

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, AUGUST 21, 2020 *

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Interview of: GUILLERMO GUAJARDO, Tender Operator
Orion Marine Group

Via Microsoft Teams

Monday,
August 31, 2020

APPEARANCES:

ANDREW EHLERS, Marine Accident Investigator
National Transportation Safety Board

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

■■■■ Investigating Officer
U.S. Coast Guard

JEFF MORTON, Senior Director of Transportation
Compliance
Enterprise Products

NHAN TRUONG, Compliance Manager
Enterprise Products

DIANNA VELA, Damage Prevention Specialist
Enterprise Products

ALVARO RODRIGUEZ, Accident Investigator
Pipeline and Hazardous Materials Safety Administration

RON PEREZ, Inspector
Railroad Commission of Texas

HEATHER VON STERNBERG, Attorney
(On behalf of Mr. Guajardo)

■■■■ Interpreter
U.S. Coast Guard

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I N T E R V I E W

(10:13 a.m.)

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2
3 MR. EHLERS: Okay. This is the interview with Mr. Guillermo
4 Guajardo relating to the accident involving the *Waymon L Boyd*, the
5 dredger. It is Monday, the 31st of August, at about 10:13 a.m.

6 Sir, can you say your name and spell it?

7 MR. GUAJARDO: Guillermo Guajardo. It's -- you want me to
8 spell it out?

9 MR. EHLERS: Please do.

10 MR. GUAJARDO: It's G-u-i-l-l-e-r-m-o, and the last name is
11 Guajardo, G-u-a-j-a-r-d-o.

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

13 MR. GUAJARDO: Yes, sir.

14 MR. EHLERS: And this interview is being recorded. Are you
15 okay with this interview being recorded?

16 MR. GUAJARDO: Yes, sir. Yeah.

17 MR. EHLERS: Okay. And my name is Drew Ehlers, and I work
18 for the National Transportation Safety Board. What I'm going to
19 do now is ask the folks that are in the room with you to say their
20 names, and then I will then ask the folks online to say their
21 names. So in the room, please.

22 MS. VON STERNBERG: Heather Von Sternberg with Chaffe McCall,
23 and I'm here on behalf of Orion and Mr. Guajardo.

24 [REDACTED] [REDACTED] [REDACTED] [REDACTED] from the Coast Guard. Last name is
25 [REDACTED].

1 MR. EHLERS: Okay. And are there any other folks in the
2 room?

3 [REDACTED] Yes.

4 MS. VON STERNBERG: Yes.

5 [REDACTED] [REDACTED] [REDACTED] [REDACTED] with the Coast Guard. Last name
6 is [REDACTED].

7 MR. EHLERS: Okay. Any others?

8 [REDACTED] No.

9 MR. EHLERS: All right. Paul Stancil for NTSB to start off
10 for the online interviewers.

11 MR. STANCIL: Yes. My name is Paul Stancil. I'm the
12 pipeline group chairman for this investigation, National
13 Transportation Safety Board.

14 MR. EHLERS: Okay. And is there anyone on the line from
15 Orion?

16 (No response.)

17 MR. EHLERS: Okay. Enterprise.

18 MR. MORTON: This is Jeff Morton, senior director of
19 transportation compliance with Enterprise.

20 MR. EHLERS: Okay.

21 MR. TRUONG: This is Nhan Truong, manager of compliance,
22 Enterprise.

23 MR. EHLERS: Okay. PHMSA.

24 MR. MORTON: We have one more individual.

25 MR. EHLERS: I'm sorry.

1 MS. VELA: DiAnna Vela, damage prevention specialist.

2 MS. VON STERNBERG: Could you say that louder? We didn't
3 hear that.

4 MS. VELA: DiAnna Vela, damage prevention specialist with
5 Enterprise.

6 MS. VON STERNBERG: Damage prevention specialist, DiAnna
7 Vela.

8 MS. VELA: Yes.

9 MR. EHLERS: Can you spell your name please?

10 MS. VELA: It's D-i-A-n-n-a, Vela, V-e-l-a.

11 MR. EHLERS: Okay. All right. And for parties, what I would
12 ask is this: When I turn it over to you for questioning, I would
13 like one person to be the person who asks the questions so that we
14 don't have a committee. So if you have any questions, you need to
15 consolidate them. Thank you.

16 All right. PHMSA.

17 MR. RODRIGUEZ: Hi, my name is Alvaro Rodriguez, A-l-v-a-r-o,
18 Rodriguez, R-o-d-r-i-g-u-e-z. I am with the Accident
19 Investigation Division of PHMSA in Oklahoma City, Oklahoma.

20 MR. EHLERS: Okay. And Texas Railroad Commission.

21 MR. PEREZ: Good morning. This is Ron Perez, Region 7. I
22 will be the inspector on this investigation.

23 MR. EHLERS: Okay. Is there any others on the line or in the
24 room that I have not covered?

25 (No response.)

1 MR. EHLERS: Okay. We'll begin, Mr. Guajardo.

2 INTERVIEW OF GUILLERMO GUAJARDO

3 BY MR. EHLERS:

4 Q. Can you tell us what your position is, your work position?

5 A. Yes. I'm a dredge tender boiler operator.

6 Q. Okay. And can you tell us what that entails? What's your
7 responsibilities? What's your activities in that job?

8 A. Just operate the boat and move anchors and transport people
9 back and forth.

10 Q. Okay. By moving anchors, what's that entail? What do you
11 mean by that? So let me stop you for just a second. I don't have
12 experience in dredges myself, so I'm going to ask you some pretty
13 simple questions.

14 A. All right.

15 Q. So just bear with me.

16 A. Okay. That's fine.

17 Q. So can you kind of explain what you mean by moving anchors?

18 A. Well, the dredge, when it's operating, it swings back and
19 forth. And it has to move forward, so you have to throw those
20 anchors forward to actually move forward.

21 Q. Okay. How big are those anchors?

22 A. They're like about 3,500 pounds anchors I think.

23 Q. Do you have a lifting device on your boat to lift those up?

24 A. No. You have to tie up to an anchor barge, to an A-frame
25 barge.

1 Q. I see.

2 A. Yes.

3 Q. Okay. And that anchor barge moves the anchors themselves, or
4 how does that work?

5 A. Yeah. I tie up to the anchor barge, to that anchor barge, to
6 that A-frame barge, and it has a boom in it. And it lifts it up,
7 and then I move it forward.

8 Q. Okay. And do you -- so you drive the boat?

9 A. Yes.

10 Q. Okay. And do you have any crew on that boat with you?

11 A. Yes.

12 Q. Okay. How many folks?

13 A. It's usually the mate and a deckhand. So we can hook up the
14 buoys from the anchors and the operator just -- the mate to
15 operate the anchor barge.

16 Q. Okay. All right. Who is your supervisor when you're in that
17 role?

18 A. Supervisor? Like the captain.

19 Q. Who's giving you direction there?

20 A. Oh, the leverman. The leverman where to put them. The guy
21 that operates that dredge.

22 Q. All right. I appreciate that background.

23 A. No problem.

24 Q. Can you give us a little bit of information on your
25 background before becoming the tender operator at Orion, how long

1 you've been working at Orion, and then previous to that, what's
2 your background?

