

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
CHRISTI, TEXAS, ON AUGUST 21, 2020

Accident No.: DCA20FM026

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Interview of: JACOB BURES, Project Manager
Orion Group

Vid videoconference

Friday,
September 11, 2020

APPEARANCES:

ANDREW EHLERS, Marine Accident Investigator
National Transportation Safety Board

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

ROGER EVANS, Pipeline Investigator
National Transportation Safety Board

LUKE WISNIEWSKI, Investigator in Charge
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U.S. Coast Guard

██████████ Investigating Officer
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NHAN TRUONG, Compliance Manager
Enterprise Products

JOEL KOHLER, Senior Manager of Contracts Safety Group
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JEFF MORTON, Senior Director of Transportation
Compliance
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GRAHAM KENYON, Vice President of Risk Management
Orion Marine Group

ALVARO RODRIGUEZ, Accident Investigator
Pipeline and Hazardous Materials Safety Administration

RON PEREZ, Inspector
Railroad Commission of Texas

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Orion Group

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I N T E R V I E W

(2:42 p.m.)

MR. EHLERS: Okay. The recording has commenced.

Good afternoon. My name is Drew Ehlers. I'm a marine accident investigator with the NTSB, and this is a discussion with Mr. Jacob Bures with the Orion Group regarding the accident involving the *Waymon L. Boyd* that happened on August 21, 2020. It is about 2:42 on September 11.

Can you state your name and spell your name, please?

MR. BURES: Jacob Bures, J-a-c-o-b B-u-r-e-s.

MR. EHLERS: All right. Thank you very much.

What I'd like to do is have everyone else introduce themselves, starting with my colleague, Paul Stancil.

MR. STANCIL: Yes, my name is Paul Stancil. I'm an accident investigator with the NTSB, and I'm the pipeline group chairman for this investigation. My last name is spelled S-t-a-n-c-i-l.

MR. EHLERS: And the Coast Guard, please?

██████████ This is ██████████ ██████████ ██████████ I'm the senior investigating officer. ██████████ ██████████.

██████████ This is ██████████ ██████████ I'm the assistant senior investigating officer with the U.S. Coast Guard. Last name is spelled ██████████.

MR. EHLERS: Okay.

And Enterprise Products?

MR. MORTON: This is Jeff Morton, M-o-r-t-o-n. I'm the

1 senior director of transportation compliance.

2 MR. TRUONG: This is Nhan Truong. N-h-a-n, last name is
3 T-r-u-o-n-g. And I'm the manager of compliance.

4 MR. EHLERS: Okay.

5 And, Joel, are you still on the line?

6 MR. KOHLER: Yes.

7 MR. EHLERS: Please introduce yourself.

8 MR. KOHLER: Joel Kohler with Enterprise Products, taking
9 notes for Jeff Martin.

10 MR. EHLERS: Okay. And can you spell your name again,
11 please? Last name?

12 MR. KOHLER: J-o-e-l K-o-h-l-e-r.

13 MR. EHLERS: Okay. Thank you very much.

14 Orion Group.

15 MS. VON STERNBERG: Heather Von Sternberg with Chaffe McCall,
16 last name is spelled V-o-n S-t-e-r-n-b-e-r-g, for Orion.

17 MR. KENYON: This is Graham Kenyon. G-r-a-h-a-m, last name
18 Kenyon, K-e-n-y-o-n. And I'm the VP of risk management.

19 MR. EHLERS: Okay.

20 And PHMSA, please?

21 MR. RODRIGUEZ: Good afternoon. I'm Alvaro Rodriguez,
22 Accident Investigation Division of PHMSA. A-l-v-a-r-o, Rodriguez,
23 R-o-d-r-i-g-u-e-z.

24 MR. EHLERS: Okay. Thank you.

25 And Texas Railroad Commission?

1 MR. PEREZ: Good afternoon. This is Ron Perez, inspector of
2 Region 7. My last name is P-e-r-e-z.

3 MR. EHLERS: Okay. And is there anyone I've missed?

4 MR. EVANS: Hi, Drew. Roger Evans on the line as well.

5 MR. EHLERS: Okay. Roger, can you just state for the record
6 who you are?

7 MR. EVANS: Yes, this is Roger Evans, NTSB accident
8 investigator in the Pipeline Division.

9 MR. EHLERS: Okay. Thanks, Roger.
10 And, Luke, you stayed on the line?

11 MR. WISNIEWSKI: Yes, Luke Wisniewski, W-i-s-n-i-e-w-s-k-i.
12 I'm the investigator in charge from NTSB.

13 MR. EHLERS: Okay. And any others?

14 (No response.)

15 MR. EHLERS: Okay. Thank you very much.

16 Mr. Bures, this recording -- or excuse me, this proceeding is
17 being recorded. Do you consent to this recording?

18 MR. BURES: Yes.

19 MR. EHLERS: Okay. Thank you very much. And we'll go ahead
20 and get started.

21 INTERVIEW OF JACOB BURES

22 BY MR. EHLERS:

23 Q. Can you tell me what your position is at Orion?

24 A. Senior project manager.

25 Q. Okay. Tell me a little bit about your background, starting

1 with your educational background, what you did in school, and then
2 what your employment background has been since then.

3 A. Well, so I went to school at Texas A&M University.

4 (Indiscernible) management was my degree. It's kind of an
5 engineering/business category, I guess you would call it, and
6 started working here when I graduated from college.

7 Q. Okay. When did you start working? How many years has it
8 been that you've been at Orion?

9 A. Since May of '07.

10 Q. Okay. And what positions have you held?

11 A. Project leader, project manager, senior project manager.

12 Q. Okay. And your current position is senior project manager?

13 A. Correct.

14 Q. Okay. Tell me a little bit about the position. What's your
15 duties and responsibilities in the position?

16 A. Mostly contracting. Well, business development, estimating,
17 setting up the contracts, handling contracts with the clients, you
18 know, and then turn it over to executing the job.

19 Q. Okay. And when you say turn it over to execute, who are you
20 turning it over to?

21 A. To the field operations.

22 Q. Okay. Is field operations, do they report to you? Are they
23 a separate division? How is that?

24 A. They -- I don't know how to classify that. They don't report
25 directly to me.

1 Q. Okay. All right. Do you oversee projects while they're in
2 progress?

3 A. Yes.

4 Q. All right. How do you oversee it? Through, I mean,
5 reporting, that kind of thing. How do you do that?

6 A. Well, from just field reports and then pay apps and
7 scheduling and dealing with the client.

8 Q. Okay. Sorry. Pay apps? What's that?

9 A. The pay estimates.

10 Q. Oh, okay. All right. Who reports to you? How many folks do
11 you have working for you?

12 A. Two.

13 Q. And are they the project engineers?

14 A. Yes.

15 Q. Okay. How many total projects do you oversee?

16 A. Usually three projects at a time.

17 Q. Okay. And the -- how many project managers are there in
18 Orion in addition to yourself?

19 A. Two, three others now.

20 Q. Okay. Where are you based out of?

21 A. Port Lavaca.

22 Q. Okay. Some of these questions are going to seem, I don't
23 know, simple, but what's your normal working hours?

24 A. 8:00 to 5:00.

25 Q. 8:00 to 5:00. And are you a salaried employee?

1 A. Correct.

2 Q. Do you track your hours at all for billing or otherwise?

3 A. No.

4 Q. Okay. How often do you have to work outside your 8:00 to
5 5:00 time?

6 A. I mean, quite a bit. It -- I just -- anyone would. I mean,
7 phone calls and emails.

8 Q. Okay.

9 A. I mean, I don't keep time of it, but --

10 Q. So it's mostly on a ad hoc basis. It's not -- your day isn't
11 necessarily extended very long, or how is that?

12 A. Yeah. I mean, as-need basis I guess.

13 Q. Okay. I'd like to talk a little bit about dredge plans or
14 plans. How are those developed for the dredging projects that you
15 oversee?

16 A. From my knowledge, they're done by an engineering company.

17 Q. Okay. How do those plans then get turned into work? How do
18 they get turned into something that the dredge is doing?

19 A. They're usually provided to us from the client, and we just
20 take those plans and distribute it out to everybody.

21 Q. Okay. I mean, first of all, how are they distributed out,
22 and who is everybody?

23 A. Well, everybody on the operations team, which would be the
24 dredging captain, superintendents, survey personnel, contracts
25 administrator. We get the plans to look them over, you know,

1 distribute those to everybody that's involved on that level as far
2 as, here's a dredging plan.

3 Q. Okay. So does the dredge execute their -- I mean, do they
4 dredge based on looking at that plan? How does the dredge know
5 where to dredge? How does the crew on the dredge know where to
6 dredge?

7 A. Well, the captain and leverman. You said a crew. Is that
8 who you're referring to?

9 Q. Yes. Yeah.

10 A. Yeah, so the plan gets -- our survey department takes that
11 plan and implements onto the dredge and our guided software.

12 Q. What software is that?

13 A. I believe it's DREDGEPACK.

14 Q. Okay. And that guided software is what the leverman uses to
15 operate the dredge?

16 A. Well, to operate the dredge, you said --

17 Q. Well, I guess that's a poor question. I'll take that back.
18 He uses that to figure out where to operate the dredge, in other
19 words, where to do dredging; is that correct?

20 A. I mean, it's guided software that shows him location to where
21 he's at. Yes.

22 Q. Okay. All right. Does that software show hazards such as
23 pipelines and such like that?

24 A. Does it show -- like, the software? I mean, I'm not -- I'm
25 confused on that. It gets loaded with the template that they're

1 dredging to perform.

2 Q. Okay. Well, let me ask this, a different question then.

3 Does the template take into account pipelines?

4 A. No.

5 Q. It does not? So how do hazards such as pipelines get
6 avoided?

7 A. Well, you use a one call and get them marked.

8 Q. Okay. So the only -- so the software that the dredge is
9 using to dredge does not -- it does not provide any hazard
10 notification. It's only the markings that are on a pipeline if
11 it's in the area.

