation Safety Board

Washington, D.C. 20594

Transcript Errata

TABLE OF CORRECTIONS FOR TRANSCRIPT INTERVIEW WITH: RYAN GAMMONS
RECORDED ON APRIL 9, 2021

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
8	7	"their subsidiary,"	"a subsidiary of"
8	8	Hewett	Kiewit
8	9	Hewett	Kiewit
8	10	Hewett	Kiewit
8	11	Hewett	Kiewit
8	12	Hewett	Kiewit
12	22	no	yes
13	17	team	process
17	13	as	at
19	13	"reportable accident"	"recordable incident"
20	15	"has not happened"	"has happened"
21	16	"then if there's"	"then used as"
21	17	"The construction thing's the same."	Delete sentence.
40	2	EPIC	Enterprise
41	5	"I'm aware of one specific"	"I'm not aware of specific"
62	9	"No, there wouldn't have"	"No, they would have"
63	1	"the pickup"	"the incident"

If, to the best of your knowledge, no corrections are needed kindly circle the statement "no corrections needed" and initial in the space provided.

NO CORRECTIONS NEEDED. _____
Initials

RYAN C. GAMMONS

Person providing the above information

Signature of Person providing the above information

5/27/2021
Date