3 A. I have always worked for Orion. I started off as a deckhand,
4 and then they moved me to the yard as a welder. Then from there,
5 I went to boatman, and I've been a boatman since. I think it's
6 been like 4 years, 3 years.

7 Q. Okay. All right. What did you do before you started working
8 at Orion?

9 A. I worked at a shipyard over in Orange, Texas.

10 Q. Okay. Doing what kind of work?

11 A. Tacker. Tacker like welding, tacking.

12 Q. Okay. All right. Give me a second here. What's your normal
13 working hours?

14 A. At the dredge, it's 12 hours, 12-hour shifts, from --

15 Q. Say that again.

16 A. Twelve-hour shifts.

17 Q. Okay. And what's the time, from when to when?

18 A. It's from 6 to 6, 6 a.m. to 6 p.m. It depends, because we
19 work 15 days at nights, and 15 days during the day. So we switch
20 up every 2 weeks, then we get a week off.

21 Q. Okay. So 2 weeks working days.

22 A. Yeah.

23 Q. And 1 week off and 2 weeks working nights.

24 A. Yes.

25 Q. And then it begins all over again?

1 A. Yeah, that's how it goes.

2 Q. Okay. When the accident happened, where were you in your
3 15-day cycle?

4 A. What do you mean?

5 Q. Like how many days had you been on board the dredge?

6 A. Actually, I was there -- I got there on Monday, that last of
7 my week. I was there on Monday because I was sick, and then
8 4 days after is when everything happened. So I was there for it.

9 Q. And when you're off shift, do you go home at night or do you
10 spend the night on the dredge? What do you do?

11 A. No, I -- we spend the night at a hotel we rent out.

12 Q. Okay. And how far away is that hotel from where the dredge
13 was?

14 A. Probably like a mile and a half away from there.

15 Q. Okay. All right. So take me through your regular day, for a
16 dayshift. What time do you get up? What time are you at the
17 barge, at the dredge?

18 A. We get up like at 5 and start doing crew change like at 5:30.
19 Once we get there, it's like 6, more or less.

20 Q. Okay.

21 A. And that's when we do crew change.

22 Q. All right. And how does the crew change work? Do you talk
23 with the folks that are coming off shift?

24 A. Yeah.

25 Q. Is there a morning meeting or anything like that?

1 A. We usually just talk to them, how's everything working out
2 and what's wrong or what's -- how is everything working? And then
3 we tell each other what's going on or what happened during the
4 night or during the day.

5 Q. Okay. And is that just the person that you're taking over
6 for, or do you have like a team meeting or anything like that?

7 A. It's usually just like the guys are sharing equipment with I
8 would say.

9 Q. Okay.

10 A. Like the other tender boat operator.

11 Q. Okay. All right. Understood. How did you get trained up
12 for your position as the tender operator?

13 A. How did I get trained up? I have no idea. We just got
14 there, and we just started working.

15 Q. Did you have any formal classroom training or --

16 A. No, no. It was just hands-on.

17 Q. Hands-on?

18 A. Yeah.

19 Q. And then did you work alongside somebody for a while before
20 you became the primary --

21 A. No, sir.

22 Q. -- tender operator?

23 A. No. They just tell you what to do like, you know.

24 Q. Okay.

25 A. How to work with it.

1 Q. How did you learn how to drive the boat?

2 A. Just daily experience I guess. I mean, there wasn't a manual
3 on it or anything that went with it, you know.

4 Q. Okay. Did you get -- when you said you started as a
5 deckhand, did you get experience driving a boat as a deckhand?

6 A. No.

7 Q. Okay.

8 A. No, sir.

9 Q. So when you were promoted from, if I caught it right, from
10 deckhand to tender operator, you just took the controls and went
11 from there?

12 A. Yes, sir.

13 Q. Okay. All right. Did you feel comfortable doing your job?

14 A. Not at first, but I got the hang of it --

15 Q. Okay. All right.

16 A. -- with time.

17 Q. All right. And you said you've been a tender operator for
18 about 4 years?

19 A. About 4 years I want to say.

20 Q. All right. And you feel comfortable with driving the boat
21 now and the duties now?

22 A. Yes, sir.

23 Q. Okay. All right. And the deckhand who was with you, had you
24 worked with him before, for a while? How long had you been
25 working with him?

1 A. About -- I think he came in, it was 2 years ago.

2 Q. Okay. All right. And he's been working on the boat with you
3 during that time?

4 A. Yeah.

5 Q. And you feel comfortable with that?

6 A. Yes, sir.

7 Q. With him, working with him? All right.

8 A. Yes, sir.

9 Q. All right. Did you get any safety training for your job, any
10 safety procedures, anything like that?

11 A. Can you specify the question? Like --

12 Q. Well, did you get any training on like what PPE to wear, what
13 kind of equipment you've got to have on, lifejackets, anything
14 like that? Did you get training on how to put on a lifejacket,
15 anything like that?

16 A. We always have to have one on when you're in the tender boat,
17 always, at all times.

18 Q. Okay.

19 A. Where there's no barricaded areas.

20 Q. Yeah. What kind of personal equipment do you wear besides,
21 you said, a lifejacket? What else?

22 A. Lifejacket, glasses -- safety glasses, steel toe boots, and a
23 hardhat.

24 Q. Hardhat?

25 A. Yeah.

1 Q. Okay. So I want you to take me to the accident.

2 A. Okay.

3 Q. And just I want you to tell me everything you remember
4 happening. I want to start when you got to -- basically you
5 started work in the morning.

6 A. Okay.

7 Q. And just run me through what you remember. And no detail is
8 too small, because you never know what detail might be important.
9 But tell me what you remember from the point you started work that
10 day up until when the accident happened, and take your time. We
11 can always take a break, if you want to take a break, but just
12 tell me what happened.

13 A. Yes. Well, it started, it was just our regular day. We were
14 heading out to dredge, the crew change and everything. And we
15 went to -- we were at the safety meeting at the dredge, and the
16 leverman and everything was going good. And then we went, when
17 the safety meeting, we went down to our breakfast. We were out.

18 Then they told us we were going to go do some work with the
19 welder over at the anchor barge. So when we took off, we were
20 about 300 feet from the dredge when we saw -- when we heard the
21 dredge rattling. Then I looked back, and all it was, was a big
22 plume, big water come up at the front of the dredge. Then we saw
23 some gas, and it ignited.

24 And we went back for a crew -- for one of our crewmembers
25 that was burned up. He was running with -- on top of that

1 pipeline. They told me -- the guys told me to go back and get
2 him. So I went back and got him and took him back to the landing,
3 called an ambulance.

4 Q. Okay. I'm going to back up just a little bit. You mentioned
5 a safety meeting. Where's that safety meeting held? On the
6 dredge or on shore?