12 (Pause.)

13 MS. VON STERNBERG: If you don't understand, ask him to
14 clarify.

15 MR. BURES: Yeah, I mean, what are you saying? For any time
16 in general or what, what -- I mean, I'm just --

17 BY MR. EHLERS:

18 Q. Yeah, any time in general. If there's a pipeline, is the
19 only way that a dredge operator, the leverman, know that there's a
20 pipeline there is the markings, or is it in the DREDGEPACK?

21 And by the way, let me preface all this, if you don't know
22 the answer, please just say I don't know, because I'm not trying
23 to get you to speculate.

24 A. Yeah, I don't know.

25 Q. Okay. If a dredge is not following the plan, the template,

1 how does that -- is there any kind of way to notify management
2 that the dredge is not doing what it's supposed to be doing?

3 A. No.

4 Q. Okay. So how are dredge operations monitored then outside of
5 the dredge itself?

6 A. Through survey.

7 Q. Okay. All right. How often are surveys done?

8 A. It depends, but once a month. It varies.

9 Q. Okay. How long has the EPIC dock project been going on?

10 A. Approximately a month.

11 Q. Okay. And is this -- as I understand it from our previous
12 interview, this was actually phase two of a dredging related to
13 the overall project; is that correct?

14 A. Yes.

15 Q. Okay. How long was this phase supposed to take?

16 A. Approximately 55, 60 days.

17 Q. Okay. And that's 24-hour operations?

18 A. Correct.

19 Q. Okay. When did operations begin? When did dredging begin
20 for this phase?

21 A. I don't know the exact date.

22 Q. Okay. Was it in June, July, before that?

23 A. It was about a month ago.

24 Q. Okay.

25 A. July timeframe.

1 Q. July timeframe. Got an estimate for how long before the
2 accident? A week, 2 weeks, 3 weeks?

3 A. Yeah, I think they'd been there about 2½ weeks, 3 weeks.

4 Q. Okay. Had there been any problems with the operation up
5 until the accident prior to the accident?

6 A. No.

7 Q. Okay. I understand there was a prior phase back in 2019.
8 Were you involved with that project at all?

9 A. Yes.

10 Q. And was there any issues with that section or that phase of
11 the operation?

12 A. No.

13 Q. Okay. Why was it conducted in two phases?

14 A. That was how the client wanted it or how it matured, I guess,
15 as a project. I'm not real clear on why it happened twice.

16 Q. Okay. So that wasn't based on from Orion's perspective;
17 that's how the project has progressed?

18 A. Okay.

19 Q. Were you involved with the initial planning, the Corps of
20 Engineers permitting at all?

21 A. No.

22 Q. Who does that?

23 A. From my experience, it's been the client that develops their
24 permit.

25 Q. Okay. All right. Before-you-dig tickets, I understand that

1 the project engineer's responsible for responding to those. Do
2 you monitor those at all? The one call -- I'm talking about the
3 one call tickets that come in or how those are resolved.

4 A. No, I just make sure that the one call's performed.

5 Q. Okay. And to your knowledge, were the one calls addressed or
6 one call addressed for this project?

7 A. Yes.

8 Q. Okay. All right. Was there any concerns raised during the
9 planning for this project with pipelines in the area?

10 A. As far as from where?

11 Q. Whether they would be an issue with the dredging or there'd
12 be a danger of pipeline's interference with the dredging?

13 A. No.

14 Q. Okay. What I'm going to do, I'm going to share my screen
15 here and show you a document. This is a design construction plan.
16 Standby. All right. Tell me when you can see.

17 A. Got it.

18 Q. Can you see this document? All right. Are you familiar with
19 this document?

20 A. Yes.

21 Q. Okay. Do you know who's signature this is here?

22 A. I do not.

23 Q. Okay. All right. In this plan, I've gone to page two, and
24 I'm going to enlarge it just to try and help with visibility here.
25 Hold on just a second. And it's my understanding that this

1 project was to dredge this, and if you can see my cursor, this
2 trapezoidal area above this trapezoidal area; is that correct?

3 A. Correct.

4 Q. Okay. And then this was to be the dredge depth, I assume the
5 maximum depths of the dredge, and there is a slope that goes along
6 and that goes outside of this line; is that correct?

7 A. Correct.

8 Q. How is that slope determined? I understand looking at this
9 document that it's 2.5:1, but do you know how that's determined
10 what that slope is?

11 A. No.

12 Q. Okay. And when these plans are developed, do they look at
13 the pipeline and where pipelines in the area are? I mean, they're
14 listed on this obviously.

15 A. I don't know.

16 Q. Okay. Do you review these plans?

17 A. After they're given to me, yes.

18 Q. Okay. How are those reviews done? Is there a formal review,
19 or do you sign off on it or anything like that?

20 A. No.

21 Q. Okay. So did you look at this plan?

22 A. Yes.

23 Q. All right. Did you have any concerns when you looked at it?

24 A. Not initially.

25 Q. Okay. You said not initially. Did you have concerns later

1 on?

2 A. Yes.

3 Q. Okay And what were those concerns?

4 A. Was placing an anchor by that pipeline.

5 Q. Okay.

6 A. And the pipeline was running close to the template but
7 outside the template.

8 Q. Okay. When you say the template, what do you mean by the
9 template?

10 A. That's what is referred to as the template.

11 Q. This whole drawing or this black line here?

12 A. The trapezoidal line.

13 Q. Okay. Is there any drawing that shows where the top of the
14 slope is going to be at the end of dredging prior to the dredging?

15 A. Yes.

16 Q. Okay. Do you understand what my question was? In other
17 words, once dredging is complete, where does this slope end? Is
18 there a document that shows where that -- in the planning process
19 that shows where the top of the slope is?

20 A. I don't believe on this. On these plans, do they? No.

21 Q. Is there any plans that you know of that do?

22 A. No.

23 Q. Okay. All right. Where was the anchors going to be
24 placed -- and you're going to have to describe it to me because,
25 obviously, you can't point to it. Where were the anchors going to

1 be placed that gave you concern?

2 A. Yeah, I'm not sure. I'm not dredging operations. It was
3 discussed with our superintendent that, that is a possibility as
4 far as how they actually operate the dredge. So I'm not -- I
5 mean, I couldn't tell you where.

6 Q. I see. So did the superintendent contact you and say, I need
7 to place these anchors south of the template? How did -- you
8 mentioned that you had concern about where these anchors were
9 going to be placed. What raised that concern with you?

10 A. Yeah, because they sit anchors outside -- I mean, to swing
11 off of. So, I mean, I don't know where they're going to actually
12 place them. And could they go out there? I don't know. That was
13 a discussion with the dredging superintendent that said, yeah,
14 that anchors could be placed there. So we made it a concern.

15 Q. Okay. Were you the one to raise the concern, or was it the
16 superintendent who brought it up first?

17 A. I don't remember. It was a mutual discussion with both of
18 us.

19 Q. Okay. Is there anything that shows the entire dredging area?
20 Any drawings that you regularly review that show the entire
21 dredging area outside of the template?

22 A. No. I mean, this is what we have.

23 Q. Okay. And is this what the project engineers have to
24 determine their one ticket calls or to resolve their one ticket
25 calls?

1 A. Yes.

2 Q. Okay. They don't have any other tools or anything other than
3 that?

4 A. Not to my knowledge.

5 Q. Okay.

6 MR. EHLERS: All right. I think that's all the questions I
7 have for the moment. I'll probably have some more follow-up
8 questions, but what I'm going to do for now is turn it over to my
9 colleague, Paul.

10 MR. STANCIL: Yes, sir. Thank you.

11 BY MR. STANCIL:

12 Q. You mentioned your concern about the pipeline and the anchor
13 being near where the pipeline would be. What did you do in
14 response to that concern?

15 A. That's when I got with Ashley and made her follow-up with the
16 one call and the Enterprise guys to go get it physically marked
17 even though it was outside the template.

18 Q. And what was the result of all of that?

19 A. She went out there and marked it to my -- they went out there
20 with Enterprise and marked it to my knowledge. I didn't go out
21 there physically.

22 Q. Okay. Did Ashley email you or give you a telephone call to
23 discuss what they found?

24 A. No. After that was performed and she came back, and I told
25 her to email everybody out and let it be known what took place and

1 the pipelines were marked.

2 Q. Okay. Did you have any discussions with the superintendent,
3 the leverman, or the captain about the pipeline locations?

4 A. Yes.

5 Q. Can you tell about that?

6 A. I mean, it was just phone call discussions, you know, about,
7 hey, there's pipelines there. They were marked. Those were
8 all -- yeah, the -- I know with the superintendent for sure.
9 Other phone calls, I can't remember. But yes, they were
10 discussed.

11 Q. And how soon after Ashley reported back to you and you asked
12 her to email? How soon after that did you make this call?

13 A. I mean, I don't know how soon. It was throughout the
14 process.

15 Q. More than once?

16 A. Yes, to my knowledge.

17 Q. And did you give the superintendent any instructions? What
18 exactly was said?

19 A. Oh, I mean, it's just a general conversation about, hey, you
20 know, there's pipelines there. They're visibly marked, you know,
21 just make sure you're aware of that.

22 Q. Okay. The superintendent, would he have been working on the
23 dredge along with the leverman and the captain?

24 A. No.

25 Q. How much interaction does the superintendent have with the

1 dredge crew?

2 A. You'd have to ask him, but I would say fairly often.

3 Q. Do you know if he would've attended their morning safety
4 briefings, for instance?

5 A. No. I mean, unless he's there, I mean -- you know what I
6 mean? Anybody that goes there at that time would attend a
7 meeting.

8 Q. Do you ever attend those sorts of meetings?

9 A. No, the safety. The toolbox ones.

10 Q. Did you ever have any conversations with the leverman about
11 any of this at this point?

12 A. No.

13 Q. Or the captain?

14 A. No, I don't think so.

15 Q. So you mentioned that surveys are done to ensure that the
16 correct areas are being dredged. Who's responsible for doing
17 that?