7 A. No, no. It's held in the leverman's room, over on the very
8 top of the dredge.

9 Q. Okay. And do you have that safety meeting every time when
10 you start shift?

11 A. Yes, sir.

12 Q. Okay. And what do you talk about in the safety meeting?

13 A. Well, we talk about what we're going to do during the day,
14 what's going to happen, fill up a job safety analysis.

15 Q. Okay. And job safety analysis, was there any -- on the
16 morning of the accident, was there any discussion of risks,
17 concerns, dangers?

18 A. No, not that I know of.

19 Q. Okay. What do you normally talk about as far as job safety?
20 What are the things that are normally talked about?

21 A. Tell us to (indiscernible), we take off, you know. Sorry
22 about that. They tell us just to take care of ourselves, take
23 care of our partners, and watch out for any incidents.

24 Q. All right. Now, you mentioned you heard the dredge rattling.

25 A. Yeah.

1 Q. Can you describe that rattle a little bit more to me? Was it
2 like a metal sound or was it like a --

3 A. The dredge was rattling, you know, it was like making a -- it
4 was rattling, the whole thing. It was, I mean -- you know what I
5 mean.

6 Q. Yeah.

7 A. How can I explain?

8 Q. Like the whole vessel?

9 A. Yeah, the whole vessel was shaking.

10 Q. Okay. And did you hear it or was it more just --

11 A. I heard it. Yeah, I heard it. We were like 300 feet away,
12 and I heard it rattling.

13 Q. Okay. So where was your boat, if you can tell me, like in
14 relation to the dredge? So shoreline, dredge and your boat and
15 the channel and your boat.

16 A. I was in the center of the channel. I was heading outbound
17 towards our supply barge when it happened.

18 Q. Okay. Where was the supply barge?

19 A. It's close to our landing, to the railroad -- old railroad
20 track thing, bridge.

21 Q. Was it on the other side of the channel or on the same side
22 of the channel?

23 A. It was on the same side of the channel.

24 Q. Okay. And was it upriver? Was it away from where the dredge
25 piping was or was it down where -- in the direction of the dredge

1 pipe?

2 A. No, it was away from the dredge. It was --

3 Q. So you were faced away from the dredge when you heard the
4 rattling start?

5 A. Yes. I was heading outbound.

6 Q. Okay. And you heard that. You turned around, and then you
7 said you saw the plume?

8 A. Yeah, the plume of water.

9 Q. Okay. You didn't see flame initially?

10 A. No.

11 Q. Okay.

12 A. No, no. I just saw a plume of water, and I was looking
13 forward to the boat. The boat was heading outbound, the opposite
14 side of the dredge. So I didn't see much.

15 Q. Okay.

16 A. I was just glancing back to it.

17 Q. And then, did you hear an explosion, or were you looking at
18 the plume when you saw -- when the fire began? Tell me a little
19 bit about that.

20 A. I saw the plume of water, and I turned back around. Then I
21 turned back around again and saw like -- what do you call like --
22 I saw like gas, like wavy things. I don't know what it's called.
23 And then I like turned back around, and them guys told me to gun
24 the boat, to start going faster. So I did, and then I turned
25 back, and I heard the explosion.

1 MR. EHLERS: Okay. All right. I need to pause right now.
2 I'm sorry folks. What I'll do though is I'm going to turn it over
3 quickly to Mr. Stancil to take over here. I need to pause but,
4 Paul, if you can go ahead.

5 MR. STANCIL: Sure, Drew. No problem.

6 BY MR. STANCIL:

7 Q. So, sir, you said you saw the plume of water, and then a
8 period of time later, after you turned around, the ignition
9 occurred. How long was that? How much time had transpired?

10 A. Maybe a second, maybe a couple of seconds. It wasn't long at
11 all.

12 Q. And you said that there was -- describe what happened. Was
13 there an explosion or a fireball? What did you exactly see?

14 A. Well, I saw the like -- what do they call that gas plume? I
15 don't know how to explain it. I saw like a -- when you open up a
16 propane tank, when you see that gas coming out, I saw that on the
17 dredge. They told me to gun the boat. So I turned back around
18 and hauled ass back. I tried to get as far away as I could.

19 Q. And how far away would you say you were when this happened?

20 A. Like about 300 feet from the dredge, like about more or less.
21 I can't give you an exact.

22 Q. And when the fire ignited, how close did the fire come to
23 your boat?

24 A. I have no idea. It wasn't, it wasn't that close.

25 Q. Okay. So let's go back and talk about setting the anchors.

1 When was the last time you had set the anchors before the fire
2 occurred?

3 A. I haven't set no anchors, because it wasn't moving too fast,
4 I mean. I hadn't set no anchors since I had gotten in.

5 Q. So the anchors were already established for your shift?

6 A. Yes.

7 Q. Okay. And how far were the anchors from where the pipe --
8 where that fire occurred?

9 A. Well, I guess like -- I'm not too sure, like 120 feet away
10 from the dredge.

11 Q. Okay. Was the anchor close to where the fire erupted in the
12 water or was it away from that?

13 A. I don't know. I couldn't tell you.

14 Q. You said the front of the dredge was -- that the fire or the
15 gas started coming up in front of the dredge. Was it -- can you
16 describe that? How close to the front of the dredge?

17 A. I couldn't tell you how far -- close to the dredge, because
18 in the front of the dredge, I was going back -- I was heading
19 outbound. The dredge was pointing inbound. So I couldn't -- I
20 can't tell you how far away it was from the cutter or -- because I
21 don't know.

22 Q. Was the gas in front of the dredge or was it off to the side?

23 A. I have no idea. Like I'm telling you, I don't know. I
24 cannot tell you. I cannot answer you, because I wasn't there in
25 the front of the dredge. I was going back, and the dredge was

1 pointing inbound.

2 Q. Where was the gas cloud or waviness that you explained in the
3 air? Where was that in relation to the dredge?

4 A. It was around the dredge.

5 Q. All sides or --

6 A. Yeah, it was like on all sides of the dredge.

7 Q. Okay. Going back to your safety briefing, did you discuss
8 where -- anything about this pipeline? Was there any discussion
9 about where the pipeline was, what areas to avoid, anything like
10 that?

11 A. No, sir. No, sir.

12 Q. What did you know about the pipeline before your shift began?

13 A. To be honest with you, I didn't know it was a pipeline there.
14 I didn't know anything about it.

15 Q. And during the time you were working that day, did you know
16 anything about a pipeline being there?

17 A. No, sir.

18 Q. Did you see any markers, any caution areas?

19 A. No, sir, I didn't see any markers. They're usually on the --
20 when you're working on the channels, there's always signs on the
21 side, do not anchor down or dredge, and I didn't see any of that.

22 Q. So you were completely unaware that there was a pipeline in
23 the area?

24 A. Yes, sir.

25 Q. How large is the boat that you were operating?

1 A. About 30 -- no, about 30 foot long by 10 feet wide with a
2 4-foot draft.

3 Q. And what type of power does it have?

4 A. I don't know that. What do you mean, what type of power?

5 Q. Is it outboard motor? Was it -- can you describe how's it
6 powered?

7 A. It's a single engine boat. I don't know what kind of power
8 you want me to talk about. It's a Cummins engine. That's about
9 it.

10 Q. Okay. Inboard, outboard or outboard motor?

11 A. I have no idea.

12 MR. STANCIL: Okay. All right, Drew. I'll let you pick it
13 back up again if you would.

14 BY MR. EHLERS:

15 Q. Okay. I'm going to ask you some real basic questions here
16 again, sort of normal questions we ask. How much sleep did you
17 get the night before the accident?

18 A. I went to sleep like at 9 o'clock, wake up at 5.

19 Q. Is that your normal sleep?

20 A. Yeah, that's my normal sleep.

21 Q. All right. Did you feel well rested?

22 A. Yes, sir.

23 Q. Okay. All right. Do you -- is there any policy or anything
24 that you told -- if you see something, say, happening during your
25 job, what do you do? Is there -- does the company have a program,

1 or what do they tell you to do, or what do you do if you see
2 something unsafe?

3 A. Well, we try to point it out and get it fixed. That's what
4 they always tell us.

5 Q. And who do you talk to normally?

6 A. Well, to our captains.

7 Q. Okay. When you're on the boat, how do you communicate with
8 the captains?

9 A. Through the radio. We got a radio on the boat.

10 Q. Okay. Is everybody on the same station?

11 A. Yes, sir.

12 Q. On the same channel?

13 A. Yes, sir.

14 Q. Okay. And who all is on that channel?

15 A. Everybody around the dredge that's working on the dredge is
16 on that channel.

17 Q. Okay. Have you ever had to raise a safety issue, something
18 you saw that was dangerous?

19 A. I'm sorry. Repeat the question.

20 Q. Have you ever seen something dangerous that you raised to the
21 captains or to the leverman?

22 A. No, sir.

23 Q. Okay. All right. Has there ever been a time where you had
24 to shut down what you were doing because something unsafe was
25 happening?

1 A. Not on my -- no.

2 Q. Not in your time?

3 A. No, not in my time.

4 Q. Okay. All right. Did you see anything unusual or different
5 on that day that I haven't asked you about already as far as how
6 things were going?

7 A. No, sir.

8 Q. Before the accident I mean.

9 A. No, everything was running smooth.

10 Q. Okay. How long had you been on that job there in Corpus
11 Christi?

12 A. About 4 days.

13 Q. Four days?

14 A. Yes.

15 Q. And was that when the work had begun? In other words, the
16 dredge got there 4 days --

17 A. No.

18 Q. -- or had it been there for a little while?

19 A. No, sir. Because I got sick, and I was out of work like for
20 2 months, like -- yeah, about 2 months. So I came in on Monday.

21 Q. I see. That's right. You told me that. Do you know how
22 long the dredge had been at that location?

23 A. No, sir. No idea. I don't know.

24 MR. EHLERS: Okay. All right. I think that's all I've got
25 for the moment. I might have an extra question here or two as we

1 go around the room.

2 MR. GUAJARDO: All right.

3 MR. EHLERS: Paul, do you have some questions? You're muted,
4 Paul.

5 MR. STANCIL: Sorry about that. Yeah, just a couple more.

6 BY MR. STANCIL:

7 Q. You described how you went in and rescued one of the
8 crewmembers from the dredge. Can you talk to us a little bit more
9 about how that went?

10 A. Well, yeah. I was like -- we were floating on the center of
11 the channel, and then them guys that were with me, Lester Rubin
12 (ph.), there was a welder, Jorge, they told me to go get back some
13 guy that was on the dredge. And that guy started running through
14 the platoons to the top of the pipe, started towards us, and then
15 we went back to the platoons and got him, and we took him to the
16 landing.

17 Q. Were you or any of your crewmembers on your boat injured?

18 A. No, sir.

19 Q. And how did you get ashore? What happened after that? Did
20 you go ashore, or did you stay out there?

21 A. No, we went straight back to the landing. One of the guys
22 that was with me was calling the ambulance. So we got to the
23 landing and waited a few minutes, and the ambulance got there, the
24 fire department also. First the fire department and then the
25 ambulance got there.

1 Q. Did you have a cell phone or any other personal electronic
2 device with you while you were out there?

3 A. Yes, I had my phone with me.

4 Q. Did you take any video or photos while you were out there?

5 A. No, sir.

6 MR. STANCIL: Okay. All right. That's all I have, Andrew.

7 MR. EHLERS: Okay. I'll go ahead and ask folks -- Coast
8 Guard there in the room.

9 [REDACTED] Yes, Drew. Thank you.

10 BY [REDACTED]

11 Q. Good morning, sir.

12 A. Good morning.

13 Q. Thank you for being here. Pardon me if I ask -- if I
14 duplicate questions. I'm going to try not to.

15 A. Okay.

16 Q. But I have some questions here.

17 A. All right.

18 Q. How long have you worked at Orion?

19 A. For 7 years or so, a little more.

20 Q. And on the day of the incident, who was the leverman?

21 A. Lucio Silva (ph.).

22 Q. And did you know the leverman?

23 A. Yes.

24 Q. How long have you worked with him?

25 A. I'm going to say about 3 years.

1 Q. Were you guys friends outside of work?

2 A. Yeah.

3 Q. Did you trust him operating the dredge?

4 A. Yes, sir.

5 Q. Did you ever see anything unsafe from him before?

6 A. No, sir.

7 Q. That morning, did the leverman appear tired at all?

8 A. No, sir.

9 Q. What about the barge captain? Did he appear tired?

10 A. No.

11 Q. The deck captain?

12 A. The deck captain wasn't there. It was one of his days off.

13 Q. So, at the time of the incident, you said you were on your
14 dredge tender, right?

15 A. Yes, sir.

16 Q. Immediately before you saw that plume of smoke, where were
17 you?

18 A. I was heading out to our supply barge. We were going to go
19 do some work with the welder.

20 Q. Do you know what kind of work they were doing, the welder?

21 A. No, I didn't know what they were going to do. I just -- I
22 was just going to take them over there to work.

23 Q. Where were the other crewmembers? If you can recall, do you
24 know what everyone was doing at the time?

25 A. Well, two of them -- three of them were -- one of them was on

1 the anchor barge, and two of them -- two of the other guys, they
2 were, they were working on the boat. They were chipping it. I
3 remember that. They were working on the boat.

4 Q. When you say the boat, working on the dredge or --

5 A. No, no, the tender boat. There was another tender boat
6 there.

7 Q. What about on the dredge? Could you see anybody on the
8 dredge?

9 A. I didn't see anybody on the dredge, no.

10 Q. Okay.

11 A. Not at the time.

12 Q. Do you know how many people were working on the dredge?

13 A. Who was working? No, I didn't see. Just, I mean, the
14 leverman.

15 Q. So based on your previous experience, did you notice anything
16 kind of out of the ordinary or different that day?