18 A. Perform the surveys?

19 Q. Is that something Orion does, or do you have a contractor?

20 A. It's internal.

21 Q. And how is that done? What do you do with the data?

22 A. They go and survey and then process the data and then
23 distribute it out.

24 Q. Okay. So this slope that we're talking about that comes up
25 from the south side of the trapezoidal area where the channel is,

1 the toe of the slope, does everyone know how far up that goes? Or
2 you said you weren't able to see it on the plan. How do they know
3 how far that slope is dredged up to the shoreline?

4 A. You'd have to ask the surveyor on that on what -- they
5 project that line to zero is what I know. It goes to zero
6 elevation.

7 Q. Is that something that you're concerned with in your
8 day-to-day work, or is that between the surveyor and the project
9 superintendents?

10 A. As far as where that falls and what that -- I mean, I'm --

11 Q. So how much are -- where they're dredging, how much they're
12 going to remove in a particular day --

13 A. Yeah.

14 Q. -- what the boundaries of the project are, are they working
15 within the boundaries; is that your concern, or is that somebody
16 else's?

17 A. No, that's -- yeah, that's my concern for production.

18 Q. Okay. Do you know if they had done any work outside the
19 boundaries?

20 A. No.

21 Q. Okay.

22 MR. STANCIL: I'm going to pass it on. I'll probably have a
23 few more when we get a second round. Thank you.

24 MR. EHLERS: Okay. Roger, do you have any questions?

25 MR. EVANS: Just a couple.

1 BY MR. EVANS:

2 Q. When you make notification about --

3 MR. EVANS: This is Roger Evans, R-o-g-e-r E-v-a-n-s.

4 BY MR. EVANS:

5 Q. When you make notification to a supervisor that you have a
6 pipeline that he needs to be aware of, would you normally just
7 tell him, or is that communication to the captain and leverman?

8 A. To who now?

9 Q. When you said you'd made -- you communicated the fact that
10 there was a pipeline there, and you said you made that to the
11 superintendent. Is that typical, or would you actually usually
12 make that notification to the captain and the leverman?

13 A. No, that's typical.

14 Q. Okay.

15 MR. EVANS: That's all I have. Thank you.

16 MR. EHLERS: Okay. Luke?

17 MR. WISNIEWSKI: Yes, this is Luke with NTSB.

18 BY MR. WISNIEWSKI:

19 Q. I wanted to circle back a little bit with the HYPACK. It's
20 a -- DREDGEPACK's a module within HYPACK, and can you share a
21 little bit about the survey department and how they input -- I
22 know that was brought up, and I just wanted to get some
23 clarification. What do they do with those hydrographic surveys
24 that you receive? How is that inputted to them? How is that
25 relayed to the ship?

1 A. As far as getting the surveys or --

2 Q. Yes. The hydrographic surveys are taken prior to the day.
3 They're usually -- what, a day? A week? How long before they
4 start digging?

5 A. Oh. So yeah, you'll do a survey, yeah, approximately a week,
6 2 weeks before to collect what we call before dredge, and then
7 that's given to the dredge and, you know -- it's given to the
8 dredge captain and operations as soon as it's done.

9 Q. Okay. And so is that information loaded on DREDGEPACK via a
10 thumb drive, or is that replicated out to the ship, to the vessel?

11 A. I think that's loaded. I'm not real sure on that. I think
12 it might be loaded remote, but yeah, I'm not 100 percent on it.

13 Q. That's okay. Who would know that information? And yeah, I
14 don't want you to speculate. Just tell me you don't know. Can
15 you tell me who would know that information?

16 A. Nick Gregg.

17 Q. And is he in the survey department?

18 A. Yes.

19 Q. Do you know if your company maintains like backup files of
20 what was sent out to the vessel? You know, if it was given in a
21 thumb drive? Do you know if that's --

22 A. I mean, they have -- yeah, they have that information of what
23 was loaded. Is that what you're asking?

24 Q. Right. Is that -- just wondering if you keep a database on,
25 you know, at the company of the files and how they're loaded out.

1 So you keep a revision history, right? You get new hydrographic
2 surveys come in, and you may not know, but is that still -- is
3 that all kept in the survey's department?

4 A. Yes.

5 Q. Do you get updates on that?

6 A. Yeah. Like, if we were on a survey -- if they're running a
7 survey, like a interim or a check survey, then as soon as that
8 gets processed, it gets sent out to the dredge and everybody.

9 Q. So help us understand that. And I know a little bit about it
10 as far as like a survey, and then once you dredge that area,
11 right, that's like the as-dredged depth or the as-dredged area,
12 and that's how you get processed for payment on this project, or
13 how does that work? Can you take us through that?

14 A. By cubic yards removed from a before-dredged survey and a
15 after-dredged survey.

16 Q. And so how often does that -- how often is that performed?

17 A. That's the one --

18 Q. Daily?

19 A. No. No, I mean, that's the one that can vary. I mean, you
20 know you're going to get one once a month for a pay application,
21 but there could be check surveys weekly or biweekly. It kind of
22 depends on our ability.

23 Q. Okay. From this project in particular, do you know what the
24 PRDC (ph.) was for the hydrograph surveys and the before and
25 after?

1 A. I believe we had two surveys. I know we had a before survey
2 and then two interims or what we call interims.

3 Q. And when were those interims performed?

4 A. The 17, this one, and -- I don't have anything in front of
5 me. I don't know when the other one was.

6 Q. Okay. Yeah, so it's something you could find for us, right?

7 A. Uh-huh.

8 Q. Find out? Okay. And is there any like allowable overdrafts,
9 over-depths in your -- laid out in these plans?

10 A. Yeah, I believe it's on the plans.

11 Q. And is there also for that (indiscernible) acceptable
12 variance?

13 A. Not that I'm aware of.

14 Q. Take me through just a little bit more about this -- the
15 DREDGEPACK, and if you don't know, that's fine. But what is the
16 leverman seeing in the DREDGEPACK software? What's in front of
17 them?

18 A. I mean, I believe it's like a plan viewed on the screen or
19 like a plan -- like the plans you're looking at. It's, it's --
20 yeah, like that.

21 Q. Okay. And is it like a -- if you don't know, that's fine,
22 but is it like a cross-sectional view? Is it a 3D modeling?
23 We've heard some discussions about the ability to have colors like
24 to show you where you dredge, where you swing the barge back and
25 forth.

1 A. Yeah. I mean, it's not like 3D. I mean, it's like a plan
2 view and then you have like squares. Yeah. Like, as the dredge
3 swings, it's just painting a color as they went on a certain
4 depth, right?

5 Q. Okay.

6 A. I mean, you don't know if that's what's really happening.
7 You see what I'm saying? It's just painting a color, and the
8 dredge knows that it's been over that area.

9 Q. Right. What type of devices are on the cutterhead to
10 indicate its location? Are you familiar with any of that
11 equipment? Like the digital GPS, the directional, the
12 inclinometer?

13 A. I mean, I'm not clear on it. I know it's there, but yeah,
14 I'm not familiar with any of that.

15 Q. Who oversees that? Is that a superintendent's job to make
16 sure that's calibrated? Who would be that -- who could we talk to
17 on that?

18 A. That would probably be the survey department.

19 Q. Okay. Do you know an individual's name?

20 A. Nick Gregg.

21 Q. Okay. So the same individual. All right. I want to follow
22 up a little bit with the superintendent. So the DREDGEPACK
23 software's out there. The superintendent -- what's a
24 cross-sectional or the HYPACK/DREDGEPACK software and go back and
25 forth? I'm trying to figure out who coordinates what was

1 available to the leverman and the captain onboard to the plans
2 that were provided to see how they matched up. Who does that
3 quality check?

4 A. That would be the captain.

5 Q. That's the dredge captain's responsibility?

6 A. Yeah.

7 Q. Okay. Because what I'm trying to get at is like, right, I
8 have a cross-sectional view in front of me. One shows, let's say,
9 a buoy marker here. Will that show up in the cross-sectional view
10 of the DREDGEPACK? If you don't know, that's fine. We'll follow
11 up a little bit more with the other group. I'm just curious, who
12 handles that?

13 A. I mean, survey guy. I'm not --

14 Q. Okay. That's fine. I want to go through a little bit about
15 the timeline of this project. Can you share with us where it was?
16 Was it on schedule? Was there delays? You know, and share with
17 us any type of delays that come up, whether it's like weather,
18 couldn't get in there because a ship was there. Share a little
19 bit with us like where you're at. Where were you at on this
20 project?

21 A. We were on time and on schedule. I mean, yeah.
22 Everything -- there hadn't been any issues.

23 Q. Okay. No delays or anything. Would that mean permitting or
24 any -- everything was on schedule?

25 A. (No audible response.)

1 Q. All right.

2 MR. WISNIEWSKI: I think that's all I have at this time.

3 Thank you.

4 MR. EHLERS: Okay. I believe that covers NTSB. I'll turn it
5 over to the Coast Guard.

6 MS. VON STERNBERG: This is Heather. Can we take a quick
7 5-minute break for a restroom?

8 MR. EHLERS: Yes. We'll restart at -- let's just go ahead
9 and restart at 3:30.

10 MS. VON STERNBERG: Okay. Great. Thank you.

11 MR. EHLERS: Yeah.

12 (Off the record.)

13 (On the record.)

14 BY ■■■■■

15 Q. I want to go through some clarification stuff, but kind of at
16 the outset, have you been on or were you a project manager before
17 when you were working your pipelines?

18 A. Say that again. I'm sorry. I couldn't hear you.

19 MS. VON STERNBERG: Yes, it's kind of hard to hear you.
20 Sorry.

21 ■■■■■ Sorry. We're in a closed service room.