17 A. No, sir. Everything was fine. Usual, just like another day.

18 Q. And you said you started working around 06. Is that correct?

19 A. Yes.

20 Q. And how long does the safety brief take?

21 A. Around 20 to 30 minutes.

22 Q. So is it fair to say around 6:20 to 6:30?

23 A. Yeah, right around there.

24 Q. And I'm just trying to establish a timeline. It's hard when
25 you say, you know, we don't have really --

1 A. Yeah.

2 Q. -- any points right now. So I'm just trying to get a rough
3 timeline.

4 A. Yes.

5 Q. I'm not holding you to anything. If you change it, that's
6 fine as well. So you'd say around 6:20, 6:30, did you get to your
7 boat, the dredge tender?

8 A. Yes.

9 Q. And between, you know, 0630 and the time of the incident,
10 what were your duties? What were you doing?

11 A. I was checking my boat. I was checking the oil, water
12 levels. Then I went back up to the leverman's room and filled out
13 paperwork for the tender boat. Then I came back down, and I
14 started chipping, working on the boat, too. Then they told me,
15 hey, we're going to go do something at the supply barge. We're
16 going to take the welder, and we're going to go do some stuff over
17 there.

18 Q. Okay. How long does it take you to check your boat?

19 A. Around 5 minutes tops.

20 Q. Is it fair to say around 6:35 or so, 6:40 you went back up to
21 the leverman's room?

22 A. Right around there.

23 Q. Okay. And then how long does it take you to fill out the
24 paperwork in the leverman's room?

25 A. Not long, about, I'd say, like 4 minutes or so.

1 Q. Okay. So is it fair to say around 6:50, you got back down to
2 your --

3 A. Yes.

4 Q. Okay. So around 6:50, what did you do from there, once you
5 got back on your boat?

6 A. Well, the guys were having breakfast down on the galley on
7 the boat --

8 Q. Okay.

9 A. -- and I was just there with them.

10 Q. Okay. How long do you think you were at the galley for?

11 A. I don't know. I couldn't tell you an exact time.

12 Q. Say roughly 15, 20 minutes, somewhere around there?

13 A. Maybe 15.

14 Q. Okay. And who was in the galley with you, if you can recall?

15 A. That's going to be a hard question. I couldn't --

16 Q. Okay. Do you know roughly how many people were there?

17 A. No, I couldn't -- I don't remember.

18 Q. That's fine. So it's, say, around 7:15, 7:20. Now you've
19 had your breakfast. The guys were talking. What did you do from
20 there?

21 A. I was chipping the boat, the handrails on it, working.

22 Q. When you say chipping, what is that?

23 A. Getting the rust off them handles and just working on them.

24 Q. Approximately how long did you work on chipping the boat?

25 A. I couldn't know. I don't remember.

1 Q. Okay.

2 A. It wasn't long though, but I can't remember. I can't give
3 you an exact time.

4 Q. Okay. And so after chipping, what did you do?

5 A. They got -- the welder got his stuff on my boat, the welding
6 hood. He got some -- what do they call it? Like some flat bar on
7 the boat, and --

8 Q. Okay. And then from there, from that point, when did you see
9 that plume of water you talked about?

10 A. I saw it right when we were like going towards -- we were in
11 the middle of the channel. I was heading outbound, and then I
12 heard the dredge rattling, and I looked back, and there was a
13 plume of water.

14 Q. Okay. Do you know approximately what time? Did you look at
15 a clock at all?

16 A. No. I had my phone in my pocket. I couldn't tell the time.

17 Q. Okay. I didn't know if there was like a clock on the tender.

18 A. No, we don't have nothing like that. No clock, no nothing.

19 Q. Okay. Do you know approximately, you know, what time the
20 dredge, you know, caught fire? Do you have any indicators what
21 time it was?

22 A. No, sir, I didn't.

23 Q. Okay. So, at the safety brief, did the leverman brief you
24 on, you know, what you were going to do that day?

25 A. No.

1 Q. And, again, I apologize if we've already covered this, but
2 were there any hazards that were talked about from any of the
3 crew?

4 A. No, not -- no.

5 Q. Okay. If you could, I'm having kind of a hard time
6 visualizing everything that is going on. Would you mind kind of
7 sketching out, you know, the shoreline, where the dredge was, kind
8 of where -- anything you can remember, where kind of everything
9 was? It doesn't have to be to scale and just, you know, kind of
10 mark wherever you would like. Again, this just kind of helps us
11 sometimes set the scene of where everything was.

12 A. (Drawing sketch.) The dredge, here's that line, the platoon
13 line. My boat was around right here when everything happened.

14 Q. Okay. And where was the shoreline? Like looking at the
15 dredge, if you can recall, where was the shoreline at?

16 A. What do you mean shoreline?

17 Q. There is a facility near the dredge, right?

18 A. A facility?

19 Q. Yeah. What was on shore? Like when you're looking at the
20 dredge, what did you see? Was there a shoreline? Was there a
21 shore at all where the pipe was?

22 A. What pipe?

23 Q. What was on the other side of the dredge?

24 A. It was land.

25 Q. Okay. Can you draw that land in about approximately how far

1 away it was?

2 A. Approximately, it was around there.

3 Q. And how many feet? If you had to estimate, do you know how
4 many feet the dredge was from the land?

5 A. I would say about 75 feet from land.

6 Q. Okay. Could you write that on there and maybe a line, like
7 75 feet? And what was positioned around the dredge? When you're
8 looking kind of straight at the dredge, was there any other
9 vessels or equipment around the dredge?

10 A. No, there wasn't anything.

11 Q. Okay. And you said you were approximately 300 feet?

12 A. Yeah, like 300 feet.

13 Q. Could you write on there as well? 300 feet.

14 MS. VON STERNBERG: He needs like the anchor barges, the
15 tender, anything --

16 MR. GUAJARDO: Oh, oh. There was two anchor barges tied onto
17 the dredge.

18 BY ■■■■■

19 Q. Okay. Can you draw those in, kind of where they were?

20 A. They were both tied down on the stern.

21 Q. Okay. And when they're tied off, there's just normal lines
22 kind of tying them off?

23 A. Yes, they're secure.

24 Q. Okay.

25 A. And there was a tender boat right here.

1 Q. The second tender boat you were talking about?

2 A. Yes.

3 Q. Okay. Looking at that and recalling kind of that day and
4 where you were, did you think that the dredge was too close to
5 shore?

6 A. No, I didn't.

7 Q. And you said -- did you have any idea that there were
8 pipelines right by that land?

9 A. No, sir.

10 Q. Okay. Did anyone at all, you know, during the operation say
11 anything about the pipelines or their proximity to shore?

12 A. No, sir.

13 Q. And would you have heard that? You said you were on the same
14 radio channel with everybody. Would you have heard if somebody
15 mentioned something?

16 A. Yes.

17 Q. Okay. So, on the dredge and on the equipment that you're
18 operating, do you remember, was anything certified safe? What I
19 mean is, was anything, any pieces of equipment that were on there,
20 any engine or anything like that, was that certified that it could
21 operate near, you know, like hazards?

22 A. I don't know. I don't know about that.

23 Q. Okay. Any explosion proof, you know, lighting or anything
24 that you can recall on the dredge?

25 A. No, sir.

1 Q. Okay. I'm sorry to kind of hit this again a little bit. I
2 just want to make sure we're covering everything. Did you ever --
3 are you aware of a dredge plan?

4 A. Of a dredge what?

5 Q. A dredge plan? At the outset, before you guys, you know -- I
6 believe there was a plan that was put together from Orion. Did
7 you ever see that plan?

8 A. No. No, sir.

9 Q. Did you ever discuss the contents of the plan or --

10 A. No, sir.

11 Q. Did you know what they were dredging?

12 A. I just know it was something new that they were doing.

13 Q. Okay.

14 A. I didn't know. That's it.

15 Q. Okay. Did the leverman tell you how far down they were going
16 to cut?

17 A. No, sir.

18 Q. Okay. From where you were at, could you tell about how deep
19 that cutter head was in?

20 A. If I could tell how deep?

21 Q. Yeah.

22 A. No, I couldn't tell that.

23 Q. Okay. Maybe just based on your experience. You've been
24 working there a long time.

25 A. Yeah.

1 Q. Could you tell what's -- by looking at the ladder, I guess
2 position of the dredge, was it pretty deep?

3 A. It was kind of deep, but I couldn't tell you how many feet
4 deep.

5 Q. Okay.

6 A. But it was pretty deep.

7 Q. And based on your experience, if they're dredging something
8 maybe a little higher up, can you see the ladder kind of raise,
9 like, oh, wow, that cutter's up really high?

10 A. Yes.

11 Q. Okay. And on that day, did you ever think that?

12 A. No.

13 Q. Okay. I'm just going through. I don't want to hit anything.
14 And we talked about markers. Did you see any markers, anything
15 sticking up? I think they're referred to as cane poles, anything
16 marking something on the shoreline where you said, oh, we should
17 maybe stay away from that area; it's marked.

18 A. I did see some, but I didn't pay any attention to them.

19 Q. Okay.

20 A. They had some things tied up to them.

21 Q. Okay.

22 A. They were marking something, but I didn't know what it was.

23 Q. Was it like a pink ribbon?

24 A. Pink ribbon, yes, sir.

25 Q. Okay. And those were attached to some sort of poles?

1 A. They had some cane poles, cane.

2 Q. Okay. Did anyone tell you what those poles were for?

3 A. No, sir.

4 Q. Did you guys discuss it as a crew?

5 A. No, sir.

6 Q. Okay. If you can recall, about how far away was this anchor
7 barge that was on -- this anchor barge right here. About how far
8 from land was that anchor barge?

9 A. I couldn't -- I don't know to be honest.

10 Q. So if this is -- I'm just trying to help you. If this is 75
11 feet, and you know where that anchor barge was --

12 A. They're like about 30 foot wide.

13 Q. Okay. Could you write that on there? 30 feet. And you said
14 those anchors were set when you came on the job that morning,
15 correct?

16 A. Yes, they were already here.

17 Q. And when you came on the jobsite, did you see any gas?

18 A. No, sir.

19 Q. Okay. So based on your experience dredging, over 3 years --
20 7 years total, but 3 years of dredging operations, do you know
21 what caused the incident?

22 A. No, sir.

23 Q. Was there anything you could have done to prevent this
24 incident?

25 A. I don't think so.

1 Q. And do you believe there's anything else any other
2 crewmembers could have done to prevent the incident?

3 A. No, sir.

4 Q. Okay. Just let me make sure. I guess going back to the cane
5 poles, you seeing the pink ribbon, did you think -- and, again,
6 based on your experience -- you shouldn't be over in that area or
7 the dredge shouldn't come near that area? Just by seeing that
8 pink ribbon, did you go, oh, I guess we shouldn't be dredging over
9 there?

10 A. It was already past the dredge.

11 Q. Okay.

12 A. I mean, so --

13 Q. Can you mark where, on this, where you saw that, just
14 approximate, where you think you saw that pole with the pink
15 ribbon?

16 A. It was, I want to say, right here.

17 Q. And do you remember where you saw that pole with the pink
18 ribbon?

19 A. It was, I want to say, right here or less.

20 Q. And do you remember seeing anything -- I know -- I'm familiar
21 with that area where we inspect vessels, the dock. Were the
22 mooring dolphins or anything used from that facility? Was that
23 near the dredge at all around this area if you can remember?

24 A. I think there was a tie down on the front of the dredge where
25 they tied onto ships.

1 Q. Approximately how far do you think that was in front? And
2 you can guess. I'm not locking you in. If you don't know, that's
3 fine.

4 A. I'm going to say maybe 100 feet from it.

5 Q. 100 feet. If you could mark where you think that is and
6 maybe put 100 feet. Great. If you don't mind, I'm going to show
7 this.

8 [REDACTED] Paul and Drew, I'm going to go ahead and show you
9 guys kind of what he depicted on this paper just so you guys can
10 see.

11 MR. EHLERS: Okay.

12 [REDACTED] Can you see that?

13 MR. EHLERS: A little closer. Okay.

14 [REDACTED] And, again, I'll upload this and we'll share it,
15 but just so you guys can kind of maybe visualize what was going
16 on.

17 MR. EHLERS: Sure. That's fine.

18 MS. VON STERNBERG: Do you want him to sign and date it?

19 [REDACTED] Yes, please, if you could, if this is accurate.
20 I haven't touched anything. I haven't wrote anything on here.
21 Could you just write your name and sign it please and the date as
22 well?

23 MR. GUAJARDO: 30th?

24 [REDACTED] Today's the 31st.

25 MR. GUAJARDO: 31st.

1 █ █ I feel like it's just the 1st. This month went
2 by very quick.

3 MR. GUAJARDO: Yeah.

4 █ █ Okay. Great. Again, thank you. And from the
5 Coast Guard's perspective, the same thing as the NTSB. This is a
6 safety investigation for us, so we're just trying to figure out
7 what happened, and that's all. I don't have any other questions.
8 Thank you.

9 MR. EHLERS: Okay. I'll pass it to Enterprise.

10 MR. MORTON: Okay. This is Jeff Morton with Enterprise
11 Products.

12 BY MR. MORTON:

13 Q. I appreciate your time, and I am going to apologize as the
14 Coast Guard did, because I'm probably going to ask some similar
15 questions to get a little more clarification. You said you had
16 been off work for a couple of months because you were sick.

17 A. Yes.

18 Q. So when you showed up for this project, do you know how long
19 this project had been ongoing before you got onsite?

20 A. What was that? I didn't hear you.

21 Q. When you got onsite Monday, do you know what the duration of
22 the project was before you arrived? Had they been working on this
23 dredge site for a week, 2 weeks? Did they just start the project,
24 or do you know?

25 A. No, I don't know, sir. I wasn't aware how much time.

1 Q. So you mentioned in the safety meeting, you did talk about
2 the scope of work for the day. When they review that, do they
3 have maps or any other records on where we're going to start and
4 the target of where we're going to complete the dredging?

5 A. No, sir.

6 Q. So, for the dredging operation, was there any discussions
7 regarding what part of the project that dredging would support, be
8 it the bulkhead installation, the dock construction?