22 BY ■■■■■

23 Q. So have you been a project manager before on any projects
24 with pipelines that were near the dredging operation?

25 A. Yes.

1 Q. If you recall, do you know who marked those pipelines?

2 A. Well, it would be the pipeline operator or owner.

3 Q. Okay. And have you ever marked any of those pipelines?

4 A. Me physically? No.

5 Q. Have you ever directed that they be marked?

6 A. Yes.

7 Q. And those occasions where you directed, what made you say,
8 hey, those pipelines need to be marked? What kind of triggered in
9 your head?

10 A. Well, the same for like this -- down in this area. You know,
11 this pipeline being close by our template, what you see on the
12 plans, right? And, you know, having Ashley do the one call and
13 then following up with her, and I was like, you know what, we need
14 to make sure we get them marked, because they kind of run close
15 there, right? So get with those operators that respond to one
16 call ticket, and let's get those lines marked. Typical operation,
17 our lines run across the channel, right? He can keep them across
18 the channel. They're marked a different way, but yes.

19 Q. Okay. Have you encountered pipelines this close to shore
20 before?

21 A. No.

22 Q. Okay. And do you know -- from your previous experience, do
23 you know how the crew is notified that they're going to be
24 dredging near a pipeline? Crew meaning the leverman or the
25 captain.

1 A. Yeah. Usually, we direct everything back through the captain
2 or superintendents, and they get with the captains. And kind of
3 like in this instance, I had Ashley like, hey, notify those guys;
4 send them an email and notify them like, hey, there's pipeline in
5 the area. And we did get it marked visually.

6 Q. Okay.

7 A. And several discussions with the superintendents, you know,
8 throughout the office about, hey, there's pipelines there. Make
9 sure everybody knows, right? I mean, just kind of normal
10 operations of making sure everybody's aware.

11 Q. Are you usually -- are you the one kind of leading that
12 meeting, letting them know? Or once the information is passed,
13 it's somebody else's responsibility to let everybody know and talk
14 about it as a group?

15 A. Well, I kind of made Ashley help them with this to make sure
16 that everybody knew.

17 Q. So then talking about, you know, the most recent event,
18 right, the 219 EPIC dock. Did you have a meeting where you kind
19 of talked to the crew? You know, maybe leverman and the people
20 who need to be in the know and say, hey, guys, there's a pipeline
21 to the southeast; just make sure you all know that.

22 A. No. Not with, like -- are you saying like a toolbox meeting
23 with those guys or something?

24 Q. Yeah. Yeah. Maybe sit down with everyone and talk about
25 safety and say, hey, guys, just make sure -- there's a pipeline

1 marked so you guys know.

2 A. No. I mean, with operations and the way it is and with
3 COVID, it's been a lot of distance, but that's why it's been email
4 and phone calls.

5 Q. Okay. But, normally, you probably would've had those
6 discussions if you guys were in the non-COVID environment?

7 A. I mean, possibly. But, even then, it would've just been
8 distributed down to the captain levels and those guys to get --
9 they're in charge out there, right? It's their operations.

10 Q. Got it. And so, to your knowledge, then, the captains,
11 they're the ones who then distribute that information to the crew
12 at some sort of morning safety briefing or something like that.
13 Maybe before they go on their 2-week shift, they discuss what's
14 going on.

15 A. Yeah, I'm assuming. Yeah. I mean, it's his operation I
16 guess.

17 Q. Okay. Thanks. That clarified a lot. Do you know if Orion
18 has any policies as to whose procedures for dredging your
19 pipelines?

20 A. We have for dredging over pipelines, yes.

21 Q. Is it an SOP or just some sort of internal policy that you
22 guys have?

23 A. It's SOP.

24 Q. I'm sorry. Standard operating procedure?

25 A. Yeah, it is. Yes, yes.

1 Q. Okay. And included in those, do you think you covered, you
2 know, the pipelines near shore?

3 A. Well, you're saying on the standard operating procedure?
4 Yes, of how we proceed with pipelines, yes.

5 Q. And when you said like dredging over -- and you said most of
6 our pipelines are running over, so I just wanted to make sure
7 that, you know, if there were some pipelines near shore that you
8 could probably take that policy and say, hey, guys, we're going to
9 be following this; this is our standard operating procedure for
10 it.

11 A. Right.

12 Q. Cool. Right. Okay. So do you know if the EPIC pipeline was
13 marked?

14 A. Yes.

15 Q. I'm sorry. The pipeline (indiscernible).

16 A. (Indiscernible).

17 Q. Yeah. Okay. Did you know how that pipeline was marked?

18 A. With cane poles, because I had -- I believe Ashley -- and my
19 discussions with Ashley is they needed support to go out there,
20 and I said, that's fine; we can offer support to help get that
21 line marked. And so I had her and our guys with cane poles, which
22 we've used throughout the years to go mark lines or mark things.

23 Q. Were you ever on-scene to see the cane poles when they were
24 marking the pipeline?

25 A. I was not.

1 Q. Do you typically, in the past, do you put on some sort of,
2 you know, pink or some sort, you know, orange ribbon to kind of
3 show like, hey, this is the pipeline that we're talking about just
4 so everyone can see it? Is that common?

5 A. No. I mean, cane poles is usually what we've used.

6 Q. Okay. So nothing else kind of hanging off the cane poles as
7 a visual indicator or anything?

8 A. No.

9 Q. Do you know, when the cane poles are being set in, when
10 you're marking the pipeline, do you follow any sort of federal or
11 state regs or any sort of internal guidance for marking or at
12 least overseeing the marking if you see someone else doing it?

13 A. Will you restate that again? I'm sorry.

14 Q. Yeah. So, when the pipelines are being marked, do you kind
15 of look at any federal or state regulations or statutes or any
16 sort of internal documents that show kind of where the markings
17 should be put when you're looking at the kind of end product and
18 where the markings are put near the pipeline?

19 A. No, that's for the Enterprise to mark their lines.

20 Q. So you don't follow-up? You don't look at any sort of --
21 like the Texas Administrative Code to make sure like, hey,
22 Enterprise marked them correctly, like a follow-up?

23 A. No.

24 Q. I'll get into some safety stuff. Are you aware that -- I
25 think it's the safety-specific -- site-specific safety plan for

1 the EPIC dock?

2 A. Yes. The --

3 Q. Who --

4 A. Go ahead.

5 Q. Who prepares the safety plans?

6 A. That'd be Nathan Hawthorne (ph.).

7 Q. Do you know, in the past, when you're working near pipelines,
8 any mention of the pipeline that included in the safety plan?

9 A. Not to my knowledge.

10 Q. Okay. Are you aware of these Target Zero report? Have you
11 ever heard that?

12 A. Target Zero is our culture and what we're driving towards.

13 Q. And in the past, or even during the EPIC dredging, do you
14 know if there's kind of any Target Zero reports that were issued
15 for working near pipelines or pipeline safety? Anything like
16 that?

17 A. No.

18 Q. Returning to the operation side. Do you know, based on the
19 survey or any other documents that you looked at, kind of how
20 close, you know, the dredge was supposed to get to the shoreline?

21 A. How close it was supposed to get to the shoreline? Or, I
22 mean, because --

23 Q. Basically, how close they were supposed to be to the
24 shoreline?

25 A. Not -- I mean, not -- to my knowledge, not within 30 foot or

1 so. I mean, the shoreline meanders, right?

2 Q. Yes, sir. Yes.

3 A. Yeah.

4 Q. And so did you ever go on-scene at all during this, either
5 phase one or phase two of the dredge project?

6 A. No.

7 Q. Did you ever receive any reports on, I guess, what was being
8 dredged or whether the, you know, the dredging or the cutting was
9 coming near the pipeline?

10 A. No. I mean, from our surveys, our interim surveys, no.

11 Q. So you didn't see anything that would've indicated any, you
12 know, hey, maybe we're cutting a little too close to the pipeline?

13 A. No.

14 Q. And I know we talked about the anchor barge kind of being
15 close to the pipeline. That's what kind of triggered like, hey,
16 maybe the anchor barge is going to get too close. Did anybody
17 else express any concern that yes, the anchor barge could be a
18 concern if it gets too close to the pipeline?

19 A. Yeah. Pre-dredging is what you're talking about?

20 Q. Yes, sir.

21 A. Yeah. The superintendent, George Cordova (ph.), yeah.
22 Because he's seen operations and would know those kind of details,
23 but yeah, set an anchor which kind of triggered, hey, we need to
24 go -- we need to do more and get -- we need to get it physically
25 marked so we can physically see the line and know, hey, it's

1 there. Stay off of it.

2 Q. Okay. I'm just looking through my notes. All right. So
3 during the operations, who decides where these anchor barges are
4 going to be placed?

5 A. The anchor barges or the anchors?

6 Q. I guess the anchors, where they're going to be placed in
7 relation to the dredge and, you know, who calls out like hey, you
8 know, put the anchor there?

9 A. I believe that would be the leverman.

10 Q. So kind of turning to -- so we've covered a lot on the
11 DREDGEPACK. I've already crossed out some questions, so I think
12 we're going to reserve those for the survey department, but can
13 you just take me through, we're talking about a DREDGEPACK, kind
14 of how the DREDGEPACK works?

15 A. I mean, it's all GPS located, guided software.

16 Q. And the GPS, is that -- do you know where that's located?
17 How they tell or --

18 A. I don't.

19 Q. Okay. Do you know, from your previous experience, you know,
20 can you load certain markers into the software?

21 A. Yes.

22 Q. And, based on your previous experience, what is normally
23 loaded into the software?

24 A. As far as, you know, obstacles or walls?

25 Q. Yes. So any hazards, kind of typical hazards that you've

1 maybe run into in the past, and you're like hey, yeah, that needs
2 to be loaded.

3 A. Yeah. I mean, bulkhead walls have been on there or lines. I
4 mean, they're not -- you know, pipelines crossing channels have
5 been on there in the past but -- if we have those locations from
6 the one call.

7 Q. And kind of going back to this -- to the EPIC dredging, could
8 the pipelines, since they were located, could those have been
9 loaded onto that software?

10 A. We didn't have the coordinates for those lines, so it could
11 not have been. So we used the physical markings of the lines.