9 A. Sorry. What was that?

10 Q. At the safety meeting, were there any documents or maps
11 reviewed to clarify what part of the project this dredging
12 activity was to support, be it the bulkhead construction or the
13 dock itself?

14 A. No, sir.

15 Q. And I think you've already made a statement that you did not
16 review or there was no dredge plans available during the safety
17 meeting?

18 A. No, sir.

19 Q. You were asked about your training as far as navigating the
20 boats. Is there any training provided regarding the hazards of
21 pipelines in the area or operations near a pipeline?

22 A. No.

23 Q. So there is no training on what those cane poles might
24 represent?

25 A. No.

1 Q. So you talked about the cane poles that you observed in the
2 water. Did you notice any other pink flags onshore just adjacent
3 to those cane poles?

4 A. No, sir.

5 Q. And from your position of your boat and your perspective, and
6 I really couldn't see the drawing details that well, how far do
7 you estimate your boat was from the shore?

8 A. I'm sorry. You're cutting out.

9 MS. VON STERNBERG: You're breaking up.

10 BY MR. MORTON:

11 Q. From your perspective of where your boat was located,
12 approximately what was the distance to the shore?

13 A. To the shore? I want to say it's like about the same, like
14 350 feet. I was in the center of the channel.

15 Q. Was the dredge barge between you and the shore?

16 A. No.

17 Q. And I'm assuming that, that sketch you drew demonstrated the
18 position of the dredge barge and your boat at the time?

19 A. Yes.

20 MR. MORTON: Okay. Nhan, did you have anything?

21 (No audible response.)

22 MR. MORTON: I think that's all Enterprise has right now.

23 MR. EHLERS: Okay. I will turn over questioning to PHMSA.

24 BY MR. RODRIGUEZ:

25 Q. Hi, Guillermo.

1 A. Hello.

2 Q. Thank you very much for your help. I want to know, did you
3 have any knowledge about the dredging operations?

4 A. Can you specify the question?

5 Q. Yes. So you're operating a boat that you're working with a
6 dredge --

7 A. Yes.

8 Q. -- crew. So what are your knowledge about the dredging
9 operation?

10 A. I'm sorry. I don't know.

11 Q. All right. You mentioned that there was some instructions
12 given during -- in the morning when you were taking over the ship
13 or the boat.

14 A. What was that? I'm having trouble hearing you, understanding
15 you.

16 MS. VON STERNBERG: Taking over the shift I think.

17 BY MR. RODRIGUEZ:

18 Q. Yeah. I'm asking you about some instructions in the morning.

19 A. I can't understand him.

20 MS. VON STERNBERG: Can you be more specific with your
21 questions? I think his problem is it's very general.

22 BY MR. RODRIGUEZ:

23 Q. In the morning, you were taking over the boat, and you
24 mentioned after filling out paperwork --

25 A. Yes.

1 Q. -- and arriving to the leverman's room, you were taking some
2 instructions. Could you describe what kind of instructions?

3 A. No, I wasn't taking any instructions in the leverman's room.

4 Q. Then what kind of information did you receive from --

5 A. It was a safety meeting. We had a safety meeting in the
6 leverman's room. It took about 20 to 30 minutes. We didn't take
7 instructions from there.

8 MR. RODRIGUEZ: Okay. I don't have anything right now.

9 MR. EHLERS: Okay. Thank you.

10 Texas Railroad Commission?

11 BY MR. PEREZ:

12 Q. Good morning, sir. This is Ron Perez with the Texas Railroad
13 Commission.

14 A. Good morning.

15 Q. Thank you for helping us out on this process.

16 A. Yes, sir.

17 Q. My first question to you, the morning safety meeting that's
18 been asked of you many times, can you just remind me of the
19 responsible people that were in that room on this particular
20 safety meeting on this morning? Was it all the parties involved
21 on the dredging crew and the operations support crew, or was it
22 just a small group of individuals?

23 A. I'm sorry. I didn't understand one bit.

24 Q. Who particularly was in the safety meeting that you
25 participated in?

1 A. The whole group was in there.

2 Q. Okay.

3 A. The whole crewman group was in there.

4 Q. Okay. Thank you. And then, just to make sure I understand,
5 nobody was briefed or made aware of the pipelines in that area in
6 that meeting that morning, correct?

7 A. That's correct.

8 MR. PEREZ: Okay. That's all I have for you, sir. Thank you
9 very much.

10 MR. GUAJARDO: Thank you.

11 BY MR. EHLERS:

12 Q. Okay. Back to me here. I just have two additional
13 questions. Actually, I'm going to hold my second one for a little
14 bit later. But you mentioned I think that the second tender, they
15 were doing some paint chipping when you headed off to go to the
16 support barge. Is that correct?

17 A. Yes, sir.

18 Q. What were they using to do chipping with? Were they using
19 hammers? Did they have needle guns? What were they using?

20 A. They were using the chipping hammers.

21 Q. Chipping hammers?

22 A. Yes. Like the ones that welders use --

23 Q. Yeah.

24 A. -- they were using that type of chipping hammers.

25 Q. Okay. And you said -- I think, did you say on the railings

1 and stuff like that, or where were they chipping away at?

2 A. They were working -- there was one guy working on the
3 portside on the deck, right on the deck on the portside deck.

4 Q. All right. And there's only one guy doing the chipping?

5 A. No, there was this other guy on the starboard side working on
6 the handrail. I saw him working on the handrail. He was chipping
7 it also.

8 Q. Okay. All right. So they were using just regular, manual
9 hammers?

10 A. Yes, sir.

11 MR. EHLERS: Okay. All right. Thanks. All right. That's
12 the only follow up I had for the moment. I'm going to have one
13 last one for you, but let me turn it over to Mr. Stancil, and
14 we'll see if he's got more.

15 MR. GUAJARDO: Okay.

16 BY MR. STANCIL:

17 Q. Yes, I've just got one or two more. I wanted to follow up on
18 a question the Coast Guard asked you about the cane poles where
19 you mentioned that the barge was already past the poles. What did
20 you mean by that, past the poles?

21 A. The dredge was already past the poles I mean.

22 Q. Are you talking about closer to the shore than where the
23 poles were? Is that what you mean?

24 A. No, the dredge was already ahead of them. I mean it digs
25 forward, and the cane poles, they were on the back of the dredge.

1 Q. So the dredge was closer to the shoreline than where the cane
2 poles were; is that what you're saying?

3 A. No.

4 Q. I'm having trouble understanding what you mean by you were
5 already past them.

6 A. The dredge already passed the poles. It was digging forward.
7 The dredge was digging forward and the dredge already passed them
8 poles.

9 Q. Okay. How many poles were there?

10 A. There were two of them.

11 Q. And that's all you saw?

12 A. That's it.

13 Q. Okay. Regarding other work that you've done, not associated
14 with this project, did you ever work around pipelines before?

15 A. Yes, I worked on the pipeline.

16 Q. Doing dredging work?

17 A. No, on pipeline. You're asking me something. I worked on
18 pipeline before.

19 Q. Okay. Have you ever done dredging work or worked on a
20 dredging project around a pipeline before?

21 A. Yes.

22 Q. And what -- was there anything different in those projects --

23 A. Yes.

24 Q. -- compared to this project?

25 A. Because we always stay away from them and try to dig around

1 them, I guess, because we tie up the cutter head with a cable so
2 we don't hit them, and we try to avoid them.

3 Q. When you say tie up the cutter head with a cable, what does
4 that do?

5 A. It keeps it from spinning. It keeps the cutter head from
6 spinning.

7 Q. So you just use the suction throat, not the cutter head --

8 A. Yes.

9 Q. -- when it's closer to the pipeline?

10 A. Yes.

11 Q. What other precautions do you use when you're working around
12 pipelines?

13 A. That's about it. I mean, you try to go around them and, you
14 know.

15 Q. How many other times have you worked around pipelines before?

16 A. It was just once, to be honest. It was just once when my
17 shift is there.

18 Q. Where was that project?

19 A. I don't remember. That was a long time ago.

20 Q. How long ago?

21 A. I couldn't tell you.

22 Q. In that instance, was there some sort of a safety briefing in
23 advance so that you know about the pipeline?

24 A. Yes.

25 Q. Tell me about that.

1 A. Well, it's always marked on the computer where the pipeline
2 is on the leverman's room. He always tells us like -- he tells us
3 in advance that there's a pipeline ahead, that we're going to have
4 to do some stuff, move the dredger around so we won't hit it.

5 Q. Was this the same leverman for this project?

6 A. Yes.

7 Q. Do you know if he had the pipeline marked on his screen?

8 A. I don't know. I didn't see anything.

9 Q. But the same leverman on a previous project had the pipeline
10 marked and discussed safety precautions --

11 A. Yes.

12 Q. -- for working around the pipeline?

13 A. Yes, sir.

14 MR. STANCIL: Andrew, do you have anything you want to follow
15 up with on that?

16 MR. EHLERS: No, I'm good. Thank you. Are you good, Paul?

17 MR. STANCIL: Yeah, I'm done.

18 MR. EHLERS: Okay. All right. Coast Guard?

19 [REDACTED] Just a couple.

20 BY [REDACTED]

21 Q. So you said that you worked around pipelines before. Just
22 approximately do you know how long ago that was?

23 A. I couldn't tell you, sir, I'll be honest.

24 Q. So the time you worked around pipelines before to this time,
25 did you feel like this time was any less safe than the first time

1 you worked around pipelines?

2 A. I don't know. Like what do you mean?

3 Q. Both experiences, you said the leverman had marked the
4 pipeline. It was in the leverman room, right?

5 A. Yes, before. The first time, yeah.

6 Q. So this time, was that same map there marking it?

7 A. No, there was nothing marked in there.

8 Q. So you feel, based on your experience, that not having that
9 map, was that an unsafe procedure?

10 A. I don't know, because I didn't know it was there.

11 Q. Okay.

12 A. Nobody I guess -- I didn't know it was there. I don't know
13 if anybody else knew about it.

14 Q. Knowing now that, you know, there was a pipeline there, would
15 you have rather had a map with the pipeline on it?

16 A. Yes.

17 Q. Okay. And then, going back to those two cane poles that you
18 saw, did both of them have that pink ribbon on them?

19 A. Yes.

20 [REDACTED] Okay. Those are all the questions I had. Thank
21 you.

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

23 Enterprise?

24 MR. MORTON: Yes, this is Jeff Morton, and I do have one
25 follow-up question. Did you see the leverman's computer screen in

1 the safety meeting and the dredge plan for the --

2 MR. GUAJARDO: Yes, sir.

3 MR. MORTON: All right. Thank you.

4 MR. EHLERS: All right. Thank you.

5 And PHMSA, Mr. Rodriguez?

6 MR. RODRIGUEZ: I don't have anything else.

7 MR. EHLERS: Okay. Thank you, sir.

8 Texas Railroad Commission, Mr. Perez?

9 MR. PEREZ: No further questions, sir.

10 MR. EHLERS: Okay. I have one final question for you, sir,
11 and that is very simply, is there anything I haven't asked you or
12 questioned you about that you think might be important to our
13 investigation, something we haven't thought about that you'd like
14 to tell us?

15 MR. GUAJARDO: We covered everything, sir.

16 MR. EHLERS: Okay. All right. I will ask one more time if
17 anyone has any further questions?

18 ■■■■■ Hey, Drew, this is ■■■■■ from the Coast Guard. I
19 pulled up a photo of the cane poles, and I was wondering if I
20 could just take a moment to see if he recognizes, you know, this
21 photo.

22 MR. EHLERS: Certainly.

23 ■■■■■ Okay. Thank you. Just so everyone knows, I'm
24 showing him a photo on my screen. I'll give you that photo number
25 after.

1 BY [REDACTED]

2 Q. But I just want to ask you, Guillermo, did you remember
3 seeing something like that? Do you recognize that, those poles?

4 A. Yeah.

5 Q. Okay. And are these those pink ribbons that you talked
6 about? Is that what they looked like?

7 A. Um-hum.

8 Q. Okay. Thank you.

9 [REDACTED] Just so everyone knows, that was photo DSCF0132,
10 and I'll mark that down on my notes that he recognizes the poles
11 that were in this photo.

12 I'm sorry. One more thing as well.

13 MR. GUAJARDO: Yes.

14 [REDACTED] Can you just mark what direction -- I'm handing
15 back the diagram. I just want to mark what direction your boat
16 was moving.

17 MR. GUAJARDO: Okay.

18 [REDACTED] And can you put a little star just that, that was
19 your boat?

20 (Pause.)

21 [REDACTED] Okay. Great. Thank you. I have no further
22 questions. Thank you.

23 MR. EHLERS: Okay. Sir, I really appreciate the time you've
24 taken with us.

25 MR. GUAJARDO: Yes, sir.

1 MR. EHLERS: It's very important to our investigation.
2 You've provided a lot of good information. Thank you for your
3 time.

4 MR. GUAJARDO: No problem.

5 MR. EHLERS: I know it was a pretty traumatic event, and so I
6 thank you for supporting us here.

7 And with that, what I'm going to do is ask to stop the
8 recording.

9 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

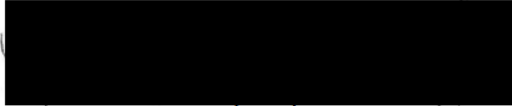
IN THE MATTER OF: FATAL FIRE AND SINKING OF THE
DREDGE *WAYMON L BOYD* IN CORPUS
CHRISTI, TEXAS, ON AUGUST 21, 2020
Interview of Guillermo Guajardo

ACCIDENT NO.: DCA20FM026

PLACE: Via Microsoft Teams

DATE: August 31, 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.


Kathryn A. Mirfin
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. Guillermo Guajardo, Tender Operator

Dear Mr. Guajardo,

The enclosed transcript of your interview on August 31, 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 **October 16, 2020**. Please return or destroy the transcript after providing your comments.

Comments must be returned no later than **October 16, 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,

Draw Ehlers

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



300 ft x 20 ft