12 Q. Okay. And who would usually get those coordinates for the
13 lines?

14 A. Ashley or -- I mean, usually, whoever did the one call
15 ticket. I mean, Ashley would've got that information or tried to
16 get it, but sometimes they don't provide that information.

17 Q. Based on your experience with the pipeline, you know, being
18 close to the dredging operation, is that something you would've
19 liked to have are these coordinates so we could maybe put them
20 onto the software?

21 A. Possibly. But physical marking is usually -- I mean, it's
22 more accurate. You can see it.

23 Q. All right. And I guess kind of turning more to job-specific
24 stuff for you. You know, during the dredging evolution, what
25 reports do you file internally, if any?

1 A. One of the like daily dredging reports we get. You know,
2 where they've been. They're daily dredging reports that we get.
3 They come here to the office. Ashley does a recap on that, and
4 then we adjust as we get surveyed that information on those.

5 Q. Anything that you specifically prepare either kind of
6 internally or externally? Something maybe you give to the client,
7 say, hey, this is what we've been doing, other than the -- I know
8 we've talked about the -- you know, talking about the billing and
9 stuff, but any other sort of reports?

10 A. Yeah, I have Ashley do a dredging daily report to give to the
11 client.

12 Q. What's included in there?

13 A. Just dredge time, like the dredge running time, stationing
14 where they've been, everything related to what they've done to
15 that day basically that relates to running time on the dredge. So
16 they have like a leverman log, and that gets put into a report,
17 and that leverman log states, usually to the minute or 5 minutes,
18 like what they did and where they were at. So if they were
19 dredging and they had to move anchors, which is non-productive
20 time, then they would write moved anchors, you know, from 12:00 to
21 12:05, 5 minutes to move anchors, and then we continued dredging.

22 Q. That's part of this report?

23 A. Yes.

24 Q. Does that report contain any sort of hazards that were
25 encountered, maybe if you guys thought any pipelines right here,

1 would you add any of that in there or not really?

2 A. No. I mean, because this is generated from the captain, and
3 it's sent to the office daily. I mean, if he had a concern, he
4 might've put it on there, but typically, not usually. No, sir.

5 Q. All right. Sorry to go back to the physical marking. Have
6 you encountered in the past where the physical marking, you know,
7 may not have been seen by the leverman? The physical marking on
8 the pipeline?

9 A. Going back to in the past? Like, no. Like, everybody would
10 see or know the markings. Yeah.

11 Q. And, again, this is typically something when it gets passed
12 up the chain, or I guess down the chain to the operators. That's
13 the captain's responsibility to let the leverman and the other
14 crew know that there are some physical markers on the pipeline?

15 A. Yes.

16 Q. And so it's possible that, you know, maybe the leverman
17 couldn't always see the physical markers, you know, onshore
18 depending on how many feet he was away?

19 A. No, but, I mean -- I don't know. I mean, they've been there.
20 The markings were there, and they've been visible for weeks on
21 there. You know what I mean? I mean, I don't know how they would
22 not see them. You know what I mean? Everybody would see them and
23 know they were there.

24 Q. Did you have any confirmation? I mean, any sort of daily
25 safety briefings or anything that maybe kind of logs, you know,

1 what was said in meetings, you know, what hazards were kind of
2 given to the crew to make sure they look out for? Anything like
3 that?

4 A. No, I don't have anything like that. I mean, the captain may
5 have -- you know what I mean? His daily routine out there, he
6 might've, but I don't -- yeah.

7 [REDACTED] Okay. That's it from the Coast Guard right now.
8 Thanks, Jacob.

9 MR. BURES: Thanks.

10 MR. EHLERS: Okay. Thank you very much. I will turn it over
11 to Enterprise.

12 MR. TRUONG: Hi, this is Nhan Truong, N-h-a-n, last name is
13 T-r-u-o-n-g. Thanks again, Jacob, for your time.

14 BY MR. TRUONG:

15 Q. Can you -- you said that you were the project manager over
16 this entire project. Can you describe as far as what was
17 completed already for phase one? I guess I'm more interested in
18 who was mentioned that sloping was already done.

19 A. Yeah. I mean, there was a chunk of material removed. There
20 was approximately 200,000 yards, and we had removed approximately
21 50,000. I don't have the exact numbers, but we've already dredged
22 some from the template.

23 Q. Was that dredging that was done in phase one in the area of
24 the incident, and you had to go back and re-dredge it? Or was
25 that -- or was the sloping from phase one in other areas, or did

1 it include the incident area as well?

2 A. No, it was in a different area.

3 Q. Okay. And on the dredge plan itself that was provided by
4 Snyder, so the pipeline was overlaid in one of the drawings. Do
5 you happen to know where that overlay or where that pipeline route
6 was obtained?

7 A. I do not. On the drawing?

8 Q. Yes, sir.

9 A. Yeah, I do not.

10 Q. Okay. Those are the only -- I guess you stated that Ashley
11 would've requested the coordinates. Was that all verbal or
12 emails, or do you recall? You stated that, if she were to upload
13 a pipeline to the DREDGEPACK, you would need the coordinates for
14 the pipeline. I guess when you tried to obtain that through the
15 one call system, was that an email or a verbal conversation? Do
16 you recall?

17 A. I don't recall. You'd have to ask Ashley what's in that
18 information.

19 Q. Understood. And then you mentioned a name, and I didn't
20 catch it. It was a Nick?

21 A. Gregg.

22 Q. Was it Hawthorne? Nathan Hawthorne?

23 A. Nathan Hawthorne? Yeah.

24 Q. Okay. And what's his job title?

25 A. HSC Manager I believe.

1 MR. TRUONG: Okay. That's all I have. Thank you.

2 MR. EHLERS: Okay. Thank you.

3 Orion? Graham, do you have any questions?

4 MR. KENYON: I do. Just a couple.

5 BY MR. KENYON:

6 Q. First of all, hey, Jacob. How are you doing?

7 A. I've been better, Graham. How are you?

8 Q. Just relax. You're doing fine. With regards to the
9 template --

10 A. Yeah.

11 Q. -- when we're talking about the dredge template, does the
12 template take into account pipelines?

13 A. Yes.

14 Q. Okay. When you're looking to monitor the dredge, what
15 various different ways do you do that?

16 A. I mean, we get the data reports and the conversations with
17 the superintendents that have had daily with the dredge. You can
18 monitor it. You can log into the dredge remotely from the office
19 and see it where it's at dredging.

20 Q. Okay. So basically, you've got various ways of doing that.

21 A. Yes. Yes.

22 Q. I know there was a couple of questions regarding the slope.
23 Obviously, the top of the slope itself, is that actually on the
24 dredging plans itself?

25 A. Yes, I believe it shows it on one of those pages.

1 Q. Okay. When we're talking about the project engineers, how do
2 they convey the pipeline locations to dredge management?

3 A. Usually email, phone call, several different ways to get it
4 out there that there is a pipeline in the area. Like, in this
5 case, you know, I had to go out and physically mark the line and
6 then notify the dredge and all personnel -- all management
7 personnel that there is a pipeline in the area, and it's been
8 marked.

9 Q. Okay. Makes sense. And how do you, yourself, as the project
10 manager, ensure that the one call is performed?

11 A. I converse with Ashley to make sure it was done. I mean,
12 physically go talk to her and ask her, hey, was this done? We had
13 several conversing meetings back and forth about what was done,
14 what was said, you know, who responded to the one call, and then
15 go from there.

16 Q. Okay. When we're talking about cutting the slopes, is there
17 an allowable overdraft that we generally use on the side slopes so
18 you're allowed to go past what the actual plan is placed a certain
19 amount?

20 A. No. I mean, it's not -- you know, it's not scalpel surgery
21 underwater.

22 Q. Right.

23 A. I mean, it's dredging underwater, so we -- typically, I mean,
24 there's -- I guess from an operational standpoint, it's not a plus
25 or minus, but you don't get paid for over-dredge, so we try not to

1 over-dredge.

2 Q. Right.

3 A. You know what I mean?

4 Q. At the same time, we obviously try to stick within the plan
5 as much as possible.

6 A. Correct. You're trying to follow that as close as possible.

7 Q. Okay. All right. What else did I have? Who would normally
8 provide the GPS coordinates to Orion with regards to the
9 pipelines?

10 A. That would be the operator/owners of the line.

11 Q. And in this case, it would be Enterprise for that particular
12 pipeline?

13 A. Correct.

14 Q. Okay. Is Orion responsible in any way for marking or
15 overseeing the marking of any pipelines?

16 A. No, not to my knowledge. I mean, not in my years'
17 experience. We rely on the one call and those pipeline
18 operator/owners to mark their line.

19 Q. Okay. I think a couple of last questions. Are there any
20 liability reasons that Orion prefers not to determine the
21 coordinates of pipelines in the area itself?

22 A. Well, yeah. I mean, he doesn't want to -- doesn't like to
23 put information on there that he's making up. I mean, it's not --
24 you know, it needs to be -- he wants to have -- like, our auto
25 tech guys, our survey guys, they want to have the information, and

1 you don't want to arbitrarily put something on there that doesn't
2 go, right, a bad coordinate.

3 Q. We're relying on somebody else, in this case, Enterprise,
4 from the pipeline perspective to notify us exactly where that
5 pipeline is.

6 A. Correct.

7 Q. Okay. One last thing was just a question that came up
8 earlier on. Can you just briefly describe for everybody the
9 difference between anchors and the anchor barges?

10 A. Yeah. So the anchors are what the dredge uses to swing off
11 of. They're literally, like they say, an anchor. An anchor barge
12 is a vessel that is used to move the anchors. It's a lifting
13 device to pick the anchors out of the water and set them.

14 MR. KENYON: Okay. I appreciate it. Obviously, we had some
15 confusion between the two, so I appreciate the explanation.

16 MR. BURES: Yeah.

17 MR. KENYON: That's it for me. So I'll pass it over to the
18 next person.

19 MR. EHLERS: Okay. PHMSA, please.

20 BY MR. RODRIGUEZ:

21 Q. Thank you, Jacob. Thank you for your time. Did you receive
22 any training on the field of dredging operations?

23 A. Any training on field operations?

24 Q. Yeah, that's correct.

25 A. Yes, I've been out to the dredges when I was a project

1 engineer.

2 Q. And how far can the swing incur from the dredge?

3 A. I don't have any like physical training on dredging, so I'm
4 not sure on that.

5 Q. Who would know how far they can go?

6 A. The superintendent, captain, all the guys that have had
7 experience being dredge boaters.

8 Q. All right.

9 MR. RODRIGUEZ: Well, thank you very much. I don't have
10 anything else for now.

11 MR. EHLERS: Okay. Thank you very much.

12 The Texas Railroad Commission.

13 BY MR. PEREZ:

14 Q. Good afternoon, Jacob. This is Ron Perez. How are you?

15 A. Good, Ron. How are you, man?

16 Q. Very well. Just a few questions from my end to clear things
17 up. As you had some previous experience, as you moved your way up
18 the company with dredging operations and such, in this particular
19 case, you were working with Ashley; is that correct?

20 A. Yes.

21 Q. As an owner or as a company man, when you guys do these
22 surveys and you're working with operators on projects, other than
23 the mapping -- the digital mapping that you guys provide with
24 operator, do you ever physically go to a site and mark where
25 exactly your dredging operation will take place as an excavator?

1 A. No.

2 Q. Okay. When you guys rely on GPS coordinates, if an operator
3 fails to give you GPS coordinates, do you guys take your own
4 action, or what's your process if you do not obtain the
5 information you need?

6 A. For getting the coordinates?

7 Q. Correct.

8 A. Then we ask to get it physically marked.

9 Q. Okay.

10 MR. PEREZ: Thank you, sir. That's all I have.

11 MR. EHLERS: Okay. Thank you. I actually have a follow-up
12 question to Ron's question.

13 BY MR. EHLERS:

14 Q. So, if you don't have those GPS coordinates, and the only
15 indicator you have, the operator has, the leverman has is those
16 physical marks -- in other words, even if the pipeline is going
17 through what he has in front of him in DREDGEPACK is an area that
18 needs to be dredged, he's got to see those physical marks; is that
19 correct? So let me re-ask the question. I can tell I've confused
20 you. I'm sorry.

21 A. What you're saying is going through -- go ahead.

22 Q. So, if a pipeline is in an area that's to be dredged, but you
23 don't have the coordinates, is the only indicator that the
24 operator, the leverman has, is those physical marks? In other
25 words, he might have -- his DREDGEPACK software might tell him

1 that's an area that needs to be dredged, but he's got to rely on
2 seeing those physical marks; is that correct?

3 A. No, he would have all that information beforehand.

4 Q. What information? How does he get that?

5 A. It would be on the plans or it would be shown somewhere that
6 there's pipelines and they're here, and then we would do as much
7 due diligence as possible to get the information from the one
8 call, which we rely on to pass that back down.

9 Q. Okay. But, if you don't get that GPS information, how does
10 that information get to the operator then -- the leverman then?

11 A. As far as not getting the GPS location across the channel?

12 Q. No, I'm talking -- yeah, I'm talking -- you mentioned that
13 you didn't have the GPS coordinates of this pipeline.

14 A. Right.

15 Q. So how did the leverman know where that pipeline was other
16 than the physical marks? I mean, is it possible that his
17 DREDGEPACK software was telling him to dredge in an area where the
18 pipeline was, but he had to know that because of the physical
19 marks not to dredge there?

20 A. I don't believe that would be the case. I mean, the physical
21 markings would tell him, but -- I mean, are you saying there's
22 something wrong with GPS?

23 Q. No, what I'm saying is, if you don't have the GPS coordinates
24 of that pipeline, does that pipeline -- does he know that, that
25 hazard's there by looking at his DREDGEPACK software?

- 1 A. No, the template?
- 2 Q. Right.
- 3 A. While looking at the template?
- 4 Q. Right.
- 5 A. No. He would have the template, but he'd have to look at the
6 plans -- is what's the use of plans, the template on their screen.
- 7 Q. Okay.
- 8 A. And that shows them where they're at physically.
- 9 Q. Okay. But, if you don't have the coordinates of the
10 pipeline, how does he know where that pipeline is?
- 11 A. From the physical markings.
- 12 Q. Okay.
- 13 A. And so it shows there's pipelines there, and we had them
14 physically marked.
- 15 Q. Okay. But so does his DREDGEPACK show that pipeline or not?
- 16 A. Does his -- I mean, I don't know if this one -- I don't
17 believe this one did, but sometimes they do. They can.
- 18 Q. Okay. So is it feasible that a pipeline is in an area that
19 the DREDGEPACK has to be dredged, but because you don't have
20 physical -- or excuse me, GPS points, it's not on -- marked on
21 that DREDGEPACK?
- 22 A. Not marked on it? Yeah, it's not going to -- if you don't
23 have the GPS coordinates, you're not going to put it on the
24 DREDGEPACK.
- 25 Q. Okay. You're relying on him on seeing the markers?

1 A. The physical markers?

2 Q. Yeah.

3 A. Yes. For this instance, in this area, it's outside the
4 template.

5 Q. Is the slope outside the template?

6 A. Is the slope outside the template? The slope is part of the
7 template.

8 Q. Okay. All right. I'm going to share my screen here. You've
9 got to help me understand again. Can you see this picture here?

10 A. Uh-huh.

11 Q. What is the template? Is it this line here, or is there some
12 other thing that shows where the slope is?

13 A. It would be the other drawing that shows a slope as it's
14 carried up. Where it says top of slope, right?

15 Q. Okay. But, obviously, this picture only shows top of slope
16 and a couple areas. How does he know where the top of slope is in
17 other areas?

18 A. I mean, it's interpolated that -- I mean, there's not a
19 change in that.

20 Q. Okay. So how does he know where -- and also, this arrow's
21 pointing at top of slope, but it corresponds to 25 feet deep. I'm
22 not quite sure I understand this picture, maybe because that's not
23 the top of the slope. I guess I'm trying to figure out -- I don't
24 understand how he knows where his -- at the top of the slope where
25 his cutterhead's going to be.

- 1 A. Well, he's controlling it. He knows where he's at.
- 2 Q. Okay. Does he also know where that pipeline is?
- 3 A. Yeah, because he can physically see the pipeline, and then he
- 4 has guidance on that slope that carries him up to there where --
- 5 if you go to a cross-sectional view.
- 6 Q. Yeah.
- 7 A. Right? You see that? That's for the entire template, and we
- 8 provide surveys also from when we do a survey that's given to him
- 9 before the BD survey that gentleman was asking about before. All
- 10 that information is given to him with showing the slope and the
- 11 entire area, a plan view and the slope.
- 12 Q. Okay. Is a pipeline shown on a cross-section like this?
- 13 A. It is not because it sits outside that area.
- 14 Q. Okay. Is there a drawing, an overhead drawing, that shows
- 15 where the top of the slope is all around the template?
- 16 A. Just this one I have.
- 17 Q. This one here?
- 18 A. Yeah.
- 19 Q. Okay. But there's not a drawing that shows the top of the
- 20 slope around the entire trapezoid here; is that correct?
- 21 A. Yeah.
- 22 Q. Okay. All right.
- 23 A. Maybe our BD survey has one.
- 24 Q. Okay. And we can ask survey.
- 25 A. Survey has that. It shows it all laid out.

1 Q. Okay. All right. Then we'll ask the survey that question.
2 So okay.

3 MR. EHLERS: All right. I will have one more question for
4 you, but I'm going to go another round with my colleagues here.
5 Paul?

6 MR. STANCIL: Thank you, Drew.

7 BY MR. STANCIL:

8 Q. Yeah, going on with this discussion about the markers, does
9 the leverman have to keep one eye on a screen, the other eye out
10 the window to make sure he's not getting too close to the markers?

11 A. One on the screen and one eye -- I mean, I don't know how
12 those guys are physically operating, but dredging is not a fast
13 process.

14 Q. Is there a lookout that watches the cutterhead to ensure that
15 it's clear of any hazards or staying away from markers?

16 A. No, the leverman's in control of that.

17 Q. So it's only the leverman. So he has to watch for markers
18 and, at the same time, watch a screen; is that correct?

19 A. I mean, yeah. I mean, he's got to see everything. He's in
20 control.

21 Q. Okay. Does everyone know what those cane poles are for?

22 A. To my knowledge, yes. They're marking the pipeline.

23 Q. Do the dredge crew work around pipelines enough to know that
24 the cane poles signify that there's a pipeline there?

25 A. Yes.

1 Q. Regarding your SOP that you mentioned, does it indicate or
2 specify how far dredging is supposed to stay away from pipeline
3 markers?

4 A. Well, I mean, most of the time, we're crossing pipelines, and
5 we have a process for crossing the pipelines. I mean, in this
6 instance, they were supposed to maintain 20 foot off of these
7 markers -- off of these cane poles.

8 Q. And how was that indicated? Is that something verbally
9 understood, or was there something in writing that said they had
10 to stay 20 feet away?

11 A. There was an email escalated through to the dredge to the
12 captain on that.

13 Q. I'm sorry. Say that again.

14 A. Yeah, the email was sent to the dredge notifying that to the
15 captain.

16 Q. And then who sent that email?

17 A. Ashley.

18 Q. That's the same email that she sent warning of the pipeline
19 being there?

20 A. Yes.

21 Q. And it indicated that 20 feet of clearance should be
22 maintained?

23 A. Correct.

24 Q. And who was that email distributed to?

25 A. To the dredge *Waymon Boyd*, which has the captain and deck

1 captain access to that email. And that email was also copied, you
2 know, to the superintendents and all of us. That's how we saw
3 that, right?

4 Q. Okay.

5 MR. STANCIL: That's all I have. Thank you.

6 MR. EHLERS: Roger?

7 MR. EVANS: Yes, just a couple of questions.

8 BY MR. EVANS:

9 Q. When you have the 811 process in place, is there any sort of
10 time and maybe a different type of dredge that you would
11 absolutely request the pipeline coordinates from the pipeline
12 company?

13 A. I mean, there's times when we request them all the time, and
14 it's not -- sometimes they're forthright, and sometimes they're
15 not. If they give you all clear, then they clear the ticket.
16 That's typically the process.

17 Q. I see. So, in this case, were the coordinates requested from
18 Enterprise?

19 A. Yes. To my knowledge, Ashley requested those.

20 Q. And, to your knowledge, the coordinates were not supplied?

21 A. Correct.

22 Q. Okay. Thank you. Next question has to do with communication
23 with the captain and the leverman and the communication between
24 management, operations, what have you. How does all of that take
25 place? I know it's a two-shift operation, two 12-hour shifts,

1 correct?

2 A. Yes.

3 Q. And you get a report every day that basically says what went
4 on from the previous shift; is that correct?

5 A. For the day.

6 Q. For the day. Okay. When one shift ends and another shift
7 starts, is there a turnover report that, you know, the previous
8 captain and leverman turns over to the decks? And do they
9 actually have a person-to-person interface when they do the
10 turnover meeting?

11 A. Yes. There's a leverman log that's carried on for 24 hours a
12 day.

13 Q. If we were to request that -- I'm not sure if we've requested
14 that log, but would we see perhaps that the previous shift had
15 talked about something like the markers, the pipeline markers?

16 A. Can you say that again? You kind of broke up. Sorry.

17 Q. If we were to request turnover log, would we actually see
18 perhaps a discussion about the the previous shift talking about
19 the pipeline markers or getting close to the pipeline or anything
20 like that? Would that type of information be in that log?

21 A. No. Nothing verbal between those guys.

22 Q. Is that type of information passed onto others offshore,
23 onshore?

24 A. I don't know what those guys discuss during operations. I
25 mean, this report is a report of what the leverman who was on and

1 what they did during their shift and the continuation of 24 hours,
2 and then it's emailed in the next -- the following morning.

3 Q. Okay. Okay. One last question about the coordinates. In
4 any case, the coordinates are not like a whole point for you folks
5 where, if you don't have the coordinates from the pipeline
6 company, that's not going to stop you from going forward. I mean,
7 if you don't get the coordinates, so be it. You go forward
8 without the coordinates; is that correct?

9 A. Unless it -- I mean, if they clear the ticket -- if they have
10 not cleared the ticket, then there's further discussions, right?

11 Q. Okay. Okay.

12 MR. EVANS: Well, that's all I have. Thank you very much.

13 MR. EHLERS: Okay. Luke?

14 MR. WISNIEWSKI: Yes, this is Luke, NTSB again. We've been
15 going for another hour, and I just want to offer you a break or a
16 drink of water here before we continue.

17 MR. BURES: Actually, I do need some water. That'd be great.
18 Sorry. Can I grab some real quick?

19 MR. EHLERS: We'll take a 3-minute break here.

20 MS. VON STERNBERG: Five minutes, so let's say 4:25.

21 MR. EHLERS: Okay. We can do that.

22 (Off the record.)

23 (On the record.)

24 MR. EHLERS: Okay, Luke, if you want to go ahead.

25 BY MR. WISNIEWSKI:

1 Q. Just want to go back through real quick and follow up and
2 make sure I just understand this email that Ashley sent out
3 regarding the 20-foot cane pole clearance. How was that
4 determination made saying 20 feet?

5 A. I believe that's what Enterprise gave to Ashley, and that's
6 why she sent it out, because I asked her what they required on
7 that, and it was the 20-foot distance.

8 Q. And was that an email? Was that onsite verbal?

9 A. With Ashley? I think that was onsite verbal. Yeah.

10 Q. Yeah, with Enterprise?

11 A. Yes.

12 Q. Sorry.

13 A. Yeah.

14 Q. So now I understand like the feedback, how do you know this
15 email from Ashley was received by the superintendent and relayed
16 to the crew? Do you have involvement with that?

17 A. I -- well, the email is distributed, and I had feedback with
18 George Cordova about the line and Ashley to make sure that, you
19 know, everybody got that and received it.

20 Q. Okay. So, from your take, those that needed to know that
21 information had it?

22 A. Correct. Yes.

23 Q. And you indicated Cordova. Was there anyone else that you
24 spoke to or that responded to your email or Ashley's email saying
25 got it, understand?

1 A. No. I mean, general conversation with Keith Hunter (ph.)
2 and, yeah, George Cordova.

3 Q. And how was that conducted? Fax, email, telephone call?

4 A. No, it was just verbal.

5 Q. Oh, just verbal. Okay.

6 A. Yeah.

7 Q. Okay. Thanks for clarifying all of that. I want to go into
8 a little bit of the equipment onboard the *Waymon L. Boyd*. Were
9 you aware of like any type of equipment issue onboard? If there
10 was any problems, was that something that would go up to your
11 level, or would that stay at the superintendents' level?

12 A. Not any equipment other than like a major malfunction where
13 the project's got to shut down or something. Most of that
14 equipment is handled differently.

15 Q. Who would handle that?

16 A. I mean, it goes up through -- it'd be like the superintendent
17 and then our yard -- our operations manager. You know, things
18 needs to be repaired, and it goes through that group.

19 Q. Okay. So that's Mr. George Cordova and Keith Hunter?

20 A. They're superintendents, but then also, it would come back to
21 our operations manager, Glenn Kurtz (ph.).

22 Q. Glenn Kurtz. Thank you for that. But yeah, so I understand
23 anything that's a delay, you would be notified, but if the project
24 is staying on task, then you're not brought into it?

25 A. Correct.

1 Q. Okay. And same thing that goes with personnel onboard. If
2 they're short people, does that come over to you as a project
3 manager?

4 A. No. No, that would go to the superintendent level.

5 Q. Okay. So that's also handled by just operations.

6 A. Yes.

7 Q. Do you know if they were short personnel on the *Waymon L.*
8 *Boyd* on August 21?

9 A. I do not.

10 MR. WISNIEWSKI: Thank you. That's all I have for this
11 round.

12 MR. EHLERS: Okay. Thank you. I'll turn it over to the
13 Coast Guard.

14 [REDACTED] All right. Thank you. Just a couple brief
15 things.

16 BY [REDACTED]

17 Q. We're talking about the anchors. What do these anchors look
18 like? Are they normal anchors, or are there something different
19 about them?

20 A. Yeah, I'm not real sure what they look. I mean, they seem
21 like normal anchors to my knowledge. Operations would know more
22 what they look like. I mean, they look like anchors with a
23 U-shaped bottom or whatever. You know what I mean? Like, I don't
24 know if these are something different that I've never seen before
25 or something, but yeah.

1 Q. Okay. And they're hooked up to the, I guess the cranes and
2 the anchor barge, and the anchor barges lift those up, the
3 anchors, correct?

4 A. Yes. They're not -- they don't stay connected. They lift
5 and move them in place and then goes away, right? There's a buoy
6 on that anchor. They'll go and pick it up and then reset it as
7 the dredge moves or walks forward, right?

8 Q. Okay. Do you know about how far the anchor usually is from
9 the actual dredge?

10 A. I mean, I wouldn't know the changes on how they're digging
11 and the way they're digging. I mean, I know that, but I don't
12 know, you know -- I mean, I know why they have to move them
13 because, eventually, you would be pulling against yourself, right?
14 The dredge swings off of anchors, and at some point, you're
15 binding yourself and you're not allowed to walk forward, right?
16 So you restate your anchors. That gives you enough slack to
17 operate a dredge and move forward.

18 Q. Okay. And we kind of covered it before that you were worried
19 about the placement of the anchor near the pipeline. That's kind
20 of what first triggered your, hey, may be near the pipeline; is
21 that correct?

22 A. Correct.

23 Q. Okay. And was that concern more of the anchor could damage
24 the pipeline?

25 A. Well, yeah. You set an anchor on it and then you've got a

1 dredge, it basically becomes a wench, and it's pulling off of
2 that, right?

3 Q. Yeah.

4 A. I mean, so either sit it on it and damage it, or sit in
5 behind it and then when you go to pull and it digs in, you're
6 going to rip through it, right, or something like that.

7 Q. Okay. I guess I wasn't getting the behind. All right. So
8 if there was a concern dredging near the pipelines, could you or
9 someone else have stopped the dredging operations to obtain the
10 GPS coordinates from Enterprise?

11 A. Yes. I mean -- yeah. Everybody on the dredge has stop work
12 authority or stop if there's something. Yes.

13 Q. Okay. And then you or, you know, Ashley or someone with the
14 knowhow of, oh, crap, these coordinates should be on the
15 DREDGEPACK, you could've stopped and said, hey, you know what,
16 let's go ahead and stop operations; maybe let's get these dredging
17 coordinates.

18 A. Yeah. I mean, you could say that'd be an incident, but in
19 most of our operations and in the history that this -- a physical
20 marking and the pipelines sit outside the template. And we use a
21 physical marker which is -- you have a physical marker which is
22 this. You can see it, right? Everybody knows it's there.

23 There's not -- I mean, if you're on the dredge, then it still
24 goes -- it's way outside -- it's outside the dredge template.

25 Q. Got you.

1 MR. [REDACTED] Okay. That's all Coast Guard has. Thank you.
2 Thank you, sir.

3 MR. BURES: Thank you.

4 MR. EHLERS: Okay. Thank you. I'll turn it over to
5 Enterprise Products.

6 BY MR. TRUONG:

7 Q. Thanks for sitting through this long process. It can be
8 pretty, I guess -- anyways, regarding the 811 process that Ashley
9 or the engineer performs, is there a policy or procedure that
10 governs the steps they take within Orion? Not a regulatory one.

11 A. Yeah. Yeah. No, there's (indiscernible) to make sure we do
12 a one call and then get all the information that we can, or a
13 ticket's cleared and the area is clear. To the best of our
14 knowledge, that's what we utilize.

15 Q. There is a procedure that details how to or when we need to
16 submit a ticket and then how to communicate information when the
17 ticket is clear. Does that kind of summarize what you just said?

18 A. Yeah. I mean --

19 Q. Okay. And with that procedure in there, have the process
20 that you would request a GPS, a utility?

21 A. Yeah. That's not a -- I mean, it's more of a standard
22 operating procedure that we follow and have followed for years.

23 Q. Okay. When you say standard operating procedure, is that a
24 written one, or is that just a practice?

25 A. Practice.

1 Q. Practice. Okay. So there is a lot of reliance on the
2 leverman to see outside of his area. Again, I'm not a dredging
3 person, nor have I seen what his boat or room looks like, but does
4 he have an uninhibited view of his -- directly where he's dredging
5 and then where he would swing the anchor -- not the anchor, the
6 barge? Or I guess I'm trying to ascertain, how does the leverman
7 see out? What can he see when he's performing his work?

8 A. Yeah. I mean, he has a 360 degree view in the leverhouse. I
9 mean, he can see everything out in front of him. I think just
10 being up there, standing there and seeing the process, you can see
11 out there and everything, right?

12 Q. Right. So and I don't know what, you know, what was taking
13 place at the time of the incident, whether it was the dredge that
14 was moving or whether it was the actual drill bit that was moving.
15 Can you clarify that?

16 A. Well, there's not a drill bit.

17 Q. I guess the -- whatever the leverman controls. I guess what
18 I'm trying to ascertain is, was the dredge moving itself? Was the
19 whole dredge moving at the time, or was it the leverman that was
20 controlling the latter?

21 A. He controls all of it. I mean --

22 MS. VON STERNBERG: He wants to know if the dredge itself was
23 moving or was it spudded down.

24 MR. BURES: Well, it's -- is that what you're asking I guess?

25 BY MR. TRUONG:

1 Q. Yes.

2 A. If the barge swings off an anchor as discussed earlier,
3 right --

4 Q. Okay.

5 A. -- that's how the act of dredging is actually performed.

6 Q. Okay. But the spud holds it in place, and then it kind
7 of -- I guess the anchor, you pull on one, and then it would just
8 swing in a circular motion basically, right?

9 A. And in large.

10 Q. Right.

11 A. Yeah.

12 Q. Okay. So in terms of the lever itself, it only moves up and
13 down. Not sideways. The whole dredge itself would be the --

14 A. The lever is in a fixed position, other than the elevation,
15 and then the whole barge -- the front end of the barge swings off
16 an anchor.

17 Q. Okay. And when it's swinging, there's no spotters? It's
18 just the leverman looking?

19 A. Yeah. I mean, when you say there's no spotters, I mean, it's
20 the act of dredging and what it does and how it's been performed.

21 Q. So, just to give you an example, sometimes when we perform
22 excavation on land and you have a person operating the heavy piece
23 of machinery, they may have a spotter that stands behind or in
24 front of him and kind of flags if he's, you know, moving too close
25 to something or moving too fast, moving too slow just so that he

1 can be aware of his surroundings I guess.

2 A. Yeah, I'm not sure that applies here in dredging. These guys
3 have made it what they've done for several years, multiple years,
4 and understand the process of dredging.

5 Q. Okay. And then I guess, to your knowledge, when you said
6 that the email regarding the 20-foot buffer that was sent to the
7 captain and the deck captain, would it have been received by the
8 leverman?

9 A. No. I don't believe they have email. It would have been an
10 order from the captain to the leverman by his voice.

11 Q. Okay.

12 MR. TRUONG: That is all I have. Thank you, sir.

13 MR. EHLERS: Okay. Graham, do you have some follow-up
14 questions from Orion?

15 MR. KENYON: I do. I have a couple.

16 BY MR. KENYON:

17 Q. First of all, Jacob, just to clarify one of the last comments
18 that was made, the leverman is obviously responsible for the way
19 the dredging is being performed, correct?

20 A. Yes.

21 Q. And the cutterhead can be at any depth, ranging from fairly
22 near the surface to fairly deep down, true?

23 A. Yes.

24 Q. So, basically, having anyone else spot would be impossible if
25 it's the only person that knows exactly the depth is the leverman?

1 A. Correct.

2 Q. Okay. With regards to the dredge template, is it correct the
3 dredge template only shows the area that is going to be dredged?
4 Nothing else?

5 A. Yes.

6 Q. Okay. In this case, the pipeline that exploded was actually
7 outside the dredge template?

8 A. Yes.

9 Q. And the dredge had been advised of the presence of a pipeline
10 outside of the dredge template?

11 A. Yes.

12 Q. And because we had no GPS coordinates provided by Enterprise,
13 we went out and we got them to physically flag the line so that we
14 would have some identifying factor to show where it was.

15 A. That's correct.

16 Q. Okay. And the concern for the anchors, where they were
17 placed was really because those anchors were going to be placed
18 likely within the 20 foot that we were trying to stay away from
19 those flags.

20 A. Yes. Well, and, too, remember, the leverman knows where his
21 cutterhead is and dredging at all times. So when they go and set
22 anchors on a -- using the anchor barge, that's not a GPS located
23 process. So they need that visual to make sure that they don't
24 set the anchor out there, right? To move anchors, it's not a GPS
25 located system of positioning. They just move anchors as needed.

1 Q. Right. And, again, just to clarify, the leverhouse is
2 basically in the top of the vessel, and they have 360 degree views
3 around the vessel?

4 A. Yes.

5 Q. Okay.

6 MR. KENYON: That's it for me. Thank you.

7 MR. EHLERS: Okay. PHMSA, please?

8 MR. RODRIGUEZ: I don't have any questions. Thank you for
9 your time, Jacob.

10 MR. EHLERS: Okay. Thanks, Alvaro.

11 Texas Railroad Commission?

12 MR. PEREZ: No more questions from the Railroad Commission.

13 MR. EHLERS: Okay. I have just two quick questions.

14 Actually, I lied. I have two and a half questions here.

15 BY MR. EHLERS:

16 Q. First question is, the actual cutterhead location, when the
17 cutterhead is submerged, how does the leverman know where that
18 head is?

19 A. From the guidance on his screen.

20 Q. Okay. Roger. And the pipeline markings, are they lighted at
21 all or anything? When they're doing night operations, can they
22 see those markings?

23 A. No, they were marked with cane poles. Other than the lights
24 on the dredge and what they can see and know that they're there.

25 Q. Okay. Does the dredge have spotlights aimed in the direction

1 of the cutterhead? If you don't know, just answer I don't know.

2 A. I don't know. I mean, there's lights all over the dredge.

3 Q. Okay. Roger. This is my last question for you. Is there
4 anything we haven't asked you that we should be asking you about
5 or we should be looking at for this investigation?

6 A. I don't believe so. I mean, other than the pipeline sits
7 outside of the template. No, I have nothing.

8 Q. Okay. Fair enough.

9 MR. EHLERS: One last call for any other questions from the
10 panel here.

11 (No response.)

12 MR. EHLERS: Okay, Jacob, it's been a long session here. I
13 do appreciate your patience with all of us and your frank answers,
14 and I'm going to stop the recording right now.

15 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

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

ACCIDENT NO.: DCA20FM026

PLACE: Via videoconference

DATE: September 11, 2020

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.



Lindsay Brown
Transcriber



National Transportation Safety Board
Washington, D.C. 20594

Transcript Errata

Subj: Transcript Review Request for: Explosion and sinking of dredge *Waymon L Boyd* in the Corpus Christi Ship Channel on August 21, 2020, at approximately 0805 local time

Accident No.: DCA20FM026

To: Mr. Jacob Bures, Senior Project Manager

Dear Mr. Bures,

The enclosed transcript of your interview on September 11, 2020, is provided for your review and comment to ensure its accuracy. It is not for public release.

The transcript is investigative information of the National Transportation Safety Board (NTSB) created as part of the NTSB's investigation into the Explosion and sinking of dredge *Waymon L Boyd* in the Corpus Christi Ship Channel on August 21, 2020, at approximately 0805 local time (NTSB Accident No. DCA20FM026).

NTSB regulations prohibit the public release of investigative information prior to release by the NTSB without the permission of the NTSB Investigator in Charge (IIC). See 49 C.F.R. § 831.13(b). The IIC has not approved public release of this information at this time. Therefore, we request that you refrain from any further dissemination of this transcript.

Kindly review this transcript for accuracy and provide corrections, if any, in the attached table. Please print, sign, and return it to me via email by **December 11, 2020**. Please return or destroy the transcript after providing your comments.

Comments must be returned no later than **December 11, 2020**. Requests for an extension of this deadline must be in writing and received prior to the due date. If comments are not received by the due date, we will consider the transcript to be final without comment.

Thank you in advance for your attention to this matter. If you have any question regarding the process, please feel free to contact me.

Best Regards,

Drew Ehlers

Sr. Marine Investigator
Office of Marine Safety
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, DC 20594
Office: [REDACTED]



National Transportation Safety Board
Washington, D.C. 20594

Transcript Errata

andrew.ehlers@ntsb.gov

**TABLE OF CORRECTIONS FOR TRANSCRIPT INTERVIEW WITH: JACOB BURES
RECORDED ON SEPTEMBER 11, 2020**

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
7	4	Indiscernible	Ag systems
7	11	leader	engineer
13	18	Okay	"Yes, per the client."
35	21	George	Jorge
41	4	Snyder	Schneider
42	17		Insert "contact: between "daily" and "with"
43	5	l	someone
43	6		Insert "we" between "then" and "notify"
44	22	he	Nick
44	25	tech	CAD
50	18	interpolated	extrapolated
57	18	George	Jorge
58	2	George	Jorge
58	19	George	Jorge
60	16	restate	reset
61	1	wench	winch

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

Jacob Bures
Printed Name of Person providing the above information


Signature of Person providing the above information

11-13-20
Date

